

The George Butler Lecture

Social Justice and Leisure

The Usefulness and Uselessness of Research

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The topic of this Butler Lecture is how to translate research through advocacy to seek equal access to parks and recreation and better health for all. The challenge in Los Angeles is this: Children of color living in poverty with limited access to a car have the worst access to parks and physical activity, to schools with five acres or more of playing fields, and to physical education in public schools. These children suffer disproportionately from obesity and diabetes and are the most at risk for gangs, crime, drugs, and violence (García & Strongin, 2011; García & Fenwick, 2009). Research has documented similar patterns in other regions in the state and nation (Maroko, Maantay, Sohler, Grady, & Arno, 2009; Snyder & Sickmund, 2006; Alleyne & LaPoint, 2004).

Six strategies are relevant to address this challenge:

- First, good research. This is usually necessary, but seldom if ever sufficient, to achieve systemic change.
- Second, coalition building and organizing based on diverse values.
- Third, strategic media campaigns.
- Fourth, policy and legal advocacy outside the courts.
- Fifth, access to justice through the courts in the context of a broader campaign.
- Sixth, moving beyond “flawless” research.

The best practice examples below illustrate how The City Project, a nonprofit policy and legal advocacy team and its allies have relied on these strategies to seek equal access to parks, physical activity, and better health for all. For example, then-Secretary of Housing Andrew Cuomo withheld federal subsidies for a proposed warehouse project in the last, vast, 32-acre open space in downtown Los Angeles unless there was full environmental review that considered the park alternative and impacts on people of color. The site could have been warehouses. Instead, it's now a park. The *Los Angeles Times Magazine* called the community victory “a heroic monument” and a “symbol of hope” (Ricci, 2001). Advocates “organized a civil rights challenge that claimed the [warehouse] project was the result of

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Figure 1. L.A. State Historic Park opening (*Robert García, The City Project*)

discriminatory land-use policies that had long deprived minority neighborhoods of parks” (Sanchez, 2001).

Equal protection laws and principles that guarantee equal access to public resources and prohibit discrimination based on race, color, or national origin provide a framework for evaluating access to parks and physical activity. This framework can guide not only the research but the other strategies as well. The legal aspects of environmental justice are often not addressed in social science research on social justice and active living, but they should be.

Good Research Is Central

First, a word on the politics of research and advocacy. The *American Heritage Dictionary* defines “research” as “1. Scholarly or scientific investigation or inquiry” and “2. Close, careful study.” “Advocacy” is the “act of pleading or arguing in favor of something, such as a cause, idea, or policy; active support.”

Sometimes, there can be too great an emphasis on “disinterested, objective, academic” research, double-blind studies, P values, statistical significance, or the risks of generalizing. There may be a concern that advocacy “taints” research. Some academics quaintly refer to attorneys as “practitioners.” The skepticism with which some academics view practitioners is matched only by the skepticism with which some practitioners view academics. Advocacy and both kinds of research are valuable and necessary and offer opportunities for successful collaboration.

Researchers and advocates can make great partners. As Harold Goldstein (2009) has emphasized in translating healthy eating research into policy, “Not once in 5 years did a legislator ask for research to prove that banning soda and junk food sales on school campuses would reduce the prevalence of childhood obesity” (p. S17).

The Legal Framework Can Guide Research

Because there are disparities in access to parks, physical activity, and health, equal protection laws and principles offer a legal, evidentiary, and strategic framework for the kinds of research that are necessary to improve access for all. Legal and factual investigation is itself a kind of research that is necessary to consider.

Federal law. Title VI of the Civil Rights Act of 1964 and its accompanying regulations guarantee equal access to public resources and prohibits discrimination based on race, color, or national origin by recipients of federal financial assistance. The statute itself prohibits intentional discrimination. The regulations prohibit unjustified discriminatory impacts or effects for which there are less discriminatory alternatives, regardless of intent. The preferred method of enforcing the civil rights laws is voluntary compliance through the planning process, although agencies that violate these standards face loss of federal funds and litigation. This is the body of law that Secretary Cuomo relied on in withholding federal subsidies for the proposed warehouses in favor of what is now the Los Angeles State Historic Park. Some states like California have similar laws. Most parks and school districts receive federal as well as state funding and are subject to these laws.

