

The National Conference
and the Reports of the
State Advisory Committees
to the U.S. Commission
on Civil Rights • 1959

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The National Conference
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FOREWORD

The State Advisory Committees and Their Work

IN THE Civil Rights Act of 1957, which created the U.S. Commission on Civil Rights, section 105(c) provided that: "The Commission may constitute such advisory committees within States composed of citizens of that State . . . as it deems advisable."

Information about violation of civil rights is not easy to come by. Violators often seek to conceal their acts; victims often lack the will and resources to bring their injuries to public attention. Often, too, a considerable knowledge of Federal, State, and local law—as well as of individual circumstances and local history and conditions—is required to determine the authenticity and extent of alleged violations.

From the first, therefore, the Commission welcomed the prospect of obtaining the advice and assistance of knowledgeable citizens in every State. To assist in organizing the Advisory Committees and in coordinating their work, it obtained the consulting services of Frank Bane, former Secretary of the Council of State Governments, and of Henry M. Shine, Jr., a Dallas, Texas, attorney who had been assistant to Vice Chairman Storey on the second Hoover Commission. Later Mr. Shine became Assistant Staff Director and carried on the work of the committees with the aid of two attorneys, William H. Swan, formerly of Arizona and New York, and George B. Harris, Jr., formerly of South Carolina and Virginia.

Seeking a representative committee membership in each State, the Commission was gratified by the caliber of men and women—university presidents and professors, clergymen, eminent attorneys and businessmen, newspaper editors and publishers, civic leaders in many fields, former high public officials—whom it found eager to perform this unpaid public service. By May 1959 committees had been organized in all of the 50 States except Mississippi and South Carolina. Of the 344 citizens who have served on the Committees, more than half have not billed the Commission for their expenses in attending committee meetings and pursuing their studies. A number of Committee members have also attended Commission hearings and conferences at their own expense.

To maintain contact between the Commissioners and the Committees, and to familiarize the Commissioners with the varying regional aspects of their problem, each Commissioner was assigned eight States—North, South, East, and West—for his general super-

vision. To guide both Commissioners and Committees, the Commission prepared a committeeman's handbook for each State, containing a summary of its social, economic, and political background; a review of Federal civil rights laws and interpretations; and a compilation of the State's own civil rights laws, cases, and interpretations.

BYLAWS

Under the provided bylaws, each State Committee normally consists of five to nine members appointed by the Commission, with a chairman also appointed by the Commission and other officers elected by the Committee. Though serving without compensation, Committee members may be reimbursed by a per diem subsistence rate not to exceed \$12 per day and travel expenses to authorized Committee meetings.

To study and report on the various fields of civil rights in its State, each Committee is authorized to establish subcommittees of its own members, plus geographical or special "subject matter" committees whose members, except for the chairman, need not be members of the Committee.

Upon request of the Commission, each Committee was invited and authorized to exercise the following functions and responsibilities:

- (a) Advise the Commission in writing of any knowledge or information it has of any alleged deprivation within its State of the right to vote and to have the vote counted, by reason of color, race, religion or national origin.
- (b) Attend as observers any open hearings the Commission may hold in its State.
- (c) Advise the Commission of all information concerning legal developments constituting a denial of equal protection of the laws under the Constitution.
- (d) Advise the Commission upon matters of mutual concern in the preparation of its final report.
- (e) Receive reports, suggestions and recommendations from individuals and public and private organizations interested in the matters which Congress has assigned the Commission, and forward to the Commission its analyses and evaluations of such reports and suggestions.

After the Commission had decided to concentrate its own first studies in the fields of voting, education, and housing, the Advisory Committees were asked to give special attention to these, but were also invited to study and report on any other aspects of the Commission's broad assignment which they considered of importance in their States. As may be seen in their reports, many Committees chose to extend their surveys to include denials of equal protection in the administration of justice, employment, and public accommodations.

In the fields of voting, education, and housing, the Committees were provided with questionnaires (reproduced in Appendix) prepared by the Commission staff. A few Committees limited themselves to completing these forms, but most went further. Unlike the Commission, the Committees were not empowered to issue subpoenas or administer oaths. Nonetheless, many held informal open meetings at which public officials, representatives of private organizations, and individuals concerned with civil rights matters were invited to be heard. Many Committees also broadened their surveys by means of personal interviews and letters.

In June 1959, when the Commission was preparing to draft the final version of its report and recommendations to the President and Congress, each State Committee sent one or more delegates to a national conference in Washington for 2 days of roundtable discussions with the Commissioners, plus a round of speeches by President Eisenhower and others (see pp. 6-30).

The discussions, reports and recommendations of the State Committees were of substantial assistance to the Commission in the preparation of its own 1959 report and recommendations to the President and Congress. But limitations of space made it necessary to omit from the Commission report many interesting details of local problems and viewpoints set forth in the national conference discussions and Committee reports. Hence this volume.

The Commission is heartily grateful to Committee members and their consultants who have so generously assisted. It looks forward with satisfaction to continued association with them. It regards their reports as illuminating contributions to the study of civil rights in their respective States. But in fairness to all concerned, a word of caution must be spoken about the Committee reports.

The Committee members are busy men and women, occupied not only with their individual vocations but usually also with other civic duties in addition to their Committee service. Though seeking the best evidence and testimony available to them, they lacked the time and means for exhaustive investigation, sworn testimony, and scholarly checking of reported facts. The Commission, in turn, lacked the time and resources which would have been required to verify all of the facts set forth in the Committee reports, and to form judgments on all the recommendations and other opinions expressed.

Hence, these reports must be read for what they are: not official documents, but on-the-spot findings of informed and conscientious citizens seeking to discover the extent of denials of equal justice in their respective States, and possible remedies.

PART I

The National Conference of State Advisory Committee Delegates

THE 1958-59 work of the State Advisory Committees reached its climax in the National Conference held in Washington, D.C., on June 9 and 10, 1959. Eighty-nine delegates and four observers from 48 states attended, including representatives from newly admitted Alaska and Hawaii.

Each State Committee was permitted two authorized delegates to the Conference (in most instances the Chairman and either the Vice Chairman or Secretary). Travel and maintenance expenses were refunded to authorized delegates. A number of them chose to come early in order to meet informally or otherwise extend the opportunities of their visit, sustaining the added expense personally. Observers attended at their own expense.

The Conference was timed to coincide with a meeting of the six members of the Civil Rights Commission, thus permitting a three-way exchange of information among the delegates, Commissioners, and staff of the Commission. A preliminary draft of the 1959 Commission report to the President and Congress had been completed, and nearly all the reports of the State Advisory Committees had been received. Thus the purpose of the Conference was to bring the work on all fronts into perspective and discuss specific problems in the light of information and opinion from all sections.

President Eisenhower addressed the Conference at its luncheon at the Statler Hotel on June 9, speaking extemporaneously on the qualities of courage, understanding, and compassion necessary in the work undertaken by the Commission and Committees (see p. 6). The Honorable George V. Allen, Director of the U.S. Information Agency, also spoke, stressing the importance of the Commission's work from the standpoint of public opinion throughout the world (see p. 9).

In preparation for the roundtable discussions that were to continue for two days, Henry M. Shine, Jr., assistant staff director in charge of the arrangements, provided each delegate with a list of suggested questions for each discussion topic, including some of special significance for the delegate's own State or region. Each panel contained about 17 delegates from various regions. In five succes-

sive sessions, each discussed Housing, Voting, Education, General Topics in Civil Rights, and the Past and Future Role of the Advisory Committees.

A Commissioner presided over each panel. In addition, two Commission staff members were assigned to each panel to serve respectively as reporter and secretary, with the task of noting and summarizing each discussion. From the resulting papers, 30 State delegates chosen as moderators prepared summaries of the discussions of each panel. The moderators then elected chief moderators for Voting, Education, and Housing, who prepared synopses of all discussions of these topics for presentation at the final general assembly (see p. 31). Time limitations prevented the moderators concerned with General Topics and The Role of the State Committees from preparing synopses, which were therefore prepared by Commission staff members.

The Conference ended with a banquet open to the public and addressed by each of the six Commissioners.

The Chairman of the New Jersey State Advisory Committee, State Senator John A. Waddington, expressed a general feeling when he called the Conference "one of the great experiences of my life." Describing the experience in a home newspaper, he concluded: "Each of us felt a tremendous pride in our great Nation as people from every section of the country grappled with the basic problems of freedom and of living together and sought to understand the varying situations and points of view."

The National Conference was staffed by each of the Commissioners and all of the Commission staff. However, the Division of State Advisory Committees was principally responsible for the preparation and organization of the Conference. The Division personnel were:

Henry M. Shine, Jr., assistant staff director
 George B. Harris, Jr., deputy special assistant to the staff director (for State Advisory Committees)
 William H. Swan, consultant for State Advisory Committees
 Miss Cam Aliquo, secretary to the assistant staff director
 Miss Gloria Maestri, secretary to the consultant
 Mrs. Grace Sieber, administrative assistant for travel
 Miss Barbara Sutherland, clerk-typist

Roster of Delegates

Alabama

Mayor James Douglas Brown, Sr.
 (Chairman),* Ozark
 Dr. E. B. Goode (Vice Chairman),
 Mobile

Alaska

Mr. Brad Phillips (Chairman),
 Anchorage
 Mr. Clinton Gray (Vice Chairman),
 Nome

*Parenthetical reference denotes State Advisory Committee office.

Arizona

Mr. James F. McKale (Chairman),
Tucson
Mrs. Forrest C. Braden (Secretary),
Yuma

Arkansas

Mr. Joshua K. Shepherd (Chairman),
Little Rock
Dr. Lawrence A. Davis (Secretary),
Pine Bluff

California

Dr. Mabel E. Kinney (Chairman),
Los Angeles
Dr. William H. D. Hornaday, Los
Angeles
Mr. Arthur E. Sutton, Los Angeles

Colorado

Mr. Wendell A. Peters (Vice Chair-
man and Secretary), Denver
Mr. Max E. V. Torres, Trinidad

Connecticut

Dr. Rosemary Park, New London
Mr. William D. Graham, Hartford

Delaware

Mr. Sidney Laub (Chairman), Wil-
mington
Mr. William Prickett, Jr., Wilming-
ton

Florida

Mr. Harold Colee (Secretary),
Jacksonville

Georgia

Mr. Sylvan H. Meyer (Chairman),
Gainesville
Dr. F. D. Funderberg, Monticello

Hawaii

Mr. Joseph V. Hodgson (Chair-
man) Honolulu
Mr. Ralph T. Yamaguchi (Secre-
tary), Honolulu

Idaho

Mr. William S. Holden (Chairman),
Idaho Falls
Mr. Henry G. Suyehira (Vice Chair-
man), Emmett

Illinois

Mr. Louis Schwartz (Vice Chair-
man), Springfield
Mrs. Jewell Stradford Rogers (Sec-
retary), Chicago

Indiana

Mr. John A. Scott (Chairman), Elk-
hart
Mrs. John T. Windle (Secretary),
Madison

Iowa

Former Congressman Karl M. Le-
Compte (Chairman), Corydon
Mrs. Harriet J. Baum (Vice Chair-
man and Secretary), Manchester

Kansas

Mrs. Victor W. Haflich (Chairman),
Garden City
Judge A. B. Howard (Vice Chairman
and Secretary), Kansas City

Kentucky

Mr. Hal H. Thurmond (Chairman),
Hopkinsville
Professor Jesse J. Dukeminier, Jr.
(Vice Chairman), Lexington

Louisiana

Dr. Albert W. Dent (Secretary, pro
tem), New Orleans

Maine

Professor Albert Abrahamson (Chair-
man), Brunswick
Judge Albert Beliveau (Vice Chair-
man), Rumford

Maryland

Former State Senator Harry A. Cole
(Chairman), Baltimore
Mrs. Robert W. King (Vice Chair-
man), Bethesda

Massachusetts

Mr. Edward W. Brooke (Vice Chair-
man), Boston
Mr. Maxwell Cohen (Secretary),
Boston
Mr. Clarence E. Elam, Boston

Michigan

Mr. Frank J. Manley (Secretary),
Flint
Monsignor Arthur F. Bukowski,
Grand Rapids

Minnesota

Mr. Stephen H. Fligelman (Chair-
man), Hopkins
Mrs. Demetrius C. Santrizos (Secre-
tary), Minneapolis
Mr. John deJ. Pemberton, Jr., Roch-
ester

Missouri

Mrs. Frank M. Freeman (Secretary),
St. Louis

Dean J. Norman McDonough, Uni-
versity City

Montana

Dean Robert E. Sullivan (Chair-
man), Missoula

Nebraska

Mrs. Harold A. Prince (Chairman),
Grand Island

Reverend Henry W. Casper, S.J.,
Omaha

Nevada

Mr. William P. Horgan (Chairman),
Reno

Mrs. Lillian Collins (Vice Chairman
and Secretary), Boulder City

New Hampshire

Mrs. Harriet Knox Ellis (Vice Chair-
man and Secretary), Keene

New Jersey

State Senator John A. Waddington
(Chairman), Salem

Judge Harry Hazelwood, Jr., Newark

New Mexico

Judge Samuel Z. Montoya (Chair-
man), Santa Fe

Mr. Daniel T. Kelly, Santa Fe

New York

Dr. Buell Gordon Gallagher (Chair-
man), New York City

Mr. Elmer A. Carter, New York City

North Carolina

Mr. J. McNeill Smith (Chairman),
Greensboro

Mr. Asa T. Spaulding (Vice Chair-
man), Durham

North Dakota

Dr. George W. Starcher (Chairman),
Grand Forks

Reverend James W. L. Keller (Vice
Chairman and Secretary), James-
town

Ohio

Mrs. Kathryn S. Mansell (Chair-
man), Medina

Mr. Morris Riger (Secretary), Cleve-
land Heights

Oklahoma

Mr. John Rogers (Chairman), Tulsa

Oregon

Former Governor Charles A. Sprague
(Chairman), Salem

Mrs. Ulysses G. Plummer, Jr. (Secre-
tary), Portland

Pennsylvania

Mr. George J. Barco (Chairman),
Meadville

Mr. W. Beverly Carter, Jr. (Secre-
tary), Pittsburgh

Rhode Island

Mr. Nivelles Beaubien (Chairman),
Rumford

Mrs. Newton P. Leonard (Secretary),
Providence

South Dakota

Mr. Frederic R. Cozad (Chairman),
Martin

Mrs. Robert L. Ewart (Secretary),
Northville

Dr. Ben Reifel, Aberdeen

Tennessee

Mrs. Ben Russell (Secretary), Green-
ville

Miss Ellen Correll, Memphis

Texas

Judge Thomas B. Ramey (Chair-
man), Tyler

Mr. Jerome K. Crossman (Secretary),
Dallas

Utah

State Representative Adam M. Dun-
can (Chairman), Salt Lake City

Mrs. Thomas W. Richmond, Salt
Lake City

Vermont

Mr. John S. Hooper (Chairman),
Brattleboro

Mr. Louis Lisman, Burlington

Virginia

Mrs. Frances Rogers Hartz (Secre-
tary), Waverly

Washington

Former Mayor William F. Devin
(Chairman), Seattle

Mrs. John C. Reese (Secretary),
Spokane

West Virginia

Mr. Miles C. Stanley (Chairman),
Charleston

Mr. Howard V. Corcoran (Vice Chair-
man and Secretary), Wheeling

Wisconsin

Dr. Frederick O. Pinkham (Chair-
man), Ripon

Wyoming

Reverend John P. McConnell (Chair-
man), Laramie

Mrs. Nellie F. Scott (Vice Chairman),
Fort Washakie

* * *

Delegates ----- 89

Observers ----- 4

Total Attendance----- 93

**Extemporaneous Remarks by President Dwight D. Eisenhower at
the National Conference of State Advisory Committee Delegates
Sponsored by the Commission on Civil Rights, June 9, 1959**

MR. CHAIRMAN AND MY FRIENDS: I came over here this morning primarily to thank you for your undertaking of a work that in my opinion is one of a vital, prime importance to the United States and to its future.

Because the problem in which you are involved is an emotional one, it is certain that you have to have qualities of courage to undertake it. But above the quality of courage it is quite necessary that we have within our breasts, if we are to do this work, those feelings of compassion, consideration and justice that derive from our concepts of moral law.

I say moral law rather than statutory law because I happen to be one of those people who has very little faith in the ability of statutory law to change the human heart, or to eliminate prejudice.

I think that the Congress was wise in establishing this Commission because the very purpose of the Commission is conciliatory, fact-finding, and giving examples to us. Indeed at times I think it holds up before us all a mirror so that we may see ourselves, what we are doing and what we are not doing, and therefore making it easier for us to correct our omissions.

There can be no doubt that America has not reached perfection in attaining the lofty ideals laid down for us in our founding documents and in the amendments that have been made to our Constitution. The important thing is that we go ahead, that we make progress. This does not necessarily mean revolution. In my mind it means evolution. This is what we are talking about.

We are saying that the concept of equality among men is equality in their opportunities, that we do not deny them that opportunity. I think no one could find complete equality between any two individuals in the world, if we wanted to take absolute values in all of their spiritual, intellectual and physical connotations. But we can talk about equality of opportunity, guaranteed to each person in this Nation.

Just as the members of that Commission have undertaken a job that is difficult, so each of the State Committees has done the same. The progress that you are going to help achieve is that of education, promoting understanding to see that we come nearer to achieving

our ideals without necessarily, or maybe not even wisely, trying to place on our statute books too many punitive laws.

If I may digress from the exact subject of which I have been speaking, and which, of course, is occupying your thoughts and efforts while you are here, I should like to talk about the word "understanding" for just a moment.

The Federal Government in both its legislative and executive branches is involved in many problems that are most difficult of solution. In fact, some of them, under the particular conditions of the present, seem almost to defy solution: all we can do is to hold the line and wait for some change in either material or, let us say, mental conditions in which people are living. But the big, the strong thing, that must be behind the whole effort of the United States is understanding at home on the basic issues. This is needed to bring about higher standards of living in our own country, to make certain that free areas in other parts of the world do not go under the domination of communism, to make certain that our alliances are stronger through the intellectual, spiritual and material development of those countries with which we are allied.

We are too often swayed by slogans. For example, in the fields in which the United States is attempting to help other free countries so that together we may be safer and stronger and more confident, we use the slogan "give away." I submit, any intelligent man that will look at the world today and can find it in his heart to condemn America's purpose and her efforts to bring other free nations into a higher level of sturdier, better allies, more effective allies, then he is following a line of reasoning which I cannot follow.

All of our domestic problems, including the one now before you—the equality of opportunity of all men regardless of inconsequential considerations—comes in the same category of demanding understanding. This is so whether it be the farm program, the debt program, the need for reducing Federal expenditures, how we want to expand in one direction and contract in another. All demand understanding.

None of these problems, when you come down to it, can be dealt with in a vacuum. They are not mutually exclusive. In almost all cases, you will find them interdependent.

As we achieve a better level of equality, of opportunity in this country, our own national prestige and leadership is enhanced. Our economic problems are involved often with this same subject with which you are now dealing. Therefore, not only by developing a better understanding in these basic issues can we help solve the problem with which you are specifically concerned this morning, but by bringing your own minds and hearts into focus on this par-

ticular question you help to develop better understanding through the whole of the United States.

Remember, in a democracy, the only motivating, energizing force is public opinion. If that public opinion is well informed, then the United States will act wisely and strongly and fairly at home and abroad.

So you are not solving, or helping to solve, just one problem. You are working for America. I say to you, in my opinion, there can be no better thing to do.

Thank you very much.

**Address Delivered by the Honorable George V. Allen, Director,
U.S. Information Agency, Before the National Conference,
June 9, 1959**

THANK YOU, Dr. Hannah, members of the Civil Rights Commission of the United States and of the various States. Some 40 years ago a young man left the Washington and Lee University at Lexington, Va., Governor Battle, and went out and sought his career. I am not certain what it was, engineering, or education, or finance or something. At any rate at the end of 40 years he decided to retire. He went back to enroll in a course again at the University, and there happened to be one professor there who had been a professor when he was in school, so he enrolled in his course.

At the time of the examination he looked at his examination paper and he went up to the professor and he said, "Professor, these are the same questions you asked in this course 40 years ago." The professor looked at him and said, "Yes, the questions are the same but the answers have changed."

You gentlemen are concerned with the question that is 40 centuries old. The question has remained the same for 40 centuries. The answer has changed from time to time.

The Supreme Court of the United States has given a different answer over a period of 40 years. It seems to me that the most important thing in the world today is really not the East-West conflict that we hear so much about or even communism against the free world. That's the most acute question.

But in a long run, I believe, I certainly hope, and I believe, that it will prove to be a relatively temporary question that will be solved. But there are two longer range questions in my opinion that we and our children and our grandchildren, perhaps for the next hundred years, will have to concern themselves with.

One of those is the determination on the part of the underdeveloped peoples of the world to join the twentieth century. That is to say with the spread of communication around the world—with the spread of printing, of radio, television, of roads, of jeeps, of airplanes and so forth—a situation has suddenly come about in the present generation in which the great masses of peoples in Africa and Asia across the world, in some respects in our own hemisphere and even in our own country have become aware of the rest of the world.

I served in India on one occasion, and I was told that up until the present generation the average Indian, throughout India, never ex-

pected to see anybody who was born more than 50 miles from where he was born. Yet today there is hardly a village in India that doesn't have a radio loudspeaker on the public square. There is hardly a village that isn't connected in some way by a highway or road that at least can carry buses or jeeps.

There is hardly an Indian that hasn't seen a motion picture. The average Indian today not only knows how the people are living 50 miles away, they know how they are living in New Delhi or in Paris, London or Hollywood, for better or worse. The people in remotest Nepal and even Tibet have suddenly just in this generation, after 5,000 years of being asleep, have suddenly come awake, and this stirring of the masses of humanity, we are living with, in our present generation, is in my opinion, a far more significant and important question that has to be faced by mankind during the coming years than the immediate questions that are engaging the headlines of the newspapers at the present moment.

The other thing that seems to me is also very significant, is the necessity and the ever-increasing necessity, and it increases in geometric proportions, of creating international understanding. Now that sounds like a platitude and a phrase that is very often used this time of year at commencement speeches and so forth. But I want to be a little more specific in this matter, and I feel it very strongly based not only on my own experience in the Foreign Service of the United States but particularly in my present responsibilities, directing the United States Information Agency's activities overseas.

There is a certain amount of xenophobia in all of us. That is a hatred of the strange, the different, the foreign. I think on the whole, perhaps we Americans have it less than most any country of people that I know of. Perhaps because we are made up of immigrants. I am frank to say that I think, perhaps in my experience, the country of the peoples who have most of it, and I say this without any animosities, are the Chinese. Perhaps because China tried to live for so many years, and, until so recently, with a great Chinese wall built around itself to close out other parties.

The psychologist will tell you that people fear the unknown. What you don't understand you're afraid of. Just instinctively for some reason or other. And also the next step is what you fear you begin to hate.

I feel it was illustrated in Greece, which was my last foreign post. Young American GI's would come out to Greece, eighteen-nineteen-year-old boys, who had never been outside the United States before. At first, they didn't have any attitude toward Greece one way or the other, pro, con or anything else, they were just being sent where they were told.

The first thing that shocked them most when they arrived in

Greece usually was the fact that the people didn't speak English. And pretty soon they would begin talking among their buddies and then hearing stories about some fellow who had an accident in his car or jeep, or another fellow who had had too many beers and had gotten into a row and some policeman would come speaking a strange language: taking him off to a strange place where he couldn't communicate with anybody. And as his mind played on this, he didn't understand the local laws, the local customs or the local language, he began to worry. He was afraid he didn't know what was going to happen, you see. He was in a strange place among strange people—xenophobia.

But you take this same GI, put him into a class where they teach him just the rudiments of the Greek language, something about the local customs, the history and so forth, and as he begins to understand a little better, as he can say a few words of Greek and understand what the other fellow says back to him, then the expression on his face changes; his whole attitude towards the Greek changes.

Before he'd been using slurring words of degradation towards them, calling them wops, or frogs or something. But when he could begin to understand something about their life, their customs or just the slightest bit about their language, he began to develop a more sympathetic attitude toward them—the building of international understanding.

Now the reason I say that this necessity is increasing by geometric proportions is, of course, it used to be that we could have wars and get over them and forget it. Like somebody used the illustration that one of the philosophers said that the way to keep a child from falling out of the window, is to let him fall out a few times and learn better. But the next time we fall out this window—international conflicts—is going to be the last time perhaps.

But even aside from that, without trying to hold up the horrors of atomic warfare, it is high time that civilized man had sense enough to organize society—international society—in a decent way that we don't have to continue to look forward generation after generation to international conflict.

So, therefore, the long-range problems of this generation and the next, and the next is how we deal with, in the first place, the madding onrush of the demands of peoples in underdeveloped areas to join the twentieth century—to enjoy the emoluments of the twentieth century. They know through films, through pictures, through magazines, through newspapers, through every way, what the twentieth century can offer in the way of not only standards of living for mankind—more shoes, more clothes, more decent housing—but facilities for education, for health and for enjoyment of the higher things of life. Man knows about it now and in knowing, he's demanding it.

I've been in villages in India where the little village well in the middle of the village was nothing but a hole in the ground—perhaps the size of one of these tables—no wall around it, no stones, no bricks to keep the drains from the house from running in it, no protection to keep dogs and cats from running across and falling in, their bodies infesting the water.

The village well has been just exactly that way for 5,000 years of recorded history. And it has not only been futile for the villager to try to change that, it's even been sinful. That is, according to his tradition and his teachings, he was born in a certain status in society and that was where he was supposed to stay. And if he tried to change it, he was going against tradition and even against the teachings.

And now suddenly today in this generation in any village in India that you go in, the first thing they want to know is, "Can we have a new well? How soon can we get a new well?" And I said to many of them, "Why, what are you so excited about a new well, isn't that the same well your father had and his father before him and his father? Do you think you're better than they are?" They immediately come back to say, "Yes." "We want progress."

Now that suddenly happened in this generation after 5,000 years. As a matter of fact, to some of my more conservative colleagues, this is a very shocking thing. Because when all the underdeveloped parts of the world suddenly come awake, overnight, demanding the emoluments of the twentieth century and they can't get it right away, they're likely to go and follow a man on horseback who offers them a utopia tomorrow at a volume price.

Why, I've even heard people say that it is too bad that somebody can't go around with a wad of chloroform and give a sniff to these various villages and put them back to sleep and let them wake up a little more gradually, so that they won't come like an avalanche demanding the twentieth century.

Now this question of building international understanding is what I conceive to be the core, the heart, of what my own agency is trying to do abroad.

Something new has happened, really, in the conduct of relations between nations. It used to be that nations dealt with each other through a very strictly regulated and confined arrangement.

One nation would elect or choose a few fellows, call them diplomats, put on striped pants and what not, and send them abroad. They lived in the capital of the foreign country and they dealt with the foreign office of that country. And that was the link, a rather narrow link, in relations between nations.

You may know the epitome of classic diplomacy was at the Conference of Vienna, 1815, following the Napoleonic wars. There

was a crisis right at the start, just as there was a crisis at Geneva here recently about the shape of the table that the people would meet at.

In Vienna there happened to be four very stiff-necked or prideful diplomatic representatives of sovereign governments: Lord Castlereagh, the eptiome of British aristocracy, represented Great Britain; Talleyrand represented France; Metternich, Austria; and the Czar of all the Russias, represented Russia.

They were to meet in a room that had only three doors, and there was an immediate crisis and it looked as if the Congress of Vienna might not be able to meet, because no one of these four distinguished personalities would agree to let somebody else go into the room before he did. Finally some bright third secretary, perhaps, thought of a solution. They sent for a carpenter and they cut another door into the room and they allowed each of the distinguished personalities to stand by his door and they had a flourish of trumpets and the page opened the door and all four of them walked in together—the strictest regulations of how nations would deal with each other.

Another great change has taken place in the conduct of relations between nations because at the present time instead of dealing just government to government, we are dealing—now all governments have begun to do this—not only with other governments (we still must do that, of course) but a new dimension has been added—we are dealing directly with peoples abroad in every means that we can, through mass communications. Through books, through newspapers, through pictures, through motion pictures, through exhibits, through contacts, through exchange of persons, business, so forth.

I am often asked, What is the purpose of your Agency? I suppose you're trying to sell the United States overseas. I deny that.

I think that's a very bad point of view for my Agency to take and for the United States Government to take, for this reason: in the first place, dealing from a tactical point of view, if you go about trying to sell the United States you get the other fellow's back up. He doesn't want to be sold on something.

Furthermore, a great deal of the world is already worried for fear they'll be swamped by what they call American culture, American point of view, American way of life—living. Blue jeans or jazz music or something. The French have a derogatory term they use: "Coca Cola and comic book culture," they say.

Everybody is proud of his own culture, his own way of life. And they're already worried that the United States with more capacity to print newspapers, to print magazines, to print books, for Americans to travel, for Americans to make motion pictures and jazz music and everything else, that through just the superabundance of our manifestations of Americanism they'll be swamped.

What we are trying to do, what we must try to do, what I preach to my own organization every day, is the thing that I started off talking about, building international understanding.

Now as I say, it's instinctive for people to dislike things that they don't understand and don't know. And the only way we're going to cross these national boundaries and bring about international relations in a way to make people get along together is to work at this with every ounce of energy that we've got.

Now, there've been various definitions of the word democracy. But I think as good a one as I know of is the one that came through the French revolution. Liberty, equality, and fraternity. It seems to me that that minimizes the fact that you've got to have a balanced social development before you can claim to be a democratic society. That is, if you think of it as a tripod or a three-legged stool, all of these legs must be more or less in balance in order to be able to say that we have a democratic society. Liberty is a great thing, of course, but liberty unrestrained—if it isn't set off by other considerations—is oftentimes the liberty of the strong to overpower the weak; the liberty of the organized group to overpower the disorganized; the liberty of the clever to take advantage of the less clever or perhaps the less shrewd.

On the score of equality, the Soviet Union makes great claims, and perhaps with some justification, that a certain amount of equality has taken place in the Soviet Union. But equality again, by itself, if that's the only leg of the stool, can often deteriorate into the equality of the prison; equality of no rights; everybody's the same but it isn't a very pleasant situation to be in.

Fraternity, the last one, is also, it seems to me, the absolutely necessary ingredient of a democratic society or decent society of any kind. I had an experience when I was serving in Yugoslavia, on my last tour. The CARE organization, the organization that sends packages abroad, had a contract with the Yugoslav Government, an agreement in which the Yugoslav Government agreed that it would allow any of these packages to be delivered to the addressee and the addressee could sign their card acknowledging the receipt of it. And certain difficulties arose in connection with the carrying out of that agreement, and the manager of the CARE organization asked me if I would take it up with the Yugoslav Government, and I did. We straightened out the particular difficulty at the time but there resulted a lot of philosophical discussion on the question of charity. Under Marxist principle, of course, the state is supposed to take care of all the needs of society. The Yugoslav Foreign Minister, who was pointing out his point of view to me, said, "The trouble with you Americans is, you see this block down here," and he waved his hand toward the main street, "there may be a hundred

families living in this block; all of them are equally deserving, but under your private charity you'll maybe send three packages to three of those families in that block, they will have a bonanza." (A CARE package could be sold on the black market for a hundred dollars, the value of a \$10 package at that moment.) "Whereas those three families are no more deserving than all the rest. So your private charity is a hit-or-miss affair. And as a matter of fact you often hit the less deserving because the more self-respecting try to take care of themselves. The people who are beggars or whiners or complainers are the ones who write you letters and tell you sob stories. You put them on your CARE list and they're the ones that you look after." "How much better it is," he said, "the way we do it, where we try to give equal welfare from cradle to grave to all the people."

Well, I admitted that there was a certain arguable premise that he developed upon. But in my opinion there's something else in human life, that one of the plus attributes of civilized man is the sense of feeling for his fellow man, a human characteristic. Now that's an inner plant in a man's character that has to be nourished, it has to be watered, it has to be given an opportunity to exercise itself. And, if it's disregarded—if the state, the great machine takes over all of this, this attribute of a man's interest in his fellow man, withers and dies for lack of use. How much better it is if you can have a good, sound, reasonable mixture of proper social welfare plus encouragement of man to have fraternity as well as liberty and equality.

Now in my opinion, the United States today, our society, needs among those three, more emphasis on the second, equality. As far as fraternity is concerned, I maintain that no people in history have ever shown a moral interest in their fellow man superior to that which is shown by the American people. Not only in the amount of public funds which have been devoted to foreign countries during the last 15 years, for example, but the amount of private funds which have gone into schools and hospitals and education, overseas as well as in our own country. We Americans, I think, without being boastful can certainly be justly proud of the degrees to which we have developed fraternity in this country. And, of course, there is a great deal of equality. I don't declare that we have no equality in our makeup. One of the things that I have noticed about Americans living abroad is the fact that while they may show certain undesirable characteristics—one of them is a tendency towards boastfulness—but at the same time, Americans are able to deal with other people on an equal basis, in my experience, perhaps better than any of the other foreign groups that I know of. That is, an American is interested in a man, doesn't make any difference and

deals with him, looking him straight in the face whether he is the foreign minister or a coolie carrying his baggage into the hotel. Americans are naturally that way. They deal with people on an equal basis and don't hold to differences of status as much as most of the other countries in my experience. And, I conclude, what we are able to do is explain the American people abroad and our efforts are to build international understanding in the international spirit.

It is a great pleasure, sir, to be with you and to talk with your group.

**Informal Remarks by the Members of the Commission,
June 9, 1959**

TOASTMASTER—THE HONORABLE GORDON M. TIFFANY,
STAFF DIRECTOR, COMMISSION ON CIVIL RIGHTS

MR. TIFFANY: In mid-morning a busy day was punctuated by a very pleasant interlude, when our newest Commissioner was sworn into office. On the theory that the last should be first, it is my privilege to introduce the former Dean of Howard University Law School, George Marion Johnson, Commissioner on the Commission on Civil Rights.

Commissioner JOHNSON: Mr. Chairman and fellow Commissioners (it is the first time I've had an opportunity to say that) there is an unconfirmed rumor among students of the Supreme Court that the latest addition to the Supreme Court is not permitted to write an opinion until he has served an allotted period of time as a listener. The other members of the Commission who are lawyers would probably expect me to respect that rumor. Another part of that rumor is that it has never applied to dissenting opinions. It may be the recognition of the fact which prompted them to put me on first. However, I will venture one observation, and perhaps an unnumbered footnote that you may find a place for when the veteran members of the Commission have completed their statements.

My observation would be this: that this particular conference of representatives of the State Advisory Committees of the 48 States is in keeping with the finest tradition of this country—that of attempting to resolve interpersonal and intergroup conflicts, by discussion and the give and take of experience. It is also in keeping with our constitutional provisions. A free translation of the 10th amendment would include the people as one of the three sources of constitutional power, and this particular conference is evidence of "we the people."

The footnote would be this—unnumbered—to be used if and when necessary. It is true that in this difficult field that is so fraught with emotions that laws are sometimes inadequate. It is nevertheless true that this is a government of laws and not of men, and experience has demonstrated that it is possible to improve human relations by resort to legislation, and that legislation has proven in many instances to be an efficacious educator. Thank you.

Mr. TIFFANY: Thank you very much, Mr. Commissioner. It is now my pleasure to introduce, although really most of you have

met him before, our own Father Theodore M. Hesburgh, President of Notre Dame University, and member of the Commission. Father Ted.

Father HESBURGH: Well, he didn't make it public, but Mr. Tiffany told me earlier this evening that this was for 5 minutes. I'd just like to say by way of aside that keeping a university president down to 5 minutes is like trying to stop children from eating ice cream. But in any event, I am not going to pass the plate tonight, so I will try to observe the 5-minute rule. One of the things that impressed me most in this whole day was the words of President Eisenhower, particularly two words that he used, "understanding" and "compassion." I would like to confine my remarks this evening to those two words.

It seems to me that the problem we are facing here today is not unlike many problems that have faced this Nation; and I would submit that the greatness of America today lies chiefly in the fact that it has faced similar human problems and found a solution for them. I am sure all of you are acquainted with Arnold Toynbee's *Study of History* in which he said that only those civilizations have survived which have been able to provide for each succeeding challenge a suitable response; and he said that the challenges, while they might be at first brush physical, are mainly and more importantly spiritual, and that it is the spiritual challenges that are the making or the breaking of all great cultures and civilizations.

To me, understanding of this whole problem we are discussing gets back to a very human equation. I think like all serious problems this one is basically philosophical and theological; and unless we start from some philosophical and theological base, I don't think that all of the suggestions, the practicalities, the specifics in the world will lead us to any kind of an adequate response. I would address myself tonight to each of your consciences, not that I am the guardian of your consciences, but just to ask you to think with me for a moment about some of the basic issues, philosophical and theological, that underlie this challenge.

I can perhaps best illustrate what I have in mind by telling you of the conversation I had some months back with a Negro mother who told me that one day she was giving her 4-year-old little boy a bath, and when she told him to scrub hard he asked, "If I scrub hard enough, will I become white?" She said, "No, you are colored, and you will always be colored." To this he had a very laconic answer. He said, "It is better to be white." I asked her if she had said anything in answer to what he had said. She replied, "What could I say? Isn't it really better to be white? Aren't you assured of a better education? Of a better opportunity for making a living? Of a better house, of a better neighborhood, of better associations,

if you happened to be born in the United States as a white person, as distinguished from being born as a Negro?"

I feel that this raises the real issue that what makes a person good or better or best has really nothing at all to do with pigmentation or race. It seems to me that those qualities that really make a person memorable in this country or any other country of the world are the spiritual qualities that all of us as human beings should be able to understand. It seems to me that understanding in this context means aligning ourselves with a whole long tradition of the West which has looked upon the human person as a *res sacra*, a sacred or divine reality. Our own Constitution has put it beautifully in our Bill of Rights. We have certain unalienable rights, a certain inner dignity with which God has endowed us, something that distinguishes us from all other realities in this world that are less than human. This one badge of common humanity gives us the right to inner dignity, to a pride in being human, opens up to us the opportunity of the kind of human achievement that really and basically is the most worthwhile thing in this earth. All of us have a destiny that transcends time, and a worth and a value that transcends the material.

I think if we could only understand this one point, the sacred nature of a human person, any human person anywhere in the world, if we could only have that as a basis of all of our approach to human problems, if we could say as a great man once said in describing himself many centuries ago, "*Nihil humanum mihi alienum*,"—nothing human is alien to me—if we could mean this within the innermost depths of our own hearts and consciences, if this could be the standard against which we measure all of our solutions, and if this were the overriding conviction of our lives, then I think we would have taken that great step forward that would lead us to deep and abiding and valuable human solutions.

For this understanding, I think, there is need of the second word the President said and alluded to so beautifully—the word "compassion." I don't think any of us have difficulty in aligning ourselves with the great human triumphs, with the great works, the masterpieces of the artists, with the great, even trivial triumphs, if you will, such as climbing Mount Everest, or being the first man in space, or all of the things that stand out as landmarks in human endeavor. But, compassion goes a step beyond that. It goes back to a word in Latin again, "*compatire*," to suffer with another person. To align ourselves, not just with those great triumphs of humankind, but with a kind of human suffering and anguish that is very real in this life and very real in many parts of the world and indeed real in our own country. To be able to understand the meaning of a human person and to be able to say that nothing human is alien

to us, and particularly to be able to say that we have within ourselves the capacity for compassion for every human suffering, and every human ill, for every neglected opportunity that is closed off to another person, to be able to say this, to have these two qualities of understanding and compassion—this to me is the great credential that should qualify every American and that should give each one of us a right to thrill at the singing such as we just heard of “America the Beautiful,” to the line about “brotherhood from sea to shining sea.”

Thank you very much.

Mr. TIFFANY: Father Ted, thank you again for your usual, thoughtful, worthwhile message. Next, it is a pleasure to introduce to all who have not met him, which is few in this gathering, John S. Battle, former Governor of Virginia.

Governor BATTLE: Mr. Chairman, ladies and gentlemen, I crave your compassion. Imagine the decision of a small-town lawyer following the distinguished gentleman, the very highly educated and cultured gentleman who has just preceded me, who has discussed philosophical and theological subjects. I was told that we were to say something informal tonight. I got the message after having labored through about 150 pages of a draft of a report which was pretty heavy going as far as I was concerned. And I cast about in my mind to see what possibly I might say, and I couldn't think of anything that could be helpful to this audience. I do want to take this occasion to express my appreciation and privilege of serving on this Commission, of being associated with these grand gentlemen whom you see before you, who have been most courteous, most considerate, of every member of the Commission and every person who has appeared before them.

We come from different sections of the country, and naturally we have different backgrounds, different thoughts. I've learned as a son of a Baptist preacher that a Catholic preacher doesn't have horns after all; and I may say seriously that it has never been my privilege to meet one who is so attractive, so winsome, if I may use that expression, and who appeals to me so much as does Father Ted. I am indebted for having the privilege of having known this Father Ted, as well as all other members of this Commission.

I think that an occasion such as this is bound to be fruitful. I don't think it can help but be fruitful. We sat at a number of roundtables today, and frankly, I am just about talked out. We have expressed various points of view; and with some of which some of us have agreed; some of which we haven't. But, we have rubbed elbows; we have seen something of the other fellow's point of view; and I am sure there has been the fine spirit of give and take which has permeated the work of this Commission since it started.

I am indebted to the President for having asked me to serve on this Commission. I am indebted to the members of the Commission for their courtesy. I am indebted to you, ladies and gentlemen, for the work you have been doing. I've learned a whole lot since I have been a member of this Commission. I hope and I believe that some other members feel the same way about it. When we have disagreed, it has been with scrupulous regard for the opinions of others; and we have been forgiven for having taken what may have appeared to be a rather strange position on some occasions.

I'm going to take just a moment to digress, and I hope that all of you, and I mean that sincerely, will appreciate that I tell this story because I enjoy it. I'm going to tell you a little story about, I'll say, a gentleman in Virginia of whom I became very fond.

Shortly after my election as Governor of Virginia, my predecessor in office who happened to live in my home town said to me, "John, you'll go down to Richmond, you'll have a wonderful 4 years. People of Virginia will be very kind to you, and be very forgiving; and it will be something that you will treasure as long as you live. But, there is one thing you'll find down there that will worry the living life out of you. There's nothing you can do about it. You might as well make up your mind to make the best of it." I said to Colgate, "What in the world are you talking about?" "Well," he said, "down there at the mansion there is an old Negro. He is a doorman, a substitute butler on occasions. He is a wonderful person, but he will get drunk on the most important occasions. There is nothing you can do about it. We tried to put up with it; and we found that whenever he had a distinguished guest, Mayo would turn up just as drunk as he could be; and he would be fired, but he wouldn't stay fired. He would be discharged, but the next morning when we came down, there was Mayo at the door as usual." "Well," I said, "I'm glad to know about that." I went down and met Mayo and became very fond of him, but pretty soon we noticed he was getting off-side a little bit and then a little bit further, and then some distinguished visitor was there. You know we in Virginia have had quite an influx of British recently, from the Queen on down the line. Mayo turned up so drunk that it was just awful. He was told very definitely and emphatically never to come back again, that we were through, regretted it, but couldn't help it. Then, later he showed up at the Governor's office. He said he would like to see the Governor and he was told to come in. He got in the doorway and he said, "Governor, may I pray." Of course, he was told he might pray. He dropped on his knees there in that doorway, and he said, "Good Lord, Mayo has been a bad man. He sinned good Lord. He sinned against You, and he sinned against the Governor. You have forgiven him Lord. Open up the heart of the

Governor and make him forgive Mayo also." Needless for me to say that Mayo continued on, and my wife and I both became very, very devoted to him.

So there has been, maybe putting it a little strongly, a very delightful, forgiving spirit among members of this Commission, and I can't help but feel that whatever our points of view may be on some of these more or less technical questions involved in carrying out the message of the President of the United States this morning (incidentally, Mr. Chairman, I think that that's the third time we have heard him say practically the same thing) that this spirit which he describes so beautifully and so eloquently is bound to permeate this Nation of ours, and when it does, we shall have no fear for the future.

Mr. TIFFANY: Thank you very much Governor Battle. We have been honored by having another Governor with us on this Commission. Honorable Doyle E. Carlton, former Governor of Florida. Governor Carlton.

Governor CARLTON: Mr. Toastmaster, ladies and gentlemen, if you are to show compassion toward Governor Battle, I'm sure you will pity me. Talking over one of these contraptions which seems to talk back at you, reminds me of a friend who said it is like kissing a girl when she is screaming. I really don't know. For frankly, I've never kissed a girl when she was screaming. If you want the best authority on that subject, I should have to refer you to the dapper gentleman to my right. Certainly this is a very delightful party. Already I feel like a little flapper who has spent 20 minutes at her first cocktail party. She said, "You know I feel more like I do now than any time since I got here."

I fully enjoyed the music by our chorus. You may not believe it but I once belonged to a male quartet myself. I remember on one occasion we sang to a very delightful audience. We rendered "The Old Kentucky Home," which is part of a medley. Sitting in the front row was a very aristocratic gray-haired lady who was deeply moved, as we could clearly see. At the end of the program, in gratitude for that response, I immediately sought her out to express our appreciation. I said, "You are undoubtedly a Kentuckian." She said, "No, I am a musician." She did say, however, "You have a very mellow voice." I went home and looked up mellow in Webster's Dictionary. It said: mellow means overripe and almost rotten. That ended my musical career.

I don't know just why I am up here. I really have no speech. In fact, I am like Dr. Hannah when, a few years ago, he made his first call on Marilyn Monroe. He said, "I want you to understand at the outset I didn't come here to make a speech. I came for inspiration to learn how to charm an audience."

One who dares to speak on the subject which brings us together is certainly taking a chance of being misquoted, misinterpreted, and misunderstood. In the great State of Texas, which is honored by the name Storey, one of the multimillionaires before his death made a request that he be buried in his two-toned Cadillac. On that fateful day his request was carried out. The undertaker carefully placed him behind the steering wheel. He and his Cadillac, with all the dignity in keeping with the occasion, were let down into the grave; and after a mild ceremony two gentlemen in blue dungarees stepped up with their shovels and began to pitch dirt; and one of them said to the other as they looked upon the Cadillac and the millionaire, "Ain't that living!" Well, perhaps after we try it long enough, we will learn how to live. It's been a problem since old Adam and Eve fiddled around until the apple got them kicked out of Paradise. I've always been glad that it was not a Florida orange.

However, we have much to gain by the effort. I doubt if we have a certain problem, or a certain answer to the problem which is ours. But, I'm sure of one thing, that the issue is the spirit emphasized by the President in that impressive speech. The spirit of compassion, of good will, of understanding is among the most priceless commodities in the world today. Someone has said that the tragedy of the world is, not that men are poor, all men have known something of poverty, not that men are ignorant, for who can boast that he is wise, but that men are strangers.

Most strangers are unacquainted, and there is a lack of human understanding. Here lie the ills of the world—from the differences among men to the conflicts between nations that brings me to this point. It is the part of these Advisory Committees to help build up that understanding, to bridge that chasm of ill-will, and to place us on the highway of progress which must be the progress of good will and understanding. But, we must also remind ourselves that it takes a little more than good will to meet this issue. It takes good sense. As a matter of fact, a pound of good sense is worth a ton of theory, and we must face these issues in a spirit of good sense with a willingness to face up to the facts as they are, and then solve them in keeping with those circumstances.

Again, we call on the members of the Advisory Committees to help us in bringing that intelligence, that good sense which is necessary to the solution of our problem. Maybe, a little more is required. Our President suggested that we have patience. There is wisdom in that. We can easily, in an effort to gain a week or month, lose years. Let's move with the certainty that our feet will be on solid ground. Let no one think that he has the answer, and be stubborn in his conviction, or obstinate in his conclusions. One must be willing to learn from the other fellow. Down in the State of Virginia, in a

little village known as Charlottesville, there were two churches—a Baptist church and a Christian church. Both had lost membership until they saw the wisdom of combining the two churches. A majority of both churches voted that the Baptist church and the Christian church unit. But there was one obstinate brother who refused to go along. He said, “Just as long as I am a Baptist, I’ll never be a Christian.” Such obstinancy, such determination will not lead us to the right conclusions.

Then, too, at last, we must have faith; yes, a lot of faith in one another, in the judgment of the other fellow, in the genuineness and the sincerity of the other fellow. Faith is one of the steps that will carry us along. I believe it was in the State of Indiana that a good sister sued her husband for divorce. She charged that he had been untrue to her; that he was guilty of infidelity. When she was questioned before the judge as to just what infidelity he was guilty of, she said, “I have reason to believe that he is not the father of my son.” The husband replied that he had been faithful countless times. Of course, he won the decree. So, with a good will, with good sense, with patience, and faith, we certainly shall arrive at truth, justice and right, the aim of all others. Thank you.

Mr. TIFFANY: Thank you Governor Carlton for your delightful discussion. Now it is my pleasure to call upon the Vice Chairman of the Commission, Dean Robert G. Storey from the Southern Methodist University Law School. Dean Storey.

Dean STOREY: Mr. Toastmaster, Mr. Chairman, fellow Commissioners, ladies and gentlemen of the Advisory Committees, I’m sure you understand that it’s a real problem to follow the great stars who’ve preceded me. Echoing first the statements that have been made by my predecessors of the privilege of serving on the Commission with these estimable gentlemen, I want to concur in their statements. It’s been a unique and very rewarding experience in knowing these men as we’ve learned to admire and respect each other.

Shortly after our appointments, the first one I met was Father Ted, he came down to Dallas at the beginning of the 1957 football season leading the mighty Irish to get a little practice over poor old SMU. We had some fine words together with the president of Southern Methodist University, who told a lot of jokes and the rest of us did too. And one of them said, “Do you know the definition of an atheist,” and I believe Father Ted said he had heard it but forgotten it. The definition given was that one who was an atheist could watch the football contest between SMU and Notre Dame and not be concerned with who won.

And of course, from his remarks you’ve learned to know, not only his great intellect, but his wit, and his humor, and I refer to the distinguished gentleman from Virginia who makes things easier for

us, and when we get in a real tough place, Governor Carlton comes through with some of his dry wit and things look a little brighter and rosier. Then, we've always respected Dean Johnson, who has had an important post in the Commission. I think it is all right to say now that all of us were pulling for him very strongly when the vacancy occurred. We have enjoyed him for his balance, his judgment, his demeanor, his conduct, and his outlook. We are delighted that he is one of us; and of course, we couldn't get along without our distinguished Chairman who guides us through some of these knotty problems. So it is a pleasure to serve with these gentlemen.

The second thing I want to say is that I believe one of the smartest things we ever did on the Commission in our early days was to take advantage of a rather obscure provision which appears after the three main responsibilities placed upon the Commission. Down in the fine print it said: "We may constitute Advisory Committees in the several States." We decided that the problems involved could not be settled in Washington alone; and for these far-reaching matters with which we are concerned, that the study and the factfinding which is our primary responsibility would not be complete, would not be adequate, would not represent the feelings of the people of this country, unless we took advantage of the fine print, an obscure provision in the Act. We came to the unanimous opinion that we should, as the law said, constitute these Advisory Committees within the several States, realizing that you men and women of standing, of prestige, of position and above all knowing the facts in your State, and being possessed of mentality, reputation, standing, that you can properly evaluate facts.

In the third place, having found the facts, having evaluated them, you could make recommendations to us that would be of inestimable value. Today we feel this is a climax of the thought that started out from that provision in the law. We think it is one of the most important steps that we've taken. We are delighted, not only that representatives from the States within the continental limits of the United States, but of the new states of Hawaii and Alaska, have come here to give us their ideas. By the way, Governor Carlton couldn't avoid a little of the Texas bragging; and it took one of the Alaska delegates, Mr. Phillips, to put the Lone Star State in our own place. Because the first thing we noticed was, the new model of Alaska was bigger than Texas, and better than California; Alaska is the State! And we are delighted to see representatives from there and from out in the land of Aloha. It's marvelous to see our long standing friends, Joe Hodgson and Ralph Yamaguchi, with us representing that distinguished group. So, collectively we are ex-

pecting that you are contributing much, and I'm certain that your recommendations will have great weight with the Commission.

Then, finally, especially after Father Ted delivered that theological and philosophical treatise, and it was a gem, I'm going to have the temerity to say just a word about a legal matter in connection with our work. Recently, I was down in Austin, our capital, during the legislative session and while there visiting with some of our legislators and the Speaker of the House, three or four gentlemen came in and one of them introduced a member of the legislature from deep in the heart of East Texas where Tom Ramey, his wife, my wife, and I come from. They introduced me as a member of the Civil Rights Commission, and this member of the legislature turned to me and just instinctively said, "Well, I'm against you." And I said, "Against what?" "I'm against your civil rights." I said, "Did you ever stop to think what civil rights included? What it was?" "Oh, I understand it aims to force integration, and I'm against it." Of course, we knew that when he first spoke. But the point I'm making is that so many people, even in high authority, think of civil rights in a narrow sense.

We use interchangeably the words civil liberties and civil rights; and I couldn't help being moved, as I'm sure everyone of you were when in the evening's concluding number, I heard "America the Beautiful," and the recitation from the Declaration of Independence, and the preamble to the Constitution, and the statement of the Father of our Country about what these civil liberties are and what these civil rights mean.

You will recall when our Founding Fathers fashioned the Constitution, they had a hard job putting over the ratification. It wasn't ratified until they agreed, in effect, that the first 10 amendments, commonly known as our Bill of Rights, would be adopted. Had it not been for those amendments along with some others, the 10 would not have been adopted as part of the ratification campaign. The people felt secure with the basic Bill of Rights. The 10 amendments are commonly known as our civil liberties; our rights as enunciated in the Federal Constitution in which the people felt certain that the Federal Constitution would protect all citizens in their basic liberties.

Later, after the War Between the States, when the 14th amendment was adopted with the equal protection clause and all the other liberties and rights that are envisioned under that amendment, there was a dual protection of the States and the Federal Government. The latter had a right not only to enforce the liberties under the Constitution, but even against States if certain civil rights were violated. And they became known after that as civil rights. After

the 14th amendment, there was a guarantee both for the Federal Government and against the several States that these basic liberties, that we commonly know as "civil rights," were guaranteed continuation and enforcement. Most common, I think, when we think of civil rights as compared to civil liberties, is the right to vote and the right to have it counted. So we are dealing from a legal sense, in a real and democratic sense, with these basic liberties that are the greatest heritage that we have anywhere. Of course, they bring about differences of opinion because of the mores of the people, because of location, tradition, and background.

And I feel, with my colleagues, and with over 350 outstanding men and women of the Nation, that you as chairman and secretary represent them here today. I am just as confident as I can be that from a legal, from a philosophical, from a theological, and from a right and wrong standpoint, that out of all of this will come some sensible, sane recommendations that in the end will help preserve these basic liberties, or basic civil rights, as we may call them, to the end that we shall always be free, and that the dignity of the individual man shall ever be preserved, not only against his fellow man, but against the acts of even the Federal Government, and of the State Governments. This in contrast to another ideology that says, in effect, though they have written in their handed-down constitution certain of these basic liberties, there is a provision—unless it conflicts with the socialist society of the Union of Socialist Soviet Republics—and the latter provision, when necessary or when expedient, nullifies the personal liberties that are supposed to be guaranteed under their constitution. It has been a great pleasure to be with you and we look forward to your further cooperation. Thank you very much.

Mr. TIFFANY: Dean Storey, thank you for your inspiring message. And now, it is our privilege to introduce the one who has guided us and given us the leadership through our early days. Our Chairman, the President of Michigan State University, Dr. John A. Hannah.

Dr. HANNAH: Thank you very much Mr. Tiffany. At this late hour, with an early breakfast coming up in the morning and with about everything that possibly could be said having been very effectively said on this platform this evening, I am not going to try to say it over again. The Commissioners have all reiterated the satisfactions that have come to them in serving on this Commission. I should only like to say that the problem with which we are concerned is solvable.

When the President appointed the members of the Commission, he was required by law to appoint a bipartisan Commission with no more than three members from any one party; and very wisely

he and his advisors decided that if any recommendations or conclusions of the Commission were to have much weight and were to eventually be effective, it was essential that the point of view of the South be adequately represented. I must say in some of our earlier meetings we found that we were far apart in our basic thinking. At times it appeared it was going to be very difficult, indeed, to make real progress, but as you have learned from this platform this evening we were not long at our work before all of the members of the Commission became convinced that there is no more important problem facing this nation than the one with which we are concerned, both from the standpoint of what is good for the United States abroad, and if we were alone in the world (if we had no interest in anything that happened outside the boundaries of the United States).

This problem must be solved for the reason that if we are what we say we are, if we believe in the fundamental statements of the Constitution and in the Bill of Rights, in the strong statements that are made in the constitutions of our various States, and in the fundamental religious beliefs that we all espouse, there is no alternative for us but to move from where we are to something better than what we have, to a situation that assures all people regardless of color, or race or religion—not equality necessarily, but certainly equality of opportunity and reasonable education for jobs, the hope to make a social contribution of the highest which one's potential makes it possible for him to make; and then when each individual has the education, and the opportunity to make a social contribution, the objective must be that he has the same opportunity to enjoy the rewards that come to all others making the same contribution to our society. The Commission soon decided that this is certainly true, and if this Nation is to be effective in her role of world leadership, we have no alternative but to better the opportunity of civil rights, particularly as it pertains to race relations in the United States, because unless we do something better than we are doing, instances like Little Rock and Poplarville provide the Soviet Union with propaganda better than their inventors can invent. We are damned in the eyes of that third of the world that holds the balance of power today. And after all, we are spending billions of dollars for military defenses for our own, and providing military assistance for other nations of the world; and all it is all about, all we can do with our military guide or military aid is to provide a temporary shield to keep the Soviet Union out of the areas of the world that are not yet definitely espousing its way. But in the end, there is no end, because unless something is back of the people themselves, to cause them to come to the conclusion that their best interests are going to be served by espousing the basic fundamental principles

of our Western philosophy of living, of course it is going to be lost in the end, for the Soviet Communists are going to have their way.

The Commission could say that this is as clear as anything can possibly be, and if these are the facts, then there is no alternative but for all citizens of this country to recognize that we have an obligation to go somewhere, and we are to do something better.

The real satisfaction has been too, that when we recognize that there is a problem, that there must be a solution; and with the aid and the counsel that we have had from the ladies and gentlemen we have here this evening, and members of the committees that are not here, and the kind things that have been said by the thousands of people in this country, I am convinced that the problem is solvable. For in the end laws may help, but the solution is going to come from education, not the kind of education offered in university classrooms and school houses, but the kind of education that takes place in the minds of people. It has been said by most of our fellow Commissioners here this evening that this is your job. And regardless as to whether this Commission is extended, or whether there is another Commission to take our place, or whether the formality of our efforts die on the 9th of September, if this problem is going to be solved, it is going to be solved only as changes take place in the minds of thinking Americans, recognizing that, as slow as progress may be and at different rates in different communities, in the end it is the only solution that will endure.

We are delighted, of course, with the staff, with Mr. Tiffany, with all of the assistance that you have made formally, and those that you haven't met. I am sure that no temporary Commission was ever blessed by more competent workers than we have been able to recruit, many of them at considerable sacrifice because they too feel that this is an important job that needs to be done. Of course, it just couldn't be done if we don't have the spirit, and help, and assistance from folks like you.

It has been a rewarding experience, but we have a little time to go. The hearing in Alabama, the hearings in New York, and in Chicago and Atlanta have all contributed much, and this conference today and tomorrow is the hope for a final solution of this important problem. After all, it is almost 100 years since the Civil War, and 125 years since the last slave was brought to the United States. While we have done pretty well in some areas, the one thing that has happened, I think, in this country, in the months that this Commission has been in existence—is the growing recognition that none of us, in any part of America, can be very proud of what we have. It may be a voting problem in Alabama; it may be an educational problem in some section of the Old South; but there are

housing problems and other problems that require and deserve the attention of thinking people in all sections of the United States. With your continued cooperation in whatever the Commission may accomplish (it may be very little)—but in the end whatever is contributed rests in your hand.

It has been a fine day; we are grateful to you. Thank you very much.

Synopsis of Housing Roundtables

BY GOVERNOR CHARLES A. SPRAGUE, CHAIRMAN,
OREGON ADVISORY COMMITTEE

IN ALL OF THE sections on Housing, there was general agreement that minority groups in virtually all the States do fail to enjoy full civil rights in obtaining housing. Usually, these groups are confined to the old and run-down sections of the cities, where living conditions are definitely substandard. This results in a concentration of minority groups in particular sections. Partly, this concentration is due to the desire for fellowship among people of their own group. But, usually, it is enforced by economic or social compulsions.

Particularly in the case of Negroes in metropolitan areas, it is true that as families rise in economic status they find it almost impossible to break out of the "ghetto" areas into more desirable sections of the city or into suburban areas. They find that houses or lots will not be sold to them. The means by which this discrimination is practiced is, first, the practice among real estate agents not to introduce a colored person into white neighborhoods on the grounds that it would be offensive to the neighbors and, further, on the fear that an influx of colored residents would result in a depreciation of the property value. Another practice, which is reported in some States, is the refusal of lending institutions to finance the purchase of homes in better residential districts occupied by whites or to finance the building of new homes in suburban areas. Financing, however, was reported to be available where segregated housing was proposed. The problem is complicated by the general lack of housing in our cities. The migration of many Negroes from the rural South to urban areas adds to the congestion in the segregated housing districts. The failure to provide new housing makes the situation increasingly serious for development of proper family life within these areas. Urban renewal and new highway projects in cities often dislocate residents of decadent sections without providing other housing for them.

Historically, our cities have had successive waves of immigration. The latest immigrant group would be at the lowest level economically, and so would have to take the cheapest and poorest housing. Then as they rose in economic status, later waves of new groups would replace them, and the earlier migrants would merge into the general

population. Thus their segregated status would be erased. However, the ethnic origin of most of those waves was European. In the case of the Negroes, the color bar so far has served to prevent the dispersing of the Negro population generally throughout our cities.

Similar discrimination also prevailed against Oriental groups where they were numerous; but since the Second World War discrimination against Orientals has been largely eliminated. The problem, then, of segregation in housing in cities seems to adhere almost exclusively to members of the Negro race.

It was reported in some sections that in resort areas Jews suffered some discrimination in acquiring suitable housing. With respect to Indians, housing is reported to be inferior on most reservations, and apt to be segregated in cities adjacent to Indian reservations where Indians have removed. The problem with Indians, however, was not primarily one of racial discrimination, but of economic and cultural status.

In rural areas of the South, the chief problem with respect to housing arises from the low income level of the Negroes.

With reference to possible remedies, various ideas were offered in the several sections. Considerable emphasis was put on education of the people as to the unfairness of discrimination in housing. It was urged that religious and civic organizations could do a great deal to promote a better understanding between races and thus reduce the impact of discrimination in housing. Among those mentioned favorably were the Committee for Better Housing in Hartford, the West End Community Conference in St. Louis, the Dallas Interracial Council and also urban leagues in northern cities. This education could be directed against those agencies such as real estate boards and financing institutions to persuade them to drop the practices of racial discrimination.

One section made a definite recommendation that there be some regional agency or commission in cities and States to study the problem, investigate complaints of discrimination, seek to educate all segments of the public and recommend remedial action. In all, it was felt that interracial communication is essential to reach a solution of this critical problem of housing.

In the field of State and local legislation, reference was made to a new act in the State of Colorado imposing fair housing practices and banning discrimination in housing because of race, creed, color, national origin or ancestry. Oregon also was reported to have passed new legislation against discrimination in the sale and rental of housing. It was reported that Pittsburgh has adopted an ordinance aimed at ending discrimination in housing.

With respect to possible Federal legislation in this field, one section turned in a forthright synopsis of its position as follows:

All agreed that the Federal government has an obligation to enact, enforce, and implement by Executive Order, non-discriminatory administration of all housing and construction activities in the nation wherein Federal funds are used or Federal guarantees for loans are extended.

General agreement that either a permanent Federal agency or a staff service in the Federal Executive Branch be instituted to police practices in administering Federal financial aid relating to non-discrimination in housing activities.

General agreement was expressed that the Federal government should be concerned about Federal practices and leave to the States that which is not touched by Federal aid in housing.

General agreement that the possibility of enforcing non-discriminatory public housing may result in some Southern States abandoning the field of public housing should not deter in any way the implementing of non-discrimination in all U.S. public housing.

At the conference of moderators of the several sections, the consensus of opinion was in accord with this statement, although it was noted that members of some sections felt that adoption of such a Federal policy would greatly retard housing development under Federal aid.

Discussion of the relative virtue of campaigns of education and special legislation seemed to resolve itself into an agreement that both are needed. Education is needed to obtain legislation and to obtain compliance after legislation is enacted. Also, that legislation, itself, is a primary educational factor so that the two can well go hand in hand. It was remarked, too, that suitable policing is needed when legislation is enacted lest it prove to be a dead letter.

The report might very well be concluded with a hopeful note deriving from the fact that this problem of discrimination in housing is receiving general and serious concern in all parts of the United States, which is bearing fruit in programs of action to solve the problems.

Synopsis of Voting Roundtables

BY J. McNEILL SMITH, CHAIRMAN,
NORTH CAROLINA ADVISORY COMMITTEE

THE VOTING roundtable seemed to be of the concensus that there was no per se discrimination in the State laws in the United States except possibly with respect to literacy tests when applied to people who could not speak English. Substantially, the laws were not, per se, discriminatory.

As to application of the law, I would think a fair statement would be that in some sections of the country, particularly in the South and perhaps not uniformly in the South, there is some discrimination in the application of the laws relating to registration and voting.

In North Carolina, for example, there have been no voting complaints,¹ although there are some persons who feel that the literacy test which was sustained on Monday by unanimous opinion of the United States Supreme Court is applied unfairly in some of the eastern counties. We do not have any evidence of that so far.

In Virginia there have been no voting complaints.

In Tennessee, three counties reported as not voting any Negroes, although Negroes live there.

In certain rural sections of Georgia, a number of sections of Alabama, and certain parishes in Louisiana, discrimination against Negro registration and voting was reported.

There is no report from South Carolina or Mississippi, because they were not represented.

I will say a third factual report is that there is great apathy not only in the Southeast, which are the States I have mentioned, but also throughout the country. It is probable that Negro voting and Negro registration is pro rata lower than for other groups in the population. This does not always represent discrimination either in the law or in the application of the law, but it may represent many other factors. I think the publication of the registration statistics in North Carolina, for example, is going to do a great deal to encourage Negroes to register who may have assumed falsely from national publicity that they couldn't. They are going to find there are no obstacles in their way.

There is built up by reason of this Commission's inquiry in North Carolina through the State Advisory Committee a genuine feeling

¹ See subsequent information contained in the report of the Advisory Committee for North Carolina.

on the part of county chairmen of boards of election and members of boards of election that they are going to see that there is no discrimination. I am confident that this is going its way down through to the local registrar level and that it will be really much easier than in the past for Negroes to register and that they should do so.

This apathy is something that must be counteracted by all community forces throughout the country.

As to suggestions for the future, two of the groups unanimously favored a constitutional amendment that would provide a Federal standard for registration and voting for Federal officers. Two or three of the groups were unanimous in opposing a literacy test. There was much dissent in other groups, with some feeling that literacy was a fair way of telling whether a person was qualified to vote.

One group unanimously favored reduction of the voting age to 18. I suppose that is without reference to race, creed, or religion or anything else; just 18. Most of them seemed to think that all standards for registration and voting ought to be objective, such as, age, residence, not having been convicted of a felony, not being an imbecile. I am not sure that is an objective standard, but, at any rate, that is how they felt.

It would be hard to say there was any unanimity about Federal enforcement activities. I believe there was a feeling that hearings in the places which have had serious difficulties have produced good results and will in time bring out local leadership and that this is probably the greatest advantage to be expected.

Some Federal agency should probably have a subpoena power to make further investigations. There would be a great dissent as to whether the State Advisory Committees ought to have subpoena power even in this area.

In closing, I will say that most of the groups that discussed voting, I think, would agree that there is less objection, less difficulty in selling, less real reasonable basis for any opposition to registration and voting and having that vote counted. There is a great reservoir of pride in the democratic process which, if called upon by local leadership, will respond in favor of encouraging and making it possible for everyone to register and to vote and to have his vote counted.

This is the place where we can make the most progress. It is a place where progress should be made and will lead to progress in housing, education, employment, administration of justice, entertainment, public accommodations, and every other field.

I made the comment in one of the sections but I will pass it on to all of you. One very well educated Negro leader in North Carolina was very impatient with some representatives of our Com-

mittee who were stressing the great possibilities for further Negro registration and voting in North Carolina. This leader, who is very well educated, said, "You are going much too slowly. What we need is Federal funds to clear up slums. We need Federal enforcement of school integration. We need Federal officers who will make certain that fair employment practices are followed. These are things which are immediate needs. Voting can come later."

I think it is completely the other way, and I believe that many people in this group will agree. If the emphasis is placed on voting and registration, which is the beginning of democratic government, then the will of the people will be expressed in the way it is provided that it should be expressed as a matter of law. The law will not be denied in its protection to any group.

Synopsis of Education Roundtables

BY JOHN ROGERS, CHAIRMAN, OKLAHOMA ADVISORY COMMITTEE

THE FOLLOWING is a summary of views expressed at the six sections of the roundtable on education but does not purport to be a consensus of opinion in any particular situation.

"Although under prevailing conditions and methods of enforcement, full compliance with the Supreme Court decision in the *School Segregation Cases* may be expected in the foreseeable future in most of the border States, it is not to be expected in the Deep South."

Good will, understanding, and compassion are essential in this area as well as in all areas in the field of human relations. It was the feeling of some of the members of some of the roundtables that in certain areas of this country it requires a little compulsion.

Opinion was expressed in favor of assistance to school districts in the formulation and implementation of the segregation plans by some agency of the Federal Government, but there was strong opposition to additional enforcement powers.

Some Southern representatives recommended that local Negro leadership be given the opportunity to participate in planning for desegregation. It was felt that deterioration in communication between the races would be overcome largely in this way. Opinion was expressed both for and against Government financial aid to school districts incurring extra expense in connection with the desegregation of schools. The fact of segregation resulting from residential pattern was reported from Northern and Western States. This was believed to be a housing rather than an educational problem.

The problem of the placement and utilization of the qualified Negro teacher in schools attended by white pupils or in the mixed schools is nationwide. Some, however, reported the successful use of Negro teachers in such schools.

A suggestion was made that a Federal agency might be of assistance in the solution of the problem. The Federal Government was accused of fostering segregation of the Indians by its policies and practices in certain areas. Some communities have tried to encourage Indian enrollment in their schools, with little success.

Of course, coming from Oklahoma and being thoroughly familiar with the Indian situation in Oklahoma, this statement does not apply to Oklahoma. I think it is confined largely to the Indians on

reservations. There hasn't been the slightest degree of discrimination in Oklahoma in my area of the field of civil rights as far as the Indians are concerned ever since I have lived in that State, and that is nearly half a century. The only discrimination against an Indian in Oklahoma would be that which applies to all minority groups in the field of employment. There might be a discrimination in certain situations with reference to employment. Other than that, there is not the slightest discrimination insofar as the life of the Indian in Oklahoma is concerned.

