

2014

Contested Space: Design Principles and Regulatory Regimes in Mixed-Income Communities Replacing Public Housing Complexes in Chicago

Robert J. Chaskin

Mark L. Joseph

Follow this and additional works at: [http://chicagounbound.uchicago.edu/
housing_law_and_policy](http://chicagounbound.uchicago.edu/housing_law_and_policy)

 Part of the [Law Commons](#)

Recommended Citation

Robert J. Chaskin & Mark L. Joseph, "Contested Space: Design Principles and Regulatory Regimes in Mixed-Income Communities Replacing Public Housing Complexes in Chicago" (Kreisman Working Papers Series in Housing Law and Policy No. 16, 2014).

This Working Paper is brought to you for free and open access by the Working Papers at Chicago Unbound. It has been accepted for inclusion in Kreisman Working Paper Series in Housing Law and Policy by an authorized administrator of Chicago Unbound. For more information, please contact unbound@law.uchicago.edu.

CHICAGO

KREISMAN WORKING PAPER ON HOUSING LAW AND POLICY No. 16



CONTESTED SPACE: DESIGN PRINCIPLES AND REGULATORY REGIMES IN MIXED-INCOME COMMUNITIES REPLACING PUBLIC HOUSING COMPLEXES IN CHICAGO

Robert J. Chaskin and Mark L. Joseph

THE LAW SCHOOL
THE UNIVERSITY OF CHICAGO

October 2014

This paper can be downloaded without charge at the Kreisman Working Papers Series in Housing Law and Policy: http://chicagounbound.uchicago.edu/housing_law_and_policy_wp/ and The Social Science Research Network Electronic Paper Collection.

Contested space: Design principles and regulatory regimes in mixed-income communities replacing public housing complexes in Chicago

Robert J. Chaskin
The University of Chicago

Mark L. Joseph
Case Western Reserve University

(Annals of the American Academy of Political and Social Science, forthcoming 2015)

Chicago is currently implementing the largest and most ambitious effort in the United States to redevelop inner city neighborhoods and address the problems of urban poverty through the “transformation” of public housing. Chicago’s effort is part of a broader policy trend, nationally and internationally, focused on deconcentrating urban poverty and addressing the problems that have become endemic to many public housing communities over the past half-century. At the center of this effort is a stated emphasis on *integration*—on remediating the negative effects of racial and economic segregation that was so starkly exacerbated and reproduced by past public housing policy. Entailing large-scale demolition, redevelopment, and the relocation of thousands of public housing residents, the effort seeks to reshape urban space, remake urban neighborhoods, and reverse the isolation of public housing residents through their integration into new neighborhoods and into the broader contexts, institutions, and opportunities provided by the city as a whole.

Emblematic of neoliberal urban policy, Chicago’s Plan for Transformation relies to a large extent on market processes, operating through public-private partnerships to reclaim and rebuild neighborhoods while fundamentally remaking public housing’s role

in responding to the needs of the urban poor. It also relies on the design principles and theoretical orientations of New Urbanism, which assumes that particular aspects of the built environment can support social objectives associated with diversity and community building, as well as maximize the use and informal surveillance of public spaces and promote care and defense of private space. This dual orientation toward community and control sits somewhat in tension, however, and is generating complex dynamics and significant contention in the new mixed-income communities that are at the center of the Transformation.

This paper focuses on the ways in which design choices and regulatory regimes militate against the effective integration of public housing residents in these contexts, contributing instead to new forms of residential inequality, exclusion, and alienation. We find that the strategies engaged to maintain social order have contributed to redirecting the integrationist aims of the development policy toward the implementation of a kind of *incorporated exclusion*, in which physical integration reproduces marginalization and leads more to withdrawal and alienation than the engagement and inclusion of relocated public housing residents and other low-income residents.¹

Theoretical foundations and expectations

Reshaping neighborhood context through redevelopment responds to concerns about how “neighborhood effects” operate in areas of concentrated disadvantage. A large body of research, for example, finds associations between living in high-poverty neighborhoods and a range of social problems, including high rates of child abuse, teenage and out-of-wedlock births, school drop-out rates, crime and delinquency, and

adult unemployment (for reviews, see Gephart 1997; Sampson, Morenoff and Gannon-Rowley 2002; Small and Newman 2001). Mixed-income development approaches to public housing reform seek to address the problems created by concentrated disadvantage by changing the composition, structural circumstances, and social process dynamics in these communities through the wholesale redevelopment of the built environment, the screening out of problematic residents, the integration of higher-income renters and homeowners, the provision of some services and supports for low-income residents, and the establishment of organizations and processes to establish rules, monitor compliance, and respond to problems as they emerge.

Briefly, arguments for the potential benefits of mixed-income public housing reform fall into four broad categories (Joseph, Chaskin and Webber 2007). Social capital arguments suggest that integrating public housing residents into economically diverse neighborhoods may connect them to the relational networks of their higher-income neighbors, promoting access to information and opportunity that is not available through their own relatively closed networks. Social control arguments suggest that, since crime is highly correlated with socioeconomic status, residential stability, and homeownership and higher-income people may be more likely to exert pressure to maintain order and enforce rules, the presence of higher-income residents may promote a context of greater safety and a foundation for more harmonious community dynamics. Middle-class “role model” arguments suggest that the presence of higher-income people may contribute to the modification of aspirations and behavior among those who have been living in isolated poverty toward more prosocial engagement in community and society. And arguments about political and market influence suggest that the presence of higher-

income residents can attract greater investment and the provision of higher quality and more responsive services from both public and private-sector sources, leading to improvements in the physical, service, and organizational infrastructure of local communities.

In addition to these arguments, mixed-income public housing reform draws on New Urbanist planning principles, which argue for the facilitative role that urban planning and design can play in shaping a built environment—with a focus on scale, walkability, mixed-use, and civic and transitional space—that (among other things) supports diversity, promotes social interaction, and ensures safety and civic engagement (Leccesse and McCormick 2000). Although many of the principles espoused by New Urbanism focus on civic space, demographic and functional diversity, and the promotion of pedestrian presence and public activity, in mixed-income public housing redevelopments relatively more emphasis has been placed on design elements meant to create “defensible space” (Newman 1972) by providing the clear spatial delineation of private and public spheres and facilitating informal surveillance and individual and collective responsibility.

Increasing the proportion of higher-income residents, promoting homeownership and residential stability, and shaping defensible space may counteract the effects of social isolation and contribute to higher levels of social control and reductions in crime, but they may also generate conflict, particularly in light of how issues of race, class, and other dimensions of difference inform social interaction in the context of rapid neighborhood change (Chaskin and Joseph 2013; Freeman 2006; Hyra 2008; Pattillo 2007). Indeed, the social dynamics and organizational responses that have been generated

as a consequence of redevelopment and demographic change have also produced a set of fundamental tensions that contribute to serious contestation about the nature of community in these contexts and the rights, privileges, and responsibilities that are shared or differentially enjoyed by community members within them.

Contexts and methods

The analysis presented here is based on in-depth interviews, field observation, and a review of documentary data over the course of six years of field work focused on three mixed-income developments that are being built on the footprint of public housing complexes demolished as part of Chicago's Plan for Transformation (see Table 1 for a summary comparison of the three developments).