These equal protection principles are relevant to examine evidence of disparities in parks, physical activity, health, and the inferences to be drawn from the facts. Numerical disparities are the starting point for analysis under both the intentional and disparate impact standards. Historical research is important as well in order to establish intent. The next section discusses this type of evidence in the context of parks, physical activity, and health.

Numerical Disparities: Park Access and Demographics Research

The City Project's policy report, *Healthy Parks, Schools, and Communities: Green Access and Equity for Southern California* (the "Southern California Report"), maps and analyzes numerical disparities in park access and demographics for nine counties of Southern California using GIS (geographic information systems) and U.S. Census data (García & Strongin, 2011). This research documents that park poor communities are disproportionately low income and of color. Park poor is defined by California law as less than three acres of parks per thousand residents, and income poor as below \$47,331 median household income. For example, Assembly District 46 in inner city Los Angeles has only 0.52 net acres of urban parks (excluding large forest or wilderness tracts) per thousand residents, compared to 282.79 net acres per thousand residents in Assembly District 37 in the northwest part of the county. District 37 has an astonishing 555 times more net acres of urban parks per thousand residents than District 46. District 46 is disproportionately low income and of color compared to District 37 (García & Strongin, 2011).

This is an important point about research: The City Project conducted this new and original research working with GreenInfo Network. The policy report includes community-based participatory research with over 50 academics, experts, and grassroots leaders to "ground truth" the results (García & Strongin, 2011, p. 143). The report is the most detailed analysis of park access and demographics ever conducted for Southern California. If The City Project had not led this research effort, it would not exist. The research was not conducted by scholars or published in peer reviewed journals. The analysis is nevertheless based on sound, documented methodology using public data that can be verified by others, and is consistent with other GIS studies of the area. The research represents a "close, careful study," regardless of whether or not it is "scholarly or scientific" and is essential to park advocacy. Attorneys must provide hard data to prove what "everyone knows" is

true, that there are unfair park disparities in Los Angeles. The California legislature and Department of Parks and Recreation depended, in part, on this analysis to define “park poor” and “income poor” areas for allocating park resource bonds (The City Project, 2008).

