



## The Activist Files Episode 49: Land, Health, and History - A fight for Environmental Justice and Community Legacy

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Sadé Evans:

Welcome to the activist files for the Center of Constitutional Rights. My name is Sadé Evans, and I'm one of the legal workers here at the organization. I am honored to be here with twin sisters, Dr. Joy Banner, and Jo Banner of the Descendants Project, an organization that advocates for descendants of people who were enslaved in Louisiana's river parishes in honor of Earth day. This episode will highlight the organization's work. Both women are speaking up and speaking out against corporate greed and environmental racism in Wallace, Louisiana, largely known as Cancer Alley. This 85-mile strip is riddled with concerning amounts of petrochemical plants and threatens the health of the historical black community in which resides. So welcome to Joy and Jo. Very nice to have you both.

Dr. Joy Banner and Jo Banner:

Thank you for having us.

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Dr. Joy Banner:

<laugh> and I will jump into the very first question. So I am personally inspired by the both ways in which you've like merged your passions and skills and tourism and in communications. And so I'm hoping that you can both share your individual journeys and how they merged together to be the work of the Descendants Project. Joy first and then Jo.

Dr. Joy Banner:

Uh, so I think that growing up where we did, so I, I grew up in, uh, a neighborhood that consists of my, my family, um, my parents and grandparents and her brothers and sisters. And our neighborhood was founded really by our great-grandfather, who started off with a couple acres of land. And then, uh, my great uncle purchased some land when I just found out that he was only 15-years old when he purchased basically the entire neighborhood. And on that land, our, um, the various family members started their families and, and we all kind of, uh, located around our parents. And so we have a family compound/neighborhood, and I grew up loving, listening to my grand, my grandparents, and all of my elders talk about their experiences growing up in the area. And they were fantastic storytellers. And so I think they just gave me a love for the community.

Dr. Joy Banner:

I was always waiting on bated breath to hear their stories, even, uh, even if I heard the story a million times, it was always like hearing it for the first time over and, you know, for the first time, every time I heard it. So I, I grew up again with, uh, an appreciation of, of history and of that heritage, but because we are in a community that doesn't have a lot of, a lot of association for what we think with the, with the liberal arts, um, with, um, the humanities. I never thought that I could have a job in that space. I always thought that, well, it was it's for my generation. I'm 43. It's all about, it was all about getting a job, getting a good paying job. Our parents work in, worked in the plant. And so people wanted a good plant job.

Dr. Joy Banner:

That was what you were supposed to get. I didn't wanna go into the plant as many people in my generation. I think it's about 50%. Like half of us wanted to work in plants and then the other, others of us were like, nah, I don't wanna work in a plant. So I think I sort of split the difference and did business and, and business marketing was, was the most like creative side of, of that discipline. So I, I eventually started, you know, moving over to, uh, marketing and I did go and I get my, got my MBA. And then that's when I decided I wanted to become a professor. So I, uh, continued, uh, went back to LSU, got my PhD in Communication Studies and taught in business

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school for eight years in Austin at two schools. And one of which was a historically black university.

Dr. Joy Banner:

Um, but as I was teaching, I just felt like, and I was teaching entrepreneurship and small business. And I just felt that when I was teaching my students, I didn't feel that I was really paying attention, to what I truly wanted and really desired. And I, and I knew that I, the teaching in the academic setting was not really for me, for me. I, you know, I hated lesson planning. I love teaching. I love talking, but I didn't like all of the prep work that went with it. And ultimately I wanted to come back home to my community and believe that small businesses, uh, and, and economic development, uh, would be the thing that could save our community because more and more people were leaving and, and not coming back. And I just thought like, wow, if, if only people realize how wonderful and beautiful, um, our community is.

Dr. Joy Banner:

Um, and, and at that time, Whitney plantation had open a couple of years. It was a museum of slavery, both me and Jo have a background in, in tourism. And so I felt like you've bolstered by the tourism industry that we could build back, you know, uh, build small business development and, you know, intermingled with that, the need for small business owner it by people like me, you know, because the only businesses that we have in our community were either, you know, the plants or either some, you know, a business that had some ties to supplying a complimentary business to the plant or plantations. And, you know, both me and Jo saw it. There was a rich opportunity for mainly, you know, black people or rural people who loved the country, um, who loved, you know, the green grass and the trees and, and loved being out in nature, um, and loved history that there was a space for us there.