[INSERT TABLE 1 ABOUT HERE]

Multiple in-depth interviews were conducted with a panel of 85 residents living in the mixed-income developments and focus groups were conducted with an additional sample of 102 residents. Resident interviewees were randomly selected from developer occupancy lists in each development and respondents included residents across income levels and housing tenures. Interviews were also conducted with a panel of 84 professional stakeholders over the course of three waves of data collection. In addition to interview data, field observations of approximately 500 community meetings, programs, and events were used to contextualize interview and focus group data within the specific dynamics of each site and provide both a check on and new insight into the dynamics

described by the sample of respondents. Interviews and focus groups were recorded digitally and transcripts and field notes were coded for analysis based on a set of deductively derived thematic codes and refined based on inductive interim analysis. Coding and analysis were done using NVivo qualitative analysis software.

Shaping regulatory regimes: Rationales and motivating considerations

In thinking about their desire for neighborhood order and the need for standards, rules, and mechanisms to ensure its maintenance, both residents and development professionals express a number of different concerns that motivate their support for regulation and enforcement. These fall principally into three broad categories.

The first is concern about crime, safety, and disorder. Concerns about violent crime and criminal activity that bring with it the threat of violence, such as drug trafficking and gang activity, are shared by development professionals and residents across sites regardless of income, race, or housing tenure. As salient as they are, however, these concerns are far from overriding. More prevalent are complaints about property crimes and, especially, about a broad range of “incivilities” that stop short of criminality but contribute to residents’ assessment of neighborhood quality of life. (Indeed, total reported crime, and especially violent crime, has declined significantly over the course of the Transformation across sites.) Concerns along these lines, primarily expressed by homeowners and higher-income renters, focus on a broad range of what they often describe as “ghetto” behaviors, such as hanging out in groups, playing loud music on the street and in cars, yelling and arguing in public, littering. Although not in themselves

criminal, these behaviors are often conflated with concerns about crime and seen as issues to be confronted in the name of safety and security.

The second motivating orientation that drives the development of regulatory regimes in these contexts, shared principally by development professionals and homeowners, concerns the market viability of the communities and the need to protect investment and exchange values. The concern here focuses on maintaining a community that is well-ordered, well-maintained, and stable, where the resources a homeowner invests are likely to increase in value over time and where market-rate renters will feel they are getting comfort and value for their money. Perceptions of neighborhood disorder and lack of safety raise concerns about stability and the soundness of investments made. These concerns tie directly to calls for rules, surveillance, and enforcement that can contribute to the maintenance of order and the protection of investment. As a professional stakeholder noted:

If you're not managing the property properly and not enforcing the rules . . . if there isn't some consistent enforcement, then the property values will go down, the appearance of the property will be degraded, the desirability of living there, the comfort of people living there will diminish.

Seen in this light, evidence of “disorder” provides negative cues for potential investors and higher-income renters and is ultimately damaging to the property values of those who have already invested. These concerns are often mentioned in both development and homeowner association meetings and at a range of public forums in the broader neighborhood. Often, the issues raised focus on objections to “loitering” and the very

presence of people, especially black men and unsupervised youth, on the street. As a homeowner in the neighborhood surrounding Westhaven Park put it:

Last night there were 17 guys down at this place just hanging, 17 people in front of two of the CHA homes, just hanging around talking and so forth. If anyone drives through this neighborhood and they see that, they're not going to buy a home next door to that. It's not gonna happen.

But while exchange-value orientations are clearly operative and contribute to homeowners' and development professionals' orientations toward social control expectations and responses, even more salient—particularly emphasized by homeowners and market-rate renters—are expectations regarding *use value*.

This leads to the third motivation, which concerns the need for clear community norms and standards of behavior. Like concerns about safety, there is wide embrace of the need for neighborly norms among development professionals and across residents of different backgrounds, but also some disagreement about what those norms should be, how they should be enforced, and what processes should be used to establish them. While much of the focus on norms and standards of behavior concerns generally agreed-upon nuisances that negatively impact the quality of life of other residents, much of the discourse around maintaining community norms is shaped with reference to the need to reform what are seen by many homeowners, higher-income renters, and development professionals as the deviant norms, values, and behaviors—often referred to as “ghetto” behavior—of low-income renters, particularly relocated public housing residents. As a professional stakeholder put it:

I mean public housing created a different kind of person, not the average person, and people look at me like I'm crazy when I say that, but when you subject people to things that people in public housing were subjected to—and that it's not normal, it's not natural and then you have to teach, you know that stuff is taught to successive generations, you know and you've created a different kind of human being, not better or not worse, but different.

The range of (noncriminal) behaviors to be changed in this regard (and in response to which rules and sanctions are developed) ranges from generally agreed upon incivilities like those noted above to activities that are far more innocuous, such as storing personal items or hanging laundry in plain view on balconies, washing or repairing cars in the street, and barbequing in public (cf. Freeman 2006; Hyra 2008; Pattillo 2007).

Market norms and broken windows

Acting on these considerations, development professionals at each site have embraced particular design principles and established specific rules and processes to establish and maintain regulatory regimes oriented toward safety, security, and the controlled use of public space. These are driven by the dominance of “market norms” and “broken windows” orientations that frame such responses and lead to a range of rules and sanctions and the establishment of specific mechanisms and processes to monitor behavior and compel compliance.

The focus on market norms is driven both by the need to attract and retain higher-income residents and by the effort to acclimate relocated public housing residents to the expectations of behavior and engagement required of them in the market and civil

society, outside the institutional framework and exceptional, isolated circumstances provided by the “projects” from which they came. As a development professional explains:

We can set certain rules that are basic management rules, but they have to be market-norm management rules. . . . The point of this is you’re making, for public housing families you’re transitioning into the market. This is with safety, transitioning with [a] safety net. So part of it that’s important is, what is it like to operate with a private landlord? What are the rules that you typically expect? How does that work?

This market orientation is coupled with an embrace of the “broken windows” theory of crime and disorder (Kelling and Wilson 1982), in which outward signs of disorder (litter, broken windows, graffiti) and expressions of incivility (loitering, panhandling, cursing, unruly behavior, public drinking) are seen to indicate more fundamental problems with safety and crime, leading residents to assume that they are at greater risk of victimization and providing “cues” to youth and others inclined to crime and antisocial behavior that such action will be tolerated. While visual cues certainly matter,² the empirical basis for the *causal* link between disorder and crime rates proposed by the broken windows thesis has been challenged (Sampson and Raudenbush 1999).³ Further, in the new mixed-income communities replacing public housing complexes there is some clear disagreement about what “counts” as disorder and what should be viewed as normative enjoyment of community space. As a public housing resident leader at Westhaven Park argues:

They're acting like we're the problem when our community has been like this.

They have a problem with us standing on the corner. We're colored. That's what we do. We gather in groups. We don't have to be no drug activity or nothing like that for us to gather around.