I think I would like to close with this comment: This question of integration as far as public education is concerned at all levels, that is, from the first grade on up through graduate schools, varies with different States. It varies in different localities in different States. It is a community problem and a State problem in many States, and it is also a community problem within those States. It is a problem that has to be dealt with pretty largely at what I call the local level.

Synopsis of General Topics Roundtables

COMBINATION STAFF REPORT OF INDIVIDUAL MODERATORS

1. Federal antibombing legislation should be passed, but it should also cover violence resulting from labor disputes. Former Governor Sprague, of Oregon, and Mr. Sylvan Meyer, of Georgia, took exception. They believed State laws adequately covered this point and that a jury would probably act no differently in a Federal court than a State court. They think the problem is one of enforcing existing laws. This was also the general feeling of roundtable No. 4.

2. The terms "civil rights" and "Civil Rights Commission" are not generally understood by the American public. It was strongly recommended that the Commission more fully enlighten the public regarding its functions and purposes.

3. The Commission should give further study to environmental problems, especially housing, and undertake a study of discrimination in employment opportunities and practices. There was some feeling that employment was a more basic study than housing. Mr. Spaulding of North Carolina stressed the need for looking into the widespread problem of discrimination in the field of public accommodations. It was generally felt that local administration of justice should be studied by the Commission and that the Federal Government should review its policy regarding the status of American Indians and their opportunities for advancement.

4. The Federal Government should pass legislation to close loopholes in State legislation regarding voting, bombings, lynchings, local administration of justice such as jury service, police brutality, etc.

5. Concern was expressed over discrimination in labor unions, but it was felt unions are private organizations over which the Federal Government has limited jurisdiction.

6. The matter of transportation desegregation should be left to the Interstate Commerce Commission and the courts.

7. The Commission should give thought to the creation of a special administrative agency to handle or assist in desegregation matters; however, it was generally felt that courts could process the matters better than an administrative agency.

8. A Federal Fair Employment Practices Act supporting the purposes of the President's Committee on Government Contracts should be enacted. The Act might be administered by the Department of Labor.

9. Where Federal funds are used to build hospitals, it should be stipulated that the facilities constructed should be for the benefit of persons of all races.

Synopsis of Role of Advisory Committees Roundtables

COMBINATION STAFF REPORT OF INDIVIDUAL MODERATORS

1. It was recommended the Commission's life be extended and that the State Advisory Committees continue to function.

2. The role of Advisory Committees should be amplified, and what is expected of them should be clarified.

3. Committees should have incidental expense accounts available to defray clerical expenses.

4. The Commission should assist in conducting local and regional symposiums and conferences by State Advisory Committees.

5. Prior to any Commission decision to hold a hearing, the Advisory Committee in the State concerned should be consulted.

6. There should be regional conferences for Advisory Committees particularly in geographic areas that share similar problems.

7. Indiana and West Virginia delegates suggested that the Committee chairmanships be rotated.

8. In one session, it was the consensus, with Dr. Lawrence A. Davis, of Arkansas, taking exception, that committees should be free to release their reports to whom they desired and when they pleased or in lieu of this, that the Commission clarify to what extent reports and findings of State Advisory Committees be made public.

9. State Committees should be as autonomous as possible and should decide what publicity should be given their meetings.

10. It was also suggested that subcommittee members be given certificates or letters of appreciation by the Commission.

11. Some delegates thought their Committees should have more members.

12. Committees that believe they have no problems should conduct surveys to ascertain if there are problems of which they are unaware.

13. The Commission State Advisory Committee newsletter, in addition to reporting on Commission developments, should report activities of the various committees.

14. Committees should be empowered to amend or rephrase Commission questionnaires in order to meet their own needs.

PART II
The Reports
FOREWORD

IN THIS section the State Advisory Committees are listed in alphabetical order, with a roster of each one's members and an abridgment of its report to the Commission on Civil Rights. The abridgments were made both by reason of limitations of space, and in the hope of encouraging a wide readership.

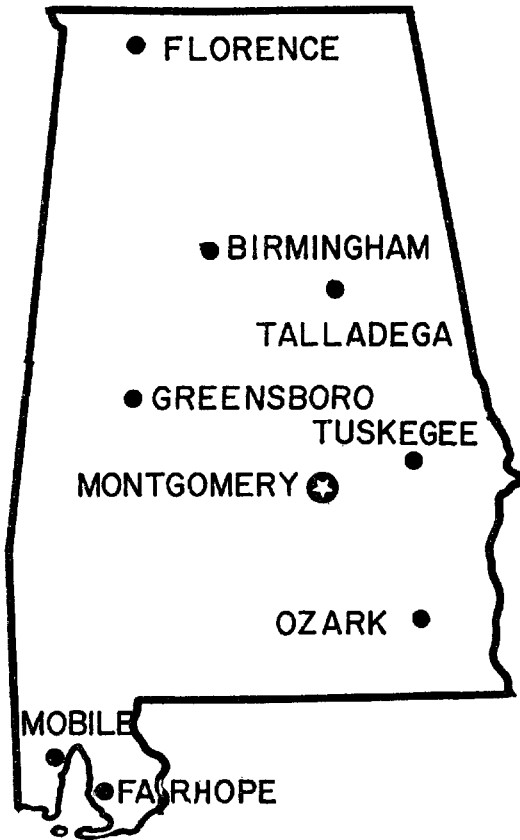
To avoid possible misconceptions, the following paragraphs from the Foreword to this volume are repeated here.

The Commission is heartily grateful to Committee members and their consultants who have so generously assisted. It looks forward with satisfaction to continued association with them. It regards their reports as illuminating contributions to the study of civil rights in their respective States. But in fairness to all concerned, a word of caution must be spoken about the Committee reports.

The Committee members are busy men and women, occupied not only with their individual vocations but usually also with other civic duties in addition to their Committee service. Though seeking the best evidence and testimony available to them, they lacked the time and means for exhaustive investigation, sworn testimony, and scholarly checking of reported facts. The Commission, in turn, lacked the time and resources which would have been required to verify all of the facts set forth in the Committee reports, and to form judgments on all of the recommendations and other opinions expressed.

Hence these reports must be read for what they are: not official documents but on-the-spot findings of informed and conscientious citizens seeking to discover the extent of denials of equal justice in their respective States, and possible remedies.

Alabama



Alabama Advisory Committee

(First meeting May 25, 1959)

Chairman:

JAMES DOUGLAS BROWN, SR., Ozark
Occupation: Attorney; Mayor of Ozark 1948 to date, Chairman of the Board, Commercial Bank, Real Estate Broker.
State Senator 1942-1946; Chairman Dale County Industrial Development Board; Chairman, Dale County Hospital Board; President, Buena Vista Terrace, Inc. (Housing for Elderly Project).

Vice Chairman:

Dr. E. B. GOODE, Mobile
Occupation: Doctor of Medicine Southern Conference, Human Relations, P. M. Masons

Secretary:

MRS. ROBERT D. ELLY, Birmingham
Member of National Executive Committee of United Presbyterian Women of United Presbyterian Church, U.S.A.

WALTER D. AGNEW, Greensboro
Occupation: Retired college president, Huntington College, Montgomery
32d Degree Scottish Rite Mason; Alabama Council on Human Relations

LOUIS A. ECKL, Florence
Occupation: Executive Editor, *The Florence Times*

Past President, Alabama Associated Press Association; member, Alabama Council on Human Relations

MRS. VERA FOSTER, Tuskegee
Occupation: Social Worker, VA Hospital, Tuskegee
National Association of Social Workers; Alabama editor for *Christian Century*

A. G. GASTON, Birmingham
Occupation: President, Booker T. Washington Insurance Co.
Trustee, Tuskegee Institute; President, Smith & Gaston Corp.

DR. ARTHUR D. GRAY, Talladega
Occupation: President, Talladega College

Former member, Board of Directors on Human Relations under Adlai Stevenson

DR. ROBERT A. LAMBERT, Fairhope
Occupation: Medical administrator and teacher (Retired)

Assoc. Director for the Medical Sciences, Rockefeller Foundation 1928-48 (New York); Teacher of Pathology, Columbia, Yale

MRS. FRANCES P. MCLEOD, Montgomery
Occupation: Housewife
Charter member of Alabama Division SRC (Alabama Council on Human Relations)

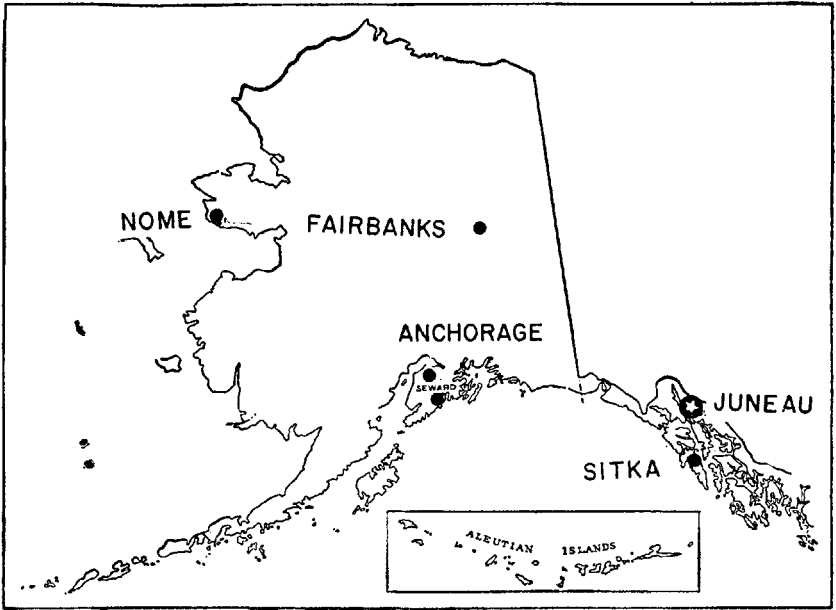
Committee Study Topics: Voting

Alabama Report

THE ALABAMA State Advisory Committee decided at its first meeting to place primary emphasis on voting rights in the State. At its second meeting, on July 1, 1959, the Chairman reported on the National Conference of State Advisory Committees which he had attended. Nine affidavits from Negroes in Montgomery charging denial of the right to register because of race were presented at this meeting, and forwarded to the Commission. The Advisory Committee gave attention to the continued absence of a board of registrars in Macon County.

Despite predictions that no Advisory Committee could be formed in Alabama, at least one influential paper in the State characterized the members as "moderates," and a poll of active members indicated that they personally had received only favorable and complimentary reactions to their service on the Committee. Committee members met after the National Conference in Washington, D.C., to discuss future plans.

Alaska



(47)

Alaska Advisory Committee

(First meeting December 20, 1958)

Chairman:

BRAD PHILLIPS, Anchorage

Subcommittee: Housing

Occupation: Travel agent

Director, Alaska Visitor's Association; former director, Chamber of Commerce

Vice Chairman:

CLINTON GRAY, Nome

Subcommittee: Housing

Occupation: Printer

Former member territorial House of Representatives; Eskimo leader

Secretary:

CLARENCE V. COLEMAN, Anchorage

Subcommittee: Housing

Occupation: Contractor

President, Anchorage Branch, National Association for the Advancement of Colored People

CHARLES M. BINKLEY, Fairbanks

Subcommittees: Education and Housing

Occupation: President, Alaska Riverways, Inc.

Board of directors, Alaska Visitor's Association

ANDREW GAMBLE, Angoon

Subcommittee: Housing

Occupation: Mayor of Angoon

Past vice president, Alaska Brotherhood (Indian leader)

PATRICK J. GILMORE, JR., Ketchikan

Occupation: Attorney

Former United States Attorney, 1st Division of Alaska

A. H. ROMICK (Resigned June 4, 1959), Anchorage

Subcommittee: Housing

Occupation: President, Federal Distributing Company, Inc.

President, Alaska Family Counseling Service; chairman, United Jewish Appeal

Other Committee Study Topics: Employment, Public Accommodations, and Voting

Alaska Report

FOREWORD

THE ALASKA State Advisory Committee takes pleasure in submitting to your Commission our report on matters of civil rights in Alaska.

It is particularly significant to us that the President and the Congress have attached such importance to the problems of civil rights at this time in our history. As one of the two newest States of the Union, it is important that the establishment of self-government in Alaska be done with maximum attention to the rights of its individual citizens.

Through the opportunity to participate in this national program, we can learn from the experiences of our older sister States and avoid many of the problems experienced during their years of development.

The Alaska Committee express their hope that this report will be of some value in the institution of wise, judicious national legislation in order to make the United States of America an outstanding example of human dignity and liberty for all the world.

EDUCATION

The population of Alaska is composed of about 300,000 whites, 37,000 natives, and 8,000 Negroes. In addition to the State-supported system, a school system for native children (Eskimo, Indian, Aleut, etc.) is maintained by the U.S. Bureau of Indian Affairs. This system operates 75 day schools and 2 boarding schools throughout Alaska, principally located in native villages. The day schools offer education to the eighth grade and, in most cases if complete secondary education is desired, it is necessary for the native children to attend high school in the major population centers away from their villages, or apply for admission to one of the two boarding schools located at Sitka or Mount Edgecumb. There are approximately 5,000 students attending these native schools, and another 6,000 native children in the State public schools.

The native schools operated by the Federal Government through the Bureau of Indian Affairs are for natives only. A student must be at least one-sixteenth native in order to qualify legally for attendance. In most areas where a native school exists, it will be the only school available so that if strict interpretation of the law

is applied, white children or children of other minority groups will have no opportunity for formal education in these schools.

No factual evidence was uncovered by this Committee that a difference existed between the two systems in regard to quality of teaching staff or standard of education. The Committee was told that employment qualifications and standards were substantially the same.

It was pointed out that occasionally students experience some difficulty upon transferring from a native school to a State public school. While no concrete evidence was uncovered that would point to discrimination or a difference in quality of education between the systems, it has been suggested that other factors may contribute to this difficulty. These factors could include: (a) transfer of native students to strange communities and the resultant loss of parental control, (b) language difficulties, (c) difference in cultural and sociological backgrounds between students of native origin and others, (d) lack of housing and supervision in some communities.

It was determined by the Committee after hearings and individual contact by Committee members that complete integration exists in the public school system. Native, Negro, white and other groups are all represented in the public schools, and all students have the same academic opportunity according to their individual abilities.

Alaska, at this time, has only one college or university: the University of Alaska (a land-grant school) located at College, Alaska. This institution operates community college programs in several cities in addition to university study on the campus.

No specific or factual information was provided to this Committee which would indicate a policy or practice of discrimination, etc., on the part of either school system or the university in regard to academic education or employment of professional or administrative staffs.

Recommendations

The Alaska Advisory Committee would like to offer the following recommendations for consideration, with the full knowledge that our investigation has not been complete because of limitations of time, finances, and lack of assembled information available.

1. A need is recognized for a Government work and study committee on native education. Emphasis could be given to the availability of courses directed to making the native more proficient in the activities characteristic of his own economic endeavors in his own village. In addition, the native student should have all opportunities possible to prepare himself to compete in the white or urban culture that is rapidly developing around him. A close look should be given to both the technical and vocational fields as well as the academic field of education.

2. Investigation should be given to the feasibility of providing more opportunity for high school education for natives closer to their home areas. Now it is necessary in most cases for the native (and white) child in remote areas to travel several hundred miles to attend high school.

3. In our necessarily limited investigation, the Committee feels that it would be entirely desirable to investigate immediately the possibility of integrating the State public school system and the Federal native school system into one elementary and secondary system. This, we feel would insure equality in opportunity and in standards of education, and in addition would eliminate costly duplication. It must be emphasized, however, that this recommendation does not imply that the Federal Government should be relieved of its moral and financial responsibility in regard to the education of the native students. We feel that if the Federal Government did not contribute to support its obligations in this field, the State could not provide adequate finances and the result might very well be a deterioration rather than an improvement in the Alaskan educational program. We feel that with proper attention, integration of the school systems could result in financial savings as well as a single integrated program to the benefit of all students.

This Committee recommends that some way be found to make native school facilities legally available to all children regardless of race, religion, or national origin. The existence of Federal regulations limiting the use of these facilities to natives only, is felt to be discriminatory and it is further felt that all children should have equal opportunity for an education. Normally where native school facilities exist, they are the only ones available and it is unfair that white children or other race groups must be sent to other communities to receive education.

HOUSING

There are no facts or studies available to indicate the extent of housing patterns of minority groups in Alaska. However, there is physical evidence that "island communities" do exist in the major cities. The Committee feels that it may very well be a combination of economic and cultural factors as well as some subtle discrimination that create this situation.

On investigation of complaints regarding the financing of homes, there was no substantiating evidence that discrimination because of race, creed, or national origin occurred. The Committee received two such complaints, but the major difficulty seemed to be a lack of qualified applicants from an economic standpoint. Many areas surrounding major population centers do not qualify for FHA or other Government-insured loans because of the lack of services available that are necessary before these loans can be insured.

Further investigation shows that because of the seasonal nature of a large part of the employment in Alaska, many applicants cannot comply with the requirements of most lending institutions that the applicant have steady year-around employment.

There is some evidence that discrimination of a subtle nature does exist in regard to the sale or purchase of property (principally dwelling units) to minority groups. These accusations are not easy to identify or substantiate. However, the Committee did receive several complaints that some real estate agents and sellers of property participated in this discrimination.

Numerous individual complaints of discrimination were brought to the Committee's attention regarding the availability of rental units in Government-financed apartments and/or private home apartments. There seems to be a ratio between the number of complaints and the availability of rental units. When there are ample units available in the community and the competition is keen, there seem to be fewer complaints of the nature. The Committee recognizes that this type of discrimination is subtle and is the most difficult kind to combat. A major factor in the availability of standard or superior rental units to members of minority groups is an economic one, and should not be confused with discrimination because of race, color, creed or national origin.

The major cities in Alaska generally have made maximum efforts to utilize the Federal urban renewal program in blighted areas. Several of these programs have involved areas of high Negro or native concentration. By the very complexity of the program and its attendant problems, urban renewal is slow and does not keep pace with the need.

There is no State or local renewal program comparable to the Federal program in operation in Alaska.

There are no State or local laws covering minority housing in Alaska.

There are no State or local laws even recognizing segregation in housing in Alaska.

Urban renewal programs are relatively new in Alaska. All evidence points to a maximum effort on the part of the program administrators in securing safe, decent, standard housing for all displaced persons of a renewal area, regardless of race, color, creed, or national origin, in areas with no reference to segregation.

According to evidence given by mortgage credit institutions in Alaska, their experience shows that foreclosure statistics are not greater among the minority groups than white. This is attributed to the strict requirements placed on each individual regardless of race, color, creed, or national origin, in order to qualify for mortgage credit under FHA and other Federal insured mortgage loans.

Problems of crime, disease, delinquency, etc., in minority group housing areas have normally not been a result of inadequate housing or high taxes. When these problems have existed, the Committee found that they existed because many individuals moved into the areas for purposes of prostitution, unregulated liquor sales, etc. These conditions for the most part have been because of inadequate law enforcement, principally outside of incorporated areas.

Planning commissions and city and town councils in major population centers have worked to meet expansion problems and have been hampered by Territorial status which provided inadequate home-rule provisions in the law. In addition, the rapid expansion of some Alaskan cities brought severe problems by the annexation of blighted areas and the cost of rehabilitating these areas.

Recommendations

1. The Alaska Committee would like to recommend that a study be made to determine what could be done to make long-term financing available to more persons in more areas where costs are higher, so that the people in lower income brackets can upgrade their dwellings.

2. The Committee would like to encourage widespread use of the block statistics program offered by the Housing and Home Finance Agency in connection with the 1960 census. This program will help provide detailed information not now available in regard to minority group living patterns, economic patterns, and substandard living conditions.

3. The urban renewal program should be expanded and speeded up without delay to help meet problems of rapid growth in Alaskan cities.

4. We also feel that the State Government should consider the desirability of an urban renewal program to work in connection with the Federal program. However, this does not imply a substitution for the Federal program.

5. All State Governments may do well to have a State Advisory Board reporting to the Governor on matters of human rights.

EMPLOYMENT

Alaska's employment pattern falls into three major categories, i.e., year-around Government employment, year-around service and basic industries, and seasonal industries:

- (a) Government employment includes Federal Aviation Agency, Alaska Railroad, U.S. Post Office, U.S. Public Health, Bureau of Land Management, employment on military establishments, State and municipal employment.
- (b) Service industries include normal retail and wholesale distribution businesses necessary to support Government activity and

basic industries such as wood products, coal mining, oil, farming, communication, transportation, utilities, finance, insurance and real estate.

- (c) Seasonal employment is found in mining, fishing, construction and the tourist business.

Alaska has a Fair Employment Practice Act, enacted in 1952.

The Alaska Committee has not had an opportunity to investigate employment in the fishing industry.

Formal complaints were received from the Alaska Native Board in regard to discrimination against natives in competition in the construction industry. Testimony given at the employment hearing indicated that if it exists it is a result of lack of technical training and limited opportunity to compete with professional construction workers from other areas. The mobility of the labor force in the construction industry is characteristic and again makes the competition keen.

Anchorage and Fairbanks hearings produced a number of complaints from Negroes regarding discrimination in several employment fields. These complaints in most cases alleged discrimination on the part of certain labor unions who employed various methods to prohibit membership of Negroes in these unions. The unions accused included: Electrical Workers, Iron Workers, Plumbers, Operating Engineers, and most shipcraft unions. This alleged discrimination included not only membership, but exclusion from opportunity to participate in apprentice training programs. In the above-named trades, exclusion from the union membership is tantamount to exclusion from employment opportunity in these fields. The Committee attempted to investigate these complaints at the Anchorage employment hearings. Invitations were issued to all unions in the Anchorage area as well as most major employers. It may or may not be significant to note that all of the accused unions were conspicuous by their absence. The Committee has no intention of making final judgment as to the extent of these conditions, but feels that under the circumstances these accusations should be investigated by an appropriate body with proper investigatory powers.

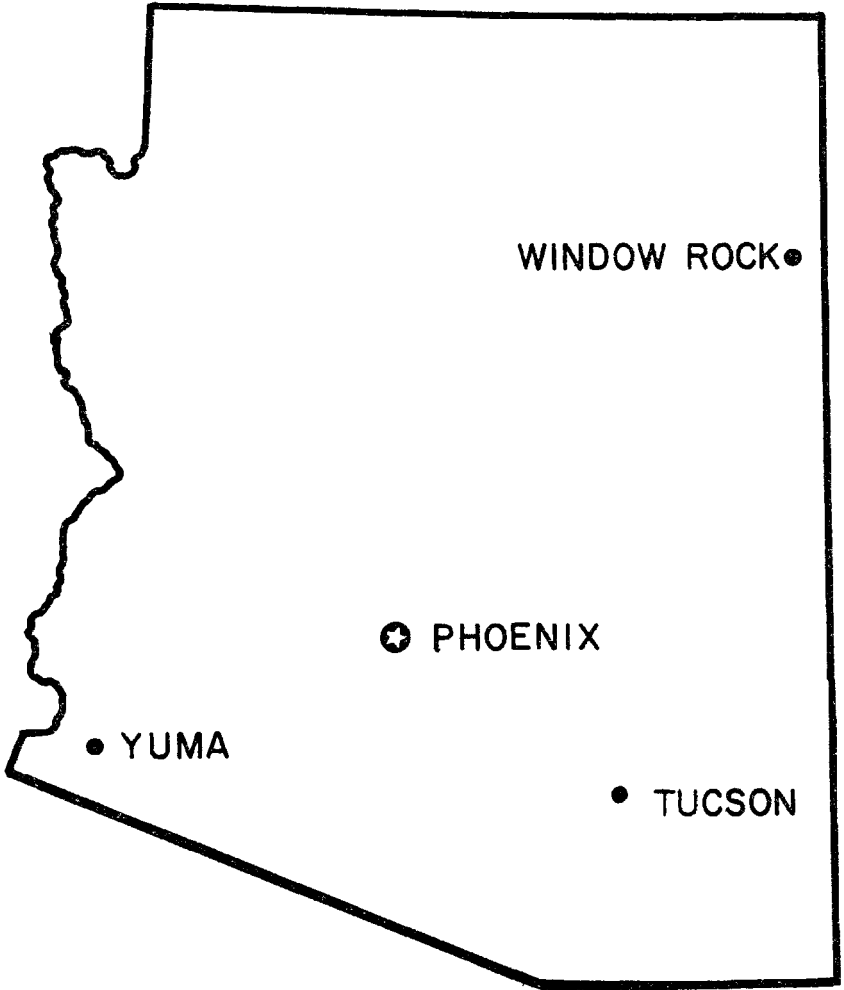
VOTING

A person must be 19 and literate in the English language before he is eligible to vote.

PUBLIC ACCOMMODATIONS

The Committee did not investigate the area of Public Accommodations due to lack of time, and felt that the other areas were more important. No factual evidence points to the emergency need of an investigation in this field at this time.

Arizona



• YUMA

⊕ PHOENIX

• TUCSON

WINDOW ROCK •

Arizona Advisory Committee

(First meeting August 22, 1958)

Chairman:

JAMES F. MCKALE, TUCSON

Occupation: Retired Coach and
Athletic Director, University of
Arizona

Vice Chairman:

ARTHUR VAN HAREN, PHOENIX

Occupation: Business executive,
Parliamentarian of Vesta Club

Secretary:

MRS. FORREST C. BRADEN, YUMA

Occupation: Housewife
Chairman, social relations, Arizona
Episcopal Church

PAUL JONES, WINDOW ROCK

Occupation: Bureau of Indian Af-
fairs

Chairman, Navajo Tribal Council

WILLIAM F. MULLINS, PHOENIX

Occupation: Palmer Manufacturing
Company

Chairman, Arizona AFL-CIO Civil
Rights Committee

WALTER ONG, PHOENIX

Occupation: Businessman and real
estate developer

President, Chinese Chamber of
Commerce

Committee Study Topics: Education,
Housing, Voting, Local Administra-
tion of Justice, Employment

Arizona Report

ADMINISTRATION OF JUSTICE

IT IS OUR belief, with the exception of Maricopa County (Phoenix), that the minority groups are treated almost as well as the majority group.

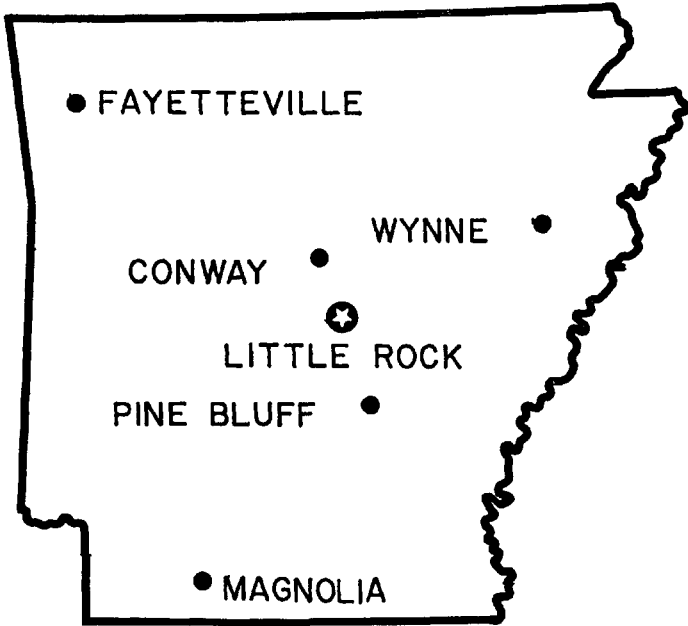
HOUSING

Mexicans, Indians, and Negroes live in segregated parts of the cities or towns, but it is more by choice than by force. It is usually in substandard houses, but that is because of their economic position. If an Indian or Mexican is financially able, he may live where he pleases.

This is different for the Negro. He is forced to live in or near segregated areas no matter what his economic position. This is not because of law, but because of pressure exerted by real estate and loan companies. If segregation were clear and decisive by law, the Negro would know what he was against and how to fight it. Here, however, it is a subtle opposition with which the Negro cannot cope.

(57)

Arkansas



Arkansas Advisory Committee

(First meeting August 21, 1958)

Chairman:

J. GASTON WILLIAMSON, Little Rock
Occupation: Attorney

Secretary:

DR. LAWRENCE A. DAVIS, Pine Bluff
Occupation: President, Agricultural, Mechanical, and Normal College
Member, Commission on Farm Labor Conditions

JOSEPH R. BOOKER, Little Rock

Subcommittee: Housing

Occupation: Attorney

Former president, National Bar Association

MRS. W. L. JAMESON, JR., Magnolia

Occupation: Housewife

Eastern Star leader

ROBERT A. LEFLAR, Fayetteville (resigned as chairman, January 23, 1959)

Subcommittees: Education, Housing, and Local Administration of Justice

Occupation: Professor of law, New York University and director of seminary for appellate judges

Former dean of Law School, University of Arkansas; Associate Justice, Arkansas Supreme Court

JAMES L. SHAVER, Wynne

Subcommittee: Housing

Occupation: Attorney

Former Lieutenant Governor of Arkansas; former president, Arkansas Bar Association

JOSHUA K. SHEPHERD, Little Rock

(former Chairman)

Subcommittee: Education

Occupation: Senior partner, Shepherd and Company, Insurance

Former president, Little Rock Chamber of Commerce and American Association of Insurance General Agents

DR. MARSHALL T. STEEL, Conway

Occupation: President, Hendrix College

Former pastor, Highland Park Methodist Church, Dallas, Tex.

Arkansas Report

THE Arkansas Advisory Committee undertook studies in six fields: Voting, Education, Housing, Transportation, Administration of Justice, and Employment. But in view of the tensions in Little Rock and elsewhere in the State, the Committee soon concluded that its investigations should be conducted with a minimum of publicity. To date, therefore, it has confined its reports to the Commission to an analysis of the Arkansas school situation in 1958, and to partial completion of voting and education questionnaires.

In a letter to the Commission, Acting Chairman Shepherd commented as follows:

“The difficulties and delicacy of our Arkansas situation in the matter of schools are, I believe, well known to the members of the Commission. In other areas of interest, progress is developing constructively, with increasingly higher living standards and expanding opportunities for participating citizenship by the less privileged.

“So far as I know, no complaints have been filed with our Committee, and I believe that our thoughtful leaders are cooperating in the effort to make available better things for all people without racial discrimination.”

California



California Advisory Committee

(First meeting August 27, 1958)

Chairman:

DR. MABEL E. KINNEY, Los Angeles

Subcommittee: Education

Occupation: Doctor of religious science, public relations and lecturer in Religious Science Church Member, State Board of Education, Legislative Chairman, California Federation of Women's Clubs

Secretary:

JOSEPH B. RIDDER, San Jose

Subcommittee: Voting

Occupation: Publisher of *San Jose Mercury*

JOHN A. DESPOL, San Francisco

Subcommittee: Employment

Occupation: General vice president, California Labor Federation AFL-CIO

DR. WILLIAM H. D. HORNADAY, Los Angeles

Occupation: Minister, author, lecturer

Member, World Affairs Council of Los Angeles; Director, Cancer Prevention Clinic; Member, Jonathan Club, Urban League of Los Angeles; Past president, Lion's Club, Monterey Park

IGNACIO E. LOZANO, JR., Los Angeles

Subcommittee: Administration of Justice

Occupation: Publisher of *La Opinion* (daily Spanish language newspaper)

LOUIS A. ROZZONI, Berkeley

Subcommittee: Housing

Occupation: President, California Farm Bureau Federation; director, American Farm Bureau Federation

MASAO W. SATOW, San Francisco

Subcommittee: Employment

Occupation: National director, Japanese-American Citizens League

DR. ROBERT G. SPROUL, Berkeley (Resigned May 18, 1959)

Subcommittee: Education

Occupation: President emeritus, University of California; president, International House Assn.

JOHN H. STEINHART, San Francisco

Subcommittee: Administration of Justice

Occupation: Attorney

Former president, Jewish Family Service Agency

PAUL R. WILLIAMS, Los Angeles

Subcommittee: Housing

Occupation: Architect

Former member, California Housing Commission

California Report

INTRODUCTION

WE ARE STILL short of our goals. The issue of race discrimination is still a burning issue, perhaps more so because of our changing population, with its increased racial and cultural diversity.

It is impossible to decide who suffers the greatest moral and economic damage from our civil rights transgressions, because all of us are hurt. That is certainly true of those who are victimized. Their belief in the basic truth of the American promise is undermined. But they do have the realization, galling as it may be, of being morally in the right. The damage to those who are responsible for these violations may well be greater.

They, too, have been reared to honor the command of "free and equal." Their immoral failure to do so no doubt spawns other kinds of immorality from which they and all of us suffer. And all of us must share in the shame at the growth and maintenance of hypocrisies which prevent our full economic development, endanger our national security, and limit the potential of human happiness.

EMPLOYMENT

Discrimination in employment based on race, religion, or national origin is particularly acute in California because of the large number of minority groups in the State. They include the following: 500,000 Negroes, 800,000 Mexican-Americans, 85,000 Japanese-Americans, 60,000 Chinese-Americans, 450,000 Jews, over 2,000,000 Catholics, and a million foreign-born.

All available statistics—from California State Employment Service studies, from University of California studies, from independent studies—show that over 60 percent of the employing sources in the State have a discriminatory policy of one kind or another. They may exclude certain groups entirely or restrict them to certain types of work, regardless of qualifications.

Discriminatory practices are also revealed in a comparison of wages paid to white and nonwhite workers in California. The latest United States Census shows that in this State the median wage of the nonwhite is little more than half of the median white wage. This comparison underlines the failure to upgrade nonwhites to jobs for which they are qualified.

Perhaps the most dramatic evidence to come to light recently is the information released by the Anti-Defamation League (Pacific Southwest regional office) about the discriminatory orders received and processed by private employment agencies. The Anti-Defamation League reports (in part):

. . . that it had obtained more than 500 discriminatory job orders for clerical workers placed by hundreds of Los Angeles firms with several private employment agencies during the past three years.

. . . Each of the firms had specified in their job orders for clerical workers that Jews, Negroes, Orientals, Mexican-Americans and/or Catholics were not to be referred to them for consideration as job applicants.

The full dimensions of the problem come to the surface when data such as ADL gathered are analyzed. Five hundred discriminatory job orders over a 3-year period may seem inconsequential when compared to the large number of firms in Los Angeles. However, this figure assumes ominous proportions when one considers that the information which was received constitutes only a small fraction, a "drop in the bucket" of the total number of discriminatory job orders received and processed each week by the more than 100 private employment agencies in Los Angeles.

The fact that this information came via only four employment agencies and was obtained on a catch-as-can basis removes any doubt as to how widespread these practices are.

In its November 1958 Progress Report, the Berkeley Study Committee on Equal Employment Opportunities states:

The results of our study indicate that, although there has been some improvement in employment opportunities for members of minority groups in Berkeley over the course of the last two decades or so, there is still a serious problem of discrimination in hiring, at least above the level of unskilled jobs.

Resistance against hiring Negroes for white-collar positions in Berkeley is reported to be so widespread that even highly-qualified Negroes encounter serious difficulty in finding employment.

In its Civil Rights Inventory (June 1958)—perhaps the most comprehensive and scholarly study of its kind in California—the Council for Civil Unity of San Francisco declares:

Our first general conclusion is that employment opportunity in private industry in San Francisco is still widely restricted according to race. These restrictions are experienced most acutely by Negro members of the labor force, and less so by Orientals and other non-whites of Asian background. While the employment situation for Jewish persons is much more favorable than for non-whites, they still face certain inequalities, usually of the "gentlemen's agreement" kind and at relatively high position levels. Latin Americans—principally those of Mexican origin—also encounter certain limitations of job opportunity.

Practices short of merit employment are found in a great variety of forms and may differ sharply as between industries, firms within the same industry, departments within the same firm, or even job levels within the same department. No single formula would adequately describe the diversity of hiring and upgrading policies which obtain.

Employment Recommendations

This Committee recommends that:

1. The President's Committee on Government Contracts should be strengthened by—

- (a) Giving it the status of a permanent Federal commission;
- (b) Appointing adequate staff, with specialized competence in fair employment practices enforcement, in the compliance division of each Government contracting agency, and assigning such staff the responsibility for supervision of the enforcement of the nondiscrimination provisions of government contracts;
- (c) Establishing more regional offices (in addition to Chicago and Los Angeles) and expanding regional and national staff to permit a more effective educational program, facilitate the referral of cases for investigation, and expedite the compliance surveys.

2. The President's Committee on Government Employment Policy should be strengthened by—

- (a) Giving it the status of a permanent Federal commission;
- (b) Appointing an officer or officers, with special competence in the field of fair employment practices in each government Department who would supervise the enforcement of the Government's merit employment policy;
- (c) Establishing regional offices with adequate staff in order to educate personnel officers and the general public with regard to the Committee's program and to facilitate the referral of cases for investigation.

3. A White House Conference on Civil Rights, with employment discrimination as one of the principal subjects of concern, should be called periodically by the President.

4. The convening of a similar Governor's Conference of Civil Rights in each State, and the calling of local conferences by appropriate local city or county governing bodies, should be encouraged.

5. Non-discrimination provisions in labor-management collective bargaining contracts should be encouraged by the Department of Labor through the dissemination of material on experience with existing provisions of this type, and by furnishing staff consultation and informational services.

6. Industry Leadership Conferences at national and local levels should be sponsored by the President's Committee on Government Contracts.

7. The United States Office of Education should establish a permanent program of cooperation with State and local school systems and educational institutions at the elementary, secondary, and university levels, to encourage minority group participation and non-

discrimination in vocational guidance, career education, occupational training, and apprenticeship training.

8. The Federal Bureau of Apprenticeship and Training should direct special efforts to obtain the more effective use of the talents and skills of minority group members.

9. Federal fair employment practices legislation should be enacted, prohibiting discrimination in employment and establishing a Federal Fair Employment Practices Commission.

10. Similar State and local fair employment practices legislation should be enacted.

11. A position as minority-group consultant should be created in each State, to be filled by a race relations person whose duties would be to facilitate and coordinate the activities of agencies concerned with the employment of persons of minority groups; publish periodic reports on the utilization of the manpower represented in the minority groups; and the development of public educational programs to stimulate public opinion.

HOUSING

Although the Supreme Court decision outlawing restrictive covenants has made it possible for members of racial and religious minorities who are able to buy real property to live in that property if they so desire, discriminatory practices still prevent many persons from purchasing homes in certain areas.

Although restrictions based on race, creed or religion are unenforceable, builders, lending institutions, and realty boards have apparently entered into gentleman's agreements to sell only to certain racial and religious groups.

For example, in southern California, it is almost impossible for members of certain racial minorities to purchase homes in new subdivisions on the FHA or GI small-down-payment plan. As a result, these persons are forced to purchase homes in the older areas of urban communities, which in most cases requires a 25 to 40 percent down payment.

The down payment would be prohibitive were it not for second and sometimes third mortgage financing. The additional mortgage permits a small down payment, but forces the purchaser to pay unreasonable sums each month toward the first and subsequent mortgages. In addition thereto, these mortgages are usually for substantially shorter terms than those obtainable in new development under FHA or GI plans. In many cases the monthly payment for minority groups under these circumstances will be almost double the payments that would be necessary if they were able to purchase homes under FHA or GI plans.

In rental housing, discrimination is openly practiced and, regard-

less of the ability to pay, minority group members cannot obtain adequate rental facilities. In California the practice is widespread and ordinarily minority group members, unless they wish to purchase a home, must live in the older, less desirable areas. The rental housing available in these areas is of much lower quality and the maintenance and services provided by landlords is far inferior to that in restricted rental areas.

EDUCATION

The Committee found little evidence of racial discrimination at the student level in California's schools and colleges. But teachers were another matter.

Section 13031 of the California Education Code declares it to be against the public policy to refuse or fail to recommend teachers for employment because of the race, color, religious creed, or national origin of the applicant.

However, discrimination in teacher employment does exist in a number of California school districts. According to a State Department of Education survey, teacher placement officials were unable to secure jobs for 134 applicants in 1952 because of the race or religion of the candidates. They could not place 74 in 1953; 85 in 1954; 147 in 1955; and 141 in 1956. These figures take on added significance when one considers the fact that this situation existed during a period of great teacher shortage. In 1956, in fact, 12,772 persons were employed in the state on provisional credentials, and half of these had not even completed college.

Generally speaking, Negro candidates experienced the greatest difficulty of all minorities in securing teaching positions. Oriental teachers have secured jobs with little difficulty in the past few years. Discrimination for religious reasons is also on the wane, but a few districts still seem reluctant to employ Jews or Catholics.

A number of districts in California employ teachers on the basis of their qualifications. Most school districts in the larger metropolitan areas follow such a practice. There are a number of rural districts that also employ on the basis of merit.

The California State Board of Education, in accordance with Education Code 187 (added by statutes of 1957), has established a Commission on Discrimination in Teacher Employment "to assist and advise local school districts in problems relating to racial, religious or other discrimination in connection with the employment of certificated employees."

A few years ago, Dr. John Furbay, Education Director of Trans-World Airlines, stated that it was necessary for his company to train American personnel in good human relations before allowing them to operate in Southeast Asia and Africa. He added that his com-

pany would go out of business within 6 months in those areas if the typical attitudes which most of their American personnel held about people of different ethnic backgrounds were not corrected. It seems a great tragedy in a world grown technologically small, that Americans are so poorly equipped to relate interculturally with the people of the world. Today, an understanding respect for the rights and dignity of others is no longer merely a worthy ideal, but has become a practical necessity for survival.

What better way can our children learn, intellectually and emotionally, to accept persons of different backgrounds than by utilizing the teaching abilities of qualified persons regardless of their race or national origin? Indeed, what Americans have often considered a "problem" may well prove to be our greatest asset.

ADMINISTRATION OF JUSTICE

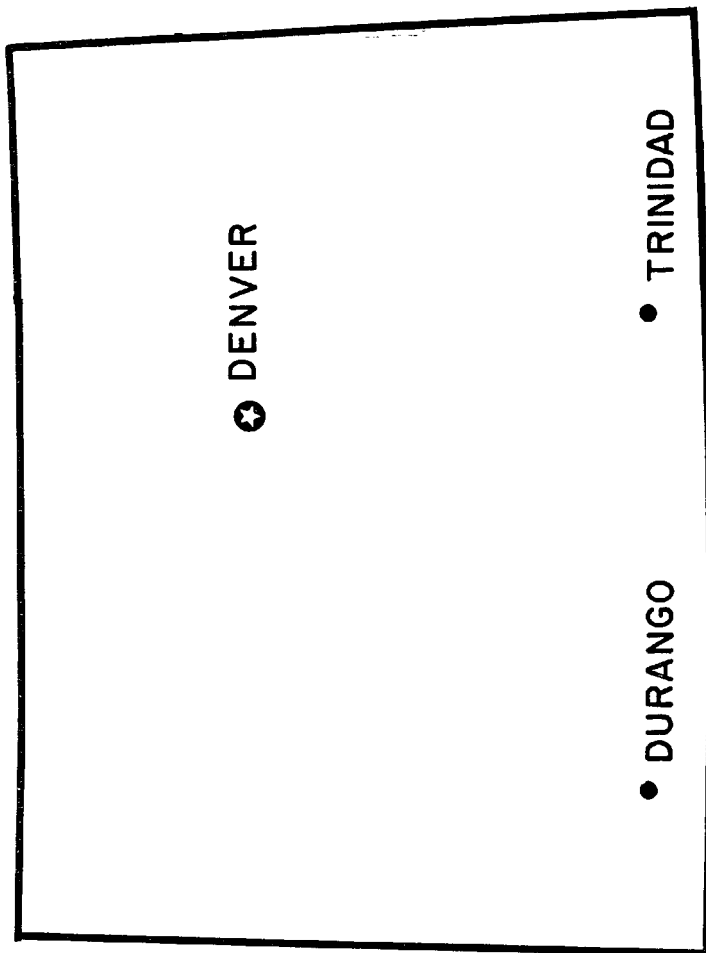
The method of investigation of the Subcommittee for Central and Northern California dealing with equal administration of the law consisted of interviewing (1) members of organizations dealing with civil liberties representing racial and religious groups such as the American Civil Liberties Union, Community Relations organizations, the International Institute, the NAACP, Japanese-American Citizens League and Chinese-American Citizen Alliance; (2) public officers such as district attorneys, public defenders, sheriffs and members of the police department; (3) attorneys whose clientele consisted in part of the racial groups above mentioned or who handled alien and immigration cases; and (4) newspaper personnel.

In the counties covered by this report the Committee's findings were not only negative as to any discrimination in the administration of the laws by reason of any group identification, but disclosed a rather high regard for the civil liberties of all persons. Isolated instances of discrimination were found, but in each instance there was an absence of any pattern which would relate these isolated cases to discrimination based upon any group identification. The discrimination in these isolated cases stemmed for the most part from unusual circumstances or official errors in judgment, and the parties injured had adequate legal remedies available for their protection.

VOTING

We can report with documentary evidence that men and women in this State, invested with the franchise, have probably encountered less discrimination and infractions of Federal and State constitutional rights than anywhere in the world and in history. Infringements have been so sparse and dubious that it may properly be said that California leads the nation in democratic voting practices.

Colorado



Colorado Advisory Committee

(First meeting October 6, 1958)

Chairman:

ARTHUR BALLANTINE, JR., Durango
Occupation: Editor and publisher,
Durango Herald News and Cor-
tez Sentinel.

Vice Chairman and Secretary:

WENDELL A. PETERS, Denver
Occupation: Attorney
Legal counsel for Denver Branch
and Colorado State Conference,
National Association for the Ad-
vancement of Colored People.

MRS. L. ARTHUR HIGGINS, Denver
Subcommittee: Housing
Occupation: Housewife
Director, National Council of Cath-
olic Women.

RABBI MANUEL LADERMAN, Denver

Subcommittee: Public Accommoda-
tions.

Occupation: Rabbi

Member, Executive Committee, An-
ti-Defamation League of B'nai
B'rith; President, Adult Educa-
tion Council.

MAX E. V. TORRES, Trinidad

Subcommittee: Migratory Workers

Occupation: Ranch operator

Member, Southern Colorado Live-
stock Association.

Other Committee Study Topics: Educa-
tion and Voting.

Colorado Report

PREFACE

WE RECOGNIZE that nearly every person is subject to certain prejudices. Not even this Colorado Advisory Committee on civil rights, composed of a Catholic woman, a Negro attorney, a Jewish Rabbi, a rancher of Spanish-American descent and a Protestant newspaper editor of Scotch descent, can claim a perfect record in this regard.

The goal of full equality is clear. Yet even the most advanced States—a group to which Colorado belongs—fall short of this goal. The goal will never be fully achieved until men and women cease to be conscious of, and influenced by, the factors of race, color, and religion as standards for judging, and simply judge individuals upon their merits as human beings. It is not enough to know and agree that artificial standards are wrong and unfair. People must stop being emotionally aware of them.

Colorado adopted its first antidiscrimination law in 1895. Our State has solved almost completely two of the three issues upon which the Commission is making studies—voting and education. The interchange of accomplishments in the civil rights field is vastly important. Foreign countries and many States do not know the details of progress that States like Colorado have already made. When they think of the United States and civil rights, they think of Little Rock, of lynchings, of Jim Crow, and of mob violence.

HOW THE COMMITTEE WORKED

The committee held eight full days of meetings between October 1958 and March 1959. All five members attended every session except for one special meeting. All but two meetings (when findings were discussed) were devoted to listening to witnesses affected by or interested in civil rights problems. About 50 were heard and questioned freely by the committee after making statements.

The committee decided Colorado's four chief discrimination problems were housing, fair employment, public accommodations, and migratory workers. Since Colorado already has an Anti-Discrimination Commission administering a fair employment practices act, we devoted our principal attention to the other three areas. No evidence of voting discrimination in Colorado has been submitted. The heads

of educational institutions who replied to questionnaires reported no discrimination in admission policies to state schools and colleges. In this connection it is interesting to note that the University of Colorado has ordered the end of discrimination in the charters of sororities and fraternities.

During the hearings of the committee a fair housing bill was introduced in the Colorado Legislature. The Fair Housing Act will be the law of Colorado May 1 and many credit the Advisory Committee with having had an important share in its passage.

SIZE AND DISTRIBUTION OF MINORITIES

The fact that Colorado has comparatively small minorities may be one reason for its progress in civil rights. The *Denver Post* on March 1 estimated that the State has 200,000 people with Spanish names or 11.6 percent of the population, 27,000 Jews or 1.6 percent, 24,000 Negroes or 1.4 percent, 2,500 Japanese-Americans or 0.2 percent. The other group with minority problems is the Indians, about 2,000 of whom live in southwest Colorado and another at least 3,000 who are in Denver under a Federal program designed for Indians ready to leave tribal life.

The principal statewide problem involves the 200,000 Spanish-named people, 150,000 of whom live outside of Denver. Southern Colorado towns such as Trinidad and Durango face the special problem of fringe areas. Families of Mexican descent live in sub-standard, unsanitary areas just beyond the city limits. Reasons for these fringe areas are economic, language barriers, and lack of educational opportunity. The question is hard to solve without Federal slum clearance programs and housing projects for the dispossessed families.

FAIR EMPLOYMENT

Colorado adopted a Fair Employment Practices Act in 1957 which is administered by the Colorado Anti-Discrimination Commission. The act stresses negotiation and mediation, but "cease and desist" orders may be issued, enforceable by the courts. These are the same principles as in the new housing act to be administered by this same Commission.

Substantial progress has already been made. About 140 cases have been heard with only three cases reaching the cease-and-desist stage. Two difficulties in this field are that a minority employee may be overlooked in the matter of promotion and that companies which hire one or two minority employees may feel they have done enough.

The Anti-Discrimination Commission, already important in Colorado, needs wider public awareness and acceptance. There is a serious question whether it has enough manpower to do the job it

is now called upon to do. In the field of fair employment, there continues to be great need for well-balanced, well-trained members of minority groups who can accept the challenge of the initial employment. In a sense, these people have to be bigger people than their fellow-workers. Theirs is the job of convincing management that the hiring of minority workers pays off, and of convincing fellow-workers that this is a sound policy. This may sound unfair and it is unfair, but nevertheless the worker who has met the challenge will often have helped other workers to get jobs.

HOUSING

In passing the Fair Housing Act, Colorado has directly attacked what the committee found early this winter to be the biggest unsolved civil rights problem in Colorado.

The act covers both public and private housing, rentals as well as homes for sale. It is based on the negotiation, "cease and desist" pattern being followed in other States. A significant difference from other State housing acts is the more narrow definition of housing exempted from the discrimination provisions. Only religious groups and homeowners selling their own homes, either through their own efforts or through a real estate agent, are exempt. Thus we believe the housing statute is one of the broadest yet to be adopted.

If the Colorado Anti-Discrimination Commission administers the act with the same wisdom it has shown in handling FEPC, considerable progress should be made in this field. The first effort should be to open up decent housing to members of minority groups who can afford to buy or rent it and to help such families obtain financing—a serious difficulty minority groups have faced.

Our belief is that the majority of Coloradoans are willing to accept minority families as neighbors.

Every witness agreed that nondiscrimination was the order of the day in Federal housing projects in Denver. Yet no such clean bill of health was given to the past performance of Federal agencies involved in the financing of private homes.

Spanish-Americans and Jews have their difficulties in housing, but hardest hit of all are Negroes, probably because of their color. The great majority of Denver's Negroes—one estimate is 95 percent—live in a ghetto area.

The Urban League of Denver has prepared a film strip showing how well many Negro families keep up their homes. If people stopped to think, this would not be surprising. Of course, the first time any family had a decent place to live, they would take more than usual pride in its appearance. Yet this Urban League film comes as a surprise to many.

While the new act bars open stratagems, there is still opportunity for evasive tactics. Thus another aim of the Anti-Discrimination Commission should be broader public education. Even some who believe in the principle as a correct theory have doubt when considering their own families. Once they see for themselves, or hear from friends, that no dire consequences come from having a respectable minority family next door, they may change prejudiced views.

PUBLIC ACCOMMODATIONS

Colorado has had a Public Accommodations law, barring discrimination, since 1895. A complainant may either take the matter directly to court or rely upon the Anti-Discrimination Commission to settle the matter. A Denver ordinance makes licenses contingent on conforming with the law.

No evidence of discrimination by theaters or in public transportation was presented. Public swimming pools and golf courses in Denver are open to everyone and we believe this to be true in most of the State.

The committee found that better class hotels and restaurants have better records than poorer ones. The motel picture provokes more debate. A recent survey of the Denver Coordinating Council for Education and Research in Human Relations found that 46 percent, or nearly half, of the motels contacted admitted to some discriminatory practices. Colorado motel owners face the problem of a substantial number of southern visitors. It helps those who wish to take all comers to insist upon the posting of rates in all rooms as required by law and also to post the Public Accommodations statute. It can help with a disgruntled customer to be able to say, "But this is the law."

MIGRATORY WORKERS

The Colorado State Employment Service estimates there are 25,000 seasonal workers of whom 11,000 work near their homes. Of the 14,000 who travel, about 3,500 come from other parts of Colorado, over 7,000 from other States and about 2,000 are Mexican nationals. The problem is bigger than the figures sound since most American workers move with their families. The big problem concerns American citizens, especially the more than 7,000 who come from other States. These workers are predominantly of Mexican descent, but Indians are also included.

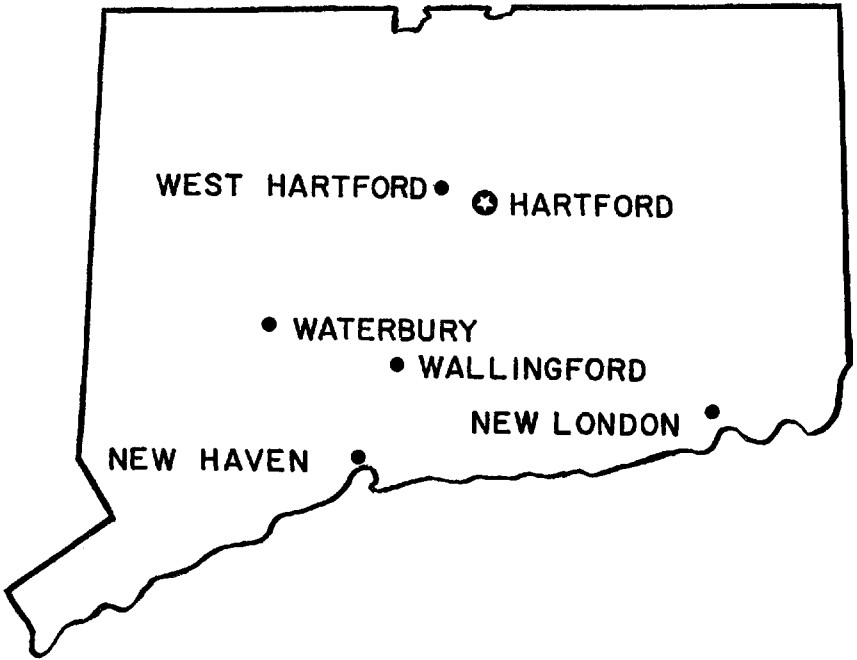
A basic difficulty is that no Federal or State minimum wage laws cover the agricultural worker. Thus the migratory worker is paid the prevailing wage, which is only 65 cents an hour in parts of Colorado such as the Arkansas Valley and may be even lower at

certain places. Serious consideration should be given to establishing minimum wages which would largely have to apply to all agricultural workers, migrant and otherwise.

The State has no legal obligations to these citizens. Colorado counties have no legal obligation to residents of other counties. Yet the testimony was unanimous that these workers are an economic necessity for harvesting the State's crops. Fortunately, State agencies, counties and individuals have recognized a moral responsibility to help the migratory worker and his family.

Some good labor camps have sprung up, as at Fort Lupton and Palisade. Active in the care of this labor have been the Colorado Migrant Ministry of the Colorado Council of Churches, and the National Council of Catholic Women. The State Department of Education has embarked on a decidedly worthwhile program of teaching the children of workers. The Colorado Department of Health is taking active interest. Several counties are financing emergency cases, although this is not strictly their obligation. Individual citizens within communities have done some wonderful work.

Connecticut



Connecticut Advisory Committee

(First Meeting September 2, 1958)

Chairman:

RABBI ABRAHAM J. FELDMAN, Hartford

Occupation: Rabbi

Past president, Synagogue Council of America and Central Conference of American Rabbis

Secretary:

JOHN ANDREW MCGUIRE, Wallingford

Occupation: Operates a real estate, insurance and travel agency.

Former Congressman (81st and 82d Congresses)

WILLIAM A. AMELUNG, Waterbury

Occupation: Manager of warehouses, Chase Brass & Copper Company

Past president, United Fund of Greater Waterbury, Inc.

WILLIAM D. GRAHAM, Hartford

Occupation: Senior attorney, Legal Aid Society of Hartford County

JUDGE THOMAS J. MOLLOY, West Hartford

Occupation: State Referee
Former Superior Court judge

DR. FRANK MONGILLO, New Haven

Occupation: Medical examiner at Yale University

DR. ROSEMARY PARK, New London

Occupation: President, Connecticut College for Women

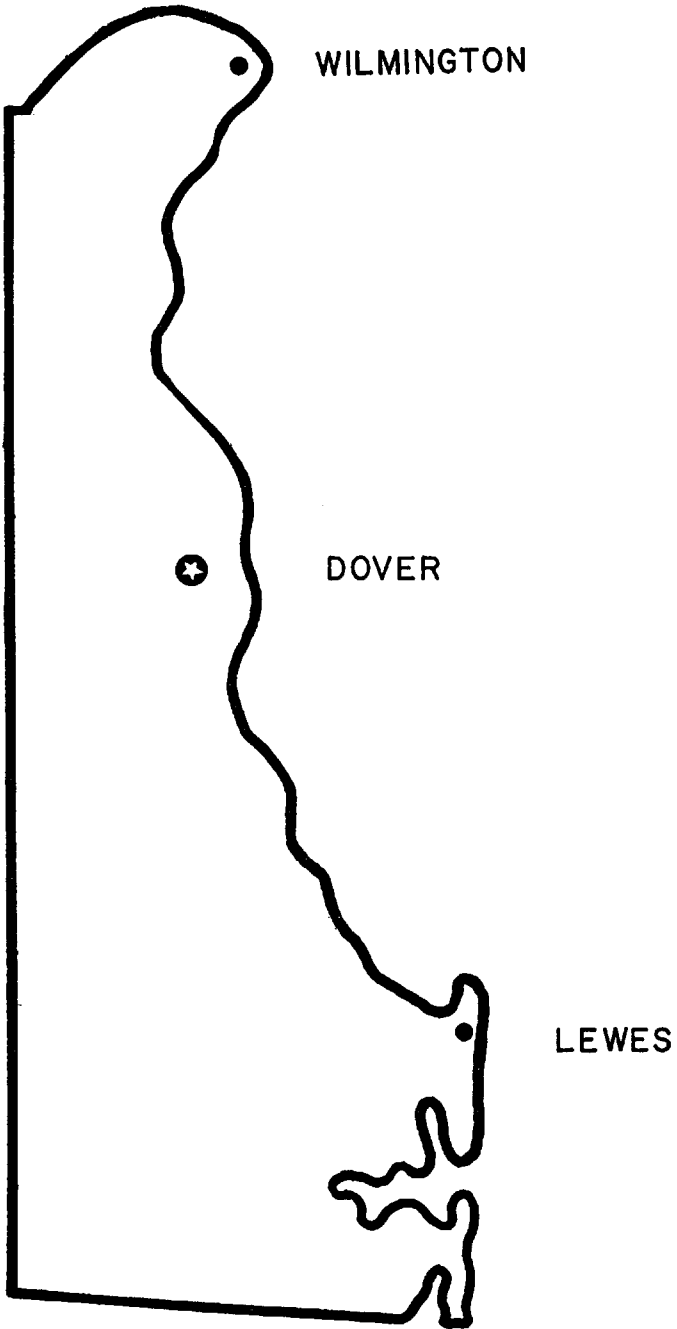
Member, Governor's Prison Study Commission and Mental Health Commission.

Committee Study Topics: Education, Housing, and Voting

Connecticut Report

IN CONNECTICUT, which has an active State Civil Rights Commission, the Advisory Committee chose to concentrate on discrimination in housing. But the report prepared by a housing subcommittee had not been approved by the full Committee in time for publication in this volume.

Delaware



Delaware Advisory Committee

(First meeting November 19, 1958)

Chairman:

SYDNEY LAUB, Wilmington
Occupation: Businessman
President, Welfare Council of Delaware; co-chairman, Delaware Chapter, National Conference of Christians and Jews

Vice Chairman:

OTIS SMITH, Lewes
Occupation: Mayor of Lewes
County chairman, National Conference of Christians and Jews

Secretary:

DR. JEROME H. HOLLAND, Dover
Occupation: President, Delaware State College
Member, Governor's Advisory Committee on Education and Delaware Committee on Juvenile Delinquency

EARL C. JACKSON, Wilmington

Occupation: Principal, Bancroft Secondary School
Member, Mayor's Committee on Slum Clearance and Urban Renewal; member, Governor's Commission on Youth Services

WILLIAM PRICKETT, JR., Wilmington

Occupation: Attorney
Director, Children's Bureau of Delaware

CAZENOVE SEITZ, Elsmere

Occupation: Retired State police officer

CHARLES C. SHORT, Lewes

Occupation: Retired Director of Personnel, Department of Commerce, Washington, D.C.

Committee Study Topics: Education, Housing, and Voting

Delaware Report

HOUSING

POOR HOUSING for Negroes is, perhaps, the most obvious of all racial differentials that exist between white and colored people in Delaware. One of the easiest things for a visitor to any city or town to do is to determine in which section people of color live.

In 1950, of the State's more than 90,000 occupied dwelling units, 10,944 were in use by Negro residents. It might be thought that new housing projects and developments which are continually in process might expand the housing opportunities of Negroes in the State. Here again, the statistics do not point in that direction. In 1940, Negroes were proportionately residing in more dwelling units than they were in 1950. The increase in population had not increased housing facilities. On the contrary, the facts are that the relative number of dwelling units for Negroes declined during the decennium, while the relative number of white residences increased.

In any discussion of housing for Negroes, a very important fact is often overlooked. This fact is that Negroes move into neighborhoods that have been abandoned by whites, and these neighborhoods are in the process of deterioration upon their arrival. The imputation for neighborhood deterioration which is given to Negroes is in reality erroneous, as the neighborhood would be in the same state of deterioration if the original residents had remained.

All too often the municipal services in Negro neighborhoods are not as good as the services received by white neighborhoods. One has only to compare the two communities, and in most instances, he will see the streets on which Negroes live are unpaved, and even though unpaved, are not maintained in good condition. Even water facilities supplied by the municipalities, in many cases, have not been extended to the Negro area.

As long as Negroes are relegated to separate sections of towns and cities, and induced to live in isolated areas where most of the dwellings are substandard, so long will they be branded inferior by the rest of the population. This very act of setting groups apart, fosters fear and resentment.

There is hardly a phase of living from which the Negro is not excluded. Virtually no Negroes are included in white congregations. In fraternal orders and professional associations, in the field of

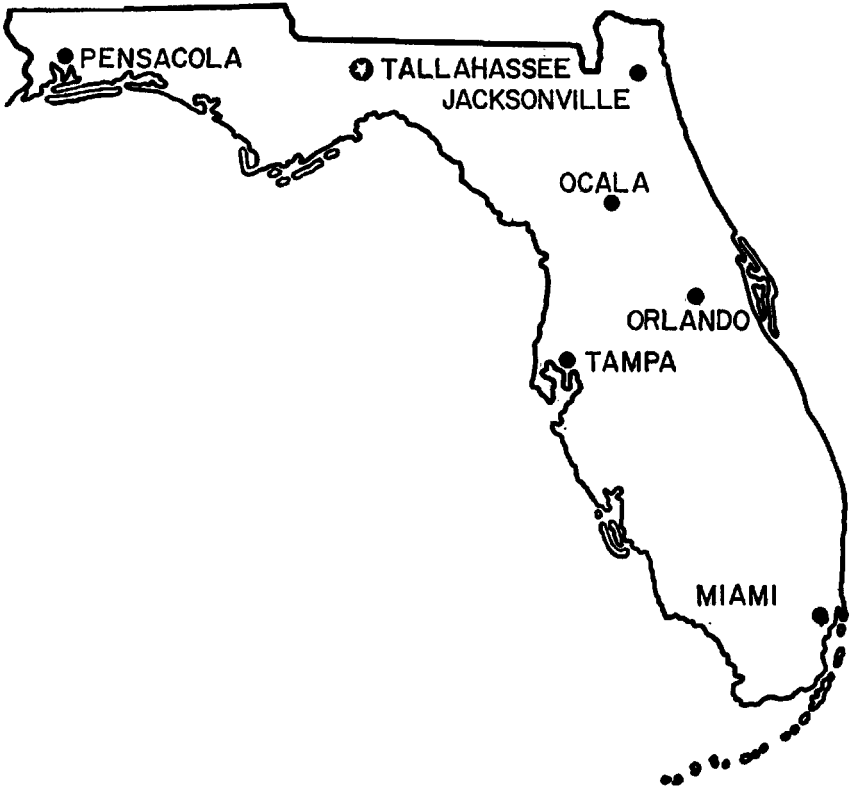
social welfare, religion, medicine, art or business, either some extra-legal barriers for complete exclusion are established, or they are admitted conditionally. Very few Negro professionals have been admitted to practice in the State of Delaware in the last quarter century. Those who have failed the State Board examinations here, have all passed similar examinations in other States.

Separated from each other at the outset, residentially, and with this behavior pattern spreading like an infectious disease to all walks of life, whites and Negroes never get to know each other as human beings. They know one another only through stereotypes.

The great interdependence of all people within a community makes it impossible for a dominant group to inflict penalties on minority groups without being penalized itself. Prejudice may result not only in guilt, tension, and projection, but in rigidity of mind and a compulsiveness in adjustment that blocks a realistic appraisal of racial problems. Rationality is held in high esteem in our society. It is contradicted by prejudice, and because prejudice is blind to real causes, what appears to be a rational program of action is usually based on a highly oversimplified or inaccurate explanation; consequently, it is unable to effect a real cure.

Another psychological consequence of prejudice is the development of ambivalent and contradictory views of life. This must necessarily obtain when a person is taught a democratic and Christian ideology and at the same time is taught a contrary ideology for intergroup relations.

Florida



Florida Advisory Committee

(First meeting December 6, 1958)

Chairman:

CARL BROREIN, SR., Tampa
Occupation: President, General Telephone Company of Florida
Former president, Florida State Chamber of Commerce

Vice Chairman:

JUDGE L. L. FABISINSKI, Pensacola
Occupation: Florida circuit judge
Chairman, Governor's Advisory Commission on Race Relations

Secretary:

HAROLD COLEE, Jacksonville
Occupation: Executive vice president, Florida State Chamber of Commerce

WALTER L. HAYS, Orlando
Occupation: President, American Fire & Casualty Company
Former president, Florida State Chamber of Commerce

J. R. E. LEE, Tallahassee
Occupation: Vice President, A. & M. University

DR. EUGENE PEEK, Ocala

Occupation: Retired physician and surgeon
Former president, Florida Medical Association; former Mayor of Ocala

JACK W. SIMMONS, Tallahassee

Subcommittee: Voting
Occupation: President, Elberta Crate and Box Company
Former Mayor of Tallahassee

WILLIAM D. SINGER, Miami

Occupation: President, Royal Castle Restaurants
Member, State Road Board

JOHN B. TURNER, Miami

Occupation: Executive, Orange State Oil Company
President, Miami Kiwanis Club
Committee Study Topics: Education, Housing, and Voting

Florida Report

IN FORWARDING to the Commission a completed questionnaire and supporting data on State voting laws and procedures, Chairman Brorein of the Florida Advisory Committee noted:

“There have been no complaints or charges filed with the Committee, either verbally or written, from any individual or group from any section of our State. . . .

“I believe our State can be considered as making progress in a situation where, over the entire country, serious problems have developed and that we will continue to make progress all along the line, barring agitation on an artificial basis.

“I trust we will be able to keep our progress sound, and, considering all involvements, satisfactory.”

In a subsequent letter, Chairman Brorein wrote:

“. . . Our situation embraces largely the Negro problem, which is fairly uniform in the South. It would seem to me that our policy of taking up matters which are brought to our attention and which may warrant consideration is the best at this time. Of course, as would be expected, matters involving discrimination vary in different areas of the State and it is my belief that any attempt at legislation would be seriously detrimental at this time. There are also minor problems involving citizens of Jewish blood and Cuban extraction in some sections of the State. Neither of these are serious in my opinion and while they will bear watching are no different from similar problems in other areas.”

Georgia



Georgia Advisory Committee

(First meeting December 29, 1958)

Chairman:

SYLVAN H. MEYER, Gainesville

Subcommittee: Education

Occupation: Editor, *The Gainesville Times*

Member, American Society of Newspaper Editors

Secretary:

LORIMER D. MILTON, Atlanta

Subcommittee: Housing

Occupation: President, Citizens Trust Company

Director, Southern Regional Council

DR. F. D. FUNDERBURG, Monticello

Subcommittee: Voting

Occupation: Physician

Member, Georgia Council Human Welfare

RT. REV. MSGR. T. JAMES McNAMARA, Savannah

Subcommittee: Housing

Occupation: Catholic Priest

HOWARD SEE, Atlanta

Subcommittee: Voting

Occupation: Farmer

Retired vice president, Armco Drainage and Metal Products, Inc.; member, City of Atlanta Personnel Board

MRS. H. B. TRIMBLE, Atlanta

Subcommittee: Education

Occupation: Housewife

Member, Board of Missions, the Methodist Church; member, Georgia Council on Human Relations

O. SPAIN WILLINGHAM, Mason

Occupation: Manufacturer

Member, Georgia Council on Human Relations; chairman, Booker T. Washington Community Center

Georgia Report

INTRODUCTION

GEORGIA HAS 159 counties. Those in the northern portion have from no Negroes at all to 30 percent Negroes among their citizens. The Negro population exceeds 50 percent in 42 counties and is between 33 and 49 percent in 39 additional counties. There is genuine concern in these counties that schools, politics, and entire communities could be completely dominated by the Negro majority. The unwillingness of the white Georgian to grant such rights as the franchise, school assignment without statutory discrimination, or some freedom in selecting housing depends in great measure on just where in Georgia the subject comes up. Absolute resistance would be found in some quarters; in others, perhaps no resistance.

VOTING

The range of voting conditions and the degree of minority participation in elections vary widely. Heaviest Negro voting is in urban-industrial areas. But there is considerable variation between the registration atmosphere and the voting atmosphere. In some small counties registration has reached relatively high levels.

The committee found that over the past several years discrimination in voting has declined in some areas. In a few counties, the Negro votes with the same ease and freedom as the white citizen. In others, he is neither encouraged nor discouraged and, sometimes, his vote is eagerly sought since he is inclined to vote in a "bloc" for those he thinks are friendly to his people.

In 1947 there were 125,000 Negroes registered in Georgia; in 1958 the figure was 158,000. Various reports indicate that the increase is largely in urban areas.

The 1958 session of the General Assembly passed a bill frankly designed to discourage Negro registrants. It poses 30 questions to the "illiterate voter," 20 of which must be answered correctly. Considerable discretion remains with the registrar in determining who shall have to answer questions and whether the answers are correct. Laws requiring purging the names of voters who have failed to vote in the past 2 years are being applied throughout the State now.

