

**Statement of the
ACLU Greater Philadelphia Chapter, ACLU of Pennsylvania, Americans For Prosperity –
Pennsylvania, The Center for Emerging Visual Artists, Commonwealth Foundation,
French Heritage Society, Institute for Justice, Institute of Contemporary Art, Mural Arts
Program, Painted Bride Art Center, Property Rights Alliance, Molly Dougherty,
Professor Patricia M. Smith, and Rev. Dr. Mark K. Tyler
in Opposition to the Condemnation of James Dupree’s Art Studio**

Dear Mayor and City Council:

We write to urge this body not to proceed with the condemnation of James Dupree’s art studio at 3617 Haverford Avenue.

Mr. Dupree’s case is straightforward: The city of Philadelphia is abusing its power of eminent domain. The city wants to bulldoze Mr. Dupree’s 8,600-square-foot property and replace it with a grocery store and parking lot.

Eminent domain is supposed to be used for “public use,” such as for roads and schools. A grocery store is not a public use. Additionally, the unreasonable valuation is not “just compensation,” which is another constitutional requirement, and thus is a denial of due process.

Seizing James Dupree’s art studio is not only unconstitutional and a gross abuse of eminent domain, it is unconscionable. Dupree, a native son of Philadelphia, is one of the city’s most highly regarded artists. Five of his paintings are housed at the Philadelphia Museum of Art and numerous pieces of his are displayed throughout the city. Mr. Dupree turned a broken-down warehouse and garage into a unique art space where he works and has hosted art classes. He would like to start a mentorship program in Mantua so that inner-city kids can learn to appreciate art.

We are especially concerned about Mr. Dupree’s case because, as empirical evidence and history demonstrate, eminent domain abuse disproportionately impacts racial and ethnic minorities. It is vital to protect all Pennsylvanians from eminent domain abuse, especially the most vulnerable.

This body should do the right thing and return Mr. Dupree’s deed promptly.

Thank you in advance for your attention to our concerns.

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CC: Philadelphia Redevelopment Authority