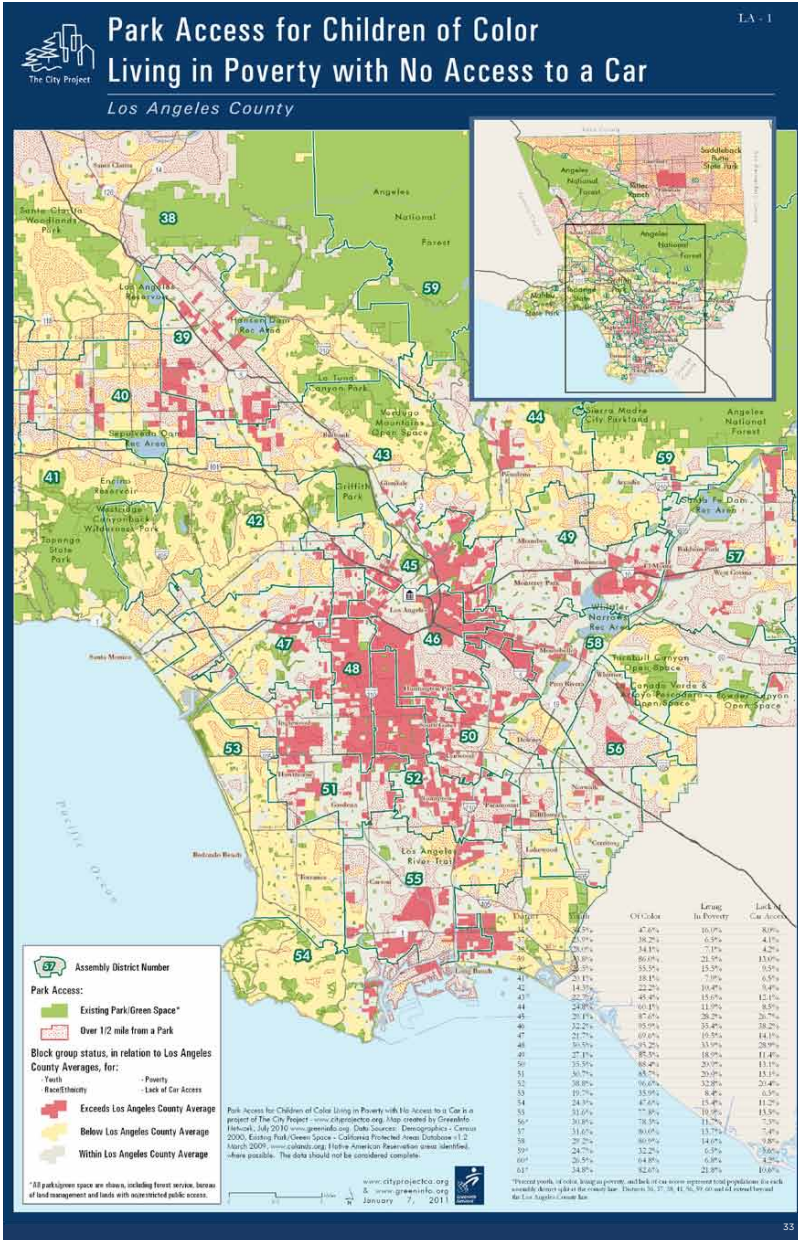


Figure 2. County map depicting park access and demographics (available in color and full size at <http://www.mapsportal.org/thecityproject/socallmap/LosAngelesCounty.html>)

The purpose for which research is conducted is important. The above research has been instrumental in achieving victories to promote park access, physical activity, and health in and out of court, as discussed below. While such research could be further refined, it is also important to keep in mind that perfect can be the enemy of good. And message matters. Maroko et al. (2009), for example, discuss their GIS study of park access in New York City in a way that could be relevant for publication in a peer reviewed journal, but that is unlikely to provoke action to improve park access.

The ordinary least squares linear regression found weak relationships in both the park acreage density and the physical activity site density models ($R_a^2 = .11$ and $.23$, respectively; AIC = 7162 and 3529, respectively). Geographically weighted regression, however, suggested spatial non-stationarity in both models, indicating disparities in accessibility that vary over space with respect to magnitude and directionality of the relationships (AIC = 2014 and -1241, respectively). The qualitative analysis supported the findings of the local regression, confirming that although there is a geographically inequitable distribution of park space and physical activity sites, it is not globally predicted by race, ethnicity, or socioeconomic status (p.1).

The authors conclude that additional research is necessary, which is a common conclusion of peer reviewed articles that can be frustrating to advocates.

Numerical Disparities: Health Research

A study by the Los Angeles County Department of Public Health mapped the prevalence of childhood obesity for 128 cities and communities in the county, with rates varying widely from a low of 4% in Manhattan Beach to a high of 37% in Maywood (County of Los Angeles Public Health, 2007). The percentage of overweight and obese children tended to be higher in communities that provide fewer acres of parks, recreational areas, or wilderness areas. The study also found a correlation between weight status and economic hardship. Cities or communities with a high economic hardship index (higher poverty, unemployment, median income, lower educational attainment, more dependents, crowded housing) also had higher percentages of overweight and obese children. While this study did not consider disparities based on race, color or national origin, the City Project reanalyzed the county data to include race, color and national origin. The law addresses disparities based on race, color or national origin, but not based on economic hardship.