EDUCATION

A recent Federal court decision applicable to Georgia State College in Atlanta said that discrimination in admittance because of race was unconstitutional. At this writing, another suit pends in Atlanta seeking to end segregation in public schools.

Four private institutions of higher learning in the State, three of them Negro colleges, have decided to adopt nondiscriminatory admission policies. Since the court ruling on Georgia State, the regents of the University System have closed admission to all new applicants, whatever their race. The Governor and the regents now are studying regulations to determine their next step. The ruling has adversely affected enrollments at the State's smaller university units and at its off-campus centers in several cities.

Since 1952 Georgia General Assemblies have passed a long list of laws designed to thwart integration of any degree. Some of these contradict each other; application of others appears to depend wholly on the interpretation of elected officials and the attorney general. A direct act of integration will make operative a law that closes the school integrated and also the school from which the Negro child is assigned. Other laws might close all the schools in the district affected.

HOUSING

A Housing Subcommittee member who lives in Savannah reports "both segments of population, judging from their leadership, are well satisfied with the existing pattern of housing." The housing authority building low-cost rental units seeks to provide 2 Negro units to 1 white unit and now has 2,170 occupied units. Savannah and other old cities to a great degree, and Georgia's other communities to a lesser degree, have considerable "integration" in housing. In Savannah what once were slave quarters and carriage houses behind the big homes are now occupied by Negro families.

In some areas, weekly rentals charged for substandard housing are quite excessive, but this is a matter of relative scarcity. However, the usual economic rules may not work to relieve the scarcity because of the lack of available land on which competitive rental housing could be built. Atlanta presents a unique situation. As a whole the remainder of the State would be revealed as low in Negro home ownership, heavy in relatively high-priced, substandard rental quarters.

CONCLUSIONS AND RECOMMENDATIONS

Voting

Politically sensitive Georgians know that power eventually follows the franchise. While continued chipping away at discrimination

may be expected in urban areas, subtle and sometimes not-so-subtle campaigns to reduce or discourage Negro voting in those counties with heavy colored populations may be expected. The Negro himself is disinclined to complain, reluctant to push himself, and of course, generally is of an educational and economic background that would tend to limit his participation in politics regardless of discrimination. As Georgia provides better education for its Negro youth, which it is steadily doing, this attitude could change.

The Advisory Committee feels that the right to vote is so basic a freedom that it should be protected and encouraged. Disenfranchisement of the Negro or abridgment of his right to vote, including various stratagems that tend to reveal his vote such as separate boxes and separate polls, cannot be justified by "customs and traditions."

Education

Though technical segregation may have ended on buses and on some golf courses without open difficulties, these are not to be equated with the schools in the peoples' attitudes. Depending on the type of desegregation suit, the entire school system of the State could be closed.

It has been reported to the Advisory Committee that obtaining faculty members at State universities is becoming increasingly more difficult because of general tension, and that some teachers at all levels have quit Georgia out of fear that their children's education might be interrupted.

Georgia has made appreciable advancement since World War II in equalizing building facilities and faculty salaries in white and colored schools. Some statistical research might be helpful in determining population distributions within specific school systems, the economics of a dual school bus system, the amount of federal aid directly and indirectly allocated to Georgia education, variations in the degree of local support as related to the proportion of local Negro school populations, Negro average daily attendance figures and teacher salary allocations as compared to white, etc.

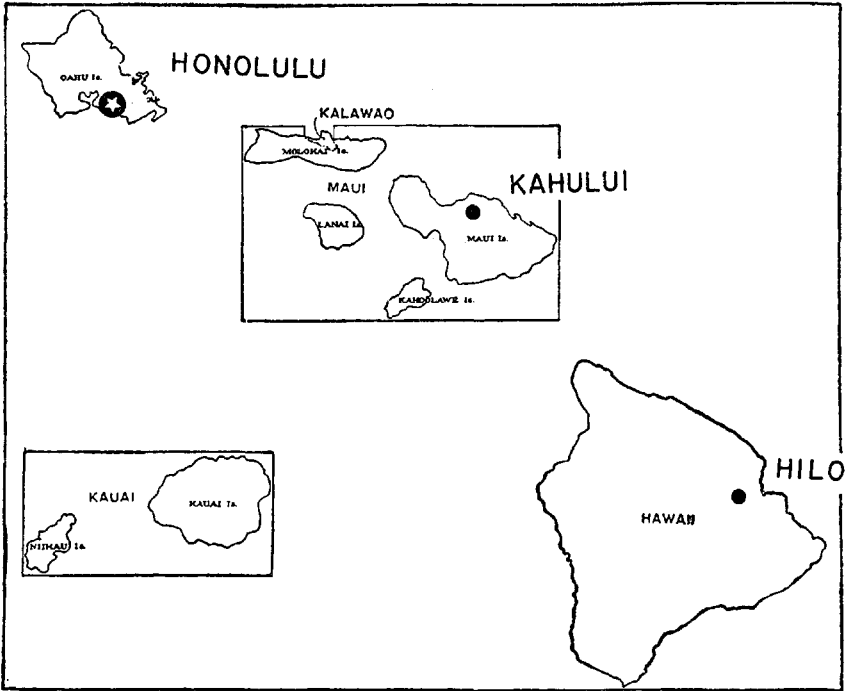
Housing

It might be valuable for the Federal housing agencies to survey not only housing and slum clearance needs on the basis of race, but to tabulate the costs, returns, rate of vacancies, rent losses and relative quality of maintenance of units in public housing projects on a racial basis.

The committee feels that in the smaller communities and rural areas of Georgia, Negroes cannot obtain FHA and conventional loans as easily as they can in Atlanta. Competition in the lending market by well-financed Negro institutions in Atlanta has not stimu-

lated lending to Negroes in the smaller cities and rural areas. Federal legislation providing for lower down payment requirements in minority housing in certain areas might be helpful, with perhaps additional protection for the lender in such circumstances. Perhaps even a method of federally guaranteeing loans to developers who open minority housing land, to help them install streets and utilities, would be a contribution to the solution.

Hawaii



Hawaii Advisory Committee

(First meeting January 20, 1959)

Chairman:

JOSEPH V. HODGSON, Honolulu
Subcommittee: Housing
Occupation: Attorney
Former Attorney General of Hawaii; former U.S. Representative, United Nations War Crimes Commission

Vice Chairman:

DR. GREGG M. SINCLAIR, Honolulu
Subcommittee: Education
Occupation: President emeritus, University of Hawaii

Secretary:

RALPH T. YAMAGUCHI, Honolulu
Subcommittees: Public Accommodations and Transportation
Occupation: Attorney
Former president, Bar Association of Hawaii

J. GARNER ANTHONY, Honolulu
Subcommittee: Local Administration of Justice
Occupation: Attorney
Regent, University of Hawaii; State Delegate, American Bar Association

MRS. JOSEPH R. FARRINGTON, Honolulu
Subcommittees: Voting and Immigration
Occupation: President of *Honolulu Star-Bulletin*
Former Delegate to Congress from Hawaii

HAROLD W. KENT, Honolulu
Subcommittee: Education
Occupation: President of The Kamehameha Schools

FRANCIS K. SYLVA, Honolulu
Subcommittees: Voting and Immigration
Occupation: Managing Trustee, Mendonca Estate, Honolulu
Chairman, Hawaii Aeronautics Commission

HUNG WO CHING, Honolulu
Subcommittee: Employment
Occupation: President of Aloha Airlines
Former chairman, Honolulu Re-development Commission

Hawaii Report

EDUCATION

SO FAR AS THE Committee has been able to learn, no citizens here have been deprived of their rights to education because of "color, race, religion, or national origin."

ELEMENTARY AND SECONDARY EDUCATION

The Department of Public Instruction is a Territorial-wide administrative unit with seven commissioners appointed by the Governor and confirmed by the Senate. The present commissioners have an American of Japanese descent as chairman; one is of Chinese descent; one, of Swedish-Hawaiian; the others are of Caucasian ancestry.

The Department employs nearly 5,000 teachers (4,993, to be exact) to instruct nearly 135,000 pupils in 208 elementary, secondary, vocational, etc., schools. No record is kept as to the racial complexion of the teachers, but the large majority are nonwhite; estimates by the Department give approximately 65 percent nonwhite.

Students of all races and all religions attend the public schools. There is no restriction, except that they must attend the schools in their neighborhood; this rule may be waived for good and sufficient reasons.

HIGHER EDUCATION

The University of Hawaii is under the control of the Board of Regents, made up of nine members, appointed by the Governor and confirmed by the Senate. At the beginning of this academic year, there were four members of Caucasian ancestry, two of Japanese, two of Chinese, and one of Hawaiian.

On the faculty are men and women of Caucasian, Japanese, Chinese, Korean, and Filipino descent; and as far as we have been able to determine, all work in harmony and for the good of education in Hawaii and the University of Hawaii.

The student body is made up of many racial strains, with Americans of Japanese ancestry making up the largest minority. The student body numbers more than 7,000. There are no restrictions of any kind—race, color, creed—in dormitories, cafeterias, athletics, social events, etc. No student clubs are permitted that have racial restrictions.

HOUSING

Public housing in Hawaii had its beginning in 1935 and is administered throughout the Territory by the Hawaii Housing Authority, a public corporation. None is municipally operated.

Since 1949 the Authority has had nine commissioners: Caucasian ancestry, 5; Chinese ancestry, 2; Korean ancestry, 1; and Hawaiian-Caucasian ancestry, 1.

The Authority operates 18 housing projects at Honolulu comprising 3,999 dwelling units, two projects at Hilo, Island of Hawaii, having 216 units, and one at Kahului, Island of Maui, with 90 units. These dwellings shelter 4,306 families.

As stated in a letter from the Authority, dated April 13, 1959, "Complete racial integration of all racial groups has existed in all public housing in the territory since the beginning." At no time has there been any qualification for tenancy based upon race, creed, color or the like. This has been true both in principle and in practice.

This is but a part of the general racial integration that has existed in Hawaii in all public and in many private fields. It is not peculiar to public housing. Intermarriage between members of different ethnic groups has been and is common and has produced fine, outstanding people, many of whom are leaders in the business, professional, political, and religious life of the Territory. Acceptance, without regard to race, color, or creed, and based upon individual merit and standing, is the general rule in regard to people of many races and is rapidly becoming the rule in regard to all racial groups in Hawaii. And this racial tolerance and harmony is the result of natural causes and is not the result of such artificial means as legislation, judicial decrees, executive actions, propaganda, campaigns, or the like. It springs from both the hearts and the minds of the populace and is rooted in mutual respect, understanding, and a widespread appreciation of the dignity and goodness of human beings.

VOTING

Occasionally in the past and less frequently now, charges are made that the people of Hawaii resort to racial bloc voting. The implication is that the different ethnic groups, functioning as a single voting bloc, would vote for members of their race as against members of other races.

A study was made in 1957 by Dr. Andrew W. Lind, professor of sociology at the University of Hawaii. In his article entitled "Racial Bloc Voting in Hawaii," he states as his conclusion that

“racial bloc voting in the mainland sense, of the vigorous control over an entire bloc of voters of a common race, does not occur in Hawaii, and even in the more restricted sense of voting exclusively for members of one’s own ethnic group, it is so slight as to be inconsequential.”

In discussing the problem, he makes observation that “any politician of the slightest sagacity soon learns, if he does not already know, that the surest route to political suicide is an appeal on a racial basis.”

PUBLIC ACCOMMODATIONS

There is some racial discrimination practiced by social clubs in Hawaii. But in recent years, more and more private clubs are opening their membership to persons of all races, and it may not be too long before racial bars are lifted altogether.

In the field of public accommodations, except for the isolated instance of one restaurant that, some years ago, practiced racial discrimination, all of our restaurants, theaters, hotels, public parks, public beaches, public swimming pools, golf courses, and tennis courts are free of any discrimination based on race, color, religion, or national origin.

TRANSPORTATION

There is no known instance of discrimination against passengers on railroads or buses in the Territory of Hawaii, based on color, race, religion or national origin.

Virtually all of the public transportation of passengers now takes the form of air travel. There are two airlines operating between the islands. Members of all races in Hawaii are employed by the airlines, and there appears to be no discrimination whatever in passenger service.

ADMINISTRATION OF JUSTICE

There is no reported case in which any question of discrimination in the administration of justice appears to have been raised or even discussed. The new State constitution contains a section in the bill of rights which expressly bears on this subject. It provides:

No person shall be deprived of life, liberty or property without due process of law, nor be denied the equal protection of the laws, nor be denied the enjoyment of his civil rights or be discriminated against in the exercise thereof because of race, religion, sex or ancestry. (Constitution of the State of Hawaii, art. I, sec. 4)

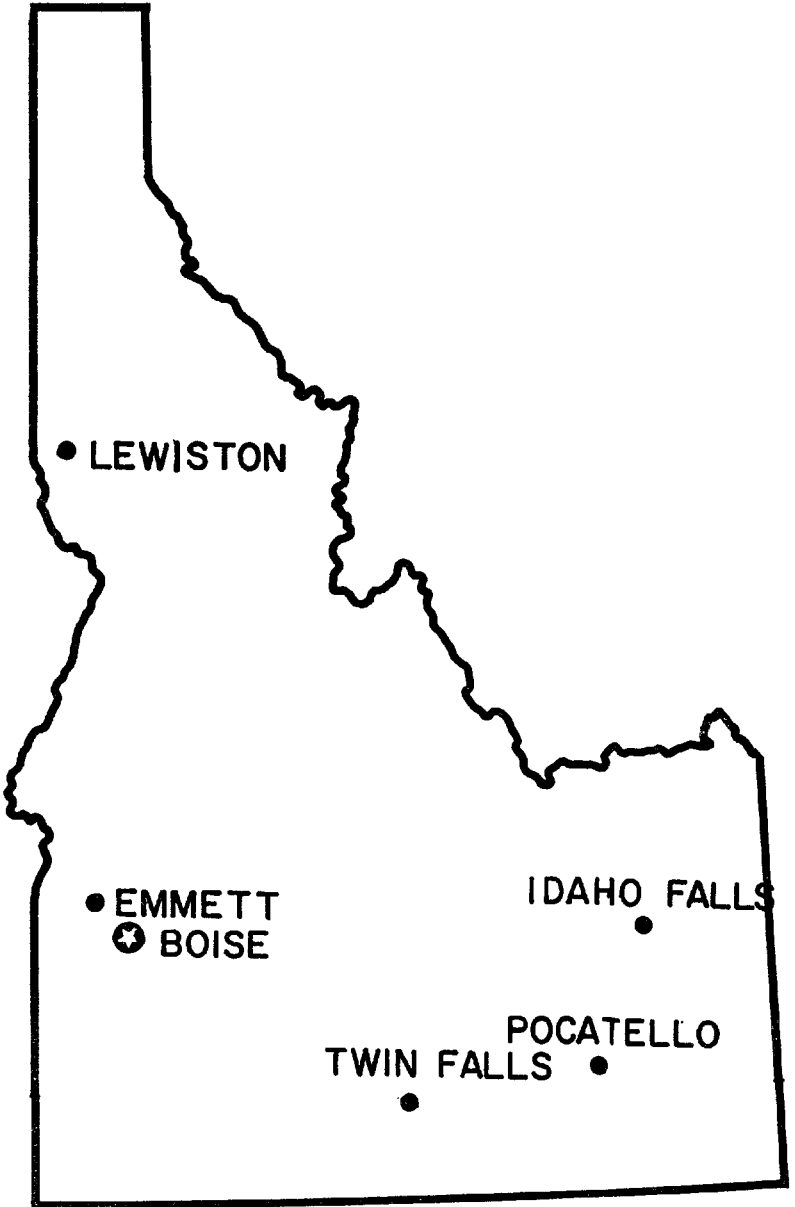
This article was incorporated in the constitution not because of any evil which the constitution sought to remedy but simply to state

the existing legal structure and have it incorporated in the fundamental law of the State.

EMPLOYMENT PRACTICES IN GOVERNMENT IN HAWAII

Racial discrimination does not exist in government employment in Hawaii.

Idaho



Idaho Advisory Committee

(First meeting November 25, 1958)

Chairman:

WILLIAM S. HOLDEN, Idaho Falls

Occupation: Attorney

Former president, Idaho Falls
Chamber of Commerce

Vice Chairman:

HENRY GENICHI SUYEHIRA, Emmett

Occupation: Farmer

Former president, Japanese-American
Citizens League for Boise
Valley

Secretary:

WILLIAM F. JOHNSTON, Lewiston

Subcommittee: Voting

Occupation: Managing Editor,
Lewiston Morning Tribune

O.R. BAUM, Pocatello

Subcommittee: Housing

Occupation: Attorney

Retired District Judge

STERLING LARSON, Twin Falls

Subcommittee: Education

Occupation: President, Twin Falls
Business College

Other Study Topics: Indians

Idaho Report

THE Idaho Advisory Committee, completing Commission questionnaires on voting, education, and housing, found little evidence of denial of civil rights or discrimination against the State's two chief minority groups: Indians and migratory workers. Complaints were received that Indians and Mexicans are denied admission to certain restaurants and taverns, and two Indians complained of alleged injustices within their own tribal organizations.

At a Committee meeting in January 1959, the chairman of the Education Subcommittee, Sterling Larson, reported that questionnaires completed by the University of Idaho, Idaho State College, the College of Idaho, and North Idaho College of Education indicated that there were no race problems of consequence among students or teachers. Mr. Larson further noted that nonwhite enrollment in Idaho schools is generally very small, and that the all-Indian elementary school northeast of American Falls in Power County is accounted for solely by the fact that there are no whites living in the area.

At the same meeting, O. R. Baum, chairman of the Housing Subcommittee, reported that banks, building and loan agencies, and realtors had assured him that there is no racial discrimination in Idaho housing. Indians living in tepees, Judge Baum declared, are there by choice rather than necessity, and Negroes live in cheap-rent sections only because they cannot afford better. Home loans are available to them on the same terms required of white borrowers.

(105)

Illinois



CHICAGO •

JOLIET •

CHAMPAIGN •

★ SPRINGFIELD

• EAST ST. LOUIS

• CARBONDALE

Illinois Advisory Committee

(First meeting November 28, 1958)

Chairman:

CHARLES A. BANE, Chicago

Subcommittee: Voting

Occupation: Attorney

President, Chicago Council on Foreign Relations; director, Chicago Council of Boy Scouts of America

Vice Chairman:

LOUIS SCHWARTZ, Springfield

Subcommittees: Education and Employment

Occupation: Business executive

Chairman, Illinois Commission on Human Relations

Secretary:

MRS. JEWELL STRADFORD ROGERS, Chicago

Subcommittees: Education, Hospitals and Housing

Occupation: Attorney

Former Assistant United States Attorney

AUGUSTINE J. BOWE, Chicago

Subcommittees: Employment and Housing

Occupation: Attorney

Former president, Chicago Bar Association; chairman, Commission on Human Relations of the City of Chicago

REV. A. LINCOLN JAMES, Chicago

Subcommittee: Housing

Occupation: Pastor, Greater Bethesda Baptist Church

Chairman, Social Service Commission, Illinois Baptist State Convention

WILLIAM C. McFETRIDGE, Chicago

Subcommittee: Employment

Occupation: President, Building Service Employees International Union

GEORGE B. McKIBBIN, Chicago

Subcommittee: Employment

Occupation: Attorney

Member, President's Committee on Government Contracts; chairman, board of trustees, Chicago Young Men's Christian Associations

LOUIS F. ORR, East St. Louis

Subcommittee: Public Accommodations

Occupation: Attorney

Vice Chairman, East St. Louis Housing Authority

WILLIAM J. TUDOR, Carbondale

Subcommittee: Education

Occupation: Director, Area Services Division, Illinois Southern University

Member, Illinois Public Aid Commission; chairman, Illinois Commission on Discriminations in Higher Education

Illinois Report

PUBLIC ACCOMMODATIONS

IN THE FIELD of public accommodations, the Committee has concluded that instances set forth in the reports submitted to it show that there remain problems in this field but that substantial progress has been made. Chicago is a city in which discrimination in public accommodations is unusual, and in fact it is in the fringe and in the suburban areas that the problem seems to be more intense.

EDUCATION

Statutes prohibiting segregation in the public schools of Illinois have existed since 1874.

In 1950, the Illinois Commission on Human Relations made its first survey of Negro teachers in Illinois public schools. In only one city, Chicago, were Negro teachers employed in integrated or all-white schools. Today, the Commission can report that 31 Illinois cities employ Negro teachers in integrated situations, and 23 of these cities employ more than one.

HIGHER EDUCATION

In order to secure information pertaining to the public institutions of higher education, questionnaires were sent to 16 such institutions. All reported they did not practice policies of racial exclusion. Only one reported all white students. All senior colleges and five junior colleges indicated they had three races, Caucasian, Negroid, and Mongoloid. Two junior colleges indicated they had white and Negro and one said they had white and Negro and possibly others.

In general, much improvement has been made in the past 10 years, but problems still exist in off-campus housing, fraternities, and sororities, and in some instances in public accommodations.

EMPLOYMENT

The purpose of the work of this subcommittee was to gather available information about job discrimination against Negroes in non-traditional job categories, e.g. skilled, office, clerical, supervisory and professional, and also to secure information about training for Negroes to equip them for such jobs.

The subcommittee therefore sent 109 letters to 52 human relations agencies, both public and private; 14 public organizations; 20 universities and colleges; 10 foundations; and 13 business and community organizations.

No original research was engaged in but surveys of newspaper advertising were made by the Chicago Commission on Human Relations and the Illinois Commission on Human Relations for discriminatory job advertising.

Following is a report of the information gathered and our interpretation of that data.

Thirty-five responses were from industrial concerns, two of which stated that their own employment policy was dependent on qualifications only.

Five replies were from employers associations (three local and two national). One local association said that their experience indicates that opportunity for Negro chemists has improved greatly over the past decade. The other two local replies stated that they had no information. One national association stated that the subject of discrimination did not seem of sufficient import to warrant work by their research department. The other national association suggested contacting the local associations.

Six replies were from foundations, two independent, two corporate, and two nationally sponsored. All either stated that they had no available information in their files or said that they could recall no such information being available.

Nine replies were received from private social agencies. One stated that it endorsed the spirit of the fair employment practices bill, currently being considered by the State legislature, but offered nothing further in the way of information. Three social agencies recommended State fair employment practices legislation but offered no other information. One of the three recommended the enlargement of the staff of the regional office of the President's Committee on Government Contracts. One agency submitted several survey reports and stated that they believe national legislation is vital to enforcement of fair employment practices in the United States. Another agency, as a result of their own experience and research, stated that not one industry in Chicago can be identified at present as having merit employment practices, operative vertically. This agency also recommended State fair employment practices.

Four municipal human relations commissions, excluding Chicago, submitted replies. One such reply was an expression of opinion that employment discrimination against nonwhites is very high and that vocational guidance counseling is far in advance of opportunities present. This group contemplated a survey of the situation but

cannot do so until the spring of the year. The remaining three agencies submitted factual data, citing lack of opportunity in any but the lowest echelons of work for their Negro populations.

APPRENTICESHIP PROGRAMS

Four reports, three on specific cities (Chicago, Joliet, and Champaign) and one statewide, referred to apprenticeship programs. All reports indicated few or no Negroes were in the apprenticeship programs. The information received is based on different methods of evaluating the programs. In one instance the report states that "labor union apprenticeship programs are still closed to Negroes but progress is expected shortly." Another city reports that although there are stated nondiscrimination policies in the apprenticeship programs, "No Negro has been apprenticed by the printers' union or received training in the distributive education program."

The Chicago Commission on Human Relations concludes on the basis of information the Commission has gathered by observing apprenticeship courses offered in the public school system in Chicago, "it seems clear that apprenticeship training opportunities for Negroes, in the above crafts (electronics, electrical maintenance, radio and TV, wireman, painting and decorating, metal lath, pipefitting, plumbing, printing, arc welding, tool and die machinists and meat-cutting) excepting meatcutters, are practically nonexistent."

SOME DISCRIMINATORY RECRUITMENT SOURCES

A social agency located in Chicago reports that 1,500 companies have been identified by the agency as discriminating on the basis of religion or national origin. This figure is reported as being the culmination of several samplings of the job orders in the files of private employment agencies in Chicago which place a large share of the white-collar workers.

A study for the period July 1952-December 1953 reports the employment activity by one employment agency on behalf of 5,582 people, 20 percent of whom were thought to be Jews and 191 or 3.4 percent of whom were Negroes. The report states that although 46.3 percent of all Protestant applicants and 39.2 percent of all Catholics were placed, only 12.3 percent of all Jews and 1.3 percent of all Negro applicants were placed.

The study points out that this employment agency is one of the very few white-collar agencies in Chicago which attempt to give service to Negro applicants. This study also points out that "We need more research and social action programs on a case-by-case basis" and at another point states "Nonwhites are today represented in more occupational fields and in greater numbers than ever before."

The 1957 Annual Report of the President's Committee on Government Contracts states these findings of the compliance reviews and complaint investigations of the contracting agencies of Government conducted throughout the nation: "The reports for individual cities showed that Negroes have the best representation in white-collar work in Chicago, Detroit, Philadelphia, and the New York City-northern New Jersey area."

The report of the regional office also indicates that spot checks of a few employment agencies indicate, (a) discriminatory job orders are in fact placed with them; (b) without discriminatory job orders, generally, they assume Negroes are not wanted and therefore screen them out of the employment picture.

The Illinois Commission on Human Relations reports:

In the study, "Racial Preferences in Advertising by Employment Agencies," it was shown that in October of 1956 approximately half of the employment agencies advertising in one Chicago paper regularly placed racial preferences in their ads.

OCCUPATIONAL STATUS OF NONWHITES IN ILLINOIS

The most comprehensive report of the occupational status of nonwhites by geographic area is presented by the decennial U.S. censuses. The most recent census report on occupational status of nonwhites in Illinois is that for April 1950. This is presented in the following table which appeared in "Illinois Commission on Human Relations, Sixth Biennial Report."

Percent nonwhite among employed workers in Illinois, by occupation, in 1950

<i>Occupational class</i>	<i>Percent nonwhite</i>
WHITE COLLAR WORKERS	
Professional, technical, and kindred workers.....	2.9
Farmers and farm managers.....	0.3
Managers, officials, and proprietors, except farm.....	2.0
Clerical and kindred workers.....	3.9
Sales workers	2.2
Total, white collar workers.....	2.7
BLUE COLLAR WORKERS	
Craftsmen, foremen, and kindred workers.....	3.5
Operatives and kindred workers.....	9.8
Private Household workers.....	36.5
Service workers, except private household.....	17.3
Farm laborers and foremen.....	1.1
Laborers, except farm and mine.....	20.4
Total blue collar workers.....	10.8
Total workers	7.1

A survey of industries conducted in July of 1954, as reported in Illinois Commission on Human Relations, Sixth Biennial Report, indicated that no major changes in the job status of nonwhites had occurred since 1950.

A January 1959 report of the Joliet Commission on Human Relations on surveys conducted from 1949 to 1954 notes a few instances of nonwhites obtaining employment in skilled and white-collar categories, but states that nonwhites are still predominantly in unskilled occupations.

In late 1955 and early 1956, the Mayor's Committee on Community Welfare conducted an employment survey of 50 firms in Chicago. Their report, "Merit Employment in Chicago," stated that of 48 firms giving racial information on clerical workers, only 7 employed Negro white-collar people and in only one firm were they employed in any numbers. The report added, however, that there was improvement in professional occupations such as engineers, chemists, and physicists.

A 1956 report of the President's Committee on Government Employment Policy, entitled "A Five-City Survey of Negro-American Employees of the Federal Government," indicated that although many Negroes were employed as Classification Act (white collar) employees, these individuals were predominantly employed in the lowest 4 of 15 grade levels.

In August and September of 1958, the staff of the Chicago Commission on Human Relations surveyed 24 firms receiving frequent contracts from the city. No contractor reported employing any Negroes as professional, technical, or sales workers. Three reported Negroes as managerial workers but in two cases these were foremen supervising Negro workers only. Ten contractors reported employing Negroes as skilled workers but these were in two crafts only: cement finishers and auto mechanics. Ten contractors reported hiring Negroes as unskilled workers only. Only two of the 24 firms surveyed reported employing any Negro clerical workers.

Indiana



Indiana Advisory Committee

(First meeting June 13, 1958)

Chairman:

JOHN A. SCOTT, Elkhart

Occupation: Vice president, Truth
Publishing Comany
Former Mayor, South Bend

Vice Chairman:

DALLAS SELLS, Anderson

Subcommittee: Housing
Occupation: President, Indiana
State CIO

Secretary:

MRS. JOHN T. WINDLE, Madison

Subcommittee: Housing
Occupation: Co-owner and manager
of antique shop
Vice president, League of Women
Voters

WILLIAM A. BLAKE, Munster

Subcommittees: Public Accommo-
dations and Government Facili-
ties
Occupation: Public relations direc-
tor, Inland Steel Corporation

HILLIARD GATES, Fort Wayne

Subcommittee: Public Transporta-
tion
Occupation: Assistant manager,
WKJG-TV
President, Fort Wayne Press Club

WILBUR H. GRANT, Indianapolis

Occupation: Attorney
Former member of Indiana State
Legislature, Former Deputy
Prosecuting Attorney

STANLEY HAMILTON, Richmond

Subcommittee: Employment
Occupation: Educational staff, Na-
tional Farmers Union; field su-
pervisor, farm trainee program
Executive Committee, Farmers and
World Affairs

**RUFUS C. KUYKENDALL (Resigned
April 27, 1959), Indianapolis**

Occupation: Attorney
Former member UNESCO

THEODORE C. MAYS, Evansville

Occupation: High school teacher
Member Registrants Advisory
Board under Selective Service;
trustee of Redevelopment Com-
mission, Evansville

WILLIAM J. REGAN, Gary

Subcommittee: Administration of
Justice
Occupation: Attorney
Former president, Gary Bar As-
sociation

Indiana Report

VOTING

IN 1946 a survey was made throughout the entire 92 counties in Indiana relative to the number of Negro voters residing in each county. Surprisingly, the answers indicated that there were no Negro residents in 30 counties or roughly one-third of the total number of counties. Further investigation revealed that this situation was not accidental. As a matter of fact, it is a matter of public record that in a number of the county seats and small communities in the counties signs have been visible advising, "Niggers don't let the sun go down on you here!" The inference to be drawn is that Negroes are forbidden to establish residence in one-third of the State of Indiana. Obviously, if one cannot establish residence in one-third of the State, he cannot meet the qualifications for voting.

Aside from the examples heretofore given there appears to be no organized effort to deprive the Negro in Indiana of his right to vote. Conversely, in areas where he can establish legal residence he is encouraged to vote.

HOUSING

The Subcommittee on Housing confined its analyses primarily to four cities in Indiana—South Bend, Fort Wayne, Anderson, and Indianapolis.

Using studies of the four above mentioned cities as a basis, the following factors stand out as to the housing situation in Indiana:

The percentage of substandard units occupied by nonwhites in the four studied cities range from 50 to 98 percent.

Housing available to nonwhites is negligible, confined to undesirable property for the most part.

Minority groups have not shared proportionately in new housing units. For example, in South Bend during the past 5 years, less than 2 percent of new housing was available for minority groups who represented 9 percent of the population.

Practically all housing being built in Indiana is for racial groups, with none on an open occupancy basis.

Mortgage financing is available to all groups on the same terms, with limitations imposed as to the capital risk. Financing is not available for open occupancy developments. The experience of mortgage credit institutions with racial minority borrowers has been

relatively good over the past several years, with some delay in payments due to marginal employment, but with very few foreclosures.

Real estate boards, as a rule, do not admit members of minority groups to membership. Some members have been known to practice "block busting," "whispering campaigns," and all the other questionable practices in the area of housing. In Indianapolis, the Negro brokers have their own separate board.

There has been very little done by Federal, State, and local communities to provide decent, safe and sanitary housing along racially separate but equal lines other than by enforcement of existing codes and regulations.

Indianapolis has one low-income project operated directly by the Federal Government, housing 748 families. It has been occupied almost 100 percent by Negroes since its inception. Fort Wayne has three public housing developments under authority of the Fort Wayne Housing Authority that are segregated and discriminate against Negroes. South Bend has a low-rent public housing project under construction, with a total of 62 families living in the area at the present time. There are 57 dwelling units housing 57 Negro families and 5 white families. There are no public housing units in Anderson. South Bend and Indianapolis have urban renewal programs.

The area of discrimination in housing in Indiana is probably the greatest blight we are facing in the problems affecting the Civil Rights Commission. Very little is being done to alleviate this problem, due to indifference as much as any other reason. The problem will become more acute as more and more members of minority groups migrate to Indiana in search of employment.

EDUCATION

It must be admitted there was some consternation at the lack of records in the State office. Our consolation lay in the hope that lack of such records was indicative of the success of school desegregation in Indiana. To the State Department of Public Instruction, it would appear, integration is an accomplished fact.

The brightest ray came in the shape of a "Report on Pupil Enrollment and Teaching Staff According to Race of the Indianapolis Public Schools," prepared by Mr. George F. Ostheimer, Assistant Superintendent, and the staff of the Personnel Service Branch, at the request of our committee member, Miss Phyllis Waters.

Total pupil enrollment as of June 1958, was 76,902, of which Negro enrollment was 18,237 or 23.71 percent. Total number of teachers, as of September 1958, was 3,205, of whom 566 were Negro teachers or 17.6 percent of the total staff. The total number of new positions certified in September 1958, was 85; Negro teachers 18 or

21.17 percent. Gradual faculty integration is illustrated in a rise from 347 Negro teachers in 1949-50 to 566 in 1958-59. Increase of Negro teachers in schools which prior to 1951 were staffed wholly by white teachers: in 1951-52, 3 Negro teachers; in 1958-59, 159.

Of the six public institutions of higher education in Indiana, which include Ball State Teachers College, Fort Wayne Art School, Indiana State Teachers College, Indiana University, Purdue University, and Vincennes University, all replied No to two key questions: "Was racial exclusion ever practiced at this institution by virtue of State law, policy or practice?" and "Is the present student body of the institution composed entirely of members of one race or national origin?"

In attempting to assess the information obtained through the replies to the above questionnaire, the Committee has been faced with one question, basic but difficult to answer. What is the cause of the exceedingly low Negro enrollment in Indiana's public institutions of higher education, as shown in the actual or estimated figures submitted?

Dr. R. W. Holmstedt, president of Indiana State Teachers College and a member of our subcommittee, makes the following analysis:

". . . We have made no particular study of our Negro students so would have no definite information to give you. Generally we have accepted Negro students as they came and have treated them as other students.

"It is apparent that the proportion of Negroes of college age who are enrolled in college is much smaller than that of white students. I presume that there would be several reasons for this; one certainly would be economic and the second probably would be less interest in academic work.

"I am sure that the high school training of Negro students is fully equal to that of white students in Indiana. . . . For example, I am sure that there are few high schools in Indiana that would be in any way superior to Crispus Attucks in Indianapolis.

"I suspect that another reason for the low attendance of Negroes in colleges may be due to the fact that the opportunities in professions and vocations requiring college and university training have been quite limited for Negroes. This, no doubt, is an element of discrimination which has its effect on the incentive for Negroes to continue their education."

TRANSPORTATION

Under the Civil Rights Statute of Indiana, in force since July 18, 1885, discrimination in public transportation because of color is unlawful. A diligent search has revealed no cases or complaints of violation.

PUBLIC ACCOMMODATIONS

Until the returns are in and compilations made, the following will have to serve as an interim report on what we have learned regarding discrimination in the area of public accommodations.

From personal knowledge and general information unsupported by any sworn statements, it would seem that the law has been in advance of practices in affording public accommodations to all. Some Northern States, and particularly Indiana, have had laws on the books for many years forbidding discrimination in hotels, restaurants, and so on, but enforcement has either been absent or overlooked.

There is evidence of progress in these areas where minority groups, particularly colored people, are accepted when accompanied by white patrons of these places. Just how many individual coloreds might be admitted on their own is, of course, a question. It seems safe to say that we have less discrimination in the larger counties of the State than in the smaller ones, but the impression should not be given that there isn't room for improvement in those areas where racial and religious tolerance is most marked.

EMPLOYMENT

Some 25 years ago Hollingsworth Wood, Quaker resident of Mt. Kisco, N.Y., and a prominent lawyer with offices in Manhattan, hired a Negro girl as a secretary receptionist. Soon thereafter a well-to-do client called and was ushered in by the Negro girl. As the door closed the client, almost in a state of shock with surprise, pointed to the outer office and said, weakly, "Is this—er—is this sort of thing on the increase?"

Mr. Wood replied, "Yes, I think it is, I think it is. So far as I know, until recently there weren't any. Now there is one."

This story points up the fact that in the matter of merit employment we have to start where we are. In most places in Indiana we still have a long way to go, although there are some signs of progress.

Zale Edwards, director of the Richmond office, Indiana Employment Security Division, reports but little change in employment on merit basis among local manufacturers in the past 9 years. Here is one cause of this attitude—for 40 years local manufacturers have recruited and imported cheap labor from Kentucky and Tennessee. There is no such thing as cheap labor. In the end the local community or society in general pays, in increased cost of police and fire protection, slums and crime costs. This is frequently true of migrant labor, also. However, many communities are slow to learn the facts in the matter.

The director of the Indiana Fair Employment Practices Commission, a State conciliation agency which has no enforcement powers, reported to our Committee that most Indiana business firms do not discriminate in hiring unskilled workers, and that nearly half of them hire semiskilled workers on merit. But, he continued, "two-thirds of the firms discriminate in hiring workers for skilled jobs and approximately nine-tenths raise barriers to the employment of members of particular groups in office, engineering, and sales occupations.

"Most of the discrimination is found to be directed against Negroes, yet there is significant evidence of discrimination against Jews. Nearly all firms where discrimination was found appeared to be doing so without premeditation or possibly inadvertently. 'Tradition' and 'company policy' were cited much more often than any other factors as the principal reasons for the discrimination imposed."

In Indianapolis some 75 firms cooperate in a program of merit employment under the Indianapolis Commission on Human Rights and the Association for Merit Employment, Inc. This is a great program. Back of it lie years of work on the part of various agencies and individuals. Among them is the job opportunities program of the American Friends Service Committee, described by Harold Hatcher in the following letter:

For convenience we classify jobs into the following broad categories:

1. Proprietors and managers
2. Professional and technical
3. Clerical
4. Sales
5. Skilled including craftsmen
6. Semiskilled and operatives
7. Unskilled and service

In most communities including Indianapolis, Negroes have a disproportionately large share of the low skill, low pay, low prestige jobs, and about their proportionate share of the semiskilled or operative jobs and a very small proportion of the five so-called skilled categories. Since mechanization seems to be reducing the number of unskilled jobs and forcing more and more unskilled Negroes on to public relief, our organization along with hundreds of others throughout the country is working to remove racial barriers to the skilled jobs and to encourage Negro youth to train and apply for these skilled positions. By far the largest block of such jobs held by Negroes in our community are in government service and particularly the lower and middle level clerical jobs under civil service. In private business where the bulk of the jobs are, we know 75 to 100 local employers who have made a start in using Negroes on jobs other than unskilled and semiskilled classifications. Not only do they constitute a very small proportion of the employers in this city but they have opened in most cases a very small proportion of their better jobs to qualified Negroes. Of these, almost none are at the managerial, professional, or even supervisory levels.

As our office has taken applications from and given tests to 400 or 500 of the better qualified persons who were encouraged to seek our assistance in the past few years, we have found very few above the clerical, sales, or technical levels. This indicates to us that the supply of qualified Negro applicants and the demand from responsive employers tend to remain pretty much in balance with no significant surplus developing either of qualified applicants or of available jobs. The only possible exception has occurred in connection with wartime labor shortages, a situation which we hope will never recur in the future.

When one analyzes why these 75 Indianapolis companies deviated from traditional employment practices and restrictions, we find at least a half dozen reasons. A number were more or less forced by wartime labor shortages. The Negro employees made good on their new jobs and they were kept on after the labor shortage ended. Another important reason was the hope to obtain or retain a large share of the Negro market. In a number of companies where a good job is held by a Negro it is primarily because long years of faithful service have overcome the company's traditions: the efficient and devoted janitor worked his way up to head of the power plant. The cases with which we are most familiar are those which we as a private agency picked out. Those infrequent occasions in which three factors are present at once: a vacant job, a responsive employer, and a qualified applicant for that particular job. In some of these companies the progress has been brought about largely as the result of nondiscrimination clauses and other provisions in union contracts. As we have assisted in dozens of these significant placements, we have noted that once a good applicant is put on the job the reaction of their employees, customers, supervisors, etc., is almost always favorable and the placement entirely successful. The problem instead is to find a well-qualified applicant and to persuade the employer to deviate from past practices. It seems that personally they want to hire the qualified Negro but are afraid of what somebody would think. It would seem that it is at this point that an effective fair employment practices law would be useful in giving management a reason for doing what it knows it should do.

The job of eliminating discrimination in employment would be much simpler if it involved merely the passing of a law or the making of a decision by management to employ on merit. In actual practice, however, each job classification within the company seems to call for a separate decision by management. A successful placement in one department or job doesn't automatically result in opening up jobs in other departments. We have many illustrations also of companies that took decisive and courageous action in past years and although they were happy with the results, no new jobs were made available to Negro applicants in succeeding years. Continuous effort is required even to keep from losing ground when the skilled Negro employee leaves the job for a good reason and with a good record. Other employees are likely to have an applicant ready to step in the vacancy for which there are no qualified Negro applicants on file.

One must conclude that getting our Negro population employed at its highest potential calls for the best effort of a wide variety of agencies and programs. To neglect this will prove extremely costly to the entire population. The various branches of government are doing a good deal in this field but there is much more that they could do particularly in setting a good example rather than perpetuating outworn traditions. Furthermore, the government and its executives have great power, prestige, and influence. They should use these more fully in carrying out the provisions of

the Constitution which they have sworn to uphold rather than retreating to the safety of "government regulations," or noncontroversial and popular issues.

SUMMARY

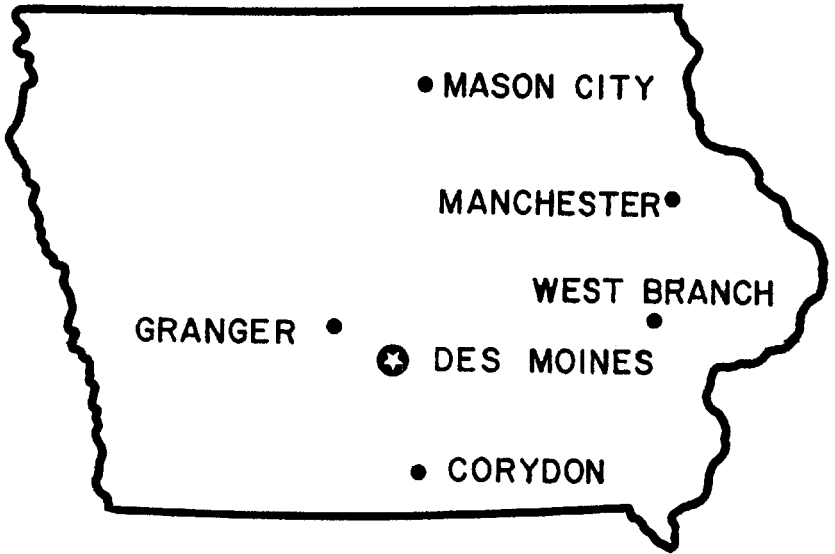
It is obvious that the problem of employment on merit without discrimination is quite complicated. It is closely related to the general level of employment. Wartime demand lessened the problem. At the present time with somewhere between 5 and 6 million unemployed it is certain that persons in minority groups are hardest hit. Indiana has her full share of unemployment, witness Richmond, Evansville, Fort Wayne, South Bend.

The information we have gathered, spotty and incomplete though it is, does show that some progress is being made in merit employment. Methods and emphasis differ, not only from city to city but even, as indicated in the Indianapolis statement, between departments in a given industry.

The need for an enforceable fair employment practices law seems indicated. Perhaps such a State law should be used as a tool of last resort. A switch hanging in the woodshed.

Actually the solution to the problem of discrimination in employment rests on understanding and goodwill. Can these be established by law or force? Can they be achieved better by gentle persuasion, example, personal appeal? The latter way is not easy. John Woolman, gentle Quaker tradesman of Mount Holly, N.J., and beloved minister in the Society of Friends, used persuasion and personal appeal. He worked on the consciences of Quaker slaveholders. His method was not easy, but it worked. "It is better to light a small candle than to curse the darkness."

Iowa



Iowa Advisory Committee

(First meeting November 28, 1958)

Chairman:

HON. KARL M. LECOMPTE, Corydon

Occupation: Publisher, *Corydon Times*

Former member, U.S. House of Representatives, (76th through 85th Congresses)

MRS. HARRIETTE J. BAUM, Manchester

Occupation: Real estate broker

Member, Governor's Commission on Human Relations

REV. JOHN J. GORMAN, Granger

Subcommittees: Education and Housing

Occupation: Catholic Priest

Member, Governor's Commission on Human Relations

DONALD E. JOHNSON, West Branch

Subcommittee: Employment

Occupation: President, Johnson's Hatcheries, Inc.

Member, Governor's Commission on Human Relations

NATHAN LEVINSON, Mason City

Subcommittee: Public Accommodations

Occupation: Attorney

Member, Governor's Commission on Human Relations

JAMES B. MORRIS, Sr., Des Moines

Occupation: Attorney

Publisher, *Iowa Bystander*

W. LAWRENCE OLIVER, Des Moines

Subcommittee: Local Administration of Justice

Occupation: Attorney

Other Committee Study Topic: Voting

Iowa Report

THE Iowa State Advisory Committee has inaugurated studies in housing, education, voting, employment, public accommodations, and administration of justice. Its housing report, the first completed, appears below.

HOUSING

Iowa does not have a large Negro population, and the housing problem has arisen only in the larger towns and cities.

Article I, section 1, of the Iowa constitution provides that the acquiring, possessing and protection of property is an inalienable right. Section 6 of the same article provides that all laws of a general nature shall have a uniform operation, and that any privileges or immunities granted by the General Assembly shall apply equally to all citizens.

The Iowa law guarantees to all persons "full and equal enjoyment of the accommodations, advantages, facilities and privileges of inns, restaurants, chophouses, eating houses, lunch counters, and all other places where refreshments are served, public conveyances, barber shops, bath houses, theaters and all other places of amusement." Violation of the law can result in a \$100 fine or 30 days in jail.

The State Highway Commission has this year adopted the policy of printing the text of Iowa's Civil Rights Act on the State's official highway maps. The commission distributes an estimated quarter of a million maps each year and this should acquaint many of the Iowa residents and visitors with our laws governing public accommodations.

Based upon personal interviews with colored men and women from different areas of the State and upon written communications, I am convinced that the housing situation in Iowa is no worse nor any better than that in many of the other Midwestern States. There is no question that discrimination exists against the Negroes in housing in Iowa. Many of the colored people are very bitter because of their treatment. Most are philosophical and have adjusted themselves to the problem, but there is no question that the resentment is there and will remain until the problem is solved.

In Mason City, Iowa, most of the Negroes have been forced to buy homes in the poorest sections of the town in order to obtain

a residence. Wherever the Negroes have bought a home they have encountered both open and hidden disapproval. Petitions have been circulated for their removal, and properties have been raised both as to selling price and renting price in order to make it impossible for the Negro to buy or rent a home. Gradually the Negro population is decreasing in our town because of the inability of the young to obtain employment and proper housing. They are served in most of the restaurants and have very little difficulty at the hotels, but barber shops, wherever possible, avoid serving the Negro, although there have been several cases in which some of the barbers have been fined for their refusal to do so. Colored patronage is not welcome anywhere, but they are served.

In Des Moines, Iowa, the housing situation is much better than in most of the Iowa cities, but even there, Negroes are forced to pay higher prices if they buy and higher rents if they rent. A few manage to move into the better neighborhoods, but the majority are forced to live in the poorer sections of the town, not only because of their economic positions, but also because of discrimination.

In Clinton, Iowa, the report is that there is very little discrimination as to housing and public accommodations with the exception of barber shops and that the Negroes living there appear to be content as to their condition.

In Marshalltown, Iowa, reports show that the restaurants and hotels practice no discrimination, and housing is no problem if the means are available. The barber shops refuse to give service to Negroes, and they are forced to cut each others hair at their homes.

The housing situation in Sioux City, Iowa, is excellent, and most of the restaurants, hotels, and other public places treat Negroes fairly, but the barber shops refuse to give them service. This is the city where an Indian, who had been killed in combat in Korea, was not allowed to be buried in one of the Sioux City cemeteries because he was not a member of the Caucasian race. This was taken to court in the case of *Rice v. Sioux City Memorial Park* (245 Iowa 147), which was later taken to the United States Supreme Court. The Iowa court upheld the restrictive covenant. The legislature then passed a law which would prevent future discrimination, and the United States Supreme Court dismissed the case because of the act of the Iowa Legislature.

In Waterloo, Iowa, there are no difficulties as to housing, and the hotels practice no discrimination, both as to food served and rooms. Some of the restaurants and taverns refuse service to Negroes and barber shops have never questioned the rights of the Negroes to service. The situation in Waterloo appears to be very good except in a few exclusive establishments.

In Council Bluffs, Iowa, some of the better hotels have refused their accommodations to Negroes. Barber shops do not cater to colored people, and some of the restaurants have refused to serve them. The housing problem is not very good, as the Negroes are forced to live in poorer sections of the town and none have attempted to buy residences in the better areas.

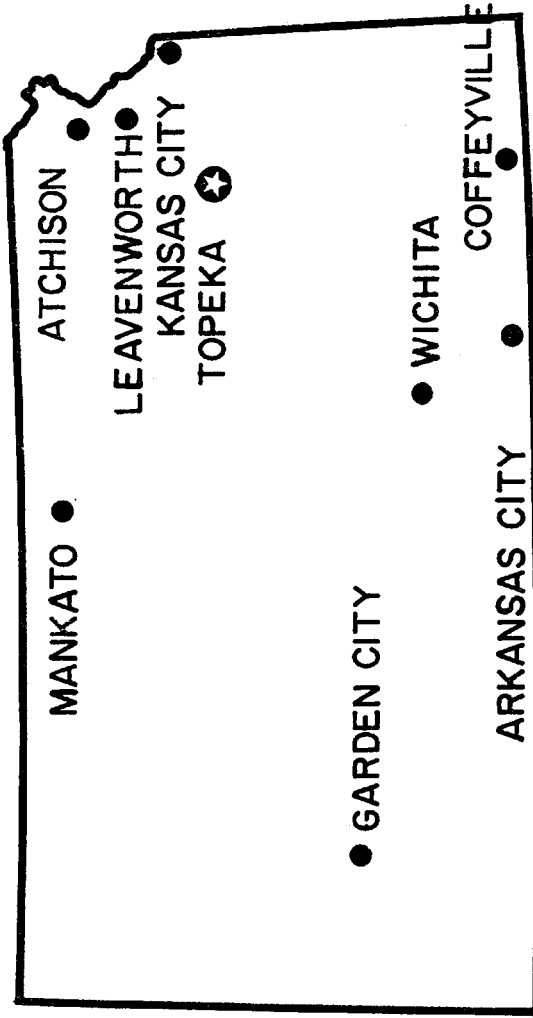
It appears that very few Negroes are able to live in the better residential sections of the various cities in Iowa even if their economic conditions permit them to do so. Whenever they attempt to buy a home, the prices are raised to such an extent that they cannot possibly pay the same, and if they endeavor to rent, the rents are priced out of their reach. When they do buy a home in anything but the poorest section of the city, they are usually boycotted, and conditions are made very unpleasant for them. The picture as to housing is very discouraging.

The barber shops throughout Iowa are practically unanimous in refusing to sell service to Negroes, although as pointed out in the report in some cities Negroes do get service. Most of the larger hotels will accommodate Negroes, but only under certain conditions, so that it is very hard for a Negro to get a room at the better hotels and motels. The restaurants will serve them, but most of the time the service is very poor and the colored person is humiliated to the extent that he does not return.

The picture is very discouraging, but your reporter has a feeling that the public is gradually awakening to the fact that our Negro neighbors are fine people who are being unfairly treated, and the fair-minded residents of Iowa are making an honest effort to correct the situation. We can only hope that this will come soon.

* * *

Kansas



Kansas Advisory Committee

(First meeting November 29, 1958)

Chairman:

MRS. VICTOR W. HAPLICH, Garden City

Occupation: Secretary of Kansas Baptist Women

President, Kansas Farm Women Bureau

Vice Chairman and Secretary:

JUDGE A. B. HOWARD, Kansas City

Subcommittees: Public Accommodations and Voting

Occupation: Attorney

Former Municipal Court Judge

GEORGE B. COLLINS, Wichita

Subcommittee: Education

Occupation: Attorney

Kansas State Board of Regents, 1958

PETE ESQUIVEL, Arkansas City

Subcommittee: Migratory Workers

Occupation: Air transport worker
Junior director, American GI Forum for Kansas

DR. HARRY LEVINSON, Topeka

Subcommittee: Housing

Occupation: Director, Division of Industrial Mental Health, Menninger Foundation

Member, American Psychological Association

CHESTER L. MIZE, JR., Atchison

Subcommittee: Employment

Occupation: Vice president, L.F.M. Manufacturing Company
Former member, Kansas Anti-Discrimination Commission

Kansas Report

INTRODUCTION

WE REALIZE that in the limited time the Committee has had, a complete picture cannot be given. But at least a start has been made and other information will continue to come to our attention. As one member of our Committee said, when reporting on the area of discrimination that his Subcommittee was studying, "Even though no other good comes from the study, at least it has made people aware that there is a problem here and aware that it is being looked into."

PUBLIC ACCOMMODATIONS

All members of the Advisory Committee are fully aware of poor accommodations afforded minority groups in the State. However, in making their study of the situation, the Subcommittee was quite surprised at the failure of previous reports to disclose conditions as they exist. Many individual cases of discrimination are known, and it keeps our minority groups constantly uneasy, not knowing whether or not they will be rejected. A great need can be seen for more hard and fast lines or rules so that each situation will not need to be tested singly.

Across the State the pattern is very erratic, so it is difficult to give a clear picture of the situation. The 1959 session of the Kansas Legislature passed a new bill pertaining to public accommodations; it is hoped that it will be a strong enough piece of legislation to greatly improve conditions in Kansas. Mr. A. B. Howard respectfully submits the following report.

The Subcommittee on Public Accommodations, as a result of answers to questionnaires by various chambers of commerce over the State of Kansas, and local chapters of the NAACP, and personal interviews with persons living in and or traveling through the State of Kansas, submits these findings.

Public accommodations in the State of Kansas are not open to all persons without regard to race, color, or creed in all areas of the State. According to the degree to which they are open to all persons alike, the accommodations included in this study are rated in the following order: (1) hospitals, (2) theaters, (3) swimming pools, (4) tennis courts, (5) ice cream parlors, (6) hotels, (7) restaurants, (8) golf courses, (9) boarding houses, (10) motels.

Discriminatory practices have existed in the hospitals in Wichita, Topeka, and Kansas City. However, it is reported that these practices have ceased in Topeka due to efforts of the local NAACP.

Arkansas City has two theaters that will admit all persons. Coffeyville will admit Negroes if they use a separate section reserved for them. Eureka will not admit Negroes.

Swimming pools are not open to all persons alike in Coffeyville, Eureka, Mankato, and Neodesha.

Tennis courts are not open to all alike in the following cities: Anthony, Bell Plaine, Blue Rapids, El Dorado, Ellis, Erie, Eureka, Garden City, Hill City, Independence, Kingman, Leoti, Mankato, Oakley, Pittsburg, Stockton, Tribune, Wakeeney, Wamego, Wichita, and Yates Center.

About 50 percent of all ice cream parlors in Topeka will serve all persons alike. One in Oswego will serve all persons alike and two will not. One in Wellington will serve all persons and two will not. Ice cream parlors in the following cities will not serve all persons alike: Abilene, Arkansas City, Coffeyville, Fort Scott, Kansas City, Leavenworth, and Neodesha.

Hotels in all larger cities of the State are open to all persons alike without regard to race, color or creed. None of the hotels in the following cities will admit all persons alike: Arkansas City, Coffeyville, Erie, Eureka, Fort Scott, Hill City, Hugoton, Neodesha, Oakley, Oswego, Wellington, and Winfield. There are few restaurants in the State that will serve all persons alike.

The Committee feels that the civil rights laws of the State should be enlarged and strengthened. Our present civil rights laws provide among other things that there shall be no discrimination on account of race, color or previous condition of servitude in any inn, hotel, boarding house, or place of entertainment or amusement for which a license is required by a municipality. However, our supreme court has held that restaurants and ice cream parlors do not come within this statute.

Discrimination in the area of public accommodations in the State of Kansas is directed against the Negro to a large extent and in a lesser degree against the Mexican-American.

The Committee wishes to adopt and make a part of this report the observations of Mr. Sidney H. Alexander, Jr., executive director of the Wichita Urban League, as follows:

"Because public accommodations are not extended to all citizens on an equal basis, much damage is done economically and socially. The economic factor is self explanatory in this and other areas. The social damage requires some elaboration. In the case of motels refusing service, tourists are forced to become highway hazards because they cannot stop and rest when they are fatigued. They

become unsafe and consequently unfit to be on the highways. Particularly damaging to the children of families who are traveling is the fact that on long trips, full and nourishing meals are seldom available. Whether we can justify it or not, we must realize that eventually, because of human nature, individuals begin to react in a like manner to the kind of reception and treatment they receive. We cannot continue to withhold those rights which belong to all citizens from a few and then condemn those few for taking, as best they can, those things which are being withheld."

EMPLOYMENT

The Subcommittee states that it did find widespread discrimination on the basis of race and color but none on the basis of creed or religion.

It was the feeling of this Committee that the Kansas Anti-Discrimination Act has not eliminated unfair employment practices in the State in regard to discrimination. The reasons are:

- (a) Lack of sincere cooperation on the part of some employers, including the State itself and certain political subdivisions.
- (b) Insufficient funds to allow for more intensive field work, and development of a truly broad educational program.
- (c) Lack of enabling powers in the law.

A rather brief summary of the actual employment situation as it exists today in Kansas in relation to minority groups was obtained from the Anti-Discrimination Commission, which said in part:

Concerning actual complaints received by the Commission the only complaints that have been satisfactorily closed are with companies that held government contracts. These cases by the way were not closed until the Kansas Anti-Discrimination Commission had reached a private agreement with the President's Committee on Government Contracts, for the investigation and conciliation of these complaints.

By and large minority groups of the State are held to the traditional job levels. . . . The largest employers within the State do not hire on a pure merit basis, however, they do hire minority group people on lower level jobs and in this light will say they do not discriminate. In white collar and office jobs, however, there are no Negroes or other minority group people employed.

In a [Commission] survey of employment practices in Topeka in 1956 [there were] interviews with family heads of 364 families: 142 majority group (white), 112 Negro, and 110 Mexican-American. In addition interviews were held with 69 employers, selected to provide a cross-section of the basic types of business in Topeka.

There were *no* Negroes or Mexican-Americans in sales positions. Four times as many whites as Negroes and Mexican-Americans are in skilled positions. Over half of the white workers make over \$80 a week while less than $\frac{1}{5}$ of the Negroes and Mexican-Americans make over \$80. Forty-four percent of the white workers earn over \$2.00 an hour as compared

to only 13% of the Negro workers and 14% of the Mexican-American workers. Almost half of the Negroes earn less than \$1.50 an hour, while only one-tenth of the white workers have similar earnings.

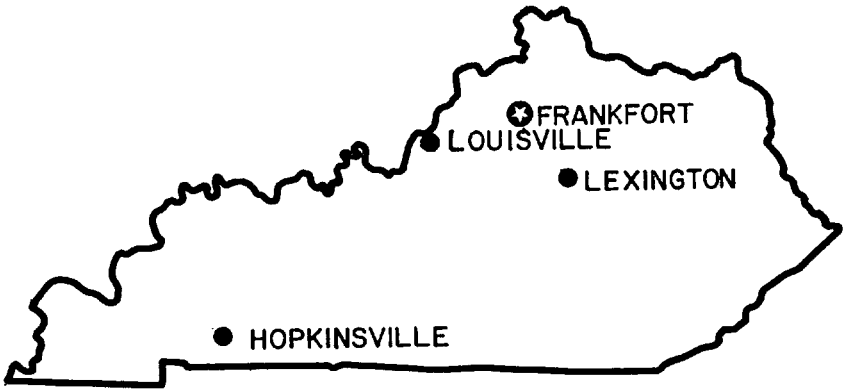
It is significant to note that in Topeka there is not much difference in the amount of formal education of Negro and white worker. Thirty-one percent of the white workers and twenty-five percent of the Negro workers have completed high school. The same percentage (20%) have had some education beyond high school. The Mexican-Americans have less formal education than Negroes or whites. Since education is considered an important factor in determining an individual's earning ability it is interesting to compare the amount of education of the Negro and white workers with the jobs they hold. It is reasonable to assume that *semi-skilled* and *unskilled labor* and *service occupations* are the ones which require least education, and which would likely be filled by persons who have had only grammar school education.

Eighty-one percent of the Negroes are in these jobs, although only 33% of the Negroes have less than some high school education. On the other hand only 24% of the white workers are in such jobs, yet 29% have not gone beyond grammar school.

HOUSING

It seems obvious from the facts available to us that while there is little religious discrimination in housing in Kansas, racial groups find severe discrimination in both the purchase and rental of homes. For many, any kind of adequate housing is out of the question because of their low income. But even for those whose incomes are adequate, desirable nonsegregated housing is not easily come by, especially in the larger cities. Since World War II, segregation seems to have been increased in the sense that almost none of the housing in the newer housing developments has been made available even to those Negroes and Mexican-Americans who can afford to purchase it. While the housing programs of the Federal Government have made it easier for the members of minority groups to purchase and build homes in segregated areas, they have at the same time lent themselves to increasing segregation. Nowhere in these programs and laws is there adequate protection for minority group members.

Kentucky



(137)

Kentucky Advisory Committee

(First meeting December 16, 1958)

Chairman:

HAL H. THURMOND, Hopkinsville

Occupation: President, Blue Block Company, Inc. (concrete building products manufacturer)

President, Hopkinsville Chamber of Commerce; member, Governor's Advisory Committee on Mental Health

Vice Chairman:

JESSE J. DUKEMINIER, JR., Lexington

Occupation: Professor of law, University of Kentucky

Member, Lexington Planning Commission; director, Lexington Citizens Association

Secretary:

MRS. HERMAN G. HANDMAKER, Louisville

Occupation: Housewife

Past president, Louisville section, National Council of Jewish Women

DR. R. B. ATWOOD, Frankfort

Occupation: President, Kentucky State College

Chairman, Kentucky Council on Human Relations

REV. WALTER C. HOUSE, Louisville

Occupation: Executive director, Temperance League of Kentucky
Member, executive committee, National Temperance League

Committee Study Topics: Education, Housing, and Voting

Kentucky Report

HOUSING

HEREWITH is a study of discrimination in housing in the city of Lexington, replying specifically to the questions asked in the Commission questionnaire. We have not had sufficient time to make the careful study we would like. There have been no studies of this sort here before. We were only able to interview knowledgeable persons in Lexington and report their opinions. They disclose several serious problems in housing discrimination.

We have limited this report to discrimination against Negroes. These compose the largest minority group. By the 1950 census they composed 17 percent of the Lexington population. The Negroes are concentrated in four areas in the city, with a few sporadic pockets elsewhere. Their housing is essentially segregated. There are fringe areas, and some slum areas, where Negroes and whites are intermixed. These areas are in the process of change. And, as in all southern cities, there are a few families living on back streets or alleys in white neighborhoods. Nevertheless, there is not in Lexington any area of truly interracial housing. Nor is there any trend or movement in that direction.

I. PICTURE OF MINORITY HOUSING PROBLEM IN LEXINGTON, KENTUCKY

Question A. What is the situation with respect to the quantity and quality of housing at present occupied by or available to Negroes?

1. The percentage of Negroes in substandard housing

The percentage of Negroes living in substandard housing is not accurately known. The following sources make these estimates or conclusions:

James Shea, building inspector for Lexington, estimates the number of such Negroes is approximately 1,500, or 9 percent.

Shea's estimate varies greatly from figures in the League of Women Voters Survey, 1952. According to that report, there were 4,254 Negro units in 1939, and 83.8 percent were substandard. In 1950, furthermore, 44 percent of the 6,000 substandard houses in the city housed Negroes. Thus Negroes, who compose 17 percent of the population, got 44 percent of the substandard housing.

A study made in 1950 by Elsie W. Pile, graduate student in geography at the University of Kentucky, estimated that 50 percent of the Negro population in Lexington lived in substandard housing.

The Lexington Slum Clearance Board made a survey of slum areas in 1954 and designated four areas of the city as slums: Pralltown, Davis Bottom, Chicago Bottom (all predominantly Negro) and Irishtown (predominantly white). Living in the three Negro slum areas were 814 families. Estimating the average family at four, a figure is reached of 3,256 Negroes in slum areas. Thus about 20 percent of the Negro population lives in designated slum areas.

As can be seen, the figures vary from 9 to 83 percent. We believe the 9 percent figure is far too low, and perhaps is affected by the reluctance of the building inspector to classify houses as substandard. Under the Lexington minimum housing ordinance of 1956, substandard houses must be improved or vacated. Mr. Shea states that he is reluctant to enforce the ordinance when the owners do not have the income to make the necessary repairs nor is there available housing into which they can move.

On the other hand the 83 percent figure in 1939 seems far too high today. Since that time Negroes have received a larger share of Lexington's economic pie, which has itself grown several times in size. We believe a realistic estimate would be that around one-third of the Negroes in Lexington live in substandard housing.

2. The differences in quantity and quality of housing available to Negroes and that available to whites

It is obvious to everyone in the community that the amount of good housing available to Negroes is far more limited than that available to whites. Sterling Pearce, head of the Pearce Mortgage Co., states there are very few lots available for Negro building. Ova Haskins, Negro builder and realtor, concurs in that opinion. He cites two Negro subdivisions (St. Martin's Village and Haskins Drive) as being the only available locations for new houses. White persons will not sell lots to Negroes in other areas.

In the older, built-up parts of town several areas have become available to Negroes in the past 15 years. Mr. Shea estimates that approximately 15 blocks, formerly white, have opened up to Negroes. These areas are: from Third Street to Seventh Street on Chestnut (four blocks); from Elm Tree Lane to Chestnut on Fifth Street (two blocks); from Elm Tree Lane to Blue Grass Park on Sixth Street (four blocks); and all of Breckinridge (five blocks). These areas are not slum areas and contain good houses, although most of them are over 20 years old. Mr. Haskins said these areas became available not by "blockbusting" but by slow expansion of Negro population centers. The Negroes had no place to go otherwise.

As to the quality of the housing available, the housing in the two

Negro subdivisions is of high quality. The housing in the older, formerly white areas is not substandard. The quantity of good private housing available is extremely limited. Public housing is discussed below.

3. *The extent to which Negroes have shared in new housing units sold or rented in recent years.*

(a) *Private housing.*—In the last 10 years there have been only two subdivision areas where Negroes have been able to buy in Lexington. These are Haskins Drive and St. Martin's Village, both located on the north side of town off the Georgetown Road. Haskins Drive, built by Ova Haskins, Negro realtor, is now completely developed with no lots available for additional homes. The development contains 26 houses with prices in the vicinity of \$10,000.

St. Martin's Village is a much larger subdivision and is being developed by Charles Seeberger and other white developers. It now contains 150 homes and there are lots available for additional homes. It will ultimately contain 209 homes with prices ranging from \$7,000 to \$15,000. In Mr. Seeberger's opinion, the construction of from 25 to 40 homes a year, in the above price range, will satisfy the Negro market for houses in this range. (The demand for more expensive houses is nil, according to Mr. Seeberger.) It will be seen that if construction proceeds at the expected rate, St. Martin's Village will be full within two years. While St. Martin's Village is not by any means luxurious, it is attractive and well kept and is one of the finest Negro middle-income subdivisions in the South.

Mr. Seeberger has plans to erect several Negro apartment buildings on land adjacent to St. Martin's Village already purchased by him. A \$300,000 privately financed housing project for Negroes also started on Georgetown Road this spring. This latter project, known as Lincoln Terrace and built by two white Lexington builders, will contain 14 buildings, each containing from six to eight apartments. The apartments will have 3½ rooms each. This will make available about 100 apartments for Negroes.

This amount of housing compared to the enormous amount of new white housing is very small. Even though the situation has greatly improved in the last 2 years, Negroes, composing 17 percent of the population, have not had anywhere near 17 percent of the new housing. A reasonable guess would put it below 5 percent.

(b) *Public housing.*—There are four public housing projects in Lexington: Blue Grass Park (all-white), Fowler's Gardens (all-white), Aspendale (all-Negro), and Charlotte Court (all-Negro). Blue Grass Park and Aspendale are contiguous but separated by a fence. There are 1,200 apartments in these projects and they are allocated evenly between the races, i.e. 600 for Negroes, 600 for

whites. All standards governing admissions to the projects are the same for Negroes as for whites. The waiting list of applicants is much shorter for the Negro projects than for the white projects. According to the assistant director, Mrs. Griffith, there have been no requests by Negroes for admission to the white projects. Mrs. Griffith says there is no reason for such requests since the Negro applicant can be admitted to the Negro projects much quicker than the white applicant can be admitted to the white projects.

The projects are segregated, and no attempt has been made by Negroes to desegregate them. The Negroes have had more than their mathematical share of public housing: 17 percent of the population receives 50 percent of the units. Of course this result recognizes their greater need.

Question B. What are the difficulties of Negroes in finding decent, safe, and sanitary housing, and the source of difficulties?

1. The practices of builders and brokers with respect to new housing

Houses in white subdivisions have not been sold to Negroes. As far as is known, they have not tried to buy in. Houses in the two Negro subdivisions have not been sold to whites. As far as is known, they have not tried to buy in.

2. The terms and availability of mortgage financing for Negroes in segregated areas, in white areas, in mixed areas and in open occupancy areas

There are no open occupancy areas in Lexington, nor have there been any Negro houses built in new white areas. Mortgage financing for this type housing cannot, therefore, be discussed. It is our opinion, nevertheless, that financing of this type housing by a lending institution in this community would be practically impossible. We shall discuss financing difficulties in new segregated subdivisions and in the older areas containing mixed development.

According to Ova Haskins, Negro realtor, it is next to impossible for a Negro to obtain a conventional loan. Even FHA or VA loans are difficult to obtain, not because they are not available but because of the inability of Negroes to satisfy the income requirements in order to qualify. Mr. Haskins expressed the opinion that the investors are still reluctant to accept a Negro's note even though the Negro can fully qualify for an FHA or VA loan. He said the difficulty in obtaining loans discourages house buying and he believes more Negroes would buy if the loans were more readily obtainable.

