

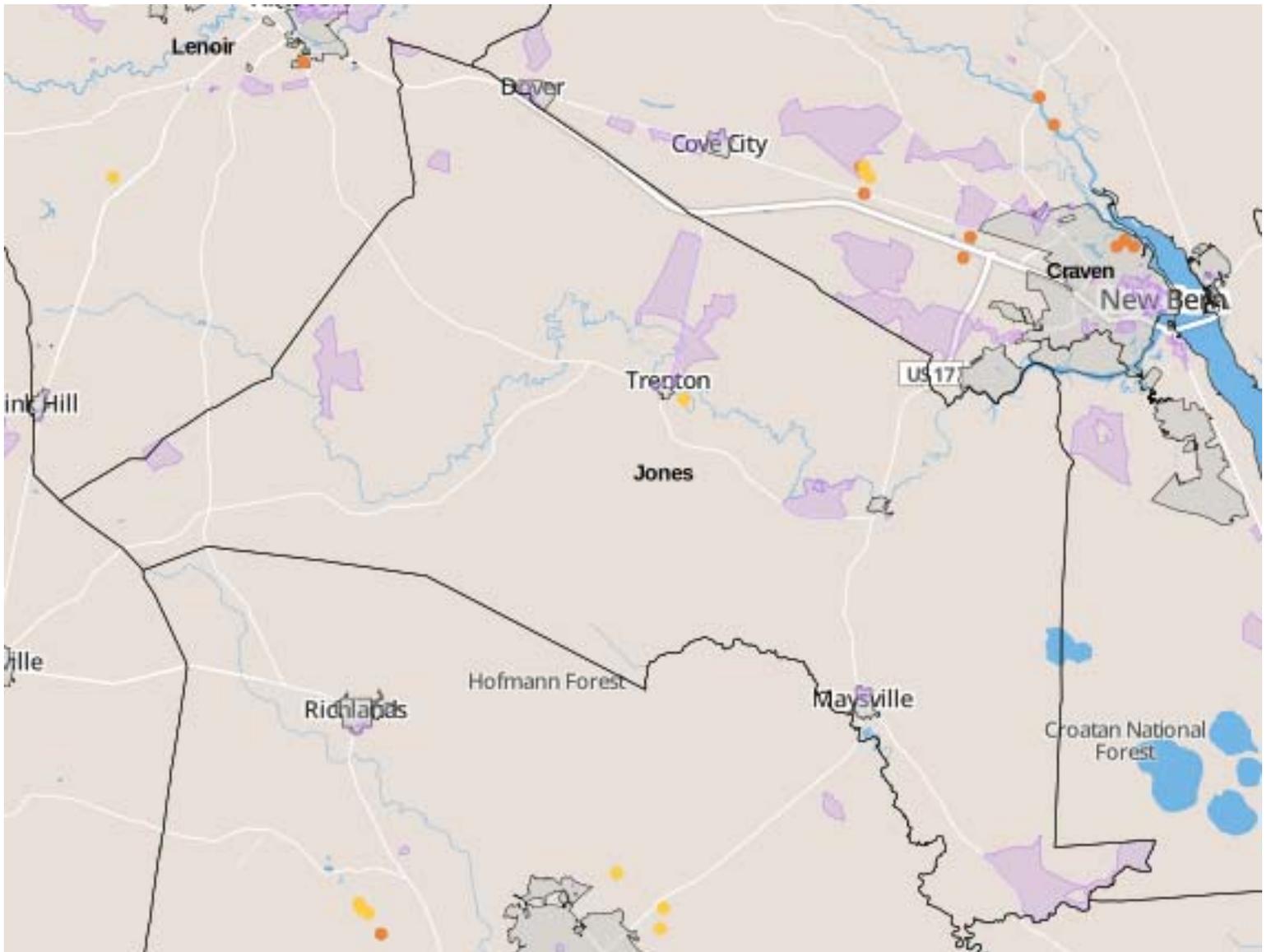


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The State of Exclusion

Jones County, N.C.

