

Herbert J. Gans, *The Uses of Poverty: The Poor Pay All*.

*Social Policy* July/August 1971: pp. 20-24

Gans' article discusses the reasons why poverty has persisted as an incentive to the rest of society. Gans points out the many professions and political circumstances that gain professional purpose, wages, and voters from the institution of poverty. While it is true that many jobs exist to assist the poor, thereby having a self-interest in its continuance, I believe he misses the mark. Society's aim should not be the unrealistic goal of eliminating poverty, but assisting people out of it. The pool of poverty will always exist because peoples' fortunes in a free-market are never guaranteed. Also, some, for reasons of their own, choose to remain in their circumstances. Instead, poverty should be viewed more realistically as any industry where the churn of individuals is constant. People come in. People come out. Society's responsibility is enabling the assistance needed to facilitate the upward mobility of people out of the poverty pool.

As an Alabama planner, AICP Principles 1.e., enabling people the opportunity to have a say in issues that affect them; and 1.f., seeking social justice, choice, and opportunity for all persons, applies. As Gans pointed out, the poor are typically overlooked in development projects and excluded from the democratic process. As planners, we are bound to ensure that all voices have the chance to be heard. We must also recognize how the decisions we make and/or recommend have far reaching effects.

Melvin M. Webber, "Comprehensive Planning and Social Responsibility: Toward an AIP Consensus on the Profession's Roles and Purposes," *Journal of American Institute of Planners*, 24(4) (1963): 232-241

Acceptance that what were once considered being the results of physical environmental determinism is actually a complex web of relationships and circumstances. However, design and functionality play direct roles in the pride and desire residents have in their city. It is therefore the planner's duty to the public's interest to ensure plans leverage and promote a city's physical nature.

Public infrastructure has significant impact to those they serve. The placement of these affects everyone based on accessibility. As planners concerned with promoting opportunity to all, especially the underserved, it is imperative that we critically evaluate the recommendations we make so as to encourage the greatest impact possible. Education, transportation, drinkable water, and social services are essential to enabling a standard of living that improves the health and social mobility of residents.

Scenarios beginning next page.

Scenario 1:

A staff planner writes a confidential report that recommends against the siting location of a proposed new sports stadium. At public hearing, her boss tells the planning board that the planning staff support the location. Key to this question is whether the author of the confidential report is in the minority or majority opinion of the staff. How large is the staff; is it just her, or are there several staff members? If what the planning director told the legislative body is untrue, then he is violating AICP Rule 1: "We shall not deliberately or with reckless indifference fail to provide adequate, timely, clear and accurate information on planning issues."

If this is the case, her options are: interrupt the hearing and contradict the director, file a complaint with the AICP Ethics Commission, or approach the director afterward with the majority of the planners. Openly contradicting the director in hearing presents a poor impression of the planning office as a whole. Filing a complaint immediately could be an overly ambitious method if other less aggressive methods are available. The third, approaching the director as a majority in a closed office environment could persuade the director to change the office's position on the site recommendation. If that fails, then the planner could substantiate an ethics complaint.

Scenario 2:

A planner is gifted an ornament from the recipient of a loan fund, a fund which the planner manages. While the gift is of negligible value (was going to be trashed), it is still improper and could be considered a solicitation. Although

Alabama Ethics Code, Section 36-25-5.1(a), allows a public employee to accept items of negligible value it could still suggest an impropriety.

The planner could accept the gift outright, decline the gift, or offer to buy the gift at market value. The first could be misinterpreted by others, as stated previously. The second could unnecessarily sour the relationship with the owner. The third course of action is the best, since the loan recipient is compensated for the item given.

Scenario 3:

In this scenario, the planner hired as a consultant is instructed by the planning director to omit the public housing element from the plan. Foremost, the planner needs additional information to determine the logic of the request. Does the director intend to create it personally? Has a housing plan already been developed? Does the director intend to complete and recommend a plan with no housing section, in violation of the state's legislation? In the final instance, the planning director's request would violate the AICP principle of seeking social justice.

If this is the case, the hired consultant should not accept the director's course of action because it is illegal and plainly inconsistent with AICP obligations, per Principle 2.b. She is also bound by Rule 2.: "we shall not accept an assignment from a client or employer when the services to be performed involve conduct that we know to be illegal or in violation of these rules." Options available to the hired planner, should she determine that the director intends to ignore the legislation, are: file a charge of misconduct with the AICP Ethics Committee against the planning

director, or, notify the city's planning commission of what she has been told to do. I believe the best course of action would be to notify the planning commission, seeking stipulations that the housing section be included.

Scenario 5:

A scenario in which a planner is asked to make a recommendation for variance approval from a submitter whom the planner is a colleague of. This issue of conflict of interest is straightforward. The planner must first disclose to the zoning board the existing relationship before making an objective recommendation based on available information of use, performance, and existing zoning. If the planner had something to personally gain from the situation, then he or she should recuse themselves completely. Additionally, the planner should follow AICP Rule 8, and not conduct any private communications with the colleague regarding the issue.

Scenario 6:

This scenario involves an emotionally unbalanced planner in a bad marriage. Since her domestic disturbance arrest does not qualify as one of AICP's "Serious Crimes", she does not have to notify the Ethics Committee. What she does need to have court-mandated anger management counseling and marriage counseling.

Scenario 7:

An employed planner develops a new development code and is asked to provide private consulting services for its implementation in other communities.

First, additional information needed is whether or not the town he is employed has dispensed with any requirement for notification of additional employment. If not, the planner must follow AICP Rule 4: salaried planners shall not accept additional employment in the same profession without written consent from their current employer. If pursuing both jobs is not acceptable, the planner can make the decision to turn down the offer, or quit their original job in favor of consulting if the pay substantiates the decision.

Scenario 10:

In a job interview, a panelist who is also an AICP member, witnesses another panelist, the planning director, ask the interviewee what their religion is. This question does not violate any specific AICP Ethics rule, however, it is extremely inappropriate and does not support AICP Principle 3.a.: “we shall protect and enhance the integrity of our profession.” Additionally, the director’s question could be determined as a violation of the federal Civil Rights Act of 1964, Title VII, which extends to job applicants.

The best course of action is to intervene. The panelist should politely interject to the director that the applicant does not need to answer that question, providing him the chance to retract the question. Following the interview, the panelist should professionally discuss the implications of that question with the other panel members.

Scenario 11:

Karen is asked by the mayor to remove from a suburb's comprehensive plan a data projection describing the growth of the city's minority black population. This request, while questionable, is not an ethics violation as it stands. To be certain, though, other racial demographic data must likewise be removed so as to be consistent. Additional data which could be used to misrepresent reality cannot be inserted. The mayor asked for the data to be removed, not falsified. As AICP Principle 2.b. states, "we shall accept the decisions of our client or employer concerning the objectives and nature of the professional services we perform."

EXHIBIT ONLY