Broken windows orientations to preserving order in the name of safety and security are generally embraced by development professionals and higher-income residents in these contexts and receive renewed emphasis in times of heightened conflict or perceived threat. In some cases, calls to respond to issues such as unsupervised youth and pervasive "loitering" have been extreme. Explicitly invoking the need for a "broken windows approach" to addressing youth problems, for example, a homeowner and leader of a local community organization suggested taking a page from the state response to the London youth riots of 2011 by evicting the families whose youth are causing trouble in the neighborhood. But beyond energized responses to particular spikes in concern over crime and antisocial behavior, much of the focus has been on routinely curtailing access to public space and proscribing daily activities that are deemed unsafe in some way, or that are seen as potentially generative of more serious problems down the road. Further, the conflation of a broad range of incivilities with more serious concerns about crime creates a kind of gray area in which the one is linked, seamlessly, to the other. The comments of the renter of a market-rate make this point unselfconsciously:

The security is very, very important to [property management]. They take that very seriously. Just—you can't do this. You can't hang clothes outside. You can't barbeque in those common areas and then things like that.

These concerns about maintaining order and the orientations that guide strategies for doing so are reflected in specific rules and sanctions and codified in specific instruments, perhaps most instrumentally the rental lease agreement, that establish the foundation for organized responses to residents' infractions when they occur.

Rules, regulations, and mechanisms of enforcement

Many of the rules, regulations, and requirements developed within the context of mixed-income public housing redevelopments are no different than those that govern any rental community or condominium: on-time payment of rent and fees, keeping noise down after a certain hour at night, maintaining property upkeep. For homeowners, condominium associations are responsible for establishing rules and regulations for their members. These extend as well to renters living in buildings that include homeownership and, in many cases, to common areas both in and around the building. Homeowner associations thus hold wide discretion and responsibility for setting rules by which all residents must abide.

For renters in all units, rules and regulations are codified in rental leases and associated "house rules" that elaborate expectations for residents' conduct. For the most part, these are meant (at least formally) to extend to all renters, although there are some exceptions that apply only to relocated public housing residents. These include reporting requirements regarding changes to household composition, employment, or income; community service or "self-sufficiency" requirements for all adult residents in the household (at Westhaven Park and Oakwood Shores);⁴ and "zero tolerance" responses to criminal activity—the definition of which includes both specific criminal activity (such

as the use or distribution of illegal substances) and more general infractions (such as parole violations and the “abuse or pattern of abuse of alcohol”)—by the leaseholder or, importantly, any member of the household or their guests.

The list of rules across sites is substantial—“they have a dictionary-sized Rules and Regulations,” as one relocated public housing resident put it. Many rules are quite specific (fee schedules, pet regulations, barbeque prohibitions, rules governing the placement of objects on balconies or outside of unit doors). Others are more generally stated, often focused on prohibitions against “loitering,” groups gathering in common areas, and taking responsibility for children and guests. Yet others require some interpretation: What counts as “loitering”? Which areas are designated as “common” for purposes of regulation?). In any case, these rules are cited by both development professionals and residents—particularly relocated public housing residents and other low-income renters—as tools for ensuring compliance and triggering penalties.

While formally applicable to all renters (if not to homeowners), and in spite of development professionals’ insistence that enforcement is equitable—“a complaint is a complaint, a violation is a violation, the rules and regulations are the same” as one put it—the lion’s share of concern regarding rule adherence and responding to infractions focuses on low-income renters, especially relocated public housing residents. Indeed, low-income renters are seen as likely to cause fundamentally different kinds of problems than homeowners and other higher-income residents. As a development stakeholder put it:

There’s a huge distinction between owners and renters. So from in this building, what the owners do that is annoying to other owners are things that you’d expect

in a condo building. . . . The renters on the other hand . . . listen, it happens all the time; you know that the tax, you can get a tax-credit renter that's selling drugs out of their unit.

Monitoring and enforcement of these rules is accomplished through a number of mechanisms, both formal and informal. "When you put all these rules in place," a homeowner noted, "you really needed to bring an army to enforce it."

Formal monitoring and enforcement is largely the domain of development team members, especially property management staff. This occurs in part through collective engagement with renters at tenant meetings, almost exclusively attended by relocated public housing and other low-income renters. The purpose of these meetings is in part to provide a mechanism for information sharing and the airing of grievances, but the principal focus is on clarifying issues about rules and responsibilities (such as expectations regarding apartment maintenance, requirements for yearly lease renewals, and the need to engage in appropriate "neighborly behavior"), explaining the processes through which infractions will be handled, and stressing the consequences of lease violations.

Monitoring and enforcement also occurs through more individualized engagement, such as walking the streets during the day and driving around the site at night, talking to residents about how things are going, calling residents into the office for meetings, sending notices about expected behavior or reported violations, and documenting offenses. And it occurs, increasingly, through formal surrogates (such as private security personnel—often off-duty police officers) and electronic surveillance. Indeed, beginning in 2010, all three sites deployed closed-circuit television (CCTV)

cameras as both a deterrent and a tool to facilitate prosecution.⁵ By far the most extensive system is at Oakwood Shores, where perceived increases in crime and youth antisocial behavior have led to particularly vigorous efforts to address resident concerns about security. In partial response, a total of 150 cameras have been installed, focused on all rental buildings (not homeowner buildings), parking lots, alleyways, open spaces (with the exception of the public parks, where the city has installed cameras), and the perimeter of the development site. In addition, cameras are designed to be able to respond to certain behaviors—such as groups of people standing around for certain periods of time—with recorded messages to warn people away.

Formal mechanisms also include the police, who are often sought out by development professionals at each site to increase their presence on the streets and in the parks and, in keeping with the broken windows orientation described above, to be more vigilant in responding to both serious crime and a broad range of incivilities—“getting the police more proactive in the community with the guys hanging out,” as one development professional put it. Discussion at CAPS⁶ meetings also frequently turn to requests for more active and aggressive policing, additional patrols, asking for youth to be stopped and checked for identification (one resident suggested issuing armbands to identify resident youth versus outsiders), and adhering to a “zero-tolerance policy” toward loitering. Describing a police detail that would provide extra patrols in the neighborhood surrounding Westhaven Park,⁷ for example, a police officer notes that its primary focus will be on these kinds of concerns about incivilities—drinking, hanging-out—“the kind of crap you see everyday.”

Beyond formal mechanisms, residents are also encouraged by both property management and the police to engage in informal surveillance and to report infractions. Police, for example, routinely emphasize the importance of calling 911, creating phone trees, and becoming involved in volunteer patrols. And property management both communicates systematically with residents to enlist their help in monitoring infractions (such as leaving notes in mailboxes or posting notices to call management if residents notice anything problematic) and works through relationships with specific residents around specific issues. As a development professional explained:

According to my visual inspection, I can look at a building and look at it and say I need to go visit that person on the second floor, just by seeing—I mean for me personally, I can look at the outside sidewalk and see if there's been too much traffic inside of the building going on, and when I start noticing, hey, this property has a pickup on traffic, I know there's something wrong, and I need to find out. For many relocated public housing residents, these processes have a kind of Panopticon quality, and many express discomfort at the level and pervasiveness of surveillance in place in these contexts and the sense that their behavior is under constant scrutiny. As one relocated public housing resident put it: “it's like everything you do, they know about it.”

In many cases, relocated public housing residents respond with efforts to “blend in,” as one explained:

I have found myself that when I talk to the people at market rent or homeowners, it will have to be on a different kind of behavior, and I think it's just psychological, 'cause they don't tell me to or ask me to, but I immediately want to impress them that, you know, I can blend over here with you all.

