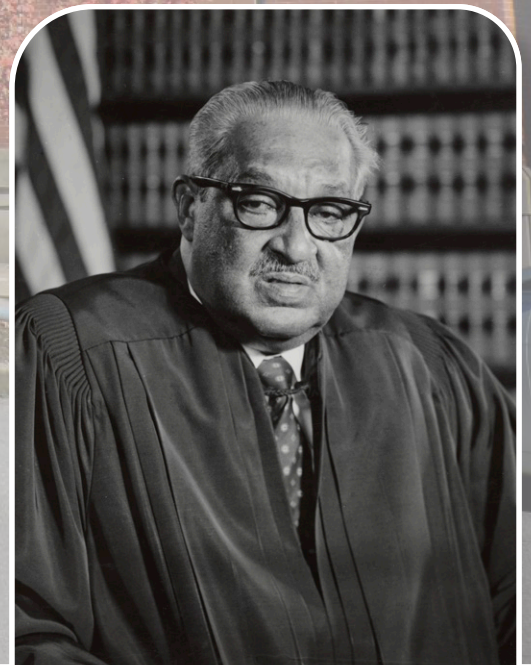
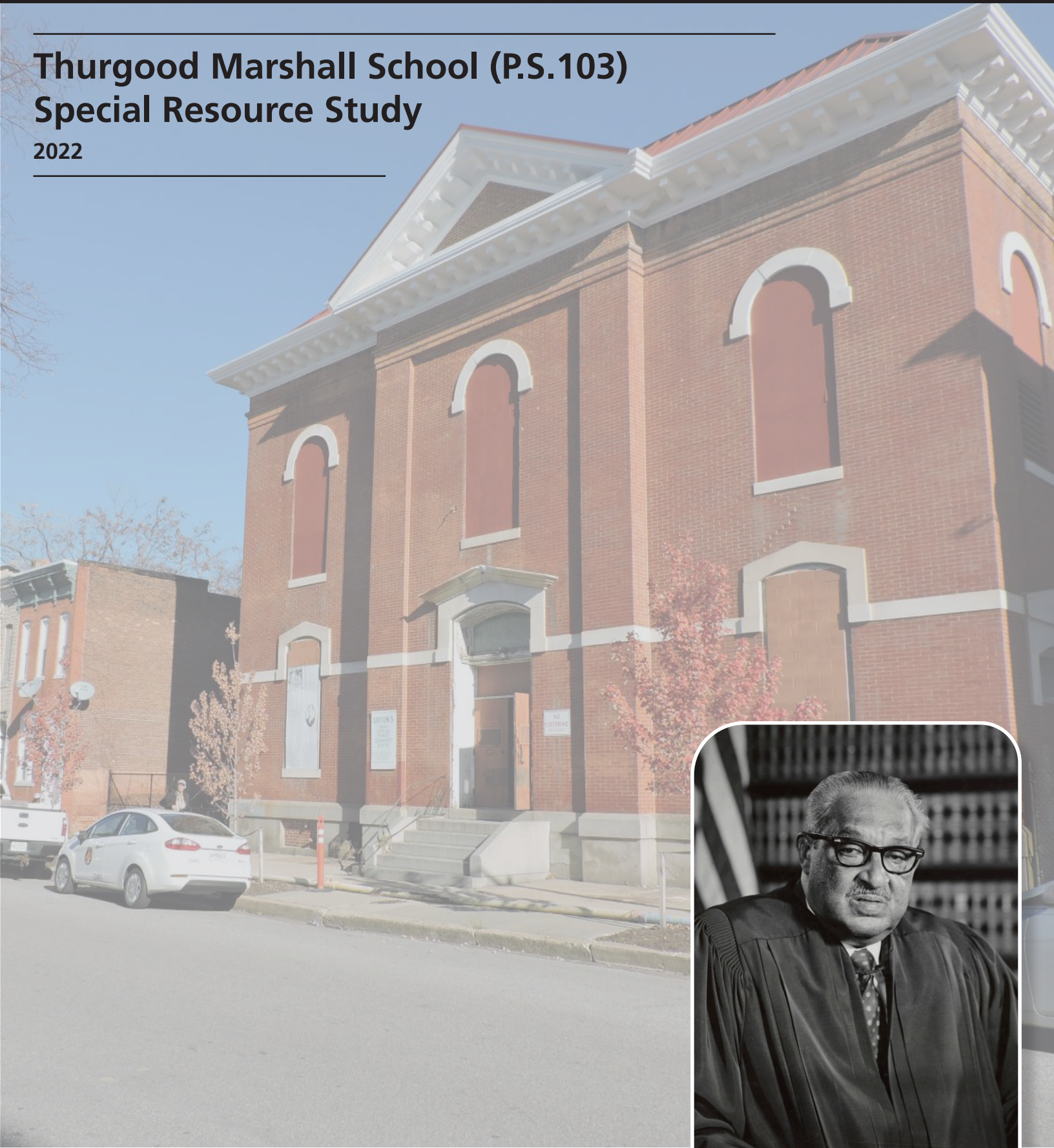




Thurgood Marshall School (P.S.103) Special Resource Study

2022



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EXECUTIVE SUMMARY

INTRODUCTION

In 2019, Congress directed the Secretary of the Interior through the John D. Dingell, Jr. Conservation, Management, and Recreation Act (Public Law (PL) 116-9) to conduct a special resource study (SRS) of Public School (P.S.) 103 and any other resources in the neighborhood surrounding P.S. 103 that relate to the early life of Thurgood Marshall. The National Park Service (NPS) has prepared this special resource study to evaluate the potential of including P.S. 103, the elementary school of Thurgood Marshall, and 1632 Division Street, the family home where he lived while attending P.S. 103 (1914–1921), within the national park system. As directed by Congress, this special resource study uses established criteria for evaluating the national significance, suitability, feasibility, and need for NPS management, which must be met for a site to be considered for inclusion in the national park system as a new, independent unit. The legislation further requires that the study process follow 54 USC 100507 and that the Secretary of the Interior submit a report containing the results of the study, along with any recommendations from the Secretary, to the House of Representatives Committee on Natural Resources and the Senate Committee on Energy and Natural Resources. The relevant text of PL 116-9 is included in appendix A.

RESOURCE OVERVIEW

P.S. 103, the segregated elementary school that Thurgood Marshall attended from 1914 to 1921 (first through eighth grade) and the family's home at 1632 Division Street, where Marshall lived while attending P.S. 103, are contributing resources to the Old West Baltimore historic district. Both P.S. 103 and 1632 Division Street are nationally significant for their role in the education and upbringing of Thurgood Marshall during his early formative years. Marshall is best known as the lead counsel for the landmark school desegregation case, *Brown v. Board of Education of Topeka* (1954) and as the first African American Supreme Court justice. Marshall's accomplishments in systematically dismantling the legal framework for Jim Crow segregation are the foundation upon which the success of the civil rights movement was built. The Secretary of the Interior previously identified Thurgood Marshall as a nationally significant person through the National Historic Landmark (NHL) designation of the Andrew Rankin Memorial Chapel, Frederick Douglass Memorial Hall, and the Founders Library at Howard University.

SUMMARY OF FINDINGS

National Park Service *Management Policies 2006*, section 1.3, directs that proposed additions to the national park system must meet four legislatively mandated criteria: (1) national significance, (2) suitability, (3) feasibility, and (4) need for direct NPS management. All four of these criteria must be met for a study area to be recommended for addition to the national park system. The study process is usually truncated if a negative finding is made for any one of the four SRS criteria. Based on the analysis performed through this special resource study, while P.S. 103 and 1632 Division Street were found to have national significance and to be

suitable for inclusion, the National Park Service concludes that P.S. 103 and 1632 Division Street do not meet all of the established criteria for new NPS units. Details of this finding follow.

Criterion 1 – National Significance

Although a National Historic Landmark associated exclusively with Thurgood Marshall does not exist, Marshall had already been determined by the Secretary of the Interior to be a nationally significant individual based on NHL nomination criteria contained in 36 CFR Part 65. Thurgood Marshall has been recognized as a nationally significant individual under NHL Criteria 1 and 2 for his role in the preparations undertaken for the landmark case, *Brown v. Board of Education of Topeka*, at Howard University. In the case of a preeminent national figure such as Thurgood Marshall, it is possible to identify multiple areas of his career that are nationally significant, and thus there may be multiple properties associated with each of those different aspects of national significance.

This study finds that, as it exists currently, P.S. 103 possesses national significance for its association with Thurgood Marshall under NHL criterion 2 (exception 4). However, a caveat of this finding is that the P.S. 103 owner's plans for rehabilitation and renovation could prevent the building from meeting the integrity requirement of the NHL criteria that are used for this study's national significance evaluation. In that instance, additional review would be needed to determine if the site continues to meet this criterion. To date, rehabilitation and renovation have not started.

Additionally, P.S. 103 and 1632 Division Street, when considered together, are nationally significant as a discontinuous district under NHL criterion 2 (exception 4). This study does not find 1632 Division Street, by itself, as a strong candidate for consideration under NHL criterion 2 (exception 4). Therefore, as a combined discontinuous district, P.S. 103 and 1632 Division Street meet this criterion for national significance for inclusion in the national park system, but 1632 Division Street does not possess national significance for inclusion on its own.

Criterion 2 – Suitability

The addition of the study area to the national park system would substantially add to its ability to tell the story of Thurgood Marshall, African American history, and the history of integration in education. Currently, no direct representation of Marshall's story or legacy exists in the national park system. The study area is associated with a period of Marshall's life that influenced his path as a civil rights lawyer and is his only surviving school and residence in Baltimore. The sites are suitable as an addition to the national park system based on the character, quality, quantity, and rarity of the resource and for its educational and interpretive potential of Thurgood Marshall. This study concludes that Criterion 2 – Suitability is met.

Criterion 3 – Feasibility

The study area does not meet all of the factors considered under the analysis of feasibility. At the time of this study, the property owner of P.S. 103 was working to rehabilitate and renovate the property to reestablish it as a prominent community landmark and activate the

civil rights legacy of the site, though no work on the building had yet begun. The plans shared with the study team include a vision for honoring the legacy and national significance of Thurgood Marshall and the many other significant African Americans with ties to P.S. 103 and the community through numerous tenants who will offer exciting, high-quality educational and cultural programs not currently available in the Upton community. The intention is to transform the vacant school building into a positive force for the West Baltimore community through a wide variety of activities in the building. While the owner's renovation plans provide a positive and exciting approach to honoring the legacy and significance of Thurgood Marshall, they would limit the National Park Service's ability to provide resource protection, visitor enjoyment, and public interpretative programming about Thurgood's early life, which is the focus of the study per the study's authorizing legislation. The owner's renovation plan limits the National Park Service's use of the area to one room. The rest of the building will be similarly renovated, except for one other room that is planned for historical interpretation but not for the National Park Service's use. A wide mix of activities and tenant programs in the building may limit the National Park Service's input and control over activities that occur in the building, and those activities and programs may be unrelated to the purpose of the NPS park unit.

Regarding 1632 Division Street, at the time of this study, the property owner sent an email to the study team in the spring of 2022 expressing their future intent for the building, which said, "Our intent is to create a space that will honor the legacy of Thurgood Marshall and spark economic development in West Baltimore. Although plans have not been finalized, we hope the project will include community and heritage space."

Taking these factors into consideration, the special resource study concludes that P.S. 103 and 1632 Division Street, individually or combined as one park unit, are not feasible for inclusion in the national park system.

Criterion 4 – Need for Direct NPS Management

Given each property owner's plans for the adaptive reuse and stewardship of P.S. 103 and 1632 Division Street and the negative finding of Criterion 3 – Feasibility, the fourth SRS criterion, Need for Direct NPS Management, was not evaluated in detail.

CONCLUSION

The Thurgood Marshall School (P.S. 103) and 1632 Division Street meet Criterion 1 – National Significance and Criterion 2 – Suitability but do not meet Criterion 3 – Feasibility. Therefore, this special resource study finds that the Thurgood Marshall school (P.S. 103) and the home at 1632 Division Street do not meet all four congressionally established criteria to be eligible for designation as a new unit of the National Park Service.

OPPORTUNITIES FOR PRESERVATION

The National Park Service applauds the past and present owners of both P.S. 103 and 1632 Division Street for their stewardship in conserving these valuable resources associated with

civil rights icon Thurgood Marshall's early life. Clearly, there is strong public support and a potential opportunity for enhancing the interpretation and preservation of P.S. 103 and 1632 Division Street and many of the related resources evaluated in this study.

Because both P.S. 103 and 1632 Division Street meet the SRS national significance and suitability criteria, they could potentially qualify for designation as an NPS affiliated area. Affiliated area status has the potential to provide a higher level of NPS support through limited technical and financial assistance, depending on the formal agreements developed between the National Park Service, current property owners, and other supporting entities. Such a designation would recognize the national significance of the school and home and could provide a venue for continued NPS engagement and support in the long-term stewardship and interpretation of the sites.

Other opportunities include involvement with the Baltimore National Heritage Area, which can identify opportunities for technical assistance and grant funding through its coordinating entity.

Opportunities also exist for the sites to participate in the African American Civil Rights Grants Program, funded by the Historic Preservation Fund and administered by the National Park Service. This resource may be appropriate for additional support to P.S. 103 and 1632 Division Street, at the owners' discretion.

The owners of P.S. 103 and 1632 Division Street could consider applying for inclusion in the African American Civil Rights Network, which encompasses properties, facilities, and interpretive programs that present a comprehensive narrative of the people, places, and events associated with the African American civil rights movement in the United States.

Finally, P.S. 103 and 1632 Division Street may qualify for grant opportunities from the NPS Underrepresented Community Grant Program, which provides funding to support the identification, planning, and development of nominations for designation of National Historic Landmarks to increase representation of communities of color.

A GUIDE TO THIS REPORT

This special resource study is organized into four chapters. Each chapter is briefly described below.

Chapter 1: Study Purpose and Background provides a brief description of the study area and an overview of the study's purpose, background, and process. This chapter also summarizes the NPS findings on the special resource study.

Chapter 2: Historical Background and Resource Description provides a historic overview and site description of Thurgood Marshall school (P.S. 103) and childhood home at 1632 Division Street. Thurgood Marshall attended P.S. 103 from 1914 to 1921 (first through eighth grade), during which time he also lived at 1632 Division Street with his extended family.

Chapter 3: Evaluation of Study Area for Inclusion in the National Park System describes the evaluation criteria and findings of the special resource study. Criteria discussed include national significance, suitability, feasibility, and need for direct NPS management.

Chapter 4: Public Outreach describes public outreach efforts conducted by the National Park Service in connection with the study. This section includes a summary of major input that was provided by the public during the initial phases of the study.

The **appendixes** include the legislation authorizing this special resource study, a compilation of public comments received during outreach efforts, members of the study team, and references used in the study.

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CHAPTER 1: STUDY PURPOSE AND BACKGROUND

Chapter 1 describes the purpose and background of the study, including the criteria used by the National Park Service (NPS) to determine if a resource is eligible for potential designation as a unit of the national park system. The chapter concludes with a brief description of the study methodology and limitations.

PURPOSE AND NEED

New areas are added to the national park system by an Act of Congress or by Presidential Proclamation. Before Congress decides to create a new unit of the national park system, it needs to know whether the area's resources meet established criteria for designation. The National Park Service is often tasked with evaluating potential new areas for compliance with these criteria and documenting the agency's findings in a special resource study.

In 2019, Congress directed the Secretary of the Interior, through the John D. Dingell, Jr. Conservation, Management, and Recreation Act (PL 116-9, section 2002) to conduct a special resource study of (1) Public School (P.S.) 103, the public school located in West Baltimore, Maryland, which Thurgood Marshall attended as a youth; and (2) and any other resources in the neighborhood surrounding P.S. 103 that relate to the early life of Thurgood Marshall. The relevant text of PL 116-9 is included in appendix A.

The purpose of the special resource study is to evaluate the national significance of the study area; determine the suitability and feasibility of designating the study area as a unit of the national park system; consider other alternatives for preservation, protection, and interpretation of the study area by the federal government, state or local government entities, or private and non-profit organizations; consult with interested federal agencies, state or local governmental entities, private and nonprofit organizations, or any other interested individuals; and identify cost estimates for any federal acquisitions, development, interpretation, operation and maintenance association with the alternatives. The legislation further required that the study process follow section 8(c) of PL 91-383 (the National Park System General Authorities Act, recently codified in 54 USC 100507) and that the Secretary of the Interior submit a report containing the study findings, and any recommendations from the Secretary, to Congress within three years of the study's funding.

The purpose of this special resource study is to provide Congress with information about the quality and condition of P.S.103 and 1632 Division Street and their relationship to criteria for new parklands applied by the National Park Service.

BACKGROUND AND OVERVIEW OF THE STUDY AREA

The study evaluated many sites within the study area defined in the authorizing legislation. Two sites were determined to be closely associated with the legislation's intent.

The first site is the P.S. 103 elementary school building located at 1315 Division Street in the Upton neighborhood of West Baltimore, Maryland, approximately 1 mile from downtown Baltimore. Although this study's authorizing legislation refers to the building as the

“Thurgood Marshall School,” the former elementary school building’s official designation was the Henry Highland Garnet School. The school, which combines Classical and Italianate detailing (Point Heritage Development Consulting et al. 2010), is situated in the middle of a city block bounded by W. Lafayette Avenue to the northwest, Etting Street to the northeast, and W. Lanvale Street to the southeast. The neighborhood surrounding the school is primarily residential and largely characterized by Italianate brick row houses dating to the 19th century (Pousson 2010a, 2010b), many of which are vacant and in need of significant rehabilitation. Newer construction, dating to the 20th and 21st centuries, is present within the viewshed of the school. The neighborhood features schools, recreational facilities and parks, churches, and small businesses, although the primary area of commerce is located along Pennsylvania Avenue, approximately two blocks away from the school.

Through the course of the study, a second site was added to the study’s focus: a rowhouse located at 1632 Division Street where Thurgood Marshall lived with his immediate and extended family while attending P.S. 103 (1914–1921) (Crew 2019; EHT Traceries 2016; Gibson 2012; Kluger 1977) (figures 1–5). The authorizing legislation directed the study to consider “any other resources in the neighborhood surrounding P.S. 103 that relate to the early life of Thurgood Marshall.” The family home was the primary resource in the Upton neighborhood that is still standing and with a close association to Thurgood Marshall’s years as a student at the elementary school. The site of 1632 Division Street is approximately three blocks (just over 0.25 miles) northwest from P.S. 103. The home is situated near the intersection of Division Street and Wilson Street and across the intersection from a public park (Wilson and Etting Park), as well as new apartment housing designed to blend in with the older brick row houses. The surrounding neighborhood is mostly similar to the one surrounding P.S. 103.

According to the 2020 census data, the population of the city of Baltimore was approximately 585,708 (US Census Bureau 2020). Census data (2020) from the City of Baltimore show the population of Upton to be 4,817 (Baltimore City Department of Planning Policy and Data Analysis Division 2020). Upton and other nearby West Baltimore neighborhoods suffered for years from legalized and informal public policy discriminatory practices, and the community continues to recover from generations of disinvestment (Sankofa 2020). Today, more than half of the community’s households earn less than \$15,000 a year, and the poverty rate for children is around 59% (Vargas 2016).

However, the Upton neighborhood is working toward revitalizing the community, including actions that preserve the historic character of the community. There is much to celebrate. As the Upton Planning Committee notes on their website, “Upton was a wellspring of African American culture, achievement and activism” (Upton Planning Committee 2021) in the 20th century. African American professionals were prevalent in Upton, and Pennsylvania Avenue was the premier shopping strip, evoking comparisons to Lenox Avenue in Harlem, New York City. Upton hosted civil rights leaders such as Booker T. Washington, W. E. B. Dubois, and Marcus Garvey, who frequented area churches and gatherings. Notable residents included Chief Supreme Court Justice Thurgood Marshall, Furman L. Templeton, Judge Harry Cole, former Baltimore Mayor Kurt L. Schmoke, Congressman Parren Mitchell, and Congressman Elijah Cummings (Upton Planning Committee 2021). Numerous Upton sites are listed in the

national register and the city's landmark list (Commission for Historical and Architectural Preservation 2012). In addition, the Lillie Carroll Jackson Civil Rights Museum is located within the neighborhood (Upton Planning Committee et al. 2016; Baltimore National Heritage Area 2022). In 2019, the State of Maryland designated Pennsylvania Avenue as the Black Arts and Entertainment District, including portions of Upton, along this underserved former Black cultural corridor that community leaders hope to revitalize (McLeod 2019). The Baltimore National Heritage Area created a self-guided Pennsylvania Avenue Heritage Trail through the city's historic African American neighborhood and installed an interpretive sign on the same block as the P.S. 103 building. Activities planned for the P.S. 103 building (described later in this report) are similarly aimed at revitalizing and strengthening the community for the benefit of current and future Upton residents.