Sterling Pearce, of the Pearce Mortgage Company, said that he would not make any conventional loans to Negroes but that some building and loan companies would. He said that the reason he made no such loans was that the Negro property is not in such a location as to fit the lending pattern. He explained this by stating

that the investors he represents are insurance companies interested in property on the "upgrade and not on the downgrade." Negro housing, outside newly developed areas such as St. Martin's Village, consists of older houses and once a house is 10 or 15 years old it is out of the lending market. Mr. Pearce also stated that before FHA or VA loans can be obtained the house must be in a newly developed area, such as Haskins Drive or St. Martin's Village. Another reason he will not make conventional loans is the inability of the Negro to accumulate sufficient savings to meet the required one-third downpayment.

Judge Bart Peak, county judge, believes that Negro financing is difficult because the Negro cannot accumulate sufficient savings to make the necessary downpayment—this because of the low salary and high rent he is required to pay. Mr. Seeberger is of the opinion that there is an unwritten agreement between Lexington employers to keep the wages of the Negro at a low scale in spite of the individual's qualifications. However, he thinks the influx of industry into the area has alleviated this problem somewhat. Mr. Seeberger believes that in terms of financial responsibility a Negro making \$4,000 in Lexington is equivalent to a white person who makes \$7,000. He pays his bills as promptly and accumulates about an equal amount of savings. Mr. Seeberger attributes this to the fact that the Negro in Lexington does not have the opportunities to spend his money that the white person has, such as eating at expensive restaurants or going to expensive entertainment.

Based on the 1950 census there are 17,394 Negroes in Fayette County, which is 17.3 percent of the total population. The median income is \$1,267. Income, itemized by percent of Negro population, is as follows:

- 20.0 percent earn \$500 or less per year
- 16.7 percent earn between \$500-\$999 per year
- 19.1 percent earn between \$1,000-\$1,499 per year
- 15.0 percent earn between \$1,500-\$1,999 per year
- 70.8 percent earn under \$2,000 per year

Mr. McCarthy, of the First Federal Savings and Loan Association, told us that his organization makes no FHA or VA loans but only conventional loans. The availability of the mortgages depends upon the age, type, location, etc., of the property and the term depends upon the age of the applicant. He said if the applicant is around 30 years of age the term of the loan would go as high as twenty-five years. Mr. McCarthy said that the First Federal makes no distinction between a Negro and a white applicant. A Negro buying in St. Martin's Village would receive the same conditions as a white in a comparable area.

Most of the FHA and VA loans made in this area were made for

homes in St. Martin's Village, which is precommitted for these types of loans. The VA loans were 100 percent loans on 30-year terms. The FHA loans required 3 percent down payment, which included closing costs, and for a term of 30 years. The requirements to qualify for these loans were considerably relaxed for the Negro as compared to the white applicant. The requirements were relaxed by giving credit for income from secondary employment, giving credit for income earned by the wife, relaxing the length of time the applicant must have been employed in his present job and the type of occupation of the applicant's wife.

Many Negro families will equal the average income of a white family if the husband has a secondary job or the wife works. Both the FHA and VA are hesitant in giving credit for income from the secondary jobs but in the case of Negroes they are more willing to give such credit. Also, neither agency requires the Negro to be employed in his present occupation for as long a period immediately preceding his application for a loan as a white man. Mr. Pearce said a white person would have had to be working on his present job for about eight months before his loan would be approved but a Negro loan would be approved if he had been working on the job for about two to three months.

As in the case of income from secondary jobs, the FHA and VA are reluctant to give credit for the minimum family income requirement for income earned by the applicant's wife. The reason for this is the possibility of the wife's becoming pregnant and thus not being able to continue to work. If the wife works at a profession, or can produce evidence that she cannot become pregnant, then the agencies will allow credit for income earned by her; otherwise they will not. However, in a survey made by Mr. Seeberger, it was found that 92 percent of the Negro wives were employed and contributed substantially to the family income. This survey has led the FHA and the VA to make another exception in their requirements. This exception is that if a family pattern of the wife's working for several years has been established she will receive credit, even though she is not working at a profession or cannot furnish evidence of impossibility of pregnancy. The occupational requirement for the wife is also relaxed since credit is given for income even though she is working as a housecleaner and those who employ her are constantly changing.

The occupations of those who obtained FHA and VA loans in St. Martin's Village are varied. There are mechanics, janitors, one doctor, brick masons, IBM employees, construction workers and four or five Government employees. While the applicants are not limited to a few types of occupations, they are carefully screened before their applications are approved.

Mr. Seeberger feels that the reluctance to finance Negro purchasers of homes is a result of no experience with them. Since appliance companies have accumulated a history of experience they readily sell to Negroes on terms. And Mr. Seeberger believes once a history has been established, the housing industry will not be so hesitant in financing Negroes. The Voluntary Home Mortgage Credit Program (VHMCP), which is an agency of the Federal Government, is helping to create such a history.

At St. Martin's Village one prospective purchaser tried to obtain a loan from a particular investor but his application was refused. He then applied through the VHMCP and obtained a loan from the investor who had originally refused him. Mr. Seeberger said that the first 21 loans in St. Martin's Village went through VHMCP, but the next several loans were made by the investors directly. Mr. Seeberger attributes this to a history of Negro loans being established with these particular investors.

Mr. Seeberger said that in any area, be it Negro or white, it is extremely hard to finance older houses. He said many of the better Negro homes are passed through the family with none of the owners willing to sell it out of the family because nothing comparable can be bought. In those instances where a Negro desires to purchase an older house—and most of the homes available outside the slum areas are older homes—the usual financing arrangement is by the conditional sales contract. Under this type of financing the vendor usually does not require a downpayment but allows the vendee to take possession without paying anything down. The interest rate is the legal maximum—in Kentucky it is 6 percent—and all payments are applied first to the payment of the interest, then taxes, then insurance and finally principal. The reason the conditional sales contract is popular is the lack of a required downpayment. To the Negro on low salary this is more important than the high interest rate since it allows him to buy a home without an immediate outlay of a large amount of cash.

Once the Negro vendee has obtained a 40-60 percent equity in the house he will usually refinance the loan through a commercial lending company and pay off what is outstanding on the conditional sales contract, and thus obtain a reduction in the interest rate. However, since the payments under the conditional sales contract usually run about \$75, and considering the priority of application of the payments, it usually requires many years for the vendee to acquire the equity in the property which is necessary to refinance through a commercial lending company.

Loans for home improvements in the slum areas are practically nonexistent. Mr. McCarthy, of the First Federal Savings and Loan Association of Lexington, stated that the First Federal will make

home improvement loans only to those persons whose mortgages they hold. No mortgages will be taken on houses in the slum areas; therefore, no home improvement loans will be made on any of the homes therein. Negroes living in these areas (and they are primarily Negro areas) find it impossible to finance any self-improvement. The slums can never cleanse themselves.

To summarize, because of their economic position and the type of housing open to them, Negroes have great difficulty in financing housing. The only type of housing which can be financed as a practical matter is housing in a new Negro subdivision. Since houses costing less than \$7,000 are not built in the one Negro subdivision still open, cheaper houses—houses for low-income families—cannot be financed. In this subdivision, however, the FHA and VA requirements have been relaxed for Negro families, and it is believed that this pioneering effort will provide lending institutions with a history on the basis of which further loans will be made.

3. The experience of mortgage credit institutions with Negroes from the standpoint of repayments, property maintenance, foreclosures and resales.

As stated above, the experience is quite limited, a factor making loans more difficult. But the unanimous opinion of those interviewed is that the Negro, in discharging the loan, will be no different from the white. There has been no trouble on loan payments. There have been no mortgage foreclosures or defaults for many years. This may be the result of a rapidly rising real estate market in Fayette county. If the mortgagor finds he cannot continue with the payments he will sell his house and either have the buyer assume the mortgage or use the proceeds himself to discharge the debt.

The Negro has a good reputation for maintaining his own home. According to Mr. Seeberger, however, if he is only leasing the premises he will not make any repairs, particularly if the owner is a white person. Nor in his opinion does the Negro maintain the older homes too well. However, the newer homes in his subdivision and on Haskins Drive are kept in an excellent state of repair. The Negro takes better care of his lawn and of the interior of his house than a white person in the same price house group. But the Negro does not maintain the exterior paint as well as the white person. This Mr. Seeberger attributes to the Negro's long experience of living in unpainted houses, or houses which are painted very seldom, and thus he does not realize the need for exterior painting.

Question C. Where is Negro housing located, and are there patterns of residential segregation?

In Lexington the Negro population is concentrated in four areas. In contrast to the shifting of white population to the suburbs, the larger percentage of increase in Negro population has taken place

in the established central districts. The only noticeable shift in Negro population to outlying districts has occurred in the Georgetown area immediately outside the northwest corporate limit of Lexington. Mr. Haskins said there have been no attempts at "block-busting" in Lexington, notwithstanding the difficulty of Negroes in the higher income bracket in finding homes commensurate with their means. Mr. Seeberger attributes this to the availability of such homes in St. Martin's Village.

In the established Negro areas there is a continuous slow expansion into the adjacent white area. These fringe areas are usually mixed areas, but more and more Negroes move into the area until it eventually becomes an all-Negro area. This slow expansion is a means of opening new areas for the Negro which becomes necessary as their population increases. With the exception of these fringe areas there are no areas where there is integrated housing in Lexington and no indication that such is the trend.

Question D. What are the effects of inadequate or segregated housing in terms of delinquency, crime, school conditions, etc.?

These effects are difficult to evaluate in a study such as this. The evil effects of slum housing are well known and need not be repeated here. Many Negroes live in slum housing in Lexington, but there is no evidence that the effects of slum housing on Negroes is any worse than it is on the white slum dwellers.

The information we have obtained on this question is sketchy. But for whatever it is worth, it is here reported.

Judge Bart Peak of the juvenile court says the majority of juvenile delinquents do not come from the areas of substandard housing but from areas of adequate housing in the low middle income earning groups. The apartment areas inhabited by these income groups produce the greatest number of delinquents because, in Judge Peak's opinion, the children have no place available for recreation.

In 1958, there were 416 juvenile delinquents who appeared before Judge Peak. Of these 416, there were 321 whites and 95 Negroes. Judge Peak said these figures indicated to him that the number of delinquents, by races, is in proportion to the percent each race bears to the total population. He estimated that one-fifth of the population of Fayette county is Negro and about one-fifth of the delinquents are Negroes. (Actually the percent of delinquents who are Negro is 23, while, according to the 1950 census, the Negroes comprise 17 percent of the total population.)

Sergeant Lindsey, the juvenile officer of the Lexington Police Department, concurred in this belief that the percent of arrests is in proportion to the population of each race, although the figures indicate it is slightly higher for the Negroes. The following figures

were given by Sergeant Lindsey for total arrests for both felonies and misdemeanors:

Year	Total arrests	Whites (male and female)	Negroes (male and female)
1953.....	314	243	67
1954.....	395	286	96
1955.....	475	349	100
1956.....	542	382	150
1957.....	490	371	119
1958.....	565	436	129
1959 ¹	110	72	38
Total.....	2,891	2,139	650
Percent.....		74	24

¹ Figures are for the months of January and February only.

Sergeant Lindsey, however, qualified his opinion by saying there is more delinquency occurring in Negro areas than the figures indicate. He says the reason for this is that in a white area the residents will more readily report delinquency than in Negro areas. The Negro may, in some situations, inform on an adult Negro but it is the exception when they inform on a child.

According to Sergeant Lindsey the offenses committed by Negro and white girls are similar, i.e. unmanageable and running away. The offenses committed by boys vary in that there is less malicious mischief among Negroes than among whites. He said the area from which the Negro delinquent comes is scattered and not necessarily from the areas of substandard housing.

The county board of health reported that in the areas of substandard housing there seems to be a higher rate of venereal disease and of pregnancy. But this rate is not significantly different between white slum areas and Negro slum areas.

Prior to 1955 schools in Lexington were segregated. Since that time the Lexington School Board has had a policy of allowing every child to go to the school of his choice. It does not require a child to go to school in the district in which he lives. Such a policy would desegregate the schools faster, but it might also have the effect of turning a presently mixed district into an all-Negro one. Under the Board's policy some Negroes have applied for admission to formerly all-white schools and have been admitted.

II. A PICTURE OF FEDERAL, STATE AND LOCAL EFFORTS TO COPE WITH THE PROBLEM

Lexington is one of several cities in which Government housing projects were built. The decision to build here was based in part on a housing survey conducted in 1934. The survey showed that within the city limits of Lexington there were 5,299 houses in good

condition; 3,192 in need of minor repairs; 1,795 in need of structural repairs and 745 unfit for use.

The Public Works Administration's low-cost housing is built in two sections—Blue Grass Park for whites and Aspendale for Negroes. The two are contiguous but separated by a fence. Blue Grass Park and Aspendale are leased to the Lexington Municipal Housing Commission.

The Lexington Municipal Housing Commission transformed a slum section on Georgetown Street into an area of low-rent apartments. These apartments, known as Charlotte Court, are for Negroes only. Forty substandard houses were demolished to make room for the project. Title to the property is in the Commission. Unlike Blue Grass Park and Aspendale, which were built by the PWA, Charlotte Court is entirely a development of the Commission, being financed through a 90 percent loan obtained from the USHA and bonds floated locally. Blue Grass Park and Aspendale are classified as low-rent housing projects; Charlotte Court and Fowler's Gardens, another project that houses 86 white families and built on a tract adjacent to that occupied by the two older low-rent housing plants, are termed slum-clearance units. The law which authorized them requires that one substandard dwelling be destroyed for each apartment contained in the new projects. To date there have been approximately 600 such houses destroyed.

In 1953 and 1954 the Lexington Urban Renewal Commission made a survey of the slum areas in Lexington with a view to eliminating substandard conditions. Mr. Haskins, the Negro realtor, was on that Commission. The Commission designated four areas in the city as slum areas. They were Pralltown, Davis Bottom and Chicago Bottom (predominantly Negro) and Irishtown (predominantly white).

The Commission began on Pralltown. It presented a plan for redevelopment with white housing. It made no attempt to solve the problem of relocating the displaced Negro occupants of the area. At a public meeting at the University of Kentucky, called to discuss the project, many residents of Pralltown appeared. They asked, at first quite plaintively, and later more strongly: where will we go? It was a very good question, one that the Commission was unwilling to answer, and the meeting broke up—the Commission breaking up with it. No slums were ever cleared and the Commission is now defunct.

The problem of relocation is still the major obstacle to slum clearance. There is not much land available to the ousted Negro to build upon. It is easy to see that the limited land available for Negro housing has prevented, and will prevent, slum clearance. The two are tied together. It is possible that with the new "220-221 rehabili-

tation program" of the Federal Government, which finances homes in new subdivisions for slum-displaced persons, slum clearance could be successful today. This requires, however, that subdivisions be open to Negroes.

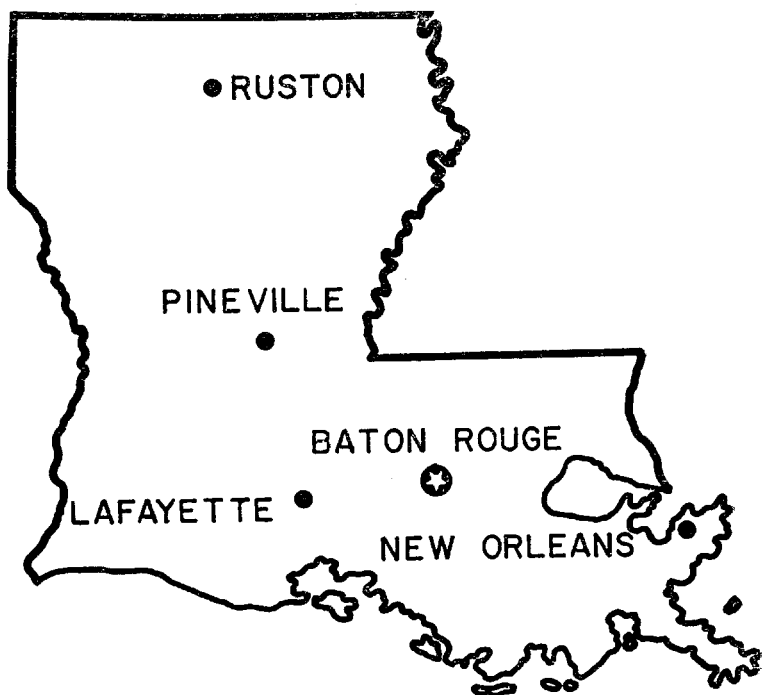
There is a great need for an urban renewal project in Lexington, and a Citizens Association for Planning has been formed to back such a project. There are Negroes as well as whites on the Board of Governors of this group, and it is hoped the group will be successful in stirring interest. Unfortunately the Lexington Planning Commission does not have statutory powers to supervise urban renewal. A separate commission must be created for that. The result is that three groups have control of various facets of slum clearance: the Lexington Planning Commission, the (defunct) Urban Renewal Commission and the Lexington Housing Authority.

Unless the powers are in one group it will be difficult to solve the problem of relocation. The displaced persons should have public housing available, but there is none to be had for them at present—and any to be built would not be under the control of the Urban Renewal Commission. Without cooperation and coordination of these agencies, substandard slum houses will continue to exist.

Since 1956 Lexington has had a minimum housing code which requires the owner to paint up and fix up or vacate. The code is based on the model housing code of the U.S. Chamber of Commerce. The code has not been consistently or even frequently enforced. The building inspector, on whom enforcement rests, is frank to admit the pressure of the substandard owners is great—and especially if they live in their own homes and do not rent, he is reluctant to enforce it.

An additional obstacle to the Negro (or anyone else in the lower income group) acquiring new housing in Lexington is a recent zoning ordinance which requires a one-half acre lot for a house if the house is not on the city sewer. This requirement was put in because of the dangerous overburdening of drainage areas with too many septic tanks. The Lexington city sewer is very limited. Almost as many people live atop septic tanks as live on it. Until the sewage system is extended to the suburban areas or private sewage-disposal plants are built, suburban houses will have to be on one-half acre lots. Bluegrass land is very expensive, and a one-half acre lot is out of the reach of a great many people. Since more Negroes than whites are in the lower income group the ordinance will hit them harder than the whites. If the city sewer is extended to the subdivision, at the cost of the subdivider, the cost will be passed on.

Louisiana



Louisiana Advisory Committee

(First meeting January 22, 1959)

Chairman: (Acting)

LUCIUS M. LAMAR, New Orleans

Occupation: Vice president and
general counsel, The California
(Oil) Company

Secretary: (Acting)

DR. ALBERT W. DENT, New Orleans

Occupation: President, Dillard Uni-
versity

REV. WILLIAM T. HANDY, JR., Baton
Rouge

Occupation: Minister, St. Mark
Methodist Church

DR. RUFUS C. HARRIS, New Orleans

Occupation: President, Tulane Uni-
versity

FLOYD B. JAMES, Ruston

Occupation: President, T. L. James
& Co., Inc.

HARVEY H. POSNER, Baton Rouge

Occupation: Attorney

ALEXANDER C. GWIN, New Orleans

Occupation: (Retired) Scott Paper
Co.

REV. ALEXANDER O. SIGUR, Lafayette

Occupation: Priest, Catholic Stu-
dent Center, Southwestern Loui-
siana Institute

DR. R. HOUSTON SMITH, Pineville

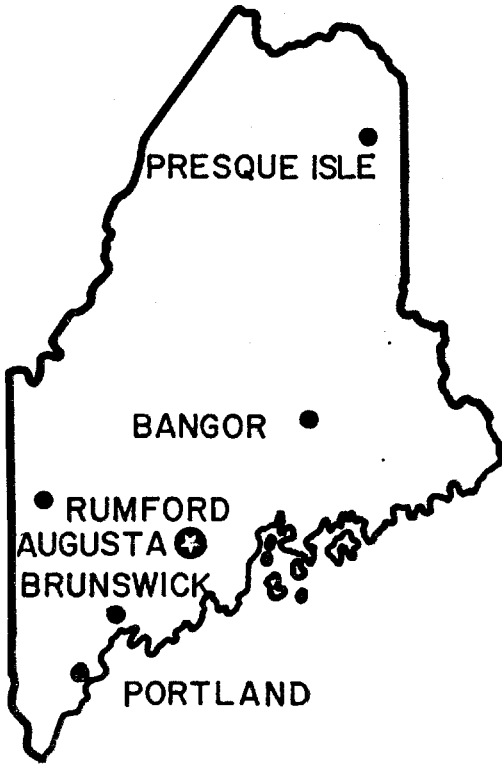
Occupation: Baptist Minister
Former president, Louisiana Bap-
tist Convention

Louisiana Report

THE Louisiana Advisory Committee decided to remain publicly inactive until after the State elections in December 1959. It continued, however, to give the Commission information and counsel on Louisiana affairs.

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Maine



Maine Advisory Committee

(First Meeting September 3, 1958)

Chairman:

ALBERT ABRAHAMSON, Brunswick
Occupation: Professor of economics, Bowdoin College
Governor's panel, labor disputes

Vice Chairman:

JUDGE ALBERT BELIVEAU, Rumford
Occupation: Attorney
Retired justice of Maine Supreme
Judicial Court

BENJAMIN DORSKY, Bangor
Occupation: President, Maine Federation of Labor

FRANK HUSSEY, Presque Isle

Occupation: Executive director,
Maine Potato Council
President, Maine Council of
Farmers

MRS. KENNETH C. M. SILLS, Portland

Occupation: Housewife
Widow of former president of
Bowdoin College

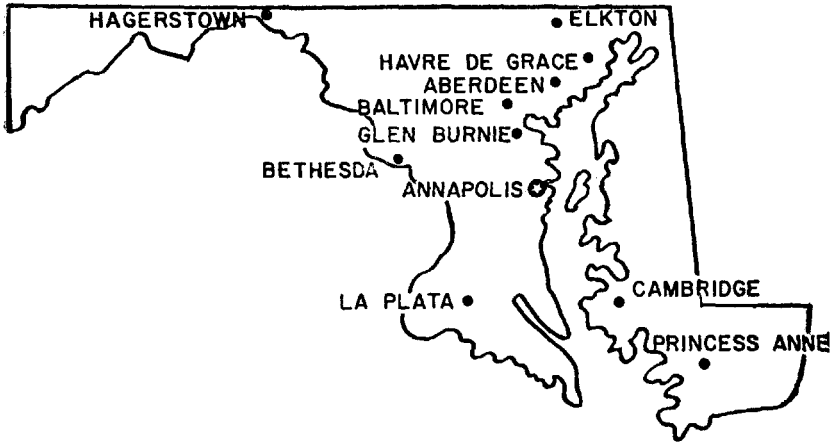
Committee Study Topics: Education,
Housing, and Voting

Maine Report

AFTER SOME difficulty in enlisting an Advisory Committee for the State of Maine, an organizational meeting with three members in attendance was held at Concord, N.H., in conjunction with similar meetings for Vermont and New Hampshire. With the second meeting on November 14, the complement had been expanded to five members. The participation of one member, Mr. Frank Washburn, of Presque Isle, was limited on this occasion to telephone calls during the proceedings as a result of bad weather. The Chairman reviewed civil rights legislation and distributed questionnaires provided by the Commission. Discussion of pertinent topics by each member led to the conclusion that there were no civil rights problems of great urgency in the State of Maine, and the meeting was adjourned with the expectation of reconvening whenever circumstances might warrant.

The press of professional duties obliged the Chairman of the Committee to tender his resignation late in 1959, and as this report goes to press, steps are being taken to reorganize the Maine Committee for the second term of the Commission.

Maryland



(159)

Maryland Advisory Committee

(First meeting November 5, 1958)

Chairman:

HON. HARRY A. COLE, Baltimore

Subcommittee: Voting

Occupation: Attorney

Former Maryland State Senator;
former Assistant Attorney General of Maryland

Vice Chairman:

MRS. ROBERT W. KING, Bethesda

Occupation: Housewife

Past president, Maryland division,
American Association of University Women

Secretary:

PATRICK E. ZEMBOWER, Glen Burnie

Occupation: International representative, United Rubber Workers, AFL-CIO

DR. JOHN H. FISCHER, Baltimore
(moved to New York April 1, 1959)

Subcommittee: Education

Occupation: Superintendent of Public Instruction, Baltimore

Member, Board of Visitors and Governors, St. John's College

MAXWELL GREENWALD, Hagerstown

Occupation: Retired merchant

Member, National Conference of Christians and Jews

F. DESALES MUDD, La Plata

Subcommittee: Housing

Occupation: Attorney

Chairman, Board of Trustees, Physician's Memorial Hospital

DR. JOHN T. WILLIAMS, Princess Anne

Subcommittee: Housing

Occupation: President, Maryland State College at Princess Anne

Vice president, Eastern Shore Civic Association

Maryland Report

WE HAVE the honor of presenting to you a report on Housing covering Baltimore City and the Eastern Shore counties. It was decided that the interview method would yield the most desirable results because of the form, nature, and type of data included in the Commission questionnaire.

The Baltimore data were gathered principally from persons who are largely employed in pursuits which permit each individual to speak of housing on the basis of everyday association with its problems. Similarly, in the tri-county Eastern Shore area of Somerset, Wicomico, and Worcester, information came from realtors.

In three of the Eastern Shore counties, Cecil, Dorchester, and Harford, the data were given by professional men who are not associated with housing as a daily endeavor. These latter three persons were chosen for three reasons: First, the lack of minority group realtors or realtists in the particular area considered. Second, their ability to report based on residence in the particular county over a long period of years. And, third, their stature in the community. Thus, the report of any one of these individuals would more than likely be accepted by fellow members of his community.

With respect to the counties, investigation can lead to but one clear fact and that is that the Federal Government is the only agency that is big enough to eradicate the characteristic slum areas found where minority groups are housed.

BALTIMORE

The report on Baltimore consists of views expressed during interviews with the following persons:

1. Mr. Philip A. Camponeschi, executive secretary, Baltimore Equal Employment Opportunity Commission
2. Mr. Dan W. Spaulding, Realty Broker
3. Dr. Furman L. Templeton, executive director, Urban League of Baltimore
4. Mr. Edgar M. Ewing, assistant director for renewal operations, Baltimore Urban Renewal and Housing Agency
5. Miss Sarah Hartman, Baltimore Urban Renewal and Housing Agency

Approximately 50 percent of the dilapidated units in Baltimore are occupied by Negroes. There were 55,000 physically substandard dwellings in Baltimore as of 1956—30,000 occupied by nonwhites. Approximately 30 percent of the population is nonwhite, but the nonwhites occupied approximately 60 percent of the substandard housing. Or, to put it another way, three-tenths of the population occupied six-tenths of the substandard housing.

* * *

The Baltimore Housing Authority has demolished quite a few substandard properties, and replaced them with adequate housing. But the new housing—in most instances primarily for whites—has often displaced Negroes entirely. For example, in the Johns Hopkins area Negroes were displaced and the only beneficiaries were the white people in the area. But the Baltimore Urban Renewal and Housing Agency has helped with this problem.

* * *

There is a tremendous difference in quantity and quality of housing available to minority groups as compared with that available to the general white population. Negroes are generally restricted to substandard areas, or to border areas in process of change.

In the last 15 years, the housing inventory in Baltimore has increased by 100,000 dwelling units. During the same period, less than 1 percent of the new housing units in the metropolitan area, outside public housing, were made available for Negro occupancy.

* * *

Builders are hesitant to build for minorities. Intensive search has been made for tracts of land. Several were found, and the group was led to the point of contractual agreements on several occasions. Afterwards the bottom dropped out of the negotiations. Promises did not prove to be sound. This has been the general trend. To date there are no qualified Negro builders operating in the Baltimore area—qualified in the sense of being able to finance the job, so to speak. The minorities have been able to acquire practically new buildings only in changing neighborhoods. To date no developments have been intended for the general market; they are intended only for whites.

* * *

In segregated areas, it is very difficult to get mortgage financing without doing a great deal of shopping because practically no lending organizations are willing to make such loans. They feel that segregated districts are poor risks for investment, and when they do lend in such areas they require a high downpayment and a fairly stiff monthly payment to liquidate the mortgage. In white residential areas, it is almost impossible for Negroes to get financing be-

cause the mortgage industry still adheres to the old concept that it should not introduce "noncompatibility," or noncompatible elements into a neighborhood. In racially mixed areas, the chances of getting financing are better, providing that the ratio of occupancy has not tipped too heavily in favor of the Negro.

By and large, if the Negro shops around enough, he can secure fairly good financing—assuming, of course, that the other qualifications are met.

From studies which have been recently completed by the Baltimore Urban League, it has been demonstrated that minority purchasers of property have rated most favorably in the matter of repayments and property maintenance. This has been especially true in upper middle class neighborhoods.

* * *

Negroes are not members of the Baltimore Real Estate Board. That is why the Negro brokers label themselves as "realists" rather than "realtors." It has been rather openly stated by real estate interests here in Baltimore that they have no social responsibility in respect to promoting the integration of stabilized neighborhoods. In fact, they feel to the converse—that they must uphold the compatibility concept of neighborhoods.

For many years in the city of Baltimore, Negroes were very strictly confined to certain areas with definite boundaries. During the war in the early and mid 40's, these boundaries began to expand and have continued to expand to this date. It may be said that insofar as used housing is concerned, segregation is lessening. This merely means that more areas within the city are being made available for minority occupancy as a result of the movement of the white population to newer developments.

* * *

The city's Public Housing Authority has an excellent record in providing decent, safe, and sanitary housing along racially separate but equal lines—for some years.

Since 1954, there is an equally good record of integrated public housing. But the Baltimore area has had a very sad experience with respect to redevelopment. Total dislocation of Negro families resulted through complete demolition and nonreturn of a single Negro to the new units—particularly true of Waverly and Johns Hopkins sites. A question still remains concerning the State Office Building site, in terms of the apartment housing to be built there. Legally it will be built under open occupancy because such a stipulation is a provision in the contract. But there is grave fear that the rent levels will be so high that only a handful of Negroes will be interested. The City Planning Commission has done nothing in

the area. No attention has been given the area—good or bad. The Baltimore Urban Renewal and Housing Agency is not off ground yet; so there's no experience there. The Maryland State Commission on Interracial Problems and Relations has been active in this area only in terms of the open-occupancy approach. However, their interest has been limited to policy expressions—no actual program but advocating future qualifications without regard to race, creed, or color.

* * *

The local Federal Housing Administration continues to insure mortgages for builders with the knowledge that such buildings will not be available for minority groups.

FHA respects whatever racial patterns are existing in the community. It does work with various governmental commissions against discrimination in areas where such laws are operative. If no such laws are operative, though, the FHA does not concern or exert itself.

Concerning Negroes who purchase under FHA, requirements are too stringent. The agency should take into consideration the potential earnings of the individuals.

TRI-COUNTY AREA (SOMERSET, WICOMICO, WORCESTER)

Woodrow Wilson Nelson, Realtor, Princess Anne

There are no Negro realtors in the tri-county area. To my knowledge there has never been an application from a Negro to become identified with the Maryland Real Estate Association. If one is received, I am certain it would be handled just as any other application is handled.

The real estate salesman, broker, or realtor does not discriminate on account of race. He can't afford to do so. He would lose his license. Consequently, the only restrictions exercised by the realtor are those imposed by the seller. Such restrictions never originate with the realtor.

Personally, I am for everyone's getting that to which he is entitled and which he is able to get. Color has no place in it for me.

C. Z. Keller, Realtor, Princess Anne

There are not many houses available in this area. Of course, I am confining my answer to the County of Somerset. Of that housing which is available, the housing is different for the two groups. However, it is a matter of price more than a matter of whom it is available to. There are places where houses would be available to colored people if they had the money to pay for it. Here, I have only private housing in mind, since no public housing is available in this

area. Here in the town, there are colored families on both ends of the street, and they've always been there. The houses are not the same type as the whites have, but the colored people have always lived there.

On the Mt. Vernon Road, it's probably true that colored people are not welcomed. That, as you know, is an economic or financial factor. To let Negroes have the houses might hurt the sale of the other property. Well, whether it's a matter of race or economics, people just like to get with their own group. When families try to buy a house, they're interested in the type of children, in the neighbors, and in other such things. The people are not trying to bring their children up in a snobbish manner, but they just feel that they have more in common with their own group.

Down here, as you well know, you can't get anybody to build houses—for white or colored. They certainly don't want to build any houses just to rent. You can't get people to do this. I talked with a Mr. Morris, and he said that you can't afford to put up a house and get the rent that would justify the cost of the house. The people just can't pay it. Above \$30 per month would require a very selective group to deal with. Yet, the rent must exceed that figure. The industry, the pay, et cetera are not here to warrant such building. It's not a matter of race. There is a shortage of housing.

Mr. Twilley said that he found that a house to rent can't cost over \$5,000. If so, they lose. Those two big apartment houses in Salisbury are in the red for this reason. When you get up to \$75 a month, those people who could pay that much are going to build and buy their own houses.

People are not rushing about down here putting private capital into homes. And there's nothing to bring them here. And another thing—they're obviously not doing it in the city. That's where they have this Federal housing program and renewal and slum elimination. In order to get homes for individuals, they have this Federal housing because one can't get private capital. There's need for housing, I think for both white and colored here. They're making out, but there's nothing for private capital to invest in a place such as we have here because there are only a few jobs here. We must go back to economics.

That's a pretty bleak outlook, but it's true. And it's not as good as it was before. The bypassing of the town by Route 13 hasn't helped it. The problem is racial from the standpoint that there are not as many opportunities for the colored people as there are for the whites. But the truth of the matter is that the whites don't have any themselves.

CECIL COUNTY

Dr. H. L. Johnson, Physician, Elkton

We have a very dilatory group of Negroes here. They want to rent rather than buy. But they can't rent in the so-called white areas. They have their own housing areas, and they are expected to stay there. That's true practically all over. A certain number of streets have been set aside for Negroes, and that's where they have been living all the time. Nobody questions the setup.

In the majority of cases, I believe the quality of housing here is a little below that available in such areas as Salisbury and Cambridge. Our area does not compare favorably with those towns. Here we have about three small streets with Negroes living on them. During the war—World War II—I tried to get something done about it. I wanted to get something through and improve the area for the Negroes. But they were too much interested in continuing to rent those little pillboxes which they still occupy. As a result, we are at the same point as we were before the war—maybe worse off now. I feel very strongly that the initiative for improved housing must be undertaken by people from outside the Elkton area.

DORCHESTER COUNTY

Reverend Searcy Jones, Cambridge

I understand that the percentage of homes built for Negroes in the vicinity of Cambridge since 1940 has been relatively small. I do know that the existing structures where Negroes live, to a very large percent, do not have modern facilities of private toilets, running water, etc. In this respect, I guess that Cambridge ranks about the same as the tri-county area of Somerset-Worcester-Wicomico. There seems to be little land available for Negroes in the areas where whites live, even if Negroes had money with which to purchase land. The desirable housing area is that occupied by white people, and this area seems to have been developed exclusively for them. Negroes live in one geographic area of Cambridge and whites live in another.

There have been no effects of Federal housing policies on housing conditions in Cambridge for minority groups, because no Federal housing has ever existed. I know of no laws which would require segregation in housing around the area of Cambridge. There have been no attempts at an urban renewal project.

With regard to historical development, Negroes have always lived in substandard housing in the environs of Cambridge. To my knowledge, there has been no concerted effort by any individual or groups of individuals to change conditions.

HARFORD COUNTY

*Leon S. Roye, principal of the Consolidated High School,
Havre de Grace*

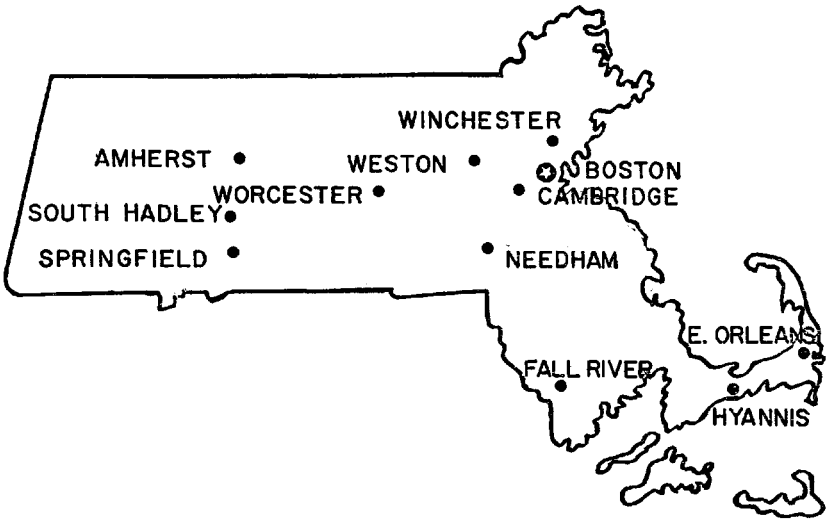
In Havre de Grace Negroes live all over the town. There is no all-Negro section, and there has never been an attempt to relegate them to one area. They live next to, across, behind, and all around. Havre de Grace has been a most unusual place, its setup is unique in the State of Maryland. Relations have been very, very good. Theaters are still segregated but some are opening up. Bars and eating places aren't opening up too fast, but Negroes eat at Read's Drug Store, and another drugstore has recently opened its eating facilities. The Howard Johnson restaurant has recently opened its facilities and so has another very fine restaurant. We are 36 miles from Baltimore.

Harford County does not have too much of a segregated housing pattern. In Aberdeen we have this picture: a lot of outlying areas are being incorporated into the town. Negroes are getting the benefit of the improvements—Negroes who live in the outlying districts and on the outskirts of the town. But there are still certain areas they cannot buy into.

Quite a few Negroes are building their own homes, very nice homes. There is an all-Negro area of about fifty new homes, ranging in price from \$7,000 to \$10,000, at the foot of the bridge. In our county I would say between 125 and 150 new homes have been built very recently by Negroes.

But I would not say that we have satisfactory housing for the minority. There are blighted areas. Our community is working with the health authorities on this business. We have been getting nasty repercussions, mostly from our own people who own these shanties and shacks. We say that disease knows no race and germs will spread from the shacks and shanties to the nice areas. That is the only approach, and we think we are gradually going to get some changes in inspection and enforcement of building codes and the like. A lot of these shacks are going to be torn down soon. Whites have been sympathetic in that they know there is no place for occupants of shacks to move to, but on the other hand you cannot get white capital to invest.

Massachusetts



(169)

Massachusetts Advisory Committee

(First meeting September 2, 1958)

Chairman:

ERWIN D. CANHAM, Boston
Occupation: Editor, *The Christian Science Monitor*
President, U.S. Chamber of Commerce

Secretary:

MAXWELL COHEN, Boston
Subcommittee: Housing
Occupation: Attorney
Past national commander, Jewish War Veterans

EDWARD W. BROOKE, Boston
Subcommittee: Housing
Occupation: Attorney
Former director, Urban League of Greater Boston

DR. MERIBETH E. CAMERON, South Hadley
Subcommittee: Education
Occupation: Academic dean and professor of history, Mt. Holyoke College
Second vice president, International Federation of University Women

ANTHONY L. CAMPOS, Fall River
Occupation: President, Local 261, United Rubber Workers

CLARENCE E. ELAM, Boston
Subcommittee: Voting
Occupation: Chairman, Licensing Board for Boston
Member, Greater Boston Urban League

BYRON K. ELLIOTT, Boston
Occupation: President, John Hancock Mutual Life Insurance Company
Director, Northeastern Region, National Conference of Christians and Jews

RT. REV. MSGR. FRANCIS J. LALLY, Boston
Occupation: Catholic clergyman; editor, *The Pilot*
Chaplain, Catholic Interracial Council

MRS. ROGER L. PUTNAM, Springfield
Occupation: Housewife
National president, Catholic Scholarships for Negroes

Massachusetts Report

EDUCATION

RESPONSES TO THE questionnaires indicate that the Commonwealth of Massachusetts has a good bill of health in the field of education. The general attitude of the citizens of Massachusetts on civil rights in relation to access to education and employment in the educational system has been shown by the enactment and enforcement of the Massachusetts Fair Educational Practices Act. Among the public schools of the Commonwealth there are no deliberately organized separate schools for Negroes or other minority groups: the three schools in the Roxbury district of Boston which have Negro student bodies simply reflect patterns of residence in those areas. Under the Fair Educational Practices Act, teachers are employed and are paid without regard to racial or religious backgrounds. Even the Massachusetts Commission Against Discrimination, which has the responsibility for enforcing the Fair Educational Practices Act, has no figures as to the percentage of Negro teachers in the State, a circumstance which gives evidence of the genuine effort in Massachusetts to appoint and place teachers on the basis of their qualifications and abilities, regardless of their own race or the racial composition of the student bodies in the schools in which they serve.

In the public institutions of higher education, the same stand is taken. The director of the Division of State Teachers Colleges of the Massachusetts Department of Education reports that in the 10 State teachers' colleges racial exclusion has never been and is not being practiced. The State Department of Education therefore has no official information concerning the race or national origin of students in these institutions. The University of Massachusetts at Amherst exemplifies these same policies: there is no discrimination in admission, residence arrangements, social matters, or any other aspect of the institution's program. Private institutions are also governed by the Fair Educational Practices Act and come under the jurisdiction of the Commission Against Discrimination. For example, in 1957, the Commission adopted as an interpretation which will be binding on all higher educational institutions the ruling that the request for a photograph by educational institutions before a prospective student is accepted for admission is an unfair educational practice.

Private denominational institutions are entitled to ask the religion of applicants on their application blanks. This is regarded not as discrimination, but as an inquiry which is in line with the institution's denominational character. Nondenominational institutions have eliminated the question about religion from their application forms, and all institutions of higher education, public and private, denominational and nondenominational, have eliminated questions about parents' birthplace and birthplace of the student.

The process of enforcement of the Fair Educational Practices Act by the Massachusetts Commission on Discrimination is briefly as follows. A case may be brought to the Commission by an individual or by his attorney. A field representative of the Commission then investigates and reports the facts to one of the Commissioners who has been assigned to the case. The Commissioner then tries to settle the case by informal conferences between the parties concerned. If this does not result in settlement, the case is referred to the other two Commissioners for a hearing. The Commission has the power to subpoena witnesses if necessary. The Commission may also proceed by investigation in situations where there seem to be difficulties resulting from matters of race, religion, or national origin, but where there has not been a complaint from an individual. The major feature of such an investigation is a conference held by the Commission in the hope of working out the problem.

In short the evidence shows that the laws and policies of the Commonwealth of Massachusetts are designed to do everything possible to secure the civil rights of its citizens in regard to education. If there are nevertheless instances of discrimination, as there well may be, they are relatively subtle and indefinable and are not apt to lead to formal complaints or court actions.

HOUSING

Herewith is submitted the thinking of a number of people who have particular knowledge, data and facts about the housing situation in Massachusetts as it pertains to segregation and discrimination.

That there is discrimination in Massachusetts in housing is not debatable. Everyone agrees that there is considerable discrimination, the largest part of which is directed against Negroes and other nonwhites of whom most are Puerto Ricans as far as Massachusetts is concerned.

The next group, to a much smaller degree, against which there is discrimination is the Jewish people.

With reference to Negroes and other nonwhites, it may be said that the person who is financially capable of purchasing a house in a good

residential district can and will eventually find one, although it may take a little more time than for the average white man. The problem of discrimination is most acute in the substandard areas, which in most large cities in Massachusetts consists of the old residential districts abandoned by their original white owners and which have been turned into multiple apartments from original single-family houses without proper sanitary provision for the greatly increased number of persons in these houses.

Springfield, as will be noted from the report by Mrs. Webber, has a number of people and organizations working toward a solution of this problem through the means of slum clearance, redevelopment, and urban renewal.

There is practically no problem of segregation in the public housing properties in Massachusetts. Massachusetts has its Committee Against Discrimination (MCAD) which investigates and enforces provisions against discrimination in housing, public accommodations, employment, etc.

As will be noted from the report of James Crowley, chief of tenant relations of the Boston Housing Authority, whatever segregation does exist is purely voluntary, engendered by the fact that some areas where public housing projects were established were almost wholly occupied by colored people, and therefore most of the tenants in those projects are of the same race. It is also true that Negroes and Jews, in public housing projects, want to live in those districts which adjoin their principal centers of population. An interesting observation is made by the Police Department of the City of Boston. In their opinion, substandard housing, or so-called slum areas, are not necessarily a contributing factor to juvenile delinquency.

The Veterans' Administration, through its Loan Guarantee Division, is on the alert against discrimination because of the provisions in the law governing GI loans, and so is the Federal Housing Administration, which gives written notice to each applicant for a loan on Government-assisted financing that there must be no discrimination as to race, creed and color.

With reference to financing of private housing for non-whites, a consensus among realtors, real estate boards and some brokers is that they are not in a position to contribute a great deal to the alleviation of these discriminations. Most of them claim that you must follow the directions of the sellers who list their property with them, and cannot go against the dictates of these sellers. If they do they would lose the business. Real estate boards have not, as such, taken an active interest in minimizing this discrimination, although a number of individuals in various parts of the Commonwealth who lease, sell or own houses, apartments, etc., have made an earnest

effort to break this down by offering a limited number of accommodations to Negroes.

In its publication, "Rights," issue of February 1959, the Anti-Defamation League reported on discrimination in Massachusetts in these words:

The New England states are also marked by residential communities and various "club" plan developments which by means of restrictive covenants, "gentlemen's agreements" and other devices discriminate because of the factor of religion.

In Massachusetts, they are to be found in Winchester, Weston, Wellesley and Needham. Individual property owners and real estate operators have successfully collaborated in keeping sections of Winchester, which is considered a very desirable suburban residential area, from letting down the religious bars. Weston has also set up road blocks to Jewish home seekers; Wellesley and Needham have followed suit.

A number of communities in the southeastern summer resort section have evidenced discrimination in their summer colonies or developments. In East Orleans the agent of a colony wrote: "Owners will not allow us to rent to Jewish clients. I recommend that you get in touch with agents in Hyannis."

It would seem, therefore, from review of all data obtainable on this subject that there is no acute need of law enforcement as far as public housing segregation is concerned in this State, but that perhaps a campaign of education arousing public interest would help to alleviate the situation.

Herewith are detailed reports of aspects of the housing problem prepared by various members of the subcommittee.

**JAMES H. CROWLEY, CHIEF OF TENANT RELATIONS,
BOSTON HOUSING AUTHORITY**

Recent figures of nonwhite tenants of the Boston Housing Authority show that of the 13,837 dwelling units, of which 356 were vacant, there were in tenancy 1,694 nonwhite families or 12.6 percent. The 1950 census pertaining to the overall housing need reported that 15 percent of the dwellings were substandard and 50 percent of these were occupied by nonwhites, which amounted to 5 percent of Boston's population. The estimated percent for equity, based on the census, is 12.

A survey made by the Urban League in 1953 revealed that of some 400 nonwhite families only two were willing to move into white areas.

In addition to the nonwhite families' unwillingness to move into white areas people of different religious and national origins will move to only selective areas. For example:

Ninety-nine percent of the Jewish people who come to us will not live in any area other than where they can purchase kosher foods and practice their religion.

Twenty years ago the people of Irish and Italian origin were prone to remain in their respective areas. Today there are so many that they have intermingled and have accepted each other in every regard. Those of Polish, Lithuanian, Greek and other national origins remain interested in living in their respective areas. The nonwhite people are no different.

When the laws of the Commonwealth became effective through the Commission Against Discrimination, the Boston Housing Authority could not find a single nonwhite applicant who expressed interest in living in a new development in a highly desirable area. With representatives of the Commission, a large number of eligible nonwhite applicants were visited in their homes, and after a salesmanship program, 22 expressed interest, and all were given accommodations. This took place many years ago and since then only two nonwhite families, to my knowledge, have expressed a preference for this highly desirable location.

When accommodations were extremely scarce following World War II, the Authority tried very hard to obtain nonwhite applicants to accept accommodations in a white area and managed to get 12 out of 92 to move in.

It is my opinion that the present laws and their enforcement are as far as we should go. Free people cannot and should not be forced to accept socially any group or individual not of their choosing, but all are obliged morally to permit, regardless of race, color, religion, or national origin, the rights of all to live as and where they wish.

WILLIAM CARMEN, REALTOR

A. The following conclusions are drawn from study and discussions with realtors and real estate managers in various sections of Massachusetts.

1. There is a definite tendency to avoid sales to nonwhite families in almost all sections considered to be occupied by white families. A small measure of the blame can be placed on the realtor for fear of injury to his reputation in the white community. A much larger degree of the fault lies in the ignorance of the average homeowner whose fears are not so much economic as they are social. There is very little indication that in Massachusetts this situation is any better than in other States or is at all improved from what it was before World War II.
2. In rental housing the situation is almost identical. The fear on the part of owners and managers that income will drop due to a white exodus has kept all measure of fairness out

of even a trial experiment of any consequence in large apartment dwellings, even those financed under the FHA where private operation exists.

B. The following conclusions have been drawn as a result of inquiry by questionnaire to various banking institutions in Massachusetts.

1. Most banks, outside of a few large Massachusetts cities, have little or no experience with nonwhite home financing. In almost every community where banks have had occasion to finance for non-whites it has been in a segregated area or in an area changing to a segregated one. On this basis financing is readily available, but on a basis that suggests smaller mortgages, percentage wise, to assure against possible risk. This would indicate a tendency on the part of lending institutions to consider the risks poorer, primarily because of the nonwhite aspect.
2. In nonwhite areas where a sale is contemplated, local banks seem to be ready, on the whole, to treat a mortgage prospect equal to the white purchaser.
3. The banks and lending institutions find nonwhite families equal or better than white insofar as maintenance, repayment and foreclosures are concerned. They are quick to admit, however, that the reason for this is that they are generally more fussy and give smaller percentage loan to the nonwhite in the first place.

C. The following conclusions were drawn after discussion with officers of the State Real Estate Board and members of several city boards.

1. Too often the real estate boards practice a hands-off policy even when they are aware of discrimination in their community. These men admit that they are real estate brokers, owners, and managers first, and board members second.
2. They consider the basic problems of discrimination too explosive to deal with as a general rule and are concerned with developing situations that make more money, not necessarily better opportunities for minorities. They are concerned primarily with majorities.
3. Members of minorities are well represented on the various boards contacted and usually in direct proportion to the minorities' interest in the real estate business.

D. In conclusion—it is my opinion that progress will come only through experience. Those who “take a chance” with religious minorities and nonwhite groups are having good results. This in turn is creating a better atmosphere for others to follow the

example. It is incumbent on the religious minorities and non-white groups to educate their own people how to live with others, so the example they set will encourage understanding and eventual breakdown of the barriers.

FRANK W. MORRIS, CHIEF OF DEVELOPMENT, STATE HOUSING BOARD

It is conclusive to state that in cities like Boston, Worcester, and Springfield, where the "newest" sections of the cities are still old, it is the oldest section that nearly always provides most of the minority housing and 60 percent of the Negroes live in these sub-standard areas.

This would mean that from 35,000 to 70,000 nonwhite people are living in run-down houses ranging from cold water flats to the made-over apartments in these large substandard areas.

Cases throughout the State indicate that one can almost name the few Negroes who have been able, either financially or otherwise, to crack the barrier in new building developments.

With regard to the programs on local levels aimed at cracking the segregated housing pattern, most of them are limited to small well-meaning groups which have attempted to carry out a so-called "good neighbor" campaign designed to lay a positive attitude in some communities for inter-racial neighborhood living. The American Friends Service Committee has such a program in Metropolitan Boston areas, notably Cambridge and Boston.

Some attempt is being made by private agencies to stem the tide of the "invasion" and fear pattern which occurs when nonwhites move into home ownership areas.

Block group organizations, leadership development and related goodwill sponsorship are part of a program carried on by Freedom House, Inc., a Roxbury, Mass., civic center, under a grant from the Schwarzhaupt Foundation.

It is apparent that the urban renewal program in Massachusetts has had little effect to date on the question of coping with the minority housing problem. If anything, because of inaction and time-consuming delay in getting off the ground, it has had an adverse effect. At the time of this writing only Springfield and Cambridge, Mass., have urban renewal plans in progress which will in any way materially affect the minority housing market.

There is a law now being used by a private charitable group which is a so-called limited dividend urban redevelopment corporation law which would allow a private corporation to redevelop or rehabilitate substandard properties and pay an excise tax based on a formula of income and assessment rather than a direct city property tax (now over \$90 per \$1,000 assessed valuation).

As conceived at present, however, even this combination of slum clearance and private redevelopment without the use of Federal funds will result in rents far out of reach of the nonwhite family seeking better and new housing, except perhaps a few middle-income childless couples of the professional class.

Thus, it is possible that another nonintegrated residential area of over 800 apartments may end up practically all for white occupancy with the theory of at least one of its proponents being that the result will "loosen up other rental units" for the lower income people and minorities.

The Federal program of renewal as it has developed in this State has, in the only development with any sizable percentage of nonwhites, caused them to relocate where they have found vacancies in the existing concentrations of minority-occupied housing.

The fact is that only 56 families were relocated from a large redevelopment project into public housing in Boston a few years ago. Again, the fact is that most of the minority tenants were self-relocated or became "lost families" who crowded into already dense and old districts.

Thus far the renewal program and the ever-expanding highway programs are causing the minority to have a very special problem as they keep moving within a pattern of physical changes being made on the face of the cities. There is a simple resulting fact and that is that there is little built that minorities won't have to help pay for, and little built that they will be offered to buy or rent. The need for long range housing plans with Federal aid appears to this observer to be a big part of the answer towards the problem.

MRS. MALCOLM C. WEBBER, CHAIRMAN, ANTIDEFAMATION LEAGUE

Springfield has about 170,000 people with a metropolitan population of 436,000. In March 1956, the Urban League placed Negro population at 7,125. Urban League officials now estimate an additional 2,000 Negroes have become residents of Springfield in the past 2 years. In March 1957, the Springfield Union estimated Puerto Rican population at 2,000.

Based on 1950 census figures, the highest percent of nonwhite population was concentrated in two census tracts of the 26 into which the city was divided. Census tract No. 18 in the Old Hill area had 29.3 percent and No. 10 in the North End had 34.6 percent nonwhite occupancy. The North End area is reported in the 1950 census to have the worst housing conditions in the city with 40 percent of the dwellings without private bath or in a state of dilapidation, 100 percent were built before 1920, 76 percent lack central heat,

42 percent lack refrigeration. Poor housing is indicated also in the Old Hill section and South End, areas of large nonwhite population.

We are fortunate that complete new housing data is available for the North End, since this area is scheduled for an urban redevelopment program. The area planned for clearance is badly crowded, badly deteriorated. The Church survey interviewed 47.3 percent of the families listed in the North End. Of the interviewed Negroes, the following observations are of interest. Nearly 20 percent averaged more than one occupant per room. A substantial majority pay less than \$44 per month rent. The majority of the Negro occupants are in the semiskilled and laborers occupational group with model income \$50-74 a week. More than a third reported family income less than \$50 a week and less than a third \$75 or over. This is the lowest median family income in the city. Of these families 87.6 percent had private baths, but only 31 percent central heat; 55.1 percent have telephones, 37.11 percent automobiles, two-thirds televisions and 88.5 refrigerators. It is interesting to note nearly one-third of the families reported a female head of household.

The Puerto Ricans do not live in the worst section of the North End. They are concentrated around Memorial Square. However, their primary difficulty is overcrowding, more than half the dwellings falling in this category. Rents charged are far beyond ability to pay. With income level a little lower than the Negroes, the model group pays in the \$88-and-over rent, compared with \$23-43 for the Negro. Families are young and large. Most men are in the laborer category. In this group, 18.5 percent have cars, 55.6 percent television, only 3 out of 82 interviewed families have telephones, 3 out of 5 refrigeration, 72.8 percent central heat. The neighborhood is close-knit and interestingly enough, 82.2 percent say they desire to continue living where they are.

With the urban redevelopment project scheduled, one of the problems of the area is what to do with the displaced families. Of the 5,600 families in the North End, 1,813 are in the clearance area. Of these, 770 families must have assistance in finding rental accommodations; 433 are white, 337 nonwhite. Where they are placed may determine whether a serious housing problem will become more serious in future years.

The Old Hill area once was a center of many fine large homes. With the movement to the suburbs and the difficulty of maintaining this type of home, many owners found they could not sell to white buyers and opened the area to Negroes. I found that there was resentment stemming from the advantage taken of the slum market available to nonwhites to charge over-market prices. The \$8,500

to \$12,000 price range for many of these homes means the purchaser must need a second mortgage to make the necessary downpayment. The high rate of interest and often bonus charge mean the purchaser must get income from his property. Thus we find sometimes 12 or 15 people living in a large house designed for one family.

In conclusion, there seem to be two problems in the housing picture for nonwhites. One is the large areas of substandard dwellings in blighted neighborhoods which cause a severe social and economic drain on the city. As the number of nonwhites swells at a rapid rate, particularly with many poor people from the South migrating northward, this area becomes more crowded and dilapidated. The plans for urban redevelopment will include clearance for the worst of this area and renewal for much of the rest. What happens to the people who are without homes is a challenge to our city. We have the opportunity to see that no new slums are created by this large group further crowding existing concentrations of nonwhite areas.

The second problem is the Negroes who can afford to and want to live in desirable sections but are prevented from doing so by discriminatory practice. This situation has been improving as the area open for nonwhite occupancy has gradually spread out. However, desirable homes in good neighborhoods are still almost impossible to find. Obviously a Negro family would have great difficulty in finding a home in the location and price range of its choice. However, with the record of good intergroup relations we have had in Springfield, with urban redevelopment, with slow progress in new areas, we are hopeful we are beginning to meet the challenge of housing discrimination.

VOTING

The Committee is pleased to report unanimously that it has no knowledge of any citizen being denied the right to exercise his voting franchise—if he is of age and can meet the minimum requirements of law.

GENERAL

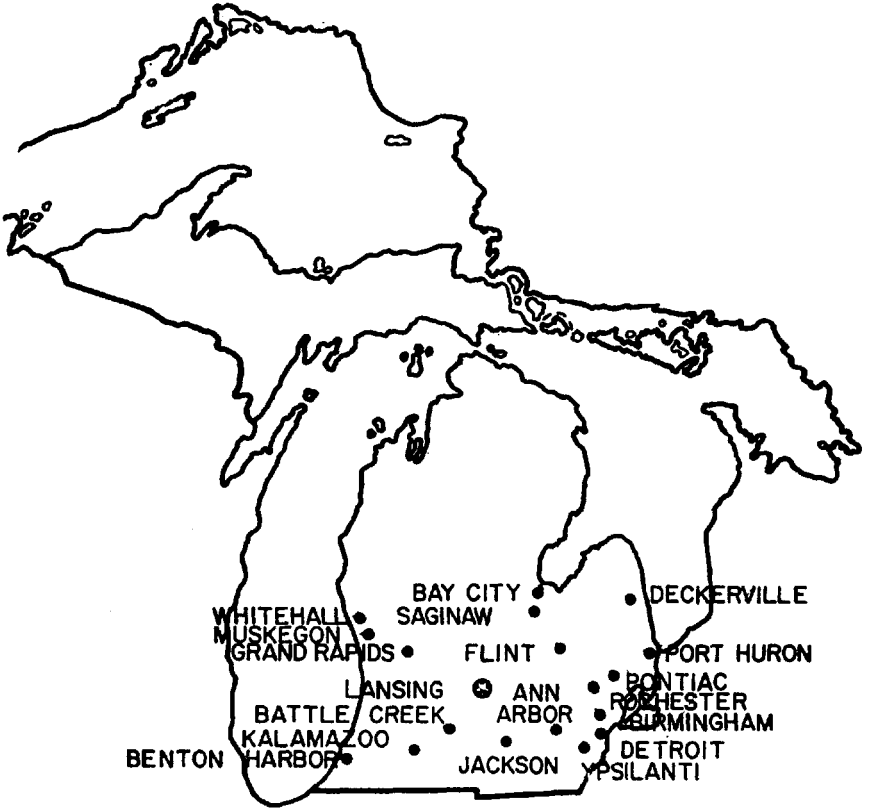
The Committee has written to 15 organizations and groups in Massachusetts concerned with the problem of civil rights, and has requested them to communicate to us any data, complaints, criticisms or information which they think would be useful to our task.

The Committee calls attention to two important public institutions in Massachusetts which are actively working in the field of civil rights. On the one hand the Massachusetts Commission Against Discrimination is charged with investigation and enforcement in

five fields of discrimination: Employment, Places of Public Accommodation, Public Housing, Education, and Publicly Assisted Housing. Annual reports of the Commission are published, and give full information as to its work. Secondly, Attorney General Edward J. McCormack, with the advice of a committee of citizens, has appointed Gerald A. Berlin as special assistant attorney general on civil rights.

Assistant Attorney General Berlin is working actively over a wide range of problems. He has begun a notable investigation into the question of police brutality with the expectation of the establishment of an independent review board to investigate charges of police illegality. Rights of arrested persons, rights of prisoners, housing discrimination, counsel for indigent persons, and problems arising from the admissibility in State courts of illegally obtained evidence, as through wiretapping, are other avenues being explored in the public's interest.

Michigan



Michigan Advisory Committee

(First Meeting July 2, 1958)

Chairman:

HON. CHARLES E. WILSON, Birmingham

Occupation: Retired industrialist
Former president of the General Motors Corporation; former United States Secretary of Defense

Secretary:

FRANK J. MANLEY, Flint

Occupation: Director, The Mott Foundation Program

LOUIS J. BERMAN, Whitehall

Occupation: Publisher, *Whitehall Forum*

Former president, Michigan Press Association

MONSIGNOR ARTHUR F. BUKOWSKI, Grand Rapids

Occupation: Catholic priest and president of Aquinas College
Vice president, Michigan Coordinating Council on Civil Rights

MRS. THOMAS F. McALLISTER, Grand Rapids

Occupation: Housewife

Member, Grand Rapids chapter, Municipal Human Relations Commission; former member, Governor's Study Commission on Civil Rights

MRS. JESSIE JAI McNEIL, Detroit

Occupation: Housewife
President, Michigan Council of United Church Women

FRANK MERRIMAN, Deckerville

Occupation: Farm leader
Member, board of trustees of Michigan State University of Agriculture and Applied Science

AUGUST SCHOLLE, Detroit

Occupation: President, Michigan AFL-CIO

EDWARD M. TURNER, Detroit

Occupation: Attorney
President, Michigan Conference of Branches, National Association for the Advancement of Colored People

Committee Study Topics: Education, Employment Practices, Migratory Labor, Housing, and Voting

Michigan Report

GENERAL

THE Michigan Advisory Committee appointed advisory committees of its own in each of the State's 83 counties, and addressed questionnaires to them and to many other authorities and organizations.

In Michigan there is little or no complaint about loss of voting privileges or discrimination at the polls; the four chief areas of difficulty are in housing; in resort and restaurant accommodations; in white-collar and supervisory employment opportunities; and in police and official attitudes toward minority groups.

In resort and restaurant accommodations, there continues to be covert discrimination against minority groups, although there is evidence that this bar is gradually lowering, under pressure of law enforced at the State level.

Discrimination against the hiring of Negroes in many white-collar areas continues, although there is evidence of continuing breakthrough in official posts and in private industrial and business firms. The great bar seems in most cases to be not so much discrimination by the heads of the firms as their fears of trouble with other help or with customers should they place Negroes in responsible positions.

Once they can be induced to try capable Negro workers in the positions, the fears nearly always prove entirely without foundation and other firms follow the lead.

There seems real basis for charges that police and other city officials tend often to ignore rights of minority groups, behaving toward them at times with callousness and perhaps even brutality. The Detroit NAACP, the Human Rights Commission of Grand Rapids, and other groups charge that Negroes are often picked up on suspicion, without evidence and without charges, and held as long as 72 hours in cells before being released. In Detroit nearly 40 percent of all arrests are on this basis, the NAACP charges.

There seems to be little or no official school segregation, but the pattern of housing segregation brings this about. The Grand Rapids Human Relations Commission points out that while Negro children make up more than 7 percent of the city's school population, 91 percent of this total are in only four schools. Only 33 of the 1,200 teachers in the Grand Rapids school system are Negro and this year is the first that a Negro teacher has been assigned to a white school.

Discrimination exists against Negro teachers, but is probably due largely to fears by school board members in all-white sections that there might be public repercussions. No such repercussions, however, have been reported from any all-white school where Negro teachers have been employed. There seems to be no discrimination in the way of wages or working conditions, however, Negro teachers apparently being treated the same as their white counterparts and school boards apparently being anxious to insure that the quality of teaching and equipment in so-called Negro schools shall be the same as in all-white sections of the city.

Several of the agencies contacted have reported efforts to seek more comprehensive laws for integration, but it is hard to escape the feeling that in Michigan the lack is not so much in efficient laws as it is in lack of understanding by majority groups why they must want to be neighborly and decent and willing to accept as equals all the varied peoples who make up and strengthen a democracy.

MINORITY TEACHERS

The Advisory Committee queried the superintendents of 66 representative school districts, and received replies from 55. The resulting findings supplemented a similar 1958 study by the Michigan State Curriculum Committee on Better Human Relations.

The Human Relations study was limited for convenience to Negro teachers in the metropolitan area of southeastern Michigan. A total of 120 letters were sent to Negro teachers who had been accepted as substitutes in one or more of four suburban Detroit communities. A total of 56 replies were received, 46 from Detroit residents, 10 from the suburbs. Nine of the people were men, 47 women; 9 of them were over 40, and 18 were under 30. Forty-three had certification or experience in at least one other State; all but four were certified in Michigan.

They were not unemployed for lack of trying, because this group had averaged four recent applications apiece for jobs. The conclusion of the survey by the Human Relations group was that it is "clearly indicated there is a reserve of qualified teachers in the metropolitan area who are consistently trying to find employment in their chosen profession. Of this number, about one-third would not be interested in working outside the Detroit area, but two-thirds would be available to work anywhere."

Out of the 55 replies we received in our Committee survey, 38 districts showed either no Negro pupils or very few Negro pupils, and no Negro teachers.

Several of the larger districts wrote more or less that "we operate on the principle that teachers are employed on the basis of competence and assigned where needed." These replies came from

Detroit, Kalamazoo, Rochester, Port Huron, Highland Park, and Grand Rapids.

It is undoubtedly true in Michigan that exceptionally well qualified and exceptionally able Negro teachers may find it not too difficult to get teaching positions.

Average nonwhite teachers or those with provisional certificates undoubtedly face endless difficulties on all sorts of grounds. Remedies for the situation aren't easy. Some alleviation of the condition might come about through—

1. Upgrading of qualifications of nonwhite teachers with sympathetic help and advice from the Michigan Education Association.
2. Positive action by the State Department of Public Instruction to seek to "sell" the use of qualified minority group teachers by all-white districts.
3. Establishment of some kind of sympathetic employment referral service that would give minority group teachers the feeling that there is a friendly helping hand available. The Human Rights survey pointed up the panic that clutches the minority worker who has loved ones to support and who feels all alone against a barrier maintained by an unfriendly majority.

The real problem, as we've said before, is the need for a constant, continuing campaign to explain to all the citizens in our democracy why it's necessary for every citizen to be permitted to make the full contribution his ability enables him to make, without erection of hate barriers to block his progress—that we just can't afford the luxury of internal hates if we're to be strong enough to cope with the external hates that ring our country all about.

HIGHER EDUCATION

Committee questionnaires were completed by 19 State universities and colleges. Their reports indicate little or no discrimination at the higher education level in the State. Records kept by such institutions, by law do not indicate race. Students at the University of Michigan have their choice in dormitory arrangements, thus "permissive segregation" takes place. The Committee has recommended that the University of Michigan remove the requirement for a photograph on the application for housing by women students.

PUBLIC ACCOMMODATIONS

Michigan law makes it a crime to deny public accommodations to any person because of race, creed, or national ancestry. The committee queried all counties about violations. Replies were received from 48 prosecuting attorneys, as follows:

- (a) 37 counties reported no problems.

- (b) 5 counties reported some complaints, but settled amicably.
- (c) One county (Washtenaw) reported no problems for last 6 years, but previously had seen some. Situation improved.
- (d) Two counties reported problems but no warrants because of lack of evidence (Chippewa and Eaton Counties, the latter complaints from Mexicans).
- (e) Three counties reported problems as follows:
 - Muskegon—one conviction and one guilty plea, one acquittal and one dismissal on a legal technicality.
 - Macomb—three warrants issued, all decisions unfavorable.
 - Kalamazoo—two complaints. One settled amicably. Warrant issued for other, case now pending.

CIVIL RIGHTS LEGISLATION AND ADMINISTRATION

The Committee requested that Attorney General Paul L. Adams appear before the group to discuss the weaknesses of certain present laws and their administration. Mr. Adams' report revealed essentially that:

1. Establishment of Michigan Fair Employment Practices Commission has been very helpful.
2. Proposed legislation putting housing, education and public accommodations under authority of this body is very desirable.
3. There is no Michigan statute regulating purchase and sale of real estate which would prevent discrimination. But U.S. Supreme Court rulings in this field have been helpful.
4. No formal complaints have been registered concerning employment of minority-group teachers in public schools.

VOTING

The Committee requested information from the office of the Secretary of State concerning voting practices in the State of Michigan. The reply indicates that in Michigan there is no poll tax nor discrimination of any kind, including any on the basis of literacy. Ample opportunities are given for registration. No record is made of race, national origin, or religion.

EMPLOYMENT

William M. Seabron, acting director of the State Fair Employment Practices Commission, gave the Committee a full analysis of the Commission's activities. He stated that the law had been passed in 1955 and had become effective in January, 1956, when a staff was

organized. He discussed the philosophy, concept, and objectives of the Commission, made up of six volunteer commissioners, as follows:

1. To provide equal opportunities on merit for jobs for all.
2. To realize that fair practices cannot be attained by laws alone.
3. To involve citizen groups and all people of good will in each respective community in the process.

Mr. Seabron then outlined the regulatory procedures of the Commission. He stated that they believe in a positive approach at all times. One of the fine things which underlies their philosophy is that they are more interested in solving problems than in proving someone's guilt. After investigation, they first try to conciliate—trying their luck at mediation—exhausting all possible means of persuasion and discussion. Enforcement is used only on recalcitrants.

The Commission becomes involved in an employment problem under the law when there are eight or more employees. Labor unions and employment agencies are also covered. Complaints must be by affidavit of the individuals involved. Upon receipt of such a complaint, the Committee investigates and three things can happen:

1. The case can be dismissed.
2. The case can be conciliated.
3. The case can be taken to a public hearing.

Advisory councils have been set up in some of the larger cities around the State to promote education, and others are in process.

The Commission collects information on complaints for subsequent analysis. In summarizing these data, Mr. Seabron reported the following:

(1) In excess of 700 complaints have been received by the Commission, and 46 percent of these have been adjusted—the conciliation phase of the work. Forty percent have been dismissed because of lack of cause for action. Two percent were out of their jurisdiction. Three percent of the cases were withdrawn.

(2) Eighty-eight percent of the cases have been against employers; eight percent against labor unions; and four percent against employment agencies.

(3) Ninety-three percent of the cases have been on the basis of race; three percent on the basis of religion; and four percent on the basis of national origin.

(4) Claims came from:

	1956	1957	1958
Detroit area-----	86%	80%	64%
Outstate -----	14%	20%	36%

(5) Adequate comparable statistics are not available in the area of some job classifications. For example, in 1950 there were 2.6 per-

cent of Negroes employed in the professional-technical field and 2 percent in managerial type jobs. Fourteen percent of the complaints received by the Commission have been in the professional-technical field and 0.2 percent in the managerial.