In other cases the response is either to push back against what are viewed as unreasonable restrictions or, most commonly, to withdraw from engagement and stake out a protective, defensive position in these new communities.

Targets, impacts and responses

It should be noted that most people in these communities—development professionals and residents both—recognize that the issues of concern, whether clearly criminal or more focused on incivilities, are likely generated by a relatively few “problem households” and their guests, or (particularly in the case of crime) by low-income residents in the surrounding neighborhood who may or may not be connected to current residents. That said, relocated public housing residents and other low-income renters (the distinction between which is virtually never made by higher-income residents)⁸ are the principal focus of the regulatory regimes put in place in these contexts. As the leader of a community organization puts it:

The target becomes people in public housing; it’s just easier to lump them in as a group. . . . It’s a clash unlike anything I’ve seen, and to get anywhere remotely close to that, you’d have to go back to when blacks were trying integrate communities back in the 60s, to get that kind of venom and rabid anger that comes out when people are talking about the neighborhood.

Relocated public housing residents themselves express some ambivalence about rules and rule enforcement. On the one hand, many recognize their importance generally (as noted above) and credit their enforcement with contributing to improvements in these communities (safety, sanitation, quality of the built environment) as compared to the

circumstances in public housing, especially to the extent they rein in the behavior of disruptive youth or lead to the removal of the tenants they recognize as problematic. For some, the more restrictive regime is a fair trade for the improvement in living standards provided by the new development. As one put it:

The rules are what is expected. I mean what can you say? You come from the projects and you get blessed with a brand new apartment that's built from the ground. What more can you ask for? You come out of the projects where there's rats, roaches, floods, no heat half the time, no lights half the time. So I'm grateful. I have no complaints.

Many, however, find the nature and extent of surveillance and regulation highly invasive, often excessive, and a significant source of stress. Indeed, while the majority of homeowners and market-rate renters with whom we spoke advocated more stringent rules and more rigorous enforcement, virtually no relocated public housing residents shared this view. Beyond some basic disagreements about the appropriateness of some rules—restricted access to what they view as public space, injunctions against “congregating,” prohibitions against barbequing—there was general concern about the extent to which certain rules singled them out as likely transgressors, were differentially enforced, and had more significant—and potentially detrimental—impacts on both their rights to community enjoyment and their ultimate housing stability. These concerns were noted, sometimes with resignation, sometimes with rancor, with regard to both private behavior and public space.

Policing private behavior

Rules governing aspects of private behavior and the mechanisms put in place to enforce them often overlap with concerns about the use of public space, but are also oriented toward specific aspects of self-sufficiency, self-control, and lifestyle behaviors—from employment (or, in the absence of employment, training and community service) to drug use to personal hygiene to housekeeping. At one condominium association meeting, for example, contention around the smell of cigarette smoke emanating from people’s apartments—the source of which was explicitly presumed to be relocated public housing residents—led to discussion about the possibility of prohibiting smoking in apartment units by declaring the building a no-smoking zone. At a tenants meeting at another site, development professionals shared with relocated public housing residents homeowner complaints about residents stepping outside their units “not looking acceptable for public presentation” (uncombed, barefoot, in pajamas), and encouraged them to “take away [homeowner’s] ammunition” by thinking beyond the specific rules codified in their lease. Instead, they should remember that “people are watching” and avoid behaviors that will be perceived as negative by their higher-income neighbors.

One way in which these expectations for resident behavior are monitored is through periodic unit inspections. Formally, all renters regardless of income or nature of subsidy are required to allow inspection of their units at least annually. In practice, however, unit inspections are disproportionately focused on low-income residents, and often take place far more frequently than the annual requirement.⁹ As a development professional noted:

Part of the unit expectation is their units will be inspected at least four times a year, but it's at least twice that, and for some residents it's more than that. . . . Market residents are excluded from that, but our market renters are a small portion and the affordable and public housing units, I mean, they have to open their doors literally every month to inspectors.

The outcome of inspections is among the sources of information—along with complaints from other residents and infractions documented by property management in other ways—that provide the foundation for a range of punitive responses. Across sites, this process takes place within a stated regime of strict enforcement. In the words of one development professional, “I don’t negotiate. The rule’s the rule.” This is a stance recognized by public housing residents across sites.

The weight of surveillance and the rigor with which infractions of rules are sought out and enforced have led many relocated public housing residents to feel both overly confined and under constant threat—“walking on eggshells” as one put it—as well as ultimately demeaned. As one relocated public housing resident put it, “believe me, you are being watched. The cameras, the cameras. And if anything goes wrong they pull you in the office, they’re gonna tell you every detail.”

The pressure of neighbor complaints and the responses of property management to them are often seen by relocated public housing residents in contrast to the more flexible, tolerant stance that many of them believe they take to living with neighbors in these contexts. “We’re adaptable to noise, to people walking when we can hear it at 4:00 in the morning,” notes a public housing resident leader. “We should tell each other. Maybe we should complain, but we figure it’s their business.”

These concerns about overzealous and unfair enforcement extend beyond the stigma of the scrutinized behavior of leaseholders to the feeling that their children are such a focal concern, unwelcome in the community and unfairly targeted by efforts to enforce rules, especially those that control access to public space. Even more problematic for many is the extent to which they are held responsible for the actions—indeed, even the presence—of visitors and nonresident relatives. There have been increased efforts across sites to respond to the presence of problematic visitors (including issuing “banning” orders) or reduce the presence of people “hanging out” as a preventive measure or in response to general complaints about street-corner gatherings, especially of youth. As the leader of a local community organization in one neighborhood notes, “we’re programmed that when we see a group of young people, particularly teens just hanging out somewhere, it’s a cause for concern.” This has led, as noted above, to blanket calls for a “zero tolerance” policy toward loitering, with a particular emphasis on eliminating the presence of young people in public spaces and, more recently, on efforts to enlist residents to police their presence. In some cases, this occurs through service-oriented efforts to build and engage local resident leadership. In Park Boulevard, for example, development professionals have sought, as one explained, to organize “leadership teams” of resident young people to intervene, “get[ting] the teens to say [to other teenagers congregating in public], hey, it’s not cool to hang out, culturally it’s not cool.” In others, policing such activity takes a more punitive turn, making clear the consequences of inaction. At one neighborhood meeting, for example, a CHA staff member shared with the participants that as he was walking up to the meeting location he noticed two young men sitting on the front steps of a house. On discovering they didn’t

live there, he spoke with the leaseholder and told her that “you can’t have young black guys hanging out in front of your house,” and that she would be held responsible for their behavior and could be evicted if they did something wrong. This is a message increasingly sent to relocated public housing residents by property management staff and other development professionals across sites.

Privatizing the public

As this last example suggests, the focus on policing individual behavior is often connected with concerns about maintaining order in public spaces. These concerns have informed a range of responses, most of which hinge on different approaches to privatization. On the one hand, as noted with reference to the tenets of New Urbanism, the importance of public and transitional space is generally recognized by development professionals and residents both. On the other hand, monetary considerations, concerns about safety, homeowner preferences for privacy, and disagreements regarding normative expectations for behavior in public space have led to both design and management choices that for the most part limit the amount of public space available, separate it from the main concentrations of residential living, and regulate access to these spaces and the kinds of use to which they can be put.