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Thurgood Marshall Special Resource Study

Site Locations - Overview

National Park Service
U.S. Department of the Interior

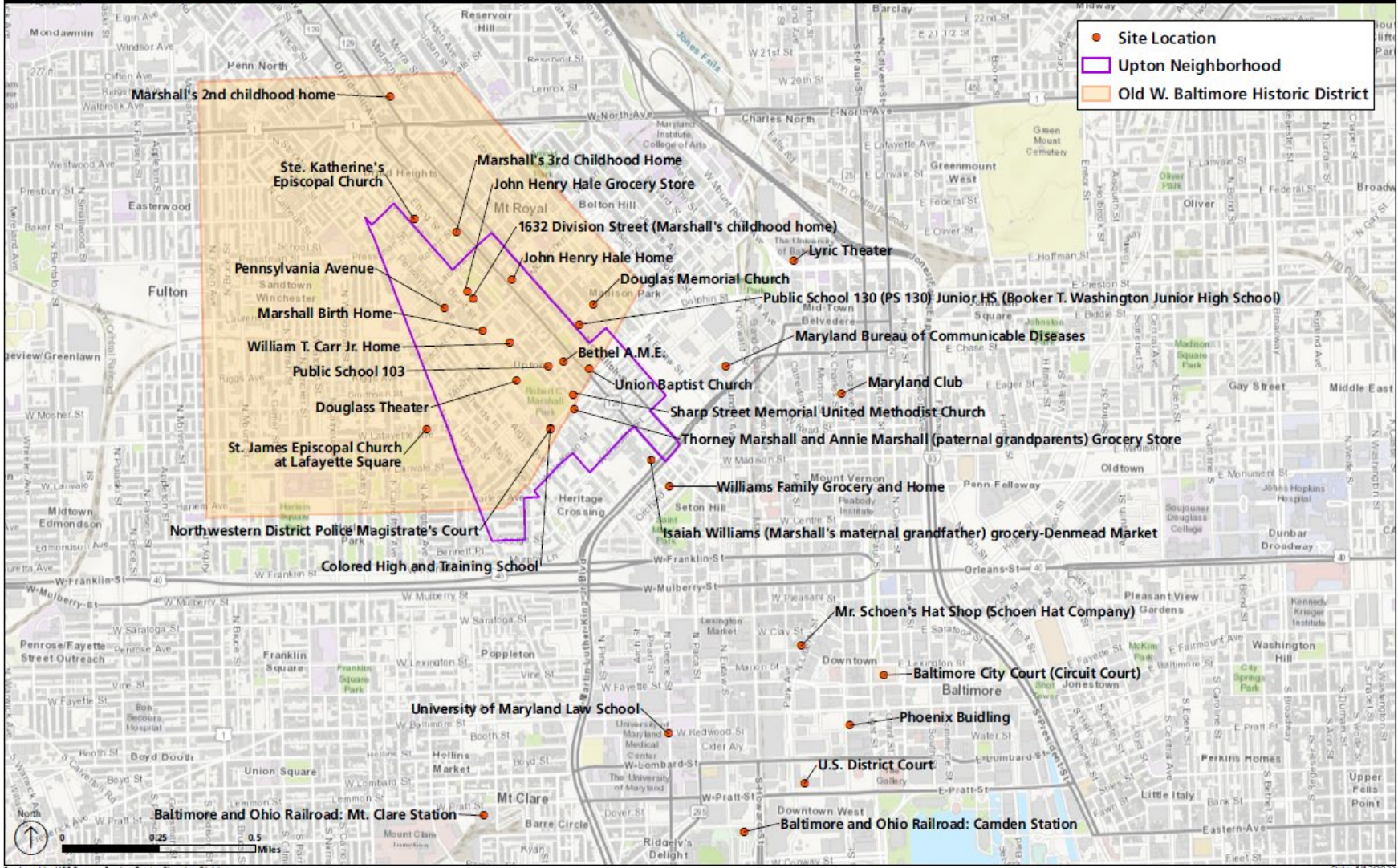


FIGURE 1. MAP OF SITES ASSOCIATED WITH THURGOOD MARSHALL IN BALTIMORE

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FIGURE 2. AERIAL VIEW OF P.S. 103 (MAXAR 2020)



FIGURE 3. STREET VIEW OF P.S. 103 (RIGHT) AND BOTH VACANT AND OCCUPIED ROW HOUSES (LEFT) WITHIN THE NEIGHBORHOOD (LEE AND GLASSMAN 2019)

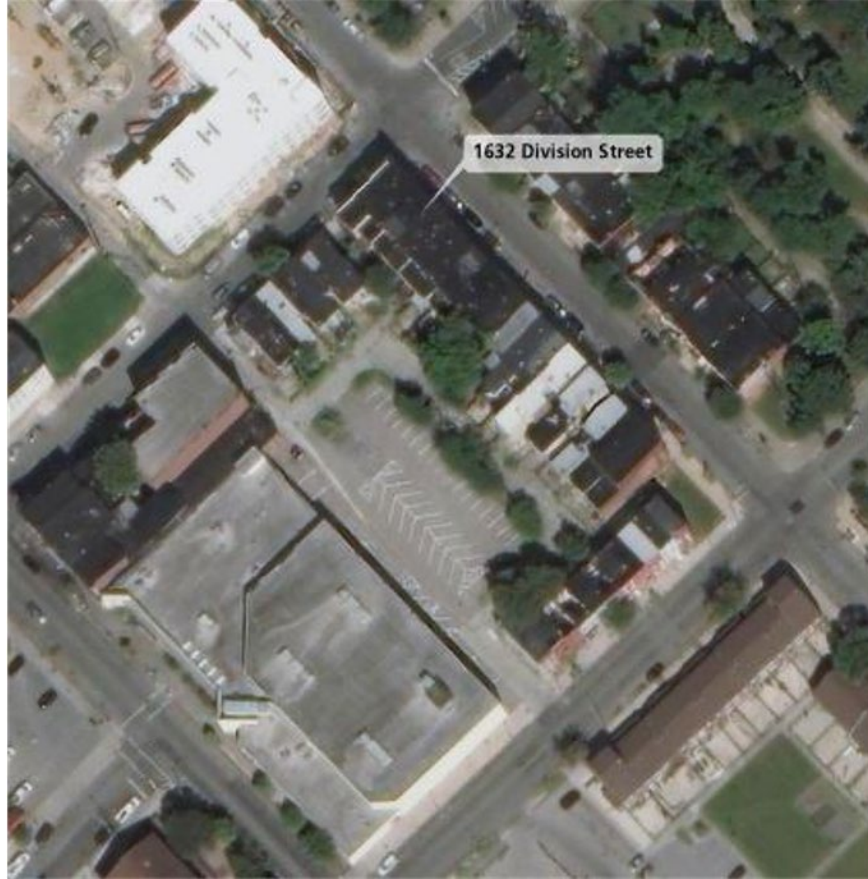


FIGURE 4. AERIAL VIEW OF 1632 DIVISION STREET (MAXAR 2020)



FIGURE 5. STREET VIEW OF 1632 DIVISION STREET (MIDDLE) SHOWING LOCATION BETWEEN TWO ROW HOUSES AND A PORTION OF THE ADJACENT NEIGHBORHOOD (DROGE 2021)

STUDY METHODOLOGY/PROCESS

The special resource study process is designed to provide Congress with critical information about the resource qualities within the study area and potential alternatives for their protection. By law (PL 91-383, section 8, the National Park System General Authorities Act) (recently codified in 54 USC 100507)] and NPS *Management Policies 2006*, potential new units of the national park system must fully meet the following four criteria for evaluation:

1. possess nationally significant resources,
2. be a suitable addition to the system,
3. be a feasible addition to the system, and
4. require direct NPS management or administration instead of alternative protection by other agencies or the private sector

The study process is usually truncated if a negative finding is made for any one of the four SRS criteria.

The study legislation (PL 116-9, section 2002) requires that the study process follow 54 USC 100507. As such, this study includes the findings for these criteria and will serve as the Secretary of the Interior's report to Congress, along with any recommendations from the Secretary.

The following methodology, illustrated in figure 6, was used to conduct this special resource study and determine if P.S. 103 and 1632 Division Street meet these criteria.

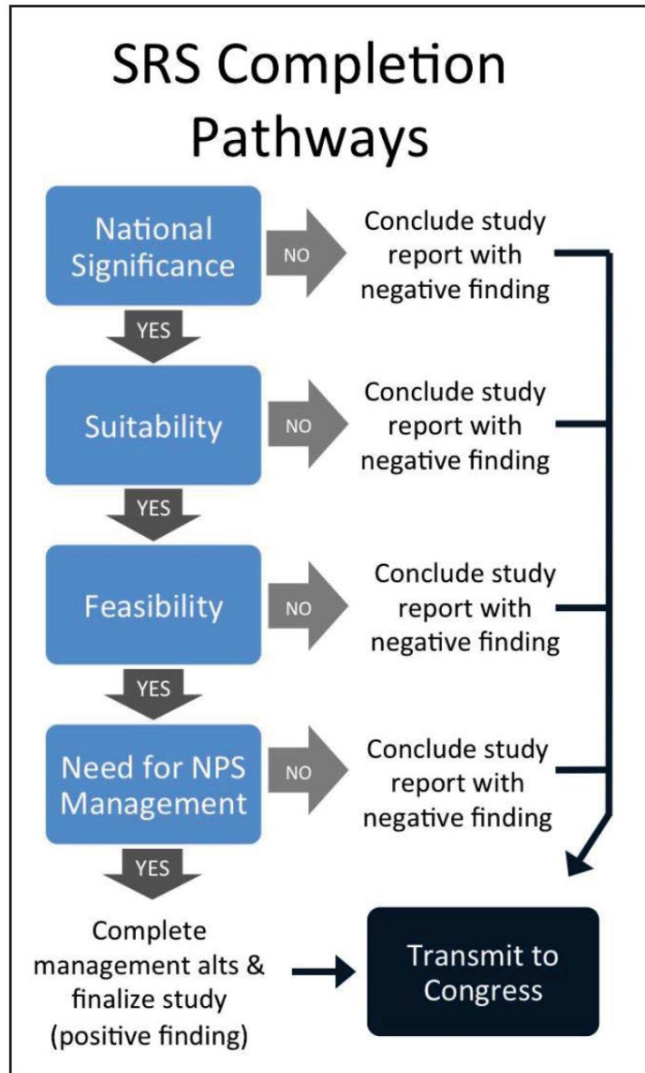


FIGURE 6. SRS COMPLETION PATHWAYS

Step 1: Assess Public Views and Ideas about P.S. 103 and 1632 Division Street

Through a process called “scoping,” the study team collects information about the study area and its resources. National Park Service staff identify existing information sources and data needs, issues, and potential constraints. The canvassing of existing conditions and available data, such as designation status and nominations and theme studies, is a critical element of scoping and a factor in developing the special resource study. Site visits to the study area may be conducted to assess resource conditions and provide additional information that could be used in the development of the study findings.

During the early stages of the study, the team begins the process of identifying the stakeholders, agencies, and individuals with a direct interest in the study area or with expertise that could assist the team; this process facilitates planning for later stakeholder conversations and public outreach activities. Engaging the potential stakeholders in the scoping process allows the public; neighbors of the study area; local, state, and other

federal government agencies; and other stakeholders to share insights about their issues, concerns, ideas, goals, and objectives for the area. This process also provides a way for the study team to gauge the level of interest and community support in designating the study area as a unit in the national park system. Information collected and research conducted through this scoping process is used in the analysis of the four criteria for evaluation.

Step 2: Evaluate National Significance, Suitability, Feasibility, and Need for Direct NPS Management

To be considered for designation, potential new park units must satisfy all four criteria noted previously. Based on the nature of the study process, these criteria are evaluated in sequential order. While a study area may clearly be infeasible or not in need of direct NPS management, the study process must first establish national significance and then if that criterion is met, suitability, and so on.

If the study area is found to be nationally significant, the study process continues on to the evaluation of suitability. Note that study areas designated as national historic or natural landmarks are generally considered nationally significant by virtue of designation. If the resource is found to be nationally significant and suitable, the study process continues on to the evaluation of feasibility. If the resource is found to be nationally significant, suitable, and feasible, the study process continues on to the evaluation of need for direct NPS management. The study area is evaluated for the need for direct NPS management when an area has been found to meet all of the first three criteria for evaluation. Once the fourth criterion is met, the study proceeds with developing alternatives. An option for a potential new park unit can be included in the range of alternatives only if the study has determined that direct NPS management is clearly superior to other existing management approaches.

If the study determines that the resource does not meet any one of these criteria, the study process usually ends, and the study outcome is a negative finding. A brief description of preservation and management options can be included as part of the findings, regardless of a negative finding for suitability or feasibility.

Step 3: Final Study Completion and Transmittal to Congress

Following rigorous agency review and affirmation of the study findings, the final special resource study report is transmitted by the NPS Director to the Secretary of the Interior. The report and any recommendations from the Secretary of the Interior are then transmitted to Congress, which may or may not act on a study's findings. If legislation for the establishment of a new unit is drafted, it will usually draw from study findings. The time period in which Congress acts is unknown.

COMPLIANCE WITH THE NATIONAL ENVIRONMENTAL POLICY ACT

The National Parks Omnibus Management Act of 1998 requires each study to be “completed in compliance with the National Environmental Policy Act of 1969” (42 USC 4321 et seq.; 54 USC 100507). This study complies with the National Environmental Policy Act of 1969 (NEPA), as amended, which mandates that all federal agencies analyze the impacts of major federal actions that have a significant effect on the environment.

A categorical exclusion was selected as the most appropriate NEPA pathway for this study.

The study is excluded from requiring an environmental assessment or environmental impact statement because there is no potential for impacts on the human environment without further legislative action by the United States Congress. The applicable categorical exclusion

is in the category of “Adoption or approval of surveys, studies, reports, plans, and similar documents which will result in recommendations or proposed actions which would cause no or only minimal environmental impact” (NPS *NEPA Handbook*, 3.2 (R)).

SUMMARY OF CIVIC ENGAGEMENT

The National Parks Omnibus Management Act of 1998 requires special resource studies to be prepared with public involvement, including at least one public meeting in the vicinity of the area under study (54 USC 100507).

Civic engagement began in October 2019 when the property owner at the time, the City of Baltimore, arranged the study team’s first tour of the P.S. 103 building in late November 2019. During the civic engagement process, the National Park Service solicited feedback from the public through a newsletter, the project website on the Planning, Environment and Public Comment (PEPC) platform (<https://parkplanning.nps.gov/ps103>), and two virtual public meetings, which was advertised through a press release in local and regional media. During the public comment phase, the NPS study team provided a well-publicized presentation to the City of Baltimore’s Commission for Historical and Architectural Preservation, as well as briefings for elected officials. A newsletter was mailed to residents of the Upton community. The newsletter included an overview of the site, a description of the study, the criteria used in special resource studies, and an invitation to submit comments via the project website or mailed correspondence. The official 60-day public comment period opened on Thursday, April 1, 2021, and closed on Tuesday, June 1, 2021. Details about the civic engagement process are presented in chapter 4 of this study.

STUDY LIMITATIONS

This special resource study incorporates the best available information during the study period. A special resource study serves as one of many reference sources for members of Congress, the National Park Service, and other persons interested in the potential designation of an area as a new unit of the national park system. The reader should be aware that the analysis and findings contained in this report do not guarantee the future funding, support, or any subsequent action by Congress, the Department of the Interior, or the National Park Service.

CHAPTER 2: HISTORIC BACKGROUND AND RESOURCE DESCRIPTION

INTRODUCTION

Congress directed the National Park Service to investigate the P.S. 103 former school property at 1315 Division Street and surrounding neighborhood resources associated with the early life of Thurgood Marshall as a potential new unit of the national park system. During the course of the study, a second site was added to the study's focus—a row house located at 1632 Division Street, where Thurgood Marshall lived with his immediate and extended family while attending P.S. 103 (1914–1921). Understanding both properties' historical context, site treatment, and condition is essential. This chapter describes the historic context of these two properties, which comprise the study area as identified through the special resource study process. The information and research presented in this chapter were used in the analysis of the four criteria for evaluating the study area and presented in chapter 3 of this study.

HISTORICAL BACKGROUND

The legacy of Thurgood Marshall's extraordinary legal career and impact on American history is well documented in many written sources and commemorated in memorials across the country. As directed by the authorizing legislation, the focus of this special resource study is on Thurgood Marshall's early life, particularly the years associated with his attendance at P.S. 103 elementary school (1914–1921) and his upbringing in the surrounding neighborhood of Upton in West Baltimore, Maryland. How Thurgood Marshall's segregated public education experience at P.S. 103 may have influenced his civil rights work 30 years later, leading to the desegregation of public schools across the United States, is addressed in this chapter and chapter 3. However, this NPS special resource study does not seek to provide a detailed history of Thurgood Marshall's adult life and professional accomplishments, which are well described elsewhere.

Reconstruction and Jim Crow Eras Historic Context

At the end of the Civil War in 1865 and the beginning of the Reconstruction era, state legislatures in the southern states began enacting Black Codes to restrict freedmen's rights and maintain the economic system based upon plantation slavery. Congress responded to these state actions with the Thirteenth, Fourteenth, and Fifteenth amendments to the Constitution, which abolished slavery, guaranteed newly freed Black men and women equal protection under the laws, and gave all male citizens regardless of race, color, or previous condition of servitude the right to vote. As the Reconstruction period came to an end in the late 1870s, more states challenged the legality of civil rights and equality under the law. By 1896 in *Plessy v. Ferguson*, the US Supreme Court affirmed the concept of separate but equal public facilities, judicially approving Jim Crow segregation (from the late 1800s to the early- to mid-1900s) and discrimination, particularly in education (Lassiter and Cianci Salvatore 2021; Cianci Salvatore et al. 2002). The segregated elementary school at 1315 Division Street

that young Thurgood Marshall attended from 1914 to 1921 while residing at 1632 Division Street is a direct result of the “separate but equal” concept.

Crucially for the modern civil rights movement that Thurgood Marshall served, two Reconstruction-era Constitutional amendments remained valid but unenforced until the mid-20th century. Ratified in 1868, the Fourteenth Amendment prohibited states from depriving any person of life, liberty, or property, without due process of law. Ratified in 1870, the Fifteenth Amendment guaranteed that the right to vote could not be denied based on race, color, or previous condition of servitude (Lassiter and Cianci Salvatore 2021). Informed by his segregated P.S. 103 elementary school education (1914–1921) while residing in a segregated neighborhood and shaped by *Plessy v. Ferguson*, Thurgood Marshall later used the Reconstruction-era Fourteenth and Fifteenth Amendments to bring down Jim Crow-era public school segregation in the United States.

Thurgood Marshall’s Birth, Family History, and 1632 Division Street

Thoroughgood (Thurgood) Marshall was born on July 2, 1908, at 543 McMechen Street (demolished) in the Upton neighborhood of West Baltimore. At the time of Marshall’s birth, the Upton neighborhood was integrated with white and Black families living in close proximity to each other (Crew 2019; Gibson 2012). When the Marshall family returned to Baltimore in 1914, after living with his mother’s sister and brother-in-law (Aunt Denmedia and Uncle Clarence “Boots” Dodson) in Harlem, New York, from 1910–1914 (Crew 2019), the neighborhood was more segregated, with the Upton neighborhood predominantly home to Black families and businesses. Upon returning to Baltimore, the Marshalls lived with Thurgood’s maternal uncle and aunt, Uncle Fearless (Fee) Williams and Aunt Florence (Flo) at 1632 Division Street while Marshall attended P.S. 103 (1914–1921)(Gibson 2012).

As Richard Kluger characterizes in his book, *Simple Justice*, Marshall’s immediate family and extended family were educated, hardworking, active in the community, and supportive of each other’s needs. The neighborhood and family environments where Marshall grew up were close and supportive (Kluger 1977). His mother, Norma (Williams) Marshall, was a college-educated teacher (Crew 2019; Davis and Clark 1999; Williams 1998) who was devoted to the education and success of both Thurgood and his older brother, William Aubrey (Aubrey), who later became a medical doctor. William Marshall, Thurgood’s father, was less formally educated than Norma and his sons, and he felt that his lack of schooling prevented him from doing more. William Marshall would not tolerate poor grades from either of his sons (Williams 1998). William worked various service jobs for the Baltimore and Ohio (B&O) Railroad, at hotels, and at country clubs, but he was well-versed in politics and stayed involved in current events, including issues of race within the community (Crew 2019; Gibson 2012; Davis and Clark 1999; Williams 1998; Rowan 1993). Race issues were topics with which he regularly engaged his sons in debate and discussions (Tushnet 2001; Rowan 1993). Marshall, in later interviews, credits the impact of his family with becoming interested in the law. William Marshall, in particular, would take Thurgood to see court cases and would demand that both Thurgood and Aubrey defend their positions on any topic of discussion (Point Heritage Development Consulting et al. 2010; Davis and Clark 1999). As Marshall recalled in 1977, “. . . Now, you want to know how I got involved in law? I don’t know. The nearest I can get is that my dad, my brother, and I had the most violent arguments

you ever heard about anything. I guess we argued five out of seven nights at the dinner table...” (Tushnet 2001).

Both sets of grandparents were well respected in the community. Marshall never met his maternal grandfather, Isaiah Olive Branch Williams, but he knew that his grandfathers had served in the military and were active in the community (Crew 2019; Gibson 2012; Davis and Clark 1999). Thurgood’s paternal grandfather, Thorney Good Marshall, received two military pensions for his service (a possible administrative error or intentional alias that was not corrected) and used that money to open and operate a grocery store (Kluger 1977) at the corner of Dolphin and Division streets (demolished). Thorney Good was also active in the community and with the Sharp Street Memorial United Methodist Church. Thorney Good passed away in 1915 while young Thurgood Marshall was enrolled in P.S. 103 elementary school. Annie Marshall, Thurgood’s paternal grandmother, and her children continued to operate the grocery until 1930, when Marshall was in law school at Howard University (Gibson 2012).