Dr. Joy Banner:

So, um, that's the reason why I came back six years ago. My, uh, my sixth anniversary actually would be in June as a Director of Communications at Whitney Plantation. Um, which again was perfect because me and Jo growing up around plantations and loving the fact that there we liked history and, you know, even I'm not gonna lie, you know, love the beautiful architecture that you see. They're so fantastical, you know, they're so beautiful, the way the grounds are kept, the way the houses are kept. It is so easy to be seduced by their beauty. Um, but then it always, and, and now, again, as, as a woman in her forties, I'm looking back and I'm understanding the ways in which being in that, um, dichotomy of beauty and pain and, and, you know, wanting to be accepted, but not never feeling, you know, respected in these spaces, how much that impacted my identity.

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Dr. Joy Banner:

So I'm still unpacking what plantations, you know, really mean for me and how they have impacted me, but, um, at the moment with, to be able to be at Whitney and go into a plantation where I can explore every angle where, you know, my ancestors and the work of the enslaved people are front-and-center is, is just, um, has been a, a, a beautiful journey for me. I'm, part-time went part-time a couple of months ago. And within the, or next year, at this time though, I will be fully transitioned over to the Descendants Project. So, um, we'll always work in partnership with Whitney. And, but yeah, it's just been, it's just been one of the great blessings of my life to have worked at Whitney plantation.

Sadé Evans:

Thank you. Jo?

Jo Banner:

Yeah, my story, I guess it all starts with our grandparents much like Joy's, and we do have parents, our parents did speak to us, but our grandparents, I realized I always talk about my grandparents. As if we didn't have, but, um, we, our grandparents took care of us, um, as our babysitter. So we, we were fortunate to spend a lot of time with them and our grandparents incorporated a lot of history and incorporated a lot of the landscape and they were great, amazing communicators at that. So that's what Joy and I learned from listening to them the way they looked at the environment, the way they would also identify the weird, you know, to celebrate the weirdness of our culture, but not weirdness but uniqueness, you know, so they just gave us a totally 360 view of everything that was around us. And that made me fall in love with our history and appreciate our culture and trying to live in that same type of vein.

Jo Banner:

And so having a love from them, from communications, from folktales, history, the closest way to get that and incorporate that into a living was through tourism. So going to a plantation. Now that I am, we just came back from the archeology conference Society of American Archeology conference, and as I'm listening and going through the different panels. I realize I should have been an anthropologist. I should have been an archeologist, uh, because tourism always fell so flat. I couldn't dig deep enough. Like it just always irritated me is that we should be digging deeper. It should be more, we can't be surfaced about this. Why aren't we digging, digging, digging, trying to find out more, but that was not, that's not what tourism does. Tourism wants to

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give you a pretty picture, right? They don't want you to dig. They want you to stop at what sells that never sat right with me.

Jo Banner:

As much as I did learn from working on plantations, it kind of is ironic that the place that I could get, all that I wanted, the only place that was accessible to me was a plantation. So if had I known more about anthropology and archeology and known, that was a avenue that was available to me, I would've probably gone into that direction, but all we know here is black people and, um, plantations, that was the most accessible way, at least in my mind to get to all of it. So I don't begrudge that. I just understand the limitations. I did learn a lot being in a tourism industry that at least got me to where I am right now to where I can dig deeper. And although I'm not a archeologist or anthropologist, I, I do understand the work and get to incorporate that into so much of what we do right now and to saving our community, but, and saving our history, so it all came full circle for me, thankfully, but I just tried my best to in the tourism world.