(6) Complaints on hiring were distributed as follows:

	1956	1957	1958	Total
Detroit area -----	158	211	150	519
Outstate -----	25	51	82	158

(7) Eight percent of the complaints had been against trade unions (83.4 percent against the AFL; 9.4 percent against the CIO; 6 percent against the Teamsters Union). Disposition of the union cases show: 56 percent were adjusted; 22 percent dismissed; five percent withdrawn; 17 percent still pending.

(8) Seventy-one complaints have been made against government—State, county, municipal, and schools, as follows: 19 against State government; seven against county, 29 against municipal; and 16 against schools. Of the ones against the schools, six have been adjusted, seven dismissed, one is pending, and two were against service groups in the school.

Mr. Seabron then stressed the fact that the FEPC plans to develop its educational program on a decentralized regional basis because they feel these are problems of the local community. Equality of opportunity must be based on merit. People must be trained and motivated and helped to develop the right attitudes so they will be ready to accept the jobs available. Local education and training programs must be developed to train people in skills for which there is a market. In addition, employers must develop the right kind of employment policies. The FEPC also sponsors public information meetings and conferences, as well as incentive and motivational conferences.

HOUSING

To secure the factual information on which this report is based, a questionnaire on minority housing was sent to 22 agencies and groups in 14 key cities of Michigan. A total of 18 reports was received from 11 communities. Summaries of civil rights problems relating to housing were received from two State organizations.

Characteristic of Michigan in the years since World War II is a population growing faster than in any other State save one, a population changing in racial composition, and a Negro population in most of the industrial and commercial cities expanding more rapidly than the white population. The growth in the nonwhite population in Michigan, begun when the Negroes came to the North during World War II to such centers of war industry as Detroit, Muskegon, and Flint, and continuing in the present decade with the migration

of nonwhites to most of the urban centers of the State, has accentuated old problems of minority housing, and created new ones.

The nonwhite population in Michigan more than doubled in the decade from 1940-50, to reach a total of 450,000 or 7.1 percent of the entire population in the State in 1950. Of this number, 90 percent lived in the cities; 79 percent or 361,000, in Metropolitan Detroit (which spreads over and includes the 3 counties of Wayne, Oakland, and Macomb), 9 percent or 42,366 in the seven other metropolitan areas of Michigan: Grand Rapids, Flint, Jackson, Kalamazoo, Lansing, Bay City and Saginaw, and the rest in such cities as Ann Arbor, Benton Harbor, Battle Creek, Muskegon, and Pontiac. It is conservatively estimated that at the present time, in the city of Detroit, nonwhites are 23 percent of the city's total population, whereas they were 16 percent in 1950. In Detroit it is estimated that in 1960, as a result of natural increase and immigration, one out of every four persons will be nonwhite.

An important minority group in the State is the Jewish population, estimated to be 87,500 in 1950. Sizable new minority groups are the Mexicans, Mexican-Americans, and Puerto Ricans, who come to Michigan in large numbers each summer to harvest the crops (approximately 60,000 are here at the peak of the season). Many of them stay on in Saginaw, Detroit, Benton Harbor, Grand Rapids and other communities, but, as is true nationally, the most significant racial minority is the Negro. The nature and extent of discriminatory practices experienced by other minority groups is not nearly as severe as that encountered by the Negro, regardless of his class or cultural level.

Although there has been a rise in the economic wellbeing of the Negro, resulting in increased home ownership (in Detroit, a 300 percent increase from 1940 to 1950) and ability to move to better homes, he is largely confined to used housing in the city, vacated by white people who, for the most part, have moved to new housing in the suburbs. Thus the basic pattern is of a growing nonwhite population concentrated in the oldest and most rundown sections of the city, and a white population moving out to newer sections and outlying areas.

Not only Negroes, but other minority groups suffer discrimination in housing: Mexicans, Puerto Ricans and Mexican-Americans who have settled in Michigan communities, are confined to living in the Negro areas or immediately adjacent to them. The Jews are subject to discrimination in housing in many communities of Michigan, particularly in suburban areas, such as those outside the city of Detroit, and in resort areas and in some new developments.

From the reports received by the Advisory Committee from 11 Michigan communities, it is apparent that there are certain aspects

of minority housing which are common to all—whether they are large or small cities, and whether they have a large or small percentage of nonwhites.

From the above reports, these aspects are as follows:

(1) The amount of new housing available to Negroes is sharply limited. For example, in the city of Detroit, 100,000 housing units were built on vacant land from 1945 to 1955. They were built and marketed largely for "white occupancy only." An estimated 2,000 new houses were built during these 10 years for sale to nonwhites. (In 10 years, the rate of increase of the nonwhite population in Detroit was more than 100 percent compared to 14 percent for the white population). In Flint, less than 2 percent of the total new housing units built in the city since 1943 is for Negroes. (During that time, the nonwhite population increased at the rate of 109 percent, compared to 7.5 percent for the white population.)

(2) In none of the cities is a Negro a member of the real estate board (the professional association of realtors).

(3) New real estate developments intended for the general market have been restricted to white purchasers by builders and realtors.

(4) Negroes have great difficulty in securing mortgage financing; it is practically impossible for them to obtain it for white residential areas. However, the experience of mortgage and lending institutions with minority borrowers has been very favorable.

In Pontiac, the two lending institutions (Michigan Mortgage Corporation and First Mortgage Corporation of Detroit) which hold most of the mortgages on new houses built for and purchased by Negroes, indicate that the record of repayment and/or foreclosures is the same as that for white people of a comparable economic level (Urban League of Pontiac). Representatives of banking institutions in Muskegon, Grand Rapids, and other cities have made substantially the same statements. There have been no foreclosures among Negroes in Ann Arbor in more than 20 years.

Property maintenance is the same—or perhaps better—among Negro homeowners of an economic group than among whites of the same group.

(5) Negroes are compelled to pay high—often exorbitant—rents for inadequate living quarters. The Negro gets less for his housing dollar at all levels of economic, social and cultural development than does his white counterpart. Example:

In Grand Rapids, according to the 1950 Census, the average rent paid by nonwhite families was about \$5 per month higher than the city average, and the dwellings for nonwhites were inferior to those for which whites paid less.

The rapid growth in the number of nonwhites in Michigan, accompanied by informal but rigid segregation, has meant that the

nonwhite population has increased much more rapidly than the houses or areas available to them. The result is serious overcrowding in the nonwhite sections of our cities. For example:

In 1950, 10 percent of the dwelling units in the city of Flint had more than one person per room, but in five of the six Negro areas (census tracts), 15 percent had more than one person per room.

In Grand Rapids in 1952, the overcrowding was five times as great for the Negro population as for the city as a whole. (Study by the Urban League of more than a 50 percent sample of the non-white population.)

In Pontiac, Negroes compose 14.1 percent of the total population but they occupy only 7.7 percent of the total dwellings.

Overcrowding is one of the major reasons for deterioration and decay. Because of their being confined and crowded into racially designated areas, a larger percentage of Negroes than of whites occupy substandard housing units either dilapidated or lacking in sanitary facilities.

In Pontiac 42.2 percent of all dwellings occupied by Negroes are classified substandard by reason of physical structure or facilities. In Grand Rapids, an Urban League study made in 1952, representing a 50 percent sample of the total nonwhite population, disclosed that 21 percent of the dwellings were in poor condition, needing major repairs; in one section, 80 percent of the homes had no hot water and over 65 percent, inadequate heating. In another section, comprised of a large number of Mexican families, many of the homes were found to be in a state of extreme deterioration. By far the poorest houses were those occupied by the Mexican families. In Detroit, an estimated 30-40 percent of minority groups are now living in substandard housing.

That the difficulties of members of minority groups in finding decent, safe, and sanitary housing are due mainly to practices of property owners, of real estate brokers and builders, and of financing institutions, appears from the reports sent to the Advisory Committee.

The Anti-Defamation League of B'nai B'rith, in 1957, undertook to determine the extent of discrimination against Jews in the metropolitan area outside of the city of Detroit, and found that 56 percent of the real estate agents in these suburban areas either overtly or covertly practiced discrimination against them. When many agents indicated that they were not responsible for these practices, but that the people in the area did not want Jewish neighbors, an additional survey of one such area was undertaken, with the result that 63 percent of the residents either had no objections to Jews as neighbors, or would strongly approve having an integrated neighborhood.

The importance of adequate shelter to both children and adults is indicated by the supervisor of the Genesee County Bureau of Social Aid:

Adequate shelter gives children a feeling of security, a sense of protection, a place where they may develop potentialities that will enable them later to meet the challenge of the world of today. Being dragged from one place to another and living in fire traps are disturbing and frustrating to children and to their parents. We, as the community, pay the cost in the maintenance of our state hospitals and penal institutions.

Crime and juvenile delinquency and disease are directly related to bad housing and to segregation. This is attested by many of the reports including the following:

Battle Creek.—A survey of the redevelopment area prior to relocation of families revealed that in this area, 70 percent occupied by minority groups, the percentage of major crimes per thousand persons was 6.7 for the project compared to 1.7 for the city; juvenile cases per thousand persons are 173 for this area compared to 8 for the city as a whole.

Grand Rapids.—In 1957, 55 percent of adult arrests (nontraffic) and 72 percent of juvenile court referrals came from the residential problem areas (plus a small downtown section). These areas, requiring rehabilitation or other treatment, include the areas of non-white concentration, and contain only 30 percent of the dwellings in the city.

A study of 100 multiple-problem families with 5 or more referrals to social welfare agencies in the past 5 years revealed 76 percent of these "hard core" families came from the blighted areas.

Flint.—The vast majority of Flint's Negro population lives in compressed, segregated neighborhoods, in which are found just about every characteristic of slums. A map indicating the points of all arrests made by local police shows the two residential neighborhoods with the highest arrest record to be those in which the severest slum conditions prevail.

Overcrowding and lack of adequate sanitation facilities lead directly to the spread of disease and contribute to mental ill health. In Grand Rapids, 22 percent of Negro deaths occur before age 5, but only 6 percent of white deaths.

Segregation, contributing as it does to blight, results in substantial losses of tax revenue to a community. Substandard areas require more relief, health and welfare services than other areas, and yield lower taxes. For example, in the blighted areas of Grand Rapids, there is a ratio of \$8 spent for every \$1 received in direct and indirect taxes from those areas.

In summary, there is evidence in the reports that segregation in housing, with the attendant evils, has contributed to a higher crime rate for the groups segregated than for those who are not; to a

higher death and disease rate; to greater burdens of welfare and relief; and that the separation in community living of the people of different races and color, builds tensions and divisive forces which are the greatest single obstacle to good race relations.

Federal, State and local efforts to cope with the problem.

The city of Pontiac was the first in the State to proscribe segregation in public housing. A resolution passed in 1943 declared that all public housing projects developed and operated in Pontiac "must be open for occupancy without distinction as to creed, race, color, religion or national origin." But the city has subsequently refused to approve a site for an open occupancy housing project to which it has been committed for 8 years. The reason given is that it would encourage the movement of Negroes into white areas.

Three years ago, the City Commission of Kalamazoo passed a resolution declaring it the sentiment of the Commission that segregation was against public policy. The only action by the city government that could be said to have directly affected the pattern of segregated housing was taken when a house owned by the city in a previously white neighborhood was sold to a Negro employee of the city.

The city of Benton Harbor maintains a modern sanitary camp or reception center for agricultural workers migrating into the area, in order to provide temporary housing for them as they move from one place of employment to another. The steel and concrete units are equipped for cooking, dining, laundry, bathing, and recreation. There is no discrimination as to race.

A resolution adopted recently by the city of Grand Rapids declared that the program to relocate persons who would be moved by the proposed urban renewal project "shall be without distinction as to creed, race, color, religion or national origin." In 1955, by unanimous action, the Grand Rapids Commission passed an ordinance establishing a Human Relations Commission as an instrumentality of government to promote good will and foster mutual understanding among all groups in the city, and to insure equality of treatment and of opportunity to all, regardless of race, color, creed, national origin or ancestry. One of its subcommittees is concerned with housing for minority groups, and seeks to discourage and prevent discriminatory practices.

Other cities which have established such Human Relations Commissions by ordinance, making them an official part of the municipal government, are Detroit, Ann Arbor (under the new city charter) and Saginaw. There are five additional Human Relations Commissions or Boards (in Jackson, Kalamazoo, Port Huron, Ypsilanti and Flint) which are appointed by mayors and are given official status, although they are not established by ordinance and do not all have

an operating budget. The Human Relations Commissions of Detroit, Kalamazoo and Grand Rapids have gone on record as favoring the enactment of State legislation to extend the scope, powers and services of the Michigan Fair Employment Practices Commission to prevent and eliminate discriminatory practices in housing.

Thus, a small beginning is being made by some city governing bodies to bring their influence to bear against discrimination and segregation in housing.

The record of city housing authorities in nonsegregated housing is less encouraging than that of city councils. The Benton Harbor City Housing Authority operates two low-cost housing projects: one is located in a predominantly Negro area, and is entirely Negro; the second, a token interracial project, admits an occasional few Negro families.

In Saginaw, the Housing Authority operates a public housing project in which there are only a very few white families, probably because it is located in a Negro section.

As reported by the director of Detroit's Community Relations Commission, "for some years the city of Detroit followed a policy of 'not changing the racial characteristics of any neighborhood' in the placement of public housing units. From the beginning of the Detroit Housing Commission and continuing through the administrations of four mayors, Detroit has followed the policy of maintaining racially segregated housing projects * * * until a court order in 1954 prohibited segregation in these publicly provided housing units."

Michigan has no State public housing authority.

Officials and agencies of local government have power, through such means as giving or withholding approval of the use of land and building under their authority, and through zoning, to support segregation or to promote integration. So far as is known, no planning commission in Michigan has been concerned with adequate housing for minority groups. In Muskegon, several attempts have been made to create housing developments that would be on an open occupancy basis; in every case, two of the main reasons that these efforts have failed have been the unavailability of land, and the refusal of planning bodies to rezone sites for residential use.

One way to secure more units of decent, safe and sanitary housing is through the enactment and enforcement of modern standards for adequate housing. This has been done in Grand Rapids with the adoption in 1956 of minimum standards to replace the antiquated code, and also in Flint, where the registration and inspection of apartments and rooming houses has recently been required. Revision of the State Housing Code to provide higher standards is greatly needed.

The effect of Federal housing laws, policies, and practices on housing patterns and problems of minority groups.

One of the greatest housing needs of minority groups is an increase in the supply of adequate housing, especially rental housing for low-income families. This is an area in which private builders engage very little and in which the needs can be met only with aid from the Federal Government.

In most communities of Michigan, the supply of housing available to minority groups since 1940 has fallen far below the need resulting from the increase in the Negro population, and the influx of Mexican-Americans and Puerto Ricans.

In Detroit, however, the supply of housing available for nonwhite occupancy has increased significantly at all income levels—from some 30,000 units occupied by nonwhites in 1940 to 100,000 today. About 4,000 nonwhite families were housed in the 15,000 public housing units at the time of the court decision in 1954. New construction and completion of previously planned projects have increased the number of public housing units occupied by nonwhites in recent years. In the second largest city of the State, Grand Rapids, the small amount of new housing is entirely owner-built.

From examples given by the reports from Michigan cities, it is evident that in general the programs of the Public Housing Administration, the Federal Housing Administration, and the Urban Renewal Administration while importantly relieving the national housing shortage, are contributing to the spread and intensification of housing segregation, as is seen from the following:

The mortgage insurance program of FHA is utilized by almost all private builders who practice racial and religious discrimination in housing developments and mass-produced projects, and by members of the housing industry in financing relocation housing for families displaced by Government activities.

Flint reports, "The most important single factor in the increasing concentration of Negroes in the centers of our cities is the phenomenal increase in the construction of suburban homes stimulated by FHA-insured loans to builders and subdividers."

Nearly all mass-produced housing in Pontiac has been made possible either by FHA or VA-insured loans. "Yet not one of the projects has been built on an open occupancy basis."

A member of the Grand Rapids Human Relations Commission, who has made studies of the minority housing problem, states: "The bulk of new housing in the Grand Rapids area since the war has been constructed with the aid of FHA and VA mortgage insurance. All (or nearly all) of this housing has been limited to whites by the policy of builders and real estate groups. FHA and VA have taken no stand on the question of availability of this hous-

ing to minority groups; the local attitudes favoring containment of nonwhites in older housing have prevailed, and as a result, Grand Rapids is more segregated than ever before. Although all groups support these Government programs, only whites have been allowed to benefit from them in Grand Rapids."

Thus, the effect of the financing policies of the Federal Government is to subsidize segregated housing.

It should be noted here that the experience in Michigan seems to be that aid provided by the Federal Government for private financing of low-cost relocation housing for displaced families is used very little. In the Battle Creek redevelopment project, out of approximately 75 notices mailed to eligible displaced families, only 2 have attempted to avail themselves of this financing program.

In addition, few of the new houses constructed, or existing houses purchased by Negroes, are financed through loans guaranteed by FHA, according to reports by Detroit, Kalamazoo, and Muskegon. Rather, such housing is financed, in the majority of cases, by land contracts, even though the cost is greater.

The reasons are that: (1) many of the areas in which Negro buyers are forced to purchase homes cannot qualify for FHA-insured mortgages; (2) the terms required by banks are often very stringent; (3) the delay and complicated procedures involved in securing an FHA guarantee discourage use of this Federal aid.

Projects for urban renewal and redevelopment are either planned or underway in 15 communities of Michigan. Reports in regard to problems of displacement of minority groups were received by the Advisory Committee from 8 of these communities: Ann Arbor, Battle Creek, Detroit, Grand Rapids, Jackson, Kalamazoo, Muskegon, Pontiac.

It is apparent that, in general, unless specific action is taken, the projects will have the effect of perpetuating existing patterns in minority housing, as a result of (1) the lack of planning by local public and private agencies to assure adequate housing and equal access to this housing, and (2) approval of projects by the Federal Government without this assurance.

The manner in which the programs and policies of the Federal Government can affect constructively the housing pattern of a community is illustrated by the action of the Urban Renewal Administration in Grand Rapids: although the first urban renewal project has no nonwhite residents in the area, sample surveys indicate that 40 percent to be displaced have less than \$2,000 annual income. Approval has been refused by the URA until more adequate plans are submitted by the City Planning Commission for relocation of these low-income families. This bears directly on the minority housing problem since the persons displaced in the project would be in com-

petition with nonwhites for low-cost housing, which is already in very short supply. Attention has thus been focused on this critical area of housing by the action of the Federal Government.

WHAT CITIZENS CAN DO

The first governmental human relations agency in the country was established in Detroit in 1944—the Mayor's Interracial Committee. In 1953, it was established by ordinance as the Detroit Commission on Community Relations, with a director and staff of seven professional employees. Among the most important problems it deals with are those of equal opportunity in housing, employment, and public accommodations.

The Commission acts in any housing situation in the city of Detroit where the rights of citizens to own and to occupy property purchased on the market are threatened or challenged in some unlawful way. As an example, in 1957, the arrival of a Negro homeowner on Cherrylawn Avenue drew crowds of demonstrators who walked in the streets nightly for a period of 2 weeks; the home sold to a Negro woman was repeatedly damaged. Order was restored through the joint work of the police department, Commission, and community leadership. But the Commission works continually to solve problems before they grow into serious dimensions involving large numbers of people. As one of the methods for controlling racial tensions, staff investigations become the basis for a coordinated effort by which the Commission, law enforcement officials, governmental and community leaders undertake to resolve incidents and community conflict.

In Detroit in the last decade, there has been constant population movement and many areas and neighborhoods have undergone racial change. But despite prejudice and racial restrictions—even open hostility—there has been not only a comparatively small amount of controversy and conflict, but a marked improvement in the attitudes of white and Negro citizens toward each other.

The eight other municipal human relations agencies in the State are doing much to promote intergroup understanding and equal opportunity for all citizens through public information and cooperation with community groups and city departments. They provide an official central agency for factfinding, education, and dealing with minority group problems.

Since World War II, many religious, labor, and civic groups have shown increasing concern for the rights of minorities. In Michigan, a nonpartisan coordinating council, the Michigan Coordinating Council for Civil Rights, comprising major Michigan organizations interested in the extension of civil rights to all citizens, enables 20 statewide religious, labor, and civil rights groups and the

large numbers of citizens who belong to them, to pool their efforts for needed legislation.

The Grand Rapids chapter of the Michigan Committee on Civil Rights, comprising affiliated and cooperating organizations and individual members, annually holds a day-long community Conference on Equal Opportunity in Housing. Delegates representing many local groups report back to their organizations for discussion and endorsement of the recommendations adopted by the Conference. At the fourth conference, held this year, 90 local and western Michigan organizations were officially represented.

Such organizations as National Association for the Advancement of Colored People, the Urban League, and the Anti-Defamation League of B'nai B'rith do much to focus attention on, and contribute to the solution of, the minority housing problem through surveys, informing the public, conferences, and other methods. In Flint, the Urban League sponsored a citywide Conference on Housing Conditions in 1955 in which 26 local organizations took part and made recommendations for action. A Community Improvement Club of the Grand Rapids Urban League, having members of both Negro and white races, works in cooperation with the City Health Department (after adoption of higher minimum housing standards) to bring about substantial improvement in the general environment for the families of two selected areas, populated by both Negro and white citizens (although predominantly nonwhite). This housing improvement program, carried on jointly by a public and a private agency, is having successful results for neighborhood conservation and rehabilitation.

A statement, signed by 900 homeowners and residents of Ann Arbor in 1958, put these citizens on record as welcoming good neighbors to their communities "without regard to the color of their skin, the manner in which they worship, or the part of the world from which they come." The statement was circulated by a small group of citizens to their friends. "We found it easier to obtain signatures than many thought it would be," they reported.

These are some of the ways that voluntary associations of citizens in Michigan are providing leadership and community education to create public support for equal access to the private housing market and integration in public housing.

Many additional activities by private organizations are possible and desirable, such as conducting workshops to prepare for integrated housing and for the stabilization of racially changing neighborhoods; assisting qualified minority families to obtain homes in good neighborhoods; and promoting the use by community organizations of the many films which are available to show the

obstacles faced by Negroes in housing and the success of open occupancy projects, both private and public.

FINDINGS

It is the opinion of the Advisory Committee that until there is equality of opportunity for every American to rent, buy, or build a home, the problems of discrimination and segregation in schools, public accommodations, and other aspects of community life will not be resolved. Deterioration and decay, products of segregated housing, will continue to plague our urban centers. Racial tensions and intergroup hostilities will persist in our communities.

The most urgent minority housing needs highlighted by the reports received by the Advisory Committee are:

1. Freedom for nonwhites to move out of the segregated areas to neighborhoods of their choice, commensurate with their income;
2. An increase in the supply of housing, especially of standard housing at low rents, and of new housing for middle- and low-income families;
3. Extension of mortgage credit to nonwhites for any location, on equal terms with other borrowers;
4. Availability of land for open-occupancy housing;
5. Planning for relocation of nonwhites displaced by public programs so that renewing of segregated patterns will be avoided.

A three-pronged approach to a solution of these problems of minority housing is necessary: concern and cooperation on the part of public and private agencies in local communities; constructive remedial policies on the part of Federal, State, and local governments and the carrying out of those policies by public officials; legislation enacted by Federal, State, and local bodies, accompanied by programs of education to inform the public of the problems and ways of meeting them.

RECOMMENDATIONS

"Government at all levels bears a primary responsibility for changing the existing system of racial inequality because of its constitutional duty to treat all citizens equally, and because of its great influence on housing."¹

We, therefore, make the following recommendations for Federal, State, and local government action:

Federal Action

(1) The extension of all Federal housing aids only on condition of a guarantee that the accommodations be available to all qualified

¹ "Where Shall We Live?"—Report of the Commission on Race and Housing, University of California Press, 1958, p. 46.

persons under the same terms and conditions without regard to race or color.

(2) The development of additional financing aids to meet the financing problems which obstruct the access of minorities to housing on equal terms and conditions.

(3) The requirement that in the urban renewal program, new or standard housing and/or land, open to all, be made available prior to demolition of existing units.

(4) Establishment by Act of Congress of a permanent Civil Rights Commission.

Cooperative Federal and Local Action

(1) Greater use of Federal housing and urban renewal programs by local governments and planning commissions as a means of increasing the supply of housing, especially housing available on an open-occupancy basis.

(2) Programs for decent, safe, and sanitary housing at costs that can be met by low and middle-income families.

(3) Adequate relocation plans for persons displaced by any government activities, especially for the dispersal and integration of racial minorities.

(4) Regulations to prevent public housing projects from being or becoming concentrations of any single minority group.

State Action

In Michigan, a step has been taken toward the solution of the minority housing problem by the enactment in 1955 of a Fair Employment Practices Act. By opening employment opportunities for Negroes and other minorities, their earning power is improved and, consequently, their ability to acquire new or better homes. However, the reports received by the Advisory Committee show that, in general, Negroes economically able and desiring to purchase new homes or move out of the old, restricted areas are unable to do so because of discriminatory restrictions and the short supply of standard housing available to them. Action by Government is needed to secure racial equality in housing.

We, therefore, recommend:

(1) The extension of the scope of the Fair Employment Practices Commission's services and powers to include the following areas of housing:

- Any housing built or assisted by Federal or municipal funds;
- Privately financed housing;
- Discriminatory practices in real estate sales or rentals.

We also recommend extension of the program of public information and education incorporated in the present FEPC Act to the proposed housing provisions.²

(2) A revision of the State Housing Law to establish minimum standards for adequate sanitary facilities, for light and ventilation, for the elimination of overcrowding, and for improved fire protection.³

Local Action

(1) Establishment by ordinance of human relations commissions in those cities which have minority group problems, and encouragement by these official agencies of equal access to housing through education, conciliation, and other means.

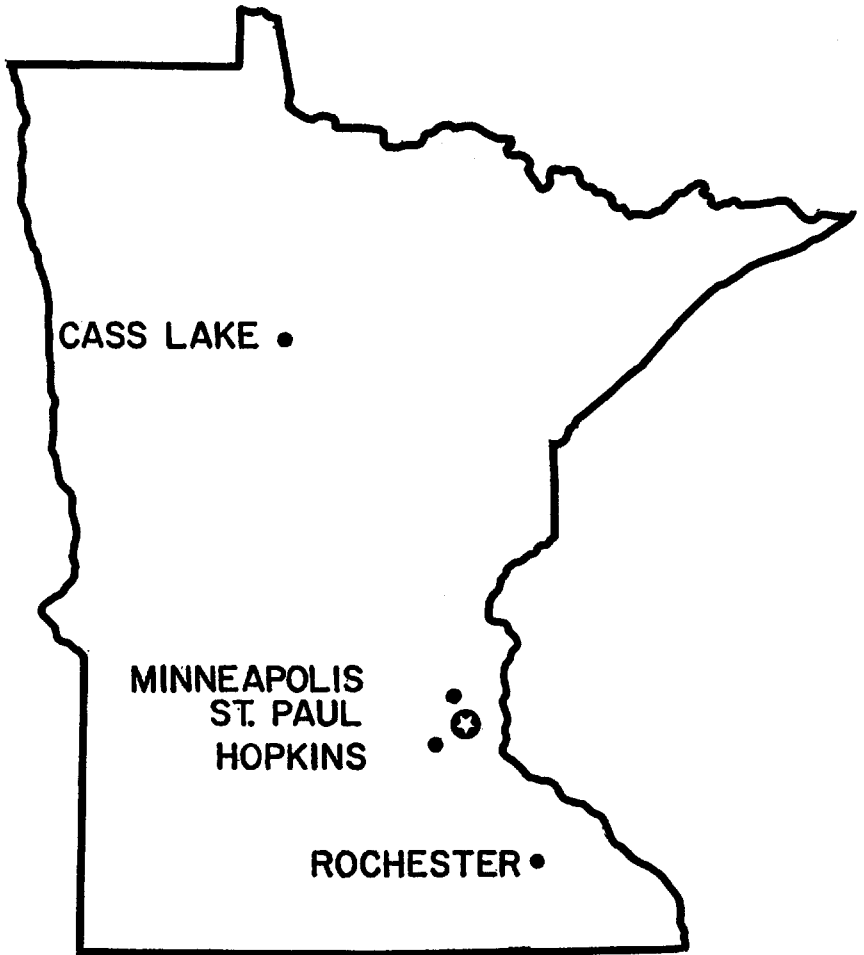
(2) Pending the adoption of a State law, the enactment of ordinances, similar to those in New York City and Pittsburgh, to prohibit discrimination in housing.

(3) Modernization of municipal building and housing codes and adequate staffs for their enforcement, as one of the ways to eliminate substandard dwellings.

² In Michigan, a bill to extend the jurisdiction of FEPC to housing, education, and public accommodations has been introduced in the legislatures of 1958 and 1959, and is supported by the Michigan Coordinating Council on Civil Rights (20 statewide organizations), the Human Relations Commissions of Detroit, Kalamazoo, and Grand Rapids, and by many local civic, religious, educational, labor, and other groups.

³ A proposed revision was introduced in Michigan Senate in the 1959 session (Senate Bill 1160.)

Minnesota



Minnesota Advisory Committee

(First meeting November 26, 1958)

Chairman:

STEPHEN H. FLIGELMAN, Hopkins

Occupation: Personnel and public relations director, United Petroleum Gas Company

Former member, Minnesota Fair Employment Practices Commission; vice chairman, Executive Committee, Minnesota-Dakotas Regional Board, Anti-Defamation League of B'nai B'rith.

Vice Chairman:

CECIL E. NEWMAN, Minneapolis

Subcommittee: Housing

Occupation: Publisher and editor, *Minneapolis Spokesman and St. Paul Recorder*

Member, board of trustees, National Urban League; member Mayor's Council on Human Relations

Secretary:

MRS. DEMETRIUS C. SANTRIZOS, Minneapolis

Subcommittee: Voting

Occupation: Housewife

Public relations chairman, United Committee for Indians in Twin Cities

GEORGE G. DURENBERGER, Collegeville

Subcommittee: Education

Occupation: Director of athletics, St. John's University

Member, State Board of Physical Education; former Diocesan president, Council of Catholic Men

DR. CLEMENS M. GRANSKOU, Northfield
Subcommittee: Education

Occupation: President, St. Olaf College

Member, board of publications, Evangelical Lutheran Church; past president, Association of Minnesota Colleges

JOHN DEJ. PEMBERTON, JR., Rochester
Subcommittee: Housing

Occupation: Attorney

President, Minnesota chapter, American Civil Liberties Union

CARL T. SCHUNEMAN, St. Paul

Occupation: Chairman of the board, Dayton Schuneman Company

Former president, St. Paul Urban League

REV. GEORGE A. SMITH, Cass Lake.

Subcommittee: Voting

Occupation: Episcopalian clergyman

Member, State of Minnesota, Governor's Human Rights Commission

Minnesota Report

INTRODUCTION

THESE REPORTS represent thorough inquiry and investigation, examination, and deliberation during the four months of our existence. Our Committee conducted four meetings subsequent to the initial organizational conference. Additionally, the respective subcommittees met several times for the purpose of evaluating the findings. Two open hearings were held following executive sessions by the full Advisory Committee. These hearings were very effective in supplementing our findings as well as correlating and integrating the numerous human rights groups in the area.

It is with civic pride that the Minnesota Chairman presents the findings and conclusions from the Voting and Education studies. Conversely, substantial progress must be effected in the field of Housing in order even to approximate the basic American principle of freedom of opportunity. The challenge is emphatically in this area, and it is strongly hoped that our effort of the past several months will give considerable impetus to the rate of change.

EDUCATION

No evidence was found to indicate that any discriminatory practices existed in Minnesota's elementary and secondary schools. Evidence was found of an increase in the employment of nonwhite school teachers in these educational areas. In recent years, much of the prejudice has been lessened.

Judging from the number of nonwhite students presently in attendance in Minnesota's institutions of higher learning, it can safely be said that no discrimination exists. While the returns in number of nonwhites in attendance were not complete (no records of race, creed, or color exist in some registrars' offices), returns did show that the number enrolled has almost doubled in the last 5 years.

The following table gives the number of nonwhites in the State's public institutions of higher education from 1954 to 1959:

1954-55 -----	601	1957-58 -----	847
1955-56 -----	708	1958-59 -----	1,039
1956-57 -----	846		

These numbers represent but a small percentage of the total student population in tax-supported institutions. Nevertheless, it must

be remembered that the non-white population in the State of Minnesota is relatively small.

Among the many replies received is one from Mr. Sam Scheiner, executive director of the Jewish Community Relations Council who wrote as follows:

We had evidence also of the fact that the Medical School (University of Minnesota) about ten years ago, was discriminating because of race or creed and allowed only a certain number from minority groups to register. It is my honest feeling, however, that this has all been corrected and that the over-all situation in the State of Minnesota with reference to public education for minority group peoples is fair.

All of the private institutions of higher education responded to the survey. All show in their enrollments and their admissions policies a willingness to accept all students who are both eager and able to make the most of their educational advantages.

The private institutions reported the following minority-group enrollments for the school year 1958-59:

Negroes -----	43	Mexicans -----	7
Oriental -----	51	Jewish -----	48
Indians -----	5	Others -----	30

HOUSING

The principal reliance of the Housing Subcommittee was upon responses to a questionnaire prepared by it, based upon the questionnaire submitted by the Civil Rights Commission staff, and forwarded by the subcommittee to more than 80 official and nonofficial agencies throughout the State. From these questionnaires 17 full replies and several partial responses were received. The subcommittee noted that most of the agencies involved in efforts to combat housing discrimination responded to the questionnaire while most of those involved in the housing industry either did not respond at all or replied that they could not, for one reason or another, supply answers to the questionnaire.

FINDINGS

(1) The Committee finds that there is widespread discrimination against Negroes, Indians, and other nonwhite persons with respect to the availability of housing in Minnesota, and to a somewhat lesser degree against members of the Jewish faith. The discrimination against Jews is mitigated somewhat by their generally more favorable economic position and has decreased noticeably since World War II.

One of the organizations responding to the survey questionnaire, submitted documented case histories illustrating the pattern of housing administration during a recent 5-year period. This pattern,

substantiated in most particulars by the oral testimony received, includes—

Deprivation of access by minority groups to most (almost all) new housing coming onto the market in metropolitan areas.

Growing concentration of minority group families in defined metropolitan areas.

Resulting cost increases, both in price and in rent, for housing that is available to minority group members.

Less liberal primary financing terms for housing acquisitions by minority group members.

Resulting greater prevalence of high cost secondary financing used in housing acquired by minority group members.

A substantially higher incidence of older and substandard housing occupied by minority group members.

Resulting greater impact of condemnation, both in urban renewal programs and in highway and freeway programs, upon the housing problems of minority group members.

(2) The Committee finds that governmental agencies and certain boards of realtors, as well as the many voluntary human relations agencies presently engaged in the field, acknowledged the existence of and, generally, the extent of the problem of discrimination in housing. On the other hand, the Committee has found no evidence that any organization of home builders has assumed responsibility in this area or acknowledged the existence of a problem. The active promotion of exclusiveness as a positive attribute of certain residential developments gives the home builders' group a share of responsibility for the promotion of discriminatory attitudes. At the same time, it underscores the prevalence of such attitudes among majority group members.

(3) The Committee finds no evidence that mortgage financing firms practice direct discrimination in the matter of granting loans. However, the Committee did find that appraisers for mortgage lending purposes not uncommonly assigned minority group occupancy as a depressing factor in valuation.

The Committee was encouraged by the testimony of a representative of one board of realtors describing his board's belief that minority group occupancy should not properly be recognized as a depressant factor on values and his board's effort to disseminate this view among the more responsible appraisers of property.

An ironic harshness upon minority group members, arising from the negative valuation assumption, appears to be involved in condemnation proceedings. Negroes and others who have paid prices inflated by scarcity for the housing presently occupied by them in the areas being condemned, and in many cases above-normal cost for financing, now face a repetition of this "color tax" on their acquiring new housing. Yet, under present practice they are not entitled to recognition of this special cost factor in the amount of

the condemnation award, but the prevalence of the assumption that minority group occupancy depresses values undoubtedly has an actually depressing effect upon the award.

(4) Rental housing available to members of minority groups is almost entirely confined to the clearly defined minority group housing areas. In the erection of new apartments, the instances are rare indeed where units are made available for nonwhite occupancy, the principal exception being for Asians where the apartments are located near a college or the university.

(5) The Committee's attention was called to the fact that funds appropriated for highway development are not available for relocation of families displaced by new highways. Because of the greater impact of housing dislocations arising from highway and freeway condemnation upon minority groups, and because of their greater need for relocation assistance, this lack appeared to intensify the problem of unequal opportunity in housing for minority groups in Minnesota.

(6) The Committee finds a seriously disturbing increase in the intensity of the problem of discrimination in housing in the metropolitan areas of Minnesota. Investigation reveals an increasing acceptance of the idea of integration in housing as a consequence of which more isolated sales to Negroes and other nonwhites are occurring in otherwise all-white neighborhoods. But the problem is still increasing in intensity because of rapid population growth and almost complete denial of new housing to minority groups.

(7) The Committee believes that Federal housing programs have actually contributed to this increase in the intensity of housing discrimination problems. This belief goes beyond reference to the pre-1950 discrimination policies of the FHA. It concerns the entirely different pattern of new housing development which is common in major cities as a result of federally assisted financing. The present pattern is one of large developments, with large numbers of new housing units coming onto the market under the control of a single developer or group. The economic pressure upon such developers to reach a mass market promotes their fear of the prejudices accepted by any substantial number of potential home buyers.

By contrast, the builder of single homes in separate locations in the 1920's and 1930's, often on his customer's land, was under no such pressure to submit to public prejudices, since he was far less likely to be offering other homes for sale in the same locality. The market for which he produced was consequently a freer market. To the extent that federally assisted financing has contributed to the pattern of large-scale housing developments, in the metropolitan areas of Minnesota at least, it appears to this Committee to have

contributed substantially to intensifying the prevalence of discrimination in new housing.

(8) The extent of public acceptance of integrated housing, as reflected in the opinion polls, seems to the Committee to be a relevant fact to contrast with the apparently increasing effectiveness of attitudes of prejudice in actually denying housing opportunities to minority groups. The Minnesota Poll, a public opinion survey conducted by the *Minneapolis Tribune*, reported the following responses to attitude-questions on the following dates:

June 27, 1954	"Do you approve or disapprove of having white and Negro families living in the same residential districts?"	Approved by 42 percent.	Disapproved by 49 percent.
Mar. 4, 1957	Same question.....	44 percent approved...	47 percent disapproved.
Mar. 16, 1958	"1. Some people say the owner of a house or an apartment should have the right to refuse to sell or rent whenever he chooses—and that if he doesn't want to deal with someone because of that person's race, religion or color, he doesn't need to." "2. Other people say that every person should be able to buy or rent housing in any area where he can afford to live—regardless of his race or religion or color." Even though you may think there is some merit on both sides, which statement—1 or 2—do you believe should be the rule we follow these days here in Minnesota?"	55 percent favored statement No. 1.	41 percent favored statement No. 2.
Jan. 4, 1959	Same question as Mar. 16, 1958.....	54 percent favored statement No. 1.	42 percent favored statement No. 2.
Jan. 4, 1959	"There's been talk in Minnesota of adopting a law which would guarantee every person the legal right to buy or rent housing, regardless of his race, religion, or color. Do you yourself favor or oppose having the State adopt such a law?"	Favored by 46 percent.	Opposed by 46 percent.
Jan. 4, 1959	"Take the case of public housing projects where State or Federal tax money is spent. Suppose the Minnesota Legislature were asked to adopt a law which would give qualified people an equal chance to get into public housing projects, regardless of race, religion or color. Would you be for or against that kind of law?"	74 percent for.....	18 percent against.

RECOMMENDATIONS

The Minnesota Advisory Committee recommends:

I. That appropriate reference to the prevalence of discrimination in housing found by this Committee to exist in Minnesota be included in the Civil Rights Commission's report to the President and the Congress.

II. That such report include recommendations for amendment of Federal housing legislation so as to provide ample authority for affirmative administrative policies designed to eliminate practices of discrimination in the supplying and financing of sale and rental housing wherever such supplying or financing is touched by Federal assistance programs.

III. That appropriate open-occupancy housing legislation by the State legislatures—as respects Minnesota, by the Minnesota Legislature presently in session—is necessary to prevent the attitudes of prejudice held by some residents from so paterning general practices in the offering of sale or rental housing that equal opportunity is effectively denied to persons by reason of their race, creed or color.

VOTING

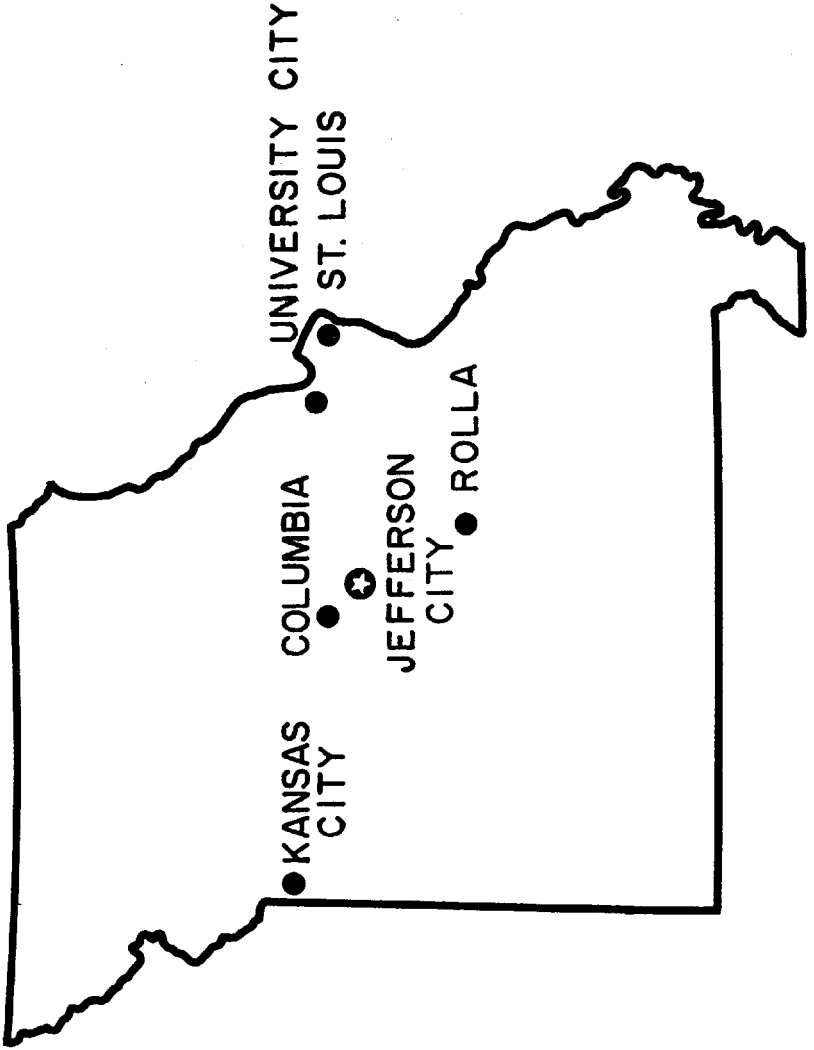
After careful study of voting in Minnesota we find there is no discrimination as to race, creed or color.

We inquired at the office of the Secretary of State. It was stated that no reports of discrimination have come to that office.

At a regular meeting of the Governor's Human Rights Commission, March 20, 1959, a motion was passed to the effect that to the knowledge of the members of the Commission there has been no discrimination in voting in Minnesota in recent years.

The Subcommittee on Voting felt that because there is a large Indian population in the State and a particular law pertaining to them, a special attempt should be made to discover if the right to vote had been denied anyone. We are pleased to report that there is no known discrimination among Indians. We are submitting a letter from the officers of the Minnesota Chippewa Tribe and a copy of a telegram reporting the action of the entire council of the tribe corroborating this statement.

Missouri



Missouri Advisory Committee

(First Meeting December 15, 1958)

Chairman:

REV. LEE F. SOXMAN, Rolla
Occupation: Pastor, First Methodist Church
Member, Missouri Commission on Human Rights

Secretary:

MRS. FRANKIE M. FREEMAN, St. Louis
Subcommittee: Housing
Occupation: Attorney
Associate General Counsel, St. Louis Housing Authority

DR. LORENZO J. GREENE, Jefferson City
Subcommittee: Education
Occupation: Professor, Lincoln University
Chairman, Human Rights Committee, Missouri Association for Social Welfare

ABE J. KAPLAN, Kansas City
Subcommittee: Voting
Occupation: President, Kaplan Fabrics
Chairman, Community Relations Bureau, Kansas City Jewish Foundation

DEAN J. NORMAN McDONOUGH, University City
Occupation: Dean and professor of law, St. Louis University

JOHN I. ROLLINGS, St. Louis
Subcommittee: Voting
Occupation: President, Missouri State Council, AFL-CIO

REV. ARNOLD A. WESSLER, St. Louis
Occupation: Lutheran clergyman
Editor, *The St. Louis Lutheran* and executive secretary of the Council of Lutheran Churches

Missouri Report

HOUSING

THE factual material contained in the responses received by the Committee indicates that racial and religious discrimination and segregation in housing exists in varying degrees in all sections of the State. In the city of St. Louis there is no segregation in low-rent public housing; units in any project are available to any eligible family without regard to race. In Kansas City the new low-rent housing project will be operated on an open occupancy pattern. A policy of racial segregation exists in other projects in the State.

With respect to the remainder of the housing market, restrictions are practiced in both the sale and rental of housing. Kansas City and St. Louis each report cases of discrimination against Jews in private housing sales and rentals. Negroes are generally excluded from suburban and other outlying residential districts and are concentrated mainly in the older and blighted areas in the center section of the cities.

The Federal Government, with funds, credits, and powers, has become involved in the planning, development, marketing, and management of dwellings. Through direct grants and subsidies, insurance and other guarantees, Federal assistance has become involved in a large part of the housing supply. The decision as to whether Negroes and other minorities receive the benefits of these programs is usually left to the discretion of the private developer, lender, or the local public agency.

If the national housing goal is to be achieved, the following is required:

(1) The Federal Government should declare its policy of a decent home and suitable living environment for every American family in a free and open housing market.

(2) Where Federal assistance is used, all housing should be available to all persons without regard to race, creed, color, or national origin.

(3) All Federal agencies charged with administering Federal assistance should assume the responsibility not only to adopt a policy of nondiscrimination, but to take such action as is necessary to enforce such policy.

(4) Contracts for Federal assistance between agencies of the Federal Government and developers, builders, and lenders and public

agencies should include nondiscrimination clauses with respect to sale, resale, leases and occupancy of the dwellings.

(5) Federal agencies should employ an adequate number of "technical assistants" who will be available for assistance to communities, investors, planning agencies, builders, and sellers in the early planning stages and throughout the program.

(6) The Commission on Civil Rights should be made a permanent agency of the Federal Government with powers and functions to include additional responsibilities in the field of housing. If this cannot be done, the President should appoint a committee, similar to the President's Committee on Government Contracts, to assure that benefits of all Federal housing laws are available to all persons on the same conditions and without regard to race, creed or color.

Mortgage financing in Kansas City and other sections of the State of Missouri is apparently not as favorable as in the St. Louis market. It will be noted that the Voluntary Home Mortgage Credit Program has been helpful in supplying mortgage financing in Kansas City as well as in the smaller communities of the State.

VOTING

It appears from the voting study questionnaires that voting procedures and opportunities are available to all citizens of Missouri regardless of race or creed.

EMPLOYMENT

Widespread discrimination against Negro workers obtains in Missouri. Nonwhite workers are not able to sell their labor freely on the open market. When employed, they are generally relegated to unskilled labor, domestic, or menial tasks. In 1950, of the 109,024 Negroes in the Missouri labor force, 59,081, or more than half, were in service employments. Another 18,088 were common laborers. Only 23,305 were connected with industry, and most of them were in unskilled jobs. Negro workers find it difficult to be upgraded on the job or to obtain white-collar-and-tie jobs.

In general they are also the first to be discharged during slack times. They thus constitute a greater proportion of jobless persons. In 1954 the unemployment rate of the Negro in St. Louis, according to Sobel, Hirsch, and Harris, stood at 15 percent, or more than two and a half times the rate for white workers.¹

Although these investigators noted some improvement in upgrading of Negro workers, they reported that labor unions discriminated against them. About one out of every four Negro workers stated

¹ Irving Sobel, Werner Hirsch, and Harry C. Harris, "The Negro in the St. Louis Economy." (St. Louis: The Urban League of St. Louis, Inc., 1954.)

that "their unions were doing nothing to upgrade or improve their status." The study showed that many nonwhite workers could not find jobs commensurate with their skills. Five out of ten Negroes with training as machine operators were currently employed in occupational classifications below their trained capacities. This reflects an economic and social waste which is evident in the income of the Negro in St. Louis. In 1950 the gross average yearly income for St. Louis Negro workers was only 58 percent of that of their local white coworkers. In 1957 a study by Sara Lee Boggs, of the Social Science Institute of Washington University, showed that 69.4 percent of the nonwhite workers in St. Louis had annual incomes below \$4,000. Twenty-nine percent received less than \$2,000. It can readily be seen that the St. Louis Negro, with an average family of 4.1 persons, is existing on a relatively low standard.

What is true for St. Louis applies to an even greater degree to the rest of Missouri.

The Missouri Human Rights Commission, in its first report (1958-59) to Governor Blair, stated:

Negroes are not employed on the basis of fitness and qualifications for existing jobs in private or state employment, but fill mostly menial and unskilled occupations. Equal opportunities are not given to Negroes for upgrading and promotions on the job and few Negroes hold positions above the unskilled labor level. Union membership is denied to a large segment of the Negro labor force.

PUBLIC ACCOMMODATIONS

Missouri hotels, restaurants, cafeterias, motels, and theaters generally are closed to Negroes. Only in St. Louis, Kansas City, Jefferson City, and Columbia can Negroes be accommodated in hotels. Downtown theaters in St. Louis and Kansas City are exceptions. So, too, are theaters in Jefferson City and several other communities. In many other theaters Negroes, if admitted, are segregated.

Discrimination also exists in recreational facilities, such as bowling alleys, skating rinks, swimming pools, and golf courses. Where the latter, however, are publicly owned or operated, they are open to Negroes or would be if the case were pressed.

EDUCATION

In all, data were received by questionnaire and by telephone from 100 districts, representing 59 counties. These districts embraced more than 310,764 school children. Of even greater significance was the fact that the data involved 91 percent of all the 77,000 Negroes estimated enrolled in Missouri schools in 1958-59.

Of the 100 districts reporting, 55 returned replies as to the year in which desegregation was begun or completed. Of these, 21 de-

segregated in 1954-55, 13 in 1955-56, 10 in 1956-57, 8 in 1957-58, and 3 in 1958-59.

But the vast majority of Negro pupils are still attending segregated schools. This anomalous situation is the direct result of residential segregation. So long as the denial of free choice in home buying and renting obtains, so long as the Negro ghetto exists, just so long will integration in the schools remain a mockery. Thus, despite the much vaunted claims of complete integration in Kansas City and St. Louis—admirable as are their achievements thus far—high schools like Vashon and Sumner and Banneker elementary in St. Louis remain as segregated as before integration started.

Desegregation, in the main, has brought a reduction in education costs. In fact, almost 60 percent of the school officials reporting claimed that school expenses had dropped since desegregation. Only 24 reported no decrease in school costs and 24 did not answer.

Desegregation in the State has resulted in a decrease of Negro teachers. Of 82 officials reporting, 46 or about 56 percent admitted they had dropped Negro teachers upon desegregating their schools. Thirty-six or 44 percent reported they had not reduced the number of Negro teachers. Eighteen did not answer. The greatest mortality was probably in rural or semirural areas with one or two Negro teachers. Here the loss of Negro teachers reached 100 percent.

If the displaced teachers from former all-Negro schools could have been absorbed in mixed schools, the problem would have been minimized, if not wholly solved. But the query as to whether Negro teachers are employed in predominantly white schools blasted this possibility. Fifty-eight, or more than four-fifths of the districts reporting, did not have Negro teachers in mixed schools.

The overwhelming number of officials replying stated that desegregation was complete. In other words, they indicated that buses, school lunchrooms, playgrounds, athletic programs, special interest groups (such as glee clubs, debating clubs) and school social programs were all open to Negroes. One replied "yes" and "no." But 72 out of 77 replying stated that all school activities were open to all students.

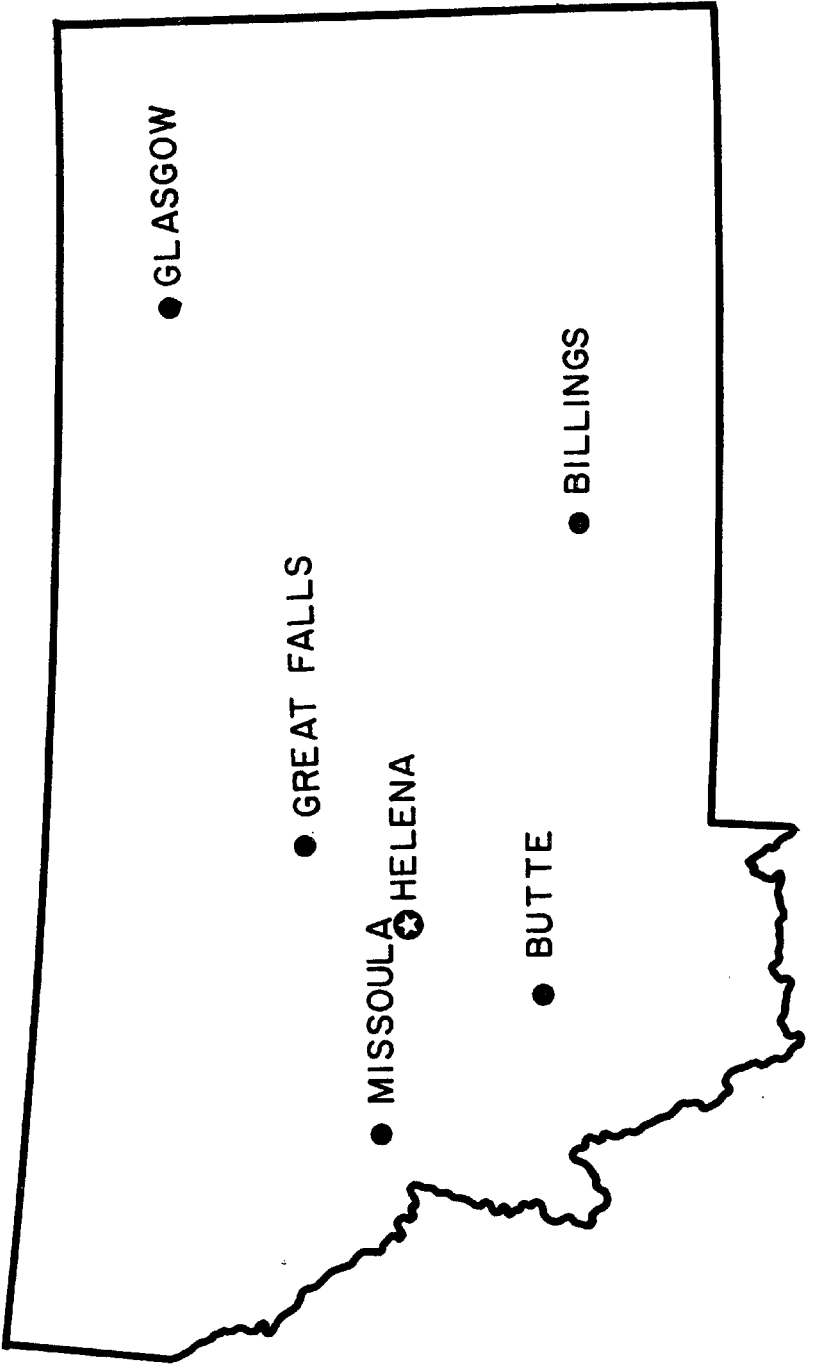
Missouri's publicly supported institutions of higher learning, like its elementary and secondary schools, were all segregated when the Supreme Court handed down its epoch-making decision of May 17, 1954. The net effect of the Supreme Court's ruling was to invalidate Missouri's long-standing policy of excluding Negro students from institutions of higher learning by constitutional provisions.

In all the 11 public colleges reporting, the student body is representative of both races. While at least one Negro is represented in each formerly white college, white students comprise a large propor-

tion of the Lincoln University student body, which in May 1954 was entirely Negro.

Teacher integration in public institutions of higher learning has lagged far behind the mixing of faculties in the elementary and high schools. In only two public colleges or universities are members of both races employed as regular staff members. These are Harris Teachers College and Lincoln University.

Montana



Montana Advisory Committee

(First meeting November 25, 1958)

Chairman:

DEAN ROBERT E. SULLIVAN, Missoula
Occupation: Dean, Montana State
University Law School

Vice Chairman:

STEPHEN C. DEMERS, Butte
Occupation: Manager, land department,
Montana Power Company
Member, Montana Inter-Tribal Policy
Board; vice president, Montana
Committee on Human
Relations

Secretary:

T. MARK RADCLIFFE, Helena
Occupation: Administrator, airport
division, Montana Aeronautics
Commission
THOMAS J. HOCKING, Glasgow
Occupation: Owner of the Glasgow
Office Supply
Former publisher, *Glasgow Courier*
ARTHUR F. LAMEY, Billings
Occupation: Attorney
Former president, Yellowstone
County Bar Association
Committee Study Topics: Education,
Housing, and Voting

Montana Report

INDIANS AND CIVIL RIGHTS

IN ORDER to have a full hearing on actual or threatened discrimination against Indians, the committee scheduled a meeting with the Intertribal Policy Board on January 22, 1959. Present at the meeting were representatives of six of the seven member tribes, namely, the Blackfeet, Fort Belknap, North Cheyenne, Crow, Fort Peck and Flathead. The Landless Indians, Incorporated, were not represented but submitted their report.

Several problems were discussed, including housing on and off reservations, county relief, disposition of surplus commodities, voting rights, employment on the reservation and off the reservation, attraction of industry to reservations, personnel relocation, Indian labor on State and Federal projects when located on reservations, increase in public health funds, and education. At the conclusion of the meeting, a request was made of each tribal council chairman to submit detailed information to the Committee for their further consideration. A questionnaire was prepared, dealing largely with economic and educational matters rather than civil rights matters, and was distributed to the various council members. Only one reply was received.

It was the conclusion of the Inter-Tribal Policy Board that there had been too much paternalism by the Bureau of Indian Affairs in the administration of the needs of the Montana Indian. As to voting, it was the consensus of the council that there was no problem of discrimination. As to housing, the attention of the Committee was called to various volumes of the Congressional Record and reports contained therein outlining the plight of the Indian, both on and off the reservation.

In the matter of hospitalization, it was suggested that an attempt be made to get eligibility requirements lowered by the Public Health Service to the end that hospital services would be more readily available to Indians who are temporarily off the reservation, or who leave the reservation and seek medical assistance at various places where they may be located.

In the matter of Public Welfare, the concern of the Council is not so much with discrimination but with intimidation on the local level and a buck-passing technique which is not limited to the Indians but appears to be administered impartially among all people

who apply for welfare payments and who are not unquestionably charges of the county wherein the request is made.

In the matter of employment, there was no objection to employment practices in this State with the possible exception of opportunities with Federal and State agencies where the work being done is on reservation land. It was pointed out by one member of the Inter-Tribal Council that the failure of Indians to secure better employment opportunities on these projects is due in great measure to their failure to insist that they be given preferential consideration. It is also due to the fact that the Indian, as a class, is not too reliable and therefore is not a good employment risk.

In the matter of unemployment compensation benefits, there is no evidence of discrimination as such, but numerous instances of local intimidation and buck-passing to other welfare agencies were cited.

In the matter of education, it was the consensus of the Inter-Tribal Policy Board that there is no discrimination at the elementary and secondary level. It was pointed out that there was a great need for scholarships to colleges, although, upon investigation, it was determined that there are more scholarships available numerically for the Indians than for any other racial or religious group and that attempts are being made to expand this particular program.

In the matter of housing, it was pointed out that housing conditions on the reservation were quite bad, but that even if housing developments were provided, it was questionable whether the Indian would care for them, so that in a period of time the new houses, thus provided, would deteriorate to much the same status as their present abodes. Suggestions for remedial action included the authorization of Federal loans to the tribes which in turn would administer a loan program, similar to that under the FHA. A request for consideration of an urban blight removal program was also made. The only question of discrimination in housing arose in the matter of FHA loans on reservation property. It was pointed out that it is not so much a matter of racial discrimination as economic necessity because the Indian applicant, as a rule, cannot provide the assurance and proof of financial responsibility which would justify a loan in the first instance. The matter of reservation land being trust property had not been a matter of major concern where financial responsibility could be shown by the Indian applicant.

The Montana Advisory Committee then met on February 26 to discuss the findings and recommendations made at the meeting of the Inter-Tribal Policy Board. It was the conclusion of the Montana Advisory Committee that even though there have been sporadic instances of discrimination, they have been due more to intimidation on a local level rather than a continuing general policy. It was

felt that the Indian has been treated quite fairly in his associations with whites and that a large part of the problem lies in educating the Indian to his responsibilities and attempting to have him assume these responsibilities.

HOUSING

Harry O. Duell, State director of the Federal Housing Administration, reported to the Advisory Committee as follows:

"Excepting for the Indians, the great majority of whom live on reservations, we do not have people who are generally classed as a minority group. As you know, there are very few people of the Negro or the Oriental race in Montana. In fact, you could almost say that all our people are of the Caucasian race. It is true that in the Caucasian race there are families who have difficulty in providing for themselves what many of us would call decent housing. While not always, sometimes I believe at least some families contribute to their condition because of habits and lack of enterprise.

"You are probably aware that enabling legislation must be passed before city and county governing bodies can participate in the urban renewal program. Our urban centers are relatively small. They are also relatively new when compared with urban centers in some other parts of the United States. It follows then that our blighted areas, if they can be called such, are very small. Nearly all our towns of any size, and particularly the larger ones, do have areas that need and probably should improve their standard of housing. During the past 2 or 3 years it has come to my attention that there are foresighted persons who have been thinking about and bringing this problem to the attention of the governing bodies and citizens in at least some of the larger towns.

"To my knowledge only one community, Great Falls, has actually engaged in setting up a rehabilitation program consisting of an estimated 100 units. This community is also considering sponsoring a low-rental project under the PHA. I understand it will add some 200 units to its present project. People in one or two other large towns have also been investigating the possibilities of rehabilitation.

"I know of no State or local laws requiring segregation in housing. To my knowledge I know of no case where the lending institutions or the people have discriminated against people who are not of the Caucasian race, neither has the Federal Housing Administration. I believe these people are measured by the same measuring stick as those of the Caucasian race.

"As to the Indians and because they are generally considered wards of the Government with rules, regulations, and laws which pertain

to them, the matter of supplying housing by private capital becomes very complicated, if not impossible."

MIGRATORY LABOR

Chadwick H. Smith, chairman of the Unemployment Compensation Commission of Montana, reported to the Advisory Committee as follows:

"I know of no cases wherein the civil rights of migratory laborers have been violated or disregarded in Montana within recent years.

"In Montana, we recognize two distinct migratory types. One, the skilled agricultural laborer, single or moving without his family, who is hired either on the basis of his ability to perform the highly mechanized tasks on the small grain farm, or for his specialized skills in the handling of livestock. These workers normally live with, or very close to, the farm family. The wages offered such workers compare favorably with scales for similar work anywhere in the country, and working and living conditions are equal to those of the farm operator himself.

"The second type, that which is usually intended in the term 'migratory labor,' consists of family groups or crews of Latin-Americans from Texas and Arizona who perform agricultural stoop labor. These workers travel by automobile or truck, are generally housed but not boarded, and work on a piecework or production basis.

"The season of employment of such migrants is from the middle of May to the end of July with the bulk of the arrivals approximately the first of June. The largest number of such workers schedule Montana as a first State of employment, leaving their home areas at about the end of the school term, or at least arriving in Montana after closure of most schools in the areas of employment. In 1958, there were 748 children under 16 accompanying the workers who in-migrated, but I believe that we can safely assume that the children who had been attending school were able to substantially complete school terms in their home areas.

"Housing furnished to these workers is generally adequate. The Montana State Employment Service has in the past 2 years inspected about 95 percent of the housing units which migrants occupy and has excellent cooperation from most operators in bringing it up to minimum standards. This must be a cooperative effort as this agency has no enforcement powers with respect to housing for domestic migrants, but operators using Mexican workers cannot contract for such help until Federal standards are met.

"The President's Committee on Migratory Labor has urged adoption of definite standards of housing by the various States, but such recommendations are aimed primarily at camps for large groups.

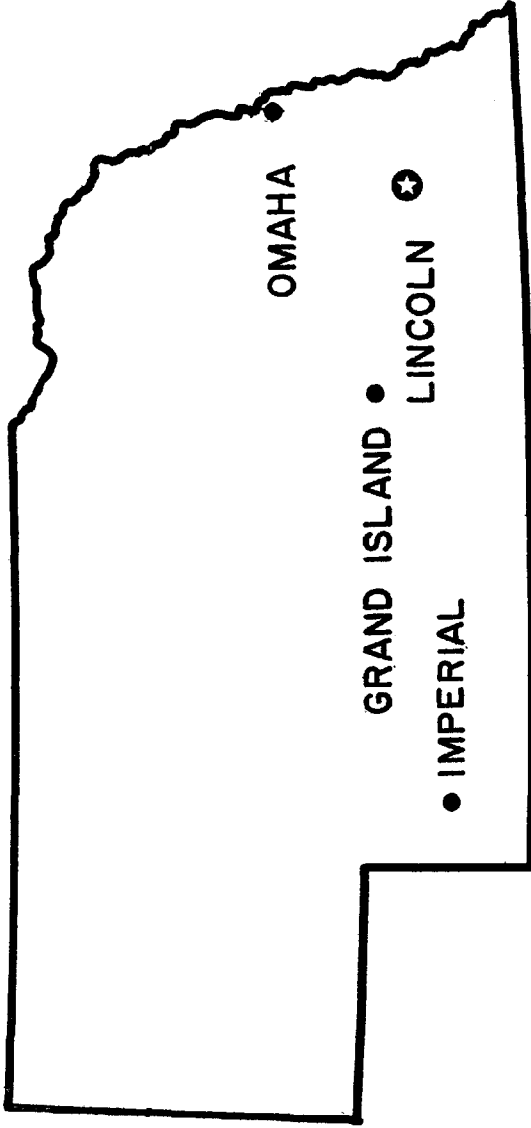
Montana farms have crews of from 2 to 20 workers so that "on farm" housing is the most practical approach. Since such housing is only used for 6 weeks to 2 months each year, such standards would require an extremely careful consideration to avoid unwarranted financial burden on the farm operator.

"During 1958, the Employment Service nationwide took a hard look at the importation of Mexican nationals and held firm that employers must offer domestic migrants no less favorable conditions than are offered to Mexican nationals. This included remuneration for travel from point of hire, occupational and nonoccupational insurance coverage, and piecework rates at least equal to a rate set by the USDA with the right to renegotiate the piece rate for particularly difficult work, and a minimum hourly rate if the work accomplished at piece rate did not equal the hourly rate. Whether such arrangements will be continued is unknown at present. The insurance provisions are especially worthwhile."

CONCLUSION

It was the conclusion of the Montana Advisory Committee that no civil rights problems exist in the State of Montana. Although there have been sporadic instances of activity that could be regarded as discriminatory, they have been so isolated and so sporadic that they constitute no problem.

Nebraska



• OMAHA

• GRAND ISLAND

• IMPERIAL

• LINCOLN

Nebraska Advisory Committee

(First meeting November 26, 1958)

Chairman:

MRS. HAROLD A. PRINCE, Grand Island

Occupation: Housewife

Former president, Nebraska League of Women Voters; former chairman, Nebraska Board of Control

Vice Chairman and Secretary:

HARRY B. COHEN, Omaha

Occupation: Attorney

Former president, Omaha Bar Association; member, Omaha Board, Anti-Defamation League of B'nai B'rith

REV. HENRY W. CASPER, S.J., Omaha

Occupation: Catholic priest and associate professor of history
Former dean of Graduate School, Creighton University

NEIL B. DANBERG, Omaha

Occupation: Director, City of Omaha Human Relations Commission

Nebraska regional director, National Conference of Christians and Jews

MRS. MORRIS C. LEONARD, Lincoln

Occupation: Instructor, University of Nebraska

Former State president, Nebraska United Church Women

DR. FAY SMITH, Imperial

Occupation: Physician and surgeon
President, Nebraska State Medical Association

ROY M. WHITE, Omaha

Occupation: Chemist, State Department of Agriculture

Committee Study Topics: Education, Housing, and Voting

Nebraska Report

HOUSING

AT THE OUTSET it should be stated that it was the consensus of the entire Housing Subcommittee that it would be extremely difficult, if not impossible, to give anything like scientific certitude to the statements made in answer to the Commission questionnaire. Problems attending the questions raised are so multiple and complex that it is possible in most instances to submit at best considered opinions, mature judgments, and reasoned estimates. But it is morally impossible to provide mathematically precise answers because of the complex factors which enter into a situation of inadequate and substandard housing which may not always be the result of discrimination.

At the same time, no member of the subcommittee denied that discrimination did operate as a factor, and at times an important factor, in the matter of inadequate and substandard housing in the State of Nebraska insofar as three minority groups were chiefly affected, viz., the Negro, the Indian, and the Mexican. The degree and extent of discrimination is difficult to establish in the absence of a scientific and comprehensive survey. The problem as it affects the Negro is confined to Omaha, and to a lesser extent the Lincoln area. In the Omaha area the Indian, together with the Oriental and the Mexican, similarly experiences difficulty in enjoying housing with reasonable standards of adequacy and decency. Based on a general knowledge of conditions and not on any statistical study, it has been estimated that in Omaha 50 percent of the Negro population live in substandard housing; 90 percent of the Indian population are similarly housed; and no estimate is offered for the Oriental or the Mexican population.

There does exist a difference in both quantity and quality between housing available to white groups and what is available to minority groups. The white population today in the Omaha area enjoys adequate and decent housing opportunities in both the purchasing and rental categories. On the other hand, there is a serious shortage of housing, especially in the rental category, for minority groups. While new housing available to the white population is ample, that available to the Negro and the Indian is practically nonexistent.

Certain facts with reference to the extent to which the Negro minority group in the Omaha area has shared in new housing units

sold or rented in recent years are available and are as follows: Negroes have not generally shared in new housing that has been built and offered for sale in the past 3 years, 1956-59. Prior to that time, however, several persons have attempted to build for this segment of the population. Beginning in 1949, about 40 homes in the \$8,000 to \$11,500 class were built by developers, and not more than 12 other homes were built independently by individual Negroes. With reference to new rental units built in the area, it is to be stated that the only ones available to Negroes are the Federal Housing projects: Fontenelle Homes (1937), South Side Terrace (1940), Fontenelle Addition (1941), Spencer Homes (1952), Hilltop Homes (1952), Pleasant View (1953). The total number of living units in all of the above projects is 1,784. The average occupancy is 3.9 persons per unit which totals 6,957 occupants. Sixty percent or 4,174 of these occupants are Negroes. Other than the rental units referred to here, there are no new rental units available to Negroes.

