

Confronting housing and hunger



TOGETHER

Paul Kent: The housing campaign cannot be won alone. Tulsa Habitat needs others to help it build.

By PAUL KENT

"Oklahoma, we have a problem."

This variation of the Apollo 13 mayday should be sounded loudly today.

In 2007, Oklahoma was tied with Kentucky for the seventh worst poverty rate. The state's current problems of substandard housing and alarming results about hunger found by Oklahoma's Task Force on Hunger warrant more than a rally cry. Needed are attention and action since housing and hunger plague one-fourth of the state's children and nearly one-fifth of the families live in poverty.

In a 2005 Tulsa housing report, some 6,000 dwellings were found to be unsuitable for habitation. Then-Mayor Bill LaFortune, inspired by Habitat for Humanity founder Millard Fuller, envisioned eliminating substandard housing in Tulsa by 2025, while making sure that all Tulsans had a simple, decent place to lay their heads at night. Our landscape has changed little since then. Poverty and substandard housing remain prevalent.

Although the Bible says that the poor will be with us always, attempts to justify being anything less than good neighbors to every Tulsan cannot be excused or tolerated. A united front consisting of civic, corporate, and faith-group representatives is needed to confront substandard housing and hunger over the next decade lest the suffering of future generations multiply, both in state and city.

Thankfully, this month numerous groups return to invest thousands of dollars and hours volunteering to wage battle against



Tulsa World file

Tulsa corporations and faith groups are working with Habitat for Humanity families constructing 12 new Habitat homes this spring.

substandard housing. Through partnership with Tulsa Habitat for Humanity's home-building with people in need, bridges continue to be built enabling groups to forget their differences while joining hands to build homes with low-income families.

Fifteen Lutheran congregations have united to build their fourth Habitat home as part of a nationwide alliance between Thrivent Financial for Lutherans and Habitat for Humanity. "Thrivent Builds with Habitat for Humanity" is a four-year, \$125-million partnership that in its first two years funded construction of more than 650 Habitat homes in 42 states and the District of Columbia. In 2008, \$25 million from Thrivent Financial will fund another 322 Habitat homes.

Tulsa corporations and faith groups are working side-by-side with Habitat families constructing 12 new Habitat homes this spring. Hilti helps its fourth family in 20-months with plans to build with a fifth family this fall. Hilti CEO Cary Evert is one of a growing number of civic leaders who bangs nails alongside fellow employees. Samson CEO Stacy Schusterman and Bank of America-Oklahoma President Mike Earl combine forces with associates to build with a fifth family in five years, while ONEOK, led by CEO John Gibson, teams up with its fourth family.

The voices of pastors like Dr. Tom Harrison, Asbury United Methodist, are calling on members to influence their places of work by leading their companies

to work on behalf of others. Emerging are home-building partnerships between faith communities and corporations. Boston Avenue United Methodist, building its eighth home, and Newfield Exploration Mid-continent, building a second time, represent this model, as do Murphy Resources, a local home-building company, which combines with Southern Hills Baptist, each building a third time with Habitat.

More than 150 companies, faith groups, and foundations have partnered with Tulsa Habitat for Humanity helping the local non-profit advance toward its 2025 goal of helping 1,500 families become homeowners, knocking out one-quarter of the 6,000 substandard dwellings. Families

will have 15- to 30-year zero-interest mortgages based on the home cost with no-profit added. The principal on the note is used to fund future homes.

The housing campaign cannot be won alone. Tulsa Habitat needs others to help it build. Currently, women are being invited to help build the eighth "WOMEN BUILD" home beginning later this spring. People and groups interested in building or volunteering can contact Jamie Cox, Habitat volunteer director, at 592-4224, ext. 205 or jamie-cox@habitat-tulsa.org. To learn more about Habitat and about volunteering visit www.tulsa-world.com/habitat.

Paul Kent is director of development and chaplain for Tulsa Habitat for Humanity.

'Wire' war vs. the drug war

By CLARENCE PAGE

If you're called for jury duty, let the lawyers and judges know up front that you're not going to send nonviolent drug offenders to jail.

That provocative piece of advice comes from the creators of my favorite TV show, "The Wire," which ended its five-year run on HBO on March 9.

"If asked to serve on a jury deliberating a violation of state or federal drug laws, we will vote to acquit, regardless of the evidence presented," the writers declare in a Time magazine essay.

The essay is signed by David Simon, the former Baltimore Sun reporter who created the series; Ed Burns, a Baltimore cop-turned-schoolteacher who became Simon's co-creator; William F. Zorzi Jr., another former Sun reporter (who also plays Sun reporter "Bill Zorzi"); and crime novelists Dennis Lehane, George Pelecanos and Richard Price.

"Save for a prosecution in which acts of violence or intended violence are alleged, we will . . . no longer tinker with the machinery of the drug war," they write. "No longer can we collaborate with a government that uses nonviolent drug offenses to fill prisons with its poorest, most damaged and most desperate citizens."

Although I have some reservations, I've learned enough as an urban affairs journalist to know that they make a powerful and persuasive argument. The war on drugs too often has become a war against poor people.

That theme is driven home with bracing clarity authenticity on "The Wire," which is more than a cop show. It's really about the two Americas left behind to coexist uneasily in the social rubble that departing factory jobs left behind.