Park Access, Health, and Research Syntheses

There is a growing body of evidence-based social science research on park access and human health. For advocates and stakeholders, so-called meta-analyses or research syntheses can be more useful than the underlying scholarly articles themselves in understanding the relationship between park access, health, and demographics. For example, according to one research synthesis, "Lower income populations and some racial and ethnic populations have limited access to parks and recreational facilities. These disparities partially explain lower physical activity levels among these populations" (Mowen, 2010, p. 4). The California Endowment

(2008) has also published meta-analyses of evidence-based social science research on physical education, health, and underserved communities that has been influential as part of the organizing and legal campaign for compliance with physical education laws by public schools (García & Fenwick, 2009).

Research on Diverse Park Use

Studies document how people from various racial and ethnic groups use parks differently, constructing meanings for natural space based on their own values, cultures, histories, and traditions. According to a UCLA study of cultural differences in the use of urban parks, for example, parks are primarily social gathering places for Latinos. African Americans tend to engage in sports in parks, while non-Hispanic Whites tend to value parks for their passive qualities—greenness, landscaping, and natural elements, and tend to engage in solitary, self-oriented uses (Loukaitou-Sideris, 1995). According to a survey released by the National Park Service in 2011, 78% of visitors to national parks were non-Hispanic White in 2008-09, 9% Latino, 7% African American, 3% Asian and 1% Native American. Visitation differences had not changed much since the previous survey in 2000 (Taylor, Grandjean, & Gramann, 2011). Other studies have reached similar conclusions about how Latinos use forests and other natural public places differently (Chavez, 2005; U.S. Forest Service, 2009).

In 2001 Floyd asked, “Who has access to national parks, and why?” He analyzed five hypotheses that could explain the unequal representation of minorities in national parks— interpersonal discrimination, institutional discrimination, marginalization, cultural values, and assimilation—and concluded that the relationships between racial and ethnic factors and park visitation are complex and not easily reduced to single causes with clear policy and management implications. He, nevertheless, emphasized that it is necessary “to help create ways to transcend the boundaries that retard access to national parks” (p. 50).

Historical Research

Historical research can help explain how the region came to be the way it is, and how it could be better. The distribution of green space in Southern California is not an accident of unplanned growth, or the result of an efficient free market distribution of land based on personal utilities. Disparities in park access are part of the continuing legacy and pattern of racially restrictive housing covenants, discriminatory mortgage policies, and discrimination in education, employment, and other economic policies throughout much of the twentieth century. The Southern California report documents this history of discrimination. This is an example where scholarly historical research can be extremely useful to support equal access to parks.

Historical studies that have been persuasive in the work of The City Project include, for example, Sides’s (2003) book, *L.A. City Limits: African American Los Angeles from the Great Depression to the Present*, Katznelson’s (2005) book, *When Affirmative Action Was White*, and Davis’s (1998) work on the politics of park access in Los Angeles in the chapter *How Eden Lost Its Garden*.



Figure 3. Exclusion of Japanese American from a residential neighborhood in Hollywood, California, took the form of signs as well as deed restrictions, 1920s. *(Courtesy of Visual Communications Archives and Media Resource Library)*

Research on Voters

Demographic research routinely includes polls of likely voters for candidates and bond measures, and such research can play an important part in advocacy for parks, physical activity, and health. A recent poll of Latino voters documented that two-thirds of Latino voters identify as conservationists and overwhelmingly believe (90%) that it is possible to “protect the environment and create jobs at the same time.” The statewide survey found Latino voters support “conservation” on a range of issues, and personally identify (66%) with conservation as a value (Tulchin Research, 2012).

California’s Latino and Asian voters are significantly more concerned about core environmental issues, including global warming, air pollution, and contamination of soil and water, than non-Hispanic White voters, according to a *Los Angeles Times*/USC poll. For example, 50% of Latinos and 46% of Asians who responded to the poll said they personally worry a great deal about global warming, compared with 27% of non-Hispanic Whites. Two-thirds of Latinos and 51% of Asians polled said they worry a great deal about air pollution, compared with 31% of non-Hispanic Whites (Los Angeles Times, 2002).

