

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

---

SAMANTHA J. COMFORT, et al.,  
Plaintiffs,

v.

LYNN SCHOOL COMMITTEE, et al.,  
Defendants,

CIVIL ACTION  
NO. 99-CV-11811NG

and

COMMONWEALTH OF MASSACHUSETTS,  
Defendant-Intervenor,

---

---

TODD BOLLEN, et al.,  
Plaintiffs,

v.

LYNN SCHOOL COMMITTEE, et al.,  
Defendants,

---

CIVIL ACTION  
NO. 01-CV-10365NG

**Declaration of Nancy McArdle**

I, Nancy McArdle, declare and state:

- 1) I am an author and researcher with expertise in analyzing housing and population trends, and changing patterns of racial change and segregation from the United States Decennial Census and other recognized and highly reliable data bases. In 1987, I received a Masters in Public Policy from the Harvard School of Government. For fourteen years, from 1987 to 2001, I worked at the Joint Center for Housing Studies, Harvard University, analyzing housing and population trends, with particular emphasis on demography. Over the course of my career I have reviewed most of the literature in the areas of my expertise.
- 2) The statements, opinions, and conclusions in my declaration are made with a reasonable degree of professional certainty. All of my opinions and conclusions are based on data

and information that are reliable and relied upon and accepted by experts in my field of expertise. In forming my opinions and conclusions I relied upon my education, experience, and training in the field of housing, along with relevant literature, my own housing studies and research, discussions with Professor Gary Orfield about his research and studies in this field, and his findings made about Lynn. In analyzing the housing patterns and population and racial composition changes in Lynn and in forming opinions and drawing conclusions for this case, I employed methodologies accepted and recognized by experts in my field of expertise.

- 3) I analyzed the past and present racial composition in the City of Lynn, particularly that of school aged children (18 and under), along with socioeconomic changes and housing trends in Lynn's twenty two census tracts. (Exhibit 23) I reviewed and relied primarily upon data from the United States Decennial Census reports for 1980, 1990, and 2000, supplemented by the American Housing Survey and the Home Mortgage Disclosure Act data in rendering my opinions and the analysis summarized below.

For the purposes of this declaration, "whites" are non-Latino whites and "blacks" are non-Latino blacks. "Asians" are non-Latino Asians in both 1990 and 2000. In 1980 it is not feasible to separate Latino and non-Latino Asians, but since Latino Asians are an extremely small group (both nationally and in Lynn in later years in which they can be separately identified,) counting them in both the Latino and Asian category in 1980 should have no significant effect on the findings. All those who chose Hispanic as their ethnicity were counted as Latino, regardless of race.

In 2000, for the first time, Census respondents were allowed to select more than one race, making exact racial change estimates problematic. However, in Lynn, only 3.6% of non-Latino respondents (2,630 people) selected more than one race. Of these, 553 chose white/black, 543 chose Asian/other, 514 chose white/other, and 298 chose black/other, with the remainder choosing various combinations. To construct unique counts of racial groups, I used the following rules, adhering to the federal government's plans for classifying race and ethnicity in electoral redistricting.

- I coded as "Latino" any Hispanic, regardless of race.
- I coded as "black" any non-Hispanic who indicated that they were African-American, regardless of any other race/ethnicity they may have indicated.
- Of those remaining, I coded as "Asian" any non-Hispanic who indicated that they were Asian, regardless of any other race/ethnicity they may have indicated.
- Of those remaining, I coded as "other" any non-Hispanic who indicated that they were an other race, regardless of any other race/ethnicity they may have indicated.
- I coded as "white" non-Hispanics who answered only "white" as their race

Because of the large racial changes occurring in Lynn over the past decade, I believe that the relatively small variances incurred by estimating racial populations in this way do not affect my findings.

