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### **Department of Transportation Review of Baltimore Red Line Cancellation Critical First Step to Upholding Federal Law**

The United States Department of Transportation (DOT) announced that it is initiating a “comprehensive compliance review” of all of the Maryland Department of Transportation’s (MDOT) activities to determine whether Maryland violated federal law when it cancelled the Baltimore “Red Line,” a 14-mile light rail line that would have run East-West through the Baltimore metropolitan region.

This announcement is a response to a landmark civil rights complaint filed in December 2015 by the NAACP Legal Defense and Educational Fund, Inc. (LDF), the American Civil Liberties Union of Maryland, the Civil Rights Education and Enforcement Center, and the law firm of Covington and Burling, LLP. The complaint alleges that the decision to cancel the Red Line and divert transportation funds to highway and other projects outside of the city has a disparate impact on African Americans in Maryland, in violation of Title VI of the Civil Rights Act.

DOT found “no evidence” that Maryland considered the impact of the cancellation on minority communities. Nor could DOT determine whether Maryland made “any effort to ensure the [State’s] compliance with their obligations under . . . Title VI.” Moreover, DOT’s initial investigation has raised serious questions as to whether all of the State’s transportation services are administered in violation of Title VI.

“Equal access to transportation and equal access to opportunity are inextricably linked,” noted Sherrilyn Ifill, President and Director-Counsel of the NAACP Legal Defense Fund. “The Department of Transportation’s decision is a necessary first step in addressing Maryland’s discriminatory decision to cancel the Baltimore Red Line. We are confident that the expanded review will confirm DOT’s initial finding that Maryland’s decision to deny thousands of African-American residents of Baltimore meaningful access to public transportation has violated federal law.”

“Instead of bringing three billion dollars in investment to historically-disenfranchised communities in Baltimore, Maryland diverted funding away from the Red Line to highway projects in other parts of the state, disproportionately harming African Americans in Maryland,” observed LDF Assistant Counsel Ajmel Quereshi, lead counsel for the Complainants.

“I live in East Baltimore and spend hours every day on slow, unreliable buses just to be able to get to work and school, said Earl Andrews, a Baltimorean challenging the cancellation of the Red Line. “The Red Line would open up so many more windows of opportunity for me and my neighbors.”

Maryland attempted to defend its decision through reference to the Baltimore Link – an insufficiently funded plan to re-route the City’s current bus system, but DOT rightfully recognized that the Link is merely a rebranding of another program that had been progressing before the Red Line was cancelled.

“DOT has made an important step towards addressing Maryland’s violation of the law and the rights of Baltimore residents. The record is clear, and DOT should move to swiftly complete its expanded review and return the promised funds to Baltimore, where they belong,” concluded Quereshi.

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*Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation’s first civil and human rights law organization and has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF’s Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF.*