In 2006, California’s Proposition 84, a \$5.4 billion park and water bond, was successful because of massive support from the Latino community: 80% of Latino voters were in favor of Prop 84, while only 48% of non-Latino voters supported the measure. The strong showing of support from the Latino community, with

616,000 more “yes” votes than “no” votes, was enough to push the overall balance in favor of Prop 84. In 2002, California voters passed Proposition 40 to provide \$2.6 billion for parks, clean water and clean air. Prop 40—the largest resource bond in United States history at the time—received the support of 77% of Black voters, 74% of Latino voters, 60% of Asian voters, and 56% of non-Hispanic White voters. Three quarters of voters with an annual family income below \$20,000, and 61% with a high school diploma or less, supported Prop 40—the highest among any income or education levels. Prop 40 demolished the myth that parks and a healthy environment is a luxury that communities of color and low-income communities cannot afford, or are not willing to pay for.

Research Informs Coalition Building and Organizing

Organizing is the process of finding out what people want as individuals, and then finding collective ways of getting it, according to the Midwest Academy manual *Organizing for Social Change* (Bobo, 2010). Collaboration between scholars and advocates is itself a form of coalition building. Research can help identify the diverse values at stake that will help bring people together to support equal access to parks, active living and health. When The City Project began advocating for green access in 2000, parks were a low priority for many people. When we began to address parks as a health and obesity issue, park access became a higher priority health issue. In the worst economic crisis since the Great Depression, job creation is the top priority for many people. The Civilian Conservation Corps offers a best practice example for how green jobs can help get the nation back to work, give people a sense of their own self-worth, and improve health and the environment. The CCC created 3 million new jobs, created over 8,000 new parks, and helped improve workers’ health and self-confidence (Maher, 2007).

Research Shapes Strategic Media Campaigns

Research can sit on a shelf and have no impact, and it can be obtuse or inaccessible if written in academic jargon or legalese. The classic Olmsted research study *Parks, Playgrounds and Beaches for the Los Angeles Region* was published in 1930 but remained a dead letter until the urban park movement breathed new life into the Olmsted vision (García & Strongin, 2011). Advocacy includes translating research not only into plain English, but into messages and media that help achieve intended goals. In Goldstein’s (2009) words, “develop a convincing message,” and “use research results to educate the right people in the right way and at the right time” (p. S18). The City Project’s Southern California report is 126 pages long with text, maps, charts, pictures, and 746 footnotes. It is unlikely every reader will work all the way through the complete report. To make the work more accessible to diverse audiences, The City Project also published simplified reports on six individual counties in English and Spanish, working with a communications consultant, graphic designer, and translator. Pictures of people in parks can offer visual and emotional appeal and can play an important role in translating research into advocacy in published articles and on social media sites such as flickr.

Los Angeles parkland

The amount of park acreage available to L.A. residents varies widely from one part of the city to another. Nationally, some park planners recommend six to 10 acres of parks per 1,000 residents.

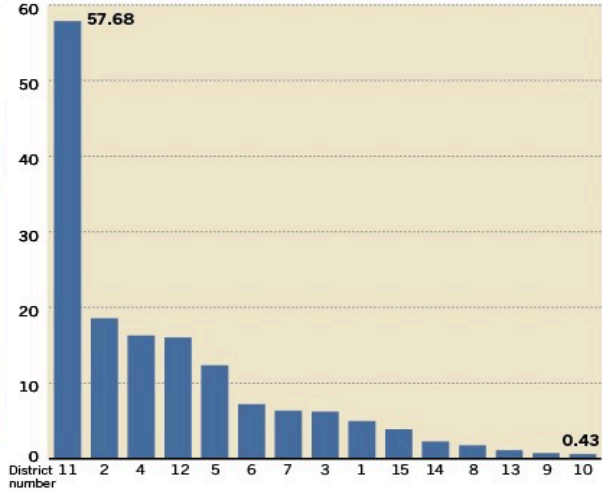
City Council districts



Note: Includes city parks, Angeles National Forest and Santa Monica Mountains National Recreation Area.