Simon and Company say they were moved to write by the show's fans like me who became invested in the lives of characters like "Bubbles," the junkie struggling to get straight, and "Dukie," the dropout outcast who slides into junkiedom. We few, say the writers, we captivated few who made up their loyal audience



REED SAXON / Associated Press

David Simons is the creator of the HBO series "The Wire."

flooded the writers with one question: What can we do?

Having talked in recent months with almost all of the essay's authors, I know how frustrating they have found that question. Kids get killed, addicted or jailed. Politicians get elected. Lawyers get rich. Jails get filled. The war goes on.

In Baltimore, Simon and Company note, arrests for drugs have soared over the past three decades while arrest rates for murders have dropped in half. In other words, serious crimes against lives and property are going unsolved in a system that encourages police to spend time snatching cheap drug arrests off the nearest corner.

Even former Baltimore Mayor Kurt Schmoke, a former federal prosecutor, suggested that decriminalization would cause fewer problems than the drug war was causing. In that spirit, the "Wire" writers advocate what Simon has called a "paper bag" approach to minor offenders. In the real world of the streets, putting your beer can in a paper bag frees the police to look the other way and go after more serious crooks instead of arresting you for illegally drinking in public.

With lawmakers unwilling or unable to repair the drug war's damage, Simon and Company invite juries to look the other way by exercising their right to

nullify a law they see as unjust or unwise.

Jury nullification dates back in English law to the Magna Carta. It refers to a rendering of a verdict by a trial jury that refutes the judge's instructions as to the law or its application in a particular case. In a 1735 trial in the colony of New York, journalist John Peter Zenger was acquitted of seditious libel against the royal governor.

If enough members of the public signal their disapproval of a law by refusing to enforce it, they might bring about its repeal. As a rule, it still is better to pass laws in legislatures than in courtrooms.

It is also a good idea, before releasing someone for a nonviolent offense, to check to see if they have histories as violent offenders and tendencies to do it again. Many often do.

And there is still a lot that we should do to help today's at-risk youth and small-time criminals avoid becoming big-time criminals. For example, we can find and support neighborhood programs, many of which are church-based, that do a good job of putting kids on the right road.

After all, we find the young wasted lives that are portrayed on "The Wire" so unsettling because we know that they're based on real people.

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Oklahomans need a law they can trust

By BOB FARRIS

Let's say you have a relatively new car, built during this century, which needs some repairs, but your auto mechanic only has the equipment and skills to fix cars built before 1950. What do you do?

If your answer is to get a new mechanic, you're right. And this same answer applies to existing Oklahoma trust law. Just as most of us own and drive cars, more and more citizens of this state now have trusts instead of wills to protect and distribute their assets. Yet Oklahoma trust law was written in 1941, when only the wealthy had trusts. It has not been overhauled since.

Fortunately, the Oklahoma Legislature has the opportunity during this legislative session to significantly improve the state's trust laws by enacting SB 1825, the Oklahoma Uniform Trust Code, which already has been adopted in 19 states and the District of Columbia.

Drafted by the nonprofit Uniform Law Commission and sponsored by Sen. Tom Ivester, D-Sayre, the UTC offers a much better statute for Oklahomans relying on trusts, and makes Oklahoma competitive with neighboring states that already have enacted a version of the UTC.

I urge Oklahomans to demand passage of the UTC because I have seen the many problems the existing law creates from three different angles.

As a former Probate Court judge, I presided over many cases — some involving hundreds of millions of dollars, others a few hundred dollars — where the lawyers for both sides were forced to rely on trust law from other parts of the country because Oklahoma law simply was nonexistent.

As a professor at the University of Tulsa College of Law, I cannot use the current Oklahoma statutes when teaching my wills and trusts class. Oklahoma trust law is so outmoded that it would hamstring my students' ability to advise clients on establishing trusts if I taught from it.

And as a practicing attorney, I find that current Oklahoma law works against my clients' best interests. Most of my clients come to me requesting trusts instead of wills — and with good reason.

Unlike trusts, wills must be probated in court, an expensive, time-consuming process that can involve multiple hearings before a judge.



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Wills also are public records whereas trusts remain private.

Yet because Oklahoma's trust law is woefully out-of-date, some of our state's more cautious lawyers steer clients towards wills or put in place unnecessary mechanisms, like co-trustees, in order to protect their clients from its gaping holes.

This is not good for Oklahoma and it needs to be changed. The new bill allows flexibility for fixing trusts that were badly drafted, permits trustees to modify trusts when tax laws change and contains numerous provisions updating basic and important trust issues.

In other words, the new law will be much more accessible to Oklahomans who would like to understand trusts. There have been claims that Oklahomans will have to re-draft their trusts because of the new law; this is simply not true.

In the majority of cases, the new law benefits everyone by strengthening the settlor's intent, providing protections for beneficiaries against fraud, and reducing the costs of any necessary modifications that can keep a trust operating.

There have been no reports that massive re-drafting was necessary in the states that have enacted the UTC, including Missouri, Kansas, Arkansas and New Mexico.

Oklahomans deserve a trust law that is clear and workable. The UTC is such a law. I urge you to visit www.tulsa-world.com/utc for more information, and to call your state legislators to ask them to bring us out of the 1940s and in to the 21st century by passing the Uniform Trust Code.

Bob Farris is an attorney in private practice in Tulsa, an adjunct law professor at the University of Tulsa College of Law, and a former probate judge in the District Court of Tulsa County.