Jo Banner:

I really wanted to have our, the voices of my ancestors present. And so many times that narrative was totally excluded from a plantation marketing that's going on. Obviously we are in the area that has a lot of plantations. So there, the, the biggest tourism driver are plantations for

better or for worse. And in that world, what I wanted was to just learn more and have more of that story told not just be obligated to a footnote or to a B character or whatever. I wanted the stories to center on us. Um, our stories. And we, I said, and we are descendants of the enslaved, but we are descendants of Europeans as well. So as much as I know about the European side of my family, that I can trace all the way back from Germany in the river they, came from why can I know why don't, I know that about my African side or about the indigenous. That information is just gone.

Jo Banner:

So that's that hurts. You know, it hurts to see the dichotomy and to see the absence, the, feel it, and to feel like only one part of me is good enough. I can only make it to a certain part. The rest of me is not good, or you won't acknowledge that part. And when you start to champion that side, my, an my African ancestors, the industry came down on me. Um, and I thought that was really a way of, no, we, we don't wanna go there. We don't wanna make people angry. We only wanna show one side because you know what, doesn't make everybody money and you want money, right? So they commodified our history. And I just, it just was not the place for me to be. So thankfully I walked away from tourism was able to walk away in that vein and that's, I wanted to do it on my own.

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Jo Banner:

I knew that I could, I had to be the voice that I could be a voice that maybe what the river was waiting for was for me to get here and then just to do this on my own. And that's how the Descendants Project really started was trying to change tourism. But also understanding that changing tourism is also addressing environmental concerns and looking at how much heavy industry has used tourism as a Trojan horse and understanding how all those things are factors. The, the political drivers of tourism and the funding of tourism was also the funding of a lot of different agencies, whether it was a Levy Board, the Port of South Louisiana, Airport Board, all of them had the same structure and they had the same type of problem and issues. So I was able to see it all and say, okay, this is not just about tourism.

Jo Banner:

This is about all of these different components of this system. That's working through whole community like ours now, and we have to stop. Um, and I just knew I could not work within the system. I had to really embrace my own system and try to, to try and change things. I knew I could not fight them in their arena to have it so locked down, but I knew I could build my own arena and build my own team. And that way we could really go at 'em and expose all the things that's been holding our to community down for so long,

Sadé Evans:

Some really powerful answers. <laugh> More specifically, because you both mentioned this a lot. How do you wanna uplift your family's legacy? And I guess I'm thinking of Joy and like the fact that you are at the Whitney Plantation, and you have literal ancestors who were enslaved on that plantation. How does it feel to be telling those stories daily about what people at the time were enduring and how starkly different is that from the stories that other plantations tell in the same area? I think you go for very unique in that. And then for Jo, you own this beautiful cafe that also uplifts the family's history, and, you know, there's, there's recipes that you're sharing, there's photos that you're sharing, and you both actively talk about uplifting your family, but you're also doing it in your everyday work.

Dr. Joy Banner:

Well, for me, you know, I, I think it's incredibly cathartic that I'm working at a place where I do you get to talk about African American history, you know, Afro-Louisiana history in a way that is well, it's the truth. And the fact that I feel comfortable on the plantation and the, the fact that, you know, I, I do have a sense of peace when I'm on a site of enslavement is, you know, do to the, the lack of that freedom and space that we have in other, in, in other places, in other contexts, to

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be able to talk about the truth of our American history of our American origin story in a way that understands the trauma that understands the, the brutality that happened, but also uplifts and educates people about the contributions, you know, the economic contributions and how much of the foundation of the country and of the state that enslaved people built. Right?

Dr. Joy Banner:

And it's the, it's the plantation houses, but it's the roads. It's your levies. Your infrastructure is built by enslaved people, the sugar cane, you know, that people are still farming. You know, we, we forget that the sugar cane fields around us have been, you know, sugar cane farms for, you know, a couple of a hundred years and more, and that was by enslaved people and the type of technical experience that enslaved people had. And I think that's something that often gets overlooked, especially with sugar production. If you have to, you know, strike the sugar at exactly the right temperature, you have to, we would call people in modern times chemists. Right? because in order, when, if you visit a modern day sugar mill, which we did, um, a couple of months ago, it's a laboratory. Where instrumentation is used in order to determine when is the exact time to the heat in the process of boiling sugar, so that you don't mess it up.