Source: The City Project: "Healthy Parks, Schools and Communities," 2006

Acres of parkland per 1,000 residents, by council district



Los Angeles Times

Figure 4. L.A. Times graphic on park access and demographics (available in color and full size at <http://www.cityprojectca.org/blog/archives/356>)

Traditional media including the *L.A. Times* have been influential in building support for park creation through editorials and articles. Journalists can be masters of communicating complex concepts into simple, easy to grasp language, pictures, and graphics. "On a deserted railroad yard north of Chinatown, one of Los Angeles' most powerful and tenacious real estate developers, Ed Roski, Jr., met his match," the *L.A. Times* reported in a front-page article on how activists prevailed in creating the Los Angeles State Historic Park, for example. Advocates "organized a civil rights challenge that claimed the project was the result of discriminatory land-use policies that had long deprived minority neighborhoods of parks" (Sanchez, 2001).

Documentaries have creatively translated research into compelling stories. The public television documentary *Park Poor* tells the story of park access, health, and equity in Los Angeles from the 1930s to the present in nine minutes, drawing on The City Project's mapping and analyses and historical research by academics (KCET, 2011). A PBS documentary, *California Forever*, being broadcast nationally, features the work of diverse allies on urban state parks at the Los Angeles State Historic Park, Río de Los Angeles State Park, and Baldwin Hills Park (PBS, 2012). As the *Los Angeles Times* noted, the work by community advocates and attorneys in the Baldwin Hills community, park, and oil field has defined the standard for protecting human health and the environment around urban oil fields nationwide, including in communities of color and low-income neighborhoods (White, 2012).

Research Informs Policy and Legal Advocacy Outside the Courts

The work of the urban park movement in Los Angeles, including the kinds of research described above, has been catapulted to the national level. Federal agencies and stakeholders rely on this type of work. The National Park Service, for example, published its *Healthy Parks, Healthy People U.S. Strategic Action Plan*, in 2011. In response to research and public comments by diverse allies, the plan noted that people of color and low income people still face disparities regarding health and access to parks. Thus, 36% of Black and 35% of Hispanic high school students nationwide are overweight or obese, while 24% of non-Hispanic White high school students suffer from these conditions. The plan recognizes that it is the responsibility of park agencies to address these equity and health concerns (National Park Service, 2011a, p. 4).

Diverse allies have also submitted public comments and research to the National Park Service in support of the proposed National Recreation Area in the San Gabriel Mountains. The draft study by the Park Service addresses environmental justice and the civil rights laws, drawing on the research by The City Project (National Park Service, 2011b, pp. 93, 179, 218-19.). The final study is forthcoming.

The Department of Interior has named the Los Angeles River one of seven urban waters priorities across the nation. President Barack Obama has designated the greening of the Los Angeles and San Gabriel Rivers as priorities for the America's Great Outdoors initiative and the Urban Waters partnership (Department of Interior, 2012). Diverse allies over the years have helped create Los Angeles State Historic Park and Rio de Los Angeles State Park, as well as several other multi-benefit park and water projects as part of the greening of the L.A. River. UCLA Prof. Judy Baca and SPARC celebrated the restoration of the Great Wall of Los Angeles along the L.A. River. The Great Wall is the longest mural in the world and is a monument to interracial harmony and the history of diverse people of California and the nation (García & Strongin, 2011).

Other park victories include protecting the Baldwin Hills Park in the historic heart of African American Los Angeles, creating the 140 acre Ascot Hills Park in east L.A., opening Vista Hermosa Nature Park downtown, saving San Onofre State Beach and the sacred Native American site of Panhe, and restoring Chicano Park in San Diego. Advocates continue to fight to keep public beaches open for all up and down the coast. Bruce's Beach, which was an African American resort until Manhattan Beach and the KKK drove out the Black residents and closed it down in the 1930s, has been rededicated (García & Strongin, 2011).

Diverse allies continue to provide quality physical education under education and civil rights laws across the state. Dr. Robert Ross, president of the California Endowment, has called The City Project's work in the Los Angeles Unified School District as a best practice example for districts across the state to provide a quality education for the children of California (García & Fenwick, 2009).