Regarding design, the principal focus is on the provision of housing for individuals and families, and the vast majority of space is set aside for the development of private rental or for-sale units. In part this is driven by financial considerations and desires for density, but it is also driven in part by preferences, especially those of homeowners:

It's designed in such a way that [homeowners] really do have their own privacy. I mean, their garages go all the way across their yard. Their kids could play in the yard and you don't even have to be outside 'cause they're fenced in. So there's no contact where you're coming over the fence or throwing things over the fence and stuff like that. I don't see any of that kind of stuff.

But it is also, importantly, driven by concerns about safety. The design implications of this draw on the seminal arguments regarding "defensible space" put forth by Oscar Newman in the 1970s, which were adopted by New Urbanists promoting "traditional neighborhood design" and, in turn, informed thinking about HOPE VI public housing redevelopment nationally. The emphasis here is on promoting a sense of territoriality, ownership and responsibility, the demarcation of "safe zones," and increasing the likelihood of informal surveillance (Leccesse and McCormick 2000; Newman 1972; Popkin et al. 2004). Thus, design across these sites has, for the most part, privileged private (and privately controlled) space over common areas, including a preference for individual entrances and private balconies as well as the demarcation of common spaces that can be effectively monitored and managed.

Such privatization incorporates both design choices and management strategies. In some cases, privatization is explicit, by creating civic space (such as "community meeting" rooms) that are privately managed and staffed, or by designating particular common spaces as private that, to the general observer, might reasonably be seen as public space. Regarding the former, both Oakwood Shores and Westhaven Park have created such spaces, access to which is provided through formal request, approval, and

scheduling and the use of which is regulated by development staff. The benefits of such spaces in terms of social control are noted by a development professional:

The indoor public spaces are easy because the indoor public spaces we can monitor and we staff and we maintain. The outdoor public spaces are more challenging just because they require the police to do their job.

Regarding the second, Park Boulevard, provides a case in point. Here, designers created a kind of town square area, with green space and a playground, around which townhouses (along the long sides of the park) and multi-unit dwellings (at the corners of these blocks) are located. Access to and use of this park, and particularly the playground within it, has been the site of some contention, including a dramatic event early in the development's history in which several young people (each 10 or 11 years old) were actually arrested by an "overzealous security guard," in the words of one development professional there, for being too old to play on the equipment and for playing too loudly. The incident raised issues about the nature of public space and who could use it and about appropriate responses to policing such space. It led to both the clear designation—through signage explicitly stating rules of access and use—of the park as for the enjoyment of Park Boulevard residents only ("the reality is that it is a private park," noted another development professional there, "it's a private park for 150 residents"), and to more measured responses to addressing concerns about youth presence and public activities.

As suggested by the foregoing, the privatization of space in the name of security is as much a function of regulation as it is of formal privatization (Ruppert 2006). Across sites, regulations have sought to essentially redefine public space by limiting resident

access to common areas not explicitly designated for social uses and prohibiting their use for such purposes. This includes both what might generally be assumed to be public spaces (such as streets, parks, playgrounds, alleyways, the areas in front of and behind buildings) and transitional spaces (such as front steps and parking lots) that might be more readily recognized as private but available for the use of residents and their guests. Thus, prohibitions have been put in place across sites that seek to keep people off the streets, sidewalks, and away from the front of buildings and to control the use of parking lots, boulevards, and parks in order to limit disturbances and curtail visible “hanging out.” As a development stakeholder explained:

They’re used to being able to stand outside in the hallway or in front of the building and cuss each other out and all that. You can’t do that here. That’s a violation of your lease. In the projects, you could do that.

Relocated public housing residents and other low-income renters frequently commented on the draconian nature of these prohibitions and their explicit focus on controlling the behavior of low-income renters. As one relocated public housing resident stated:

They must have been sitting out on their porch or sitting outside on the crate or something but they put notices in all their mailboxes telling them that was very ghetto. You know: You’re not allowed to congregate in front of the property.

Well, where do you want me to go? Where do you want me to go?

More fundamentally, these preferences reflect a profoundly different orientation, and different expectations of neighborhood space as places of sociability, than those

shared by many relocated public housing residents and other low-income renters. As one explained:

They want us to sit in the back because they thought it's unsightly to have us out here, but we don't see anybody in the back. In the front you can see people coming and going. . . . People drive by and they stop and they talk, but in the back you not going to get that.

They are also in stark contrast to the orientations toward public space that relocated public housing residents had experienced in public housing. There, public space was seen as providing essential sites for socialization and building community, contributing to the building of social networks and enduring relationships, in spite of the important concerns about safety that they often also discussed. "You knew the whole—everybody's body, mamas, cousins," as one relocated public housing resident noted, "their second generations, their third generations." Another recalled:

And see, what we used to do down there, when we were staying in Henry Horner Homes, is that we had so much green grass area around the buildings that we could just go outside and, like, set up a table and have your barbeque grill and sit out and barbeque and everything, like, right outside 'cause you have so much grassy area. Now it's like you can't do it.

The privatization of space and the enforcement of rules to support it, while partially effective at curtailing some of the behaviors development professionals and higher-income residents wish to limit, also leads to a countervailing process in which such privatized space is re-appropriated for social interaction, recreation, and leisure. Often, this manifests as individuals or small groups gathering, standing together in front

of buildings or on street corners, sitting on front stoops, or pulling up chairs to socialize outside. In other cases, the appropriation of space is more active—kids running up and down the street and between cars in the parking lots or playing in the alleys; parties being held on the street to eat, drink, and listen to music. Particularly in the warmer months, homeowners across sites complain of these activities; one homeowner, for example, complained of “mobs of people” setting up a late-night party behind her building, “totally invad[ing] the parking area.”

To some extent, these two kinds of appropriation are mutually reinforcing: The privatization of common areas, a lack of accessible public space, and rules perceived as overly restrictive or inconsistently enforced lead to the informal reclaiming of such space for social uses, while the use of spaces in front of buildings, in parking lots, and on the street to socialize—as well as some kinds of activities in public parks—leads to complaints by some higher-income residents and censure by property management. But while some residents respond by pushing back against what they see as unfair restrictions in this way, development professionals recognize that much of this public socializing is due less to large numbers of current residents than to former residents returning to visit, or residents from the larger neighborhood, sometimes coming as guests of (a few) current residents, sometimes on their own. Many current residents, in contrast, respond to these regulatory regimes instead by withdrawing, seeking to minimize the possibility of punitive action and choosing instead to “keep their head down” and stay out of trouble. As one relocated public housing resident put it:

I say it's best to just mind your own business and just speak to people hi and bye and not socialize or fraternize with them, then that way you won't be one of the ones that they calling into the office on.

Such a response is reflective of the differential impact that rule infractions have on relocated public housing residents and other low-income renters compared to their higher-income neighbors.

Differential impact

In addition to a general sense of being targeted by these kinds of regulations and complaints about the appropriateness of some of them, relocated public housing residents and other low-income renters complain as well about the ways in which they are unfairly enforced, and about the lack of recourse available to act on complaints about their higher-income neighbors. “The only people that have to abide by the rules is us as the low-income people,” as one relocated public housing resident complained, “[homeowners] don't have rules.”