An In-depth Analysis of the Legacy
of Segregated Communities



Near the coast of eastern N.C., between Kinston, New Bern, and Jacksonville, Jones County is one of the smallest counties in North Carolina, and one of the forty least wealthy.¹ Like many rural counties, the school system and county government are the largest employers. Trenton is the smallest of the three municipalities, but home to the courts and county government.

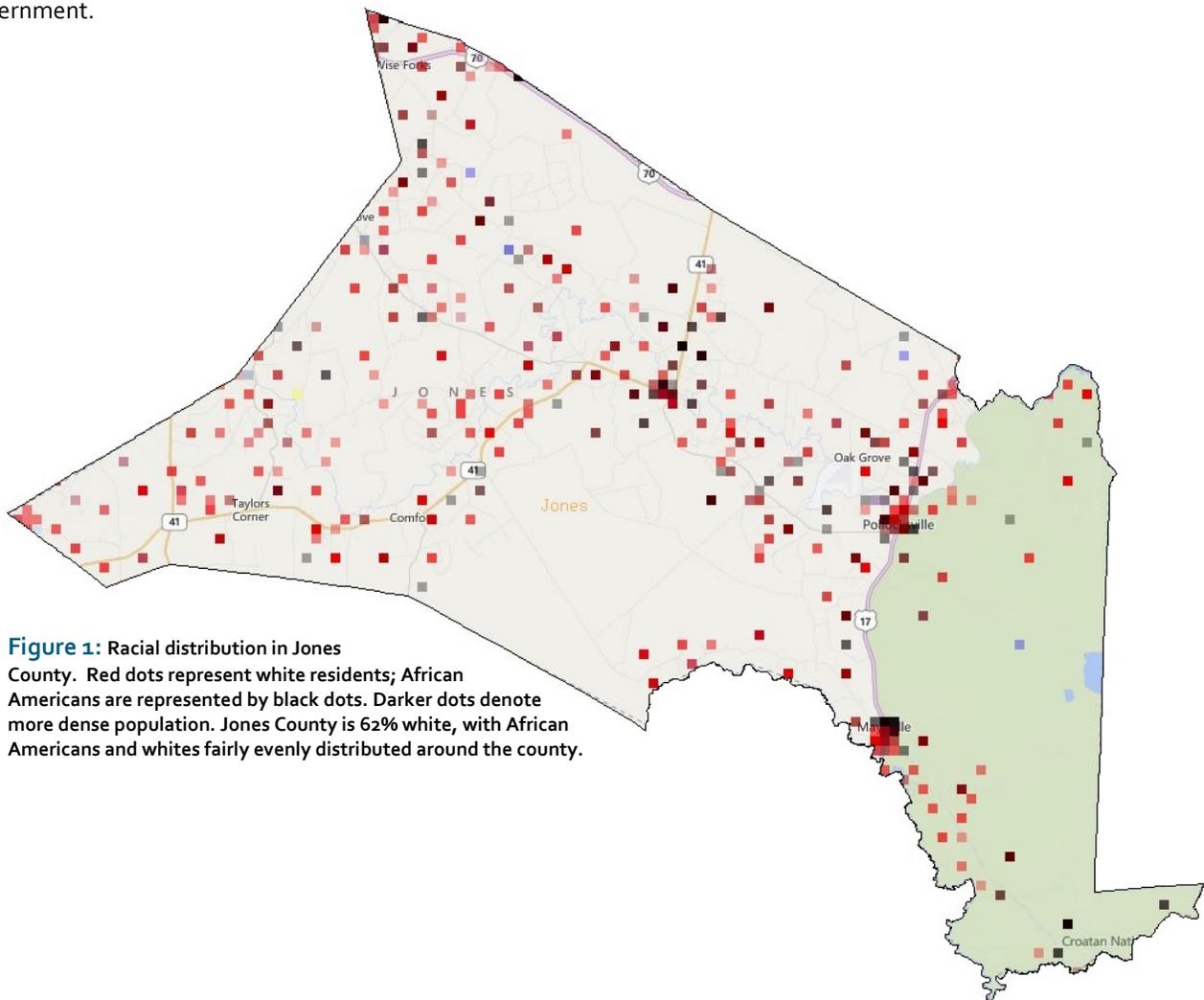


Figure 1: Racial distribution in Jones County. Red dots represent white residents; African Americans are represented by black dots. Darker dots denote more dense population. Jones County is 62% white, with African Americans and whites fairly evenly distributed around the county.