- 4) **Lynn's total population has increased**  
**2000:** 89,050 (55,630 whites & 33,420 minorities)  
(increase of 7,805, or 9.6%, from 1990 to 2000, and 10,579, or 13.5% from 1980 to 2000)  
**1990:** 81,245 (65,164 whites & 16,081 minorities)  
(increase of 2,774, or 3.5% from 1980 to 1990)  
**1980:** 78,471 (72,945 whites & 5,526 minorities)
- 5) **The total number of whites residing in Lynn has decreased**  
**2000:** 55,630 (decrease of 9,534 or 14.6 % from 1990 to 2000, and 17,315, or 23.7% from 1980 to 2000).  
**1990:** 65,164 (decrease of 7,781 or 10.7 % from 1980 to 1990)  
**1980:** 72,945
- 6) Between 1980 to 2000, the white percentage share of Lynn's population has declined, while the percentage share of the minority (Latino, African-American, Asian and a small number of Native Americans and “other” racial groups not shown separately) population has increased:
- A) 2000 census: Population of Lynn (89,050)**  
62.5% white and 37.5% minority (18.4% Latino, 10.4% African-American, 7.4% Asian)
- B) 1990 census: Population of Lynn (81,245)**  
80.2% white and 19.8% minority (9.2% Latino, 6.7 % African-American, 3.5% Asian)
- C) 1980 census:**  
93% white and 7% minority (2.5 % Latino, 3.7% African-American, 0.3 % Asian).
- 7) The City of Lynn and many of its census tracts have become more racially and ethnically diverse over the past twenty years. Seventeen of the twenty two census tracts have seen significant or dramatic racial change and increasing racial and ethnic diversity since 1980. In 2000, many Lynn residents (and families with children) live in considerably more racially and ethnically diverse census tracts than in 1990, and significantly more diverse tracts than in 1980.

For example, the chart below shows the white share of the population in tracts occupied by the average black, the average Latino, the average Asian, and the average white (exposure indices). While whites continue to live in the “whitest” tracts, the average member of each group now lives in tracts that are dramatically more minority than in

1980. In fact the average minority of each racial group lives in a tract that is about half minority.

	<b>1980</b>	<b>1990</b>	<b>2000</b>
Average Black	84.9% white	70.2% white	52.9% white
Average Latino	84.9% white	69.5% white	49.4% white
Average Asian	91.6% white	70.7% white	50.8% white
Average White	93.5% white	82.7% white	69.4% white

8) There are 22 census tracts in Lynn.

A) **In 1980 there were:**  
 16 tracts with a 90%-99% white population  
 3 tracts with a 80%-89% white population  
 3 tracts with a 70%-79% white population

B) **In 1990 there were:**  
 5 tracts with a 90%-99% white population  
 6 tracts with a 80%-89% white population  
 4 tracts with a 70%-79% white population  
 4 tracts with a 60%-69% white population  
 3 tracts with a 50%-59% white population

C) **In 2000 there were:**  
 2 tracts with a 90%-99% white population  
 3 tracts with a 80%-89% white population  
 3 tracts with a 70%-79% white population  
 3 tracts with a 60%-69% white population  
 3 tracts with a 50%-59% white population  
 3 tracts with a 40%-49% white population  
 5 tracts with a 30%-39% white population

9) Census tracts in Lynn can be roughly grouped into areas with distinct demographic profiles and rates of demographic change.

A) **The predominantly white census tracts**  
 There are five tracts (5100, 5200, 5300, 5400, 5700) located in the north, northeast, and northwest sections of the City where the racial composition has remained largely white (81% to 96% white in 2000.) In 2000, 23,867 of 89,050 Lynn residents (26.8 percent) of Lynn's total population resided in these five census tracts. However 38 percent of Lynn's total white population resided in these five tracts.

1. **Rate of change in racial composition**

For the past 20 years, these five census tracts have undergone little or moderate racial change. Two of these tracts (5300 and 5400) in northeast Lynn have remained overwhelmingly white (93% and 96% white in 2000.) These tracts increased their minority share by only 2-6 percentage points during the past 20 years. In the three other predominantly white tracts there have been relatively modest change in racial composition. These three tracts had a 81%, 84% and 88% white racial composition in 2000 in a city that was 62.5% white. They experienced a 10 to 16 percentage point increase in minority share of the population during the past 20 years and a 8 to 13 percentage point increase during the past 10 years.

