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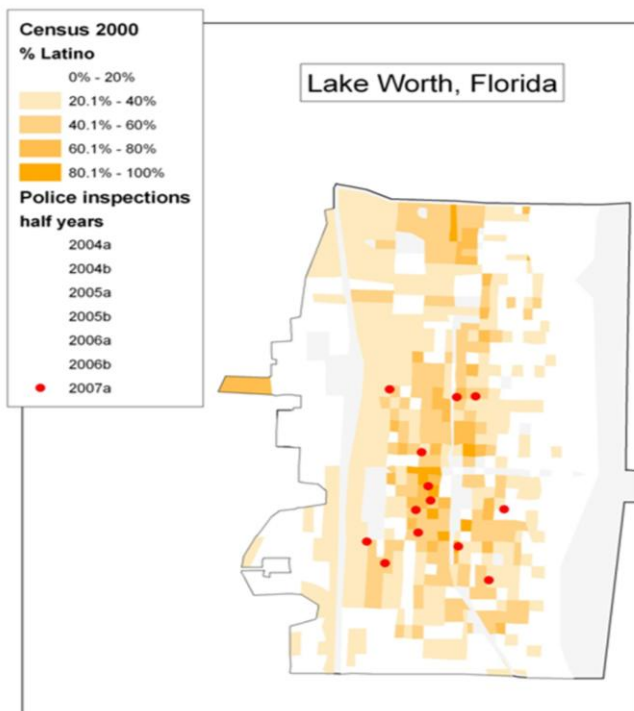
Lake Worth, Florida, Settles Discriminatory Code Enforcement Case with Guatemalan Residents

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Earlier this month, the City of Lake Worth settled a lawsuit brought by seven Guatemalan families left homeless as the result of a night time raid in March 2006 conducted by the City's code enforcement unit.

On the evening of March 8, 2006 members of the city's police, fire and code enforcement departments raided two apartment buildings in one of Lake Worth's predominantly Latino neighborhoods giving the more than 100 affected residents just 30 minutes to vacate the premises. "[W]hile I was cooking dinner for my family. . .[a City inspector] and about 4 other men came into my apartment without my permission and looked in all the rooms and took lots of pictures," explained plaintiff Elena Diego in a declaration filed in the case. Diego continued, "Then, someone used a loudspeaker from a police car and told us that we had half an hour to leave our apartments . . . and that anyone who stayed after they shut off the utilities would be arrested. They did not tell us when we would be able to move back in."

The lawsuit, filed in December 2006, alleged that the raid was part of a pattern of "selective code enforcement" or systemic targeting of households in the City's Latino neighborhoods and that the City's code enforcement policies failed to provide due process and opportunity for hearing for any Lake Worth residents forced to evacuate their homes due to code enforcement action.



The Cedar Grove Institute for Sustainable Communities, Inc., based in Mebane, North Carolina, worked with the plaintiffs and their attorneys to help them establish the City's discriminatory targeting through data analysis and mapping.

The settlement agreement places restrictions on the City's nighttime code enforcement inspections, obligates the City to create a hearing process for anyone forced to evacuate their home as a result of code enforcement activity and to implement a community education campaign (the materials for which must be translated into Spanish and Creole) to inform the community about common code

enforcement violations. The City also agreed to use Kanjobal interpreters, if needed, in cases where its code enforcement activities could lead to an emergency evacuation and to consider any recommendations for including Guatemalan Mayan residents in the composition of its advisory boards. The plaintiffs also obtained a monetary settlement of \$195,000 inclusive of litigation costs and attorney's fees.

"This is an important victory for immigrant households in South Florida, particularly so for the area's Guatemalan Mayan community. We hope that this case sends a strong message that selective code enforcement must not be tolerated[,]" said Lisa Carmona, Senior Attorney with the Florida Equal Justice Center, one of the plaintiffs' counsel. See Settlement reached in 2006 Lake Worth Code Enforcement Raid, South Florida Sun-Sentinel, September 5, 2008.

With Carmona, Tequisha Myles of the Legal Aid Society of Palm Beach County; Charles Elsesser of Florida Legal Services and Peter Sleasman of Florida Institutional Legal Services served as plaintiffs' counsel. Please contact Lisa Carmona at lisa.carmona@flajustice.org or Charles Elsesser at Charles@floridalegal.org for additional information about the case. For additional information about the maps created for this case, contact Allan Parnell of the Cedar Grove Institute at allanmparnell@mindspring.com.

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