The Marshall family returned to Baltimore in 1914 to care for Norma’s mother, Mary, who had suffered a broken leg (Crew 2019; Williams 1998). The Marshalls moved in with Uncle Fee and Aunt Flo in their home at 1632 Division Street. Mary may have been living with her son (Uncle Fee) and daughter-in-law due to her injury (Williams 1998), or she may have only lived nearby (Crew 2019). When William, Norma, Aubrey, and Thurgood moved in, the Marshalls were short on funds. They resided at 1632 Division Street as they saved enough for their own home (Williams 1998; Rowan 1993). Uncle Fee’s home was three blocks, or just over 0.25 miles, from Public School 103 (figure 7).

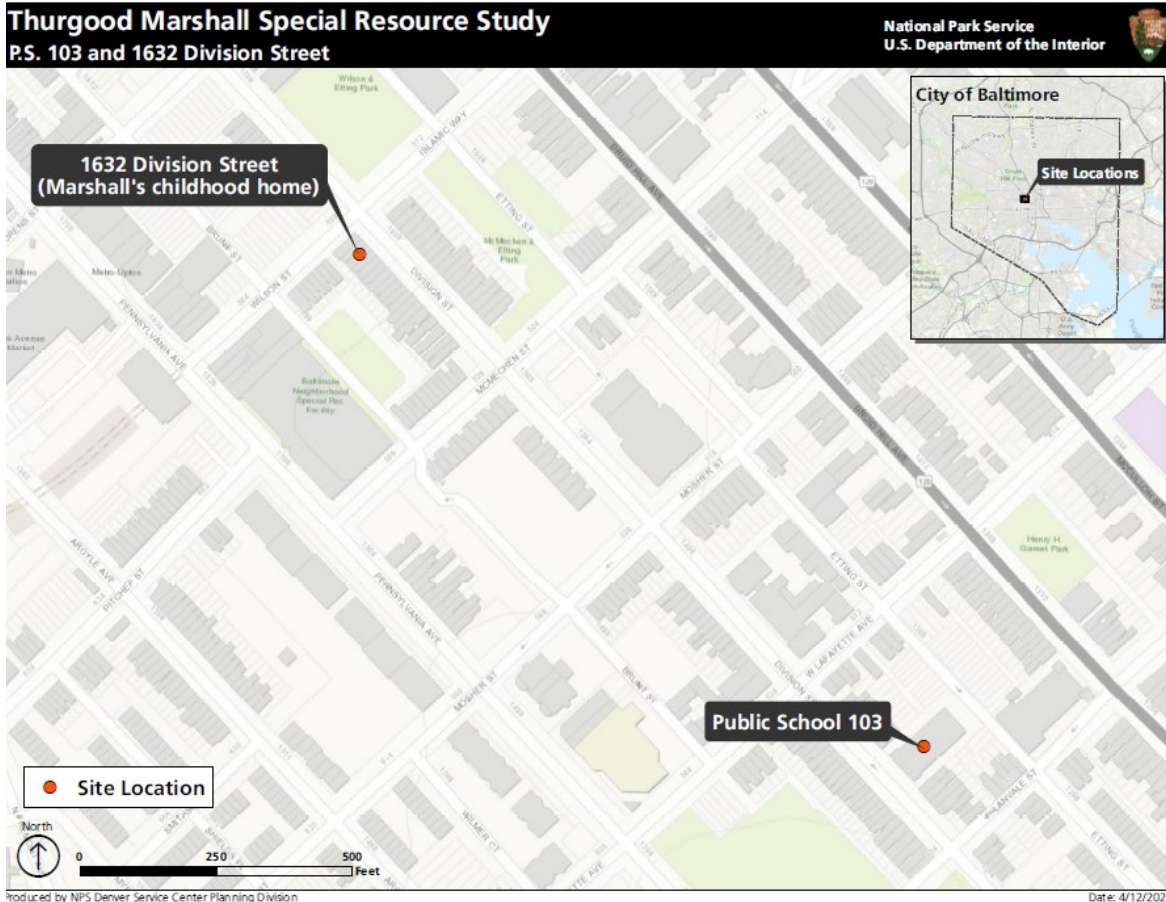


FIGURE 7. MAP SHOWING PROXIMITY BETWEEN 1632 DIVISION STREET AND P.S. 103

Public School 103 and Thurgood Marshall’s Attendance

Marshall attended segregated public schools in Baltimore starting in 1914 under the American “separate but equal” system of public services enabled by *Plessy v. Ferguson*. P.S. 103 and the other public schools Marshall attended were inferior to schools for white children. As Roberts (2002) notes, “Baltimore’s black public schools were crowded and in disrepair, housed in the cast-off buildings left behind as whites moved to better facilities . . . no new black schools were built between 1898 and 1915” (Roberts 2009, 2002; The Peal Center n.d.). Due to Jim Crow-era legalization of segregation for Black children, Marshall never attended a racially integrated school in Baltimore or elsewhere.

Despite the realities of segregation, Marshall’s immediate and extended family in Old West Baltimore provided him and his brother with a supportive environment in which to grow up (Williams 1998). Furthermore, young Thurgood Marshall at least had access to the best education available to Black families in Maryland at the time. Public School 103 at 1315 Division Street was considered one of the best elementary schools for Black children within Baltimore’s segregated school system. Students who attended the school came from families who valued education and held professional careers (Crew 2019; Gibson 2012). The school was featured in the *Afro-American*, a weekly African American newspaper, in 1914 and was a point of pride for the community (*The Afro-American Ledger*, June 27, 1914). Despite the

fundamental inequalities within the nation's segregated school system, the students at P.S. 103 were able to thrive (Point Heritage Development Consulting et al. 2010).

Marshall was enrolled at P.S. 103 in 1914 at the age of six, and he attended the school until eighth grade, skipping seventh grade to graduate in 1921. Marshall frequently made good grades and was grouped with the students who earned the highest grades. While in the second grade, Marshall decided that he was tired of spelling out "Thoroughgood" and shortened his name to "Thurgood," as he is better known (Gibson 2012; Kluger 1977). His classmates also remember him as an active kid who sometimes would get into trouble (Williams 1998). Marshall himself remembered in an interview with *Time* magazine that the principal of P.S. 103, William H. Lee (Baltimore City Commission for Historical and Architectural Preservation 2013), would send him to the basement to learn a section of the US Constitution as punishment for misbehaving. "Before I left that school," Thurgood said, "I knew the whole thing by heart." In the interview, however, Marshall does not contend that his career started in the basement of P.S. 103 (*Time* 1955). He is later quoted as saying the punishment was terrible (Rowan 1993). Although some historians attest that it cannot be definitely confirmed today (Gibson 2012), some believe that Marshall's exceptionally early familiarity with the US Constitution from his experiences at P.S. 103 as a student could have inspired his keen interest of law and justice, which led him on the path to his legal career later in life.

Many Black children were expected to take jobs outside of school. The school year was shorter for Black schools than for white schools, since many Black children would leave school in the spring to take a job picking the strawberry crop (Crew 2019; Williams 1998). In this environment, Marshall also took a job while in elementary school, making deliveries for a neighborhood grocer, John Henry Hale (Gibson 2012; Williams 1998; Rowan 1993). Though Marshall never worked in his own family's grocery stores (Gibson 2012), Marshall delivered items from Mr. Hale's grocery to customers in his little red wagon. Marshall was friends with Mr. Hale's son, Sammy (Crew 2019), and the Hales would join Uncle Fee and the Marshalls once in a while for dinner (Williams 1998).

Thurgood Marshall's High School Experience and After-School Jobs

In 1921, when Marshall graduated from eighth grade and stopped attending P.S. 103 elementary school, the Marshalls had saved enough money to purchase their own home, first at 2327 McCulloh Street (standing) (1919–1921) (Baltimore City Superior Court Block Book 1919, 1921) and then at 1838 Druid Hill Avenue (demolished) in the Druid Hill neighborhood (Williams 1998), just three blocks northwest of Uncle Fee's home at 1632 Division Street and six blocks, or 0.5 miles, northwest of P.S. 103. The Druid Hill neighborhood was well kept and quiet. Black families in Druid Hill enjoyed a higher social status than neighbors in some surrounding neighborhoods, which suffered from higher degrees of disease (tuberculosis and alcoholism) and crime (Roberts 2009).

Thurgood entered ninth grade at the Colored High School and Training School, located at the corner of Pennsylvania Avenue and Dolphin Street (demolished), just three blocks south of P.S. 103 and one block from the Marshall grocery store (demolished) (Gibson 2012). The high school was markedly substandard in comparison to P.S. 103, and marked a distinct shift

in Marshall's educational experience, though Marshall would still achieve high marks (Williams 1998). It was the only high school for Black students in Maryland (US DOI Bureau of Education 1917) and lacked a cafeteria, auditorium, and gymnasium. The school was severely overcrowded, and students attended in half-day shifts. Because of the lack of accommodations, assemblies and events were held at nearby churches or theaters (Gibson 2012). Classmates of Marshall remember that he would watch what was occurring at the Northwest Police Station next to the school from a classroom window until teachers had to close the shades (Williams 1998). Crew (2019) claims that the rights Marshall had learned from the Constitution while at P.S. 103 elementary school did not correspond to the injustices he saw from his high school window, and that those scenes stuck with Marshall for life.

As author Juan Williams notes of the Colored High and Training School, "Thurgood . . . knew whites had better schools with more books and newer facilities . . ." The high school had become a segregated school for Black children 38 years before Marshall's attendance, and it suffered from severe overcrowding in addition to lack of resources. Despite lacking resources at the high school, Marshall continued to earn high marks. The faculty of the school, including Thurgood's uncle, Cyrus Marshall (Williams 1998), were highly educated, holding degrees from prestigious institutions, and they pushed their students to success.

In addition, Thurgood's father provided persistent coaching at home through regular debates on how to shape arguments and support his position. Marshall's engaged and supportive father helped Marshall excel at giving weekly reports on current events as part of history class, taught by Gough McDaniels. McDaniels encouraged and led the creation of a debate team at the high school and invited Marshall to join as a freshman. By the end of the year, Marshall was elected as the team captain, and he had the opportunity to refine his debate skills. Gibson claims it was in high school when Marshall began to show an interest and skill at debate and law (Gibson 2012).

While in high school, Marshall worked after-school jobs. When Marshall was 15, he had an encounter while on his way to deliver hats for a high-end women's boutique on Charles Street (demolished)—Schoen and Company, owned by Morton S. Schoen. This job was Marshall's first step out of the West Baltimore neighborhood where he had grown up (Gibson 2012). As Thurgood's father had instructed him, if anyone should call him a racial slur, he should take it up with that person immediately (Crew 2019; Williams 1998; Rowan 1993). So was the case as Marshall tried to board a trolley while carrying hatboxes for delivery. A white man pulled him from the trolley, told him not to push in front of white women, and called him the racial slur. Marshall and the white man then fought. The fight was broken up and Marshall taken to jail. Morton (or Mortimer, as reported in Rowan 1993) Schoen came to see Marshall, secured his release without charges, and offered moral support to Marshall for standing up for himself (Gibson 2012; Williams 1998; Rowan 1993).

Marshall was also active in church. Marshall was confirmed at St. Katherine of Alexandria Episcopal Church in 1923 at the age of 15, although the family later attended St. James Episcopal Church, the only Episcopal church in Baltimore with a Black priest. Marshall attended Sunday school and youth activities at the church (Gibson 2012), and he remained an Episcopalian throughout his life (The Domestic and Foreign Missionary Society 2014).

Marshall worked hard to finish school early so he could get a job to help pay for his college education (Gibson 2012; Point Heritage Development Consulting et al. 2010; Williams 1998). He graduated high school with honors a semester early in February 1925. His graduation was held at the Lyric Theatre, followed by a reception at New Albert Hall on Pennsylvania Avenue (heavily modified) (Gibson 2012). When Marshall applied to Lincoln University in Oxford, Pennsylvania, he identified his intended future career as “lawyer.” Shortly after Marshall graduated from high school, the new Frederick Douglass High School opened on Calhoun, Baker, and Carey Streets to address inadequacies at the Colored High School that Marshall attended on Pennsylvania and Dolphin Streets (Gibson 2012; Point Heritage Development Consulting et al. 2010; Williams 1998).

Thurgood Marshall’s Later Experiences and Career

After graduating from Lincoln University in Pennsylvania in 1930 and then Howard University Law School in Washington, DC, in 1933, Thurgood Marshall began his legal career in downtown Baltimore, Maryland, at an office approximately 1½ miles from this special resource study’s focus areas (the P.S. 103 former elementary school at 1315 Division Street and also his residence during elementary school years at 1632 Division Street). Marshall quickly became involved with local civil rights leaders and legal cases, including defending proponents of the 1933 “Buy Where You Can Work” boycott for African American jobs at Pennsylvania Avenue businesses less than a half mile from the two study area properties. In 1934, Marshall began commuting to New York City to work with the National Association for the National Advancement of Colored People (NAACP) while continuing to live in Upton and maintain a private law practice in downtown Baltimore. In 1935, Marshall was a key member of the legal team that won the *Murray v. Pearson* case, which desegregated the University of Maryland Law School, a school which had previously denied Marshall entrance. In 1936, Marshall moved permanently from Baltimore to New York City, and later to Washington, DC. He did not reside in Baltimore after 1936. As a lawyer with the National Association for the Advancement of Colored People, Marshall argued and won many civil rights legal cases from the 1930s to the 1960s. In 1940, Marshall founded and became the executive director of the NAACP Legal Defense and Educational Fund. He argued many civil rights cases before the US Supreme Court. Marshall crafted and implemented the NAACP’s complex legal strategy that eventually resulted in the landmark Supreme Court Case, *Brown v. Board of Education of Topeka*. In that case, the Supreme Court ruled that “separate but equal” public education, as established by *Plessy v. Ferguson*, was not applicable to public education, which could never be truly “equal.” This case legally desegregated public schools in the United States on May 17, 1954. In 1965, President Lydon B. Johnson appointed Marshall as the first African American US solicitor general. In 1967, President Lydon B. Johnson nominated Marshall as an associate justice of the US Supreme Court, the first African American to serve as a Supreme Court justice. Marshall served on the Supreme Court until his retirement in 1991 (The Editors of Time 2017; Gibson 2012; Point Heritage Development Consulting et al. 2010; Lowe 2001; Cianci Salvatore et al. 2002, 2000; Williams 1998; Rowan 1993; Kluger 1977).

Marshall’s achievements later in his life and career are well documented and commemorated. His extraordinary contributions to American history are interpreted and represented in

numerous ways and at many locations around the country. The Secretary of the Interior previously identified Thurgood Marshall as a nationally significant person through the NHL designation of Howard University's Andrew Rankin Memorial Chapel, Frederick Douglass Memorial Hall, and the Founders Library in Washington, DC (Lowe 2001). Perhaps most relevant to the P.S. 103 segregated elementary school's SRS evaluation, Marshall's devotion to the cause of public school desegregation is memorialized by the National Park Service at the Brown v. Board of Education National Historic Site in Kansas. His devotion is also evident at other historic sites where implementation of *Brown v. Board of Education of Topeka* required continued struggle and sacrifice. This struggle is evident at the Little Rock Central High School National Historic Site in Arkansas, which in 1957, was the first fundamental test of national enforcement of African American civil rights following the 1954 *Brown v. Board of Education of Topeka* case.

As directed by the authorizing legislation, the focus of this special resource study is on Thurgood Marshall's early life, particularly the years associated his attendance at P.S. 103 elementary school (1914–1921) and through his high school years (1921–1925) before entering Lincoln University in Pennsylvania.

RESOURCE DESCRIPTION

Public School (P.S.) 103 (Henry Highland Garnett School), 1315 Division Street, Former Public Education Building (Now Privately Owned)

P.S. 103 (figure 8) is listed as a contributing resource to the Old West Baltimore Historic District (Shoken 2004) and was also designated a city landmark in 2014 (Baltimore City Landmark List 2020). The school was designed by Baltimore architect George A. Frederick, one of Baltimore's most prominent architects in the 19th century, who also designed Baltimore's City Hall. Public School 103 was constructed by Phillip Walsh and Sons in 1877. The school was originally built for white children (Point Heritage Consulting Development et al. 2010) to address overcrowding in the Male and Female Grammar School No. 6 on Druid Hill Avenue. The new school served the white Anglo, Italian, Jewish-German, and Russian communities in the area (Point Heritage Development Consulting et al. 2010).

Although the school was established for white children, by the time young Marshall enrolled in the first grade at P.S. 103 in 1914, the school was segregated and served only African American children. Marshall lived just a few blocks away with his family at his uncle and aunt's home at 1632 Division Street. He graduated from P.S. 103, having attended first through eighth grade, in 1921 (EHT Tracerics 2016; Point Heritage Development Consulting et al. 2010).

The history of P.S. 103 follows the demographic shifts and population increase in West Baltimore through the 20th century (Point Heritage Historical Structure Report on Former P.S. 103 2010). Beginning as a grammar school of white male and female children, the school became an English-German school in 1899 (figure 9). The school briefly served an annex to the Baltimore Polytechnic Institute from 1908-1910. In 1910 the school was used as an overflow for students at Public School no. 112, which served African American children. A year later in 1911, the school was designated as Public School 103 and served African

American children from the first through the eighth grade. In 1925, the school was renamed Henry Highland Garnet school in honor of the African American abolitionist, minister, educator, and orator who escaped with his family as a child from slavery in Maryland (Point Heritage Development Consulting et al. 2010). The elementary school served African American children until the school's desegregation after the landmark 1954 *Brown v. Board of Education of Topeka* case (figures 10–11). After public education integration, the demographics of the student body and the surrounding neighborhood did not change much (Point Heritage Development Consulting et al. 2010).

The P.S. 103 building reflects the basic design and layout of other educational institutions supported by Baltimore's Board of School Commissioners in the 19th century, and it is a rare example of a surviving building of this type. The building, approximately 60 feet wide and 129 feet deep, features two floors, 14 classrooms, a principal's office on each floor, stairs at the front and the rear, and sash-window partitions between the rooms (figures 12–13). Public School 103 is an example of board of education's priority of designing school that promote health and safety with adequate lighting, ventilation, and quick egress in case of fire. Glass partitions, which separated the classrooms, could be raised to allow larger room configurations (Point Heritage Development Consulting et al. 2010).

Sometime between 1969 and 1971, the school closed, and soon thereafter it housed the Upton Planning Committee. The property has been largely vacant since the 1990s. Since then, the City of Baltimore had been working on a plan to rehabilitate the building for potential buyers or occupants (Point Heritage Development Consulting et al. 2010). In 2016, a catastrophic fire at P.S. 103 destroyed the roof and caused an estimated \$50,000 of damage to the building (Anderson 2016). Emergency stabilization took place in 2017 and included a new roofing package, new brickwork, new second-floor framing, new doors and windows on the second floor, and fresh paint (City of Baltimore 2019). In a 2019 trip report by Historic Architecture, Conservation, and Engineering (HACE), the National Park Service described the loss of original materials as a result of the 2016 fire, and the report noted that the building envelope and other floors retained integrity (Lee and Glassman 2019). Figures 14–18 show the interior condition of P.S. 103 during the HACE survey (Lee and Glassman 2019).

In 2019, P.S. 103 was for listed for sale (Vacants to Value 2019; Baltimore City Department of Housing and Community Development 2019). At the time of the site visits (2020–2021), the city had identified a prospective buyer for the property and was moving forward with the transaction. At the time of finalizing the special resource study, Beloved Community Services Corporation, a nonprofit founded by Reverend Dr. Alvin C. Hathaway, had purchased P.S. 103 and had begun plans for renovation (*The Baltimore Sun* 2021). The renovation is expected to cost around \$12 million and will ultimately result in the Justice Thurgood Marshall Amenity Center (*The Baltimore Sun* 2022; Kelly 2022; Ashwell 2022), which will provide cultural, educational, and community uses that will honor the neighborhood and its influential people. The center will also provide an education on the history of African Americans in aviation and inspire future generations to enter the legal field and the fields of art, music, airport management, and aviation. While other individuals will be honored and highlighted to help educate visitors and inspire them for generations to come, one classroom

in particular is planned to be restored to its original design so that visitors may specifically learn about the contributions of Thurgood Marshall (Hathaway 2022).

At the time of this study, the owner's development plans at P.S. 103 align with community goals to rehabilitate and renovate the building to revitalize the neighborhood. However, substantial renovations that remove what remains of the building's interior character-defining features could impact the historic integrity of P.S. 103. For example, removal or replacement of the first floor's original classroom walls and features, such as the chalkboards and glass partition walls, would negatively impact the building's ability to convey its historic use as a school. While both the NHL program and the National Register of Historic Places use the same seven aspects of historical integrity (location, setting, design, materials, workmanship, feeling, and association), the NHL criteria required of study resources analyzed in special resource studies demands a higher degree of integrity than what is required for a National Register of Historic Places listing.

As such, if a resource such as P.S. 103 is more than modestly modified or has deteriorated since its period of national significance, it may meet the National Register of Historic Places threshold for historical integrity but not the higher NHL standard for integrity (NPS 1999, 2018). Future renovations to P.S. 103 may, therefore, result in a loss of historic integrity, which may in turn impact this study's finding of national significance using the NHL criteria (36 CFR 65.4). At the time of this study, it is uncertain if future renovations planned by the current property owner will meet historic integrity standards and guidelines set by the National Park Service for the purpose of preserving the character of historic properties. In that instance, additional review would be needed to determine if the site continues to meet this study's national significance criterion.