2. **Social and economic characteristics**

As of 2000, these five tracts were characterized by having a very high white share of the population, high home ownership rates, and low shares of households headed by single-parents. Although detailed socioeconomic characteristics are not yet available at the tract level for 2000, in 1990 these tracts contained residents who had relatively high income, more education, and were more likely to speak English as a first language than other tracts. Furthermore, housing units were of higher value and were more commonly single-family.

3. **Anticipated future rate of change in racial composition**

These five tracts are likely to remain predominantly white for the foreseeable future. Unless aggressive public policy initiatives are initiated to foster housing integration (e.g., building of affordable housing, availability of significant number of low cost home buyer programs), or there is a sudden change in the socioeconomic status (accumulation of wealth) of one or more of Lynn's minority groups, I do not anticipate appreciable racial change in these 5 predominantly white tracts in the near future (within the next five to ten years). Minorities have generally not purchased homes in these areas of Lynn, probably due in part to the higher house prices that prevail there and minorities' overall lower income levels. Thus, while minorities made up 36% of home buyers in Lynn in 2000, they made up only 18% of buyers in these five tracts and just 12 percent of buyers in the two whitest tracts. Other studies of metropolitan areas, including the Boston metro, have found that Asians are generally moving into whiter, higher income neighborhoods, further from the urban center, rather than residing in predominantly minority neighborhoods. However, in Lynn, Asians do not reside in the predominantly white census tracts. (Asians constitute 1%, 1%, 2%, 3% and 5% of the population in the five predominantly white tracts, although they constitute 7.4% of the city's population, and constitute 5%, 11%, 13% 15%, and 22% of the population

in the 5 predominantly minority tracts.) This is undoubtedly due in part to the fact that more than half (55%) of Asians in Lynn are Cambodian, a group with very low incomes.

I also base my opinion on the history of relatively minor demographic change in these tracts the past 20 years.

B) **Predominantly minority census tracts**

There are five census tracts (6000, 6100, 6200, 6800, 7100) where the minority population in Lynn has been the most concentrated (69%, 68%, 67%, 66% and 64% minority in 2000). They are located in the south and central areas of Lynn. These tracts are currently approximately 33% white, in a city that is 62.5% white.

The minority population has concentrated in the city center and has expanded out to the tracts contiguous to those in the central core of the city. These include the three additional census tracts (6500, 7000, 7200) where the minority population has significantly increased the past twenty years, and where the minority population is significantly above the city average of 37.5% (55%, 56%, and 59% minority). These tracts are currently 41% to 45% white-- about 20 percentage points below the citywide average for whites.

1. **Rate of change in racial composition**

Over the past twenty years these five tracts (6000, 6100, 6200, 6800, 7100) have experienced dramatic change in their racial composition. In the past 20 years they have had a 42.8 to more than a 60 percentage point increase in minority share of the population. In the past 10 years, these tracts have had a 16 to a 37 percentage point increase in their minority share.

In the past 20 years three additional tracts (6500, 7000, 7200) had a 26 to more than a 45 percentage point increase in minority share. In the past 10 years, these tracts have had a 13 to a 21 percentage point increase in minority share. These three tracts have seen a less rapid change in racial composition than the five predominantly minority tracts, but the change is more rapid than those with relative racial balance discussed below.

2. **Social and economic characteristics**

These eight tracts have distinct social and economic characteristics as compared to the predominantly white census tracts in Lynn. As of 2000, these include much lower home ownership rates, higher rental vacancies, a higher share of single-parent households, a younger median age, and a higher share of families with children. While more extensive

socioeconomic data at the tract level is not yet available from the 2000 Census, in 1990 these tracts also had low median household income, significantly lower property values, a larger stock of multi-family housing, an older housing stock (more than 60 years old), and many more people who spoke a language other than English at home.

3. **Anticipated future rate of change in racial composition**

Based on their current composition, it is foreseeable that these eight tracts will continue to experience a substantial increase in the minority share of the population. According to a fairly recent report based on the Multi-City Study of Urban Inequality, the majority of whites in the Boston area indicate that they would be uncomfortable living in a neighborhood that became majority black. Although this research is not completely comparable to Lynn's situation because the minority comparison group in Lynn includes both Latinos and Asians, it is likely that many whites would also feel uncomfortable in neighborhoods that are 65% plus minority. Furthermore, because of minorities' higher fertility rates, tracts that become largely minority tend to become even more so over time, barring white immigration. There is little evidence of this white immigration. In 2000, whites made up 64% of home buyers in Lynn but only 34% of buyers in these eight tracts.