Dr. Joy Banner:

And so, I mean, it's a very, very, um, finicky process and it takes a high degree of expertise in order to learn those skills. And so, and so often we overlook and how much enslaved people and, or Africans and, and their descendants have contributed to just the lifeblood of our entire country. So it is for me again, a great honor to be able to work and, and tell that story. Uh, I'll be honest with you. It, when I went into Whitney and I thought, okay, I'm, I'm from the area I've worked in plantations before. I believe in this mission where we focus on the lives of the enslaved people. So I can, I'm going into this, you know, an expert enough, but through the, the way that, the ways that I've evolved, um, over the last six years, I look at some of the social media posts that I, I did when I first came, first came to Whitney and the way that I've changed, and I've learned so much about slavery and the culture, you know, the, the beautiful culture and not only that, but the way that people... It's not just learning about slavery, but is the way that you have to communicate about out slavery so that people understand it and understanding those nuances about slavery, because people come at you with questions and, you know, and, and honestly, some, some folks are asking you questions because they don't understand how a black person could have been a slave holder.

Dr. Joy Banner:

Right. And so they really want, want to know, but then the majority of those questions when we're asked is like, 'well, didn't black people own slaves, too?' So, you know, like what people are bringing into, you know, the, the racial, you know, aspects of it-

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Sadé Evans:

mm-hmm, <affirmative>.

Dr. Joy Banner:

...um, the not understanding the system, um, not understanding the way that the system of slavery just infiltrated everything, you know. And even the system was infiltrating a black person

being, you know, a, a slave holder, the way that, that system, you know, at 250-years where, um, African-Americans were enslaved in that system. And I think that it's, you know, it's always, it blows my mind that people wouldn't expect that you would have black people that would be subsumed into the system of slavery., But at the end of the day, it was always based on black labor, no matter who was the enslaver.

Dr. Joy Banner:

I mean, that, that system was flexible enough to where, um, it would allow black people to, you know, be slave holders. However, even as a slave holder, a black person was not in the same situation as a white slave owner, you know, the idea of survival, um, was more so a core, um, to those decisions that were made. Um, but anyway, I just, um, I'm digressing just kind of giving you an example of how, um, it has been, so, um, advantageous and has been such a rich experience for me, it and how it has helped me unpack the black experience and the ways in which, um, the, the histories of the, of our past really continue as the legacies of today. Um, and really being in this space where we are, are fighting environmental concerns. I'm, I'm reading this new book called Scars of the Land that looks at the environmental impact because of, uh, that came from slavery and looking like reading the information and seeing how enslavement, the plantation system, the plants that we have now, and all of our poli, most of our political systems from tourism to economic development, doesn't matter river boat pilots association, how so many of these systems are designed to just keep a certain political structure, a power structure in a certain way.

Dr. Joy Banner:

And there, those people can look different. You know, it doesn't all have to be, you know, white people, you have black and white people that have been impacted by the system and now working in service of the system. And so, yeah, it's just been very, I don't know if I'd be able to understand the, the environmental justice side of things and the fight that we have now, if I did not understand the plantation system, I, I don't think you can really understand Louisiana,

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especially Louisiana, if you do not understand what a Southern plantation was and, and how it operated and therefore what legacies we have been left with.

Sadé Evans:

How do I wanna ask this next question? <laugh> I still wanna stay in the vein of like, honoring this history, because I think for a lot of the environmental justice fights, it's very easy to just focus on the environmental impacts and how it's gonna affect the water and how it's gonna affect the land and the actual air quality and what it does to people's lungs. Like, it's very easy to get very scientific with this. And there is a, the other side of this, the environmental racism side of it that often gets ignored in places like Louisiana, because it is, is majority black. And there is this rich history, and there is this constant erasure of slavery. If, whether it's being told through the plantation tours, or if it's just the way the actual government operates of just truly feeling like, well, we're past that. No, you're not. And so when thinking about your family's homes and how they're surrounded by these petrochemical plants, what else do you consider a really major social impact of these plants in the neighborhood?