The second area in Nebraska in which Negroes constitute any appreciable fraction of the total population is Lincoln. Experiences in this area are comparable to those in the Omaha area. The percentage of this minority group in substandard housing is markedly greater than that of the general population. It has been alleged, and with reasonable basis in fact, that whereas too many whites live in substandard housing, this circumstance is almost completely explained by the factors of poverty and ignorance. While Negroes may share to a large extent in the poverty and ignorance characteristic of this segment of the white population, there are instances in which poverty and ignorance do not explain their inability to obtain for themselves adequate and standard housing.

In order to substantiate this last statement, the following instances will serve to illustrate: (1) The director of the Community Center, together with his wife, both college-educated persons, of excellent reputation, and personally competent to pay a monthly rental of \$85 were unable to find suitable housing for themselves; (2) A Negro doctor, serving on the staff of the Veterans' Hospital, Lincoln, was unable to obtain suitable housing; (3) Negro airmen, attached to the Lincoln air base, were obliged to ask for transfers because they were not able to find adequate and decent housing for their families. In one instance, the landlord returned money paid in advance saying that other families in the apartment house in question had protested against renting a unit to a colored airman.

Older houses in the Lincoln area are frequently the only ones within the price range of Negroes; even these are not available to them except in certain dilapidated areas, and uniformly the purchase price and rental rates are increased. By way of something of a gesture on the part of builders, a few new houses, not more than

two or three in any calendar year, situated in less desirable neighborhoods, have been made available to Negroes.

Data concerning the experiences of the Indian, the Mexican, and the Oriental are not available at the present time. There are sizable groups of both Indians and Mexicans living within the confines of the State. The former live for the most part on Indian reservations. The Mexicans are imported into the State to perform agricultural work in its western part and in particular in the area about Scotts-bluff. The Nebraska director of employment security stated that discrimination in the area of housing does operate against these groups.

The difficulties of members of minority groups in finding decent, safe, and sanitary housing are best summarized for the Omaha area by a report of the executive secretary of the Urban League of Omaha, based on the decennial census reports of 1950: the census tracts where Negroes are most heavily concentrated have a high correlation of substandard housing.

Tract No.	Total population	Nonwhite population	Housing units	Substandard units
10.....	781	634	779	217
11.....	1,195	1,157	1,200	516
12.....	1,077	680	1,076	361
15.....	740	488	663	320

Substandard is here interpreted to mean having no private bath or being dilapidated. Summarizing, we find that a total of 2,959 nonwhites out of a total population of 3,688 reporting live in an area where nearly 40 percent of the dwelling units are substandard. We repeat that these figures are based on the census taken almost 10 years ago.

Since that time, nonwhites have moved into other census tracts. They now constitute a majority of the population, in addition, in tracts 7, 8, 9, 13, and 14. In these areas, e.g. tracts 7 and 8, situated on the north of the nonwhite district, we find a higher percentage of better type house. In tract seven, 227 houses out of 1,209 were substandard; and in tract eight, 191 houses out of 1,358 were substandard. The rate for the city as a whole was 16.6 percent substandard housing, appreciably lower than was the case in the heavily nonwhite populated area. In tracts 13 and 14 conditions were worse than in tracts 7 and 8. In tract thirteen, 276 houses out of 984, and in tract fourteen, 238 houses out of 511 were substandard. In tract 17 where the largest concentration of Indian population is to be found, 1,082 housing units out of a total of 1,708 were substandard. This latter tract is largely a roominghouse district. Therefore, in

tracts 7 through 14 and in tract 17, there were out of a total of 10,790 housing units 3,787, or 35 percent, which were substandard. With the exception of public housing, all the first class and better apartment houses were still occupied by whites. It follows then that more than 35 percent of the substandard units were occupied by nonwhites. Further, whereas in these tracts there were an average of 34.9 persons per acre, and 13 per acre in the city as a whole, increased density accentuates the percentage of nonwhite groups living in substandard housing.

In conclusion to this part of the report, which attempts to present a picture of minority housing in the State, it may be stated that although minority group housing is changing toward lessened segregation, this change is slight, so slight that it does not alter to any appreciable degree the seriousness of the situation. As a matter of fact, insofar as relates to Omaha, Negroes are more concentrated into one or two areas than was the case more than 40 years ago when they were to be found living scattered in various sections of the city.

Until the current shortage of mortgage money, FHA and GI loans have been available in the better (nonslum) Negro neighborhoods, in racially mixed and open occupancy areas. As to the availability of mortgage funds for building by nonwhite groups in white areas, it is stated that there has not been sufficient demand from members of minority groups to determine the attitude of mortgage financiers. But house builders in any event have not built for Negroes as a whole (1) for lack of available financing and (2) for fear of stepping on toes of various people.

The Omaha Real Estate Board does not today include any member of a racial minority group, i.e. nonwhite group. In the Lincoln area, although no member of a minority group has been a member of the real estate board, certain real estate brokers who are members have likewise been members of interracial committees discussing the problems of housing.

Admittedly there is a correlation between substandard housing, as it is found in the Omaha area, and various forms of social disorder, e.g. crime, juvenile delinquency, disease, etc. But to admit the correlation is not necessarily to say: (1) that there is a causal connection between discrimination and all existing social disorders; and (2) that substandard housing itself is in all instances the cause of crime, disease, juvenile delinquency. The problems of social maladjustment are too complex and involved to relate them specifically to any single factor or set of circumstances.

Although there are no areas in Omaha where nonwhite groups are totally segregated, a study of selected characteristics of committed juvenile delinquents for the calendar years 1955 and 1956 does reveal significantly higher correlations in the census tracts where there

live higher percentages of minority groups and where there is to be found a larger proportion of substandard and inadequate housing. Apparently the Lincoln area has different findings to report. It is stated that there is very little delinquency to be found there among Negro children. Similarly there is more crime and delinquency among white children in comparable economic circumstances.

Public housing in both Omaha and Lincoln is available on a non-segregated basis, and rates of social disorder and evidences of maladjustment are high in the housing projects and their immediate vicinities. There are no data available to support the generalization that better housing as such and in itself has had any effect on requirements for community welfare, nor that integrated housing has either increased or decreased crime and delinquency rates, or the incidence of disease. These social conditions have too many causative factors, including cultural background, moral standards, economic well-being, educational levels, to justify any firm conclusion with respect to housing per se. It is clear that improved housing alone does not and will not provide an adequate remedy for these social disorders.

It appears that the Federal Government alone has attempted to do something effective in the matter of housing to solve the problems described thus far. The single exception to the above statement seems to be the attempt of the State of Nebraska to do something for Mexican nationals brought into the State as agricultural workers. Although the Federal Government has established housing standards for these migratory workers and the Department of Labor has been charged with the responsibility to inspect twice each year and enforce these standards, the standards so established did not cover those Mexican migratory workers who had become citizens of the United States. The Nebraska director of employment security repeatedly received complaints about substandard and unsanitary housing as it related to this latter group, and there appeared to be no agency of government at any level with authority to remedy the situation.

Governor Robert Crosby, of Nebraska, in 1954, was the first to manifest a genuine interest in the problem. He appointed a statewide committee which after study reported that discrimination was most pronounced in the areas of housing and employment: "Racial minorities face residential segregation in its most rigid form, and it is buttressed and supported by restrictive covenants." The report added: "We have discovered that farmers of minority races find it difficult to buy land on which to farm." However, there was no follow-up on the committee report. The mayors of Omaha and Lincoln have at different times appointed Committees on Human

Relations, charged with the responsibility to make factfinding surveys.

On the other hand, the Federal Government has to its credit several projects which have for their purpose to make better and non-discriminatory housing available to minority groups. Public housing is all rented on an open occupancy nonsegregated basis. The city of Omaha itself has unfortunately rejected an urban renewal project at least temporarily. FHA and VA have approved loans to Negroes without discrimination, and in general increased the supply of housing. State and local laws in no instance require segregation. Similarly there are no laws which prohibit discrimination.

EDUCATION

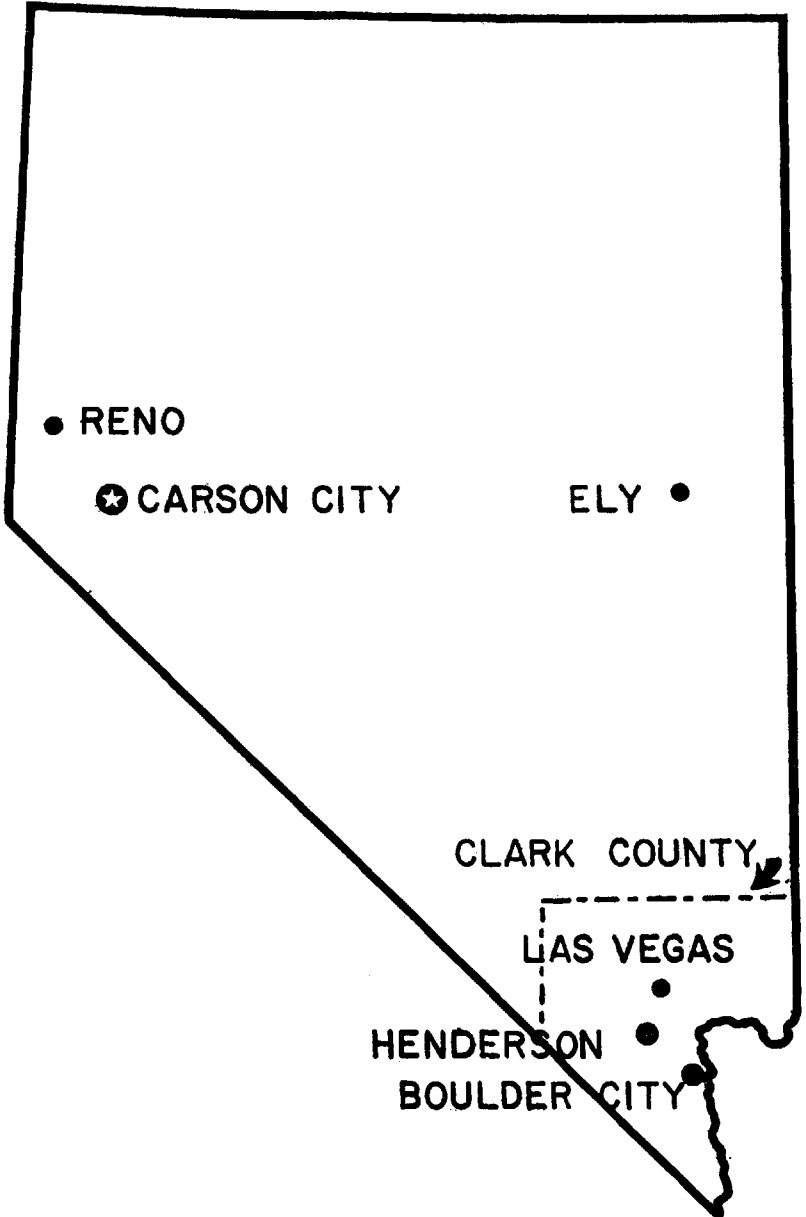
The following statement was submitted to the Advisory Committee by F. B. Decker, State Commissioner of Education.

Nebraska can be proud of the fact that at no time has there been any discrimination in its public schools as it relates to color, race, or creed of a student. Our State-supported colleges ask no questions concerning the color, race, or creed of any enrollee. Our public elementary and secondary schools asks no such questions and keep no record of the numbers of students classified according to color, race, or creed.

Our State law provides that teachers making application for teaching positions shall be asked no questions concerning their religion, and I know of no school that has on its application forms for teachers any reference to color, race, or creed. There is absolutely no segregation of any kind practiced in our schools, and there are no restrictions of any kind that I know of that would prevent a teacher, other than a white person, from teaching in our schools.

The State Department of Education keeps a complete record of the number of enrollees in our public and private elementary and secondary schools, and in no instance is any reference made to the color, race, or creed of these enrollees.

Nevada



Nevada Advisory Committee

(First meeting November 23, 1958)

Chairman:

WILLIAM P. HORGAN, Reno

Subcommittee: Voting

Occupation: Retail hardware merchant

President, Reno Chamber of Commerce

Vice Chairman and Secretary:

MRS. LILLIAN COLLINS, Boulder City

Occupation: Real estate broker and insurance agent

Former president, Boulder City Women's Club; Vice President, Las Vegas Insurance Women

WENDELL BUNKER, Las Vegas

Occupation: Real estate broker

Former Las Vegas City Commissioner

ELWIN A. ROBISON, Ely

Occupation: Co-owner, Nevada Truck Line Company

Director, Nevada Trucking Association

WOODROW WILSON, Las Vegas

Subcommittee: Education

Occupation: Treasurer, West Side Federal Credit Union

Executive Board, Las Vegas Chapter, National Association for the Advancement of Colored People

Committee Study Topics: Employment, Housing, Migratory Workers, and Public Accommodations

Nevada Report

HOUSING

Las Vegas

IT CAN BE considered that the situation in Las Vegas is typical of Clark County. It is a fact that the majority of the nonwhite population, in Clark County, lives in Las Vegas. The only notable exception is a small group of nonwhites that occupy public housing operated by the Clark County Housing Authority in Henderson, Nev.

Housing in Las Vegas is segregated. There does not appear to be a conspiracy to segregate Las Vegas, but it is a "matter of custom." Las Vegas contains about 20 percent nonwhite population. This group is concentrated within an area known as Westside and is housed in approximately 15 percent of the dwelling units available in Las Vegas. Fewer dwelling units may be needed because of the typically larger-sized families. However, it is believed that there will still be an overcrowding of families into this restricted area.

The condition of the housing in this area is below that of the rest of the city of Las Vegas. Approximately 22 percent of the housing currently available to white families is substandard whereas approximately 55 percent of that available to nonwhite families is substandard. The percent of available vacancies for both groups is about the same. The rate of new construction for nonwhite families is substantially below that of construction for white families. Tract housing for nonwhite families is approximately 5 percent of the new dwelling unit construction.

Home financing for nonwhites is difficult to obtain in Las Vegas. Lending institutions in Las Vegas are currently charging approximately 5 percent discount to make an FHA loan. Mortgage financing for minority home buyers is readily available, but ranges as high as a 10 percent discount and 12 percent interest.

In the Las Vegas phone book there are 70 real estate firms listed. There is one minority-group real estate broker.

There is a correlation between bad housing or segregation and community problems. The Westside area contains approximately 20 percent of the population of the city of Las Vegas. It contains 30 percent of the claimants on the Nevada Industrial Commission (unemployment), gets 30 percent of American Red Cross funds and 44 percent of public assistance funds (includes old age assistance, aid to the blind, aid to dependent children, etc.), contains 55 percent

of the public assistance recipients, gets 70 percent of the Lions Club charitable program and has 78 percent of the deaths from fire. In the Westside area the fire department spends \$80,000 of their budget and the Police Department spends \$100,000 of their budget. It is impossible to estimate how many other dollars are spent by other city departments within this area. The city of Las Vegas receives from real estate and personal property taxes within the Westside area \$43,000.

The segregated housing pattern results in segregated elementary schools. The city's junior and senior high schools are integrated.

The local government of the city of Las Vegas, the City Planning Commission and the State Planning Commission have taken no steps to integrate or segregate housing.

The city of Las Vegas Housing Authority has maintained the policy of segregation, in some of the Authority's projects. This is done as they feel that integration of all their projects would be dangerous to the program as a whole.

The Department of Planning of the city of Las Vegas and the Urban Renewal Division have been working constantly to provide decent, safe, and sanitary housing. It is also the feeling of the personnel of this division that segregation and discrimination against nonwhite groups for housing accommodations can and must be eliminated eventually, but that any attempt to achieve complete integration of new housing at this time, will undoubtedly bring to the forefront extremely difficult problems, which are likely to prove fatal to any urban renewal program. The goals of the program are of course equal housing and the removal of the slum conditions both for white and nonwhite groups.

Reno and vicinity

Although there are no reliable statistics, as evidenced by the variety of answers received to this question from independent sources, there is no doubt that the percentage of members in minority groups in substandard housing is substantial. The low estimate from independent sources (35 percent, estimated by an independent realtor) is a minimum figure, and was probably arrived at without taking into consideration the Indian people who constitute Nevada's chief minority group. Throughout the State, it is estimated in most counties that 40 to 100 percent of minority group members are in substandard housing—the Indians usually in a one or two-room cabin without bathroom.

Minority groups have participated in new housing units sold or rented in recent years only to a limited extent—certainly not nearly in the same proportion as the general white population.

What little new private housing in recent years has been intended for racial minority groups has been of a minimum type, and largely confined to areas where minority groups now predominate.

Housing builders and real estate brokers have quite generally avoided selling to members of minority groups in developments intended for the general market.

Mortgage financing is not as available to members of minority groups as to others.

There are no members of minority groups on local real estate boards.

As areas have become old and dilapidated they have become available to members of minority groups, with the result that such areas tend to become at least partially segregated.

There is no evidence of any substantial change in the pattern of segregation, except such as may develop from public housing units now under construction and from urban renewal which is now in the planning stage. It is too early to evaluate their effects.

There is little correlation between bad housing and community problems in the fields of crime and juvenile delinquency. The committee has been unable to determine the amount of correlation in the field of disease. Segregated housing patterns have not resulted in segregated schools because the segregated areas are not sufficiently large to constitute complete school districts. There has been no effort on the part of school authorities to promote segregation of any kind.

There are 150 units of public housing for low-income groups now under construction. This will be nonsegregated. Planning on the urban renewal project is now under way. There have been no other serious efforts by governmental units or public agencies to accomplish decent, safe and sanitary housing.

EMPLOYMENT

This report is confined to Clark County, in southern Nevada. The Committee sent a total of 22 letters to various types of businesses in Clark County, and received five written responses. These companies reported that they hire employees without regard to race, creed, or color.

The committee also received an oral, telephonic response, from a representative of the Federated Employer's Group of Southern Nevada, who said that all members of his organization comply with the provisions of the Walsh-Healy Act.

The committee accepts the responses as generally correct. However, the committee believes there are exceptions to the generally nondiscriminatory impression that is created.

PUBLIC ACCOMMODATIONS

This report is confined to restaurants and hotels and motels, which the committee has agreed to accept as equivalent to public accommodations for the purposes of this report.

The report is further confined to the two areas of Las Vegas and vicinity, and Reno and vicinity. These are the only two areas of substantial population in the State of Nevada, and seem to be the areas of major problems in the general field of denial of civil rights. There is little or no discrimination against members of minority groups in the other, sparsely-populated sections of the State.

No statistical analysis was undertaken in the field of public accommodations by the committee, nor was one necessary. The basic situation in this respect is not seriously disputed by any competent local authorities.

Las Vegas and Reno, as is well known, are communities largely geared to a tourist economy, and have consequently a relatively large proportion of public accommodations. These range from well-known, luxury-type establishments through middle class to definitely second rate.

None of the better class establishments welcome Negroes or Indians, and comparatively few of the middle class establishments welcome them. There are very few establishments that would create an issue by a direct refusal to serve Negroes or Indians that might come in. However, they do try to discourage this type of patronage, and they do quietly let such patrons know that they are not welcome and are requested not to return.

Reno has one section of its business area which is run-down, dilapidated, on the fringe of the main business area, and which is relatively concentrated, where members of minority groups are welcome in public accommodations. Las Vegas, likewise, has second-rate accommodations that cater to minority groups.

One gambling establishment located in the Reno area mentioned in the preceding paragraph, which is the largest gambling establishment in Reno which caters to minority groups, made a recent survey of motels. They sent a letter to each of the 116 motels with Reno phone numbers listed in the current Bell Telephone Company of Nevada directory. The response was approximately 15 percent and only four motels responded "yes" to the question "Do you accept Negroes as guests?"

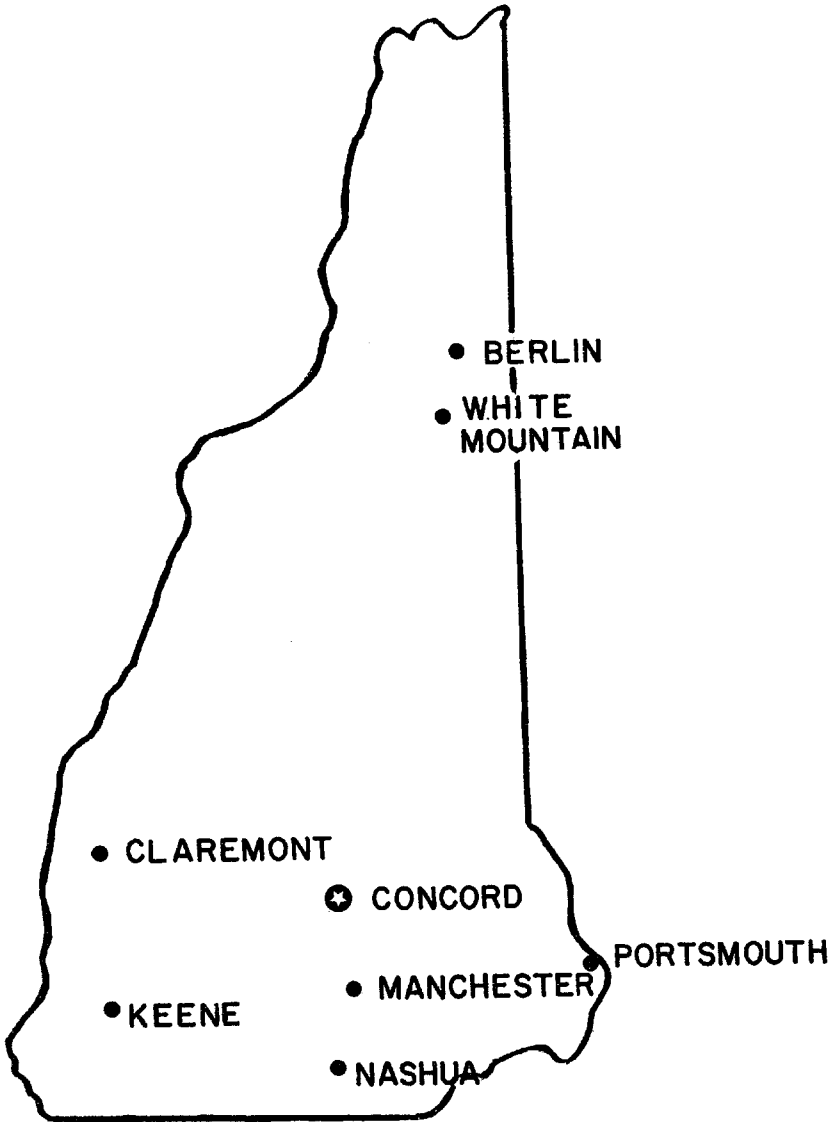
It is the committee's conclusion that there is general discrimination against minority groups in the Las Vegas and Reno areas in the field of public accommodations.

There is one factor which might help to improve this discrimination in the immediate future. Las Vegas will complete during

March or April of 1959 a multimillion-dollar convention facility which is being financed by a county bond issue, and which will be a substantial asset in promoting group tourist business into the area. The authorities in charge of this convention facility are aware that many of the substantial groups which they expect to solicit for convention business in the future will have Negroes among the convention delegates. The authorities in charge of this convention facility have consequently made inquiries of the managements of the luxury establishments in the public accommodations field in the Las Vegas area, as to whether such establishments will accept Negroes as guests when they are booked as delegates to conventions. The managements of the establishments have unanimously answered that they will accept Negroes in this circumstance.

A movement is under way currently in Reno to construct a similar facility to service conventions. It is too early to know the reaction of the Reno public accommodations facilities to the prospect of Negro convention delegates as guests, but it is a reasonable expectation that they will be similar to those of Las Vegas.

New Hampshire



New Hampshire Advisory Committee

(First meeting September 3, 1958)

Chairman:

RICHARD F. UPTON, Concord

Occupation: Attorney

Former Speaker of New Hampshire House of Representatives; member, Commission on Interstate Cooperation

Vice Chairman and Secretary:

MRS. HARRIET KNOX ELLIS, Keene

Occupation: Housewife

President, Associated Women of New Hampshire Farm Bureau Federation; member, New Hampshire Advisory Board of American Baptist Women

EARL BOURDON, Claremont

Occupation: Staff Representative, United Steelworkers of America
Member, New Hampshire Committee for Equal Rights

CHANNING EVANS, Berlin

Occupation: Proprietor, Evans Department Store

Former president, Berlin B'nai B'rith Lodge No. 959; former president, Berlin Chamber of Commerce

PHILIP DEGASPE LABOMBARDE, Nashua

Occupation: Chief Engineer and Treasurer, the International Paper Box Machine Company

Former wing commander, New Hampshire Wing, Civil Air Patrol

VERY REV. MSGR. JAMES R. MCGREAL, Manchester

Occupation: Catholic clergyman
Director, New Hampshire Catholic Charities, Inc

Committee Study Topics: Education, Employment, Housing, Local Administration of Justice, Migratory Workers, Public Accommodations and Voting

New Hampshire Report

PUBLIC ACCOMMODATIONS

THE PROBLEM in New Hampshire divides itself into two parts, the ordinary commercial hotel or motel, and the resort hotel or motel. New Hampshire is a recreational State, heavily dependent on tourism and the patronage of vacationists from other States; and the principal areas of summer resorts are the seacoast area, the lakes region, and the White Mountains. The White Mountain region is also the location of an increasing winter vacation business, as a center of winter sports.

The common law of New Hampshire regarding the obligations of the proprietor of a place of public accommodation is probably the same as elsewhere in common law States. These obligations stem from the early view of a public innkeeper as a species of public utility, like a common carrier, holding himself out to the public as serving all comers and being obliged to do so without discrimination. This view was stated in the early New Hampshire case of *Markham v. Brown* (8 N.H. 523 (1837)) as follows:

An innkeeper holds out his house as a public place to which travelers may resort, and of course, surrenders some of the rights which he would otherwise have over it. Holding it out as a place of accommodation for travelers, he cannot prohibit persons who come under that character, in a proper manner, and at suitable times, from entering, so long as he has means of accommodation for them.

There are no subsequent New Hampshire cases, but the law is presumably still the same. Thus, if a commercial hotel owner who held himself out to the public as accepting all transients, declined to receive a traveler for whom he had accommodations, because of a discriminatory policy based upon the transient's race, color or creed, he would probably be held liable to the transient in a civil suit for damages, provided any damage could be proven. See also *Thomas v. Pick Hotels Corp.* (224 Fed. (2d) 664), and *Madden v. Queens County Jockey Club* (296 N. Y. 249; 72 N. E. (2d) 697). However, the necessary delay, the cost of private litigation, and the small amount of pecuniary damage which might be recovered, would tend to discourage such civil actions. No living clerk of court can recall the filing of such a civil action in this State.

Furthermore, at common law, "places of amusement and resort" were generally excluded from the foregoing rule and held to be

private places from which the proprietor could exclude anyone, for any reason or for no reason. See *Madden v. Queens County Jockey Club*, *supra*. Accordingly, it is doubtful whether the common law rule forbidding discrimination applies to summer resort hotels and motels, as distinguished from commercial hotels and motels.

In 1919, the New Hampshire Legislature enacted a statute forbidding proprietors of places of public accommodation to advertise that they discriminated against prospective guests on the grounds of religion, class, or nationality. The offense was made a misdemeanor, punishable by fine or imprisonment (RSA 354, ss. 1, 2 and 4). The statute did not prohibit actual discrimination, however. Perhaps it was designed to force the proprietor to hold himself out to the public generally and without exceptions, in order to assist persons, discriminated against, in proving in a civil action for damages that the proprietor was engaged in a public calling rather than operating a selective business. If this was the purpose, this statute has not been effective. The weakness of the remedy of private action at law, as a deterrent, has already been pointed out.

(a) *Commercial places*.—In areas of the State not catering to summer resort trade, and in the cities, only slight evidence of discrimination was found. There was evidence that the principal hotels and motels in what might be called the commercial class, do not discriminate on account of the race, color, creed or national origin of the prospective patron.

(b) *Resort places*.—In resort areas, there was convincing evidence that places of public accommodation, principally hotels, motels and their restaurant facilities, do discriminate. The principal objects of such discrimination are Jews and Negroes. Approximately 51 percent of places of public accommodation in resort areas practice such discrimination. Exhibit A of this report contains a sample of the types of discrimination encountered. This exhibit sets forth the names of the towns where the establishments are located and their attitudes, without revealing the names of the establishments which discriminate. In this connection, the plight of the traveling Negro is considerably worse than that of the traveling Jew. As one Negro witness cogently stated: "We are the lowest on the totem pole."

The attitude of proprietors of places of public accommodation in resort areas is open. They admit that discrimination exists; they deny that they have any personal bias; and they state that the policy of discrimination is forced upon them by the desires of their customers from out of State. The proprietor of one large summer hotel sent a questionnaire to his clientele asking if they would return if he ceased to discriminate. He reported in a public letter to the *Portsmouth Herald* (issue of March 25, 1953) that "92 percent

of those responding stated they would not return * * * if we endeavored to cater to all segments of society." However, as a result of negotiation with a human relations organization, this proprietor has recently established a system of quotas for admission of minority-group guests to his hotel.

A great deal of Jewish summer hotel patronage has tended to concentrate in a very few resort communities which do not practice discrimination. Few, if any, Christians patronize these communities, although there is no evidence that they would be refused accommodations. Whether these concentrations are due to force of circumstances or voluntary choice, is difficult to determine; they are probably due in part to both factors. The prohibition of discrimination by law would probably not have a very appreciable effect on these concentrations. This is probably as it should be, since the right of voluntary association is fully as important as the right to obtain accommodations without discrimination as to race, color, creed or national origin.

Twenty-five States have enacted legislation in various forms designed to prohibit discrimination in places of public accommodation. Exhibit B of this report sets forth a list of these States. State legislation generally has followed one of two patterns: (1) a simple prohibition of discrimination with a criminal penalty for violation, or (2) a State commission on discrimination with powers to conciliate and negotiate and to obtain court orders if conciliation and negotiation fail to work.

The New Hampshire statute (RSA 354, ss. 2) prohibiting a proprietor from advertising that he discriminates, has not operated to prevent the actual discrimination itself. The statutes of Massachusetts, Connecticut, Rhode Island and New York are of the second or commission type. The statutes of Vermont and Maine (1959) are of the first or prohibitory type. With the adoption of legislation by the Maine legislature at the 1959 session, New Hampshire is now the only State in the Northeast which has failed to act in this field.

The Committee is unanimously of the opinion that a statute following the Maine or Vermont model should be adopted by the State of New Hampshire.

HOUSING

(a) *Federal Projects*.—Urban renewal projects under Federal Housing Authority have been approved for three New Hampshire cities: Manchester, Nashua, and Portsmouth. The Committee could find no evidence that there are any concentrations of minority groups who will be displaced by these projects. It is reported that each city has undertaken to assist each dislocated family in that city

in finding a new home. There is no evidence of discrimination in this process.

(b) *General Private Housing.*—Outside of resort areas, it was reported to the Committee that housing is generally available to Jews, but not always in the place of first choice and that in some instances, fear of rejection in so-called “select neighborhoods” has led Jews to gravitate into small groups in other neighborhoods.

Segregated housing, as it exists in large metropolitan areas, is not found in New Hampshire. Occupation of substandard housing is not confined to any one or two racial or minority groups.

The problem of the Negro minority in New Hampshire centers chiefly in the field of private housing in the Portsmouth area. The problem is made acute there by three factors: (1) a general housing shortage, (2) the location of Pease Air Force Base just outside Portsmouth, which has a sizable contingent of colored soldiers, and (3) the fact that Portsmouth itself is in a summer resort area.

Excluding military personnel, there were in New Hampshire at the time of the 1950 census only 731 Negroes out of a total population of 533,242. Between 200 and 300 of this total resided in the Portsmouth area.

The recent influx of families of colored soldiers stationed at Pease Air Force Base, who naturally seek housing in adjacent Portsmouth, has undoubtedly added to the problems of those colored families who have resided in Portsmouth for many years without friction.

Exhibit C of this report is a public letter to the *Portsmouth Herald* by the president of the Portsmouth chapter of the NAACP. We believe that this letter accurately states the plight of the families of colored soldiers in their efforts to find housing. Proprietors of many apartment houses in that area refuse colored families, and some owners are reluctant to sell property to them. The writer of Exhibit C wryly states that such discrimination is practised about equally by Protestant, Catholic and Jewish landlords.

The present situation could be materially improved if commanders of Federal military and naval installations were given authority and direction to take the leadership in community action to find suitable private housing accommodations for the families of colored servicemen. We believe that the local community would respond to concerted and vigorous appeal of this sort, coupled with the formation of a local advisory committee to assist.

(c) *Resort Housing.*—The pattern of discrimination in the sale or renting of housing facilities in resort areas follows closely the pattern in the case of places of public accommodation in resort areas. Here again the principal objects of discrimination are Jews and Negroes. In one community, there was also evidence of discrimination against persons of Greek nationality or descent.

We believe that, if the barrier of discrimination could be surmounted in places of public accommodation in resort areas, the existing discrimination in the renting or sale of resort housing in the same areas would also tend to disappear.

(d) *Restrictive Covenants*.—Twenty years ago, restrictive covenants preventing the sale of real estate to persons of certain religion or national origin were used in conveyancing in certain areas of the State. Most lawyers are now familiar with the decisions of the United States Supreme Court holding that such covenants are judicially unenforceable. Therefore, we find that the practice of using such covenants has practically ceased. However, a more subtle form of control has appeared in place thereof. In one seacoast community where property is held under long-term leases, covenants are uniformly inserted in these leases providing that the property may not be sold without first obtaining the written consent of the owner of the reversion. In this instance, the granting and withholding of consent may be used as a means of controlling the identity of the purchaser. Convincing evidence was received that this power of control is being used to prevent the sale of property to persons of certain religion or national origin.

It is believed that there are probably other instances of such type of control in use in other real estate developments within the State. However, we have not had time to go into this subject in any greater detail.

VOTING

We could find no evidence of interference with voting rights in New Hampshire because of the prospective voter's race, color, creed or national origin. Occasionally, one has read in the newspapers of cases where local election officials have wrongfully deprived a citizen of the right to vote. However, in no case has the denial had anything to do with the prospective voter's race, color, creed, or national origin.

EDUCATION

(a) *Employment*.—The State Department of Education states that there are between 6 and 12 Negroes employed as teachers in the public schools of New Hampshire. This number is proportional to the total number of Negroes in the population of the State. The State Department of Education also reports that these colored teachers perform their duties well and that no friction is experienced regarding their employment.

The Committee received no evidence that any discrimination in the employment of public school teachers is practiced against any other minority group in this state.

(b) *Curriculum*.—The Committee found no evidence that the prescribed curriculum for the public schools of the State contained any seeds of discrimination. No complaints on this score were received.

EMPLOYMENT

No witness appearing before the Committee gave evidence of discriminatory practices in employment based on race, color, creed or national origin. However, the Committee believes that a certain amount of discrimination does exist. The Negro witnesses who appeared before the Committee testified that qualified Negroes were able to find employment in New Hampshire in jobs for which they were trained.

The labor organizations of the State have taken a leading role in eliminating discriminatory practices in employment wherever they have been found. It is believed that conditions in the field of employment in New Hampshire may be somewhat better than average, without denying that a certain amount of discrimination probably exists.

Exhibit A

Samples of discriminatory attitudes of summer resort proprietors

- East Wolfeboro, N.H., letter: "You will no doubt want to know that our patronage is entirely gentile."
- Pittsburg, N.H., brochure: "Selected clientele"
- South Chatham, N.H., letter: "We prefer to entertain only gentiles"
- Bristol, N.H., brochure: "Reserves the right to select and restrict clientele"
- North Conway, N.H., brochure: "Catering to a select clientele"
- Meredith, N.H., brochure: "Selected clientele"
- Wonalancet, N.H., brochure: "Our guests, friends, and neighbors are cultivated Christian folk."
- Franconia, N.H., letter: "Christian clientele"
- Hampton Beach, N.H., letter: "Strictly Christian clientele"
- Holderness, N.H., brochure: "Catering to a select clientele"
- Sugar Hill, N.H., letter: "Our clientele is Christian"
- North Woodstock, N.H., letterhead: "Restricted clientele"
- The Weirs, N.H., brochure: "Restricted clientele"
- Franklin, N.H., brochure: "Select clientele"; letter: "Restricted clientele"
- Wolfeboro, N.H., brochure and rate sheet: "Selected clientele"
- Woodstock, N.H., brochure: "Added to this is the enjoyment of associating with Christian American people."
- Intervale, N.H., brochure: "I think it only fair to tell you that our clientele is largely Christian."
- Holderness, N.H., brochure: "Restricted clientele"
- Bristol, N.H., brochure: "Selected clientele"
- Wolfeboro, N.H., application form asks for religion
- New London, N.H., rate sheet: "Christian clientele"
- New London, N.H., brochure: "Our guests are Christian"
- East Wolfeboro, N.H., brochure: "All patronage is gentile"
- Melvin, N.H., brochure: "Selected clientele"

- Wolfeboro, N.H., application blank asks: "Of what descent: Religion: Catholic, Protestant, other."
- Alton Bay, N.H., "Christian clientele"
- Bristol, N.H., "Catering to a restricted clientele"
- Bristol, N.H.: "We invite a Christian clientele"
- Bristol, N.H.: "Selected clientele"
- Weirs, N.H.: "Restricted clientele"
- Franconia, N.H.: "Clientele selected"
- Jackson, N.H., "Clientele is restricted"
- Freedom, N.H.: "Selected clientele"
- Jaffrey, N.H.: "Christian clientele"
- New London, N.H.: "Restricted clientele"
- Plymouth, N.H.: "Restricted clientele"
- Sunapee, N.H.: "We cater to a selected clientele only"
- North Woodstock, N.H.: "Catering to a selected clientele"
- Sunapee, N.H.: "Selected clientele only"
- Gilford, N.H.: "Restricted clientele"
- Franconia, N.H.: "Selected clientele"
- Gilford, N.H., brochure: "We cater to a select clientele"
- Woodstock, N.H.: "Carefully selected clientele is solicited"
- Jackson, N.H.: "Selected clientele"
- New London, N.H.: "Our clientele is Christian"
- Lake Sunapee, N.H.: "Restricted clientele"
- Bristol, N.H.: "Selected and restricted clientele"
- Woodstock, N.H.: "Our hotel has always catered to a select clientele"
- Groton, N.H.: "Selected clientele"
- The Weirs, N.H.: "Restricted clientele"
- East Hampstead, N.H.: "Restricted clientele"
- Derry Village, N.H.: "Selected clientele"
- Newbury, N.H.: "Selected clientele"
- Hanover, N.H.: "Selected clientele"
- Sugar Hill, N.H.: "Restricted clientele"
- East Jaffrey, N.H., brochure: "Caters to Christian clientele"
- New Ipswich, N.H.: "Selected clientele"
- Meredith, N.H.: "Selected clientele"
- Gilford, N.H.: "Only Christian patronage solicited"
- New Ipswich, N.H.: "Restricted"
- Sugar Hill, N.H.: "Selected clientele"
- Kearsage, N.H.: "Selected clientele"
- Glen, N.H.: "Selected clientele"
- Kearsage, N.H.: "Selected clientele"
- North Conway, N.H.: "Selected clientele"
- Jackson, N.H.: "Selected clientele"
- Wolfeboro, N.H.: "Selected clientele"
- Derry Village, N.H.: "Christian clientele only"
- North Conway, N.H., letter: "Provided the members of your party are gentle as we cater to a restricted clientele."
- Hanover, N.H., letter: "We have entertained only gentiles in the past and I'm sure you feel as we do that it is not a good policy to mix the two."
- Whitefield, N.H.: "The clientele is Christian exclusively"
- Bridgewater, N.H.: "Hebrew patronage not solicited"
- Laconia, N.H., brochure: "Restricted clientele"
- Hillsboro, N.H., brochure: "We do not accommodate Jewish clientele"
- Sunapee, N.H.: "Select clientele"

Melvin Village, N.H.: refused to rent a cabin to Mr. X, informing him "cannot rent the cabin because you are Jewish and it is not our policy to take Jews."
 Keene, N.H., letter: "This is a resort for gentiles only"
 South Chatham, N.H., letter: "The folder does not say this but our clientele is entirely gentile and we believe anyone else would be happier elsewhere."
 Littleton, N.H., letter: "No Jewish rentals accepted as this is a restricted area."
 Franconia, N.H.: refused to serve Mr. Y and party of four, advising they had no reservations, yet a few moments later when Mr. Y telephoned using the name of Johnson he was told on the telephone that reservations were available.
 Blodgett Landing, N.H., premises: "Restricted clientele"
 Thornton, N.H., letter: "No Yiddish children or pets"
 Troy, N.H., asks question: "Religion?"

Exhibit B

States which by legislation have outlawed discrimination in places of public accommodation on account of race, color, creed or national origin:

<i>State</i>	<i>Civil or Criminal Penalties</i>
Alaska -----	Criminal
California -----	Civil
Colorado -----	Both
Connecticut -----	Criminal
Illinois -----	Both
Indiana -----	Both
Iowa -----	Criminal
Kansas -----	Both
Maine -----	Criminal
Massachusetts -----	Criminal
Michigan -----	Both
Minnesota -----	Both
Nebraska -----	Criminal
New Jersey -----	Both
New Mexico -----	Criminal
New York -----	Both
Ohio -----	Criminal
Oregon -----	Civil
Pennsylvania -----	Criminal
Rhode Island -----	Criminal
Vermont -----	Criminal
Washington -----	Criminal
Wisconsin -----	Civil and Criminal

NOTE.—Montana and Utah statutes prohibit public innkeepers or hotel owners from rejecting any guest under criminal penalty, but make no reference to discrimination on account of race, color, creed or national origin.

Exhibit C

Letter setting forth plight of families of colored servicemen in Portsmouth area:

PUBLIC FORUM: Injustice to Negroes

TO THE EDITOR: With the coming of the Pease AFB, the city of Portsmouth and surrounding towns have shown us what democracy really is. Many of our so-called Christian citizens and governing officials have brought shame and disgrace on the nation long to be remembered.

This issue before us, citizens, is a racial one. In the past years you have taught your children to despise anybody that was not white. I must say you mothers and fathers have done a good job in warping their minds.

As a result the colored servicemen coming into these parts are grossly discriminated against in many fields of endeavor, especially housing.

Portsmouth and surrounding towns could much better be classed as the Mississippi of the North. Their gladiator tactics against anyone darker than white certainly entitles them to this name.

If some of you faithful, church-going Christians would allow me a few moments of your time, I would like to show you what happens to the average colored serviceman and family upon arrival into this wonderful community.

Upon assignment to the Pease AFB or Naval Base he reports for duty. If his family comes with him, which sometimes is the case, they usually stop at a hotel or motel until locating permanent housing. Fortunately, most places of public accommodation of this type will allow him lodging, providing not too many of his type come at the same time.

At this point, I would like to add that it makes no difference whether he is an enlisted man or officer. The main qualification upon arrival when seeking temporary lodging is that he is white.

After his base duties are secure, he then picks up your local paper and carefully selects a place listing of his choice. If said place is some distance away, he may decide to get additional information over the phone. If the call meets with his satisfaction, he then proceeds to investigate further. At this point he has every hope of winding up this house-hunting situation quickly.

When the landlord opens the door and sees who this Air Force or Navy man is, he is horribly shocked. "Why (thinking to himself), this man is colored!"

Now, naturally he doesn't want to insult this man, so he's very polite in telling him that someone has taken this house or apartment a few minutes before. He's "very sorry." Oh, so sorry. You can imagine how this serviceman feels at the end of the day after being refused time after time. Sounds real nice so far, doesn't it?

The next thing is to register his name at the base so that they can secure suitable housing for him. What he doesn't know at this point is that generally less than 2 percent of the listings of housing vacancies will accept colored. The greater portion of this percentage is usually located in slum areas.

After looking at some of these places and rejecting same, he turns to the only place left. Yes, you guessed it, the "lovely and most desirable" Wentworth Acres. It doesn't take him long after making application to secure a rent.

To clear up any misunderstanding, citizens, it is worth noting here that it generally doesn't make any difference whether the landlord is Protestant, Catholic or Jewish. It would still be, "I'm sorry."

Upon closer questioning, they all will tell you the same story. "I'm not prejudiced, it's my tenants." Of course, they've already asked these various tenants and naturally are speaking in their behalf.

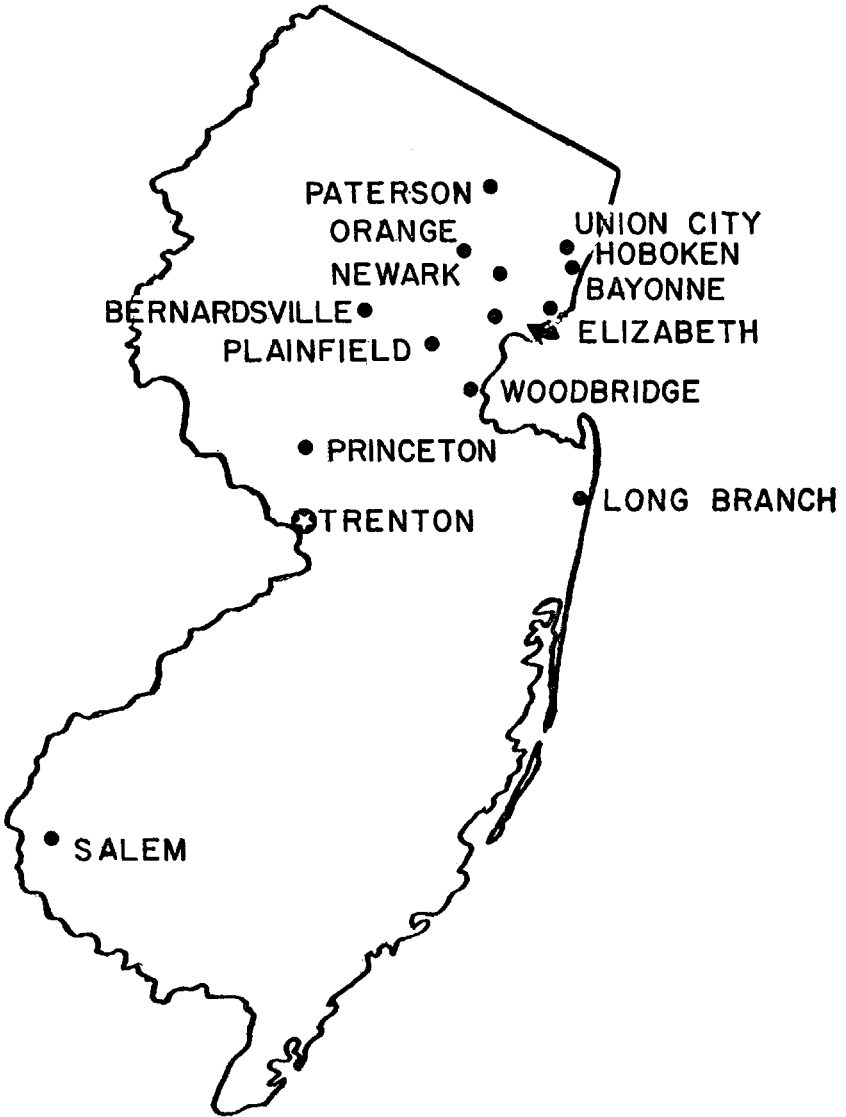
I could go on and on citing many of these injustices, but you're probably becoming very bored with such trivial chatter. After all, you're white. Why should you concern yourself with the human rights of colored people?

Of the various civic and other organizations in and around Portsmouth, not one, as a group, has ever spoken out in favor of better relations or a square deal for our colored servicemen. This is probably understandable when one realizes that their bylaws exclude Negroes.

I hope someday this wonderful community will wake up and take a second look so it can right this wrong it has done.

EMERSON REED.

New Jersey



New Jersey Advisory Committee

(First Meeting November 19, 1958)

Chairman:

HON. JOHN A. WADDINGTON, Salem

Subcommittee: Voting

Occupation: Personnel supervisor,
Du Pont Company

Member, New Jersey State Senate;
chairman, Salem County Council
for Human Relations

Vice Chairman:

DR. HENRY CHAUNCEY, Princeton

Subcommittee: Education

Occupation: President, Educational
Testing Service

Advisory Committee on Foreign
Service Examinations, Depart-
ment of State; visiting lecturer
with rank of Professor, Prince-
ton University

Secretary:

THOMAS LAZZIO, Paterson

Subcommittee: Voting

Occupation: President, Local 300,
United Auto Workers, AFL-CIO
Member, President's Committee on
Education; former member, New
Jersey State Legislature

MRS. MILLICENT H. FENWICK, Bernards-
ville

Subcommittee: Voting

Occupation: Contributing editor,
Conde Nast Publications, Inc.

Former member, Board of Educa-
tion; chairman, Bernardsville
Recreation Board

LOUIS W. GROTTA, Orange

Occupation: Senior vice president,
Hatfield Wire and Cable Com-
pany

Board of Directors, Continental
Copper and Steel Industries, Inc.

JUDGE HARRY HAZELWOOD, JR., Newark

Subcommittee: Housing

Occupation: Municipal judge of
Newark

Former assistant prosecutor, Essex
County

MRS. EDWARD L. KATZENBACH, Princeton

Subcommittee: Education

Occupation: President, New Jersey
State Board of Education

Trustee, Rutgers University; for-
mer member, Trenton Housing
Authority

JUDGE HENRY S. WALDMAN, Elizabeth

Subcommittee: Housing

Occupation: Attorney

Former president, Union County
Bar Association; former judge,
Union County Juvenile and Do-
mestic Relations Court

New Jersey Report

INTRODUCTION

THE New Jersey Civil Rights Commission and the State Division Against Discrimination have been very cooperative and helpful in giving us the benefits of their many years of experience in this field. Dr. John P. Milligan, assistant commissioner of education and director of the Division Against Discrimination, has attended most of our meetings and has made many important contributions. Officials and officers of other groups have been most helpful.

We can report nothing of substance indicating violations of civil rights in voting and education, although the report on education points up a long-range problem related to housing.

In attacking the problems of discrimination in housing we recognize that these problems do not exist in isolation. They are part and parcel of the problems of urban redevelopment, employment opportunities, and of population mobility. What is required in the solution of these problems is a mobilization of our intellectual and spiritual resources on a scale comparable to our willingness to maintain our total freedom against foreign dictators. Overcoming the dictatorship of prejudices may call for the same degree of self-sacrifice, courage, and dedication.

HOUSING

Since 1954, discrimination in public housing has been illegal in New Jersey and the Division Against Discrimination has had authority to receive and process complaints. Only three complaints have been filed with the Division by aggrieved individuals and these have been readily adjusted.

New Jersey is the fourth smallest State in the Union, and with 5 million people it is the eighth most populous. In public housing it is one of the leading States in the Nation. It ranks seventh in the country in Federal-aid programs. More than \$260 million were pumped into the State for housing.

Under construction in New Jersey are 11 projects for 2,743 families. On the planning boards there are 13 projects for 3,921 families. Under preliminary study there are 15 projects covering 1,650 units.

There are 35 cities which now have public housing. There are some 82 projects with 22,816 units. Of these, there are some 65 projects in which Negroes dwell and they occupy 7,804 units, or

about one-third of total. Forty-six of the projects are completely integrated, which means white and more than one nonwhite family, including at least one Negro family; 4 have no pattern, which means one Negro family in an otherwise all-white project, or one white family in an otherwise all-Negro project. There are about 17 projects where no Negroes dwell, and about 15 where there are some Negroes. These figures have been culled from a recent report of the Public Housing Administration of our government.

In Long Branch, the percentage of Negro and white tenants is 44 percent Negro and 56 percent white. The Negro families in that city comprise only 8 percent of the total population. Hoboken reported to us that of 695 units, 51 families are either Negro or Puerto Rican. In Atlantic City of 314 units, 248 were occupied by Negroes; while in Bayonne 61 of 469 units were Negro-occupied. In Elizabeth there were 828 units with Negro occupancy in 181. In Newark there were 2,997 Negro families occupying more than 40 percent of a total 7,358 units. In Plainfield, Negroes occupied 121 units out of 127. In Union City, on the other hand, there were no Negroes in 355 units. Woodbridge had 148 families with only 4 of them Negro. It does seem that where the Negro population in a city is heavy, more units are allotted to them. Contrary, where the population is less.

We have no evidence, in those cities which have public housing and few Negro tenants, that Negroes are excluded deliberately. Upon the other hand, in many cities, they occupy from 20 to 40 percent of housing units, although they make up from 8 to 20 percent of the local population.

Studies conducted by the Division Against Discrimination, and by this Committee, indicate that the housing authorities in New Jersey have made great progress in desegregating the projects. In a few cities segregated projects remain. It is the contention of certain authorities that whatever segregation exists results from the wish of the tenants themselves.

We realize there is a natural desire for people to wish to live with like neighbors. However, in the best long-range interests of all the people, this Committee would prefer that all housing authorities study ways and means of making segregated housing a thing of the past in New Jersey. This Committee recommends that, in the construction of new public housing projects, low-cost housing should be dispersed throughout the city and should be located in smaller units and placed so as to avoid the evils of a continued segregation due to economic and other causes.

While we may take some pride in our public housing, the private housing available to racial and low-income groups is steadily worsening and deteriorating. Such persons, with few exceptions, cannot

afford to buy houses at today's inflated prices and so they are confined to rentals in substandard hovels and often at staggering monthly or weekly rates. Every large city has its slums and slums within slums. Landlords refuse to make any improvements, and tenants are afraid to complain lest they be ousted from their quarters, or have their rent further increased. One remedy is to have a city housing court, as in Newark, where both tenants and public officials can summon an indifferent landlord into court. The second is to have these hovels inspected regularly by local sanitary authorities and fire departments and compel owners to make necessary and vital improvements. This latter course is more honored in the breach than the observance, but it should be pushed to the limit. It would make for decent housing even in poor neighborhoods. Compel the owner to fix-up or close up.

Our bankers must devise a sane and liberal program whereby people who are honest, but who have small means, can buy a dwelling and improve it. To this end they must be willing to grant mortgages in so-called fringe areas. Realtors must be educated to avoid discrimination.

The flight of people from the cities to the suburbs has opened up more housing to minority groups, but too few, as aforesaid, can afford the prices being asked. Restrictions, discrimination, and lack of mortgage money keep many worthy people from acquiring property. We need more mixed projects, as in Princeton, where a Negro can live with dignity and decency amid his white brethren, and enjoy the pride of ownership at the same time.

The Committee is aware that the problems created by discrimination in housing cannot be alleviated by law alone. Educational programs should be initiated and financed at both Federal and State levels which would seek to end such discrimination. We recognize that a truly comprehensive educational program, using mass media, churches, schools, colleges, and all other available media has never been developed. We believe that such a program should be developed and sponsored by Federal and State Governments. We believe that the cost of such a program would be small when compared to the ultimate long-range advantage it would produce in our land. Included in such a program could be: assisting minority families to secure homes on an open-occupancy policy; seeking the cooperation of real estate men and lending institutions; counseling residents and public officials; persuading community institutions to support equal opportunity in housing; and promoting understanding and support of nondiscrimination laws. We believe the programs in New Jersey and other States have amply demonstrated that results can be obtained, that persons of good will everywhere are looking for guidance and leadership.

PUBLIC EDUCATION

Since the revised State constitution of 1947 was adopted, New Jersey has made extraordinary progress in the elimination of discrimination in the field of public education.

There are at the present time a number of schools where Negroes predominate or where all pupils are Negroes. This is not due, however, to planned segregation but because these schools are in districts where only Negroes live and children must attend the nearest school in the area. Even where public housing has been recently constructed, in some instances the ratio of Negroes to whites is high.

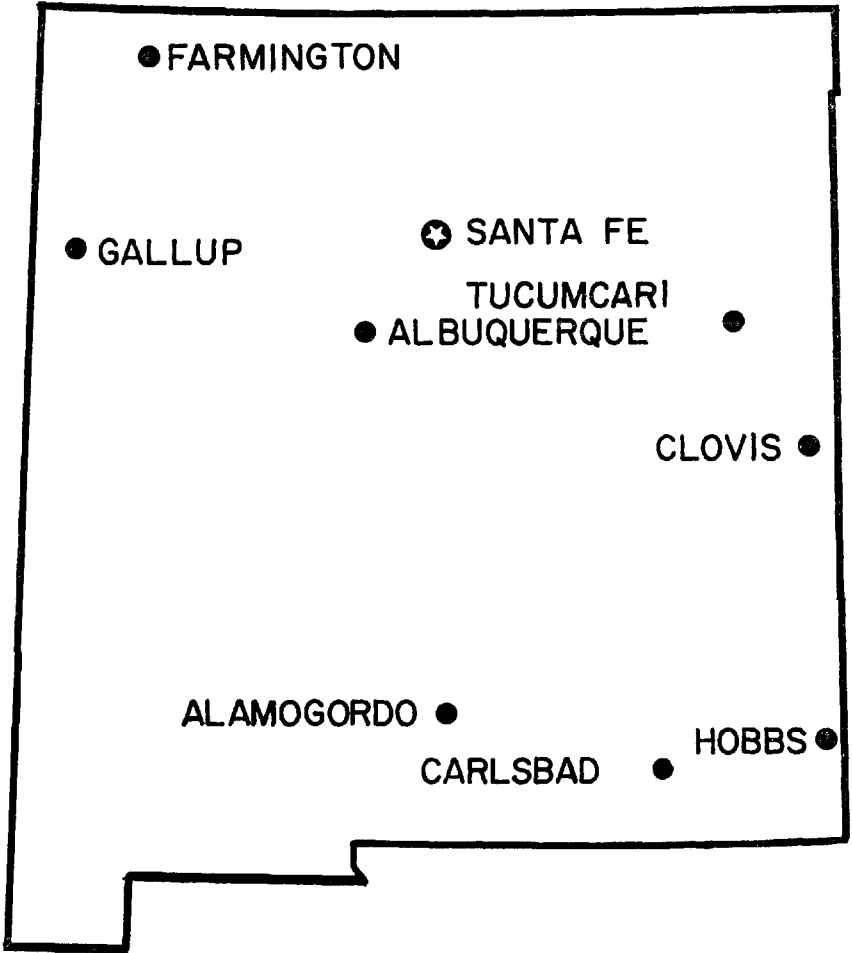
The Committee recommends a more comprehensive view of all the factors to be considered in slum clearance planning; the factors to be considered relate to schools presently built and/or others to be planned as well as recreational facilities, etc. in the community.

Dispersion of public housing projects in small units would reduce the concentration of racial or ethnic groups in any one area.

At Rutgers, the State university, no limitation or restrictions are placed upon students of minority races in dormitories, dining halls, cafeterias, etc. or participation in social events, honor societies, campus events. The university has issued a mandatory statement that by 1960 there can be no discrimination on account of race or religion in admission to fraternities or sororities.

Four of the six State colleges have Negroes on their faculties. Chinese, Egyptians, Africans, Englishmen, Germans, Frenchmen, Italians, Canadians, Greeks, Hungarians, Spaniards and Swedes are also on different faculties.

New Mexico



New Mexico Advisory Committee

(First meeting August 21, 1958)

Chairman:

JUDGE SAMUEL Z. MONTOYA (took office February 19, 1959), Santa Fe

Occupation: Senior judge of Santa Fe District Court

DANIEL THOMAS KELLY, Santa Fe

Occupation: Director and former chairman of the board, Gross, Kelly and Company

HOBART L. LA GRONE, Albuquerque

Occupation: U.S. postal employee President, Albuquerque chapter, and director, Southwestern region, National Association for the Advancement of Colored People

DR. THOMAS L. POPEJOY, Albuquerque
Occupation: President, University of New Mexico

Member, Fund for Advancement of Education

MYER ROSENBERG, Carlsbad

Occupation: Attorney

Former Carlsbad representative Anti-Defamation League of B'nai B'rith

HON. JOHN FIELD SIMMS, JR. (resigned as chairman, February 19, 1959), Albuquerque

Occupation: Attorney

Former Governor of New Mexico

Committee Study Topics: Education, Housing, Voting, Employment, and Public Accommodations

New Mexico Report

INTRODUCTION

THERE ARE three predominant cultures existing in New Mexico, commonly referred to as Spanish, Anglo, and Indian. Since 1598, when the first settlement was established by Spaniards coming from the New Kingdom of Spain, the two cultures, Spanish and Indian, have been coexisting with no important break except one back in 1680. The revolt in 1680, known as the Pueblo Rebellion, came about as a result of the attempt by the Spanish colonizers to impose their religious beliefs and ways of life upon the Indians.

With the advent of Mexican political control, trade with American settlements in the Missouri Valley was permitted, and the swelling migration of Americans facilitated the taking of New Mexico by American forces during the Mexican War.

Politically, New Mexico remained a territory until 1912, when it finally achieved Statehood. Many provisions in the State Constitution were placed to safeguard the rights of people of Spanish descent, such as strict provisions for amendment as contained in section 3 of article VII of our New Mexico constitution, which provides as follows:

The right of any citizen to vote, hold office, or sit on juries, shall never be restricted, abridged or impaired on account of religion, language or color, or inability to speak, read or write the English or Spanish languages, except as may be otherwise provided in this Constitution * * *."

According to the 1950 census, the total population of New Mexico was 681,187. Of these some 41,866 were Indians, 8,423 Negroes, and the remainder white. Approximately 248,880 were found to have Spanish surnames. Significantly, the Jewish population is estimated to be around 2,530.

Because of the development of allied atomic industries in New Mexico, and the expansion of Federal atomic and guided missiles installations, the 1950 census figures do not represent a true picture of New Mexico population and its composition today. For example, military installations have increased the Negro population in New Mexico, and have changed the type of people coming into the State.

HOUSING

Approximately 30,000 units of new housing have been constructed in the metropolitan Albuquerque area in the past 9 years.

This report shall deal with new housing available to minority group members and with specific reference to new housing made available to non-whites.

POPULATION ESTIMATES

The Negro population of the Albuquerque metropolitan area, including military personnel, not living within the boundaries of the military reservations, is estimated at 5,500 to 6,000 or roughly 3 percent of the 180,000 estimated 1958 population.

HOUSING AVAILABILITY

By actual count the number of new housing units made available to Negroes in Albuquerque on an open occupancy or first purchase basis is 24 units, which shows that 0.008 percent of the new housing built has been actually available to prospective Negro purchasers.

EVIDENCE OF HOUSING NEED

The next question that might arise is, has there been a demand for housing by Negroes in the 1950-58 period? A survey reveals that in the period under study, some 300 homes have been purchased by Negroes. Except for the above-mentioned 24 units of new housing, the purchases have been resales; a large number (about 56 percent) of these purchases have been made in a low-cost housing area, Kirtland Addition, originally built for whites only.

The homes in this addition sold originally for \$5,500 to \$6,500 with an FHA downpayment of \$350 to \$500. After the original purchasers began to realize the possibilities of selling to Negroes at \$7,500 to \$9,000, with downpayments of \$750 to \$1,000, the complexion of the development rapidly changed. The development, originally about 300 houses, is now 70 to 75 percent Negro owned.

The \$750 to \$1,000 downpayment would have been sufficient to purchase an \$8,000 to \$10,000 FHA-financed home in a better area. In nearly every instance these Negro purchasers had to assume a second mortgage of from \$1,000 to \$3,000. This made their monthly payments large enough to meet the monthly payments on a \$9,000 to \$10,000 FIAA contract. This was the penalty imposed on these Negro buyers by the conspiracy of the realtors and home builders groups who have adamantly refused to sell Negroes homes in the open market.

The two important defense installations in Albuquerque have brought into the city an estimated 2,000 to 2,500 Negro military personnel, some of whom have brought their families with them. Military housing on these installations does not begin to supply the needs of the enlisted personnel, either white or Negro. The rigid policy of containment of Negroes in a proscribed area has resulted in a dangerous overcrowding. This becomes at once not only a health and social problem (menace) to the community, but presents a morale problem for the military installations, since many soldiers cannot bring their families here to live.

The exploitation inherent in the situation is flagrant. Property owners have converted garages and chicken coops into makeshift living quarters which they frequently rent for \$55 to \$70 per month. In some instances as many as five such units are served by a single shower and toilet. Only a few commissioned and noncommissioned officers have found sympathetic property owners who will rent standard homes to servicemen.

PUBLIC HOUSING

Albuquerque's phenomenal growth has created a group of powerful financial tycoons, who have been able, through their economic and political influence, to stymie every effort aimed at creating an effective public housing authority in the community. The only public housing in the city is the Wherry housing development within the military reservations adjacent to the Kirtland and Sandia defense installations.

HOUSING LEGISLATION

The State legislature enacted adequate enabling legislation a number of years ago, authorizing municipalities to proceed with public housing programs. The only city that has utilized this authority has been Clovis, N. Mex., where a completely integrated, well-administered public housing facility exists.

Other cities in New Mexico where discrimination in housing exists are Alamogordo and Farmington where Negroes cannot buy property and where there exist ghetto-type trailer courts.

In Carlsbad as well as Clovis, integrated housing has eliminated the problem of discrimination to some extent. Gallup, N. Mex. has not practiced too much discrimination, and no serious problem with respect to housing exists there.

CONCLUSION

The New Mexico State Advisory Committee concludes that members of the Negro race are being discriminated against in their efforts to procure decent, safe and sanitary housing in many communities in New Mexico. It further finds that in some other communities such as Gallup and Clovis which contain limited numbers of Negro families, they have not been denied adequate housing because of their racial origin.

EDUCATION

In the field of education, because of the small Negro population in New Mexico, the problem as compared to that of other regions has been relatively small. It was only in two or three communities in our State that separate schools were maintained for students of the Negro race. These separate but equal facilities had the sanction of State law prior to the U.S. Supreme Court decision in the school segregation cases.

PUBLIC ACCOMMODATIONS

In some localities of the State of New Mexico, particularly Farmington and Hobbs, and on some occasions in Tucumcari, discrimination exists in the hotels and motels against members of the Negro race. The committee is informed that it is practically impossible for a Negro to obtain any kind of rooming and hotel accommodations in the city of Farmington. The same situation apparently existed in Truth or Consequences (formerly Hot Springs) until very recently.

The situation in New Mexico with respect to this problem has experienced, however, a better turn. There is an indication that more and more communities are becoming more tolerant, as indicated by the passage of ordinances in the cities of Albuquerque and Santa Fe prohibiting discrimination in establishments accommodating the public.

The Albuquerque ordinance has been in effect for several years and we are informed that no criminal case has been completely prosecuted under this ordinance. It is the committee's understanding that one complaint was filed but was dismissed. The committee is further informed that the ordinance has proved most effective and no difficulty has been experienced by members of the Negro race in obtaining public accommodations in that city.

The Santa Fe ordinance is of recent origin and no case has been prosecuted under it.

The growing interest in that field and the need for legislation to correct such practices was clearly demonstrated by the introduction of House Bill No. 89 at the last session of the legislature, which would have provided penalties for discrimination in places of public accommodations. The particular measure was defeated in the House of Representatives, the main opposition coming from representatives living in the southeastern part of New Mexico.

CONCLUSION

The committee concludes that remedial legislation with strict enforcement provisions is necessary to prevent discrimination in places of public accommodation in some sections of our state. The only real solution will be the passage of legislation which is statewide in scope.

VOTING

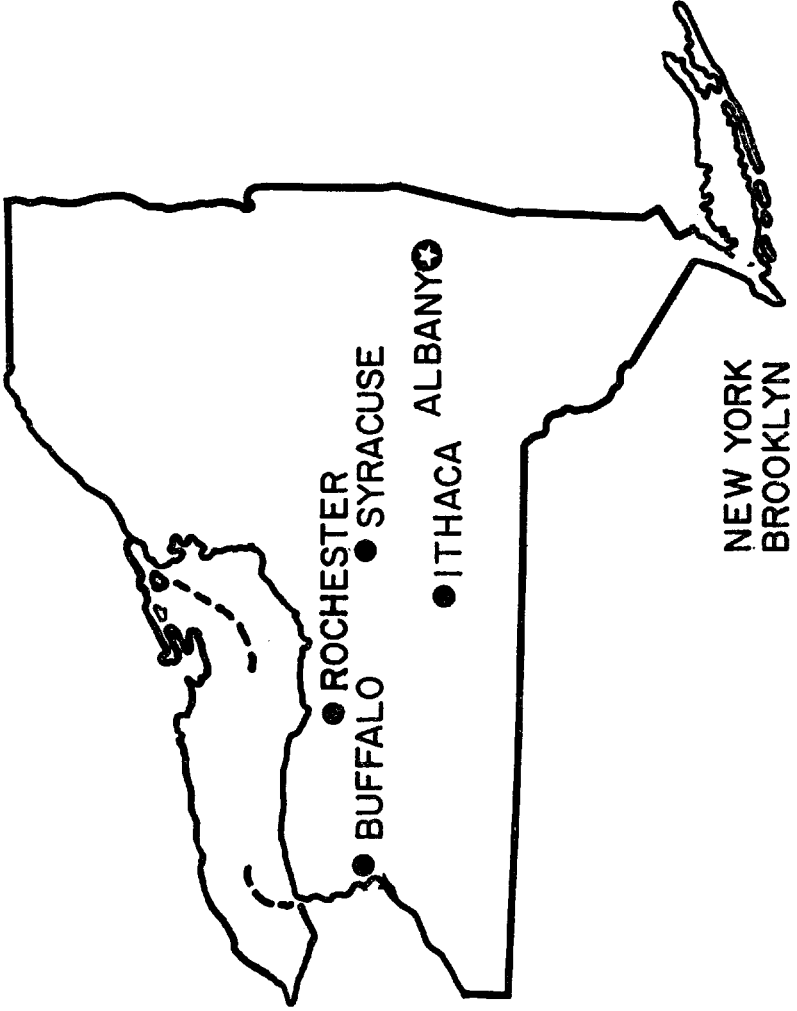
Under the State constitution, Indians who paid no ad valorem taxes were not permitted to vote in the State of New Mexico until 1950. With the right of the elective franchise secured to the Indians, it is to be noted that many of them have taken the opportunity to exercise it. However, in some of the pueblos in central New Mexico where the tribal relationship which existed many years ago is still being followed, there has apparently been a reluctance on the part of the governing members of the tribe to encourage the registration and the participation of Indians in New Mexico elections.

By contrast, in the big Navajo Reservation in the northern part of New Mexico both dominant political parties of the State of New Mexico have devoted their untiring efforts to encourage registration by the Navajo Indians and there has been rather widespread participation by that tribe in New Mexico elections. No question has ever been raised as to the efficacy of the registration card of Navajo Indians bearing their thumbprint in lieu of their signature where said registrant has been unable to read or write.

CONCLUSION

The committee concludes and finds that there is no discrimination in the field of voting in the State of New Mexico because of race, color or creed, and that in fact the reverse is true in that races formerly disenfranchised are being encouraged and urged to exercise their elective franchise.

