

**SHO SATO WORKSHOP ON
“THE PROBLEM OF LAW IN RESPONSE TO DISASTERS”
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UNIVERSITY OF CALIFORNIA, BERKELEY**

Katrina and Access to Justice

Reilly Morse
Mississippi Center for Justice

Mr. Morse shared his personal experiences of Hurricane Katrina as a resident and practicing lawyer in Mississippi, discussing the governmental responses to the disaster as well as introducing the Mississippi Center for Justice and its role in the post-Katrina legal aftermath. In Mississippi, the communities that were largely struck revolve geographically around a 19th Century railroad that normally separates the local privileged white and poor black neighborhoods; for instance, both Biloxi with its large Vietnamese community and Gulfport.

Mr. Morse next discussed the American federal government response to disaster from a historical perspective, dividing its history into distinct eras: Pre-Civil War, Post-Civil War, Post-Stafford Act and current responses. In Pre-Civil War era, there was only a small-scale response from the federal government, maybe canceling federal bonds and generally encouraging movement towards Westward. In the Post-Civil War era, there were many disasters with no real resulting national response, just local government response. Especially after the Three Mile Island Incident, President Carter unified disaster preparation with FEMA. The 1988 Stafford Act further defined how the federal government would interact with local government in disaster assistance. These initiatives were particularly seen with the difference in responses to the Floridian hurricanes in 2004 and then to Hurricane Katrina in 2005.

Mr. Morse then gave an overview of how might lawyers respond in the aftermath of such a disaster as Hurricane Katrina, dealing primarily with due-process related issues:

- a. Meaningful opportunity to participate
- b. Decisions based on standards and evidence
- c. Fairness in decisions to return or relocate
- d. Fairness in compensation and benefits
- e. Non-discrimination towards minorities
- f. Results in enough time to make a difference

Mississippi Center for Justice

The lecturer proceeded to introduce the Mississippi Center for Justice, which began in 2003 with two lawyers. Now, with 35 lawyers, the Center focuses on statewide issues, as well as disaster response, such as BP oil spill claims and post-Katrina housing assistance, particularly within minority populations. They have also represented individuals, NGOs, and coalitions, using strategies such as reports, demonstrations, litigation and public outreach through the media. For instance, the group has likewise led several class-action cases against FEMA on issues of notices of eligibility, recoupment, extension of housing assistance and zoning discrimination. In a visual, Mr. Morse depicted the progress in the types of cases that the Center handled in the Katrina aftermath:

Evictions → temporary benefits → affordable housing advocacy → grants
& title → contractor fraud → sustainable communities

Mr. Morse concluded his presentation with a case study of one legal success story as the result of the Center's persistence, in which they directly sued the US Department of Housing and Urban Development in Mississippi to provide more financial support and grants to restore public housing and to address the needs of the low-income communities struck by Katrina. In November 2011, after many demonstrations and much litigation, \$132.8 million were set aside as further housing aid to the poor.