Jo Banner:

Well, The social impact of these a petrochemical coal in the industry is how much it took away from people to have careers outside of this industry. And it made like, my parents initially felt lucky to get a job in Petro because there is this paradigm, a false one, that okay, this is the job you want jobs, the hero, the job. Not realizing the system was built on creating one type of job. They really did not have a choice. There was no like different, there weren't in many industries that were so heavily recorded and, and, um, and tax breaks and all those different things to

where you could have other industries, uh, available other than education, which is great. But my mom is not a teacher and she never wanted to be a teacher. So it was like either do this or, or be a teacher. If you wanted to be in business the way you were in business or in administration or something like that was you went to a Petro, uh, chemical plant and you were lucky to get that.

Jo Banner:

So the impact of it is everyone just being funneled into this industry and be in and believing that if you wanna make money, here is the way, the pathway to do it. And for so many generations that continues the way who's gonna break the cycle. And it's hard when you see people around you and the living, they've been able to make off of working in plants. Right? I mean, we, we went to private school, we went to college and that was back by the, the, the money coming from these organizations, these companies. But you don't realize that there are other companies who probably could have, who could have given you the same type of living had they been so incentivized without the health implications of it. And so that's what, it's hard. You can't just take

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one thing from it and say, oh, we had a good living with a lot of people who are suffering from cancer from other illnesses because of the working inside of an environment.

Jo Banner:

And then what it's done to the environment around us all is very detrimental. And these people like my parents that was not really told to them that wasn't told to them when they started working there in the sixties. So by, you know, luckily my parents have not had cancer, but there's a lot of people who worked with them who did have cancer and passed away with it. And especially, and even our neighborhoods and people who, who just live here, the cancer rates are really high and you can't ignore that side of it too. So I just look at, even for us, right in fighting for environmental justice, and then having people say, well, you're, you, you all had a wonderful living because of the plants as if we have no right to speak out and protect our health as if we just have to deal with it.

Jo Banner:

Because our parents who were in a way forced to work in these industries, that they wanted to make a good living. So now their children and their grandchildren and their great grandchildren have to suffer the same consequences. We can't evolve from that. Or we have to be beholden to that. And many people who wanna fight for environmental justice, they'll say, well, I don't know if I can really do it because, you know, it's not fair. I worked in a plant or I worked there and I got money there. So it's just funny how that traps you. It traps you in that cycle of allowing them to do whatever they want to do. And when, when you start ignoring it, the problem just gets worse and worse and worse. We're dealing with an aluminum plant that sits across the river from us. And we have to deal with red dust, collecting on our cars, collecting on our homes and our shoes and our pets.

Jo Banner:

And we're breathing it. How is it that our community has let, has let it gone, gone as far? You know, how was it it's because people feel well, I can't speak out. It's not fair. If, if you know, people have a good job from this. So I have to suffer in silence and we just have to deal with it until it gets to a point where it's so obnoxious that maybe we, you know, we start, uh, vocalizing more, which is what we are doing right now. But so many people just, they don't realize how much we take, how you had to suffer and endure in silence, because we tried to protect jobs and we tried to be fair about it, but they keep changing the goal post. Right. We talk about an industry that despite technology, despite all the different advantages we have to women in this day and age, it's gotten worse.

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Jo Banner:

Okay. So how, how was it worse than it was in the sixties or seventies? I can't see in 2022, that it's better. It's worse. The technologies are not there. So they keep moving the goal post. They will continually keep moving the goal post. It's not anything you can do to appease them because they'll just continually take. And so many people just have felt that they can't say anything because they don't wanna be seen as a hypocrite. But, um, I mean, we, we are just, we've had enough. We've had enough. And the decisions that our parents made does not have to be our decisions, although they did it because they were not, it was not a transparent process, but even if it was even if that was, if that was their decision, we as a community, we do not have to continue in that. We have the right to speak up with our own voices, and we can break the cycle. You have to break the cycle, think about a slavery being in this area. One generation couldn't say, well, you know what? I'm gonna stand. It's not fair for me to break off the plantation because my parents had to stay there. They had to stay enslaved. You have to fight for your freedom and you have your own voice to, to do that. And that's what we're doing.