JURISDICTION	POPULATION	WHITE POPULATION	AFRICAN AMERICAN POPULATION	LATINO POPULATION	MEDIAN HOUSEHOLD INCOME	INDIVIDUALS BELOW POVERTY LINE
JONES COUNTY TOTAL	10,153	61.2%	32.3%	3.9%	\$36,460	17.0%
MAYSVILLE	1,019	43.0%	48.2%	4.7%	\$33,102	13.6%
POLOCKSVILLE	311	68.2%	28.6%	1.0%	\$29,191	18.2%
TRENTON	287	49.5%	36.6%	7.0%	\$14,815	29.8%

¹ Most information was provided by the local governments in response to public records requests, from census data, from the US Department of Housing and Urban Development (HUD), the NC Department of Public Instruction (DPI), or from the UNC Environmental Finance Center. Sources for all data are available upon request. Please email pgilbert@email.unc.edu.

Underbounded Communities

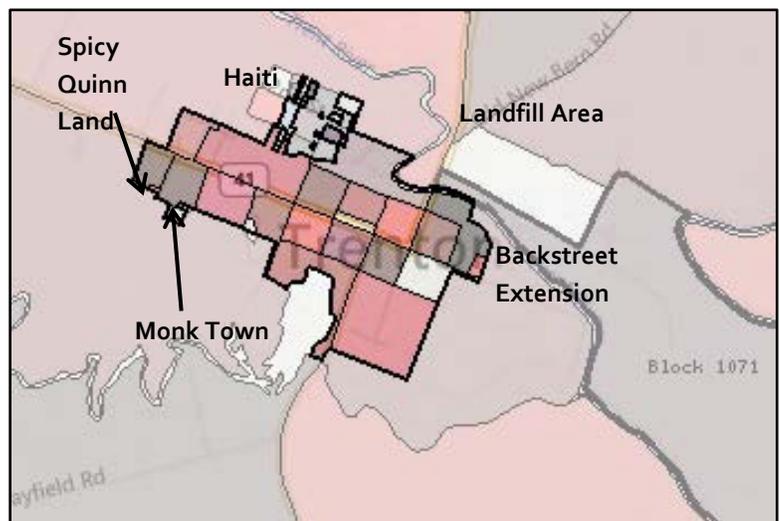
Trenton, the smallest town in the already sparsely populated Jones County is not known for much, but made headlines in 1999 for a civil rights struggle to annex underbounded communities. Underbounding is a phenomenon where a municipality's limits do not include a neighborhood that should be within the municipal limits based upon its location, density, and history. Trenton was founded in 1784, receiving an official charter from the state in 1874. The town limits, established and maintained under *de jure* Jim Crow segregation, were drawn to exclude the African American neighborhoods, the oldest of which, Haiti, was in the floodplain of the Trent River abutting the town.

The town limits remained largely unchanged for most of the 20th century, perpetuating racial segregation. These patterns were reinforced by a town ordinance, passed in 1949 and not repealed until the 1970's that prohibited "persons of color and/or persons of undesirable character and reputation" from owning land inside the town limits. While the ordinance was unenforceable as unconstitutional, the message to prospective landowners was clear.

The five underbounded neighborhoods surrounding Trenton are Haiti, Monk Town, Spicy Quinn Land (also known as Spicely Quinn's Land), Back Street, and the Landfill Area. The Jones County Improvement Association had some success using Title VI of the 1964 Civil Rights Act to compel the town to extend sewer service to portions of Monk Town, Haiti, and Spicy Quinn Land in the late 1990's. Following that, in January of 1999, Daniel Johnson Willis, president of the Jones County Improvement Association, and other residents filed a federal law suit seeking to compel the town to annex those three communities.