C) **Census tracts with Relative Racial Balance**

Unlike the five predominantly minority tracts and the three other tracts that have substantial percentages of minorities, over the past 20 years the remaining nine census tracts (5500, 5600, 5800, 5900, 6300, 6400, 6600, 6700, 6900) have seen a relatively less rapid change in their racial composition. The racial composition in these nine tracts (53 %, 56%, 59%, 62%, 64%, 68%, 70%, 71%, and 74% white) is closer to the citywide average of 62.5 percent white.

1. **Rate of change in racial composition**

Over the past 20 years these tracts have had an 18 to a 38 percentage point increase in their minority share of the population. In the past 10 years, these tracts have had an 8 to a 15 percentage point increase in their minority share.

2. **Social and economic characteristics**

These tracts are more mixed socially and economically, but more closely resemble the social and economic characteristics of the predominantly minority tracts than the predominantly white tracts in Lynn. Based on 2000 Census data these tracts have relatively lower home ownership rates, more single parent households and a younger average age. Based on 1990 Census data, they also have lower household incomes and property values,

more multi-family housing and older housing stock (more than 60 years old), and a greater share of people who speak a language other than English at home.

3. **Anticipated future rate of change in racial composition**

It is likely that these tracts will continue to experience increasing minority shares of their population though they will probably remain relatively racially stable. The population in each of these 12 tracts is between 25% and 50% minority, averaging roughly a third minority. A major study of racial preference of whites in the Boston area suggests that roughly 64% of whites are comfortable in neighborhoods that are between 33% and 52% black and that approximately 42% of whites are comfortable in neighborhoods that are majority black. This suggests that, while racial change is likely to occur, it should not be dramatic in most of these tracts.

However, the vast majority of residential preference research has solely focused on the effects of the increase in black residents. There is little research to predict the effects of racial change in multi-ethnic neighborhoods or when the minority group is non-black. Nevertheless, based on a review of the population trends in these nine tracts from 1980 to 2000, and in light of the aging of the white population in Lynn, and the younger minority population, with higher fertility rates, it is my opinion is that there will almost certainly be an increase in the minority population in these tracts in the foreseeable future.

10) **Lynn's total population of children has increased since 1980**

**2000:** 24,051

(increase of 3,987 or 20% from 1990 to 2000)

**1990:** 20,064

(decrease of 207 or 1% from 1980 to 1990)

**1980:** 20,271

11) **The total number of white children has decreased, while the number of minority children residing in Lynn has increased**

**2000:** 11,056 white children, 12,995 minority children  
(24,051 total children, whites 46%)

**1990:** 13,618 white children, 6,446 minority children  
(20,064 total children, whites 68%)

**1980:** 17,959 white children, 2,312 minority children  
(20,271 total children, whites 89%)

12) **The total number of white children 18 or younger residing in Lynn has decreased**

**2000:** 11,056 white children

(18.8% decrease in white children from 1990 to 2000) (2,562 children)

**1990:** 13,618 white children



(24.2% decrease in white children from 1980 to 1990) (4,341 children)

**1980:** 17,959 white children

- 13) The rate of decline of white children in Lynn from 1990 to 2000 (as compared to the total white population) is about half the rate of decline from 1980 to 1990.

**From 1990 to 2000**

The white children population in Lynn decreased 2,562.

The white population (all ages) decreased 9,534.

White children constituted **26.9%** of Lynn’s total white population decrease.

**From 1980 to 1990**

The white children population decreased 4,341.

The white population (all ages) decreased 7,781.

White children constituted **55.8%** of Lynn’s total white population decrease.

- 14) Population change data does not provide any evidence to suggest that Lynn’s school choice plan and the integration of schools led to a decline in the number of white children in Lynn during the 1990's. In contrast to the high rate of decline in the 1980s, there has been a significantly lower rate of decline of white children in the 1990's. In fact, the rate of decline of white children in Lynn over the 1990s is about half the rate of decline over the 1980s. In addition, the most dramatic slowing of the rates of decline of white children were in the predominantly white tracts of Lynn. This result is contrary to what one would expect if the school choice plan was a factor in driving whites away.