Sadé Evans:

Oh, actually, it's the perfect segment into talking about the current lawsuit that you both have. So the Descendants Project is challenging an old corrupt zoning ordinance that would allow the construction of a massive train terminal and add more pollution to the area where you are, and also obstruct the views that you have currently. It would be nestled right in your area, but can you tell us about the ways in which the ordinance has affected your family in the past and how it could potentially affect your family in the future?

Dr. Joy Banner:

So the ordinance, um, was, was first changed in 1990 to facilitate a Formosa, chemical Formosa plastics, which is still around in our community 30 years later. But, um, the zoning was illegally changed by the parish- illegally influenced by the parish president who literally took a bribe in order to get the zoning, um, 1700 acres of land that is right on top of us. So not even next to us, I say it is on top of us. So it was zoned from residential to, or a rural to industrial, heavy industrial, heavy industrial. At the time, me and Jo were, uh, I think the ages ages between, uh, eight to 10 or nine to 11, so very young. And I just remember, so first of all, I remember my, um, grandmother and her brothers and sisters selling what's called batture land. And for those of you who don't know batture land is, um, on the side of the, the levee of the Mississippi river, we live along the banks of the Mississippi river, which is still a major artery.

Dr. Joy Banner:

Um, that's why the plantations were nestled right up against the river because of commerce. So it's the same, same, same reason now. So if you own batture land, which is land, that is on, um,

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the river facing side, which means that you have, you need that land in order for ships to come in and, and transport, whatever goods they have across the, the levee and to be distributed in, in trucks. So if you own that land, it is very advantageous. You know, it can be very financially advantageous for you to have that land, however, most African American families, and let's say African American, most rural families, but in particular African American families, if you had your batture land, there was no intent to like, I gonna save, I'm gonna sell this off and make a bunch of money from it. It was just land that you own.

Dr. Joy Banner:

It was a natural part of what, whatever land that you, whatever land that you had, uh, we had that batture land and my family one day a company came and was asking, you know, like, Hey,

yeah, we're interested in buying a batture. And my family was like, okay, well it's yeah, it's the batture. So yeah, we'll, we'll, we'll sell it, not really even urgently selling it. They, and they did not get a ton of money from it, that company we would later find out, uh, which it, the company that bought the batture land was Farmat, it changed its name to, Formosa or set up another corporation named Formosa and sold land from itself to itself. So all of that was done in preparation for this Formosa plant that was coming in, also find, found out that our bridge, which was being, uh, newly built and had been recently designed that Formosa was courting the State of Louisiana and was so much in their, in their pockets and in their ears that they even convinced the state to redesign the bridge so that instead of 10 families being displaced, 40 families were displaced, um, all to facilitate Formosa being able to make turns in their 18 wheelers.

Dr. Joy Banner:

And so it's so creepy when I, when I found that out, and this is only, uh, maybe about four, three or four months ago, we, we found this out from father Du Fran, whose family was displaced, that it's so corrupt. And it, it is so, um, part of our system that it's literally part of our system. Our infrastructure is being designed for these private companies. But anyway, that corrupt zoning that was on the books, stayed on the books for 30 years, even though Formosa um, didn't set up back then the parish president, went to jail, was convicted of taking a bribe. He appealed it was, again, you know, the ruling was upheld and reading a transcript of those cases is just, oh my goodness. It is mind blowing. It's unbelievable. Stayed on the books, the corrupt, the corrupt zoning, stayed on the books and 'til now which, and is still on the books now.

Dr. Joy Banner:

But I think that it will be, you know, will be reversed, but that industrial zoning is the reason why that grain terminal was attracted to the site. And since, and it's not only just that the corrupt zoning was not changed, as we started doing the research process for, for this lawsuit, low and

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behold, we're finding out that when we're trying to match up, uh, maps and trying to establish buffer zones that were there to protect us, we start noticing, and, and, you know, Sadé you were, you were with us when we went to the parish archives and, and we, and the, the vaults and the archives. And we really were like Scooby Doo and the gang because we were, there was, there was a mystery to be solved <laugh>. So we found missing maps, uh, I mean, to pages and documents being ripped out, buffer zones, changing.