But for the openly racist response of Trenton's mayor, the lawsuit might not have fared any better than the several prior civil rights suits filed against the town. In February 1999, Mayor Joffree Leggett was quoted by the Kinston Free Press saying "I could put three [black] people in a store. Within a few years, they'd be stealing from each other and they'd be out of business. They're not leaders. A black man would rather work for a white person." The remarks were reprinted in newspapers across the state and picked up by a national wire service.

The mayor's comments provoked local and national action. The African American community began a boycott of white owned businesses. The state NAACP and local chapters called for the mayor's resignation and the immediate annexation of the excluded



Figures 2 & 3: Excluded and partially excluded communities surrounding Trenton. The shading in the map on top corresponds to the racial demographics of the census blocks with white residents in red and African American residents in black. The picture below depicts homes in Haiti and the unpaved roads.

communities, and joined the lawsuit.

The boycott and statewide attention produced immediate results, beginning with Mayor Leggett’s resignation and the appointment of Sylvia Willis, wife of Daniel Willis, as the new mayor, the first African American to serve as mayor or on the town council. One week later the town council began a process to accept voluntary annexation of any parcels in the three neighborhoods whose owners requested inclusion. The boycott was called off. Later that year the lawsuit was dismissed, presumably because of the voluntary annexation, despite language in the court order finding that the town had violated the 14th amendment.

Unfortunately, despite the apparent victory, little has changed in these communities. Trenton provides few municipal services, other than sewer service, so the main incentive for annexation was a political voice on the town council. In return, however, properties that were annexed would have to pay municipal property taxes. About half of the properties in the neighborhoods were rental properties, often with white landlords, and the owners did not request annexation which would cost them in taxes, leaving their mostly African American tenants disenfranchised. In the end fewer than half of the parcels in Haiti, Monk Town, and Spicy Quinn Land were annexed.

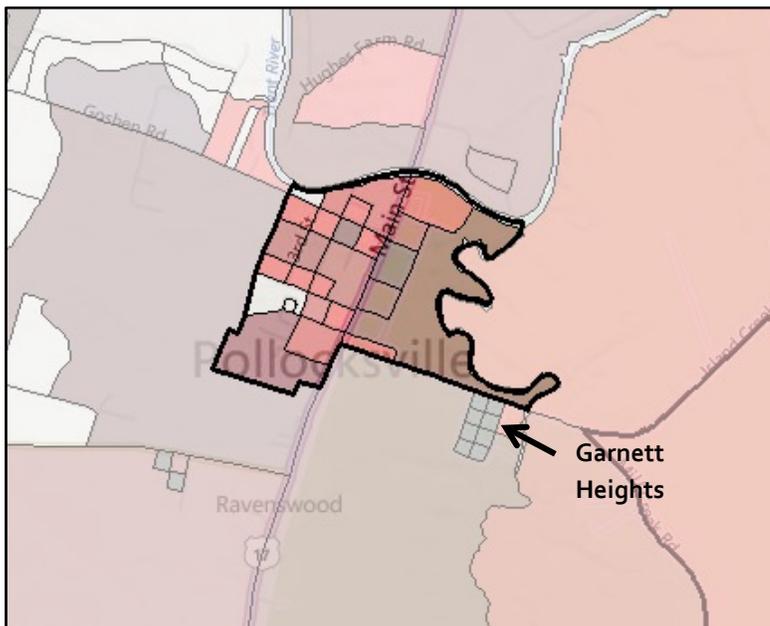


Figure 4: Pollocksville and Garnett Heights. The shading in the map corresponds to the racial demographics of the census blocks, with white residents in red and African American residents in black.