The avenues for translating research into action include voluntary compliance by government agencies and other recipients of public funding through the

planning and funding application process. The public can participate through written comments and other forms of democratic engagement. If that fails, administrative complaints are available that can lead to settlement agreements, or withdrawal of federal financial assistance. Access to justice through the courts is another option.

Research Informs Access to Justice through the Courts

The Baldwin Hills and South Central Los Angeles comprise the historic heart of African-American Los Angeles. The more affluent Baldwin Hills area has traditionally been an epicenter of excellence for African-American life and culture in the United States, along with Sugar Hill in Harlem, and, most recently, the White House. These communities, disproportionately populated by African Americans (and, increasingly, by Latinos and other people of color), have long strived for equal access to public resources including parks and physical activity. They have also struggled to be free of environmental degradation, including adverse impacts of urban oil fields. Even though Baldwin Hills is comparatively well-off, unlike wealthy non-Hispanic White communities, Baldwin Hills is still plagued by the inequality and environmental injustice common to South Central and other low-income neighborhoods and communities of color (García & Sivasubramanian, 2012).

Concerned Citizens of South Central Los Angeles (Concerned Citizens), one of the first Black environmental organizations in the nation, has been a central part of the struggle in Baldwin Hills and South Central Los Angeles, working with The City Project. Concerned Citizens helped create the Baldwin Hills Park, the largest urban park designed in the United States in over a century. Concerned Citizens has also fought to regulate the adjoining Baldwin Hills oil fields to better protect human health and the environment.



Figure 5. Girls playing soccer in Baldwin Hills Park adjoining oil fields
(Robert García, *The City Project*)

The Baldwin Hills Park is the greatest public works project in the history of a community that has long suffered from environmental degradation and discrimination. Ironically, the oil fields dating back to the 1920s deterred development, leaving the rolling hills in their natural state. Easily accessible to millions of people, with stunning views of the Los Angeles basin, the Pacific Ocean and surrounding mountains, the Baldwin Hills offer a unique opportunity within a dense and diverse urban community that is park poor to create a world-class park and natural space for all the people of California to enjoy.

The struggle to create the Baldwin Hills Park continues. In 2001, the state of California proposed putting an emergency power plant in the middle of the park with no environmental review at the height of the claimed energy crisis. In 2003, the city of Los Angeles proposed putting a garbage dump there—euphemistically called a “solid waste transfer station.” In 2005, Governor Schwarznegger’s “good government” commission proposed eliminating the Baldwin Hills Conservancy and making the park a local park to save money—at the same time that the governor proposed a new Sierra Nevada Conservancy with state funding to serve disproportionately White and wealthy rural areas.

The biggest community struggle began when the oil company proposed to expand the number of new oil wells in the oil field adjoining the Baldwin Hills Park. In 2006, uncontrolled emissions of noxious gas from the adjoining oil field caused the evacuation of dozens of people and affected more than 500 homes in adjacent neighborhoods. Community action prompted a temporary moratorium on new well drilling while the county began the process of environmental review. After months of hearings, drafts, and public comments, the county adopted a final environmental impact report and a “community standards district” or zoning regulations that did not adequately protect human health and the environment, according to community advocates united through the Greater Baldwin Hills Alliance. Concerned Citizens, represented by The City Project, Culver City, Community Health Councils, NRDC, Citizen’s Coalition for a Safe Community, and private attorneys filed four related suits in November 2008 against the County of Los Angeles and the Texas oil company, Plains Exploration and Production Company, in order to protect people, homes, and parklands. The petitioners sought access to justice through the courts to enforce the California Environmental Quality Act (CEQA) and environmental justice protections under the civil rights laws discussed above, as well as and citing similar evidence regarding park access, physical activity, and health disparities.

Cases challenging environmental impact reports under the state law normally reach trial within a few months and are based on the administrative record, with no discovery or depositions. In this case, the oil company had more resources to drag the case out for almost three years. “This is the most protracted and expensive litigation in the history of Culver City,” Mayor Andrew Weismann testified before a state commission.