- 15) **Comparison of the rate of decline in the number of white children between the 1980s and 1990s**

In comparing the rates of decline of white children in the predominantly white census tracts to the rates of decline in the tracts that are more balanced demographically and to the rates of decline in the predominantly minority tracts, the most dramatic slowing of the rates of decline of white children were in the more predominantly white tracts in Lynn.

Tracts in the charts below are listed in order from the most white to the least white. Changes are of the white child population.

	<b><u>2000: % White</u></b>	<b><u>1980-1990</u></b>	<b><u>1990- 2000</u></b>	<b><u>% Point Change</u></b>
<b>5 Tracts</b>	<b>81-96%</b>	<b>17.7% (1027)</b>	<b>6.6% (315)</b>	<b>- 11.1%</b>
<b>3 Tracts</b>	<b>70-74%</b>	<b>27.2% (947)</b>	<b>19.7% (498)</b>	<b>- 7.5%</b>
<b>6 Tracts</b>	<b>53-68%</b>	<b>22.3% (938)</b>	<b>20.2% (662)</b>	<b>- 2.1%</b>
<b>3 Tracts</b>	<b>41-45%</b>	<b>30.7% (390)</b>	<b>27.8% (245)</b>	<b>- 2.9%</b>

<b>5 Tracts</b>	<b>31-36%</b>	<b>32.6% (1039)</b>	<b>39.2% (842)</b>	<b>+ 6.6%</b>
		<hr/>	<hr/>	
		<b>(4341)</b>	<b>(2562)</b>	

16) Chart identifying the decline in the number of white children by grouping of census tracts. Tracts are listed in order from the most white to the least white. This chart compares the rate of decline of the white child population during the 1980s and 1990s.

	<u>2000: % White</u>	<u>1980-1990</u>	<u>1990-2000</u>	<u>Number decline 1990s vs. 1980s</u>
<b>5 Tracts</b>	<b>81-96%</b>	<b>(1027)</b>	<b>(315)</b>	<b>(712)</b>
<b>3 Tracts</b>	<b>70-74%</b>	<b>(947)</b>	<b>(498)</b>	<b>(449)</b>
<b>6 Tracts</b>	<b>53-68%</b>	<b>(938)</b>	<b>(662)</b>	<b>(276)</b>
<b>3 Tracts</b>	<b>41-45%</b>	<b>(390)</b>	<b>(245)</b>	<b>(145)</b>
<b>5 Tracts</b>	<b>31-36%</b>	<b>(1039)</b>	<b>(842)</b>	<b>(197)</b>
		<hr/>	<hr/>	
		<b>(4341)</b>	<b>(2562)</b>	<b>(1779 fewer White children decline in 1990s versus 1980s)</b>

17) In the five census tracts with the highest percentage of whites in 2000 (81% to 96% white), there has been a significantly lower rate of decline of white children in the 1990's than in the 1980's.

	<u>1980-1990</u>		<u>1990-2000</u>	
	<u>% decrease</u>	<u>Total number</u>	<u>% decrease</u>	<u>Total number</u>
Tract 5100	18.3%	(240)	8.1%	(86)
Tract 5200	23.4%	(302)	12.5%	(124)
Tract 5300	18.6%	(210)	0.8%	(7)
Tract 5400	4.9%	(46)	3.7%	(33)
Tract 5700	20.0%	(229)	7.1%	(65)
<b>Weighted Average:</b>	<hr/>	<hr/>	<hr/>	<hr/>
	<b>17.7%</b>	<b>(1027)</b>	<b>6.6%</b>	<b>(315)</b>

18) In the three census tracts with the next highest percentage of whites in 2000 (70% to 74% white), there has been a lower rate of decline of white children in the 1990's than in the 1980's.