But perhaps more important is the extent to which enforcement has a fundamentally different impact on relocated public housing residents and other low-income renters. This is particularly the case in the context of the adoption of “three strike” rules across sites and the effort to step up evictions in response to complaints. Low-income people, after all, have significantly fewer housing options available to them in the market than those with greater financial resources, and since relocated public housing residents have taken up residence in these communities as their “permanent” housing choice, eviction from their current unit could mean losing their right to public

housing subsidy entirely. Thus, in addition to the perceived leniency with which their higher-income neighbors are treated and the broader array of rights they are seen to enjoy, the dangers presented by enforcement are palpable. A relocated public housing resident at Park Boulevard, for example, where college students attending the nearby Illinois Institute of Technology comprise a portion of the residents living in homeowner units, expresses this dilemma:

They be running in the hallways, riding up and down on the elevator, and I done told [property management] about that and [they're] like, well they bought that condo. Yeah, they bought the condo, but they didn't buy the hallway and they didn't buy the elevator. If it was us, we'll get put out right then and there. . . . If it was us: "Okay, first strike. You've got one more strike and we gonna take you to court and you've got to go."

Indeed, enforcement of three-strike provisions and efforts to move quickly to eviction have become more common across sites over time. This is a shift from earlier in the history of these developments when, on the one hand, the desire to keep apartments rented contributed to development professionals' willingness to work through some challenges with residents not presenting serious problems or causing complaints from neighbors and, on the other, the barriers to moving forward with eviction proceedings for relocated public housing residents were particularly stringent in an effort to protect their rights under the Resident Relocation Contract. More recently, efforts have been made to enlist CHA's help in addressing the barriers to evicting problematic tenants, and more vigorous enforcement of three-strike provisions that could move to eviction has been

adopted. “We have to rack up the lease violations,” a development professional noted at a local CAPS meeting, “if you breathe hard, that’s a lease violation.”

Many evictions that have been effected have been for nonpayment of rent and these, in the context of the recession that began in 2008, have included a number of market-rate renters. But other eviction proceedings, especially when involving relocated public housing residents and tax-credit renters, are more likely to be in response to rule violations and problematic behavior. Some of this has included criminal convictions, an explicitly evictionable offense (though not without contention depending on the offender’s relationship to the household, as noted above). Many however, focus on more generally problematic behavior, from positive drug tests (not a crime, but a lease violation) to unauthorized guests to multiple complaints about noise or other incivilities. “I’m cracking down on residents who allow people that don’t live here to come and mess up what you have,” a development professional noted, “if your guest causes problems, you will reap the repercussions of it.” Similarly, at a management meeting at another site, discussion about pending eviction proceedings focused on the importance of targeting households who are responsible for causing a range of “disturbances”—from substance abuse to loud music to large numbers of visitors to dropping cigarette butts off the balcony. Thus, seeking to respond to complaints about incivilities, a link is made between a broad range of behaviors and actionable lease violations, and residents are enlisted in the effort to make the case.

Conclusion

From the standpoint of improved safety, order, and the quality of the built environment, the communities emerging on the footprint of public housing complexes under the Plan for Transformation show considerable success compared to what they replaced. While relocated public housing residents and other low-income renters acknowledge these improvements and appreciate, in particular, the relative safety of the neighborhood and quality of the housing in which they now live, homeowners and newly arrived market-rate renters are not entirely satisfied, and their concerns about safety, disorder, and neighborhood quality of life are largely grounded in complaints about their low-income neighbors, especially relocated public housing residents. This has led to significant contention about both place and space—both the kind of community each of these neighborhoods will become and the ways in which the space each provides can be shared equally or is to be differentially enjoyed by different community members based on income or housing tenure. Responding to this contention, regulatory regimes have been put in place that disproportionately impact relocated public housing residents and other low-income renters in these contexts, and that are grounded in the logic of contemporary “poverty governance” (Soss, Fording and Schramm 2011). This orientation privileges market norms and paternalistic orientations to managing the poor, linking eligibility of benefit receipt with evidence of individual responsibility and adherence to societal expectations for particular kinds of (positive) behavior, as well as to a range of punitive responses for noncompliance. Monitoring and enforcement operate through a diverse set of tactics, techniques, actors, and institutions, largely in the private sector rather than through the direct exercise of state power.¹⁰

Rather than promoting effective integration of the poor into well-functioning, mixed-income neighborhoods, the mechanisms put in place to implement these regimes—both formal and informal, individual and organizational—and the perceived differential targeting and inequitable enforcement of rules in their service have more often generated new forms of inequality, exclusion, marginalization, and, in the case of many relocated public housing residents in particular, to withdrawal. In some cases, withdrawal takes the form of protective, defensive action in making day-to-day choices: “I’m just gonna stay in this shell in my house and mind my own business,” as a relocated public housing resident leader put it, describing the reactions of some of her friends, “when they come for me, they just come for me.” In others, it entails making hard choices about managing personal relationships, such as choices to remove children from their lease to avoid eviction in the event of their getting in trouble. In yet others, it entails a more complete exit, by force or by choice.

Given the policy goals of inclusion and integration at the center of the Transformation, is it possible to reorient the regulatory regimes in operation in these communities in ways that protect the desire for order, safety, and sound investment without overly constraining individual freedom and access to public space or inequitably targeting the poor within them? Rethinking governance in these contexts away from regulatory paternalism and toward more participatory and inclusive engagement is one potential avenue (Chaskin, Khare and Joseph 2012). A second is refocusing design to promote the integration of and access to public “civic” space, and providing opportunities for more inclusive deliberation to establish collective norms about the use of such space (Chaskin and Joseph 2013). A third potential direction would focus greater attention on

shaping the organizational infrastructure of these neighborhoods, moving beyond the overarching focus on housing to include attention to building and connecting residents to commercial, institutional, and organizational resources, such as stores, coffee shops, recreational facilities, and schools (Chaskin and Joseph 2013). Finally, more robust services and supports (education, training, job-placement assistance, case-management) to help position relocated public housing and other low-income residents to participate more fully and effectively in these new communities and gain broader access to economic and social opportunities in the city are needed, but they are also limited in the broader context of shifting economic opportunity and other structural constraints that low-income people face and that policies like the Transformation are fundamentally not designed to address. Local efforts focusing on human capital need to be promoted along with a broader policy focus on structural barriers and inequality, and on economic development, infrastructure, and institutional investment in education, technology access, and other foundational resources that are often either of inferior quality or out of reach for many low-income people (Chaskin 2013; Chaskin and Joseph forthcoming).

References

Anderson, Elijah. 1990. *Streetwise: Race, class, and change in an urban community*. Chicago, IL: University of Chicago Press.