Dr. Joy Banner:

It is really unbelievable. So, yeah, I mean, every who knows every day, every week, I expect to find yet a new map that again, you know, puts the fact that we, as a community, we are at risk. At the, at the end of, of the day, you know, heavy industry is, is it's a, it's a threat and it is a very serious threat. But when you can't establish buffer zones, when there is no buffer between a heavy industry site and a residential site, when it's just a, it's just an imaginary boundary and there's no space, then I don't understand how our, how our parish, how Greenfield, how the state, how anyone involved can look at this and say, wait, in the interest of public safety, um, we need to shut this down and do a, you know, make sure that we're doing a due diligence.

Dr. Joy Banner:

So people's lives are not at risk. And, you know, that's the most hurtful part about it. The, um, just the level of ways in which our lives have been devalued. You know, and how much they really do not, they don't care. Our, our public officials do not care if we live or die. And, and it's not an exaggeration.

Sadé Evans:

So as this lawsuit continues and hopefully is in y'all's favor and the ordinance is null and void. What do you hope comes out of it?

Jo Banner:

Well, I hope I know that we have to take a long look at our zoning and we have to, I think go through, sit with somebody who is an objective voice, uh, a zoning expert, uh, who, who deals with this and really put forth a plan for our zoning that has like multiple rules to it. That it's not just treated as some broad subject. You really have to go deep into what it means. First of all, people, we need to understand what zoning means. It's public safety, it's for the safety of your home and your family. Um, and it's about you being to live safely in your home without having heavy industry, right next door to you or whatever. And there, and anything else, so many

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different capacities or definitions of what zoning is, whether it's a bar whether it's a nursery, all these different aspects of it.

Jo Banner:

And we just take it for granted. But we shouldn't do that anymore. So we're sitting down with someone who can help us flesh things out, have more rules and more oversight and put things in the hands of the people. Holding people accountable to zoning, not just having a commission that's there, you know. Like Joy and I went to a zoning commission meeting and I was, we were shocked about what, how, how people were getting approved. It was, it wasn't done in any kind of like legal fashion. It was just, oh, well, I know these people's family. They're a good family. I went to school with them. They're not gonna cause any trouble. Approved. And, and as much as it's good in one way, it's like, no, that's not how zoning should go. You should be looking at the safety of your neighborhood. Not just whether, you know, this person, like they were literally making these subjective decisions and that's not what you're supposed to do.

Jo Banner:

So really getting a handle on the zoning that's happening here. Uh, and, and, and dealing with that and cleaning up a lot of the errors going through and looking like we've done finding out why there has four or five different zoning maps and not ever letting this happen again. It cannot be controlled by the powers that be the people who wanna have heavy industry here or whatever industry here, it cannot be so, in the hands of a certain group of people to determine how we should be living, just because they wanna put more money in their pocket.

Dr. Joy Banner:

Well, and if I could just add onto that too, you know, our goal is to not make zoning to where it is, you know, it's, it's oppressive to we, I mean, we wanna make sure that zoning is accessible. And those same meetings that we were talking about, I was very disappointed and very hurt by, um, people who were, who needed housing coming in front of zoning, um, for housing decisions. And again, like the subjective measures were being used to evaluate whether someone, um, should qualify for zoning, you know? So in one sense where you're saying, oh, that's great. I know this family, you know, so we can go ahead and, and, and zone it one way. Um, well, what if you didn't know that family? What if you had a personal beef with that family? And so we saw, uh, saw just some very nasty behaviors from our council members who were like, in the time of zoning had been changed to make it more accessible for, for people who needed trailers to have them replaced and you know, which we need a longer term solution to housing in, in the type of climate crisis that we're in.

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Dr. Joy Banner:

But what I didn't like is our, we had a council member who was like, this is only for people. This is not for people who just had an old trailer on the site. And you know, now they're just trying to, you know, get, get new zoning and trying to get a, um, a new trailer. It's not for them. If you haven't been living in that trailer, then, you know, all of these, you, you can't, this is not for you. This is only for, uh, victims of a hurricane. But then there was, then I thought, well, why not? Why isn't that housing for people? If someone in a community needs housing and zoning is getting in their way, it's not a problem with them, it's a problem with your zoning. Right. And so, um, so just saw the ways in which that was, um, executed was just, it was, it was just rife for unfairness in inequity.