New York



New York Advisory Committee

(First Meeting December 1, 1958)

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Former Judge, Domestic Relations Court; former Commissioner of Taxes and Assessments of New York City

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President elect, American Bar Association; chairman of the board, Freedom House

Committee Study Topics: Education, Employment, Housing, Immigration, Migratory Workers, and Voting

New York Report

HOUSING

DESPITE perceptible advances toward its alleviation, through recent legislation at the State and local levels, housing discrimination remains a serious problem in New York. Many individuals regardless of their personal qualifications, are denied the opportunity to acquire decent accommodations in buildings and neighborhoods of their choice. Segregated living areas are created and maintained, thus perpetuating de facto segregation in schools and other public places and contributing to numerous other social evils.

Negroes are the principal victims of housing discrimination in New York today. Persons of Puerto Rican origin are also deeply affected, particularly when their skins are dark enough or their accents sufficiently pronounced to make them easily identified. There is still occasional discrimination against persons of the Jewish faith in some "prestige" neighborhoods.

All told, these groups include well over 4 million persons throughout the State. There are more than 1,260,000 Negroes, 650,000 Puerto Ricans, and 2,400,000 Jews. While most of them are concentrated in New York City, there are also sizable and growing minority populations in such other major cities as Albany, Buffalo, Rochester, and Syracuse, and in the suburban counties of metropolitan New York.

In the major cities of the State, severe overcrowding is two to three times as prevalent in areas where Negroes live as in these cities as a whole. Age combines with overcrowding to make dwellings in Negro areas largely unfit for human habitation. With great frequency, Negro-occupied housing units lack toilets, running hot water, and central heating. Yet Negro families often pay no less rent than whites who occupy apartments of the same size but vastly superior conditions. The high disease, death and crime rates common to Negro areas represent the social costs we pay for requiring people to live in such surroundings.

New construction has played a negligible role in meeting the housing needs of Negro families. Between 1950 and 1956, in the New York metropolitan area, over 100,000 old dwellings were transferred from white to nonwhite occupancy. In the same period, only 12,000 nonwhite families found homes in new private dwellings—out of 737,000 new homes built in the area.

NEW YORK STATE'S APPROACHES TO THE PROBLEM

New York State and New York City have traditionally been among the leaders in the nation in assuring equal rights to their citizens. In 1939 discrimination was outlawed in public housing throughout the State. In 1950, the prohibition was extended to cover housing receiving various types of public assistance, including urban renewal projects. The State pioneered in eliminating discrimination in private housing through the passage in 1955 of the Metcalf-Baker law covering housing financed with FHA or VA mortgage guarantees. In 1958, New York City went a large step further than the State by passing the first fair housing practices law prohibiting discrimination in all privately constructed multiple dwellings, as well as in one and two-family houses constructed in developments of 10 or more units.

The achievements and shortcomings under these laws to date demonstrate the strength and limitations of State and local legislation in this area of public action. They possess many implications for Federal policy as well.

In public housing, which has been covered by the State law for a longer period than any other type, there is now integration in virtually every community throughout the State. New York City has probably done more toward developing positive programs to end segregation than any other city in the nation. The effectiveness of law is demonstrated by comparison with the situation in another middle Atlantic State where no law exists, and where more than half of all communities with federally subsidized public housing maintain complete segregation. And this fact, in turn, points to the failure of the Federal Government to provide guarantees of equal accommodations for all its citizens in projects constructed with its funds.

Where valid complaints of discrimination have been presented to the State and city enforcement agencies, it has been possible to effect compliance with the law. In FHA and VA guaranteed housing, enforcement has been greatly aided by the consummation of formal agreements between the State and local enforcing agencies and the insuring arms of the Federal Government. Under these agreements further Federal assistance is to be withheld from developers found in violation of the State and local laws against discrimination. Faced with this prospect, builders have usually been willing to comply.

Yet the experience under these agreements points sternly at weaknesses in Federal policy. Neither FHA nor VA takes any affirmative action to assure nondiscrimination in housing receiving their

assistance beyond notifying builders of the existence of the State and local laws where applicable. The burden of enforcement remains entirely with the State and municipal governments. In the large portions of the country where no such laws exist, FHA and VA still freely permit discrimination against Negro citizens.

The urban renewal program does not provide safeguards to assure minority families a suitable home and decent living environment through relocation or in the reuse of the land.

Where compliance with the laws banning discrimination has occurred in New York, either voluntarily or through enforcement procedures, the results have been most encouraging. Even a number of builders who first admitted Negroes only under a complaint have indicated subsequently that they were proud and pleased with the consequences. Many white residents have been happy to welcome their new Negro neighbors. In no such case have the enforcement agencies learned of serious outbreaks of hostility or mass exodus of whites.

Despite these facts, many segments of the housing industry continue reluctant to abandon existing patterns of discrimination against minorities. Industry claims that it does not set those patterns but merely follows the dictates of the majority public. Against such pervasive attitudes and behavior, New York's experiences indicate that sound and firmly-enforced laws are not only a practical weapon, but the most effective one.

RECOMMENDATIONS

The testimony presented before the Civil Rights Commission at its New York City hearings on February 2-3, 1959, clearly reveals that the goals of the national housing policy, as declared by the Congress, have fallen far short of realization due in large measure to racial segregation and discrimination in the distribution of housing benefits and accommodations provided for in the Federal laws. The testimony further reveals that the policies of the Federal agencies created by Congress to carry out the objective of "a decent home and a suitable living environment for every American family" have permitted, if they have not actually encouraged, racial distinctions in the distribution of Federal housing benefits.

This committee recommends:

(1) That the United States Government establish a commission with the specific responsibility to develop a plan and program for the elimination of discrimination and segregation policies and practices of all Federal agencies engaged in housing, slum clearance, urban renewal, insuring or lending functions related to housing.

(2) That all Federal housing agencies and other Federal agencies performing housing functions immediately and consistently give the fullest support to State and municipal agencies which are charged with the responsibilities of enforcing laws against discrimination in housing.

(3) That the Federal Government immediately issue and publicize a statement of policy embodying the objective set forth by Congress in the Federal Housing Act of 1949, and consistent with the Federal Constitution with respect to the equal rights of all American citizens without regard to their race, creed, color or national origin.

The testimony reveals further a serious lack of Federal provisions for housing accommodations for the large segment of the American population which falls within the income range between the level required for low-rent public housing and that required for the so-called middle-income housing program. This committee strongly recommends that this need be provided by congressional action which would expand existing Federal housing programs to provide housing accommodations for the large group of people within this income range.

EDUCATION

The phenomenon of the de facto segregated school is a growing blight on the lives of children in all northern communities: in Chicago, in Detroit, in Philadelphia, even in the smaller communities. In New York City, fully a third of the public school population are Negroes and Puerto Ricans.

A great many of these children attend segregated schools inferior in physical plant in many cases; inferior in quality of teaching staff; and inferior in the content of the subjects taught. The integration program of the Board of Education of the City of New York is concerned with both problems: the existence of de facto segregation and the grossly inferior education provided in such de facto segregated schools.

Since the May 17, 1954, school decision of the U.S. Supreme Court, instead of the number of such segregated schools being diminished, there has been a growth and extension of such schools. In 1954, according to a report of the Public Education Association, there were 42 de facto segregated elementary schools and 9 such junior high schools in New York City. Today, there are 72 elementary schools and 12 junior high schools classified as de facto segregated schools with a greater than 90 percent Negro and Puerto Rican population.

In Brooklyn in 1954, there were only 9 segregated elementary schools—today there are 25. There was but one segregated junior high school—today there are four.

These new segregated institutions reflect not simple population growth in the segregated residential areas, but school zoning and both school and housing building programs which, in many instances, tend to perpetuate and extend this unfavorable pattern.

We observe the inequity of overcrowded, part-time education in Negro schools, side by side with hundreds of empty seats and enriched, full-time education in the predominantly white schools nearby. A preponderance of new and inexperienced or substitute teachers in the Negro and Puerto Rican schools contrasts with a stable staff of skilled, experienced teachers in the predominantly white schools.

We observe the continuing evils of contrived and gerrymandered school zones and of patterns of containment all working to the end of the separation of the races. We hear daily complaints from parents of Negro children guided to nonacademic careers, discouraged in their ambitions, scorned and stereotyped, categorized as "difficult," of "low cultural background," as "coming from broken homes."

Above all, we note that the ability of these children to read and write is years behind that of children attending schools a mile or two away and that the failure of the schools to educate them is placed on the shoulders of the children and their parents—not at the door of the educators whose duty it is to teach.

THE CITY HAS PLEDGED ITSELF TO END THIS EVIL

In December, 1954, the Board of Education of the City of New York passed a resolution that declared in part:

Public education in a racially homogeneous setting is socially unrealistic and blocks the attainment of the goals of democratic education, whether this segregation occurs by law or in fact.

* * * It is now the clearly reiterated policy and program of the Board of Education of the City of New York to devise and put into operation a plan which will prevent the further development of such [de facto segregated] schools and would integrate the existing ones as quickly as practicable.

This was a statement of faith in democracy and a pledge to the people of the city of New York. This resolution came as the result of the efforts of a group of organizations representing many leading civic, intergroup, interfaith, and community forces in New York, working together as the Intergroup Committee on New York's Public Schools.

Responding to the challenge of the facts brought to light, Col. Arthur Levitt, then president of the Board of Education, introduced the resolution quoted above and, with the support of the full board, appointed, in 1955, a Commission on Integration. By February, 1957, nearly all the results of the 2-year study by the Commission on Integration were in and the recommendations of that body were adopted as a policy of the Board of Education.

This report will not attempt to evaluate progress on all of the 135 recommendations of the Commission. We seek to isolate and examine the progress made on those recommendations that appear to us to be the controlling ones, those proposing a change in the former policies of the Board that tended to promote de facto segregation and inequality in the schools.

THE CITY HAS NOT KEPT FAITH

Instead of progress in the desegregation of the schools, the intervening years have brought a rapid extension of segregated schooling with the results noted above.

The outstanding achievements in the schools themselves have been some reduction in class size in the segregated schools and the addition of some administrative staff, clerical help, and lunchroom aides who relieve the teachers of some of their burdensome nonteaching duties.

A serious attempt to build new schools located to achieve a balanced population is being made, but with only meager results.

The only area where visible improvement has been made is in the construction and modernization of schools in the segregated community, increasing the number of segregated schools, but providing a measure of equality in school plant.

ZONING TO PROMOTE INTEGRATION

The excellent recommendations of the Commission on Integration called for establishing integration as a cardinal principle of zoning. Its subcommission on Zoning recommended that:

Permissive zoning (that is, permission to attend a school other than that to which a child is assigned) can be used to provide children in a school with homogeneous population the opportunity to attend an integrated school.

Although this principle was adopted by the Board of Education, Dr. William Jansen, then superintendent of schools, in promulgating his comprehensive zoning plan (September 27) limited its application as follows: “* * * the application of the principle of ‘per-

missive zoning' should in general be deferred to the senior high school."

On April 20, 1957, Dr. Jansen issued a statement denying a report that 400 Negro children in Brooklyn were to be permitted to transfer to predominantly white schools. The *New York Times* of that date quoted him as follows:

* * * By permissive zoning is meant the granting of the privilege of attending a school other than the one normally attended by the children living in the neighborhood. This privilege has to be granted with great care, as it can easily lead to abuses * * *."

In September 1958 nine parents of children about to enter segregated junior high schools in Harlem, withheld their children from school, charging inferior, discriminatory education and requesting "permissive zoning" transfers to predominantly white or integrated junior high schools. Despite the Commission's recommendation, their request was denied.

On March 30, 1959, announcement was made of a plan to extend "restricted permissive" transfers to junior high schools. This came only after a 6-month strike of Harlem parents, a court action and finding by a court that these parents were not neglectful of their children because they withheld them from attending these inferior schools.

The other side of the coin is the fact that in Brooklyn, as elsewhere in New York, permissive zoning has been an established practice in the schools for the purpose of permitting white students to escape their neighborhood schools which are of an ethnic composition not to their liking.

The Brooklyn NAACP reports that it made a serious effort over these three years to assist parents in achieving such transfers for the relief of overcrowding and the promotion of integration. Up until September, 1958, they were successful in obtaining transfer for only 90 students. Typical of the unbelievably elaborate obstacles put in the path of this effort is the case of Public School 287, Brooklyn. In brief, Public School 287 is a segregated school with 487 more children than seats. It is on part-time through the sixth grade. Five hundred parents signed a petition to have their children transferred by bus to underutilized schools in a neighboring school district. These underutilized schools are predominantly white.

Denied this opportunity by the field assistant superintendent, they appealed to the Central Zoning Unit head, Mrs. Francis A. Turner, who refused the transfers on the ground that—

(1) They could be accommodated (on a totally segregated basis) in an obsolete school (96 years old) in the same district. This school was empty because its population had just left to enter a new school built to replace it. The school (old Public School 11) was about to be surrendered.

(2) A new school is under construction and, if the children left, they might eventually have to come back.

Contrast Public School 287 with its overload of almost 500 children with the underutilization in the schools to which transfer was requested: Public School 39, 7 empty rooms; Public School 107, 10 empty rooms; Public School 146, 19 empty rooms; Public School 154, 8 empty rooms. This was enough to accommodate more than 1,000 additional children.

After months of pressure, delay, and negotiation, permission was finally granted. Children will go next September.

The Commission on Integration recommended action "* * * to improve the racial balance in junior high schools, both in fringe areas and those not too remote from fringe areas."

The classic example of utter failure to implement this recommendation is Junior High School 258, Brooklyn, a new school which opened in 1955 after the Board's resolution to "prevent the further development of such [de facto segregated] schools and integrate the existing ones as quickly as practicable." It had 1,495 Negro and 5 white children.

Junior High School 258 is "not too remote from fringe areas." Less than a mile and a half away, another junior high school was under construction, Junior High School 61, which was going to be a predominantly white school. The NAACP submitted a memorandum to the Board requesting that both schools be integrated and presenting a plan of zoning that would achieve such integration.

Despite the fact that all the major civic organizations in New York endorsed the integration of Junior High School 258; that the mayor promised personally to see to it that it was integrated; that for over a year the integration of this school was repeatedly front page news in every paper in the city, Dr. Jansen held firm.

A concession was made providing for integration of Junior High School 61, the school originally intended as a predominantly white school. But Junior High School 258 to this day is an all-Negro school.

Under the headline, "City Plans To Build 24 Schools To Spur Integration Efforts" the *New York Times* reported on April 17, 1957:

The Board of Education is taking steps to end segregation in New York schools.

Twenty-four elementary and junior high school buildings will be constructed in Harlem and in the Bedford-Stuyvesant district in Brooklyn. Twenty-two of these will be situated so as to reduce the segregation that is developing from the housing pattern.

Of the eight schools announced for the Bedford-Stuyvesant area, it now develops that six will be segregated. In the 1959 budget, an additional five schools are planned which will admittedly be segregated. This is how, under the operation of the integration program, segregated schools in Brooklyn have increased from 9 in 1954 to 25 today, with 5 more planned for the future.

Because of past neglect, overcrowding of schools is most evident in the segregated residential areas. In Brooklyn, for example, 85 percent of the de facto segregated Negro and Puerto Rican schools are overcrowded, a third of them by a surplus of more than 300 children. In contrast, only 19 percent of the predominantly white schools are at all overcrowded and a third of them are underutilized by a deficit of more than 300 children. Within a radius of 1½ miles of the Bedford-Stuyvesant area of greatest Negro concentration, there are 7,950 empty seats in underutilized schools.

A solution which has been suggested, which goes beyond the Commission recommendation, but which may be necessary to meet the problem is this: Build many small schools that go only up through the third grade in the segregated communities, to provide for the youngest children and for recreational and adult educational activities after school. From the fourth grade on, the children can travel more readily and should be sent to the many underutilized schools outside of the segregated community, or to new schools built further out in the fringe areas.

EQUALIZING EDUCATION IN THE SCHOOLS

As has been found all over the country, the standards and curriculum in segregated New York schools are inferior. One objective way of measuring what improvement has been made as a result of implementing recommendations by the Commission on Integration is to examine the results of the citywide achievement tests given in the third, sixth and eighth grades to all New York's public school children.

The Public Education Association made a study at the request of the Board of Education of the results of these tests given in 1954. They used a sample of schools with over 90 percent white children (Y schools) and compared the results with those of children in the 90 percent and over Negro and Puerto Rican schools (X schools).

The Education Committee of the Brooklyn NAACP recorded the results of the tests given in the identical schools in February 1957. Below are the results of this comparison. Average test scores are read in years and months, e.g., 3.7 is read three years and seven months. The theoretical grade level at the beginning of grade 3 would be 3.0.

Comparison of average reading test scores for X and Y schools for 1954 and for 1957

Grade	1954 (PEA study)		1957 (NAACP)	
	Group Y	Group X	Group Y	Group X
3d.....	3.7	2.5	4.1	2.8
6th.....	6.9	4.7	7.0	4.5
8th.....	8.4	6.0	8.9	5.8

The gap between the achievement of the children in the X schools and those in the Y schools (obtained by subtracting the X scores from the Y scores) for 1954 and for 1957 is shown below:

Disparity in achievement scores in reading between X and Y schools

Grade	Disparity, 1954	Disparity, 1957
3d.....	1 year, 2 months.....	1 year, 3 months.
6th.....	2 years, 2 months.....	2 years, 5 months.
8th.....	2 years, 4 months.....	3 years, 1 month.

The data show that the gap has widened over the years from 1954-57 for each grade level tested. Had any substantial progress in the implementation of the Commission's recommendations on educational standards been made, we could expect some narrowing of this gap.

Especially significant in human terms are the data for eighth grade reading because they indicate why the average Negro child, 3 years behind the white child in reading in the eighth grade, finds the going very hard when he reaches the integrated high school and is in the same class with the child who has had a superior elementary school education.

Instead of an intensive program to help these children close the gap, many of the educators in the high school division and legislative leaders in the State have tried to restrict the right of secondary education for these children who were undereducated in the elementary grades. A plan has been initiated to retain the badly retarded pupil in the junior high school until he is old enough to be discharged from school, making the junior high school, in effect, a completion school for these children.

SECRETIVENESS AND PREJUDICE

Although the Board has frequently urged close parent and community participation in school matters, it is secretive at all levels about the essential facts of its educational program. In addition, complaints are received by the NAACP and other organizations of prejudice, both individual and general, against the Negro and Puerto Rican child, on the part of both teachers and principals. Contempt for the child and his family is combined with rudeness in schools in all the segregated communities. Just a few examples are given:

In Public School 45, Brooklyn, the principal called all Negro mothers by their first names; insinuated openly at PTA meetings that all of them had lovers other than their husbands, if indeed they had husbands, and made the following statements which appear in affidavits signed by the parents to whom they were made:

"Integration will never work. Just wait until some colored boy runs his hand up a skirt."

Asked whether the new school being planned to replace Public School 45 would be integrated, he said:

"How would it look for the children of the madams to be going to school with the children of the maids?"

This principal is still at his post.

In Public School 3, Brooklyn, the parents are now petitioning for the removal of their principal for a long record of insulting behavior. One of the charges involves his giving statements to the newspapers about how depraved the parents of the children in his school are, how evil the neighborhood, and how impossible his task of educating the children.

Typical of the attitude taken even by guidance personnel is the report of the counsellor who laughed heartily when a Negro child said he wanted to become a doctor. She turned to the others in the room and said, "Look who wants to be a doctor!"

IT CAN BE DONE

Fortunately, examples exist to prove that the application of serious attention to raising the achievement of the Negro and Puerto Rican children has rapid and good results.

A special pilot project set up at Junior High School 43, Manhattan, upon the recommendation of the Subcommission on Guidance has been in operation long enough for the results to be measurable. No full report has yet been made, but many cases have been found of individual children advancing several years both in achievement and in I.Q. The proportion of children motivated to go on to academic high school has quintupled.

In Public School 24, Brooklyn, one of 20 pilot schools in the Puerto Rican study just completed, the achievement level of the children was higher than the citywide average in both reading (third grade) and arithmetic (sixth grade). Most of the Puerto Rican children entered the school unable to speak English. Within a year, all of the children were literate in English. The only additional personnel employed was a Puerto Rican coordinator who did an extraordinarily good job.

The Board is now requesting funds for several other projects similar to the Junior High School 43 demonstration project. Community organizations and parents welcome this but ask that it be extended to all the junior high schools that are behind in achievement.

Yet none of the recommendations of the Commission on Integration have been so completely reversed as those of the Subcommittee on Teacher Assignments and Personnel.

The Subcommittee sought to remedy the condition that existed and still exists in the segregated schools of an inordinate number of inexperienced principals, constant and rapid turnover of staff and administration and, in the junior high schools, a meager number of teachers assigned to teach the subjects for which they were licensed.

The average percentage of substitutes in the predominantly Negro junior high schools in September, 1958 was 49.5 percent; for predominantly white schools, 29.6 percent. In Brooklyn, the disparity was even greater; 55 percent in Negro schools and 31.6 percent in white schools.

The effect of an absolute and complete reversal of the Commission's recommendations has been that some of the substitutes in the segregated elementary schools (nothing has been done in junior highs) have been replaced by regular teachers fresh out of college. Most of them are inexperienced.

In schools where there is a large, stable, experienced teaching staff, these new recruits are steadied and helped and their period of panic and floundering is brief. In the segregated schools, where often a third of the teachers are new recruits each year, the problem becomes acute.

The parents call their children's schools "teacher training schools." "Teachers get their training here," they said, "and then go elsewhere."

Judge Justine Wise Polier in her decision in the case of the Harlem parents who refused to send their children to segregated, inferior junior high schools, made very clear the legal obligation of the Board of Education, under the 14th amendment to the Constitution of the United States, to equalize the teacher inequality instantaneously.

She states:

So long as non-white or X schools have substantially smaller proportion of regularly licensed teachers than white or Y schools, discrimination and inferior education, apart from that inherent in residential patterns, will continue. The Constitution required equality, not mere palliatives.

Yet the fact remains that more than eight years after the Supreme Court ruling in *Sweatt v. Painter* and more than four years after its ruling in *Brown v. Board of Education*, the Board of Education of the City of New York has done substantially nothing to rectify a situation it should never have allowed to develop, for which it is legally responsible, and with which it has had ample time to come to grips, even in the last four years.

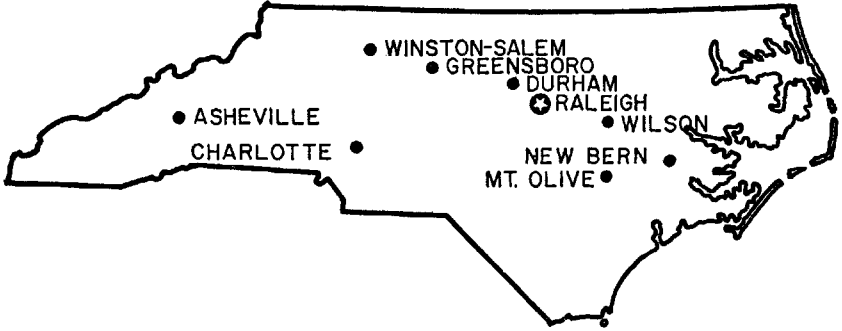
This decision was rendered on December 15, 1958. The response of the Board of Education to this clear-cut delineation of its legal obligation to the Negro and Puerto Rican children of New York was to move to appeal the decision of the court.

CONCLUSION

Perhaps in a school system as large as New York's, 2 years is too short a time to permit a balanced evaluation of the progress being made.

Unfortunately, 2 years in the life of a child is a long time. In the lives of more than 320,000 children, 2 years can be calamitous for the welfare of the community and the city. For the parent, these 2 years have worn thin his patience. We are aware that the coming years will bring ever-increasing parent resistance in the forms already begun, mass protests, litigation and strikes, unless the Board of Education grasps the nettle firmly and advances rapidly to its announced goal of full equality in education.

North Carolina



(287)

North Carolina Advisory Committee

(First meeting January 20, 1959)

Chairman:

J. McNEILL SMITH, Greensboro

Occupation: Attorney

President, American Business Club
and American Freedom Association

Vice Chairman:

HON. ASA T. SPAULDING, Durham

Subcommittees: Employment and
Voting

Occupation: President, North Carolina
Mutual Life Insurance Company

Director, Mechanics and Farmers
Bank; former U.S. Representative,
UNESCO

Secretary:

MRS. MARGARET R. VOGT, Wilson

Subcommittee: Housing

Occupation: Housewife

MILLARD BARBEE, Durham

Subcommittees: Employment and
Voting

Occupation: President, North Carolina
Federation, AFL-CIO

PAUL R. ERVIN, Charlotte

Subcommittee: Education

Occupation: Attorney

Former member, North Carolina
General Assembly; Chairman
Judicial Council of the Methodist
Church

CONRAD O. PEARSON, Durham

Subcommittee: Voting

Occupation: Attorney

Counsel, North Carolina State
Conference of National Association
for the Advancement of Colored
People

CURTISS TODD, Winston-Salem

Subcommittee: Education

Occupation: Attorney

Member, Executive Committee,
Winston-Salem Urban League

DR. R. A. WILKINS, Mt. Olive

Subcommittee: Housing

Occupation: Dentist

MARION A. WRIGHT, Linville Falls

Subcommittee: Education

Occupation: Attorney (retired)

Former president, Southern
Regional Council

North Carolina Report

VOTING

THE North Carolina State Advisory Committee undertook to collect statistics on voting registration by race in every county in the State for the period from 1950 to the present. It is the Committee's understanding that this was the first time a statewide study of the kind had been made here.

We wish to express appreciation for the excellent cooperation the county boards of election gave. Though the statistical information requested was not required to be kept by law, replies were received from nearly every county in the State.

A detailed analysis of these statistics was made by Prof. Donald R. Matthews, Associate Professor of Political Science at the University of North Carolina, with the assistance of Mr. Douglas S. Gatlin and Mrs. Natalie S. Dean, and the courteous cooperation of Dr. Alexander Heard, Dean of the Graduate School of the University. The results of their study constitute a valuable contribution to the subject.

Ninety-one counties submitted statistical data. Several of the nine counties that failed to supply information indicated that there were not sufficient funds or available personnel to make the necessary count of the registrants. Among the counties failing to supply information were Northampton County and Greene County, two of the three from which sworn complaints of the denial of the right to vote because of race were received, as will be discussed below.

SYNOPSIS OF FINDINGS

(1) The percentage of North Carolina citizens who vote in general elections today is far below the percentage that voted at the turn of the century.

(2) The registration books in many counties contain a great many names of persons who are dead or departed.

(3) Only those counties that have adopted the loose-leaf system as authorized by the General Assembly in 1949 are able to tell accurately and quickly how many persons were registered.

(4) In almost every county, the percentage of nonwhites who are registered is significantly lower than the percentage of whites who are registered.

(5) The election statutes of North Carolina do not discriminate against nonwhites on account of race, according to a compilation of

the general statutes and constitution of North Carolina made with the assistance of Mr. Henry W. Lewis, Assistant Director of the Institute of Government.

(6) There is some evidence that the disparity between nonwhite and white registration is caused by discrimination in the application of the North Carolina election statutes, particularly in the reading and writing test. Our Committee received 17 sworn complaints that persons were prevented from registration by discriminatory application of this test. The complaints were made by residents and citizens of Northampton, Halifax, and Greene Counties.

(7) While there may be some places in the State where obstacles are put in the path of Negro registration, in most counties this is not so.

(8) There is substantial Negro registration in North Carolina, and it is increasing every year, particularly in the Piedmont and Mountain counties as distinct from the Coastal Plain.

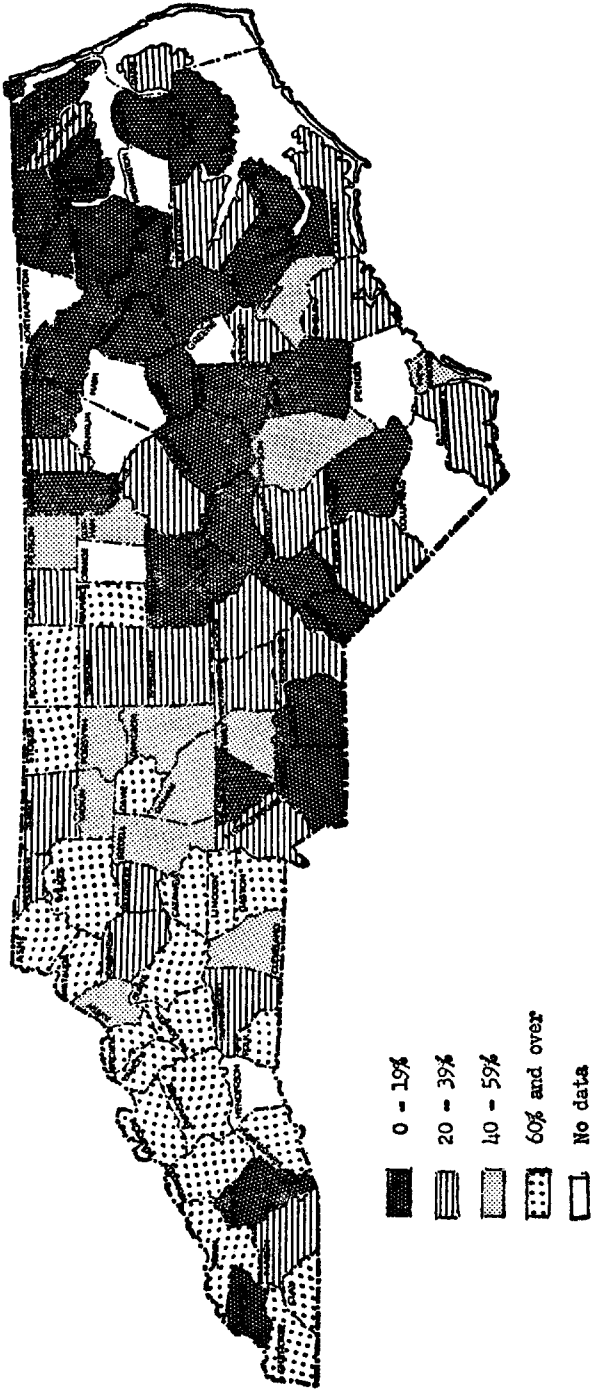
(9) There is some evidence that the smaller percentage of nonwhites who are registered is due to greater apathy among Negro citizens.

HEARINGS AND COMPLAINTS

The Advisory Committee held hearings in Charlotte, Greensboro, New Bern, Durham, Asheville, and Raleigh, at which it was possible for persons to file sworn complaints in the event their civil rights had been denied. The substance of the 17 complaints received, all from Negroes, was that although they were qualified to vote according to the laws of North Carolina, they had been denied because of their race. Specifically, it was stated that the reading and writing test was applied to the complainants in such a way as to discriminate against them and deny them the privilege of registering and voting. The complaint was that although the applicant was able to read and write the English language as required by North Carolina law, and although the applicant demonstrated this ability, he was nevertheless told by the registrar that he had failed to pass. One complainant stated he was refused registration because he misspelled "democrat."

Ten of the persons filing these sworn complaints were residents and citizens of Halifax County, and their complaints related to denials of the right to register in 1956, 1957, and 1958. Six of the complainants were residents and citizens of Northampton County. The 17th complaint was from a resident and citizen of Greene County, and his complaint related to three separate attempts to register since 1951.

PERCENTAGE OF POTENTIAL NON-WHITE VOTERS REGISTERED, BY COUNTY, 1958



In accordance with the 1957 act of Congress, these sworn complaints were referred to the United States Commission on Civil Rights for appropriate investigation.

In addition, the Advisory Committee received a sworn complaint of a resident of Beaufort County that another person, other than the affiant, had been refused registration. The applicant had been observed to read several pages from the North Carolina constitution, but the registrar then stated that the applicant "didn't satisfy him." The refusal was said to have intimidated the applicant to the extent that no further attempt to register was made. This complaint was not forwarded to the United States Commission on Civil Rights inasmuch as the complainant had not been personally refused registration by the registrar.

OTHER REFUSALS ON ACCOUNT OF ILLITERACY

Each county board of elections was asked to advise the Committee as to the total number of instances since 1951 in which persons applying to register had been refused on account of inability to read and write. The replies as received are as follows:

Instances in which persons applying to register have been refused on account of inability to read and write (since 1951), as reported by county boards of election:

Avery -----	1	Johnston -----	0
Beaufort -----	1	Lee -----	2
Bladen -----	75 ¹	Lincoln -----	0
Cherokee -----	0	Mitchell -----	0
Clay -----	3	Moore -----	(⁴)
Cleveland -----	(²)	Onslow -----	0
Currituck -----	0	Orange -----	1
Durham -----	0	Pamlico -----	24
Gates -----	10	Person -----	10
Granville -----	21 ³	Pitt -----	(⁴)
Harnett -----	0	Robeson -----	1
Henderson -----	0	Sampson -----	60 ⁵
Iredell -----	(⁴)	Swain -----	0
Jackson -----	0	Warren -----	(⁶)

¹ Of all races.

² Unknown.

³ 12 colored, 9 white.

⁴ Very few.

⁵ Estimated.

⁶ Quite a few, both white and Negro.

A SPECIAL TREATMENT

Messrs. J. H. Wheeler, Ellis D. Jones, and Mrs. N. B. White, on behalf of the Durham Committee on Negro Affairs, filed a written statement with the Committee in regard to voting, stating:

In the exercise of the voting rights, Negro citizens of Durham and Durham County have not, to our knowledge, been denied equal protection of the laws on account of race, creed or national origin. On the other hand, almost every citizen of North Carolina is aware of the difficulties experienced by Negro citizens who attempt to register and vote in large numbers in the so-called Black Belt counties in eastern North Carolina. This situation is difficult to document because of (1) pressures applied by school boards to Negro teachers; (2) pressures applied by land owners to Negro tenant farmers; and (3) economic pressure applied by small businessmen and merchants to Negro consumers and users of credit. Failure of documentation, therefore, does not mean that most Negro citizens living in rural and small town areas of eastern North Carolina are not under constant surveillance and pressures which block effectively, their participation in the political life of their respective communities.

STATEMENTS OF COUNTY BOARDS

The Advisory Committee received numerous letters containing suggestions and comments from various county boards of election, as well as oral statements from them, as follows:

Guilford County Board of Elections

Mr. A. L. Meyland, the chairman of the board, appeared before the Committee at the time of the meeting in Greensboro and described the loose-leaf permanent registration system in operation in Guilford County. He illustrated the procedures used in registrations and answered questions of the members of the Committee. The Committee was satisfied that every effort was being made to see that all persons in the county were given an equal opportunity to qualify for registration and to vote.

Mr. Meyland stated: "There have been three challenges based on literacy in this county since 1950. All three challenges were white, and the challenges were upheld. The number of illiterates applying for registration in Guilford County has been very low, and almost without exception the person applying has made no demand to register after an explanation of the necessity of knowing how to read and write."

Mr. Meyland informed the Advisory Committee that failure to vote during the past 6 years had caused 14.99 percent of the whites and 23.8 percent of the Negroes registered in the years 1950 and 1952 to be removed from the rolls after the general election of 1958. Notices were first sent to the registrants who had not voted since 1952, advising them that unless they showed cause, their names would be taken from the registration records. Mr. Meyland declined to speculate as to whether the failure of almost a quarter of the Negro registrants to vote was due to greater apathy, migration, or some other factor.

Lenoir County Board of Elections

Mr. F. E. Wallace, Jr., the chairman of this board, stated that: "In the past general election, the percentage of Negro voters exercising the franchise, once registered, would exceed the relative percentage of whites so exercising the franchise by at least 10 to 15 percent. All assistance is given consistent with the requirements for registration, and to our knowledge no one has been turned down for ineptness in reading or for inability to speedily or clearly pronounce the words. Only those cases where the person was unable to meet the constitutional requirement of reading and writing were refused registration. As far as we were able to determine, this requirement was administered equally regardless of race, and the only protest or dissatisfaction with the registration machinery reported to this office involved a white person seeking registration who was denied on educational grounds."

Wilkes County Board of Elections

Mr. Larry S. Moore, the chairman of this board, stated: "Our registrars do not apply the reading test for registration of voters, either for Negroes or for whites, and we have had very few challenges based on this test in the past 10 years."

Perquimans County Board of Elections

Mr. W. A. White, the board's chairman, stated: "In the short time I have been chairman, no one has been refused registration because of his inability to read or write. I cannot say for sure for the years back to 1951, but I see no indication of such a matter arising."

Robeson County Board of Elections

Mrs. Lucy P. Gray, the secretary of this election board, stated that registration among Negroes and Indians had increased by a considerably larger proportion since 1956 than that of the white population. This was because of the increased interest on the part of women in those races. There had been special increase of interest in the communities where there had been Negro and Indian candidates for office, beginning in 1954. Two Indian recorder judges (succeeding one another) had been elected, and an Indian was elected to the Board of County Commissioners. "Experienced observers recall only one instance," stated Mrs. Gray, "of a dispute over denial of registration in the past quarter of a century, and that came in 1954. It involved only one refusal and resulted in the replacement of the registrar. Literacy tests are not elaborate and are concerned with the ability to read the ballot."

Sampson County Board of Elections

Chairman J. L. Austin of this board stated: "As to registration, we have no trouble here in Sampson. Each person applying for registration is given the same oath, regardless of race. They are required to pass the test required by the State of North Carolina, such as residency, ability to read and write and to support the Constitution of the United States and the State of North Carolina. We do have in all registration periods some applicants turned down. This is primarily due to illiteracy, and I would say it was equal between the white and colored. Challenges are almost a thing of the past. I don't believe we have had a challenge in the past 10 years."

Surry County Board of Elections

Mr. A. B. Carter, the chairman, stated: "We have had no trouble in the registering of either Negroes or whites, and the same procedure is followed, purely and simply one of literacy in addition to the usual requisites of voting."

Moore County Board of Elections

Mr. S. C. Riddle, the chairman, stated: "Only one complaint for nonregistering has ever been made to this board since I have been a member. I believe that was prior to 1950, and that was handled agreeably by me as chairman and with the advice of our dependable Honorable R. C. Maxwell. I do not tolerate discrimination on account of color."

Granville County Board of Elections

"We had one investigation by the FBI in Creedmore Precinct," reported Mr. John M. Watson, Jr., chairman of the county board, "but there were not any charges brought against the registrar. We have had no challenges for the past 17 years."

Bertie County Board of Elections

Mr. J. L. Parker, Jr., the chairman of this board, stated: " * * * the number of persons being refused registration since 1951 on account of inability to read and write is a question that no one has any idea about."

Orange County Board of Elections

Mr. S. T. Latta, Jr., stated: "I have been chairman of the Orange County Board of Elections since 1955, and during this period of time there has been only one case where a Negro has been refused the privilege of registering, due to the fact that the applicant could

not read or even write his own name. We have followed a very liberal policy in Orange County and have allowed all persons applying to register except the case above stated."

Vance County Board of Elections

"Registration of any qualified voter has never been a problem in Vance County," stated George T. Blackburn, the chairman of its board. "The difficulty in Vance County is chiefly the indifferent attitude of the population towards political elections. There is a marked apathy on the part of the white electorate toward voting, and a distinctly negative attitude among the members of the Negro race even to registering."

Onslow County Board of Election

Mr. Fred L. Gore, chairman of this county board, stated: "Since I have been on the board, we have had no complaints whatsoever about applicants being denied the right to register."

Wilson County Board of Elections

Mr. Harry C. Finch, the chairman, stated: "Under the permanent loose-leaf registration system in use in Wilson County since 1956, all registration is now done in the Wilson County Board of Elections office in the Courthouse. An applicant for registration is required to read a portion of the North Carolina constitution. I do not recall any challenges being made during the last 10 years, during which time I have been chairman of the Wilson County Board of Elections."

ACCURACY OF RECORDS

From the comments of many of the county boards of elections and from the figures they submitted, it is obvious that the registration books in many countries are not currently accurate. Many of the registered persons are dead or departed. This may be the first time that we have had a clear picture over the State of how non-current our registration books are. Some of the counties reported as many as 192 percent of their entire eligible white population as being registered. This is not the fault of the individual registrars or the boards of elections involved, nor does it represent any discrimination on account of race, religion, or national origin, but it does show that the machinery which we have for registration does get out of date and stay out of date in many counties.

Those counties that have adopted the loose-leaf system as authorized by the 1949 General Assembly, not only have current accurate figures, but these counties have been able to help pay a large part,

if not all, of the cost of installing and maintaining this system by selling accurate voter lists to political candidates, advertising concerns, and others. Under the loose-leaf system, where plates are maintained currently, it is no trouble at all to run off lists of registrants in a matter of a few hours and in some counties only a few minutes. In addition, other data relating to characteristics of the voting population (for example, a comparison between the number of men and women who have registered) can quickly be determined.

Some of the counties, like Guilford and Mecklenburg, that show lower percentages of registrations on the tables, do not necessarily have a lower percentage of the actual population registered. Their counts are lower because they show more accurately the registrants available in the county to vote and not those who have died or moved away long years past.

In most counties in North Carolina there is no obstacle to Negro registration, either in the law or the application of the law. We believe that North Carolinians are in general agreement that none of our citizens should be denied the basic American right to vote and have that vote counted. In such places in the State where any person may have been denied this right, we believe that when known and understood, the good experience in the rest of the State and the loyalty of our people to the fundamental principles of free government will soon eliminate any question of voting discrimination anywhere in North Carolina. This can and should be done within the framework of the present laws of North Carolina.

The North Carolina constitution, article I, section 2, provides: "That all political power is vested in, and derived from, the people; all government of right originates from the people, is founded upon their will only, and is instituted solely for the good of the whole."

Article I, section 7, amended and approved by the voters of the State as recently as 1946, provides: "No person or set of persons are entitled to exclusive or separate emoluments or privileges from the community but in consideration of public service."

Article I, section 10, provides: "All elections ought to be free."

Fair elections are necessary if we are to have a government of the people. Government by consent of the governed is the essence of our State.

Therefore, the right of every qualified person in North Carolina to vote and have that vote counted is the equal concern of every citizen, white and nonwhite alike.

This concern is not to vindicate the claims or to secure the advancement of certain persons or groups, but rather "that the great, general, and essential principles of liberty and free government may

be recognized and established." This is the North Carolina DECLARATION OF RIGHTS, article I, of our North Carolina constitution.

EMPLOYMENT (INTERIM REPORT)

The North Carolina Advisory Committee's study of possible discrimination in employment is still in its preliminary stages so far as its major aspects are concerned, but in one narrow field, the facts are so readily ascertainable that legitimate conclusions may now be drawn. We refer to enlistments in the National Guard.

It is hardly open to question that such enlistments constitute employment. Membership in the guard entails performance of services for which compensation is paid, which is the usual characteristic of employment. Through all publicity media, the Federal Government is urging enlistment in the guard, as well as in the other military services, as a "career." One's career is usually the business or occupation in which he is engaged or employed.

The relevant facts are as follows:

1. As of June 30, 1959, 11,345 white persons were members of the North Carolina National Guard. There were no Negro members.
2. North Carolina's current annual appropriation for Guard salaries:

(a) Members of Adjutant General's staff-----	\$127,239
(b) For distribution to officers -----	69,500
Total -----	196,739
3. Federal Government's current annual appropriation for Guard salaries (round figures):

(a) Full-time employees-----	2,600,000
(b) Drill pay for members who are not full-time employees -----	2,500,000
Total -----	5,100,000
4. Total annual compensation for 11,345 employees----- 5,296,739
5. Average annual compensation for 11,345 employees----- 466.88

Note: Included are 10,786 members paid only for drilling.

This entire compensation goes only to white persons, since there are no Negro members.

The Federal Government appropriates 96.29 percent of the salaries, the State of North Carolina 3.71 percent. Negroes comprise 25.5 percent of the State's population, according to North Carolina's public health statistics as of July 7, 1958. If Negroes were em-

ployed in the guard at that ratio, they would total 2,893 and their compensation would be \$1,350,683.

While, in the event of being drafted, or other entry into the National military services, membership in the guard does not automatically confer a preferred status, it does give the inductee the distinct advantage that comes from prior training and experience.

There has never been a Negro member of the guard, though a few applications for membership have been made.

The pertinent statutory provision is as follows:

127-6 White and Colored Enrolled Separately

The white and colored militia shall be separately enrolled, and shall never be compelled to serve in the same organization. No organization of colored troops shall be permitted where white troops are available, and while permitted to be organized, colored troops shall be under command of white officers. (1917, c 200, s 6; C. S., 6796)

CONCLUSIONS

As a matter of practice and of law, insofar as employment in its National Guard is concerned, North Carolina's discrimination against its Negro citizens is total and complete.

This results in deprivation of a means of livelihood and of earning. It contributes to disparity of annual income. In 1950 the median family income was \$2,150 for whites and \$1,050 for Negroes.

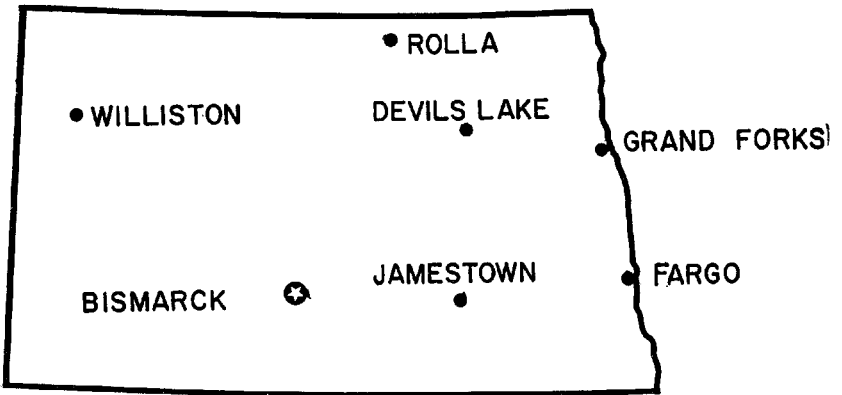
It further discourages the qualified Negro from entry upon a military career, and, when he so enters, handicaps him in competition with whites.

In times of racial tension, if the guard should be called out, it would be reassuring to Negro citizens to observe that members of their race were on duty. Thereby would be implanted the justified conviction that the sole mission of the guard is to uphold the law. Forty-three North Carolina cities which employ Negro policemen feel that such employment is a distinct contribution to fair enforcement of law.

The policy of the Federal Government is one of nondiscrimination in the military services. Since membership in the National Guard is, at least, quasi-Federal in nature, it should be possible to extend such policy to the State guards.

The constitutionality of the statute above quoted is beyond the special competence of this committee. But, even to laymen, it would seem to afford slender support for the policies it is designed to sanction.

North Dakota



(301)

North Dakota Advisory Committee

(First meeting November 26, 1958)

Chairman:

DR. GEORGE W. STARCHER, Grand Forks

Subcommittee: Education

Occupation: President, University of North Dakota

Vice Chairman and Secretary:

REV. JAMES W. L. KELLER, Jamestown

Occupation: Lutheran clergyman

District chairman, Committee for Christian Social Action

ARLEY R. BJELLA, Williston

Occupation: Attorney

President, North Dakota Bar Association

MRS. JAMES MORRIS, Bismarck

Subcommittee: Voting

Occupation: Housewife

Former National President, American Legion Auxiliary

HERBERT G. NILLES, Fargo

Subcommittee: Housing

Occupation: Attorney

Member, House of Delegates; past president, North Dakota State Bar Association

DAVID EDWARD GARCIA, JR., Devils Lake

Occupation: Attorney

States attorney, Ramsey County; vice president, State Jaycees

Other Committee Study Topics: Migratory Workers and Indians

North Dakota Report

HOUSING

OUR INVESTIGATION does not reveal any serious civil rights problem so far as housing is concerned. If we do have problems, they are primarily due to economic considerations rather than to any discrimination or other causes that would involve issues of civil rights.

EDUCATION

Our education survey shows that, without exception, there is no discrimination in our public schools nor in our institutions of higher education on the basis of race, religion, or social status. All of our institutions of higher learning accept students for admission on an equal basis, they are housed in dormitories on the same basis, and so far as the institutions are concerned, no situation appeared to justify further direct inquiry by the committee at this time.

INDIANS

The committee has discussed Indian affairs at some length. Appearing at the joint meeting of the North and South Dakota committees on February 20 was Dr. James Howard, anthropologist at the University of North Dakota, who gave valuable testimony based upon his experiences with Indian groups in North and South Dakota.

When he met with the Committee, Mr. John Hart, executive director of the North Dakota Indian Affairs Commission, gave a good comprehensive overview of the Indian problem as he sees it. Members of the committee who were present could appreciate Mr. Hart's problem in attempting carefully to draw the thin lines which separate Indian problems from civil rights.

The Indian problem does not appear to be a matter involving civil rights. Instances that may seem to involve discrimination upon closer analysis seem not actually to involve discrimination on the basis of race but result from conflicts involving State and Federal laws and tribal laws or customs.

Mr. Hart felt that there is evidence of racial discrimination in reverse. That is, the Indian is sometimes treated like a child, and he gets more sympathy than members of any other racial group.

A study of Indian problems is complicated by what Mr. Hart described as the four points of view: (a) the tribal view, (b) the

sympathetic "poor Indian" point of view, (c) the Park Service point of view, and (d) the Indian Bureau point of view.

It has been pointed out that in North Dakota there are three groups of Indians. One group Mr. Hart called "Indian agency" Indians, or those derogatorily referred to as "Indian payroll" Indians, another group of Indians known to be opposed to the Federal Government, and a gray group which was described as a "Welfare group."

The committee was told that there are 14,500 Indians in North Dakota with approximately 9,000 living on reservations and 5,500 nonreservation Indians.

The committee was also informed that the per capita State aid to dependent children is 14 times greater for Indians than for others in North Dakota, and in one county it is 48 times as great for Indians as for all other children. Twenty percent of the funds spent in aid to dependent children goes to Indian children.

It is Mr. Hart's opinion that the people of North Dakota do not deprive any of these Indians of their civil rights on a racial basis. Indians are citizens of the United States, but they have certain limitations on their citizenship because of acts of Congress and Federal regulations. For example, an Indian cannot be represented by a professional attorney in his tribal court. This is by Government regulation.

The committee was given another example where Indian children may seem to be denied their civil rights but only because of failure to administer present laws and procedures. This concerns establishing the paternity of illegitimate children.

North Dakota has an example of an employment situation that has resulted in employment for a few Indians where human dignity was preserved, and after some initial difficulties were encountered and overcome, the Indian has worked out very well in the plant. Reference is to the jewel plant at Rolla, N. Dak., in the Turtle Mountains.

The committee has made only a somewhat cursory and limited analysis of the Indian problems in North Dakota. What has been learned would seem to indicate that problems more serious than those of civil rights exist in North Dakota.

Ohio



Ohio Advisory Committee

(First meeting December 12, 1958)

Chairman

MRS. KATHRYN S. MANSSELL, Medina

Occupation: Housewife

Member, Medina City Council

Vice Chairman:

ROBERT I. WESTHEIMER, Cincinnati

Occupation: Investment banker

Member, National Executive Committee, Family Service Association of America

Secretary:

MORRIS RIGER, Cleveland Heights

Subcommittee: Housing

Occupation: Regional Director, Textile Workers of America

Chairman, Civil Rights Commission, AFL-CIO

PHILIP C. EBELING (resigned May 8, 1959), Dayton

Occupation: Attorney

Former director, U.S. Chamber of Commerce; member, house of delegates, American Bar Association

JAMES SLATER GIBSON, Toledo

Subcommittee: Voting

Occupation: Attorney

Former member, Governor's Advisory Commission on Civil Rights

REV. C. LEROY HACKER, Springfield

Subcommittee: Housing

Occupation: Baptist Minister

Former member, Governor's Advisory Commission on Civil Rights

NORRIS H. OLSON, Columbus

Occupation: Secretary-treasurer, Plaskolite Company, Inc.

Board of directors, Columbus Area Council of Churches

ROCCO J. RUSSO, Cleveland

Subcommittee: Education

Occupation: Attorney

WALTER A. RUTENSKY, Parma

Subcommittee: Education

Occupation: Sales Consultant

Cosmopolitan Committee (ethnic leadership)

KENNETH M. LLOYD, Youngstown

Occupation: Executive secretary of Mahoning Valley Industrial Council

Ohio Report

INTRODUCTION

IN THE INITIAL meetings of the Ohio Advisory Committee, four major interests of the United States Civil Rights Commission were carefully reviewed with the following results:

a. Discrimination in employment

This particular interest was excluded from our immediate area of consideration because of a comprehensive study for the Ohio Governor's Civil Rights Commission in 1958 which was available to the members of this committee. This report reveals that there is definite discrimination in employment in the State of Ohio, especially in private industry; however, the State Legislature and the executives have taken definite steps to remedy the situation by bringing into existence a Civil Rights Commission whose main function will be to deal with this problem.

b. Discrimination in voting

A survey of this field revealed that there was little if any discrimination in this area in the State of Ohio.

c. Discrimination in education

A survey of this field revealed very few instances of discrimination in this State. Any recommendations made to the President for dealing with this matter in other areas of the country would probably be sufficient to alleviate the few instances of such practices in the State of Ohio.

d. Discrimination in housing

It was evident from the recent study by the Governor's Civil Rights Commission, 1958, and certain other information available that this should be the area of primary consideration on the part of the Ohio Advisory Committee.

HOUSING

Decent, safe and sanitary housing for Negroes is not generally available. It appears that most Ohio Negroes live in substandard housing. The fixed pattern confines minority group occupancy and ownership generally to a given area with an expanding perimeter into adjoining areas. Instances of starting new areas are rare. The sections occupied by minority groups in Ohio cities are the older,

more dilapidated portions of municipalities, which by reason of age and obsolescence are less desirable and inferior in quality to the average type of housing in the given municipality. However, the price for which such real estate is sold or rented to minority groups is generally greatly in excess of its real market value. By reason of excessive costs or rentals, overcrowding in an attempt to make payments on purchase prices or rentals necessarily results in a more run-down neighborhood than would result from normal occupancy.

Lending institutions often discriminate in lending to Negroes in mixed areas and to Negroes who are trying to move into all-white neighborhoods. Some lending institutions will not finance housing for Negroes under any circumstances, and when mortgage financing is available it sometimes involves short-term amortization and high downpayments. In Columbus we heard from a Negro who tried to obtain financing from 13 institutions. In each case he was told "No, the house is located in a controversial area." It was the conclusion of the Columbus Urban League that Negro buyers, regardless of affluence, education, or credit rating, would be refused and discouraged if they should attempt to purchase a home in the new developments which cater to the white market.

The real estate boards also appear to discourage sales of decent, safe, and sanitary housing to Negroes if the homes are located in these controversial areas. No doubt social pressures work upon individuals who sell their own homes. This, when coupled with the apparent practices of banks and real estate dealers, makes it difficult for Negroes to move into better areas, even though they are in all ways qualified to do so.

As a result of the limited opportunity to acquire or occupy real estate, forced occupancy in dilapidated areas, exorbitant rentals or payments and overcrowding, (and not because of the occupancy by minorities), crime, delinquency, disease, interracial relations, public education and property values within such restricted areas are unfavorable. This is frequently presented as the result of minority group occupancy or ownership, rather than a result of the economic consequences which flow from the residential patterns prevailing.

There are no State or local laws in Ohio, nor any concerted programs at the State level, seeking to remedy these conditions. In several Ohio municipalities, there are community relations boards, mayor's friendly committees, race relation groups and other local bodies which seek by moral pressure to ease the shock and resulting consequences of the firmly established residential patterns. Such efforts as yet have produced few changes from the fixed pattern.

The Public Housing Administration has been able to provide additional housing for Negroes, but other Federal programs seem to

have aided very little. There was a good deal of discussion, of course, of the additional and better use of 221 housing. It seems that much could be done to use this section of the law to provide additional housing for open occupancy groups if more were known about it.

An outstanding example of what has been accomplished: a Columbus builder of houses selling at \$10,500, no downpayment with 40-year mortgages available, 100 percent insured. As a result of the open-occupancy provision, these homes were sold to both white and colored and no racial incidents developed.

RECOMMENDATIONS

We request the Civil Rights Commission to consider the following suggestions and proposals:

(1) The issuance of an Executive order establishing a policy of nondiscrimination and nonsegregation in all Federal housing programs;

(2) Legislation by Congress to guarantee unrestricted access for all citizens, regardless of race, religion, or national origin, to all housing assisted by the Federal Government.

(3) Expand the function of Urban Renewal Administration to make sure that contract terms relate to adequate provision for displaced families without segregation.

(4) The present Executive order requiring that before an FHA or GI loan is approved it must appear that there are no recorded restrictions denying occupancy or ownership to any citizen because of race, religion or national origin, does not go far enough. After such financing has been arranged, it is not uncommon for those who have profited by the Federal assistance to themselves conspire, without entering such agreement formally of record, and thereby to deny, limit or restrict occupancy or ownership of the particular property and its environs because of race, creed, or national origin. Such voluntary agreements should be prohibited as to property which has been financed with Federal funds.

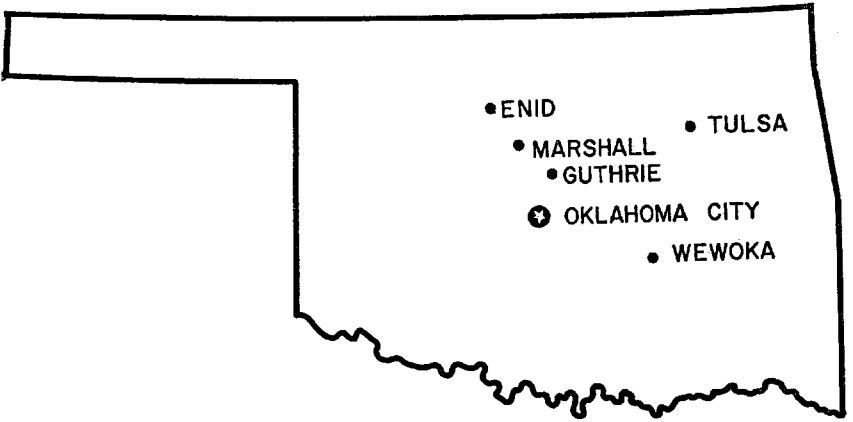
(5) Legislation which would encourage lending institutions having a tie-in with the Federal Government (either through charters or insurance) to lend to all races, if certain objective criteria are met. Local ordinances should be enacted which would prevent discrimination in housing before any moves are granted for urban renewal. It is suggested that the "221" law be amended to eliminate the requirement for approval of the local government body, if such housing is to be built in the area surrounding the central city. Income limitations should be raised in public housing tenements.

The Federal Government should take proper legislative action to insure open occupancy in housing programs.

(6) Strong moral suasion should be used by the Administration to emphasize the fact that it is good not only for the minority groups but for the whole nation to provide adequate housing for all people, regardless of race, creed, or national origin. We believe that aid can and should be given, as Congress has suggested, through public guarantees of housing built by private groups. In many cases these private groups might be corporations not for profit.

(7) Congress should provide that the equality of opportunity of citizens to acquire or use real estate is one of the basic civil rights inherent in citizens of the United States, and that conspiracy to deny such rights is a civil and criminal wrong under the United States laws, which can be punished or redressed in appropriate actions in the Federal district courts.

Oklahoma



(311)

Oklahoma Advisory Committee

(First meeting August 21, 1958)

Chairman:

JOHN ROGERS, Tulsa

Subcommittee: Education

Occupation: Attorney and business executive

Trustee and former dean, University of Tulsa Law School

Vice Chairman:

DR. EUGENE S. BRIGGS, Enid

Occupation: President, Phillips University

Former president, International Association of Lions Clubs

Secretary:

DR. JACK STAUFFER WILKES, Oklahoma City

Occupation: President, Oklahoma City University

CHARLES R. ANTHONY, Oklahoma City

Occupation: President, C. R. Anthony Company (retail department store chain)

MISS ANGIE DEBO, Marshall

Occupation: Author and specialist in Indian history

HICKS EPTON, Wewoka

Occupation: Attorney

Former president, Oklahoma Bar Association; member, Governor's Committee on Higher Education

C. FELTON GAYLES, Guthrie

Occupation: Director of athletics, Langston University

Committee Study Topics: Administration of Justice, Education, Employment, Housing, and Voting

Oklahoma Report

VOTING

IT IS THE judgment of the committee from the experience of our members and from the information received by our committee that there is no appreciable discrimination against qualified Negroes or other minority groups in connection with their right to register and to vote in Oklahoma. One complaint was received by the committee, charging discrimination by election officials against a Negro candidate's election workers. On investigation, this complaint proved to be based on a misunderstanding of the State's complex election laws, plus the ill-advised and impolite behavior of a few officials.

EDUCATION

While the constitutional and statutory school segregation provisions in Oklahoma were patterned after those in the Deep South, due largely to the fact that many of the early leaders in Oklahoma political life came from the South, the greater part of Oklahoma has a background of Western tradition rather than Southern tradition. Then, too, the Negro population in Oklahoma is only about 8 percent of the white population. There are 32 counties in Oklahoma where the nonwhite population is less than 5 percent and 15 of these counties have no Negro children. There is no county in Oklahoma with a nonwhite population of more than 25 percent. There has been some integration in all of the counties in Oklahoma in which there are Negro children of school age, with the exception of five.

Shortly after the action by the State regents desegregating all of the State institutions of higher education, the Board of Education, under the leadership of Dr. Oliver Hodge, adopted a policy favorable to integration but leaving the question of when and how the common schools would desegregate, in accord with the 1954 Supreme Court decision, with the boards of control of the various independent school districts. The elimination of the separate tax for Negro schools made it economically advisable and in some instances economically necessary to eliminate the separate school and transfer the Negroes to the white school.

The office of the State superintendent of public instruction under the direction of Dr. Hodge circulated two integration questionnaires to the school districts, one in the fall of 1957 and the other in the fall of 1958. We believe that an analysis of some of the information

obtained in these surveys will indicate the trend in Oklahoma. This questionnaire indicated that there were 15 counties in the State that did not have any Negro children eligible to attend school; that in 1957 there were 181 high schools with both white and Negro children in attendance and in 1958 this number increased to 190; that in 1957 approximately 2,500 students were involved and this had increased in 1958 to approximately 3,320; that in 1957 there were 89 junior high schools having both white and Negro children in attendance and in 1958 this had increased to 101; that in 1957 approximately 1,080 students were involved and in 1958 this had increased to approximately 1,700 students; that in 1957 there were 161 elementary schools having both white and Negro children in attendance and in 1958 this number had increased to 168 schools.

The number of Negro elementary-school children involved in 1957 was approximately 3,030 and this number had increased in 1958 to approximately 3,325. In 1957 there were 39 high schools with only Negro children in attendance and in 1958 this number had decreased to 35; in 1957 there were 14 junior high schools with only Negro children in attendance and in 1958 this number had been reduced to 7; in 1957 there were 130 grade schools with only Negro children in attendance and in 1958 this number had increased to 135.

These surveys also showed that 78 elementary schools, 4 junior high schools, and 56 senior high schools had been abolished because of integration and in 1958 this number had increased to 94 elementary schools, 8 junior high schools, and 61 high schools.

These surveys also showed that 298 Negro teachers had lost their positions in 1957 because of integration and in 1958 this number had increased to 344.

While Oklahoma has made real progress in the area of integration in its public school system at all levels, there are still many problems and it is the feeling of this committee that Oklahoma may be getting too much favorable publicity and some of it no doubt paints the picture brighter than it really is. It is the feeling of our committee that better progress can be made quietly and constructively. The biggest single problem created as a result of integration is the loss of positions by such a large number of qualified Negro teachers. There are now employed in mixed schools somewhere between 10 and 20 Negro teachers which is not very many in the light of the number that have lost positions.

Another problem is the decline in the number of Negro children attending all-white schools where the separate Negro school has been abolished and the children transferred to white schools. The policy of voluntary transfer has been recognized by the districts where there is a choice of schools but when the only Negro school

has been abolished there is no longer a question of voluntary choice. One member of our committee had information indicating that in two or three schools the drop-out was rather large. On investigation of these schools by the committee it was found that the drop-out was not large or abnormal.

On the whole integration has worked well in Oklahoma. There are a number of reasons for this, some of which are:

- (1) Only 8 percent of Oklahomans are Negroes.
- (2) The State Regents for Higher Education took prompt action at the higher education level and the school boards were both fair and practical all across the State.
- (3) The great majority of both the white and Negro citizens wanted a peaceful approach to integration and insisted on it. Generally the children of both races acted well and as time passed the racial incidents diminished.
- (4) Oklahoma was extremely fortunate in the quality of leadership. Too much credit cannot be given to Governor Gary and Dr. Oliver Hodge for their leadership, and to the State Regents for Higher Education and the State Board of Education, and the educational leaders throughout the State.
- (5) A reservoir of racial understanding and good will, including a desire on the part of leaders of both races to give it an opportunity to work. Leadership at the local level is very important because all communities are different and require different approaches to the problem.

EMPLOYMENT

Our committee is familiar with the continuous problem with regard to the employment of minority groups including both Negroes and Indians. We believe, however, that the employment conditions in Oklahoma are growing better each day from the viewpoint of racial discrimination. The chairman of our committee has discussed the employment situation in Tulsa on numerous occasions with members of the Tulsa Urban League which is continuously engaged in a quiet but constructive way in endeavoring to improve employment for Negroes. Mr. Taylor, the executive secretary, informs us that there are two problems involved, (1) to find the Negroes qualified for the positions and (2) to convince the employer that Negroes should be employed to fill the positions. He said that in many instances the employer was willing to employ a qualified Negro but that he had trouble finding a Negro that met the requirements. He thinks that with an additional staff member a great deal more can be done in the field of employment. Miss Debo of our committee is familiar with problems arising in connection with the employment of Indians.

The case of upgrading employment of minority groups is difficult but it is making progress in Oklahoma in some areas of employment. In other areas no progress has been made to date. The same principle is involved as that involved in employing teachers in mixed schools. There is a desire to maintain the status quo. When it is substantially broken it is the feeling of our committee that additional progress will be made.

ADMINISTRATION OF JUSTICE

The committee felt that it was not advisable to give the suggested questionnaire on administration of justice wide circulation, but that the members of the committee would obtain such information as was within their knowledge and report thereon. As one member said, "No good purpose would be served by an attempt to circulate and evaluate the questionnaire on the judiciary," and another member said "Good will toward minority groups is growing in Oklahoma. Too much interference might reverse this trend."

The chairman furnished a copy of this questionnaire to the Urban League in Tulsa and asked the executive secretary of the League to furnish the chairman such information as was available to him as to Tulsa county. The report of the executive secretary shows that there is no discrimination in Tulsa as to minority groups which involved in any way the denial of the equal protection of the laws. The report stated that Tulsa was fortunate in that it does not have any "police brutality" or special treatment by the law enforcement agencies. He said that he had lived in a number of cities, including northern cities, and he had never worked in a community where there was less discrimination than in Tulsa.

One of the completed questionnaires disclosed that many Pawnee Indians were discriminated against by the authorities in Pawnee County but that these matters of discrimination have been corrected. The same questionnaire indicated that there was some discrimination against Negroes in that they were required to leave a certain town by sundown.

One of the committee members is in the general practice of law in a county seat town in central Oklahoma in which the nonwhite population is about 15 percent of the total population. He stated that any Negro, or for that matter any member of a minority group, could obtain not only equal justice but often times preferential treatment in the courts of that county. Negroes serve on juries and are often shown a leniency, as are other members of the minority races, which is not shown to white persons. While enforcement officers in rural communities now and then blunder along depriving people

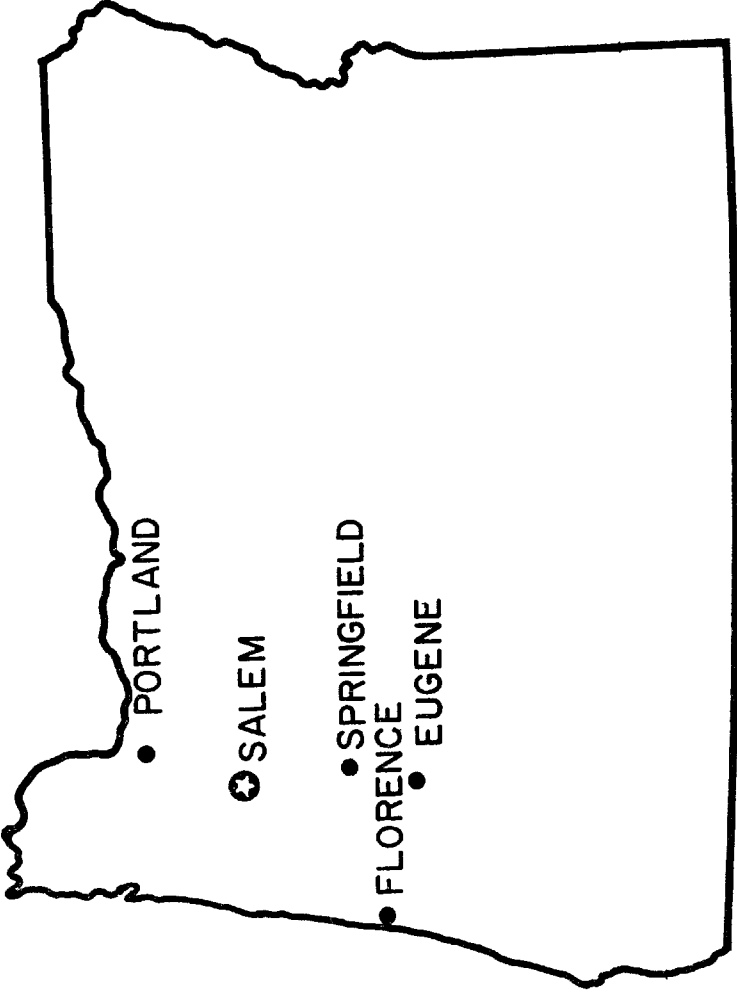
of their civil rights, the slightest trace of discrimination could not be observed. It is usually the result of an exaggerated idea of the officer's importance.

None of the agencies operating in Oklahoma which are primarily concerned with the whole field of human relations have brought to our attention any legal development constituting denial of equal protection of the laws under the Federal Constitution.

CONCLUSION

In conclusion we desire to report that in all of the areas selected by our committee for study, progress is being made in the approach to improved human relations. Local conditions must be taken into consideration as every community has different problems and will seek a solution of them in a little different way than any other community. The success depends largely upon intelligent local leadership coupled with a desire to improve human relations.

Oregon



Oregon Advisory Committee

(First meeting November 24, 1958)

Chairman:

HON. CHARLES A. SPRAGUE, Salem

Subcommittee: Education

Occupation: Publisher and editor,
Oregon Statesman

Former Governor of Oregon

Vice Chairman:

DAVID ROBINSON, Portland

Subcommittees: Employment and
Migratory Workers

Occupation: Attorney

Former grand president, Anti-Defama-
tion League of B'nai B'rith;
former chairman, Oregon Fair
Employment Practices Commis-
sion

Secretary:

MRS. ULYSSES G. PLUMMER, JR., Port-
land

Subcommittee: Public Accommoda-
tions

Occupation: Social worker

Former president, Oregon Associa-
tion of Colored Women

DR. JOEL BERREMAN, Eugene

Subcommittee: Housing

Occupation: Professor of sociology,
University of Oregon

Director, Workshop in Intergroup
Relations, University of Oregon

MONROE M. SWEETLAND, Milwaukee

Subcommittee: Transportation and
Voting

Occupation: Publisher and editor,
Milwaukee Review

Member, Oregon State Senate

Oregon Report

HOUSING

THE LARGEST PROBLEM of minority housing in Oregon concerns the Negro, who constitutes by far the largest minority group.