FIGURE 8. P.S. 103 1315–1327 DIVISION STREET, SOUTH FACADE OF SCHOOL AND ADJACENT ROW HOUSES (LEE AND GLASSMAN 2019)



FIGURE 9. MALE AND FEMALE GRAMMAR SCHOOL No. 6 (P.S. 103), 1876 ETCHING (48TH ANNUAL REPORT OF THE BOARD OF COMMISSIONS OF PUBLIC SCHOOLS TO THE MAYOR AND CITY COUNCIL OF BALTIMORE; LEE AND GLASSMAN 2019)



FIGURE 10. STUDENTS FROM P.S. 103 PLAY ON DIVISION STREET, WPA PHOTOS, 1934–1935 (POINT HERITAGE DEVELOPMENT CONSULTING ET AL. 2010)



FIGURE 11. P.S. 103 ABOUT 1946, MARYLAND HISTORICAL TRUST (LEE AND GLASSMAN 2019)

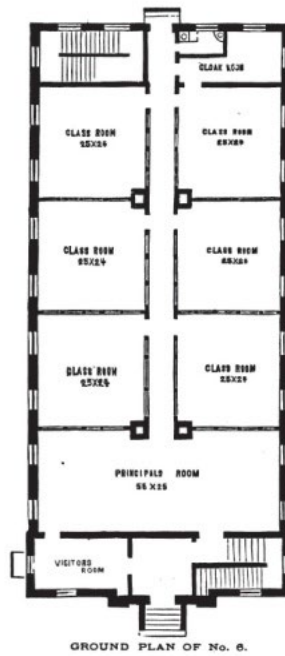


FIGURE 12. FIRST FLOOR PLAN OF GRAMMAR SCHOOL No. 6 (P.S. 103)
(POINT HERITAGE DEVELOPMENT CONSULTING ET AL. 2010)



**FIGURE 13. P.S. 103 CLASSROOM, 1950s
(POINT HERITAGE DEVELOPMENT CONSULTING ET AL. 2010)**



FIGURE 14. FIRST FLOOR CENTRAL CORRIDOR (GLASSMAN 2019)



FIGURE 15. HISTORIC WINDOWED PARTITION IN A FIRST-FLOOR CLASSROOM (GLASSMAN 2019)



FIGURE 16. CLASSROOM BLACKBOARDS, FIRST FLOOR (GLASSMAN 2019)



FIGURE 17. GUTTED SECOND-FLOOR VIEW DOWN THE HALLWAY (GLASSMAN 2019)



FIGURE 18. SECOND-FLOOR VIEW OF CLASSROOM. NOTE ORIGINAL FLOORBOARDS AND NEW ROOF (GLASSMAN 2019)

Uncle Fearless and Aunt Florence Williams Home, 1632 Division Street

This home at 1632 Division Street is typical of many buildings in the Upton neighborhood. The building is a three-story brick row house, three bays wide, like the adjacent residential rowhouses on its block and throughout West Baltimore. Built sometime between 1876 and 1885, the building is in an Italianate style, which was the most popular style of row houses in Baltimore between 1845 and 1890. The foundation walls are clad in white marble, and the windowsills, water table, and a five-step stoop are also marble. At the foundation level, two casement windows protected by a metal screen punctuate the walls. The arched front entranceway features a recessed wood paneled door capped by a semicircular transom window. The brick and mortar surrounding the entrance appears to have been repointed. At the top of the front façade, an Italianate cornice is decoratively treated with brackets and ventilation panels between the cornice and thin wooden frieze. At the time of the Maryland Historical Trust's (2011) documentation of the building, the fenestration was noted as long (rectangular) one-over-one sash windows with segmentally arched lintels over the windows on all three floors (figure 19) (Chadwick-Moore 2021; Baltimore Heritage 2021; Maryland Historical Trust 2011; Commission for Historical and Architectural Preservation 2009; Bromley 1885; Hopkins 1876). The building is listed as a contributing resource to the Old West Baltimore National Register Historic District (Shoken 2004).



FIGURE 19. 1632 DIVISION STREET (CENTER), SHOWING ROW HOUSE CONTEXT, MARBLE STEPS, THREE WINDOW-BAY FAÇADE, AND ITALIANATE DETAILING (DROGE 2021)

The building at 1632 Division Street is significant as the childhood home of Thurgood Marshall (Maryland Historical Trust 2011). The Marshall family lived with Norma's brother, Fearless "Fee" Williams and his wife Florence "Flo" (née Lansey), who purchased the home in 1914 (Baltimore City Superior Court Block Book 1914) at this address when the Marshalls returned to Baltimore in that same year. Biographers state that Thurgood Marshall lived at 1632 Division Street for the entire period he attended P.S. 103. Gibson states that during Marshall's freshman year of high school, the Marshall family moved to 1838 Druid Hill Avenue (EHT Tracerics 2016; Gibson 2012), though the Baltimore City Block Books indicate that the Marshalls purchased their own home at 2327 McCulloh Street in 1919 and lived there until 1921 (Baltimore City Superior Court Block Book 1919, 1921). Despite this uncertainty, the Marshalls remained in the neighborhood consistently. Fearless and Florence Williams continued to live at the 1632 Division Street home until their deaths in 1953 and 1960, respectively (*The Evening Sun* 1953; *The Baltimore Sun* 1960).

The well-documented influence of Marshall's family on Thurgood Marshall's early development and his experiences with family members around the dinner table at 1632 Division Street suggests that this residence, in which he resided with his extended family during his formative years (first through eighth grade), may have had an even stronger impact on Marshall's childhood development than his experiences as a student at the P.S. 103 elementary school. Marshall repeatedly credited his family, especially his father, mother, uncle, and grandmother, all with whom he lived, as having the greatest influence on the development of his character, his interest in law and forming legal arguments, and, later, his commitment to social justice and civil rights (Gibson 2012; Tushnet 2001; Davis and Clark 1999; Williams 1998). These influences, as Rowan notes, were both positive and negative, as Marshall's parents battled poverty and racial inequality, and his father especially battled with alcohol (Rowan 1993).

The home at 1632 Division Street is currently privately owned by Thurgood Marshall Heritage, LLC. A small interpretive panel on the exterior of the building identifies it as a former home of Marshall (figure 20). In March 2020, the study team conducted a brief visual survey of the exterior and did not enter inside. In July 2021, the property owner graciously facilitated an interior tour of the building by an NPS study team member. Photos taken during the tour show some modifications to the windows and interiors over time. However, the building retains a high degree of integrity of location, design, setting, materials, workmanship, feeling, and association as a typical three-story Italianate brick row house in Upton and throughout West Baltimore. The building retains a high degree of integrity of association with Thurgood Marshall's youth and his extended family. These seven aspects of integrity are used both by the National Historic Landmarks Program and the National Register of Historic Places Program (Chadwick-Moore 2021; Baltimore Heritage 2021; NPS 2018; Maryland Historical Trust 2011; Commission for Historical and Architectural Preservation 2009). The current building owner sent an email to the study team in the spring of 2022 expressing their future intent for the building, which said, "Our intent is to create a space that will honor the legacy of Thurgood Marshall and spark economic development in West Baltimore. Although plans have not been finalized, we hope the project will include community and heritage space."



FIGURE 20. 1632 DIVISION STREET, SHOWING FRONT DOOR AND HISTORIC WAYSIDE IDENTIFYING THE HOME WITH THURGOOD MARSHALL (DROGE 2021)

After the deaths of Fearless (1953) and Florence Williams (née Lansey) (1960), ownership transferred first to Florence’s brother Teackle Wallis Lansey (Sr.) and remained in the family until 2017. In 2018, the home was sold to Thurgood Marshall Heritage Inc. (LLC) (*The Afro American* 1909; *The Evening Sun* 1953; *The Baltimore Sun* 1960, 1971, 2003, 2014; Baltimore City Superior Court Block Book 1962; Mortgage Release 1978; *Afro* 2014; Deed of Assignment 2017; Special Warranty Deed of Assignment 2018).

Other Potential Related and Supporting Resources Considered but Dismissed

Besides P.S. 103 and 1632 Division Street, the special resource study evaluated 37 other resources associated with the early life and legal career of Thurgood Marshall in Baltimore. These 37 associated resources were dismissed from further evaluation based on a number of factors, including their lack of historic integrity, because they were either heavily modified or demolished; lacked sufficient or strong evidence for Marshall’s association with the property; and/or distant proximity to the legislatively mandated study area that focuses on “any other resources in the neighborhood surrounding P.S. 103 that relate to the early life of Thurgood Marshall.”

The family home during Marshall’s secondary school years at 1838 Druid Hill Avenue is no longer standing, which is unfortunate because it was during these years that he began to form into the dynamic orator he later became. Biographers describe in detail how Marshall’s experiences and successes with participating on his high school debate team were critical in shaping his ability to craft a persuasive argument—a skill that became the underpinning of a celebrated legal career (Gibson 2012; Tushnet 2001; Davis and Clark 1999; Williams 1998). This skill was also crafted at home. Gibson (2012) quotes Marshall on the influence of his father in debating and confronting injustice: “He did it by teaching me to argue, by challenging my logic on every point, by making me prove every statement. He never told me to be a lawyer, but he turned me into one.” Unfortunately, Marshall’s high school building

and the home where he lived when he attended high school, college, law school, and started his career as a lawyer have been demolished.

Although Marshall's history as a civil rights leader and lawyer is represented in association with several nationally historic places and National Historic Landmarks, as described in the following suitability analysis section, even beyond the West Baltimore neighborhood examined here, a National Historic Landmark that focuses exclusively on him individually, his life, and his career does not exist (EHT Traceries 2016, 2015). More specifically, there are also no other National Historic Landmarks or other extant resources that represent the personal history of Thurgood Marshall's early life as a Black youth in Jim Crow Maryland's segregated school system and his later accomplishments as a national leader of public school desegregation.

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CHAPTER 3: RESOURCE EVALUATION

This chapter presents the evaluation of the four criteria that must be met for a study area to be considered for designation as a national park unit. The application of these criteria follows agency and legislated guidance outlined in section 1.3 (Criteria for Inclusion) of NPS *Management Policies 2006* as well as the National Park System New Areas Studies Act (Title III of the National Parks Omnibus Management Act of 1998, PL 105-391; 54 USC 100507). For a study area to be considered for designation as a potential new unit of the national park system, it must fully meet the following four criteria for evaluation:

1. possess nationally significant resources,
2. be a suitable addition to the system,
3. be a feasible addition to the system, and
4. require direct NPS management or administration instead of alternative protection by other agencies or the private sector

These four criteria are analyzed sequentially, and several pathways exist for concluding the study process based on individual criteria findings. The study process may be truncated if a negative finding is made for any one of these criteria. The findings presented in this chapter serve as the basis for a formal recommendation from the Secretary of the Interior to Congress as to whether or not the study area should be designated as a new unit of the National Park Service. A summary of these findings can be found at the end of this chapter.

EVALUATION OF NATIONAL SIGNIFICANCE

The determination of national significance for a study area is the first step in the special resource study evaluation process. To determine their national significance, historic places or sites being studied for their outstanding cultural resources are evaluated using established National Historic Landmark criteria. More rigorous than the National Register of Historic Places nomination process, NHL designation serves as official recognition by the federal government of the national significance of a historic property or site. Outlined in 36 CFR Part 65, the NHL designation process for determining national significance is ascribed to districts, sites, buildings, structures, and objects that possess:

1. exceptional value or quality in illustrating or interpreting the heritage of the United States in history, architecture, archeology, engineering, and culture; and
2. a high degree of integrity of location, design, setting, materials, workmanship, feeling, and association.

In addition, to be eligible for designation, an area must meet at least one of six “Specific Criteria of National Significance” contained in 36 CFR Part 65:

- **Criterion 1:** be associated with events that have made a significant contribution to and are identified with, or that outstandingly represent, the broad national patterns of United States history and from which an understanding and appreciation of those patterns may be gained; or
- **Criterion 2:** be associated importantly with the lives of persons nationally significant in the history of the United States; or
- **Criterion 3:** represent some great idea or ideal of the American people; or
- **Criterion 4:** embody the distinguishing characteristics or an architectural type specimen exceptionally valuable for the study of a period, style, or method of construction, or represent a significant, distinct, and exceptional entity whose components may lack individual distinction; or
- **Criterion 5:** be composed of integral parts of the environment not sufficiently significant by reason of historical association or artistic merit to warrant individual recognition but collectively compose an entity of exceptional historic or artistic significance, or outstandingly commemorate or illustrate a way of life or culture; or
- **Criterion 6:** have yielded or may be likely to yield information of major scientific importance by revealing new cultures, or by shedding light upon periods of occupation of large areas of the United States. Such sites are those which have yielded, or which may reasonably be expected to yield, data affecting theories, concepts, and ideas to a major degree.

The use of the NHL criteria to determine national significance is the only link between the special resource study process and the NHL program regulations. Usage of these criteria does not confer landmark designation as separate designation processes, governed by other regulations, exist for the NHL program.

National Significance Evaluation

Criterion 2: *(Properties) that are associated importantly with the lives of persons nationally significant in the history of the United States.* **Exception 4:** *A birthplace, grave or burial if it is of a historical figure of transcendent national significance and no other appropriate site, building, or structure directly associated with the productive life of that person exists.*

The National Park Service began its inquiries into the national significance of P.S. 103 and “other resources in the neighborhood surrounding P.S. 103 that relate to the early life of Thurgood Marshall” as authorized in the legislation (PL 116-9). The study team took a broad approach to determine national significance and researched the history of the Upton community, biographies, oral histories, newspaper articles, interviews, and other sources on Thurgood Marshall, his time in the Upton community, his family, education, career, and contributions to American society. The team also read the reports on P.S. 103 that were commissioned by the City of Baltimore, as well as US Senate testimony for the enabling

legislation, which contextualized P.S. 103 as telling the story of racial segregation in the United States and marking the academic beginning of Marshall's career. In total, 39 locations were associated with Thurgood Marshall. Of those 39 properties, P.S. 103 and 1632 Division Street, are the only extant, representative examples with historic integrity to satisfy the requirements of the enabling legislation.

Public School 103 and 1632 Division Street are contributing resources to the Old West Baltimore National Historic District and are locally significant for their association with Black ethnic heritage, architecture, and community planning and development (Shoken 2004). According to 36 CFR part 36, section 65.4, national significance is "ascribed to districts, sites, buildings, structures and objects that possess exceptional value or quality in illustrating or interpreting the heritage of the United States in history, architecture, archeology, engineering and culture and that possess a high degree of integrity of location, design, setting, materials, workmanship, feeling and association" and which also meet at least one of the NHL criteria listed above. National Historic Landmark criterion 2 also states that a property "be associated with the productive life of an important person and reflective of the period during which the important individual achieved significance." Thurgood Marshall had already been determined by the Secretary of the Interior to be a nationally significant individual with the 2001 designation of portions of Howard University under NHL Criteria 1 and 2 for the preparations undertaken for the landmark case, *Brown v. Board of Education of Topeka* (Lowe 2001). In the case of a preeminent national figure such as Thurgood Marshall, it is possible to identify multiple areas of his career that are nationally significant and properties associated with each of those areas.

Because the NHL criteria state that, "Ordinarily, . . . birthplaces, graves of historical figures . . . are not eligible for designation," these properties also required evaluation under exception 4, which allows consideration of "a birthplace, grave or burial if it is of a historical figure of transcendent national significance and no other appropriate site, building or structure directly associated with the productive life of that person exists." Although neither P.S. 103 nor 1632 Division Street are birthplaces, the consideration of this exception was necessary, since both properties were associated with Thurgood Marshall's childhood (1914 to 1921 and first through eighth grade) before his productive adult life.

The National Park Service found that the formative experience of Thurgood Marshall attending the segregated P.S. 103 shaped his ongoing interest in education and desegregation. His experience in a segregated and unequal setting, although enhanced by the active, African American middle-class community of Upton, likely shaped his views on education and equality. Less clear, however, is how his experiences at 1632 Division Street were as consequential. While his family members surely had an effect on his academic achievements and career, it seemed unlikely that Marshall's zealous fight against segregation in education could be effectively understood without acknowledging his experience as a student in a segregated and unequal education system.

After graduation from P.S. 103, Thurgood Marshall began attending school at the Colored High and Training School (demolished) (EHT Traceries 2016; Point Heritage Development Consulting et al. 2010; Williams 1998). Marshall was also living with his nuclear family briefly at 2327 McCulloh Street (extant) (Gibson 2012; Baltimore City Superior Court Block Book

1919, 1921; EHT Tracerics 2016; Williams 1998). Thurgood Marshall then lived with his nuclear family, including his wife, Vivian, at 1838 Druid Hill Avenue from possibly 1921 through 1936 while Marshall attended college, law school, and began his law career (EHT Tracerics 2016; Point Heritage Development Consulting et al. 2010; Davis and Clark 1999; Williams 1998; Polk's Baltimore City Directory 1922). While the property at 1838 Druid Hill may have had a stronger association with Marshall during his productive adult years, this property has been demolished.

In the years immediately following Marshall's association with P.S. 103 and 1632 Division Street, the properties changed very little. P.S. 103 was renamed Henry Highland Garnet school in 1925 and continued to serve African American children until the school's desegregation in 1954. The student body demographics did not change much after integration and neither did the Upton neighborhood at large. The school closed sometime in 1969–1971 (Point Heritage Development Consulting et al. 2010). After the deaths of Fearless (1953) and Florence Williams (née Lansey) (1960), the home at 1632 Division Street went to Florence's brother Teackle Wallis Lansey (Sr.) and his wife, Josephine Gaines Lansey. The home continued to be lived in, modestly modified, and owned by the Lansey family until 2017 (*The Afro American* 1909; *The Evening Sun* 1953; *The Baltimore Sun* 1960, 1971, 2003, 2014; Baltimore City Superior Court Block Book 1962; Mortgage Release 1978; *Afro* 2014; Deed of Assignment 2017; Special Warranty Deed of Assignment 2018).

Conclusion: Summary of National Significance Finding

The National Park Service found that P.S. 103 possesses national significance for its association with Thurgood Marshall under NHL criterion 2 (exception 4) and that P.S. 103 and 1632 Division Street are possibly nationally significant as a discontinuous district under NHL criterion 2 (exception 4). This study concludes that individually, 1632 Division Street is not a strong candidate for consideration under NHL criterion 2 (exception 4) for its association with Thurgood Marshall. However, a caveat of this finding is that the P.S. 103 owner's plans for rehabilitation and renovation could prevent the building from meeting the integrity requirement of the NHL criteria that are used for this study's national significance evaluation. In that instance, additional review would be needed to determine if the site continues to meet this criterion.

The National Historic Landmark Program supports these findings of national significance, noting that use of the NHL criteria to determine national significance is the only link between the special resource study process and the NHL program regulations. The NHL program's support does not confer landmark designation as separate designation processes, governed by other regulations, exist for the NHL program.

EVALUATION OF SUITABILITY

A study area is considered suitable for addition to the national park system if it represents a natural or cultural resource type that is not already adequately represented in the national park system or is not comparably represented and protected for public enjoyment by other federal agencies, tribal, state, or local governments, or the private sector.

Adequacy of representation is determined by comparing the study area to other comparably managed areas representing the same resource type, while considering differences or similarities in the character, quality, quantity, or combination of resource values. This comparative analysis should also address the rarity of the resources, interpretive and educational potential, and similar resources already protected in the national park system or in other public or private ownership. The comparison results in a determination of whether the study area would expand, enhance, or duplicate resource protection or visitor use opportunities found in other comparably managed areas. Based on this determination, a finding on suitability is made.

The following methodology was used by the study team to evaluate the suitability of P.S. 103 and 1632 Division Street:

1. Define the type of resource represented by the study area.
2. Identify the theme or context in which the study area fits.
3. Identify sites that represent the resource type within the national park system, and similar sites protected by other agencies, state, local or tribal governments, and the private sector.
4. Through a comparative analysis, describe how the resource type is represented.
5. Consider the adequacy of representation and determine whether the resource will duplicate, enhance, or expand opportunities for visitor use or resource protection.
6. Prepare a concluding finding on suitability.

Type of Resource Represented by the Study Area

The resources under consideration are Public School (P.S.) 103, the elementary school that Supreme Court Justice Thurgood Marshall attended from first through eighth grade (1914 to 1921), and the home of Thurgood Marshall's maternal uncle and aunt (Fearless and Florence Williams) at 1632 Division Street, where Marshall lived with his family while attending P.S. 103. These resources are nationally significant due to their association with the life of a person nationally significant in the history of the United States, Supreme Court Justice Thurgood Marshall. Though Marshall only attended P.S. 103 and lived in the home from 1914 to 1921, this period of time influenced the young student, who grew up aware of racial inequalities in education. Though somewhat protected by the hard work of his family and the members of the Upton community, Marshall's upbringing in Baltimore uniquely molded him to take up the work on the desegregation of American public schools later in his life.

The careers and lives of individuals associated with the civil rights movement are being increasingly commemorated by sites ranging from birthplaces, residences, schools, churches, other buildings, bridges, camps, trails, monuments, and historic districts, and visits to these places enhance understanding of this distinguished group of individuals who fought to ensure the rights and liberties of all Americans. While recognition of their actions has increased in recent years, many of these people and places have yet to be recognized or commemorated. As the civil rights movement represents one of the greatest struggles in

American history that continues to this day, these individuals' family backgrounds; locales and regions in which they were born or resided; eras in which they lived; and the social, economic, and intellectual influences that molded them had a profound impact in shaping their worldviews and the work that they achieved.