- Anderson, Elijah. 1991. Neighborhood effects on teenage pregnancy. In *The urban underclass*, eds. Christopher Jencks and Paul E. Peterson, 375-398. Washington, DC: Brookings Institution Press.
- Chaskin, Robert J. 2013. Integration and exclusion: Urban poverty, public housing reform, and the dynamics of neighborhood restructuring. *Annals of the American Academy of Political and Social Science* 647(1): 237-267.
- Chaskin, Robert J. and Mark L. Joseph (Forthcoming). *Integrating the inner city: The promise and perils of mixed-income public housing transformation*. Chicago, IL: The University of Chicago Press.
- Chaskin, Robert J. and Mark L. Joseph. 2013. "Positive gentrification," social control, and the "right to the city" in mixed-income communities: Uses and expectations of space and place. *International Journal of Urban and Regional Research* 37(2): 480-502.
- Chaskin, Robert J., Amy T. Khare and Mark L. Joseph. 2012. "Participation, deliberation, and decision-making: The dynamics of inclusion and exclusion in mixed-income developments." *Urban Affairs Review* 48(6): 866-908.
- Cruikshank, Barbara. 1999. *The will to empower: Democratic citizens and other subjects*. Ithaca, NY: Cornell University Press.
- Freeman, Lance. 2006. *There goes the 'hood: Views of gentrification from the ground up*. Philadelphia, PA: Temple University Press.
- Foucault, Michel. Governmentality. 1991. In *The Foucault effect: Studies in governmentality*, eds. Graham Burchell, Colin Gordon and Peter Miller, 87-104. Chicago, IL: University of Chicago Press.

- Gephart, Martha A. 1997. Neighborhoods and communities as contexts for development. In *Neighborhood Poverty, Volume 1: Contexts and Consequences for Children*, eds. Jeanne Brooks-Gunn, Greg J. Duncan and J. Lawrence Aber, 1-43. New York, NY: Russell Sage Foundation.
- Goffman, Erving. 1963. *Stigma: Notes on the management of spoiled identity*. New York, NY: Simon & Schuster.
- Gordon, Colin. 1991. Governmental rationality: An introduction." In *The Foucault effect: Studies in governmentality*, eds. Graham Burchell, Colin Gordon and Peter Miller, 1-51. Chicago, IL: University of Chicago Press.
- Granovetter, Mark S. 1973. The strength of weak ties. *American Journal of Sociology* 78: 1360-1380.
- Hyra, Derek S. 2008. *The New Urban Renewal: The Economic Transformation of Harlem and Bronzeville*. Chicago, IL: University of Chicago Press.
- Jencks, Christopher and Susan E. Mayer. 1990. The social consequences of growing up in a poor neighborhood. In *Inner-city poverty in the United States*, eds. Laurence E. Lynn, Jr. and Michael G. H. McGeary. (eds), 111-186. Washington, DC: National Academy Press.
- Joseph, Mark L., Robert J. Chaskin and Henry S. Webber. 2007. The theoretical basis for addressing poverty through mixed-income development. *Urban Affairs Review* 42(3): 369-409.
- Kasarda, John D. 1990. City jobs and residents on a collision course: The urban underclass dilemma. *Economic Development Quarterly* 4: 313-319.

- Kelling, George L., and James Q. Wilson. 1982. Broken windows: The police and neighborhood safety. *Atlantic Monthly* 29.
- Khadduri, Jill. 2001. Deconcentration: What do we mean? What do we want?" *Cityscape* 5: 69-84.
- LaGrange, Randy L., Kenneth F. Ferraro and Michael Supancic. 1992. Perceived risk and fear of crime: Role of social and physical incivilities. *Journal of Research in Crime and Delinquency* 29: 311-334.
- Leccesse, Michael, and Kathleen McCormick. 2000. *Charter of the new urbanism*. New York, NY: McGraw-Hill.
- Lewis, Dan A., and Michael G. Maxfield. 1980. Fear in the neighborhoods: An investigation of the impact of crime. *Journal of Research in Crime and Delinquency* 17: 160-189.
- Link, Bruce G., and Jo C. Phelan. 2001. Conceptualizing stigma. *Annual Review of Sociology* 27 (2001): 363-385.
- Logan, John R., and Harvey L. Molotch. 1987. *Urban fortunes: The political economy of place*. Berkeley, CA: University of California Press, 1987.
- McCormick, Naomi, Mark L. Joseph and Robert J. Chaskin. 2012. The new stigma of relocated public housing residents: Challenges to social identity in mixed-income developments. *City and Community* 11(3): 285-308.
- Newman, Oscar. 1972. *Defensible space: Crime prevention through urban design*. New York, NY: Macmillan.
- Pattillo, Mary. 2007. *Black on the block: The politics of race and class in the city*. Chicago, IL: University of Chicago Press.

- Perkins, Douglas D., Abraham Wandersman, Richard C. Rich and Ralph B. Taylor. 1993. The physical environment of street crime: Defensible space, territoriality and incivilities. *Journal of Environmental Psychology* 13: 29-49.
- Popkin, Susan J., Bruce Katz, Mary K. Cunningham, Karen D. Brown, Jeremy Gustafson and Margery A. Turner. 2004. A decade of HOPE VI: Research findings and policy challenges. Washington, DC: The Urban Institute.
- Rose, Nikolas. 1996. The death of the social? Re-figuring the territory of government. *Economy and Society* 25: 327-356.
- Rose, Nikolas, Pat O'Malley and Mariana Valverde. 2006. Governmentality. *Annual Review of Law and Social Science* 2 (2006): 83-104.
- Rosenbaum, James E., Linda K. Stroh and Cathy A. Flynn. 1998. Lake Parc Place: A study of mixed-income housing. *Housing Policy Debate* 9 (1998): 703-740.
- Ruppert, Evelyn. 2006. Rights to public space: Regulatory reconfigurations of liberty. *Urban Geography* 27: 271-292.
- Sampson, Robert J., and W. Byron Groves. 1989. Community structure and crime: Testing social-disorganization theory. *American Journal of Sociology* 94: 774-802.
- Sampson, Robert J., Jeffrey D. Morenoff and Thomas Gannon-Rowley. 2002. Assessing "neighborhood effects": Social processes and new directions in research. *Annual Review of Sociology* 28 (2002): 443-478.
- Sampson, Robert J., and Stephen W. Raudenbush. 1999. Systematic social observation of public spaces: A new look at disorder in urban neighborhoods. *American Journal of Sociology* 105: 603-651.

- Sampson, Robert J., Stephen W. Raudenbush and Felton Earls. 1997. Neighborhoods and violent crime: A multilevel study of collective efficacy. *Science* 277: 918-924.
- Skogan, Wesley G., and Susan M. Hartnett. 1997. *Community policing, Chicago style*. New York, NY: Oxford University Press.
- Small, Mario Luis, and Katherine Newman. 2001. Urban poverty after *The Truly Disadvantaged*: The rediscovery of the family, the neighborhood and culture. *Annual Review of Sociology* 27: 23-45.
- Soss, Joe, Richard C. Fording and Sanford Schram. 2011. *Disciplining the poor: Neoliberal paternalism and the persistent power of race*. Chicago, IL: University of Chicago Press.
- Taylor, Ralph B., and Jeanette Covington. 1993. Community structural change and fear of crime. *Social Problems* 40: 374-397.
- Taylor, Ralph B., and Margaret Hale. 1986. Testing alternative models of fear of crime. *Journal of Criminal Law and Criminology* 77: 151-189.
- Wilson, William Julius. 1987. *The truly disadvantaged: The inner city, the underclass, and public policy*. Chicago, IL: University of Chicago Press.

Notes

¹ A more extensive analysis of these dynamics can be found in Chaskin and Joseph (forthcoming).