The community did not back down. After more than two years of litigation and mediation, the parties reached a historic agreement in 2011. The settlement establishes limits on the numbers of wells, where they can be drilled, and noise levels. The settlement sets landscaping rules, requires periodic health and

environmental justice assessments under environmental and civil rights laws, increases air-quality monitoring, and requires a study of hydraulic fracturing (“fracking”) in the area. According to the county, the oil field is the most heavily regulated urban oil field in the nation. The settlement set the standard to regulate urban oil fields across the country, as the Los Angeles Times noted in an article about an unrelated oil field. “We knew we had to meet the standards that came out of Baldwin Hills,” an oil company executive in Whittier, California, told the *L.A. Times* in 2012 (White, 2012).

The legal briefs filed by the petitioners in the litigation are targeted to a specific audience of judges, including the judge at trial and any appellate court judges in the event of an appeal. The briefs illustrate how the types of research described above on park access, health disparities, demographics, history, and discrimination are translated into dense legal points and authorities. The briefs also illustrate how good lawyering requires planning ahead. Research and evidence developed from the beginning for use in the planning process, or in a public hearing before elected officials, for example, can be crafted with a view towards the need to introduce the evidence under more stringent admissibility standards in court down the road.

Concerned Citizens and The City Project also translated that research and legal analysis into a policy report, *Keep Baldwin Hills Clean and Green for Generations to Come*, to make the information more accessible to a broader audience (García, Meerkatz, & Strongin, 2010).

Moving Beyond “Flawless” Research

The death penalty provides an example where flawless research regardless of the result has not changed policy and practice. The United State Supreme Court held 5-4 that the racially discriminatory imposition of the death penalty does not violate the Constitution in *McCleskey v. Kemp* in 1987. A person accused of killing a White victim is four times more likely to be sentenced to death than a person accused of killing a Black victim, according to a meticulous study by Baldus and colleagues (1983). This suggests that juries value the lives of Black victims less than the lives of White victims.

Justice Lewis F. Powell Jr., who wrote the opinion for the five person majority, was asked after he retired in 1991 whether there was any vote he would have changed. “Yes,” he told his biographer, John C. Jeffries, Jr. “*McCleskey v. Kemp*.” “I have come to think that capital punishment should be abolished.” That does not mean the research was useless. It only shows that the struggle for equal justice never ends.

Conclusion

Green spaces, including parks, school fields, rivers, beaches, forests, mountains, and trails, are a necessary part of the infrastructure for healthy, livable, and just communities. Research and experience in the urban park movement suggest the following recommendations for equitable development to help ensure that everyone, including people of color and low-income communities, benefits from these investments.

Research:

- Numerical disparities, histories of discrimination, and the values at stake relevant to park access, physical activity, and health at the local, regional, state, and national levels.

Prioritize:

- Projects that create green jobs for local workers, small and disadvantaged business enterprises, and youth, including jobs in parks and schools through programs like the Civilian Conservation Corps.
- Green space projects in communities that are park poor and income poor.
- Projects that address physical, psychological, and social health needs.
- Shared use of parks, schools and pools. Multi-benefit public spaces make optimal use of scarce land, money, and public resources while expanding open space opportunities in densely developed communities. Joint use of green spaces can clean the air and water, provide flood control, promote climate justice, and convert toxic sites and brownfields to green fields.
- Cultural, historical, and public art projects. The Great Wall of Los Angeles is a best practice example that celebrates diversity, democracy and freedom in parks and other public places. Native American sites like Panhe in San Onofre State Beach must be celebrated and preserved.

Implement:

- Compliance with civil rights laws guaranteeing equal access to public resources including park, physical activity, and health resources.
- Combine compliance with civil rights and other laws including environmental and education laws.
- Principles of equitable development: Invest in people, invest in stronger communities, invest in justice.
- Strategic plans to improve parks and recreation in every neighborhood.
- Strategic campaigns including research, coalition building, policy and legal advocacy outside the courts, and access to justice in court. These can make a difference and create real improvements in people's lives, give people a sense of their own power, and alter the relations of power.

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