This comparison focuses on the current representation of Thurgood Marshall's life and legacy as well as various other historic sites associated with the civil rights movement.

Theme or Context in Which the Resources Fit

In evaluating the suitability of cultural resources within or outside the national park system, the National Park Service references the 2017 NPS System Plan, as well as its 1994 thematic framework, "History in the National Park Service: Themes and Concepts" for history and prehistory. The NPS System Plan built upon the 1994 framework and examined the special places, stories, ecosystems, and recreational opportunities that the National Park Service currently protects, while identifying gaps and opportunities to seek new ways to protect important natural areas and cultural heritage in the national park system and beyond. The NPS System Plan identified a number of historical and cultural topics as being underrepresented, in need of greater emphasis, or missing in the present system. One identified topic or theme is social organizations history, specifically the nationally important topic of civil rights. Another topic is African American history, specifically the nationally important topic of historic figures. The 1994 framework provides additional guidance for the National Park Service related to historic resources and serves as an outline of major themes and concepts that help to conceptualize American history. The framework is used to assist in the identification of cultural resources that embody America's past and to describe and analyze the multiple layers of history encapsulated within each resource.

Public School 103 and the Williams' Home at 1632 Division Street contribute to our understanding of the following themes within the NPS Thematic Framework and NHL Theme Studies: "Peopling Places," "Creating Social Institutions and Movements," "Expressing Cultural Values," Racial Desegregation in Public Education in the United States (2000), and Civil Rights in America: A Framework for Identifying Significant Sites (2008).

The theme "Peopling Places" examines human population movement and change through time, family formation, and concepts of gender, family, and sexual division of labor. While patterns of daily life are often taken for granted, they have a profound influence on public life. Communities, too, have evolved according to cultural norms, historical circumstances, and environmental contingencies. Distinctive and important regional patterns join together to create microcosms of America's history and to form the "national experience." Public School 103 was a racially segregated school, and the vibrant Upton community of Baltimore, in which there was a large African American middle class, would have impacted Marshall as he attended school and lived within the community.

The theme "Creating Social Institutions and Movements" focuses on the diverse formal and informal structures such as schools or voluntary associations through which people express values and live their lives. Why people organize to transform their institutions is as important to understand as how they choose to do so. Thus, both the diverse motivations people act on

and the strategies they employ are critical concerns of social history. Through engaging in heated debates with his father on all topics; benefiting from his mother's commitment to her sons' educations and careers; and having nurturing and practical guidance from his grandmother, uncle, and aunt in the world of Jim Crow racial segregation and inequality, the foundation was laid in the Williams' home for who Marshall was to become.

The theme "Expressing Cultural Values" covers expressions of culture and people's beliefs about themselves and the world they inhabit. This theme also encompasses the ways that people communicate their moral and aesthetic values. Public School 103 was considered one of the best elementary schools for Black children within Baltimore's segregated school system, and students such as Marshall came from families who valued education and held professional careers. Despite the success of the school and the students, including Marshall who was grouped with the students earning the highest grades, the school's resources (and segregated schools for Black children) were inferior to schools for white children. Despite the realities of this segregation, Marshall's family gave him and his brother a supportive environment in which to grow up.

As a segregated public school, P.S. 103, as well as the Williams' home at 1632 Division Street, situated within Baltimore's Upton community, contributed not only to the education and upbringing of Thurgood Marshall but also to the major themes in the National Historic Landmark Theme Studies: Racial Desegregation in Public Education in the United States (2000) and Civil Rights in America: A Framework for Identifying Significant Sites (2008). Within the 2008 study, the report notes that there were 33 National Historic Landmarks associated with African Americans, 16 with American Indians, 15 with women, 6 with Asian Americans, 1 with Hispanics, and 1 with the gay and lesbian movement. The report also stated that civil rights topics were underrepresented. Though there are sites in these reports that are representative of a segregated school, their stories are more related to the struggle for desegregation than the community's efforts to support education despite the challenges of segregation.

Furthermore, a number of historical and cultural resource gaps were identified in the NPS System Plan corresponding to P.S. 103 and 1632 Division Street. The plan noted that the National Park Service currently does little to address the history of African Americans and the history of education (NPS 2017). Marshall's legacy as a champion for civil rights can be found in his adult career as a NAACP lawyer who won many civil rights cases from the 1930s to the 1960s, including his leadership for the landmark Supreme Court Case, *Brown v. Board of Education of Topeka*, which legally desegregated public schools in the United States on May 17, 1954. Marshall was also the first African American US solicitor general and Supreme Court justice, appointed by President Johnson in 1967. Marshall served on the Supreme Court until his retirement in 1991. No count was provided in the NPS System Plan of the total number of sites that address African American history and the history of education, but there are 32 sites with a primary purpose of celebrating and honoring African American stories listed on the NPS web page "African American Heritage," which was updated in February 2022, and more sites have been added to the network since then. The 32 sites listed on the website represent approximately 7.5% of the national park system (423 units total as of June 2022) (NPS 2022a).

Comparable Sites

To determine if similar resource protection and visitor opportunities are already offered by other NPS units or other land management entities, comparable sites are examined. The following are some of the more representative examples of sites associated with the civil rights movement managed by the National Park Service and sites protected by other agencies, state, local or tribal governments, and the private sector.

National Park Service Sites

Brown v. Board of Education National Historic Site. This unit of the national park system was established to preserve, protect, and interpret for the education, enjoyment, and inspiration of present and future generations, the places that contributed materially to the landmark US Supreme Court decision that brought an end to segregation in public education; interpret the integral role of the *Brown v. Board of Education of Topeka* case in the civil rights movement; and assist in the preservation and interpretation of related resources within the city of Topeka that further the understanding of the civil rights movement. Brown v. Board of Education National Historic Site was established by an act of Congress (PL 102-525) on October 26, 1992, and opened to the public in 2004 on the 50th anniversary of the *Brown v. Board of Education of Topeka* ruling. Following a strategy mapped out by Thurgood Marshall, head of the NAACP's Legal Defense Fund, the five cases that collectively formed *Brown v. Board of Education of Topeka* at the Supreme Court level varied in their specifics. On May 17, 1954, the US Supreme Court issued a unanimous decision stating that it was unconstitutional to separate children in public schools for no other reason than their race. The NPS unit covers 2 acres and includes the historic Monroe Elementary School, which served African American students during the segregation era. The Monroe Elementary School had, with the Sumner Elementary School in Topeka, been designated a National Historic Landmark in 1987.

The focus of the interpretation at the Brown v. Board National Historic Site is on themes of desegregation from a broad perspective, rather than on Marshall and his contributions as the leader of the legal strategy that achieved the *Brown v. Board of Education of Topeka* victory as well as numerous influential judicial decisions until his retirement from the Supreme Court in 1993. While P.S. 103 would represent another segregated school within the national park system, the interpretation at P.S. 103 could focus on Marshall's early development and career, segregated education and community uplift, and lay out the path to *Brown v. Board of Education of Topeka* at a national scale. Moreover, P.S. 103 and 1632 Division represent the personal history of Thurgood Marshall's early life as Black youth in Jim Crow Maryland's segregated school system and his later accomplishments as a national leader of public school desegregation. Without Marshall's personal experiences in Baltimore's schools, his family, and his community, the path to *Brown v. Board of Education of Topeka* may have never been charted. Public School 103 fills a gap in our understanding between *Plessy v. Ferguson* (1896), which judicially approved segregation and discrimination, particularly in education; how African American communities responded to this decision; and how the ruling was overturned in *Brown v. Board of Education of Topeka*.

Little Rock Central High School National Historic Site. This unit of the national park system was established to preserve, protect, and interpret for the benefit, education, and inspiration of present and future generations, Central High School in Little Rock, Arkansas, and its role in the integration of public schools and the development of the civil rights movement in the United States. The site serves as a common ground to provoke shared dialogue for public awareness of our nation's transformative struggle towards equality. Little Rock Central High School National Historic Site was established by an act of Congress (PL 105-356) on November 6, 1998. On September 4, 1957, desegregation of Little Rock Central High School began with the first African American students enrolled in the all-white high school. The students attempted to enter the school but were refused admittance, and segregationist protestors threatened, heckled, jeered, and spit on the students. The situation escalated into violence, and President Dwight D. Eisenhower was compelled to use federal marshals and troops to uphold the court order to desegregate the school. The school desegregation crisis at Little Rock Central High School was the first significant test of the 1954 Supreme Court ruling of *Brown v. Board of Education of Topeka*.

While the story interpreted at Little Rock Central High School National Historic Site was the first significant test of *Brown v. Board of Education of Topeka*, P.S. 103 could serve as the location to discuss Marshall's victory in *Murray v. Pearson* (1935), which integrated the University of Maryland's Law School and represented the shift in strategy for the NAACP to confront segregation head on in *Brown v. Board of Education of Topeka*.

Carter G. Woodson Home National Historic Site. This unit of the national park system was established to inspire and educate through the preservation of the home, life, and legacy of the preeminent historian and educator Dr. Carter G. Woodson. The Carter G. Woodson Home National Historic Site was established by an act of Congress (PL 108-192) on December 19, 2003. The Carter G. Woodson Home National Historic Site ensures the preservation of the Woodson home while promoting and interpreting the life, message, and legacy of Dr. Woodson and the work of the Association for the Study of African American Life and History. Woodson's home, designated a National Historic Landmark in 1976, is one of three adjoining structures within the national historic site, which also includes two adjacent row houses. The son of former slaves, Dr. Woodson was denied access to education through his early youth in Canton, Virginia. In 1895, at the age of 20, he began his formal education, eventually earning his PhD from Harvard University in 1912—only the second African American to do so, after W. E. B. DuBois. Dr. Woodson's home embodies the values of education and scholarship, and it is deeply rooted in the surrounding Shaw neighborhood. the site is a focal point for local historic preservation in the community, and the neighborhood and streetscape surrounding the home are much the same as when Dr. Woodson resided in the home.

Dr. Woodson's home at the site is where Dr. Woodson lived from 1922 until his death in 1950. He established the home as the headquarters for the Association for the Study of African American Life and History, and his home is associated with major contributions to American society. Public School 103 and 1632 Division Street could expand on other sites associated with Marshall to discuss Marshall's personal history and continuum of

contributions he made to American society, not only through the *Brown v. Board of Education of Topeka* case but also in personally breaking barriers for African Americans.

Mary McLeod Bethune Council House National Historic Site. This unit of the national park service was established to preserve and interpret the life, legacy, and home of Mary McLeod Bethune and her pioneering work in establishing the National Council of Negro Women. The site also preserves and manages the National Archives for Black Women's History, a living repository that allows for the continued interpretation of the history and influence of African American women in America. Mary McLeod Bethune Council House National Historic Site was established by Congress on October 15, 1982, through PL 97-329. This site recognizes Mary McLeod Bethune's accomplishments as a renowned educator, national political leader, and founder of the National Council of Negro Women. The 15th of 17 children of formerly enslaved parents, Bethune grew up amidst the poverty and oppression of the Reconstruction South, yet rose to prominence as an educator, presidential advisor, and political activist. Through her own schooling by missionaries in South Carolina, Bethune recognized the importance of education in the emerging struggle for civil rights.

Similar to the Carter G. Woodson home, the Mary McLeod Bethune Council House was where Mary McLeod Bethune directed the activities that brought her national and international recognition. Public School 103 and 1632 Division Street could expand on other sites associated with breaking barriers for African Americans and the importance of education in the struggle for civil rights.

Sites Protected By Other Entities

The United States Supreme Court. Established by the US Constitution, the Supreme Court began to take shape with the passage of the Judiciary Act of 1789 and has had a rich history since its first assembly in 1790. The Supreme Court building, completed in 1935, is of classical Corinthian architectural style to harmonize with nearby congressional buildings. In 1967, Thurgood Marshall was appointed as the first African American Supreme Court Justice by President Lyndon B. Johnson. Today, portions of the building are open to the public for self-guided tours or educational programs. As an active court, court sessions are also open to the public and courtroom seating is on a first-come, first-served basis.

The US Supreme Court is recognized as significant as a symbol of the ideal of justice in the highest sphere of activity, in maintaining the balance between the nation and the states, and in enforcing the primary demands of individual liberty, as safeguarded by the overriding guarantees of the Constitution. However, P.S. 103 and 1632 Division Street offer a singular interpretive experience in relation to the US Supreme Court that cannot be found anywhere else: the story of a young Black child raised in a segregated neighborhood, attended a segregated school, and whose experiences informed his work to end segregation in education by arguing successfully before the Supreme Court (*Brown v. Board of Education of Topeka*), and eventually becoming the first Black justice to serve on the Supreme Court. In this way, the P.S. 103 elementary school building and the family row house at 1632 Division Street offer a historically unique interpretive lens through which the public can understand the Jim Crow era, the power of the third branch of the federal government, and details of individual Black lives impacted by these national forces.

Howard University. Founded in 1867, Howard University was incorporated by Congress as a multiracial college to educate free men, especially enslaved African Americans who were newly freed by the end of the Civil War. Portions of the campus of Howard University, such as the Andrew Rankin Memorial Chapel (1894), Founders Library (1939), and Frederick Douglass Memorial Hall (1935) are nationally significant as the setting for the institution's role in the legal establishment of racially desegregated public education and for its association with Charles Hamilton Houston and Thurgood Marshall. Howard University provided resources and preparation of the legal strategy conceived by Marshall for the NAACP Legal Defense Fund and Educational Fund, leading to the historic decisions in *Brown v. Board of Education of Topeka* and ending segregation in public education.

While the chapel and the hall were closed to visitors during the study team's site visit in March 2020, the library was open and featured an exhibit that discussed Charles Hamilton Houston, Thurgood Marshall, prominent African American newspapers, and past university presidents. There was not, however, a strong presence discussing the important role that Howard University's staff and facilities played in supporting complex legal preparations for landmark legal cases for desegregating of public education or Thurgood Marshall's leading role. Public School 103 and 1632 Division Street could fill the gap in interpreting this desegregation effort.

Robert Russa Moton High School and Robert Russa Moton Museum. Robert Russa Moton High School was built in 1939 as a public school for Black students in Prince Edward County, Virginia. As early as the 1940s, the school's conditions were becoming problematic. Overcrowding was a major issue, with 450 students occupying a space built for only 180. A walkout led by students Barbara Johns and John Arthur Stokes in 1951 was the impetus for a successful Supreme Court battle that resulted in a decision in favor of integration in *Brown v. Board of Education of Topeka*. In 1993, the building that formerly housed Moton High School was closed, but the school was declared a National Historic Landmark in 1998. The Moton school, located in Farmville, has been turned into a museum commemorating the fight for civil rights in public education and features a permanent exhibit called "The Moton School Story: Children of Courage." The museum also contains Moton High School memorabilia, other relics of the civil rights movement, and oral histories of teachers and students who were part of the walkout. The Moton Museum is a 501(c)(3) organization and is managed by a board of trustees, and the Moton Council is the museum's community engagement board. The museum has a formal partnership with Longwood University to preserve and constructively interpret the history of civil rights in education, specifically as it relates to Prince Edward County, and the leading role its citizens played in America's transition from segregation toward integration.

A segregated school like P.S. 103, the Robert Russa Morton High School represents a portion of the school desegregation effort led by Marshall in the *Brown v. Board of Education of Topeka* case. P.S. 103, however, fills the gap in interpreting the road to *Brown v. Board of Education of Topeka* during the early years of the civil rights movement.

The Reginald F. Lewis Museum of Maryland and African American History and Culture. This site takes a broad perspective of African American history and culture in Maryland. The museum discusses segregation, education, community uplift, and the civil rights movement,

and in particular the NAACP, the *Murray v. Pearson* trial, and Marshall's later victory in *Brown v. Board of Education of Topeka*. Marshall is featured, in context, throughout the museum. Public School 103 could supplement and expand the exhibits and interpretation at this museum and provide visitors with an opportunity to visit a rare surviving school building from the 19th century in Baltimore and a historically segregated school that has retained its integrity of location, design, setting, workmanship, feeling, and association. While Marshall is featured at this museum as well as broader themes of African American community and history, P.S. 103 and 1632 Division Street could supplement the museum's exhibits as tangible resources visitors could experience.

Comparative Analysis and Adequacy of Representation

This section compares the character, quality, quantity, and rarity, combination of resource values, and themes of the historic sites above to those found at the P.S. 103 elementary school building and the family home at 1632 Division Street where Thurgood Marshall's family lived while he attended the school (1914–1921).

Public School 103 and the home at 1632 Division Street possess exceptional historic value for their association with Justice Thurgood Marshall. Despite significant repairs to P.S. 103 after a 2016 fire and modifications made by various owners to the 1632 Division Street row house, both structures retain historical integrity, including their location, design, materials, workmanship and association.

National Park Service sites broadly comparable to P.S. 103 and 1632 Division Street that represent many or all of the themes described above are *Brown v. Board of Education* National Historic Site, Little Rock Central High School National Historic Site, Carter G. Woodson Home National Historic Site, and Mary McLeod Bethune Council House National Historic Site. These sites include schools and residences associated with the struggle for racial integration in education, the civil rights movement, and African American community uplift, but they are not directly related to the life of Thurgood Marshall. Public School 103 and 1632 Division Street are the remaining resources within Baltimore that are most directly related to the life of Thurgood Marshall and where these themes can be best interpreted for the public.

The NPS System Plan identified that the National Park Service does little to address the history of African Americans and the history of education within the existing system. A site within the system or a comparably managed area that compares to the character, quality, quantity and rarity of P.S. 103 and 1632 Division Street with the associations described above does not currently exist. Further, P.S. 103 and the Williams' home contribute to our understanding of the important themes "Peopling Places," "Creating Social Institutions and Movements," "Expressing Cultural Values" and the NHL Theme Studies Racial Desegregation in Public Education in the United States (2000), *Civil Rights in America: A Framework for Identifying Significant Sites* (2008).

While the legacy of Thurgood Marshall is represented and protected in several national park units, there is no national park system or other federal agency entity focused on the unique arc of Marshall's life from youth in a segregated school and neighborhood to leading the legal

team that dismantled the segregated education system and ultimately becoming one of the select few jurists who set legal precedents for the country. Several existing NPS sites and other federal sites interpret events and institutions that Marshall led or of which he was a part; however, Marshall is not the focus of these sites. Therefore, P.S. 103 and the Williams' home are not comparably represented and protected for public enjoyment and would enhance and expand existing resources in the system.

Conclusion: Summary of Suitability Finding

The addition of P.S. 103 and 1632 Division Street to the national park system would substantially add to the National Park Service's ability to tell the story of Thurgood Marshall, African American history, the history of American public school segregation in the Jim Crow era, and court-mandated desegregation. Public School 103 and 1632 Division Street are associated with a period of Marshall's life that influenced his path as a civil rights lawyer and are the surviving school and residence associated with the formative years of Marshall's youth. The sites are suitable as additions to the national park system based on the character, quality, quantity, and rarity of the resources and for their educational and interpretive potential for Thurgood Marshall. This study concludes that Criterion 2 – Suitability is met.

EVALUATION OF FEASIBILITY

An area that is nationally significant and meets suitability criteria must also meet feasibility criteria to qualify as a potential addition to the national park system. To be feasible as a new unit or as an addition to an existing unit of the national park system, an area must be of sufficient size and appropriate configuration to ensure sustainable resource protection and visitor enjoyment (taking into account current and potential impacts) and be capable of efficient administration by the National Park Service at a reasonable cost.

The evaluation of national significance identified two properties as nationally significant under NHL criteria: (1) the P.S. 103 building and surrounding property located at 1315 Division Street and (2) the childhood home of Thurgood Marshall and surrounding property at 1632 Division Street. For an area to be considered feasible as a new unit of the national park system, a variety of factors must be considered. In evaluating feasibility of P.S. 103 and Thurgood Marshall's childhood home, the National Park Service considered the following factors:

- size and boundary configuration
- land ownership and land uses
- existing and potential threats to the resources
- access and public enjoyment potential
- public support and socioeconomic impacts
- costs associated with acquisition, development, and operation

This study does not guarantee the establishment of a unit of the national park system or future funding for any NPS actions. Even if a unit is established, while new NPS units share common elements, each NPS unit requires a distinct organizational structure. The organizational structure may be influenced by the NPS unit's enabling legislation or proclamation, its size, resources, scope and delivery of public programming, and its location. National Park Service units are not considered operational (prepared to welcome visitors, preserve resources, and provide programming and services on a regular basis) until they receive an operating appropriation from Congress, which can take years. Although these factors are considered individually below, the evaluation of the feasibility of establishing a new national park unit takes into account all of the above factors in the context of current NPS management. Evaluation of these factors under criterion 3 must consider if the National Park Service can feasibly manage the proposed new park unit given current agencywide limitations and constraints.