	<u>1980-1990</u>		<u>1990-2000</u>	
	<u>% decrease</u>	<u>Total number</u>	<u>% decrease</u>	<u>Total number</u>
Tract 5900	31.5%	(382)	14.8%	(123)
Tract 6400	21.9%	(294)	24.6%	(258)
Tract 6600	29.3%	(271)	17.9%	(117)
<b>Weighted Average:</b>	<hr/>	<hr/>	<hr/>	<hr/>
	<b>27.2%</b>	<b>(947)</b>	<b>19.7%</b>	<b>(498)</b>

- 19) In the six census tracts with a median white share of the population in 2000 (53%-68% white), there has been an overall lower rate of decline of white children in the 1990's than in the 1980's.

	<u>1980-1990</u>		<u>1990-2000</u>	
	<u>% decrease</u>	<u>Total number</u>	<u>% decrease</u>	<u>Total number</u>
Tract 5500	18.9%	(179)	18.4%	(141)
Tract 5600	30.9%	(310)	21.2%	(147)
Tract 5800	17.7%	(109)	15.0%	(76)
Tract 6300	28.8%	(254)	24.1%	(151)
Tract 6700	18.7%	(100)	23.6%	(103)
Tract 6900	6.0%	(+14)	17.9%	(44)
<b>Weighted Average:</b>	<b>22.3%</b>	<b>(938)</b>	<b>20.2%</b>	<b>(662)</b>

- 20) In the three census tracts with the next lowest percentage of whites in 2000 (41%- 45% white), there has been a overall lower rate of decline of white children in the 1990's than in the 1980's.

	<u>1980-1990</u>		<u>1990-2000</u>	
	<u>% decrease</u>	<u>Total number</u>	<u>% decrease</u>	<u>Total number</u>
Tract 6500	37.3%	(277)	25.4%	(118)
Tract 7000	17.2%	(32)	46.1%	(71)
Tract 7200	23.5%	(81)	21.3%	(56)
<b>Weighted Average:</b>	<b>30.7%</b>	<b>(390)</b>	<b>27.8%</b>	<b>(245)</b>

- 21) In the five census tracts with the lowest percentage of whites in 2000 (31%-36% white), there has been a modest increase in the rate of decline of white children in the 1990's than the 1980's. However, the decrease measured in absolute terms (number of children) has declined in the 1990s.

	<u>1980-1990</u>		<u>1990-2000</u>	
	<u>% decrease</u>	<u>Total number</u>	<u>% decrease</u>	<u>Total number</u>
Tract 6000	24.5%	(119)	35.8%	(131)
Tract 6100	38.3%	(223)	41.8%	(150)

Tract 6200	36.3%	(420)	38.5%	(283)
Tract 6800	14.5%	(42)	35.2%	(87)
Tract 7100	34.8%	(235)	43.4%	(191)
<b>Average:</b>	<b>32.6%</b>	<b>(1039)</b>	<b>39.2%</b>	<b>(842)</b>

- 22) Based on current housing patterns in Lynn and the racial composition of the children under eighteen residing in its twenty two census tracts, if geography alone determines student assignments to schools, probably over the next 5-10 years, Lynn will continue to have a significant number of white children residing in predominantly white tracts and a significant number of minority children living in predominantly minority tracts. These tracts are separated geographically, with the five predominantly white tracts located in east, northeast and northwest Lynn and the eight predominantly or substantially minority census tracts in the southeast and central parts of the city. Therefore if Lynn assigns students to neighborhood schools, it would likely result in a significant percentage of white and minority students residing in Lynn attending predominantly white or predominantly minority elementary schools. Over the long term, if minority residents become more upwardly mobile socioeconomically, it is possible that the racial composition in the predominantly white tracts will change to become more integrated, but there is nothing in the available demographic data to suggest that the predominantly or substantially minority tracts will become more white. In fact it is likely these tracts will have an increased minority percentage share of the population.
- 23) Beginning in February 2002, I am being reimbursed at a rate of fifty dollars (\$50.00) an hour to compensate me for my study and testimony.
- 24) I have not testified as an expert at trial or at deposition in the past 4 years.
- 25) Attached as an Exhibit is my curriculum vitae that contains a list of all publications I authored in the past ten years.

Signed under pains and penalties of perjury this \_\_\_\_\_ day of February, 2002.

\_\_\_\_\_  
Nancy McArdle