A few miles further east on Highway 58 is Pollocksville. Slightly larger than Trenton, the white population also has a larger majority, especially as the town excludes the Garnett Heights neighborhood just to its south. John Linwood Simmons was the first African American elected to the Pollocksville town council, and lives across the street from the Heights just inside the town limits. According to Mr. Simmons, the neighborhood has always been home to Pollocksville’s African American community, including the Black school under Jim Crow segregation, the Jones County Training School. The three main streets of the Heights are densely populated, and are also plagued by dilapidated housing.



Figure 5: Dilapidated home at the entrance to Garnett Heights.

The three main streets of the Heights are densely populated, and are also plagued by dilapidated housing.

In the late 1970’s, in order to secure a federal grant for sewer service, Pollocksville included Garnett Heights in its application. Frequently federal funding requires service to low wealth areas as a condition of funding. While the neighborhood received sewer service, they were not annexed into the town as many residents expected. And while they receive water and sewer service from the town, Garnett Heights residents pay the higher out-of-town utility rate, and cannot vote in municipal elections.

Access to Government Services

Directly related to the issue of underbounding is access to utility service. Jones County provides water to over 90% of the county’s population with the remainder served by Pollocksville or Maysville. Sewer is provided by each of the three municipalities and is limited to town residents and those in the immediate vicinity, including full or partial service to underbounded communities such as Haiti, Monk Town, Spicy Quinn Land, and Garnett Heights. Trenton charges the same rate to in-town and out-of-town customers, but both Pollocksville and Maysville charge higher sewer rates to out-of-town customers, as allowed by law in North Carolina. Residents of Garnett Heights pay almost twice what their white neighbors pay for the same services, although they do not pay municipal property taxes.

Water and Sewer Rates in Jones County

UTILITY PROVIDER	WATER BILL AT 5,000 GALLONS/MONTH	SEWER BILL AT 5,000 GALLONS/MONTH	COMBINED WATER AND SEWER	COMBINED BILL AS A PERCENTAGE OF MEDIAN HOUSEHOLD INCOME ²
JONES COUNTY	\$26.00	N/A	N/A	N/A
POLLOCKSVILLE IN-TOWN	\$35.00	\$56.00	\$91.00	3.74%
OUT OF TOWN	\$60.00	\$100.00	\$160.00	6.58%
MAYSVILLE IN TOWN	\$24.50	\$43.50	\$68.00	2.47%
OUT OF TOWN	\$35.00	\$60.00	\$95.00	3.44%
TRENTON (SAME RATE IN TOWN AND OUT OF TOWN)	\$26.00 (Jones County)	\$52.00	\$78.00 (combined with Jones County)	6.32%

Despite improvements, disparities also persist in access to other governmental services. The town of Trenton maintains a cemetery on the east side of town that historically served only white residents. The African American cemetery in the Haiti neighborhood receives no government revenue and is maintained only through private donations to two local organizations, the Pound Society and the Scott Lodge. After complaints of discrimination in municipal spending the “white” municipal cemetery was integrated in name only. Only two African Americans are buried there.

Historically roads in the African American communities were unpaved; many still are. According to residents, Trenton used to grade King Street leading into Haiti in the summer so that the road was passable for whites to pick up workers for the tobacco fields. School buses would not drive into Haiti because of the condition of the roads. In 1988 officials with the NC DOT became aware of the discrepancies relating to the condition of paved roads in and near Trenton. Monk Street, and two streets serving African American communities south of town, Mayfield Road and Jerkins Road, received some attention. As one DOT official noted “Isn’t it strange how the town limits end where the pavement ends and the black[s] live on the unpaved portion.”³ The major roads in Haiti have now been paved, as have the roads in Garnett Heights. Murrell Lane, which serves Spicy Quinn Land, and Strayhorn Lane and Elisha Land in Haiti remain unpaved.

² Median household income is as reported by 2012 American Community Survey of the U.S. Census Bureau.

³ Letter from Randy D. Doub, N.C. Department of Transportation Division II Board Member to Horace B. Phillips, Chair, Jones County Board of Commissioners, August 24, 1988.