Boundary Configuration, Land Ownership, and Land Use

Boundary Configuration

To fulfill the requirements of this special resource study, both P.S. 103 and 1632 Division Street were analyzed in feasibility to provide a high-level analysis to better understand if the area could be feasible under National Park Service management. Both properties are located in West Baltimore's historic Upton neighborhood and Old West Baltimore National Register Historic District (figure 7). The properties include:

1. The Public School 103 former elementary school building at 1315 Division Street, which is located on a 32,000-square-foot lot on a residential street in West Baltimore's historic Upton neighborhood (Vacants to Value 2019). The analysis of the P.S. 103 property involved a potential NPS presence in one room of the building to reflect the current owner's plans for the building and the building as a whole, as directed in the special resource study legislation.
2. Thurgood Marshall's childhood home at 1632 Division Street, which is on a lot of approximately 1,000 square feet (the boundary dimensions are described as 71 feet by 14 feet [Special Warranty Deed of Assignment 2018]). The Maryland Department of Assessments and Taxation data did not include a lot size, but the legal description states "14 x 66" (Maryland Department of Assessments and Taxation 2022b). At this time, the owner of 1632 Division Street, Thurgood Marshall Heritage LLC, has not indicated an interest in creating a new NPS unit at this property. Therefore, to complete the study methodology, the study team analyzed the feasibility of the 1632 Division Street property using publicly available estimated appraised value of the entire property and study team site visit data. As stated in the national significance analysis, 1632 Division Street is only nationally significant when coupled with P.S. 103 as a district; the two properties are analyzed with P.S. 103 as the main resource, with 1632 Division being a secondary resource if combined with P.S. 103 as a single unit.

The properties are on two separate parcels and are about three city blocks apart or about 0.3 miles from each other. Because of this distance, the current configuration of both properties

is not ideally suited to creating a district of contiguous properties or providing a seamless visitor experience, including group tours, special events, and programming in coordination between the two sites. Additionally, to support NPS park management, operational logistics would need to be considered to bridge the distance between the sites.

Ownership and Land Use

The Upton area of West Baltimore comprises multiple neighborhoods spanning approximately 60 square blocks and bounded by Bloom Street to the north, Madison Avenue to the east, George Street to the south, and North Fremont Avenue to the west in Baltimore City County. The P.S. 103 and 1632 Division Street properties are privately owned by different owners.

Transfer of ownership of P.S. 103 from the City of Baltimore to Beloved Community Services Corporation, an affiliate of Union Baptist Church headed by Reverend Dr. Alvin Hathaway, was finalized in May 2022. The transfer included an agreement for the revitalization of the property to reestablish the school building as a prominent community landmark and activate pride in the local history and civil rights legacy associated with the site. The property owner at P.S. 103 shared plans with the study team that include a vision for honoring the legacy and national significance of Thurgood Marshall and the many other significant African American luminaries with ties to P.S. 103 and the community through numerous tenants who will offer exciting, high-quality educational and cultural programs not currently available in the Upton community. The owner's renovation plans provide the National Park Service with exclusive use of one renovated room with modern infrastructure without historic architectural features on a floor in which all but one other room is similarly renovated. At the time of this study's feasibility evaluation in March 2022, the property was vacant, and the owner had not begun the significant interior demolition of the first floor, excluding one room, and the subsequent renovations planned for the entire building.

The home at 1632 Division Street is owned by Thurgood Marshall Heritage LLC, a 501(c)(3) organization formed in 2019 (IRS 2019). The current building owner has indicated that they do not want a NPS presence at this time. The owners shared that they plan to create a community and heritage space in the future. At the time of this study, these plans have not been finalized.

Both properties are situated in the R-8 Row House Residential Zoning District, which is common for the inner ring of neighborhoods around downtown Baltimore. Continuous row house development along full blocks built to or only modestly set back from the street (zoning code). This zone is intended to accommodate and maintain the traditional form of urban row house development typical of many of the city's inner neighborhoods. The zone would allow for increased pedestrian traffic.

Nonresidential uses are limited and include faith-based and community resource use. The surrounding area of both properties are predominantly privately owned residences. The Robert C. Marshall Park, which is open to the public, is located to the south of the school on Lanvale Street and Division Street, with the Robert C. Marshall Recreation Center adjacent to the park.

The 2026 Upton Master Plan outlines the City of Baltimore's goals to rehabilitate vacant sites and generate economic vitality. This plan lays the framework for revitalizing the community in a sustainable way. The land surrounding the sites is predominately owned by private interests, including residential properties, vacant lands and buildings, public institutions, open space, and commercial businesses (Upton Planning Committee et al. 2016).

The City of Baltimore has two divisions within the Department of Planning that serve the local community. The City Department of Housing and Community Development serves the local community by attracting property investors to meet the housing and neighborhood needs. The department also oversees bids on requests for proposals and qualifications as well as the Vacants to Value program, which worked, coordinated with, and sold P.S. 103 to the current property owner. The city's Commission for Historical and Architectural Preservation oversees local historic districts, landmarks, and local historic preservation tax credit program. The commission works to preserve and revitalize neighborhoods, celebrate city history, and promote historic preservation. Through the work of these two divisions, the City of Baltimore is invested in revitalizing and preserving history within the community. Any new NPS unit established in Baltimore would need to work closely with the City of Baltimore government to ensure compliance with local land use regulations and historic preservation requirements.

Both land parcels are located in areas that would allow for consistency with the NPS regulatory authority 54 USC 100101, which states that "The Secretary, acting through the Director of the National Park Service, shall promote and regulate the use of the National Park System by means and measures that conform to the fundamental purpose of the System units, which purpose is to conserve the scenery, natural and historic objects, and wild life in the System units and to provide for the enjoyment of the scenery, natural and historic objects, and wild life in such manner and by such means as will leave them unimpaired for the enjoyment of future generations."

After analyzing the size, potential park boundary configuration, land ownership, and land use of the area, the National Park Service concludes that a potential park boundary, including both properties, is not ideal due to the two delineated land parcels. The 0.3-mile distance between the two separate land parcels could pose challenges for NPS management and staffing that could be overcome but need to be considered and addressed with additional operational and logistical planning. Visitor movement required between the two sites would require measures to support opportunities for a seamless visitor experience. Although, the owner's plans for P.S. 103 will be a significant and positive contribution to the local community and would honor and interpret the legacy and significance of Thurgood Marshall, they would limit the National Park Service's ability to provide resource protection, visitor enjoyment, and public interpretive programming about Thurgood's early life, which is the focus of the study per the study's authorizing legislation. Since the analysis of 1632 Division Street being included in a hypothetical park unit is dependent on P.S. 103 to reflect the study's national significance finding and because P.S. 103 does not demonstrate an adequate size and configuration to support the establishment of a park unit, 1632 Division Street also would not be considered in this scenario for a potential park boundary.

Threats to the Resource and Degradation

Abandoned and vacant properties are not uncommon in Baltimore and specifically in the Upton neighborhood. Initiatives such as the city's Vacants to Value program advocate to demolish, rehabilitate, or redevelop abandoned and vacant properties into appealing and useable living and workspaces. The Historic Upton Neighborhood 2026 Master Plan identified and rated the condition of buildings within the community for strategic consideration of building demolition, rehabilitation, and redevelopment. The plan noted that 50% of Upton's parcels need no or very minor maintenance and repairs. Thirty-four percent of the parcels needed major repairs and the remaining 16% needed either full renovation or were considered structurally unsound (Upton Planning Committee et al. 2016).

Overall, the demolition in the neighborhood and surrounding area have resulted in the loss of important sites in Baltimore's civil rights history (Dashiell and Shen 2021; McLeod 2018). For example, since publication of the 2026 master plan, a historic property on the national register was demolished—Saint Vincent's Orphan Asylum (1411 Division Street) in 2018. This demolition, however, occurred without the proper permits and sparked an investigation by the city. Moreover, substantial redevelopment in the surrounding neighborhood since 2017 has led the city's implementation of the 2026 master plan to emphasize the historic preservation of building facades to preserve the look and feel of the community and its historic architecture. While future demolition or revitalization could change the historic character of the Old West Baltimore National Historic District (Moore 2021), current plans seek to retain significant streetscapes, houses, churches, institutions, and civic monuments that relate to Baltimore's premier historic African American community and heritage.

Other negative impacts from the high volume of vacant properties have been increased crime, vandalism, and violence in the area. The Upton community has a 59% poverty rate for children, and more than half of the community's households earn less than \$15,000 a year. These issues are a priority for the local city government. The 2026 Upton Master Plan noted moderately high levels of violent and property crime as compared to adjacent neighborhoods (Upton Planning Committee et al. 2016). Visitor and staff safety measures would need to be considered and mitigated if the site was operated as a national park unit or under a NPS partnership model.

P.S. 103

The property is a two-story brick school building constructed in 1877 with regularly spaced window openings and framed at the top and bottom by horizontal features. Though the building suffered a major fire in 2016, the damage and loss were largely limited to the original roof and the second story interior. An evaluation and assessment conducted in 2020 of the P.S. 103 property by the NPS Historic Architecture Conservation and Engineering Center notes that, notwithstanding mitigation of mold growth, the first floor, stairwells, and basement can be stabilized and/or restored.

The exterior of P.S. 103 retains its historic integrity. The exterior of the building retains its original brick and stone and its arched window and door openings. The front entrance to the building has a granite stoop. The incorporation of white marble into exterior ornamentation represents a proud City of Baltimore tradition. As such, it is appropriate and fortunate that

the architectural trim at P.S. 103 survives intact and in fair-to-good condition. The bracketed wood cornice assembly was installed after the 2016 fire and is in good condition.

The interior of the building also retains historic integrity, but it requires major repair and restoration. The front and rear stairwells have wood treads and balustrade railings where the millwork has missing or damaged plaster finishes. Paint and plaster are in poor condition on walls and ceiling surfaces. The main floor and the basement contain building materials with peeling and deteriorated paint finishes, excessive mold growth, plaster damage, and plaster loss and exposed masonry on exterior walls. The entire interior of the second story was gutted following the 2016 fire, leaving the entire floor as one large open space with a newly framed ceiling above. After the fire damage, emergency stabilization occurred in 2017 for new roofing, roof louvers, brickwork, second-floor framing, and new doors and windows on the second floor.

P.S. 103 has been vacant since the 1990s. In the master plan, P.S. 103 was rated as having an F (very poor) building condition and was structurally unsound, hazardous, is not/should not be occupied, and may not hold much possibility for rehabilitation. All buildings rated F in the plan were also vacant. Surrounding P.S. 103 were additional lower-rated (D-F) buildings, making the threat of demolition rather than rehabilitation more prevalent (Upton Planning Committee et al. 2016). Since the master plan's publication, however, P.S. 103 has been stabilized and is not at risk for demolition. However, the properties surrounding the school are still at risk because they remain vacant.

Beloved Community Services Corporation, the current landowner and developer of P.S. 103, is planning on a full renovation of the building to adaptively reuse it for cultural, educational, and community uses that honor the legacy of Justice Thurgood Marshall, George Russell Jr., Jeanne D. Hitchcock, Gary Rodwell, and many other esteemed Maryland natives, community leaders, and residents who are alumni of the school. In early 2022, the mix of potential tenants and partners exploring opportunities at P.S. 103 included the University of Maryland's Judge Alexander Williams Jr. Center for Justice, Ethics, and Education; Johns Hopkins University Billie Holliday Project for Liberation Arts; the University of Maryland Baltimore's "mini-med" school, and the Baltimore/Washington International Thurgood Marshall Airport Summer Youth Initiative, among others. In addition to conceptual plans for flexible spaces for a variety of cultural and educational uses, the plan includes one historic classroom preserved and restored to its original historic schoolroom condition to commemorate local leaders, potentially including, but not limited to, Thurgood Marshall. The plans include reserving one first-floor room on the west side within the newly renovated area to be occupied by the National Park Service. The owner is actively seeking nonprofit and community partners to bring in services, programming, education, and financial support. Construction is set to begin in July 2022 and be completed by summer 2023. At the time of this study, it is uncertain if future renovations planned by the current property owner will meet historic integrity standards and guidelines set by the National Park Service for the purpose of preserving the character of historic properties. In that instance, additional review would be needed to determine if the site continues to meet this study's national significance criterion.

The plans shared by the property owner for the building's renovation show several private interest groups operating in the building and one room proposed by the owner to be set aside for the National Park Service. As noted previously, in early 2022, the building owner was exploring an exciting and diverse mix of potential tenants and partners who might provide educational and cultural programming at P.S. 103. If realized, this mix of tenants would ensure the building hosts organizations with a variety of missions and priorities. A wide mix of activities and tenant programs in the building may limit the National Park Service's input and control over activities that occur in the building, and those activities and programs may be unrelated to the purpose of the NPS park unit. Future tenants and lease agreements are uncertain at this time and create a high level of uncertainty for financial commitments if the National Park Service operates under a potential easement, which could lead to an expectation of an expanded NPS role in building operations, maintenance, or management.

Thurgood Marshall's Childhood Home at 1632 Division Street

This property is a three-story Italianate style row house, typical of many buildings in Upton. The home was built between 1876 and 1885, and its interior was partly renovated in the 1970s. The Maryland Historical Trust prepared an architectural survey of the home in 2011. Though a formal condition assessment of the property was not conducted for this study, the study team observed that 1632 Division Street retains many original materials and structural elements. While many of the interior rooms retain original features and their configuration, the kitchen appears to be the most heavily modified portion of the home. The property has been vacant since the 2010s. In the master plan, the home was rated as having a good (B) rating and needing only minor repairs. The surrounding properties were largely listed as good to fair (B-C). A few structures, however, were also listed as poor and very poor (D-F) (Upton Planning Committee et al. 2016). As the property also remains vacant, vandalism is a threat, as is future demolition of neighboring properties, which would change the character of the historic district. Occupation of P.S. 103 and 1632 Division Street, as well as surrounding vacant buildings, will improve the security of the sites.

The National Park Service concludes that the properties have some current or potential threats to the resources that could impact the significant features of the resources in the future. Some of the potential threats might be mitigated with additional staffing, specifically for security at the property for both visitors and staff; leading tours between the two properties; or other site coordination activities. Neither property is at risk of demolition. At the time the study was completed, the owner of P.S. 103 was in the process of securing tenants for the building and renovations were still in the planning phase.

Access and Public Enjoyment Potential

Access

Both properties are located in Baltimore, Maryland (population approximately 610,000 in 2019), within an urban residential area approximately 1.5 miles from downtown Baltimore, where several shops and restaurants are present. Commercial businesses within the community are concentrated along a two-block stretch of Pennsylvania Avenue center on Upton Station at Laurens Street. Pennsylvania Avenue is approximately a quarter mile away

from 1632 Division Street. Key community assets in the area include places of worship, a park, and privately owned businesses.

The closest major airport, approximately 12 miles away, is the Baltimore/Washington International Thurgood Marshall Airport. The airport is centrally located approximately 40 miles from Washington DC and approximately 100 miles from Philadelphia, Pennsylvania. Visitors can access the site by private vehicle or public transportation. Interstate 83 is to the north and Interstate 95 is to the south. Public transportation is available via light rail from the airport and via regional trains from Washington DC and Philadelphia to the Upton/Avenue Market Metro Subway Link station and other accessible bus routes. Baltimore is easily navigated by pedestrians with city-maintained sidewalks and crosswalks.

While neither property is open for visitors, on-street parking is available for personal vehicles. Additional parking may be possible through agreements with nearby faith institutions, parks and recreation centers, and businesses. The property owner at P.S. 103 has plans to convert unused surrounding land on the parcel to accessible parking. In addition, nearby vacant areas could potentially be converted to public parking. Both properties are within proximity to regional and local public transit.

Public Enjoyment Potential

The community has additional nearby visitor attractions highlighting the civil rights movement. These attractions currently offer visitor opportunities such as self-guided and guided tours along the Baltimore National Heritage Area's "Pennsylvania Avenue Heritage Trail" walking tour, which explores Baltimore's civil rights legacy and residential and church architecture, including several historic churches (Union Baptist, Sharp Street Memorial, Bethel A.M.E., Douglas Memorial, and Saint Peter Claver). The tour also includes the former home (now museum) of civil rights leader of Lillie Carroll Jackson (Lillie Carroll Jackson Civil Rights Museum). Colorful storyboard panels help guide visitors and provide some background on the people who lived and worked in the neighborhood. The historic neighborhood has additional potential attractions, should other historic properties be rehabilitated. One example is the future return of *The Afro-American Newspapers* to the neighborhood.

A newly dedicated arts and entertainment district along Pennsylvania Avenue and national grants funding are helping to revitalize the district by encouraging economic development centered around the arts. Potential plans include a new Cab Calloway museum in two buildings Calloway's family bequeathed to the Arch Social Club and a project that would honor Black women's history or the Negro League at the old Lenox Theatre and Sphinx Club buildings (Baltimore National Heritage Area 2018a, 2018b; Moore 2021).

Baltimore Heritage Open Tours offers a walk around the Upton neighborhood that focuses on the history of West Baltimore. Public School 103 is on the list of about 10 stops on the tour, which stops in front of the school, and a tour guide offers interpretation of his time attending the school. Local businesses also offer bicycle tours around the Upton neighborhood, including the school, highlighting Thurgood Marshall (Otander 2012).

Public School 103 and 1632 Division Street do not currently offer visitor opportunities to the public. A visitor may observe an exterior view of both properties from the public street but are not allowed inside. The P.S. 103 property at 1315 Division Street has a faded and damaged interpretive sign that identifies the property as Thurgood Marshall's elementary school and the Henry Highland Garnett Community Center.

At 1632 Division Street, a small interpretive plaque is mounted on the exterior façade, identifying the property as Thurgood Marshall's childhood home. If the owner at some point offers public access to the building's interior, NPS interpretation would be limited to the exterior of the building within the public right of way of the city sidewalk area. Potential impacts of NPS interpretative activities on the neighbors, who are private residents, would need to be considered and addressed in program planning.

There is public and community interest in having P.S. 103 serve as a legacy to Thurgood Marshall. The current owner of P.S. 103 has expressed interest in an NPS presence in the building and plans to offer a public venue for the local community. Full interpretation would need to be developed for P.S.103 under a potential NPS designation, but there is the possibility to interpret the life and legacy of Thurgood Marshall and how his upbringing and elementary education provided the foundation for his later monumental accomplishments. The current property owner for P.S. 103 expressed interest in having the National Park Service operate in the newly renovated first-floor room to interpret Thurgood Marshall's significant accomplishments. As previously stated, the room for NPS use will be one renovated room with modern infrastructure but free of historic architectural features, which could pose difficulty in the interpretation of Thurgood Marshall's time at P.S. 103.

The National Park Service concludes there are sufficient opportunities within the study boundary and the surrounding area for public enjoyment potential, but that these opportunities are very limited. Both sites are located in an urban area that provide appropriate access and access to visitor services, including nearby food and beverage options. The property owner at P.S. 103 has indicated that additional parking and restrooms would be part of the planned renovations to be used for visitor services. However, an analysis of the two study sites suggests that the National Park Service could face challenges providing interpretation and opportunities for a positive visitor experience at P.S. 103. Details about potential new or public uses at 1632 Division Street are unknown; thus, when the study was completed, the expectation was that NPS interpretation would be limited to the exterior of the building within the public right of way.

Public Support

The owner of P.S. 103 has clearly stated their desire to maintain ownership of the property while expressing a desire for an NPS presence within the building's lower-level classroom to interpret the significance of the building and the legacy of Thurgood Marshall. The property owner at 1632 Division Street has not indicated interest in transferring property ownership and management to the National Park Service.

The study team conducted civic engagement to inform the special resource study and assess public support for establishing a national park unit in Baltimore, Maryland. The study team met with Upton Planning Committee representatives on several occasions to discuss this

study and seek their feedback. The civic engagement process allowed the team to inform the public about the special resource study process and gauge community support for a potential new national park service unit.

Overall, the online meetings were well attended by members of the local community and supporters and friends of Thurgood Marshall from across the country. During the 60-day public comment period, every comment remarking on a potential designation expressed support for the designation of P.S. 103 as a national park unit; the team received no written comments opposing a potential designation. Members of the public who participated in the two virtual public meetings in April 2021 and submitted written comments April through May 2021 showed great support for carrying on Thurgood Marshall's legacy within the community. Several comments specifically recommended naming the P.S. 103 building after Thurgood Marshall. Several comments were also in favor of preserving the school as a landmark for passing on Marshall's legacy nationally, especially for young visitors, and carrying the legacy forward for future generations. Some commenters noted the importance of preserving the building to save it from future demolition.

During public outreach, all 239 correspondences submitted through the project's page on the NPS Planning, Environment and Public Comment (PEPC) website expressed support for the designation of P.S. 103 as a unit of the national park system. Correspondences included support for including on 1632 Division Street as a new unit of the national park system. One correspondence, submitted via email to the study team, expressed concern that the City of Baltimore and the State of Maryland were allowing the demolition of structures in Upton and West Baltimore, which was destroying the neighborhood's historic character and identity and harming the residents, who have been historically mistreated by the government. The study team heard similar concerns verbally from local residents and community leaders; however, these concerns were not submitted in writing. While the team received no correspondence opposing a potential designation, one of the concerns included losing an equity stake in the community if a new unit of the national park system were to be established. Local residents were also concerned about outsiders coming into their community, and residents noted that their top priorities for Upton consisted of decreasing crime rates and increasing economic development.

Although public support for establishing a national park unit at P.S. 103 has generally been positive, the NPS study team heard some trepidation about NPS ownership of P.S. 103, and local ownership is the community's preference for this property. Verbal comments shared by Upton residents with the study team on several occasions in 2020 and 2021 indicated local concern that P.S. 103 remain in local ownership and the "community not lose an equity stake" in this valued community resource. While not expressing negativity about the National Park Service as a whole, these commenters were supportive of a local entity owning the P.S. 103 building rather than a federal agency. In July 2021, neighbors of 1632 Division Street verbally shared concerns with the study team that it was unclear how establishing a new park unit would benefit neighbors. They wondered if a new national park would benefit people from outside the neighborhood more than local residents.