Dr. Joy Banner:

And, and just another piece about the future. What, after we're done with this, and, you know, have to say Sadé, , and make sure that I acknowledge, um, you, and of course the amazing Pam Spees and Dom and Jen and David, who we've all been working with us part of the CCR team. Um, but especially Pam, uh, <laugh> just want to <laugh> who is just, who's brilliant. Who's wonderful. But after we finish and after we win, the next step for us is we're not stopping. We're not going to leave ourselves vulnerable. This land has been a public nuisance for us for 30 years. We have a, we have the evidence. There is a, there is not a case that can prove even more than this one, how much this land has been used as a weapon against us. And so I think the next step is for us to pursue a com community land grant and to file, you know, more litigation to get the land and make sure that it's, that it can't be weaponized against us, and that it can be used, you know, in the best interest of the community with community input. With community approval.

Dr. Joy Banner:

And you know, what too? The damages, the emotional damages that happen as a result, the trauma of 30 years, having a family member, you know, in my household that was so stressed by hurricane, loss of a child and, you know, dealing with this grain elevator and recovery. Who's experienced hair loss, you know, having people in your community who all of a sudden at the same time that this grain terminal happens, you know, start having physical ailments, like the digestive issues. And then going back to, to what happened to us for, for most of 30 years ago, we were told that the parish president was making us move. So our whole neighborhood was going to be wiped out. We were losing our homes. We were losing the land that I was telling you about our great-grandfather and great-grandmother started this community that was going to be gone, and we had no choice. Um, and still we need to be, that needs to be acknowledged. You know, that needs to be, you know, a part of a part of a reparations movement is, is not about the money, but they destroyed a lot of our peace and our happiness and someone needs to be held accountable. Um, so I'm willing to, to take it, you know, as far as it needs to go so that these

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companies and these structural powers understand that there will be consequences if you, you know, weaponize the law and weaponize land against innocent people.

Sadé Evans:

And so what does accountability look like to you, both? What is the most important message that you'd wanna convey and make sure that the council addresses when they're hopefully apologizing about this zoning process and all of the effects it's caused?

Jo Banner:

I think accountability really is understanding, first of all, we, it's a shame that we have to do it, but thankfully we have the resources like CCR and, and Tulane Environmental Law Clinic to assist us with keeping them accountable. Which is going through the courts to do it when we're not listening to. We have, uh, we had some, the, the grain elevator company, actually the

newspaper a couple weeks ago said we were utilizing these legal maneuvers in order to, I don't know, I guess just to, to stop them. Legal maneuver is what they call 'em. But it's like, no, that's, you're right to do that. And, and we're not gonna feel guilty for doing what we need to do to hold you accountable. So you have to push forward with that. And I'm, I'm hoping when the council understand that we're not gonna sit back and just allow you to make decisions without you having to answer for it.

Jo Banner:

And when you make these decisions, we have savvy attorneys that are scouring through all the paperwork and going through the laws and ordinances and, and these different bills. And no, they will hold you accountable. So you're not gonna get away with it the way that they once did. Um, and they do have to answer. And that's for everybody, it's not just for the council members that are "on our side", but don't say anything. All of you, all of the, all of the council members who sit on there have got to be accountable. All of the parish administration have a voice and they need to start using it, either use it now or use it in the courts, you know, and I think it would be better for you to use it when you don't have to be sued, when you can just do what's right. Because no one wants to go through a lawsuit, but if we have to take it there, obviously we will do that.

Dr. Joy Banner:

Well, thank you. And again, we are just so appreciative, the good thing that that happened, you know, and in the midst of all of this trauma is that we got to meet so many wonderful people.

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And so I just remember you remember that every day, that I'm so grateful for you and for CCR. So yeah, we just thank you for being a part of the podcast and, you know, yeah. We we'll keep pushing on <laugh>