Education

Jones County has one countywide school district, with four elementary schools, one middle school, and one high school. According to the district policy, school assignment is determined by “state requirements and court rulings; the need to serve all school-age children who live in the school district; and the effective use of each school. Assignments will be made in a non-discriminatory manner.” In 1967 the U.S. Department of Justice brought an action to force the integration of the Jones County schools.⁴ They remained under nominal court supervision until declared “unitary” in 1997.

Despite the court declaration that the schools were no longer unconstitutionally segregated, large racial disparities remain

between the four elementary schools. While all of the schools have high percentages of low-wealth students (measured by eligibility for free or reduced lunch), two of the schools have large racial disparities in student assignment. Comfort Elementary and Trenton Elementary are only fifteen minutes apart, but Comfort is 72% white and has much better academic performance than the district average. Trenton Elementary, on the other hand, is 64% students of color and performs well below the district average. Trenton Elementary also has the largest student population of any of the four schools, and it lacks sewer service as does Jones Middle across the street. Transferring low performing students of color from Trenton to Comfort would not only help integrate the schools, but could also boost their academic performance.

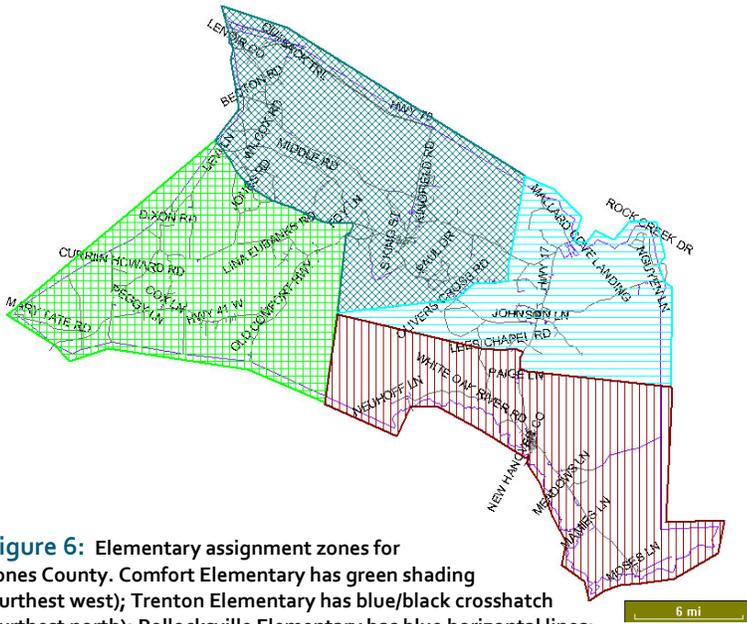


Figure 6: Elementary assignment zones for Jones County. Comfort Elementary has green shading (furthest west); Trenton Elementary has blue/black crosshatch (furthest north); Pollocksville Elementary has blue horizontal lines; and Maysville Elementary has red vertical lines.

SCHOOL	STUDENT POPULATION (12-13)	PERCENTAGE OF WHITE NON-LATINO STUDENTS (12-13)	PERCENTAGE OF STUDENTS ELIGIBLE FOR FREE OR REDUCED LUNCH (12-13)	3 RD GRADE READING END OF GRADE (EOG) TEST PASSING RATES (12-13)
POLLOCKSVILLE ELEMENTARY	149	48%	93%	29.2%
COMFORT ELEMENTARY	140	72%	90%	50.0%
MAYSVILLE ELEMENTARY	143	50%	88%	42.1%
TRENTON ELEMENTARY	227	36%	89%	24.0%
DISTRICT TOTALS	1,141	45%	85%	34.5%

⁴ U.S. v. Jones County Board of Education, 295 F. Supp. 640 (E.D.N.C. 1968).

Political Representation

In addition to the lack of political representation in the towns caused by underbounding, African Americans in Jones County lack equal representation in county government. Unlike its neighboring counties, Jones County was never covered by Section 5 of the Voting Rights Act, and as a result all of the county's elections are conducted at-large. The sheriff, clerk of court, and all five of the county commissioners are white; one of the five school board members is African American. Most of the elected officials, like most African Americans in the county, are registered as members of the Democratic Party, so conceivably the white elected officials are the African American choice candidates, but the lack of African American officials, coupled with a history of racially polarized voting, suggests underrepresentation. Maysville, the largest town, has a majority of African American registered voters, and an entirely African American town council—in stark contrast to the rest of the county.