The owner of P.S. 103, Beloved Community Services Corporation, has expressed support for a partnership of some kind with the National Park Service. The Beloved Community Services

Corporation has been a strong advocate for the preservation of P.S. 103 and the community-based benefits its renovation of the property would provide. The owners have also included a limited NPS presence in their renovation designs and have shared those designs with the NPS study team during the course of this special resource study. Finally, the Beloved Community Services Corporation has been transparent with the public in the renovation designs for P.S. 103, including conversations with the National Park Service (*The Baltimore Sun* 2022; Kelly 2022; Ashwell 2022).

At the time the study was completed in spring 2022, the owner of 1632 Division Street sent an email to the study team expressing their future intent for the building, which said, “Our intent is to create a space that will honor the legacy of Thurgood Marshall and spark economic development in West Baltimore. Although plans have not been finalized, we hope the project will include community and heritage space.

Civic engagement for this study has demonstrated overall support for a potential designation, although of a limited nature. While the owner’s renovations plans provide a positive and exciting approach to honoring the legacy and significance of Thurgood Marshall, they would limit the National Park Service’s ability to provide resource protection, visitor enjoyment, and public interpretative programming about Thurgood’s early life, which is the focus of the study per the study’s authorizing legislation. The property owner at 1632 Division Street has not demonstrated support for a potential designation. Neither property owner is supportive of full NPS ownership and management. This analysis concludes that although there is public support for a NPS unit at P.S. 103, in general, there is not adequate support from the local community and property owners for NPS park unit designation.

Economic and Socioeconomic Impacts

The economic benefits of national parks are well established, as the National Park Service preserves unique resources for the enjoyment of future generations. Nationwide, visitors to NPS lands purchase goods and services in local gateway regions, and these expenditures generate and support economic activity within those local economies. Such visitor spending is far-reaching, directly affecting sectors such as lodging, restaurants, retail, recreation industries, and transportation. The 2020 *NPS Visitor Spending Effects Report* analyzes and presents an estimated amount of annual dollars that visitors spend in gateway economies across the country. The model uses information from visitor survey data, visitation data, and regional economic multipliers to generate estimates for visitor spending and economic contributions. The report showed that park visitors spent an estimated \$14.5 billion in local gateway regions while visiting NPS lands in 2020. These expenditures supported an estimated 234,000 jobs, \$9.7 billion in labor income, and \$28.6 billion in economic output to the national economy (NPS 2020).

In 2020, the State of Maryland welcomed a total of 5.9 million park visitors to their national parks, which resulted in an estimate \$188 million spent in local gateway regions. These expenditures supported a total of 2,370 jobs, \$94.2 million in labor income, and \$253 million in economic output in the Maryland economy.

At present, the socioeconomic impact of a new unit of the national park system on the local area is uncertain but is projected to be modest. Social and economic impacts of NPS unit designation would vary, depending on the size and scope of the new park, management approach, staffing levels, and especially visitation. Any impacts would accumulate over time as a new unit becomes better established within the national park system. Socioeconomic impacts correlate directly with the number of visitors to a site.

To determine the estimated visitation of P.S. 103 under NPS management, visitation statistics were analyzed for three established NPS reference sites that shared similarities in geographic proximity or resource type: Carter G. Woodson Home National Historic Site, Mary McLeod Bethune Council House National Historic Site, and Thaddeus Kosciuszko National Memorial. Because the sites were closed during the COVID-19 pandemic, visitation numbers are not analyzed for 2020 and 2021 but by using 2017–2019 data. How many visitors will be attracted to the building is uncertain and is dependent on the services provided by the potential tenants.

The Carter G. Woodson Home National Historic Site is a new unit and has been collecting visitation since 2017. From 2017 to 2019, the unit within the District of Columbia received on average 2,000 visitors annually (NPS 2022c). Over the most recent 10-year period (2010–2019), Thaddeus Kosciuszko National Memorial in Pennsylvania reported on average 2,000 visitors annually (NPS 2022c). Over the most recent 10-year period, the Mary McLeod Bethune Council House National Historic Site in the District of Columbia reported on average 7,800 visitors annually (NPS 2022c). Based on the visitation at these three units, the location in West Baltimore, and the additional tourism opportunities in the area, visitation at P.S. 103 could range from 2,000 to 8,000 visitors annually.

At present, the socioeconomic impact of a new unit of the national park system on the local area is uncertain but is projected to be modest. Social and economic impacts of an NPS unit designation would vary, depending on the size and scope of the new park, management approach, staffing levels, and especially visitation. Any impacts would accumulate over time as a new unit became better established within the national park system. Socioeconomic impacts correlate directly with the number of visitors to a site. Designation of a new unit would likely result in some increased spending in local restaurants, hotels, and retail establishments, and these purchases would generate tax revenues. The economic impact of this visitor spending in a large city such as Baltimore would not be dramatic and probably be unnoticed.

Typically, the establishment of a new NPS unit would also involve the construction of some new visitor and administrative facilities. These construction activities would provide a modest and temporary economic benefit in the form of worker spending or local jobs. A new park would also require staff to operate facilities and care for the grounds. Presumably, some employees could be sourced from the local area, though job creation would likely be minimal, particularly when compared to larger units of the national park system.

While the impact on the local economy is uncertain, socioeconomic factors would not preclude the designation of a new unit of the national park system. Designation is not expected to result in negative economic impacts, as minimal land and other resources would

be diverted from their existing uses to establish the site as a national park unit. The site would likely generate a minimal economic benefit in accommodations, food services, and retail trade used by site visitors. The overall socioeconomic impact of designation to nearby communities would likely be slight.

Costs and Budgetary Feasibility

Since the National Park Service has a legislated mandate to conserve resources unimpaired for public enjoyment, the park units it manages would presumably continue indefinitely into the future. However, designation of a new unit of national park system does not automatically guarantee that funding or staffing to administer that new unit would be appropriated by Congress. Any newly designated national park unit would have to compete with the more than 400 existing park units for limited funding and resources within a current fiscally constrained environment. Study areas that may be nationally significant, suitable, and technically feasible for designation as a new park unit may not be feasible in light of current budget constraints, competing needs across the entire agency, and the existing NPS deferred maintenance backlog.

In a special resource study, analysis of feasibility provides an initial opportunity to understand the magnitude of costs required for acquiring park lands and establishing park operations. The full costs to acquire and sustain the site as a unit of the national park system are not known at present and would be affected by the level of visitation, requirements for resource preservation, and the desired level of facility development. Projects that would be both technically possible and desirable to accomplish for the new park may not be feasible in light of current budgetary constraints noted above. While the estimated costs of acquisition, development, and operations associated with the site would be modest in comparison to larger units of the national park system, any new expenditures would need to be carefully weighed in the context of the agency's existing maintenance backlog and other fiscal constraints and in terms of potential future visitation.

Acquisition Costs

Any future land acquisitions would need to consider larger agencywide and regional priorities for purchasing new park lands. The establishment of a new national park unit by Congress does not guarantee funding or the purchase of lands, and any improvements would require further cost analysis and planning. National Park Service acquisition of privately owned properties would only occur through donation or a willing seller for the appraised fair market value. Costs for land acquisition include the property boundary, which includes estimates for both P.S. 103 and 1632 Division Street. In addition to the purchase cost, the National Park Service would incur expenses from conducting full title searches/insurance, completing hazardous material surveys, real estate appraisals, and preparing a legislative map of the property. Assuming both properties and adjoining land are purchased rather than donated, the acquisition costs would be approximately \$400,400 shown in table 1 below. This estimate is based on the publicly available estimated costs in the Maryland Department of Assessments and Taxation Real Property database.

Table 1. Acquisition Cost Estimates by Parcel

Parcel	Estimated Acquisition Costs
1632 Division Street	\$70,200 (1/1/2020)
P.S. 103	\$330,200 (1/1/2017)
Total	\$400,400

Source: State of Maryland Department of Assessments and Taxation

If a partnership model is pursued in which the National Park Service operates under an easement, these costs would decrease with shared cost between the landowner and the National Park Service. The current landowner of P.S. 103 expressed interest in the National Park Service to serve as a partner to hold a potential easement in the building. In a scenario in which the National Park Service occupies a single room in the building, full acquisition would not be pursued, limited staffing would be required and expenses for security and building operation, and maintenance would be shared.

The current landowner of 1632 Division Street does not have interest in a National Park Service presence at this time. Therefore, development, operating, and facility ownership costs are not evaluated for 1632 Division Street.

Development Costs (Initial Construction Costs)

Development or initial construction costs of additions to the national park system vary widely, depending on the existing and desired conditions of the facilities. New national park units and additions frequently require investment of time and money to inventory and document resources in the unit, develop management or treatment plans for those resources, develop educational and interpretive materials, and develop and improve facilities for visitors and park operations, including facilities that would meet legislative requirements for accessibility. In their current state, both properties require substantial rehabilitation to operate as a potential unit of the national park system.

Public School 103 is not currently accessible for visitors with limited mobility; however, the current landowner plans to develop an accessible entrance into the building as part of future renovations. The front entrance includes the original granite stoop with six stairs. A side entrance is at ground level with no stairs on the right (south) side of the building (from the front), which leads to the front stairwell. The rear entrance includes a doorway with a small concrete slab and one step from ground level to the interior of the building. At the time of this study, development costs for accessibility would be likely addressed by the current landowner in future development plans, which will include public access.

1632 Division Street is not currently accessible for visitors with limited mobility. The front entrance includes the original marble stoop with five stairs. The rear entrance includes six concrete stairs that lead to a small porch. As the front entrance stairs represent a character-defining feature, modifications to improve access for visitors with limited mobility may be best undertaken at the rear stairs, or access could be provided through an adjacent building. Development costs for accessibility of this property were not further estimated.

Public School 103 and 1632 Division Street are not currently open to visitors, nor do they have any active interpretation. If a new park unit was established for P.S. 103, interpretation

and education materials would need to be developed, including wayside exhibits and new signage in both the interior and exterior for interpretation. The property owner's future renovation plans include an NPS presence in one classroom within the building, which would result in limited interpretation. As a potential park unit, programming and tours would not go beyond the designated classroom.

Under a potential easement agreement in which the National Park Service operated in one room, the National Park Service may agree to support funding for shared items such as building security system, fire detection, and fire suppression. One-time facility improvement costs include signage for both interior and exterior, waysides, development of interpretive programming, furniture, and phone system for the designated space within the building, which are estimated to be approximately \$500,000. If unforeseen circumstances arose and the National Park Service was asked to have full ownership and stake in the property, the one-time development costs to restore the building and retain its historic integrity would be a multimillion-dollar undertaking due to the historic integrity and the current condition of the building. The current property owner's one-time development costs for P.S. 103 are estimated at \$12.5 million (Kelly 2022). The current property owner is making progress on securing funding to begin work toward its renovation plans. For these reasons, the study team did not further estimate potential costs for full restoration or rehabilitation of the site as an NPS-owned park unit. In addition, the property would also be considered infeasible under NPS management due to the high cost associated with one-time development within P.S. 103.

Operating Costs

Operating costs vary widely among units of the national park system, depending on the types and quantities of resources managed, the number of visitors, the level of programs offered, safety and security issues, and many other factors. Full NPS ownership of either property would dramatically increase operation costs. As stated above, the property owner has full plans for securing funding for rehabilitation and operating costs into the future. For these reasons, operating costs were estimated under the scenario in which the National Park Service occupies a single room within the building. At a minimum, if the National Park Service only had a one-room presence in P.S. 103, the operating costs would include responsibilities for operation and maintenance and shared utilities outlined in a future easement between the owner and the National Park Service. Staffing arrangements would vary based on acquisition of the entire property or an easement.

In this scenario, the National Park Service would be responsible for communications, staffing personnel, and other miscellaneous expenses. Personnel would be required to design and deliver programming (e.g., personal interpretation, exhibits, special events), maintain facilities and grounds, perform administrative functions (budget, management, planning and compliance), provide law enforcement, and conduct outreach to the community and schools. Under the management model of the National Park Service operating in one room within the building, the estimated operating costs range from \$100,000 to \$300,000, based on data from similar park units. The details of a potential easement agreement and NPS financial responsibilities are uncertain at this time.

As stated above, if the current management model changes from one room to the entire building in the future due to unforeseen circumstances, the annual operating costs for the National Park Service would increase beyond the \$100,000 to \$300,000 range to include operation, maintenance, and life cycle costs of the building. Factoring in these costs would yield an estimated range from \$334,000 to \$634,000 annually for operation and maintenance, based on current park units managing similar types of buildings.

Partnerships

As mentioned above, the current property owner of P.S. 103 expressed interest in a potential easement in which operation costs would be shared among tenants. The future management structure of the entire building is still in development but could be complex and largely dependent on the legal and financial obligations of partners and tenants in the building. The current plans do not include NPS control and tenancy of the whole property, although some arrangement for either time-limited or perpetual use of one room was described by the owner in December 2021, in which the National Park Service would have limited input and control over activities in the building occurring outside of the designated room. As a tenant in perpetuity, the National Park Service would have to work to ensure continued visitor access to the site if the building management model changed with several partners and tenants. If the management structure changes in the future, requiring new or increased financial commitment to the building owner, the NPS unit at P.S. 103 would have to compete with other park units for additional funding.

The National Park Service concludes that the estimated costs of acquisition, development, and operations would be modest in comparison to larger units of the national park system if the service only operated under an easement in one room of P.S. 103. In a different scenario in which the National Park Service has a larger operational or ownership obligation at P.S. 103, costs would significantly increase to preserve resources and provide a positive visitor experience. If that choice is taken, a more in-depth analysis would need to be completed. Any new expenditures would need to be carefully weighed in the context of the agency's existing maintenance backlog and other fiscal constraints and in terms of potential future visitation.

Conclusion: Summary of Feasibility Analysis

The study area meets some but not all of the factors considered under the analysis of feasibility. The plans shared with the study team include a vision for honoring the legacy and national significance of Thurgood Marshall and the many other significant African American luminaries with ties to P.S. 103 and the community through numerous tenants who will offer exciting, high-quality educational and cultural programs not currently available in the Upton community. The owner's renovation plans provide the National Park Service with exclusive use of one renovated room with modern infrastructure but free from historic architectural features. The rest of the building will be similarly renovated except for one other room planned for historical interpretation but not for NPS use. The National Park Service may have limited input and control over activities in the building occurring outside of the designated room and which may be unrelated to the purpose of the NPS park unit. The combination of both properties at different locations is not ideal due to the two delineated land parcels. The 0.3-mile distance between the two separate land parcels could pose

challenges for NPS management and staffing that could be overcome but need to be considered to ensure sustainable resource protection and visitor enjoyment, since the properties are not adjacent to one another. At the time the study was completed, the owner of 1632 was still considering future potential uses for the building without an expressed desire for an NPS presence. Current land ownership patterns and economic and socioeconomic impacts do not appear to preclude the study area from potentially becoming a new unit of the national park system.

The current landowner of P.S. 103 supports a National Park Service presence within the building but not a full NPS ownership of the entire building. Written comments from the public showed support for inclusion of the study area within the national park system. At the time of the study, the resources were not threatened by demolition; however, given the owner's plans for the National Park Service to operate in a renovated room with modern infrastructure but free of historic architectural features, it would be difficult for the National Park Service to establish a new park unit and manage it into perpetuity. For these reasons, the special resource study concludes that P.S. 103 is considered infeasible for inclusion in the national park system. As stated in the national significance analysis, 1632 Division Street is only nationally significant when coupled with P.S. 103 as a discontinuous historic district. Since P.S. 103 is considered infeasible, 1632 Division Street is also considered infeasible because it does not meet SRS criterion 1 as an individual property. In addition, there is not adequate support from the property owner for establishing an NPS unit at the property.

As evidenced by the National Park Service's current repair backlog, the agency has greater demands for cyclic and recurring maintenance than the funding that is currently available. The addition of either P.S. 103 or 1632 Division Street would likely further dilute these funds. Therefore, the feasibility of the National Park Service serving as the sole entity managing the site is dependent on NPS fund source managers' ability to prioritize cyclic and recurring maintenance projects to meet the requirements within this potential new unit. Further, at this time, the details and potential costs and obligations associated with acquisition, potential development, and operations at P.S. 103 through an easement are unknown. Under the current plans of the property owner, the National Park Service would not be required to develop substantial new infrastructure to operate through an easement as a national park unit. Annual funding would be utilized to support recurring maintenance of the properties as well as staff personnel.

Under the current management model in which the National Park Service would enter into an easement for one room within the building, the study team concludes it is infeasible to have an NPS presence in the building because there would not be adequate space to interpret the significance of the site and it is uncertain if the room and the entire building will retain historic integrity following renovations. In the scenario in which the current landowner's plan unexpectedly changes and current plans do not proceed, P.S. 103 would still be infeasible under NPS management due to the high cost of restoration and development, as well as the high cost of building operation and maintenance that would be required to preserve the historic resources and safely welcome visitors into the future. However, if that management model changes in the future, the feasibility of the entire building would need to be further examined. The study team did not include the entire building at this time due to

planned renovations by the building owner. A high level of uncertainty exists about potential NPS financial and operational obligations at P.S. 103 because the tenancy model for the building's management and operations is still under development. Taking these factors into consideration, the special resource study concludes that P.S. 103 and 1632 Division Street, individually or combined as one park unit, are not feasible for inclusion in the national park system. This study concludes that Criteria 3 – Feasibility is not met.

Completion and transmittal of the study does not guarantee establishment of a unit of the national park system or future funding for any NPS actions at either site. Even if a unit is established, while new NPS units share common elements, each NPS unit requires a distinct organizational structure. The organizational structure may be influenced by the NPS unit's enabling legislation or proclamation, its size, resources, scope and delivery of public programming, and its location. National Park Service units are not considered operational (prepared to welcome visitors, preserve resources, and provide programming and services on a regular basis) until they receive an operating appropriation from Congress, for which there is no set timeline.

SUMMARY OF FINDINGS

The Thurgood Marshall School Special Resource Study finds that P.S. 103 and the home at 1632 Division Street do not meet all four criteria to be considered for inclusion in the national park system. Although the study area meets criterion 1 (national significance) and criterion 2 (suitability), the study concludes that P.S. 103 and 1632 Division Street do not meet criterion 3 (feasibility); therefore, the sites were not further analyzed against criterion 4 (need for direct NPS management). The owners of P.S. 103 and 1632 Division Street are currently providing resource protection and each have their own plans for the buildings into the future, including a variety of programs to support community revitalization in West Baltimore. Additionally, both property owners are demonstrating positive work in the local community in support of preserving the legacy of Thurgood Marshall, and their vision for resource protection and visitor enjoyment is much broader than what can be provided by the National Park Service.

The National Park Service applauds the positive work being done by both property owners in support of the local community revitalization. At the time of this study, the property owner of P.S. 103 was working to rehabilitate and renovate the property to reestablish it as a prominent community landmark and activate the civil rights legacy of the site, though no work on the building had yet begun. The plans shared with the study team include a vision for honoring the legacy and national significance of Thurgood Marshall and the many other significant African American luminaries with ties to P.S. 103 and the community through numerous tenants who will offer exciting, high-quality educational and cultural programs not currently available in the Upton community. The intention is to transform the vacant school building into a positive force for the West Baltimore community through a wide variety of activities in the building. While the owner's renovation plans provide a positive and exciting approach to honoring the legacy and significance of Thurgood Marshall, they would limit the National Park Service's ability to provide resource protection, visitor enjoyment, and public

interpretative programming about Thurgood's early life, which is the focus of the study per the study's authorizing legislation.

This study finds that P.S. 103 and 1632 Division Street are historically significant for their associations with Thurgood Marshall. Despite suffering a devastating fire, P.S. 103 is the only surviving racially segregated school that Marshall attended in his early life (first through eighth grade). The home at 1632 Division Street is the only surviving residence that is closely associated with the formative period of Thurgood Marshall's young life near P.S. 103. Both properties are already eligible to apply to receive NPS technical support through the National Heritage Area Program.

OPPORTUNITIES FOR PRESERVATION

The National Park Service recognizes that despite the negative study findings, there is strong public support and a potential opportunity for enhancing the interpretation and preservation of P.S. 103 and 1632 Division Street and many of the related resources evaluated in this study.

Beloved Community Services Corporation is a 501(c)(3) nonprofit organization, founded in 2008, with the purpose of serving the Baltimore community by offering resources that transform lives. The corporation was created to serve the educational, health, and social service needs of underserved persons in Baltimore. The corporation's areas of services and programs are in education, job placement, food distribution, emergency funds, urban economic and commercial development, business incubation, and community development. The group is led by Executive Director Rev. Dr. Alvin C. Hathaway Sr., and the board consists of seasoned leaders in the areas of business, development, finance, and law. The Beloved Community Services Corporation's mission is to provide the tools necessary to bridge the knowledge, economic, educational, digital, and political gap that causes many of the social issues that plague Baltimore (Beloved Community Services Corporation 2022a).

With support and partial funding from center tenants and partners, Beloved Community Services Corporation is anticipated to protect and maintain P.S. 103 as a rehabilitated historic property with the goals of reestablishing a prominent community landmark, activating the civil rights legacy of the site, accommodating other uses, and providing education (Hathaway 2022). As discussed elsewhere, Beloved Community Services Corporation has anticipated an NPS partnership for financial investment, resource protection, and opportunities for visitor enjoyment, but their vision for resource protection and visitor enjoyment is not defined in the same way as the national park system defines them. Based on renovation and operation plans shared with the study team, Beloved Community Services Corporation's visitor enjoyment (interpretation and education) would be limited to one room within the building, and the integrity of P.S. 103 would be significantly altered. As there are not as many details available for the independent development plans for 1632 Division Street, an assessment of the existing management is limited. The property owners have thus far been successful in maintaining the properties with little intervention, and future plans suggest that maintenance will improve.