² On the relationship between disorder and perceptions of crime see, for example, Lewis and Maxfield (1980); Skogan (1990); Taylor and Hale (1986); Taylor and Covington (1993); Perkins and Wandersman (1993); LaGrange, Ferraro and Supancic (1992).

³ Sampson and Raudenbush, for example, argue that rather than seeing disorder as a direct cause of other, more serious and predatory types of crime, both disorder and crime might be more appropriately viewed as

consequences of underlying circumstances—such as concentrated disadvantage, residential instability, and low levels of collective efficacy and social control.

⁴ There are exemptions to this rule, for example, for those who are employed, disabled, or elderly.

⁵ The Chicago Housing Authority provided federal stimulus dollars to all mixed-income and traditional public housing developments for camera installation at this time. Developer owner entities at Oakwood Shores, Park Boulevard, and Westhaven Park contributed additional funds, and homeowners and business owners paid a special assessment fee for exterior cameras at Park Boulevard.

⁶ Community Alternative Policing Strategy (CAPS) meetings are specifically designed to foster collaborative crime-reduction responses between the community and the police.

⁷ These extra patrols, in response to pressure from organized homeowner groups, were funded in part by the CHA.

⁸ Similarly, although development professionals clearly recognize the difference between relocated public housing residents and other subsidized renters (in large part because they have different responsibilities toward each), the work of property management staff in monitoring rule compliance and responding to infractions, including through the tenants meetings described above, focus on both categories of resident. In stark contrast, there is a strong tendency on the part of tax-credit renters to distance themselves from relocated public housing residents. They are often as vociferous in complaining about public housing residents as higher-income residents, and are quick to dissociate themselves from their values and behaviors. In part this may be a response to shared stigma and an effort to manage that stigma through distancing strategies. See, e.g., Goffman (1963); Link and Phelan (2001); McCormick, Joseph and Chaskin (2013).

⁹ One reason for this is that there are a number of institutions providing financing to subsidize units (e.g., the CHA, HUD, and banks and state agencies holding low-income housing tax credits), each of which claim oversight privileges to frequently check on their investment; it is thus more than just property managers who are targeting relocated public housing residents for inspection.

¹⁰ This strategy is reflective of Foucault's (1991) notion of governmentality, in which a range of tactics, from case management to training programs to interviews to surveillance by both state and nongovernmental actors and seek to promote "voluntary" compliance with programs and enlist the poor in developing strategies of self-help and self-regulation, thus seeking to govern the poor, as Barbara Cruikshank (1999, 39) puts it, "at the level of the social." See also Gordon (1991); Rose (1996); Rose, O'Malley and Valverde (2006).

Table 1
Mixed-Income Developments

	Oakwood Shores	Park Boulevard	Westhaven Park
Former public housing site	Ida B. Wells, Madden Park	Stateway Gardens	Henry Horner Homes
Developers	National non-profit (rental); local for-profit (for sale)	Four local for-profits	Two regional & national for-profits
Social service providers	Non-profit, delivered by developer & later contracted out to local	Non-profit, created by developer	Non-profit, contracted out to local
Total projected units	3,000	1,316	1,317
Units built to date:	806	367	1,060
Relocated public housing units (%)	263 (33)	127 ¹¹ (34)	766 ¹² (72)
Affordable rental units (%)	289 ¹³ (36)	106 ¹⁴ (29)	80 (8)
Market-rate rental units (%)	188 (23)	29 (8)	75 (7)
Homeownership units (%)	66 (8)	105 (29)	139 (13)
Initial occupancy dates	Renters: 2005 Homeowners: 2006	Renters: 2007 Homeowners: 2007	Renters: 2003 Homeowners: 2006
Select site specific criteria	30 hours per week work requirement; 5-year criminal background check; credit screening; residential history check; annual drug test	30 hours per week work requirement; 5-year criminal background check; credit screening; residential history check	20 hours per week engagement requirement; criminal background check; credit screening; residential history check
Guiding legal authority for returning residents	Relocation rights contract	Relocation rights contract	Consent decree
Neighborhood	Bronzeville/North Kenwood Oakland, Southside Chicago	Bronzeville, Southside Chicago	Near West Side, Westside Chicago
Neighborhood amenities & institutions	Near Lake Michigan, public parks, Hyde Park & Univ. of Chicago	Near public transit corridor, IL Institute of Technology, White Sox stadium, major highway	Near downtown central business district, public transit stop, United Center stadium

¹¹ Includes 27 public housing replacement units in an off-site rental building, The Pershing

¹² Includes the Villages, a 200-unit “superblock” of 100% public housing units located in the middle of the mixed-income development, the Annex, a 90-unit rehabilitated public housing building nearby, and 261 scattered-site public housing units in the surrounding neighborhood

¹³ Includes 75 units of affordable senior rental housing

¹⁴ Includes 53 units of affordable rental housing in The Pershing

Readers with comments may address them to:

Professor Robert J. Chaskin
University of Chicago Law School
1111 East 60th Street
Chicago, IL 60637
rjc3@uchicago.edu

The University of Chicago Law School
Kreisman Working Papers on Housing Law and Policy

For a listing of papers, please go to http://chicagounbound.uchicago.edu/housing_law_and_policy_wp/.

1. Lee Anne Fennell and Eduardo M. Peñalver, Exactions Creep, December 2013
2. Lee Anne Fennell, Forcings, November 2013
3. Neil Bhutta and Benjamin J. Keys, Interest Rates and Equity Extraction during the Housing Boom, January 2014
4. Christopher Mayer, Edward Morrison, Tomasz Piskorski, and Arpit Gupta, Mortgage Modification and Strategic Behavior: Evidence from a Legal Settlement with Countrywide, January 2014
5. Edward R. Morrison, Coasean Bargaining in Consumer Bankruptcy, January 2014
6. Atif Mian, Amir Sufi, and Francesco Trebbi, Foreclosures, House Prices, and the Real Economy, January 2014
7. Sumit Agarwal, Gene Amromin, Itzhak Ben-David, Souphala Chomsisengphet, Tomasz Piskorski, and Amit Seru, Policy Intervention in Debt Renegotiation: Evidence from the Home Affordable Modification Program, August 2012
8. Sumit Agarwal, Effi Benmelech, Nittai Bergman, and Amit Seru, Did the Community Reinvestment Act (CRA) Lead to Risky Lending? November 2012
9. Tomasz Piskorski, Amit Seru, and James Witkin, Asset Quality Misrepresentation by Financial Intermediaries: Evidence from RMBS Market, February 2013
10. Umit G. Gurun, Gregor Matvos, and Amit Seru, Advertising Expensive Mortgages, March 2013
11. Benjamin J. Keys, Devin G. Pope, and Jaren C. Pope, Failure to Refinance, August 2014
12. Adam B. Badawi and Anthony J. Casey, The Fannie and Freddie Bailouts through the Corporate Lens, March 2014
13. Lee Anne Fennell, Property in Housing, March 2013
14. Lee Anne Fennell, Just Enough, August 2013
15. Yun-chien Chang and Lee Anne Fennell, Partition and Revelation, April 2014
16. Robert J. Chaskin and Mark L. Joseph, Contested Space: Design Principles and Regulatory Regimes in Mixed-Income Communities Replacing Public Housing Complexes in Chicago, October 2014