

# ENVIRONMENTAL JUSTICE/TITLE 6 COMPLAINT

## Submittal of Behalf King Irving Neighborhood Association

PER CASE NUMBERS: (Title VI)  
(Title 42 – The Public Health and Welfare  
Chapter 21 Civil Rights  
Subchapter V Federally Assisted Programs)  
(Executive Order 12898)  
(Executive Order 13985)

### 1. Complainants:

King Irving Neighborhood Association (Registered Non-Profit).

#### Other Aggrieved Parties:

Neighborhood Property Owners – Commercial, Non-Profit and Owners not residing within the neighborhood.

### 2. Complaint

The Polk County Iowa Board of Supervisors (Board) engaged in the following actions in violation of Title 6; Executive Order 12898 and Executive Order 13985 of the United States in intent and/effect: The planning, approval and proposed establishment of a Sobering/Sobriety Center and Immigration Receiving and Processing Center (Center) to be located at (b)(6) Privacy, (b)(7)(C) Ent. Privacy Avenue, in the City of Des Moines, Iowa absent of any study, neighborhood or legislative participation or notification, formalized plan, and the siting within proximity to vulnerable, at risk populations etc.

The King Irving Neighborhood community consists of approximately 75% people of color, vulnerable low-income marginalized persons who have been disadvantaged and disproportionately burdened by environmental hazards.

The King Irving Neighborhood (KIN) was formerly and remains today in many instances a redlined neighborhood. However, the neighborhood and the community have made great strides in improving conditions for residents which can be seen in the great expanses of new business and commercial development within and adjacent to neighborhood borders. The King Irving Neighborhood is centrally located within the City of Des Moines, Iowa, bordered by U.S. Interstate 235 and Drake University, a high growth potential corridor.

On April 19, 2023, the Polk County Iowa Board of Supervisors convened a meeting of King Irving Residents and its property owners at the King Neighborhood Senior Center to inform invitees of the plans to open a joint Sobering/Sobriety Center, and Immigration Receiving and Processing Center across the street from the vulnerable King Irving Neighborhood sometime in the Spring/Summer of 2024. The announcement was met with strong opposition from neighborhood residents and property owners. During the meeting, the Polk County Iowa Board of Supervisors informed invitees the planning and development of the Center had been underway for more than two-years, and that no other locations for the Center had been considered. The Polk County Iowa Board of Supervisors chose to locate the Sobering/Sobriety Center, and Immigration Receiving and Processing Center across the street from the vulnerable King Irving Neighborhood King Irving Neighborhood because the community consists of approximately 75% people of color, low-income persons who do not have economic or political clout.

The purpose of the Center is to treat individuals with substance abuse and mental health problems, and to process immigrants coming to Iowa by assisting them to find homes and employment. The Polk County Iowa Board of Supervisors could/did not have any details regarding operational logistics for the facility.

The proposed sobering/Immigration Center as located along University Avenue, a main thoroughfare adjacent and cutting through the King Irving Neighborhood presents real and significant potential harm to the health and well-being of the King Irving

Neighborhood residents, the enjoyment of their community, and the habitability of their homes and the desirability to attract new businesses.

Opposition to the location of the Sobering/Sobriety Center and Immigration Receiving and Processing Center presents concern for the following non-all-inclusive reasons:

- Center is located across the street from the vulnerable King Irving Neighborhood.
- Center It is located approximately 720 feet from King Elementary middle school, (a school predominately serving vulnerable groups).
- Center is located approximately 1800 feet east of Drake University, a private institution.
- Center is located approximately 3800 feet west of new residential and commercial, mixed-use development along University Avenue.
- Center will serve as a holding facility as an Emergency Department Diversion
- Center will serve as a holding facility - Jail Diversion
- Center is Open 365 Days
- Center is Open 24 Hours per Day
- Persons may leave the facility whenever they choose.
- On-site Drug Availability
- Facility will serve the Des Moines/Metro Area
- No background information or checks for persons being treated regarding past violence, incarceration, pedophilia etc.
- Following the announcement or the of the proposed Center, an organization located across the street within the King Irving Neighborhood applied for a license to open a store with the expressed purpose of selling “tobacco,

candy and alcohol.

- Off-Record disclosure is that the decision for the proposed Center across from the King Irving Neighborhood is by design, is to and denigrate and degrade the King Irving Neighborhood and drive down property values.

### 3. Conclusion:

It is well documented that the combination of environmental risk and social inequities creates a cumulative, disproportionate impact that hinders optimal health and environmental justice for these populations. And that populations and communities exposed to environmental threats drive health disparities and social inequities.

Establishment of the Sobering/Sobriety Center and Immigration Receiving and Processing Center adjacent to a vulnerable and already disenfranchised neighborhood is advanced through the actions, omissions, policies and practices of the Polk County Board of Supervisors that discriminate and violate Title 6, Title 42, Executive Orders 12898, Executive Order 42 and Executive Order 13985.

For the reasons set out above, the Complainants seek to enjoin Respondent's actions in violation of:

Title VI of the Civil Rights Act

Title 42 The Public Health and Welfare

Executive Order 12898 - Federal actions to address environmental justice in minority populations and low-income populations.

Executive Order 13985 - Advancing racial equity and support for underserved communities through the federal government.

The most recent date – Discussion occurred:

May 2023

## F. Types of Federal Funds Identified:

American Rescue Plan Act

## Complainant Contact:

(b)(6) Privacy, (b)(7)(C) Enf. Privacy

[REDACTED]

[REDACTED]

Ames, Iowa 50010

(b)(6) Privacy, (b)(7)(C) Enf. Privacy

## 5. Address and location of the property in question:

(b)(6) Privacy, (b)(7)(C) Enf. Privacy Avenue

City of Des Moines, Iowa 50314

## 6. Respondents:

Polk County, Board of Supervisors  
Tom Hockensmith, Supervisor (Chair)  
111 Court Avenue, Suite 300  
Des Moines, Iowa 50309

Dated: \_\_\_ 8/14/23 \_\_\_\_\_

Respectfully submitted,

(b)(6) Privacy, (b)(7)(C) Enf. Privacy

[REDACTED]