Because both sites meet the SRS national significance and suitability criteria, they might qualify for recognition as an NPS affiliated area. Public School 103 might qualify,

independent of 1632 Division Street, following the national significance and suitability findings. Affiliated area status has the potential to provide a higher level of NPS support and the possibility of federal funding, depending on the formal agreements developed between the National Park Service, current property owners, and other supporting entities. Such a designation would recognize the national significance of the school and home and could provide a venue for continued NPS engagement and support in the long-term stewardship of the sites.

Other opportunities for the owners of P.S. 103 and 1632 Division Street include continued involvement with the Baltimore National Heritage Area, since the National Heritage Area Program can identify opportunities for technical assistance and grant funding through coordinating entities. Opportunities also exist for the sites to participate in the African American Civil Rights Grants Program, funded by the Historic Preservation Fund and administered by the National Park Service. This resource may be appropriate for additional support to P.S. 103 and 1632 Division Street, at the owners' discretion. The owners of P.S. 103 and 1632 Division Street could consider applying for inclusion in the African American Civil Rights Network, which encompasses properties, facilities, and interpretive programs that present a comprehensive narrative of the people, places, and events associated with the African American civil rights movement in the United States. As of the network's last listing update in May 2020, there are no network sites in Maryland. Perhaps future opportunities may fill in this gap in representation (NPS 2020). Public School 103 and 1632 Division Street may also qualify for grant opportunities from the NPS Underrepresented Community Grant Program, which provides funding to support the identification, planning, and development of nominations for designation of National Historic Landmarks to increase representation of Black, Indigenous, and communities of color (NPS 2022b).

CHAPTER 4: PUBLIC OUTREACH

OVERVIEW OF PUBLIC OUTREACH

The National Parks Omnibus Management Act of 1998 requires that each special resource study “shall be prepared with appropriate opportunity for public involvement, including at least one public meeting in the vicinity of the study, and after reasonable efforts to notify potential affected landowners and State and local governments.” The National Park Service made a diligent effort to engage interested and affected individuals, groups, and agencies during the preparation of this study, but was not able to hold an in-person public meeting in the vicinity of the site due to the COVID-19 pandemic. National Park Service personnel, in partnership with the Upton Planning Committee and other organizations, planned and conducted virtual public outreach aimed at sharing information about the special resource study process and collecting information that would inform the findings of the study. The National Park Service solicited public input on a variety of topics, including current management of the study area and ideas for future resource protection and visitor enjoyment. This outreach also helped the National Park Service assess the level of local support for adding P.S. 103 and 1632 Division Street to the national park system. Public outreach efforts conducted as part of this study are described below.

NOTIFYING THE PUBLIC

In 2019, the National Park Service initiated the special resource study of P.S. 103, the public school which Thurgood Marshall attended as a youth in West Baltimore, as authorized in accordance with the John D. Dingell, Jr. Conservation, Management, and Recreation Act of 2019. In the initial steps of the study, the NPS study team conducted extensive research, including targeted stakeholder consultation, to document the history of the study area.

Civic engagement began in October 2019 when the property owner at the time, the City of Baltimore, arranged the study team’s first tour of the P.S. 103 building in late November 2019. At the same time, the study team worked closely with the Baltimore National Heritage Area to identify community stakeholders and review the heritage area’s extensive files from the partially NPS-funded “Mayor’s Commission on Former P.S. 103” (2007–2010 and later). In early March 2020, the study team provided an in-person briefing to City of Baltimore Department of Housing and Community Development followed by the second tour of the P.S. 103 property arranged by the city. During both site tours, the study team encountered neighbors in Upton and made contact with local schools and several local churches.

In preparation for the public comment phase, in November 2020, the study team contacted the City of Baltimore and the Upton Planning Committee, Inc., a key stakeholder representing many resident perspectives in the neighborhood surrounding the P.S. 103 property. The Upton Planning Committee includes representation from the smaller neighborhoods that comprise Upton and was founded over 40 years ago by Upton citizens with a purpose of trying to halt and reverse the decline in quality of life. The committee works closely with city government, elected officials, developers, and organizations on a

variety of initiatives. In March 2021, the study team provided a virtual briefing to the Upton Planning Committee board about the study and the upcoming 60-day public comment phase.

Because of COVID-19-related travel restrictions, which began just after the March 2020 site visit to P.S. 103, the study team carefully considered ways to conduct inclusive and equitable public outreach in a “virtual” environment during the study’s required public comment phase. This type of outreach was particularly important because the people most likely to be affected by a potential new national park unit at or near P.S. 103 are Upton residents.

Generally, Upton residents experience lower access to the range of digital tools that all-virtual meeting platforms rely upon. To ensure that the Upton community was made aware of the study and the upcoming 60-day public comment phase starting April 1, the study team mailed hardcopy packets of public outreach materials to all Upton neighborhood households (over 1,800 households) using the City of Baltimore’s neighborhood boundaries and relying in part on the Upton Planning Committee’s mailing list, which was graciously shared. The packets included a cover letter inviting public involvement, a four-page project newsletter describing the study and ways to be involved, and a self-addressed comment card.

Unfortunately, well-publicized US Postal Service delays in the early months of the pandemic caused the mailings to be delayed well beyond the comment phase, which ended on June 1. When this challenge was identified, the study team worked closely with the Upton Planning Committee to host a second virtual meeting with a dial-in audio line and extend the public comment phase just for Upton residents. The NPS study team continued its communication with the Upton Planning Committee throughout the following year.

The official public comment period opened on April 1, 2021, and closed June 1, 2021. During the public comment period, the National Park Service solicited feedback from the public through a public scoping newsletter (virtual and hardcopy), comment cards, and the Planning, Environment and Public Comment (PEPC) website; two public virtual meetings with an audio-only phone number; and a press release to local and regional media.

As a result of the COVID-19 pandemic beginning in March 2020, which precluded in-person meetings for 2020 and much of 2021, the NPS study team held two public virtual meetings with audio-only phone lines to ensure equitable participation for those without internet access. The live meetings on April 13, 2021, 6:30–8:00 p.m. (EST) and April 28, 2021, 6:30–8:00 p.m. (EST) used two internet platforms—Microsoft Teams and WebEx. Each meeting was identical in content and included a narrated slide presentation followed by a live question and answer period, including an opportunity for participants on the phone and the internet to engage in a two-way conversation with the NPS study team. The meetings were recorded until the question-and-answer portions and posted on the internet at the project’s web page at <https://parkplanning.nps.gov/ps103> and on YouTube at <https://www.youtube.com/watch?v=Idh-fQ2v50E>. The virtual meetings were attended by 28 people, and, overall, public support for the study was positive.

During the public comment phase, the NPS study team provided a well-publicized presentation to the City of Baltimore’s Commission for Historical and Architectural Preservation, as well as briefings for elected officials.

The 60-day public comment phase yielded 239 correspondences on the PEPC site from individuals from 38 states, as well as Washington DC and Puerto Rico. Unique correspondences submitted by email were also entered into the PEPC website by NPS staff for analysis. The comments collected from the PEPC site expressed support for designating P.S. 103 as a unit of the national park system. Discussions with local leadership organizations and stakeholders, however, elicited some concerns, which are described in more detail below.

From March 9 to March 13, 2020, the National Park Service took part in a second site visit of the study area. A variety of individuals and organizations took part in and supported this visit, including the City of Baltimore and the Baltimore National Heritage Area. The site visit included a meeting with City of Baltimore officials in the downtown planning office, a tour of P.S. 103, a reconnaissance survey of other properties considered for national significance, a visit to the Baltimore City Court and law library, the Enoch Pratt Free Library, the Reginald F. Lewis Museum of Maryland African American History and Culture, and the Baltimore and Ohio Railroad Station, Clare Station. The site visit included a short visit to Howard University National Historic Landmark in Washington, DC.

After the public commenting period, the National Park Service completed a third site visit on July 14, 2021, to examine specific features of 1632 Division Street and further discuss and evaluate the level of local support. The study team met with the owner of 1632 Division Street and informally with neighbors during this trip.

PUBLIC INFORMATION MEETING

The National Park Service study team hosted two virtual public meetings: one Teams live meeting on April 13, 2021, 6:30–8:00 p.m. (EST) and one WebEx meeting on April 28, 2021, 6:30–8:00 p.m. (EST). The goals of the meetings were to share information regarding the purpose and process for special resource studies, provide an overview of the criteria the National Park Service applies when conducting special resource studies, provide an overview of the area and current uses, and provide direction for how to provide feedback.

The meeting began with a presentation about the study process and the history of the site and P.S. 103. At the end of the meeting, an open question-and-answer session was held in which members of the public could submit questions to the National Park Service. Approximately 28 people attended the virtual public meetings. The National Park Service received questions and comments from the virtual public meeting attendees and addressed questions and comments in real time. Attendees were also encouraged to submit their comments to the project's PEPC site.

PUBLIC COMMENTS

The NPS study team sought feedback on the special resource study by asking the public to answer four questions that were designed to gauge the level of public support. The questions were listed in the newsletter and displayed during the virtual public meeting. The questions were:

1. How would you feel about the P.S. 103 building potentially becoming a national park unit that would focus on Thurgood Marshall, particularly his early life?
2. Are there places and historic resources in the neighborhood surrounding P.S. 103 related to the early life of Thurgood Marshall that the NPS special resources study team should know about?
3. Are you aware of documents (letters, diary entries, photographs, newspaper articles, etc.) not publicly available that relate to Marshall's early life, meaning while he was a student in Baltimore City schools?
4. Do you have any other comments, concerns, or suggestions about this study?

During the public comment period, a total of 239 correspondences were submitted to the study team. Unique correspondences submitted by email were entered into the PEPC website by NPS staff for analysis and included the following:

- Beloved Community Service Corporation
- Alpha Phi Alpha Fraternity, Inc.
- George M. Carter Jr. CPA, CGMA
- Holman United Methodist Church
- Ubiquity Enterprises LLC
- Watson and Hunt Rental Properties LLC
- Strategic Life Solutions Group
- Viable Strategic Solutions
- Thomas L. Mines and Associates
- Community Medicine Foundation
- Clark Hill PLC
- GMU Career Services
- Abell Foundation

- E J Roberts Ins. Agency, Inc.
- Maryland Center for History and Culture

What We Heard

The following is a brief overview of the comments from respondents, broken down by the four main topics in the scoping questions above.

Support for NPS Designation

Every comment received expressed support for the designation of P.S. 103 as a national park unit. No comments were received opposing a potential designation. Commenters discussed support to honor the legacy of Thurgood Marshall and share the history around his upbringing that led to his work and great accomplishments as a leader. Some commenters differentiated between Marshall's early years, and others regard designating the school as a tribute to his legacy.

Commenters mentioned the importance of elementary education and an educational institution and that these became the foundation for his success. They wrote that the designation could be a means to inspire change and described the importance of preserving the school and placing emphasis on Thurgood Marshall's early life, his work, and his many accomplishments. Commenters specifically named Marshall's role in the *Brown v. Board of Education of Topeka* Supreme Court case, his civil rights activism, his role as the chief counsel for the NAACP, and his role as the first African American Supreme Court justice as some of his most well-known accomplishments.

Several comments specifically recommend naming the school after Thurgood Marshall. They were in favor of preserving the school as a landmark for passing on Marshall's legacy nationally, especially to young visitors, and carrying it forward for future generations. Some commenters noted the importance of preserving the building to save it from future demolition (see the "Concerns" section below).

Recommendations for the Study Team

Commenters suggested that the study team follow up with a few local historians and the Alpha Phi Alpha Fraternity for additional information regarding the life of Thurgood Marshall. Commenters provided authors and literature recommendations for the study team to review. Commenters strongly advocated for the school be preserved, as well as Thurgood's childhood home, since it also had a significant impact on his early years.

Concerns

A few comments expressed concerns about the possibility of demolition of historic buildings in the neighborhood surrounding P.S. 103 and the impact that incompatible development in the area would have on P.S. 103. Some described concern that the school itself could be threatened with demolition.

One correspondence submitted via email to the study team expressed concern that the City of Baltimore and the State of Maryland were allowing the demolition of structures in Upton

and West Baltimore, which was destroying the neighborhood's historic character and identity and harming the residents, who have been historically mistreated by the government. The study team heard similar concerns verbally from local residents and community leaders; however, these concerns were not submitted in writing. While the team received no correspondence opposing a potential designation, one of the concerns included losing an equity stake in the community if a new unit of the national park system were to be established. Local residents were also concerned about outsiders coming into their community, and residents noted that their top priorities for Upton consisted of decreasing crime rates and increasing economic development.

Although public support for establishing a national park unit at P.S. 103 has been generally positive, the NPS study team heard some trepidation about NPS ownership of P.S. 103, and local ownership is the community's preference for this property. Verbal comments shared by Upton residents and some members of the Upton Planning Committee with the study team on several occasions in 2020 and 2021 indicated local concern that P.S. 103 remain in local ownership and the "community not lose an equity stake" in this valued community resource. While not expressing negativity about the National Park Service as a whole, these commenters were supportive of a local entity owning the P.S. 103 building rather than a federal agency. In July 2021, neighbors of 1632 Division Street verbally shared concerns with the study team that it was unclear how establishing a new park unit would benefit neighbors. They wondered if a new national park would benefit people from outside the neighborhood more than local residents.

Questions for the Study Team

One commenter asked how the property management of the P.S. 103 will be evaluated if the new owner is still in construction or early operational phases.

NPS Response to this Question: In the event that Congress or the President designate the site as a national park unit, the National Park Service will work with willing landowners to possibly acquire the property and surrounding area. At that time, both parties will evaluate current needs of the building to preserve the resources and open them for public enjoyment.

**APPENDIX A: LEGISLATION FOR THE THURGOOD MARSHALL SCHOOL
SPECIAL RESOURCE STUDY PUBLIC LAW (PL 116-9)**

**SEC. 2002. SPECIAL RESOURCE STUDY OF THURGOOD MARSHALL
SCHOOL.**

(a) **DEFINITION OF STUDY AREA.**—In this section, the term “study area” means—

(1) P.S. 103, the public school located in West Baltimore, Maryland, which Thurgood Marshall attended as a youth; and

(2) any other resources in the neighborhood surrounding P.S. 103 that relate to the early life of Thurgood Marshall.

(b) **SPECIAL RESOURCE STUDY.**—

(1) **STUDY.**—The Secretary shall conduct a special resource study of the study area.

(2) **CONTENTS.**—In conducting the study under paragraph (1), the Secretary shall—

(A) evaluate the national significance of the study area;

(B) determine the suitability and feasibility of designating the study area as a unit of the National Park System;

(C) consider other alternatives for preservation, protection, and interpretation of the study area by the Federal Government, State or local government entities, or private and nonprofit organizations;

(D) consult with interested Federal agencies, State or local governmental entities, private and nonprofit organizations, or any other interested individuals; and

(E) identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives.

(3) **APPLICABLE LAW.**—The study required under paragraph (1) shall be conducted in accordance with section 100507 of title 54, United States Code.

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(4) **REPORT.**—Not later than 3 years after the date on which funds are first made available to carry out the study under paragraph (1), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

(A) the results of the study; and

(B) any conclusions and recommendations of the Secretary.

APPENDIX B: NPS MANAGEMENT POLICIES CRITERIA FOR INCLUSION

CRITERIA FOR INCLUSION

Congress declared in the National Park System General Authorities Act of 1970 that areas comprising the national park system are cumulative expressions of a single national heritage. Potential additions to the national park system should therefore contribute in their own special way to a system that fully represents the broad spectrum of natural and cultural resources that characterize our nation. The National Park Service is responsible for conducting professional studies of potential additions to the national park system when specifically authorized by an act of Congress, and for making recommendations to the Secretary of the Interior, the President, and Congress. Several laws outline criteria for units of the national park system and for additions to the National Wild and Scenic Rivers System and the National Trails System.

To receive a favorable recommendation from the Service, a proposed addition to the national park system must

(1) possess nationally significant natural or cultural resources, (2) be a suitable addition to the system, (3) be a feasible addition to the system, and (4) require direct NPS management instead of protection by other public agencies or the private sector. These criteria are designed to ensure that the national park system includes only the most outstanding examples of the nation's natural and cultural resources. These criteria also recognize that there are other management alternatives for preserving the nation's outstanding resources.

National Significance

NPS professionals, in consultation with subject-matter experts, scholars, and scientists, will determine whether a resource is nationally significant. An area will be considered nationally significant if it meets all of the following criteria:

- It is an outstanding example of a particular type of resource.
- It possesses exceptional value or quality in illustrating or interpreting the natural or cultural themes of our nation's heritage.
- It offers superlative opportunities for public enjoyment or for scientific study.
- It retains a high degree of integrity as a true, accurate, and relatively unspoiled example of a resource.

National significance for cultural resources will be evaluated by applying the national historic landmarks criteria contained in 36 CFR Part 65 (*Code of Federal Regulations*).

Suitability

An area is considered suitable for addition to the national park system if it represents a natural or cultural resource type that is not already adequately represented in the national

park system or is not comparably represented and protected for public enjoyment by other federal agencies; tribal, state, or local governments; or the private sector.

Adequacy of representation is determined on a case-by-case basis by comparing the potential addition to other comparably managed areas representing the same resource type, while considering differences or similarities in the character, quality, quantity, or combination of resource values. The comparative analysis also addresses rarity of the resources, interpretive and educational potential, and similar resources already protected in the national park system or in other public or private ownership. The comparison results in a determination of whether the proposed new area would expand, enhance, or duplicate resource protection or visitor use opportunities found in other comparably managed areas.

Feasibility

To be feasible as a new unit of the national park system, an area must be 1) of sufficient size and appropriate configuration to ensure sustainable resource protection and visitor enjoyment (taking into account current and potential impacts from sources beyond proposed park boundaries), and (2) capable of efficient administration by the Service at a reasonable cost.

In evaluating feasibility, the Service considers a variety of factors for a study area, such as the following:

- size
- boundary configurations
- current and potential uses of the study area and surrounding lands
- landownership patterns
- public enjoyment potential
- costs associated with acquisition, development, restoration, and operation
- access
- current and potential threats to the resources
- existing degradation of resources
- staffing requirements
- local planning and zoning
- the level of local and general public support (including landowners)
- the economic/socioeconomic impacts of designation as a unit of the national park system

The feasibility evaluation also considers the ability of the National Park Service to undertake new management responsibilities in light of current and projected availability of funding and personnel.

An overall evaluation of feasibility will be made after taking into account all of the above factors. However, evaluations may sometimes identify concerns or conditions, rather than simply reach a yes or no conclusion. For example, some new areas may be feasible additions to the national park system only if landowners are willing to sell, or the boundary encompasses specific areas necessary for visitor access, or state or local governments will provide appropriate assurances that adjacent land uses will remain compatible with the study area's resources and significant features.

Direct NPS Management

There are many excellent examples of the successful management of important natural and cultural resources by other public agencies, private conservation organizations, and individuals. The National Park Service applauds these accomplishments and actively encourages the expansion of conservation activities by state, local, and private entities and by other federal agencies. Unless direct NPS management of a studied area is identified as the clearly superior alternative, the Service will recommend that one or more of these other entities assume a lead management role, and that the area not receive national park system status.

Studies will evaluate an appropriate range of management alternatives and will identify which alternative or combination of alternatives would, in the professional judgment of the Director, be most effective and efficient in protecting significant resources and providing opportunities for appropriate public enjoyment. Alternatives for NPS management will not be developed for study areas that fail to meet any one of the four criteria for inclusion listed in section 1.3.

In cases where a study area's resources meet criteria for national significance but do not meet other criteria for inclusion in the national park system, the Service may instead recommend an alternative status, such as "affiliated area." To be eligible for affiliated area status, the area's resources must (1) meet the same standards for significance and suitability that apply to units of the national park system; (2) require some special recognition or technical assistance beyond what is available through existing NPS programs; (3) be managed in accordance with the policies and standards that apply to units of the national park system; and (4) be assured of sustained resource protection, as documented in a formal agreement between the Service and the nonfederal management entity. Designation as a "heritage area" is another option that may be recommended. Heritage areas have a nationally important, distinctive assemblage of resources that is best managed for conservation, recreation, education, and continued use through partnerships among public and private entities at the local or regional level. Either of these two alternatives (and others as well) would recognize an area's importance to the nation without requiring or implying management by the National Park Service.

APPENDIX C: STUDY TEAM

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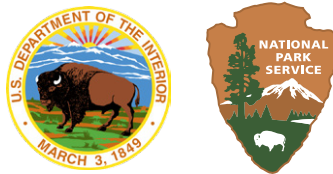
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As the nation’s principal conservation agency, the Department of the Interior has responsibility for most of our nationally owned public lands and natural resources. This includes fostering sound use of our land and water resources; protecting our fish, wildlife, and biological diversity; preserving the environmental and cultural values of our national parks and historic places; and providing for the enjoyment of life through outdoor recreation. The department assesses our energy and mineral resources and works to ensure that their development is in the best interests of all our people by encouraging stewardship and citizen participation in their care. The department also has a major responsibility for American Indian reservation communities and for people who live in island territories under U.S. administration.

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