Figure 7: John Linwood Simmons (right), the first African American elected to the Pollocksville town council also served on the Jones County Board of Education. He is pictured in his home with the report's author, Peter Gilbert (left).

Conclusions and Recommendations

Many of the impacts of segregation in the County are tied to municipal boundaries, including the provision and cost of services, and political representation. Most residents of Trenton's underbounded communities have water and sewer service, and pay the same rate as in-town customers. The sole benefit of annexation would be political representation, at the cost of added property taxes, which is not appealing to landlords or low wealth residents. This situation seems unlikely to change. However, for Garnett Heights outside of Pollocksville, the decreased cost of water and sewer that would come with annexation might largely, or even entirely, offset increased property taxes. Annexation could be a viable solution there. With or without annexation, sewer service should be provided to the Trenton Elementary and Jones Middle.

Remedying the greatest inequality between elementary schools would require changing only two of the four assignment zones, shifting underachieving students of color from Trenton Elementary to Comfort Elementary, and higher performing students from Comfort to Trenton. Districted elections could help ensure that African American county residents (about 1/3) have a proportional voice on the school board and board of county commissioners, probably a political prerequisite to changing student assignment policies.



Figures 8 & 9: Daniel Johnson Willis and other Trenton community leaders with UNC Center for Civil Rights law student interns and attorneys from Legal Aid of North Carolina.

About the Inclusion Project

Civil rights advocates have long recognized that housing segregation creates inequality in living conditions related to housing, like clean drinking water, the type and condition of homes, and exposure to pollution. Residential segregation also undermines equal access to education, public resources, and employment, and frustrates democracy at every level. Despite this understanding, most advocates address these issues piecemeal. Schools may desegregate for a time, but as segregated housing patterns persist they tend to re-segregate. A community may successfully fight off one polluter but lack the political power to prevent the next. Few victories stay won.

One impediment to integration is an individualistic legal framework where civil rights are perceived as individual rights and racial discrimination as a personal experience. The opposite is true. Housing segregation operates at a neighborhood level. When a neighborhood is overwhelmingly one race, all of the residents face impacts of that segregation, regardless of their own race or circumstances. Individuals face other forms of racial discrimination individually, for example in employment or access to higher education, but even these types of discrimination are reinforced and perpetuated by segregated communities.

This project uses North Carolina as a case study of impacts tied to super-majority non-white neighborhoods called excluded communities. The term “excluded” is applied broadly to refer to any community excluded socially, politically, or economically from opportunities available to other residents. These studies hypothesize that super-majority non-white neighborhoods will face greater than average impacts of housing segregation suggestive of community exclusion based on race.

One particular form of exclusion this report analyzes is the phenomenon of municipal underbounding. Underbounding occurs where a municipality’s limits do not include a neighborhood that would otherwise be within the municipal limits based upon its location, density, and history. Underbounding is sometimes obvious; an African-American neighborhood may be a doughnut hole, completely surrounded by the municipal limits but not included. Other cases are not as immediately apparent; a community may be near but not directly adjacent to a municipality, but still underbounded based upon the social and historical context.

The goal is to provide communities, advocates, funders, and policy makers with an understanding of the shared causes of the overlapping challenges facing excluded communities, provide them with data on the seriousness of the issues, and to suggest where additional data is needed. The first phase of the project was a statewide analysis resulting in the publication of the *State of Exclusion* report. The results were startling, especially with respect to educational disparities and environmental justice issues, but ultimately the report raised more questions than provide answers. The Inclusion Project of the UNC Center for Civil Rights now continues this work with further research into individual counties and communities and through continued direct representation.

Peter Gilbert, Equal Justice Works Fellow Sponsored by the Norflet Progress Fund

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