Population of Oregon by race, 1950 census

Total	1,521,000
Negro	11,529
Indian	5,820
Japanese	3,660
Chinese	2,102
All others	1,102
Total, nonwhite	24,213

It is estimated by the State census bureau that the overall population has increased 16.5 percent between 1950 and 1958. If the Negro population has increased in measure with the general increase, there are approximately 13,000 Negroes in the State, of which 12,000 are urban. Eleven thousand of them live in Portland, where they constitute about 3 percent of the population.

The Indian population is largely rural, and many of the Indians are in reservation communities. The other minorities are less largely urban and less concentrated than the Negro.

Accordingly, the housing situation in Portland, particularly as it pertains to Negroes, will receive major emphasis in this report. We shall also describe the situation in the Eugene-Springfield metropolitan area (the second largest in the State) and present some information concerning other cities and other minorities. A final section will discuss public accommodations.

HOUSING IN PORTLAND

The most comprehensive statement of the housing situation of Negroes in Portland is to be found in a report of the Portland City Club issued in 1957. The Advisory Committee secured additional information through the facilities and personnel of the Civil Rights Division of the Oregon State Bureau of Labor. This information embodies the opinions and judgments of many people and of a number of organizations. There is not universal agreement on all points. The conclusions expressed have been reached after extensive discussion with Mr. Russel Peyton of the Bureau of Labor and are based in large part on materials furnished by that Bureau.

Several spot checks recently conducted in the predominantly Negro area in Portland indicate that about 60 percent of the housing is substandard in terms of the criteria employed by Urban Renewal and other agencies. Taking into account other minorities but excluding Orientals for lack of information, and giving consideration to other localities where minorities live outside the nonwhite concentrations, it may be concluded that approximately 50 percent of Portland's minorities live in substandard housing.

There is a marked difference in both the quantity and quality of housing available to members of minority groups. There is much more crowding in the areas available to the minorities, and the houses are predominantly older and less modern. The trend in the Portland area is toward the suburbs, where new housing is not available to minority groups.

While this movement to the suburbs has released additional housing for minorities, the buildings are, on the whole, of the old, run-down type that have little or no sales appeal. New housing within the city itself is not accessible to anyone other than the majority group. Probably there have been a dozen cases where this pattern has been broken in recent years with a minimum of resistance. Nevertheless, marketing practices are highly discriminatory. No new privately built housing is available to minority groups.

The exodus to suburbia may give minorities the opportunity of securing secondhand homes that were not previously available. However, there remains the need and desire on the part of many minority families who have economic ability to improve their present living conditions but cannot do so.

Scarcely any families belonging to minority groups have occupied privately financed housing, and probably less than 200 families have moved into publicly built houses in recent years. Negroes in very large numbers were formerly housed in temporary war housing during World War II, but most of these projects are now no longer used.

ATTITUDES OF BUILDERS AND REAL ESTATE BROKERS

Builders and brokers defend their discriminatory practices on the grounds that they fear the reaction of buyers and renters. That this fear has some basis in fact is shown by a recent study of attitudes in the city. Forty-six percent of white respondents stated that they believed Negroes should be segregated, and forty-eight percent of those in all-white areas were opposed to Negroes moving in. Fourteen percent in the all-white area indicated that they would try to keep Negroes out, and it is probable that a large proportion would refuse to rent or purchase in a project where Negroes were

living, according to a survey made a few years ago by the Urban League of Portland entitled "Residential Attitudes Toward Negroes as Neighbors."

HOME FINANCING HANDICAPS

It appears that there is little discrimination as such in making loans for purchases in segregated areas where there is no threat of invasion of white areas. However, the terms available here would not be favorable because the property, being predominantly old and subject to rapid depreciation, would provide less security. The Advisory Committee believes that in segregated and already mixed areas, financial establishments would handle applications on a strictly business basis. In all-white areas it is probable that a minority-group buyer could obtain a loan on terms consonant with his credit rating if he were able to buy a house. However, in accordance with the practice of excluding Negroes from such areas, a financial establishment with prior investments or other interests in the area would probably refuse to aid a Negro incursion by granting a loan.

REAL ESTATE BOARDS

Policies and practices of realty boards have tended to perpetuate the kind of segregation described in the City Club report. Perhaps it is more accurate to say that it is their policy to protect all-white areas from being invaded by those belonging to minority groups. Two Negroes are members of the Portland Realty Board, but they are the only ones to hold such membership in the State.

In 1957, the Oregon Legislature enacted a law prohibiting discrimination in housing developments that have been in whole or in part financed by public funds. While this law has not substantially modified the practices of real estate brokers or the policies of the boards, it has had the effect of making such persons more aware of the problem and more concerned about finding a compromise solution.

POPULATION CHANGE AND MINORITY HOUSING PATTERNS

Only 1,886 Negroes were reported as living in Oregon in 1900, virtually all of them in Portland. Little change occurred until a large influx came during World War II. A survey in 1941 showed 98 percent of Portland's Negroes employed in the railroad industry. During this time there was no clear pattern of residential segregation. Most of the Negroes lived in poor neighborhoods, preponderantly on the west side. They posed no threat to better white resi-

dential areas and appeared to have achieved a condition of stable accommodation.

In 1942 began a heavy migration of workers for war industries. The Negro population in 1944 was 25,000. A large proportion of these residents were housed in temporary war housing. The present concentration in the Williams Avenue district developed at the end of the war when the temporary housing was closed down. Large numbers also left the city.

The pattern that developed immediately after the war has changed little in the past 10 years, except that within the last year residents have had to move from the new exposition-recreation area, among them a considerable number of Negro families. While some of these found their way into other areas, a large proportion moved into the Williams Avenue area, increasing the concentration there.

CRIME, DELINQUENCY, AND DISEASE

As the report of the City Club indicates, the Williams Avenue area of Portland, like slum areas generally, has a high incidence of crime, delinquency, and disease, but no precise figures are available. Low economic status and consequent impairment of family influence appear to be a factor here. A study of Negro children in Elliot School, where 98 percent of the children are Negro, showed that 43 percent had only one parent, and in all cases the parent was employed away from home.

DEGREE OF RESIDENTIAL SEGREGATION

Some Negroes actually live in virtually every one of the census tracts of Portland, and there are probably no all-white public schools. However, one school, as mentioned above, has 98 percent Negroes, and another has 84 percent. High schools having larger districts show less segregation than elementary schools. There is no large slum district predominantly occupied by whites on an economic level as low as that seen in Negro areas. As lower class whites face no discrimination, they are scattered throughout the city, often living in close proximity to persons of higher economic rank.

There is one section, the Tibbets Avenue area, where quite a few better Negro homes are found. It is not thought of as a Negro area. It shows none of the slum characteristics of the Williams Avenue area. Its Negro residents have somewhat better jobs and more stable incomes than those of lower-class families.

EFFORTS TO IMPROVE MINORITY HOUSING

There is no State housing authority. There is a Portland Housing Authority and six county authorities. The Portland Authority operates two developments: Columbia Villa and Dekum Court. These two include 310 active temporary units and 485 permanent units. The six county authorities operate a total of 201 permanent units, 427 temporary units, and 152 units of housing for migratory farm labor.

None of the above units are restricted as to race, and such restriction is prohibited by State law.

The Federal Housing Administration in 1954 insured one cooperative sales type housing project for open occupancy on an integrated basis, which the director of the Portland office terms "most successful." Of its 16 units, 12 have been sold to Negro families, two to mixed families, and two to white families. As required by law, applicants for FHA loans are informed of the provisions of the State law prohibiting discrimination in publicly financed housing. It does not appear that the Administration has pursued an aggressive policy in regard to minority housing.

Urban renewal programs in Florence, Springfield, and Portland are still in the "talking" stage.

At least four major temporary war housing developments have been set up since 1940. All have been closed except the 310 temporary units still reported in use at Columbia Villa and Dekum Court. In addition to the 16 units in the cooperative sales type project above, 40 new units were added at Columbia within the past year. None of these are for exclusive minority group housing but are open to occupancy by any who qualify.

HOUSING LEGISLATION

The public policy of Oregon, as enunciated in an act of the State Legislature in 1949, declares practices of discrimination against any inhabitant because of race, religion, or national origin to be matters of State concern. The act characterizes such practices as threatening not only the rights and privileges of inhabitants but the institutions and foundations of a free and democratic State.

The first act to implement this policy in the field of housing was passed in 1957. It prohibited discrimination by owners or operators having five or more contiguous housing units that have been publicly assisted. The effect of this law on the availability of hous-

ing for minorities or on the practices of owners and real estate brokers has thus far been minimal. However, it has made such groups aware of the problem and of the fact that it is a matter of public concern. For the first time, they have begun to discuss the problem seriously, and the law has been discussed in *Oregon Real Estate News*, the official publication of the Oregon Real Estate Department. The law may well have caused brokers to be more active in attempting to find housing for members of minority groups, but it has not opened to them a real opportunity to enter the all-white residential areas.

An act of the 1959 legislature has greatly strengthened the law. It provides that:

(1) No person engaged in the business of selling real property shall, solely because of the race, color, religion or national origin of any person:

(a) Refuse to sell, lease or rent any real property to a purchaser.

(b) Expel a purchaser from any property.

(c) Make any distinction, discrimination or restriction against a purchaser in the price, terms, conditions or privileges relating to the sale, rental, lease or occupancy of real property or in the furnishing of any facilities or services in connection therewith.

(d) Attempt to discourage the sale, rental or lease of any real property to a purchaser.

(2) No person shall publish, circulate, issue or display, or cause to be published, circulated, issued or displayed, any communication, notice, advertisement or sign of any kind relating to the sale, rental or lease of real property which indicates any preference, limitation, specification or discrimination based on race, color, religion or national origin.

(3) No real estate broker or salesman shall accept or retain a listing of real property for sale, lease or rental with an understanding that a purchaser may be discriminated against with respect to the sale, lease or rental thereof solely because of race, color, religion or national origin.

(4) No person shall assist, induce, incite or coerce another person to commit an act or engage in a practice that violates this section.

This law will be administered by the Civil Rights Division of the Bureau of Labor.

A companion law enacted by the same legislature requires the Real Estate Commissioner to revoke the license of any broker who disregards or violates any provision of the law.

A number of families have recently been displaced for the building of an exposition-recreation center, others by slum clearance for the urban renewal project at the auditorium site, and many more will be displaced soon by a new freeway. The mayor of Portland has called on the Realty Board, the Home Builders Association, and others to assist in relocating the non-whites thus displaced outside segregated areas. And the Portland Redevelopment Commission (urban renewal) has announced a policy of nonsegregated relocation of minority peoples displaced by its development at the audi-

torium site. Of 470 families to be displaced by this project, 49 are nonwhite, and 30 single individuals are nonwhite out of a total of 1,012. The numbers involved in the other areas are not available. The report of the Redevelopment Commission states: "It is felt that with diligent and sympathetic efforts by the relocation staff, plus cooperation on the part of community resources, the needs of the small number of nonwhites can be adequately and satisfactorily taken care of." However, no new housing is planned. It is probable that some minority families will move into the more segregated areas, and others will settle in other parts of the city.

The lack of financial resources of most minority peoples poses an important problem in relocation. Of 24 tenant families in the auditorium site, only one indicated ability to pay rent above \$55 per month, and only one family reported an annual income above \$4,000.

Some financial assistance to cover the cost of relocation may be provided by the city and the State in the relocation from the auditorium site, and real estate brokers are to be encouraged to pool their information as to available housing, working through the city hall to facilitate relocation.

THE EUGENE-SPRINGFIELD AREA

The Eugene-Springfield area, with more than 100,000 inhabitants in 1957, is the largest metropolitan area in Oregon outside of Portland. However, it contains only about 50 Negro families and some 4 or 5 Chinese. There are some Jews, but they suffer no housing restrictions and neither consider themselves nor are generally looked upon as a minority group.

A survey by the Lane County Civic Unity Group in 1958, which reached 45 of the 50 heads of Negro households here indicated that three-quarters of the houses were "modern" in that they had hot and cold running water, bath, and toilet facilities. But almost all were small, poorly constructed dwellings built by the owners themselves, or old buildings in varying states of repair. By any reasonable standard, one would probably consider at least half of the dwellings substandard. There is no rigid segregation. Roughly one-third of the Negro families live in two small neighborhoods. One of these, West 11th Street, is a suburban area of small, poor houses, poorly drained land, no sewer system, and therefore low property values. The second is an industrial area of older houses between Eugene and Springfield, the Glenwood area. In both, there are also many white families, largely of lower socio-economic status.

Another third of the Negro families live in central Eugene or in Springfield.

The improvement of housing of the Negro minority here, as in Portland, is obstructed by three factors: (1) a prevailing income level that limits them to housing below the cost of adequate facilities; (2) resistance to their movement into the better residential areas; and (3) an apparent reluctance on the part of many Negroes to break away from the Negro neighborhoods where their friends are and where they feel more secure.

The importance of the financial factor is suggested by a 1958 survey showing that the median income of Negro heads of households was \$2,900, whereas the average income for the Eugene-Springfield population for the year 1957 was reported as \$6,568. Although the median and average are not strictly comparable, it is clear that the Negroes are far less able to pay for good housing.

There is no public housing in the area except that maintained by the University of Oregon for married students. There is no discrimination or segregation in these projects.

Most, if not all, real estate brokers will undertake to find housing for Negro customers, but will show places in the poorer sections of the city and will not assist them in moving into the better white neighborhoods. Those who desire such housing have to deal directly with private owners. A Negro minister reported that about 6 years ago only about 1 out of 10 landlords he consulted indicated a willingness to rent to him. However, other Negro families seeking housing of lower cost and poorer quality have met with much less resistance.

Some have been successful through the help of employers or friends or through the housing committee of the Lane County Fellowship for Civic Unity. However, a Negro veteran who had the necessary payment and who qualified for a veteran's loan was refused a house in 1955 in the largest private development in the area, and when the builder was called upon by a committee of the Civic Unity group, he refused to change his decision, fearing that the presence of a Negro would not be accepted by the community and that it would keep away other buyers.

At least one recent instance bears out the belief that if a Negro has the money and is willing to work at it, he may obtain a desirable building site, though not necessarily the one of his choice. He can also secure the necessary financing, materials, and services of a contractor to build the type of house he wants. But he will have to ignore informal pressures and perhaps threats. In one case there were threats of arson when a Negro rented a home, but the police provided protection for a few weeks and nothing occurred.

Only two or three families in the West 11th Street area indicated a desire to move when interviewed by their Civic Unity group about

six years ago. Besides the inability to pay the higher cost, there appeared to be some reluctance to leave the security of their neighborhood.

The Advisory Committee believes that the Negro families in this area are somewhat better housed now than they were 10 years ago, at which time a cluster of improvised shacks and trailers had grown up on county land near the approach to a highway bridge outside the city. The county ordered the occupants to move, and a citizen's committee was formed to consider their resettlement. The League of Women Voters drew attention to the problem, and the permanent organization known as the Lane County Fellowship for Civic Unity was an outcome. This action resulted in the new Negro settlement on West 11th Street.

The first need in the Eugene-Springfield area is for low-cost public housing. Barring this, improved economic status through development of skills and full job employment is needed. With progress in these directions, it is believed that community attitudes and leadership are such that opposition would gradually be broken down.

OTHER CITIES

Letters and questionnaires were sent by the Advisory Committee to 17 selected persons in 14 other cities and towns. Eight replies were received, from six of the localities. Because no claim can be made that these six are typical of the State or that they all reflect comparable accuracy, it has been thought advisable not to identify the cities or the informants, but the information appears sufficiently significant to include.

Three of the cities reported having no Negroes at all, and one reported a single Negro family. The other two reported 10 and 30 respectively. The complete lack of Negroes in some of the cities suggests that there is a policy of exclusion. This has been a persistent rumor in the past, and our correspondents so indicated in the following statements:

We have virtually a monolithic Nordic white social group in the entire valley. There is an unwritten law that no Negroes may reside in the area. I have been unable in nearly 7 years of research to trace its origin. Possibly it emanates from the fact that this region was predominantly settled by Southerners—including a brother of Jefferson Davis. Orientals are tolerated but Negroes not at all.

Some 2 years ago a Negro family with a young child who was critically injured in a highway accident and received a lengthy period of hospitalization found housing—a rental unit—and were just taking occupancy when the owner received an ominous phone call to the effect that "the 'nigger' must be gotten out of here or your house will be burned."

Being something of a timid soul, the owner required the tenants to vacate. They were unable to find other quarters until the police and a local radio station took up their case and a cottage was found which they could rent.

* * *

When we came to [the] county in 1952, we were assured not once but several times by agents that all of the county was "such a nice place to live, because there are no colored people here."

A back country native told us of 20 acres of good soil he was sure he could buy at a reasonable figure since it was owned by a Negro war veteran in Los Angeles who would never be permitted to live on it.

There is no known organized opposition to persons of color, but as soon as one tries to take up residence in the area, he is immediately threatened with violence.

* * *

There are no formal ordinances; some say there are unwritten rules, but it is impossible to find their source.

* * *

The city attorney declares there is no city ordinance relating to any minority group. However, according to old-timers, there is a time-honored tradition extending back at least two generations that "this is a sundown town." These with later arrivals recommend the unracial character of the community as its primary attraction. On frequent occasions they quite boastfully relate skillful manipulations engaged in to prevent invasions of colored peoples into the vicinity.

* * *

Two or more years ago a Filipino war veteran and his family who had purchased real estate in the county was fired upon by unknown assailants.

* * *

Because of some painful firsthand experience with the "unwritten rules" of racial exclusion in [name of locality omitted], I know they do exist. I have heard stories from very reliable sources that the policy of this city has been used to intimidate Negroes in the city streets after dark.

The statements quoted came from correspondents in five of the six cities reporting. There are no legal or official restrictions barring Negroes from residence in these areas. But whether a policy of exclusion has official sanction or not, it appears that it has been effective in preventing Negroes from taking up residence.

On the other hand, incidents have been reported that show a willingness on the part of responsible persons in some communities to prevent discrimination. In one city, a real estate broker without question sold a fine house in an exclusive residential area to a Negro family and withstood efforts by some residents to block the sale.

In another locality a Negro employed in highway construction attempted to find housing but was unsuccessful. He quit his job and returned to Portland. When the incident came to the community's attention, the Chamber of Commerce and service clubs

found him a house, sent a car 150 miles to Portland, and persuaded him to return to his job.

Cases of this sort have been in places where there were very few members of any minority. It seems probable that any large influx would meet stronger resistance. But it is evident that most communities have some leadership that is willing to act in behalf of minority rights.

Despite the fact that four of these six cities reported policies of exclusion and a fifth seemed to discourage Negro residents, it is the Advisory Committee's opinion that this would not be true of the great majority of communities of the State. The four are neighboring cities in the same section of the State. That the situation cannot be general is shown by the fact that some 2,000 Negroes do reside in Oregon outside of Portland.

THE SMALLER MINORITIES

Chinese in small numbers are reported to live in five of the six cities, Japanese in three, Indians in four, and Mexicans in five. None of these groups appear to meet as much opposition as do Negroes. Orientals apparently have the least difficulty, Mexicans and Indians somewhat more.

No discrimination against Jews in the matter of housing is reported from any city, and this was said to be the case throughout the State by a spokesman for the Anti-Defamation League of B'nai B'rith.

GENERAL OBSERVATIONS ON THE HOUSING SITUATION

The fear of reprisals against minority group members seeking housing in Portland could be eliminated, in the opinion of the City Club Committee, either by an order of the Governor or an amendment to the State real estate law, requiring all brokers and salesmen to conform to Oregon's declared policy of nondiscrimination. The broker who sells to a Negro could then answer criticism by pointing out that he is doing only what the law requires, and no other broker or salesman could steal away business since all would have to comply with the law. This recommendation, made in 1957, has been carried out in the 1959 legislation described above.

As to the argument that Negroes depress property values, most available evidence is believed to disprove this claim. A study conducted by the Urban League in Portland revealed that property values gained 27.7 percent in five tested areas where nonwhites had purchased homes, while in five other control areas where nonwhites had not entered, the gain in average price was 28.7 percent. The difference of 1 percent appeared to be accidental and without signifi-

cance, and the allegation that the introduction of nonwhites into a residential area was asserted to be "without valid foundation." The study by the Urban League did not exhaust the opportunities for gaging the situation in Portland, but its conclusions are said by the City Club survey to be in harmony with the results obtained in similar studies in other cities. Studies have shown, however, that values may decline if white neighbors panic and flee, selling their homes at rock-bottom prices. In some instances, especially in the eastern United States, such "block-busting" has been instigated by brokers themselves in search of easy profits.

Where a lowering of property values has occurred, the feeling was expressed that it is the result of panic-selling and that if the neighbors of an otherwise qualified nonwhite accept him in the manner recommended by our religious teachers and by the historic American concepts of equality and human dignity, it is difficult to see wherein property values can be harmed.

When the city referendum in 1950 resulted in the defeat of the civil rights ordinance, the heaviest negative response came from those in the lower economic classes, according to the Urban League's examination of the voting records. The most economically secure areas voted for the ordinance, and there is some reasons to believe that if the matter were brought to a vote today a more favorable pattern might be revealed. Trained interviewers working under the Urban League talked with a carefully selected sample of over 450 residents in six different areas. More than two-thirds of those living in close proximity to nonwhites were found to be in favor of integration. Curiously enough, most of those opposing integration believed their neighbors would agree with their position, while only a small minority of those favoring integration felt that their neighbors would agree with them. Younger persons and those who came in contact with Negroes in their work or in their church or community activities expressed a more favorable attitude toward housing integration.

When the Portland Housing Authority integrated its operations in 1950, little or no difficulty resulted, according to the report of the City Club. Applications for transfer on a basis of racial prejudice were not granted, and several of the complainants actually later apologized to the director after discovering that they could live happily with nonwhite neighbors.

PUBLIC ACCOMMODATION IN OREGON

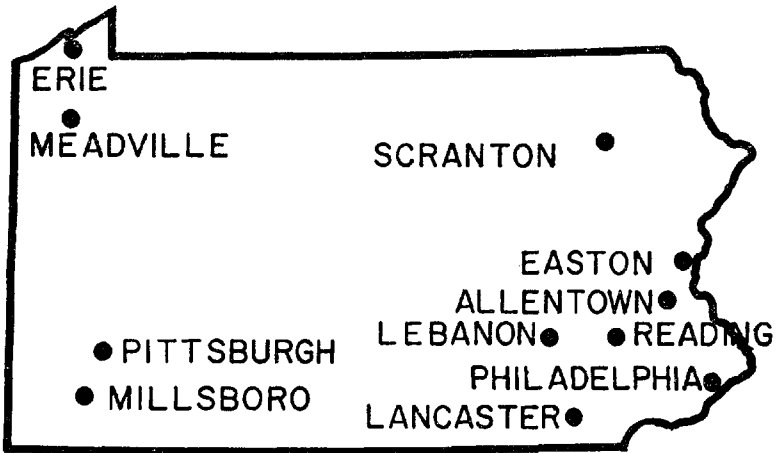
The Oregon Civil Rights Law was intended to provide protection against discrimination in places of public accommodation such as hotels and restaurants. It provides for civil action for damages not

exceeding \$500 to a person discriminated against because of race, color, religion, or national origin. The law also provides for a criminal penalty of \$1,000 fine and 1 year in jail for willful violation of a cease-and-desist order of the Commission of Labor, which administers civil rights laws.

There has been little open discrimination. Complaints have been processed by the Civil Rights Division of the Bureau of Labor and after full investigation have been adjusted by conciliation and persuasion, without resort to administrative hearings or law suits. There are no doubt many violations of civil rights laws that do not become the basis of a formal complaint.

Discriminatory practices have been very evident in "health studios," beauty parlors, and barber shops. The operators of beauty and barber shops use the excuse of inability because of racial differences to render such services. In the health and slenderizing studios, no reason for discrimination has been determined other than the desire to maintain old established undemocratic customs. Negro minorities refrain from going to places having a reputation for refusing service so as to avoid any insults and the possible creation of incidents.

Pennsylvania



Pennsylvania Advisory Committee

(First meeting November 20, 1958)

Chairman:

GEORGE J. BARCO, Meadville

Subcommittee: Voting

Occupation: Attorney

Former president, National Community TV Association; former Deputy Attorney General of Pennsylvania

Vice Chairman:

ROBERT H. PITT, Philadelphia

Subcommittee: Education

Occupation: Dean of Admissions, University of Pennsylvania

Member, Advanced Placement Commission, College Entrance Examination Board

Secretary:

W. BEVERLY CARTER, JR., Pittsburgh

Subcommittee: Housing

Occupation: Publisher, *Pittsburgh Courier*

Vice President, National Newspapers Publishers Association; director, United Fund of Pittsburgh

WILLIAM T. COLEMAN, JR., Philadelphia

Subcommittee: Public Accommodations

Occupation: Attorney

Director, NAACP Legal Education and Defense Fund, Inc.; member, Philadelphia Community Chest, Inc.

MRS. EARL J. LEFFLER, Lebanon

Subcommittee: Migratory Workers

Occupation: Director, Family and Children's Service, Lebanon County Mental Association

Home and school visitor, Lebanon School District

EDWARD H. LITCHFIELD, Pittsburgh

Occupation: Chancellor, University of Pittsburgh.

LEON J. OBERMAYER, Philadelphia

Occupation: Attorney

President, Philadelphia Board of Public Education

JOHN J. O'CONNELL, Scranton

Subcommittee: Employment

Occupation: President, Consolidated Molded Products Corporation

President, Scranton Chamber of Commerce

JAMES A. SIPE, Pittsburgh

Subcommittee: Employment

Occupation: President, Local 171, Motion Picture Machine Operators Union

Former Deputy Secretary of Labor of Pennsylvania

Pennsylvania Report

EDUCATION

WITH REGARD to the public education system of Pennsylvania, the Advisory Committee concludes that there are no inherent or deliberate discriminatory practices in any of the State's school districts. It is true that there are feelings of discrimination and pockets of total Negro enrollment at a given school. But it is felt that these are related to more subtle forms of discrimination, operating in the areas of residential patterns, occupational roles, and community attitudes. All this would seem to require no legal remedy but rather the continuing educational process of better human relations.

In the realm of higher education, the Committee finds that all of the State-controlled and State-assisted institutions of higher education aver positively that they do not exercise any discrimination with regard to race, creed, or color in their admission practices. Various organizations have accused certain of the State-aided institutions of discriminating with regard to religion in the medical divisions of their universities. However, since none of the institutions ask the religion or race of prospective candidates, it is almost impossible to make a statistical case that would prove discrimination, even where it may seem obviously to exist. This being the case, considerable reliance must be placed upon the integrity and goodwill of the administrative officers and faculties of the institutions concerned.

VOTING

There is no literacy or poll tax requirement for voting in Pennsylvania. Minimum age is 21 years, and a voter must have resided in the State 1 year or, if a former resident, 6 months. Registration is required unless one is a member of the United States military forces. Registration is permanent, but one must vote at least once every 2 years or request reinstatement. Voting lists are brought up to date not later than 50 days before each primary or general election. The registrant must state his party affiliation. State law does not provide for permitting voters time off to vote, and absentee voting is not permitted even to the physically incapacitated but only to those in the armed services.

Only eight counties in Pennsylvania have information available to show the number of persons who voted or registered by race (Bedford, Cameron, Elk, Franklin, Juniata, Montour, Sullivan, and Wyoming), according to the Commission questionnaires circulated by the Advisory Committee to each of the 67 counties.

Analysis of all the information assembled by the Advisory Committee with respect to voting laws, registration procedures, and actual registration data indicates that there is no legally sanctioned or administratively imposed discrimination in regard to the voting rights of any minority group in Pennsylvania.

HOUSING

The studies of the Advisory Committee indicate that housing discrimination is widespread in the Commonwealth of Pennsylvania and that almost 1 million persons are affected by it. This conclusion is based on a great body of evidence including information from public hearings on proposed fair-housing legislation held in Harrisburg in December 1958, and in Pittsburgh in November 1958. The evidence establishes that discrimination is not limited to the metropolitan areas but exists generally in other areas as well. Segregation and discrimination are shown to exist not only in private housing but also widely in low-rent housing projects built with Federal subsidies.

Voluntary solutions have met with some success in specific instances, but educational techniques have been found to be ineffectual in the absence of legislative support and enforcement.

Chief among the groups effected are the Negroes, but discrimination is also practiced against Jews, Italians, Puerto Ricans, and other religious and nationality-background minorities. At least 30 cities having a Negro population of more than 1,000 show evidence of patterns of discrimination and segregation, in some instances more severe than in large cities.

In 1956, 85 percent of the nonwhite households in Philadelphia were located either in or adjacent to the central business district. In Pittsburgh as recently as 1950, 7 out of 10 Negro families were located in three areas of high nonwhite concentration. Two other neighborhoods held most of the remainder. Concentration of Negroes is currently on the increase in both Philadelphia and Pittsburgh. In Reading, in 1950, 80 percent of the Negroes lived in the city's five central wards, and in Erie the Negroes increased by 250 percent between 1940 and 1950 while the dwelling areas for them substantially shrank.

Ability to pay for a better home in a better neighborhood does not remove the obstacles. There were more than 25,000 Negro fami-

lies in Philadelphia that had total incomes of \$5,000 a year or more at the end of 1956. Yet even these families faced burdensome obstacles when seeking dwellings in the open market.

Out of an estimated 200,000 new dwelling units built in Philadelphia between 1947 and 1953, less than 1 percent (1927 units) were available to Negroes. In Pittsburgh and its suburbs, among 7,000 rental units built with FHA insurance between 1947 and 1953, only 130 were made available for Negro occupancy.

Almost all of the 17 other cities in Pennsylvania where evidence was presented showed no new housing made available to Negro occupancy. Even in occasional instances where families had built their own homes, there were reports of difficulty in securing suitable lots, mortgages, and contractors.

Jews have difficulty renting or purchasing in many developments, particularly in the suburbs of large cities, such as Philadelphia's Main Line section and the South Hills area outside of Pittsburgh.

In Philadelphia, 95 percent of Negro homeowners and 99 percent of Negro renters live in structures built before 1930. In Pittsburgh, less than 5 percent of the new dwellings built between 1950 and 1957 were constructed in the four wards having the heaviest Negro concentration. In Reading, more than 50 percent of the dwelling in the wards of highest Negro population were built before 1900 as against less than 15 percent in the non-Negro areas. Houses in the areas open to Negroes are reported to be 50 years or more old in Allentown, Easton, and Lancaster.

Discrimination against Negroes wishing to buy or rent is practiced widely by real estate brokers and individual owners, and on occasion also by mortgage lenders. All but three of 57 white real estate dealers interviewed in Pittsburgh in 1956 stated they would not take part in placing a Negro family in an otherwise all-white block.

On the other hand, H. B. Silberstein, a mortgage banker and real estate broker in Pittsburgh, said: "From my experience * * * I am not afraid of a decline in property values in a neighborhood previously all-white into which Negro families move. Certainly if homeowners panic, a temporary decline may occur. But in the long run the values in the neighborhood will follow the general trend of real estate values." The considerable body of testimony sifted by the Pennsylvania Advisory Committee indicates that the real estate broker is most often the crucial figure in situations involving housing discrimination. Often he even exercises undue influence over individual homeowners who are prepared to sell without regard to the race or religion of the buyer.

Out of 53 communities in Pennsylvania that have low-rent housing projects built with Federal subsidies, 27 show segregation by

race. Eighteen of these follow the so-called checkerboard system, maintaining separate sections for the races within a given project. Eight others house only whites, while the remaining community has two all-white projects and one segregated by sections. It should be added that three of the one-race communities, though none of them are all-Negro, have only Negroes in Federal projects. The city of Erie operated a segregated program until a few months ago when civic protests caused its abandonment.

The homes that Negroes buy are usually old, which means higher maintenance cost, and it is often impossible to obtain a mortgage at the terms that are freely available to whites on new constructions in better sections. The more stringent terms required of nonwhite families acquiring housing means that they cannot afford homes comparable to whites who are in the same income bracket.

Negroes often pay a higher percentage of their income for rent, 22.3 percent as against 18.6 percent in Philadelphia, according to an analysis by the University of Pennsylvania. Urban renewal plans are impeded in several cities of Pennsylvania by restrictions placed upon the relocation of Negroes. Mayor Richardson Dilworth, of Philadelphia, has declared: "Urban renewal cannot and will not work within the framework of a racially restricted housing market."

When Negro families, displaced by urban renewal projects, cannot find housing except in other "ghetto-ized" areas, the overcrowding is aggravated and the rate of deterioration accelerated. The cost of redeveloping a blighted neighborhood will be felt by the entire community.

Mr. Silberstein in his testimony before the City Council of Pittsburgh said: "Here in the city we speak proudly of our renaissance program. But the fact is that we have not replaced the housing we have destroyed with as much new housing. Because of our unwritten restrictive housing policies, our minority citizens have been forced into already crowded districts * * *. Our renaissance program will fall flat on its face if we do not face up to the reality that we have not yet touched the problems of our slums and sub-standard housing."

Attempts to remove discrimination in housing by purely voluntary means have produced several noteworthy achievements. One is located in a rural area of East Millsboro. It began in 1936 to help deserving coal miners, and 5 of the first 50 families were Negro. More recently, integrated developments have been started in and near Philadelphia and Pittsburgh, and there are several outstanding instances of housing built privately for open occupancy.

Many civic agencies have carried on educational programs against housing discrimination, but unfortunately they have produced little

tangible progress. The experts now appear to be convinced that such means are usually ineffectual except when buttressed by emphasis on the legal aspects. Two housing bills have been introduced in the State Senate. One limits itself to the abolition of discrimination in publicly assisted housing. The other addresses itself to both public and private housing and is described as SB 333. Its counterpart has been introduced into the House under the designation HB 322. An exception is made in HB 322 of the owners of private homes who themselves occupy their own property, and of duplex buildings where the owner is a bona fide resident in one of the units. Also exempt from the provisions of the bill is housing that is operated, supervised, or controlled by any religious, charitable, educational, private or fraternal organization for its own purposes. Penalties are a fine of not less than \$100 or more than \$500 or imprisonment not exceeding 30 days.

A comprehensive ordinance covering private and publicly-assisted housing was passed unanimously in the Pittsburgh City Council in November, 1958. The bill had received strong support at public hearings and editorial approval in local newspaper columns.

A similar measure was subsequently introduced in the Philadelphia City Council.

SUMMARY ON HOUSING

All evidence at hand indicates that housing discrimination exists glaringly in the State of Pennsylvania, and it would appear that more than voluntary efforts are necessary to erase it.

Proper legislation at the municipal, State, or Federal level should be strongly urged to guarantee equal access to housing of one's choice for any citizen of the commonwealth.

The committee especially emphasizes the role that the Federal Government can play in its loan guarantee and insurance plan for available housing for both veterans and non-veterans. The Federal Housing Administration should exercise every power it has and such additional powers as can be obtained through legislation to achieve nondiscrimination in its program.

Such legislation should prohibit discrimination by any individual or organization on the grounds of race, color, religion, creed, ancestry, or national origin in the selling, leasing, or financing of housing. The coverage of such a law should extend to all housing with the exception of the personal residence of an owner who wishes to sell the property himself or any two-family structure where one unit is occupied by the owner, and housing owned by bona fide religious or charitable organizations.

EMPLOYMENT DISCRIMINATION

Denial of the civil right of equal opportunity in employment has been illegal under the statutes of Pennsylvania since October, 1955; but the Advisory Committee's studies indicate that there is still large-scale discrimination. This conclusion is substantiated by the annual report of the Pennsylvania Fair Employment Practice Commission for the periods ending March 1, 1957, and March 1, 1958, as well as by the earlier report of the Commission on Industrial Race Relations.

Eighty-nine percent of the firms examined by the Commission on Industrial Race Relations in 1954 were discriminating in one way or another against minority groups in employment opportunities. This survey included more than 1,200 firms employing 900,000 employees. The 44 Pennsylvania communities it embraced contained 80 percent of the State's population. Although there has been a substantial improvement, it would appear that large-scale discrimination is still prevalent.

Evidence gathered by the Advisory Committee indicates that the most promising solutions thus far advanced, assuming the proper legislative enactment, have been educational patterns attempted on a communitywide or industrywide basis. It is thought that there are enough men of goodwill in each community to form effective volunteer councils throughout the State, and it is hoped that the Pennsylvania Fair Employment Practice Commission will receive whatever additional support may be required to expedite the creation and functioning of these councils. The problem is viewed as one that was long in the making, and it will require time, as well as patience, understanding, courage, and knowledge of democratic processes, for its solution. No new legislative recommendations were considered necessary.

PUBLIC ACCOMMODATIONS

The act of July 18, 1917, which was reenacted into the Penal Code of 1939, declares that all persons within the jurisdiction of the Commonwealth shall be entitled to full and equal accommodations, advantages, facilities, and privileges in any places of public accommodation, etc. It makes it unlawful for anyone to refuse or withhold the right of any individual on account of race, creed, or color and imposes penalties for infractions. The act has received a broad and favorable interpretation by the courts.

Racial discrimination in hotel facilities in downtown areas of Philadelphia and Pittsburgh has been eliminated, according to spokesmen of the Commission for Human Relations. The matter of

refusing accommodations at resort areas, such as the Poconos, is being studied by the Commission for Human Relations, as well as by the State FEPC. The trade associations for the motels and for the resorts have taken the official position that none of their members should discriminate. Not all comply, however.

While there have been complaints of discrimination in hospital facilities, there has been no set pattern; the attitudes rather reflect the policies of individual institutions. It should be noted incidentally that many of the hospitals in Pennsylvania do not afford equal opportunities for Negro physicians. This sometimes prevents a physician from following his patient in treatment to the hospital. Technically all hospitals in Pennsylvania, even though labeled as "private," receive substantial State money.

Though problems involving public accommodations are not the more serious ones, the Pennsylvania State Advisory Committee recommends stricter enforcement of the act mentioned above in all areas of the State.

ADMINISTRATION OF JUSTICE

The Pennsylvania State Advisory Committee finds no racial discrimination in the courts in Pennsylvania. This holds for jury service, counsel representation of clients, and membership in the various bar associations.

Four Negro judges are sitting at present in the courts of Philadelphia and Pittsburgh; and assistant district attorneys represent the Commonwealth in many counties without any distinctions based on race.

The parole and probation systems are operated without discrimination, but there is partial segregation of eating and living quarters in several State penitentiaries.

The Pennsylvania State Police and the police forces at community level are operated on a nonsegregated basis. There is no evidence that any public law enforcement official would permit "mob violence" to go uncontrolled against Negroes suspected of committing a serious crime against a member of the white race.

In essence, the Advisory Committee finds that all citizens, regardless of race, are treated on an equal basis in the administration of justice in the Commonwealth of Pennsylvania.

CONCLUSION

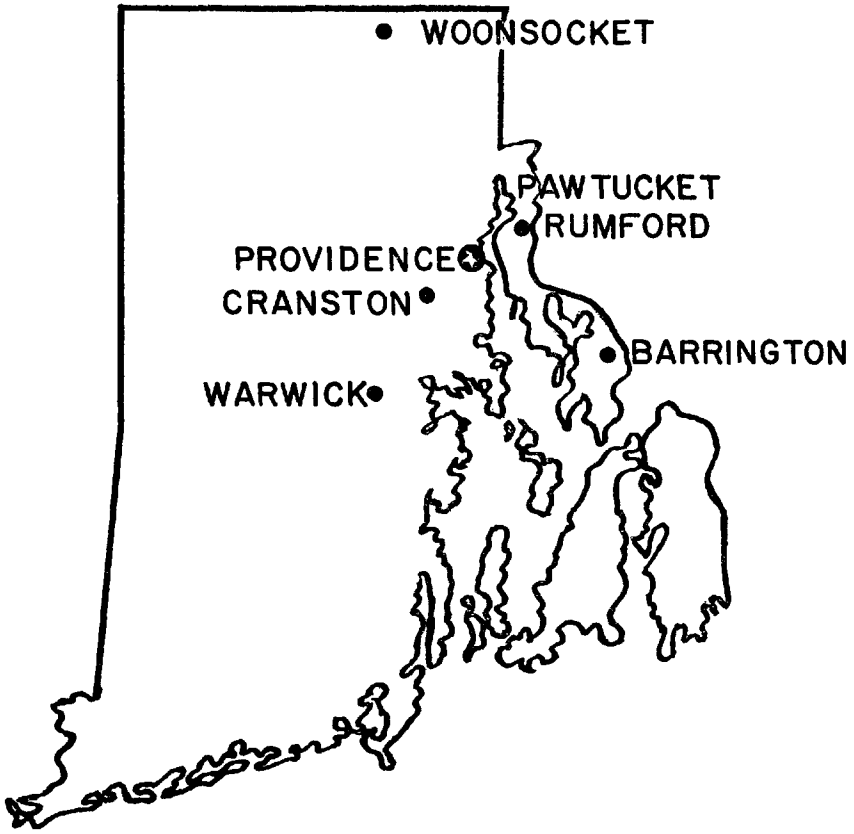
Although discrimination occurs in varying degree in certain of the fields examined, there is general recognition of the moral principles against such practices, and where infringements persist they are

known to be wrong. They continue not because of concerted and affirmative effort but because earlier attitudes and complex social and economic processes have crystalized patterns of behavior and ways of life.

A number of active forces are operating steadily, if not dramatically, to condemn and eliminate discriminatory practices. The core of the public-spirited citizenry have promoted and secured the enactment of legislation and are engendering growing public support for its enforcement.

In addition, there is a growing self-assurance among members of the minority groups affected, which has helped to create an atmosphere free of tension for the most part and to produce leadership that is patient and at the same time positive and progressive.

Rhode Island



(345)

Rhode Island Advisory Committee

(First meeting November 17, 1958)

Chairman:

NIVELLE BEAUBIEN, Rumford

Subcommittee: Housing

Occupation: Assistant manager, Industrial National Bank (Six Corners Branch)

Vice Chairman:

JOSEPH K. LEVY, Providence

Subcommittee: Housing

Occupation: Treasurer, Gracious Living, Inc.

General chairman, United Jewish Appeals of Providence

Secretary:

MRS. NEWTON P. LEONARD, Providence

Subcommittee: Education

Occupation: Housewife

Former president, National Parents'-Teachers' Association; Rhode Island Council of Community Service

DR. BARRY MARKS, Providence

Subcommittee: Housing

Occupation: Professor of Literature, Brown University

FELIX A. MIRANDO, Providence

Subcommittee: Voting

Occupation: President, Imperial Knife Company

Officer and director, National Conference of Christians and Jews

Rhode Island Report

CIVIL RIGHTS IN PERSPECTIVE

THE State Advisory Committee's studies do not indicate any denial of voting rights in Rhode Island; neither do they show any problems of securing equal educational opportunities or of finding employment in the field of education. This report will therefore concentrate on the difficulties experienced by minority groups in obtaining decent housing, which have long been a source of embarrassment.

HOUSING

REPORT OF SUBCOMMITTEE

A careful study of the State of Rhode Island indicates that 90 percent of the nonwhite minority live in substandard housing. The majority of these people live in a few "ghetto" sections of the city of Providence, where the concentration of nonwhite is approximately 95 percent. The nonwhites in other cities of the State likewise live in concentrated groups in housing that is substandard.

The quantity of houses offered to nonwhite residents of Providence in neighborhoods outside these concentrations is practically nil. There has been quite a bit of building in Rhode Island, particularly in Pawtucket, Woonsocket, Cranston, Warwick, and Barrington. None of the new housing units in these communities are available to the nonwhite, either for purchase or rent. The greatest hardship is felt by those nonwhites who have achieved some business or professional eminence and who can afford better housing than is available to them. In the few instances in which such persons have found houses outside of the "ghetto" areas, they have become usually active in community activities and for the most part are outstanding citizens. The overwhelming majority of Rhode Island nonwhites, however, seem unable to escape the few highly segregated neighborhoods.

There is no doubt that there is a correlation between segregated housing and crime, juvenile delinquency, and disease. Segregated housing also results in segregated schools. There are at least two schools in Providence that have upwards of 95 percent colored students, the Benefit Street and Doyle Avenue schools.

The Subcommittee made a study of Federal housing laws and

administrative policies and finds that in the various housing projects, particularly in the Providence area, units are rented according to stated income criteria. Approximately 15 percent of the units in these projects are now occupied by nonwhites. There was a great deal of talk at one time to the effect that the whites in these projects would move if nonwhites were admitted. However, the incidence of removal has been no greater since nonwhites have been admitted.

It is suggested that no money should be loaned to construction groups through FHA or other Federal lending agencies unless the builders are willing to have the units open to all without discrimination. If nonwhites could move into some of these newer homes in newer communities and could afford the maintenance, it appears likely that there would be many fewer problems with juvenile delinquency, disease, and unsanitary home conditions, all of which seem to result from the conditions existing in crowded "ghettos." Fortunately, these are being torn down, one at a time, and replaced by adequate projects.

EFFORTS TOWARD IMPROVEMENT IN HOUSING

Among the organizations actively engaged in seeking ways to combat denial of housing to persons because of race, color, creed, or ethnic origin are the Urban League of Rhode Island, the Rhode Island Committee Against Discrimination in Housing, the National Conference of Christians and Jews, and a fairly new organization, Citizens United for a Fair Housing Bill in Rhode Island.

Almost coincidental with the appointment of this State Advisory Committee, Citizens United was busily engaged drafting a fair housing bill. The idea for such a bill actually began in June, 1957, when the Research Statistics Committee of the Rhode Island Committee on Discrimination in Housing began examining statutes on this subject from many parts of the United States. In June, 1958, a group of leading businessmen, bankers, realtors, home builders, clergy of all faiths, labor representatives, lawyers, and others met to discuss fair housing principles and the need of effective legislation to promote them in Rhode Island. The decision of this group to form a committee to draft such legislation and to sponsor it resulted in the Rhode Island fair housing bill. It is designed to prohibit and prevent discriminatory practices in the selling, renting, or leasing of housing accommodations.

Its introduction into the legislature in December, 1958, under bipartisan sponsorship was followed by swift developments. The hue and cry was terrific. The press was filled almost daily. Radio and television carried debates and speeches. It is entirely possible that no single piece of legislation in modern times has evoked such con-

troversy in Rhode Island. The bill is still before the House Judiciary Committee, and its fate is undecided.

OTHER MINORITIES

Anti-Semitism exists to a slight degree in some sections of the State. By far the majority of Jews live in or around the city of Providence, where they do not seem to have much difficulty in renting or purchasing good housing.

SUMMARY ON HOUSING

(1) There is discrimination against minority groups in Rhode Island, particularly against Negroes.

(2) There is a tremendous shortage of decent housing available to Negroes who seek it. This shortage is made more acute by the razing of blighted areas in South Providence. It will be further affected by the contemplated razing of houses in the Lippitt Hill area for redevelopment purposes, which will require relocation of hundreds of nonwhite families.

(3) Other minority groups have problems in securing decent housing but nothing approaching the situation for Negroes.

(4) There is a deep awareness in the community of this situation and the need to do something about it, especially through the promotion of effective legislation.

(5) There is also a strong "status quo" feeling, not to mention outright hostility against any legislation affecting private housing.

RECOMMENDATIONS IN HOUSING

The Advisory Committee suggests an examination of the policies of the Federal agencies disbursing Government funds to builders and investors with regard to discriminatory practice in the building and selling of houses. This examination should include measures that would deny Federal funds to those who practice discrimination in spite of local laws or customs.

The Committee further suggests the possibilities of a Federal program concerning the educational approaches that should and must accompany legislation.

EDUCATION

REPORT OF THE SUBCOMMITTEE

That there is no discrimination shown in public education in Rhode Island either in the public schools or the institutions of higher learning (Rhode Island College of Education and Rhode Island University), is quite evident from the information gathered.

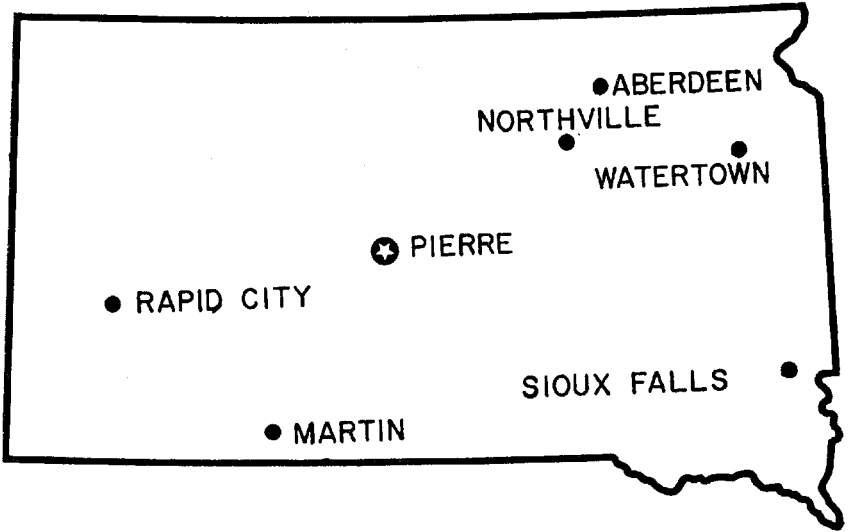
As one studies the questionnaire submitted by the State Department of Education, one sees that Rhode Island has no areas that are composed entirely of a single nationality-group. Programs vary in schools where certain racial groups predominate, as for example in one Senior High School with a large enrollment of Jewish students, great care is taken to avoid observance of festivities contrary to Jewish customs.

The number or proportion of Negro teachers is very small, due not to discrimination but rather to the fact that until relatively recently few Negroes were qualified according to the standards set by Rhode Island. No superintendent with whom we have talked makes any distinction as to race, creed, or color. Negro teachers are accepted by pupils, fellow teachers, and parents. In some instances when the first Negro teacher was assigned, faint murmurings may have been heard among a few parents. However, no openly stated resistance, no removal of a child, ever resulted. Negro teachers are accepted as all other teachers are, on their qualifications and performance; socially they are accepted within the school. Housing in the community is another matter.

Within our institutions of higher learning there are no restrictions as to race, color, national origin, or creed. The College of Education has no dormitories. In Rhode Island University, students choose their own roommates after the first term. On both campuses, the Negro is accepted socially without question. The nationality-groups segregate themselves to some degree in fraternities or sororities, especially the Jewish students. However, I am told that there are actually no barriers.

It has been stated that so-called quotas exist. This is denied by admission officials. In this State, perhaps no racial group has sought admission to the extent that the balance in school enrollment was threatened.

South Dakota



(351)

South Dakota Advisory Committee

(First meeting November 26, 1959)

Chairman:

FREDERIC R. COZAD, Martin

Occupation: Attorney

Member, South Dakota Board of
Charities and Corrections; former
State's attorney

Vice Chairman:

HENRY M. SHULEIN, Sioux Falls

Occupation: Jeweler

Past president, Mt. Zion Temple

Secretary:

MRS. ROBERT L. EWART, Northville

Occupation: Housewife

EDWARD M. BELLATI, Watertown

Subcommittee: Education

Occupation: Businessman

ISAAC H. CHASE, Rapid City

Subcommittee: Voting

Occupation: Real Estate

Former mayor of Rapid City

DR. BEN REIFEL, Aberdeen

Occupation: Area director, Aberdeen
Area Office, Bureau of Indian
Affairs, U.S. Department of
Interior

Committee Study Topics: Education,
Housing, and Voting

South Dakota Report

HOUSING

THE INDIAN PEOPLE are about the only minority group of substance within our State, comprising approximately 5 percent of the population. We will deal separately in this report with "On Reservation Housing" and "Off Reservation Housing."

Reservation Indians live in definitely substandard housing. Large families living in one- or two-room unmodern shacks are the general rule rather than the exception. This is a result of economic circumstances rather than of any discriminatory practice. We did not find any instance where an Indian who was willing to pay the prescribed rent or the going purchase price was denied the opportunity to purchase or rent a home. In the reservation towns, there is no definite and well defined Indian area. There are, of course, numerous instances where a number of the Indian folks live near each other, but their homes and neighborhoods generally seem to be well interspersed throughout the towns. Many Indian and part Indian people own homes in the better parts of the reservation cities. There is no feeling on the part of the neighbors that an Indian in the block or in the area adversely affects the value of their property.

Off the reservations, substandard housing seems to be the general rule. There is however, a more evident tendency for the Indian people to gather together in a definite area. There is not the intermingling of white and Indian housing that you find on the reservation. It is our finding, however, that this fact does not have its basis in any discriminatory practice but rather is founded on a natural desire of the Indian people to be among their own.

Where Indian people are known to have a destructive tendency, there is reluctance on the part of landlords to rent quarters to them. On analysis of this problem, we find the practice to be the same as it is in dealing with white persons who are known to be generally careless, destructive, untidy, or unclean.

The conclusion that we have drawn from our study is that there is no racial discrimination involving Indian housing in the State of South Dakota. As previously indicated, there is a marked and well defined problem based on the economic condition of our Indian people. Our population is not concentrated enough to suggest the slum clearance projects that have proved so successful in the metro-

politan areas. It is our feeling, however, that a housing program under the auspices of the federal government, providing adequate low-rental housing, should be made available to our Indian people. The solution to the housing problem in South Dakota lies in improving the economic status of the Indian people.

EDUCATION

The problem of education of the Indian youngsters is handled by two principal agencies or groups. One, of course, is the public school system, the other is the boarding school or federally operated Indian school.

There is no discrimination in education in South Dakota. All that is necessary for an Indian to enroll in the public schools is to satisfy the residence requirements. In reservation towns, it is not uncommon to find one-third of the enrollment to be Indian children. This process of total integration permeates the school system. In schools where there is any percentage of Indian enrollment, the star of the football or basketball team is likely to be of Indian extraction. But a high percentage of the Indian students are in the lower portion of their grade scholastically. It was our conclusion, however, that this was attributable to their parents' failure to give them encouragement, and to insist on desirable study habits and regular attendance.

Boarding or day schools, for Indian students, are operated free of charge by the Federal Government and by some religious groups. The physical plants and teaching staffs of these schools appear to be good, but student achievement is below the national average. Students seem to suffer from lack of interracial companionship and competition.

Colleges and universities of South Dakota accept all students without regard to race. Through State scholarships and Federal loan funds, it appears to us that the Indian people are afforded great opportunity for higher education. Pitifully few take advantage of such opportunity, but it is our conclusion that a correction of this situation lies in programs other than those dealing with the matter of civil rights.

VOTING

Chapter 65.0801 SDC 1939, provided as follows:

"Indians resident within this State have the same rights and duties as other persons, except that while maintaining tribal relations:

"(1) They cannot vote or hold office; and

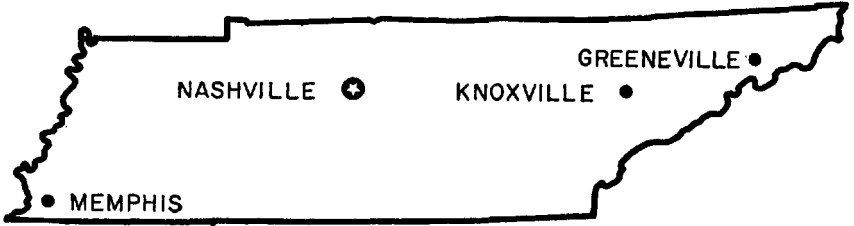
"(2) They cannot grant, lease, or incumber Indian lands, except in the cases provided by special laws."

The foregoing section was repealed by chapter 471 of the laws of 1951.

The repealed law, we are advised, grew out of the early development of the State when the illiteracy rate among the Indian people was very high, and during the time immediately following Indian uprisings in the area. As a matter of practice the section was never enforced. From time immemorial Indians have been voting in South Dakota unrestrictedly. In many counties, particularly those on and surrounding reservations, the balance of power in election contests has been determined by the Indian vote. Historically we find that even in face of the foregoing law, both parties over the years have made special effort to woo and capture the Indian vote. It is our conclusion that there is no discrimination existing in the matter of voting in South Dakota.

As concerns the matter of Hutterite voting in South Dakota, as a general rule the members of the colonies do not vote. There is nothing in the law or in election procedure or practice that prohibits them from voting. Their failure to vote appears to be a part of their religious attitude of complete separation from the world about them.

Tennessee



(857)

Tennessee Advisory Committee

(First meeting December 16, 1958)

Chairman:

GEORGE R. DEMPSTER, Knoxville

Occupation: President, Dempster Brothers, Inc.

Former city manager and mayor of Knoxville

Secretary:

MRS. BEN RUSSELL, Greenville

Subcommittee: Housing

Occupation: Housewife

Member, National Counseling Committee of the Department of Social Education and Action, United Presbyterian Church

ELLEN CORRELL, Memphis

Occupation: Director of Christian education, St. Mary's Cathedral;

Member, Human Relations Council

MACLIN P. DAVIS, Nashville

Subcommittee: Education

Occupation: President, Gray Iron Foundry

DR. JOHN HOPE, II, Nashville

Subcommittee: Transportation

Occupation: Director of Industrial Relations, Race Relations Department, Fisk University

A. MACEO WALKER, Memphis

Subcommittee: Voting

Occupation: President, Universal Life Insurance Company; president, Tri-State Bank

Tennessee Report

THE Tennessee State Advisory Committee held its second meeting in Nashville on March 5, 1959, immediately before the Commission's National Conference on Education in that city. On March 7, the Secretary of the Committee forwarded to the Commission a voting complaint received through the Tennessee Council on Human Relations. At a meeting on September 10, the Advisory Committee considered the continuing problem of discontent publicly expressed over restriction of voting rights in Haywood County. The Committee resolved to send a letter expressing concern to Sam Coward, Chairman of the State Election Commission, urging him to hasten the appointment of local election commissioners and to instruct them, as he had promised, to register persons regardless of race.

Texas



(381)

Texas Advisory Committee

(First meeting June 4, 1958)

Chairman:

JUDGE THOMAS B. RAMEY, Tyler
Subcommittees: Education and
Housing
Occupation: Attorney
Former chairman, State Board of
Education

Secretary:

JEROME K. CROSSMAN, Dallas
Subcommittees: Employment and
Housing
Occupation: President, Ryan Con-
solidated Petroleum Corporation
Former president, Dallas Chamber
of Commerce

COL. WILLIAM B. BATES, Houston
Subcommittees: Administration of
Justice and Employment
Occupation: Chairman of the
Board, Southwest Bank

ROBERT LEE BOBBITT, San Antonio
Subcommittees: Administration of
Justice and Voting
Occupation: Attorney
Former attorney general of Texas

J. S. BRIDWELL, Wichita Falls
Subcommittees: Voting and Trans-
portation
Occupation: Oil and ranching

MAURICE R. BULLOCK, Fort Stockton
Subcommittees: Administration of
Justice and Transportation
Occupation: Attorney
Former president of the State Bar
of Texas

MACK H. HANNAH, JR., Port Arthur
Subcommittees: Employment and
Voting
Occupation: Realtor and invest-
ments
Chairman of the Board, Texas
Southern University

DR. M. E. SADLER, Fort Worth
Subcommittees: Education and
Transportation
Occupation: President, Texas
Christian University

DR. W. R. WHITE, Waco
Subcommittees: Education and
Housing
Occupation: President, Baylor Uni-
versity

Texas Report

PROCEDURE

IT IS UNDERSTOOD that the principal concern of your Advisory Committee is the determination of the extent to which there exist in Texas discriminatory practices because of race, color, religion, or national origin. As we have been directed, we have confined the field of our inquiry to matters involving governmental action—Federal, State, and municipal. Moreover, our investigation has been limited to the enforcement of the civil rights of groups or classes, rather than of specific individuals, as such.

At the initial meeting of this Advisory Committee it was decided that the scope of our research would comprehend six general areas, to wit: (1) Voting Rights, (2) Administration of Justice, (3) Education, (4) Employment, (5) Housing, and (6) Transportation. Accordingly, six separate subcommittees were constituted, and they were charged with the responsibility of ascertaining the true conditions which prevail in the State of Texas respecting each of the areas above named.

Various procedures were employed by the several subcommittees in the endeavor to obtain accurate information regarding the subject under investigation. Numerous inquiries were made of representative and responsible organizations and private citizens throughout the State. Some investigation was conducted by correspondence and the use of questionnaires. In other instances, personal inquiries were made by members of the Committee in visitations to different sections of the State. Officials, both State and local, were interviewed; newspaper files were examined, and members of minority groups were consulted and invited to express their views and opinions.

Pursuant to this research, each of the subcommittees prepared and submitted to the Committee as a whole a tentative report of its findings and conclusions. These reports were considered and thoroughly discussed at a meeting of the Advisory Committee, and in consequence thereof certain revisions were made.

Hereinafter there is set forth in succinct form the substance of the reports of each of the subcommittees as same were approved and adopted by the Advisory Committee. Accordingly, the same are here submitted to the Commission as the findings and conclusions of this Committee concerning the topics under investigation.

VOTING RIGHTS

Without regard to practices or conditions as they might have existed in past years in some sections of Texas, with respect to discrimination against minority groups in general and members of the Negro race in particular, our survey of the situation in this State convinces us that there are few, if any, sections or localities in Texas at the present time which practice or permit discrimination in any local, State, or national election.

We respectfully submit that from our observations and experiences in recent years, and from our discussions with local, State and national officers and officials, as well as with other good citizens, real progress has been made in all such respects. We feel fully justified in making these observations and reporting that discrimination against groups and individuals is at a minimum at this time, and that there is evidence of a sincere desire on the part of all concerned to completely eliminate such conditions and practices, and there is a definite trend in Texas in this direction.

The basic and important right, privilege and duty of voting in Texas, is controlled by various laws, statutes, and ordinances. It is requisite that all voters comply with the laws governing the issuance of poll taxes and exemptions. In these respects there is no discrimination, insofar as we have been able to determine, against any group or individual. Moreover, there is a substantial move now being made to eliminate the poll tax requirement.

It may be true, in some few instances, that in the administration of our numerous laws relating to voting in local and other elections, the enforcement of such laws by some officials is negligent, or that certain persons might have endeavored to discourage some groups or individuals from exercising their voting rights. If such conditions or practices do exist in some localities, the same constitute maladministration of our laws, rather than the violation of basic rights and principles which our State has prescribed and intended for the benefit of each and every citizen.

It is our belief and understanding that in recent months no substantial complaint has been lodged with the officials of Texas indicating that any group or individual in our State has been denied voting rights, or has been discriminated against in the enjoyment of such fundamental rights.

In view of the situation concerning voting rights in Texas, as we have found them to be at the present time, we respectfully submit that it is not simply another example of "Texas bragging" to make the very definite statement that substantial progress has been made in our State in all such respects, and we believe that through the continued interest of our good citizens and organizations, the United

States Commission on Civil Rights, and all Federal officials and agencies, there should remain very little basis for criticism. We also believe that such progress will not abate and that the good people of Texas will continue their efforts to completely eliminate any discrimination that might exist against any person or group in our State. Moreover, we are apprehensive that the actions and activities of some few purely professional, or overzealous organizations and "reformers," will not serve to promote, but even may hinder, the continuation of genuine progress along these lines.

ADMINISTRATION OF JUSTICE

Judges are elected by popular vote in Texas and no evidence was found of any racial discrimination in this regard. No Negroes are currently serving on any of the Texas courts, but there are numerous members of other minority groups now serving on the bench. The State Bar of Texas is fully integrated. In a few areas of heavy concentration of Negro population the law enforcement agencies are not integrated. In most of the State, however, police departments, sheriffs' departments, etc., are integrated.

Your Committee found that occasional violations of civil rights by police and sheriffs are reported to occur in many parts of the State. A few of these involved Negroes and other minority groups, but almost as many, proportionately, are reported with respect to other citizens. It appears that with a few minor exceptions such violations of civil rights are properly attributable more to overzealousness in law enforcement than to any discrimination against Negroes or other minority groups.

Your Committee found no evidence of lynching or mob violence having taken place in Texas within the past 10 years.

In most areas in Texas, Negroes are segregated from others in jails while awaiting trial, but with a few minor exceptions, they are treated as well as other prisoners and are freely permitted to post bond. They are provided with free counsel, the same as others, if they are unable to employ an attorney, and, generally, they receive equal treatment with others in regard to living quarters, eating facilities, recreation, etc., after sentence.

It appears that in numerous instances Negroes and other minorities receive more severe punishment than do white persons for like crimes of violence against white persons, such as assault, murder, and rape; but in most areas, and as regards most other crimes, they are reported to be dealt with more leniently than white persons for similar law violations. This situation is deplored by leaders among both minority groups and majority groups, however, and is rapidly improving.

With respect to pardon, parole, and probation, Negroes and other minorities receive the same treatment as whites.

Except for a relatively small area of the State where there is an extremely high proportion of Negroes to whites, there is no significant discrimination against Negroes or other minority groups with respect to service on either grand juries or petit juries.

Generally speaking, in the administration of justice in Texas at this time there is no discrimination against Negroes or other minority groups to any large extent. This situation is greatly improved over what it was in times past, and is continuing to improve rapidly. Your Committee believes that nothing further is needed in this connection than to give full support to the current trend in this State toward improvement in the training, selection, and support of persons serving as public officials and employees charged with responsibility for the administration of justice in this State.

EDUCATION

Our public schools in Texas started the process of desegregation almost immediately after the Supreme Court's decision in 1956, and by the close of the year, 122 independent school districts in 65 counties were in process of desegregation. About 3,600 of the 258,000 Negro students in the State were in these mixed schools. So far as is known, no significant disturbances occurred with reference to any of these integration efforts.

During this period of time, integration was started in 35 colleges and universities in Texas, including some in east Texas where public school segregation remains solid. Actually, desegregation had begun in 8 or 10 other colleges and universities before the Supreme Court's ruling was handed down. These colleges and universities in which desegregation has been started, vary as to control from tax-supported institutions to voluntarily supported, and church related, institutions. These also vary from junior colleges to all types of institutions, including the State University. In only one or two instances has there been evidence of any disturbance whatsoever caused by the integration efforts in these 40-odd institutions.

Integration in public schools and in colleges was brought almost to a complete standstill about 3 years ago, due primarily to the various laws passed at that time by our State Legislature. Integration was moving along in normal fashion, without any significant disturbances, until the enactment of such laws appeared to block the progress. It seems likely, from the facts assembled, that the local communities would have handled the matter in a satisfactory manner to all parties concerned, if they had been left entirely to their own

devices without intervention of State legislation, the validity of which had not yet been determined by the courts.

In east Texas, where the situation is quite different from that obtaining in other sections of Texas, because of the heavy concentration of Negro population, it is not surprising that the communities did not move forward with integration as readily as did communities in other parts of the State. All who look at the problem realistically understand that the solution will be more difficult of attaining in the areas where the Negro population is concentrated, than in those where the percentage of Negroes is comparatively small.

On the whole, it is both surprising and gratifying that many public schools and many colleges and universities in Texas have started the process of integration without any major disturbances whatsoever.

EMPLOYMENT

Considerable progress has been made during the past few years in the elimination of discrimination as to employment of Negroes by governmental agencies in Texas.

The public schools of the State employ Negro teachers in about the same proportion that the Negro scholastic population bears to the total scholastic population of the State, and there appears to be no discrimination in the salary scales as between the white teachers and the Negro teachers. In other words, Negro teachers with the same qualifications and experience as white teachers, as a general rule, receive the same salary. However, we are of the opinion that if integration of the public schools occurs very rapidly, especially if by force, the percentage of Negro teachers will decline materially.

The employment of Negroes on the police forces and in the sheriffs' offices in the metropolitan areas of the State seems to be a rather general practice, probably not as yet in proportion to population, but certainly definite progress is being made in this area of employment.

In Houston, Dallas, San Antonio, Fort Worth, and Beaumont, and in the other metropolitan areas of the State, there is no discrimination in the postal service. Attitude and qualification seem to be the prime prerequisites to employment. The Post Office in Houston employs about 3,000 persons, and the percentage of Negro employees is considerably larger than their percentage in city population.

There appears to be no discrimination in the employment by governmental agencies in the area of common labor. However, little headway has been made by governmental agencies, either Federal or State (other than schools and postal service), in the employment of Negroes in clerical positions. Some of the discrimination is due

probably to the lack of qualified personnel among the Negroes. It is our opinion that with the increase of Negro activity in business and industry, including insurance, banking, and savings and loan associations, where Negro clerical help is being employed and trained, progress will be made in the employment of Negro clerical employees by governmental agencies in this State.

There is still considerable discrimination in governmental agencies in the employment of Negro personnel, but the members of your Committee are of the unanimous opinion that definite progress is being made, and that even more rapid progress will be made in the future unless too much interference is had from outside groups or agencies. Such interference at this stage, in our opinion, would be unfortunate, and would bring about resentment and increased resistance to progress.

TRANSPORTATION

In conducting this survey, the individual members of the Committee visited and communicated with officials of air, rail, and bus transportation companies, and with some employees as well. We were informed that by both regulation and practice, discrimination between the races does not exist.

In the metropolitan areas there is no complaint regarding the service rendered by the taxi companies. However, it appears that the Negroes prefer, and call for, the Negro-operated units. In some of the smaller communities which are served by only one company, the owner is primarily interested in the financial success of his business and, as the cabs are used more by the Negroes, their business is sought and encouraged. If any discrimination against the colored person exists in this area of the transportation field, it has not been brought to the attention of your Committee.

We find that waiting room, rest room, and dining facilities are provided at most terminals, and that in many such places separate and equal facilities are available for colored and for white persons, and that those in charge of such facilities are solving their problems in a most satisfactory way.

The conclusion has been reached by the members of this Committee that there is no evidence of any substantial discrimination being practiced against any group or class of persons in this State in the area of transportation.

HOUSING

We have a general knowledge of the minority housing situation in the United States. It can be factually stated that the quality and quantity of such housing in Texas does not differ radically from

that prevailing in other States of our country, nor is there any material difference, by and large, in so-called discriminatory practices in Texas than currently exist throughout the country.

As an example of the type of attention that has been given to the problem of good housing, we shall instance a new subdivision for Negroes built in Dallas, known as Hamilton Park. This subdivision, in quality and location, is equal, if not superior, to the average white subdivision in the same price bracket that has been built in recent years. In Hamilton Park at this time there are approximately 750 new homes, all owner-occupied; new churches; a new million dollar school; a 17-acre park and playground; a new shopping center, etc.

It is generally recognized in Texas that the Negro, on balance, has been as good a financial risk on housing loans as has been the white. It might be interesting to point out here that in Hamilton Park, Dallas, there has been not one single default. This has been another factor in counteracting the antiquated idea that the Negro, insofar as housing is concerned, is not a good financial risk.

Ordinarily, the quality of housing for minority groups is not as good as that for the majority. Because of social mores, tradition, custom, and, also, economic factors, the minority groups very definitely have tended to expand in the areas adjacent to small minority settlements. As this expansion has progressed, the majority groups move on to other areas. This progression usually means that the quality of the houses taken over by the minority groups is generally relatively low and, in some instances, definitely substandard.

The Federal housing projects for minority groups are also segregated. In a large Federal housing project in Dallas, for example, in the so-called West Dallas area, there are 3,500 units. These, of course, were built for, and limited to, occupancy by low-income groups. Of these 3,500, 1,500 are occupied by white, 1,500 by Negroes, and 500 by Americans of Mexican descent, all being part of a single project.

As is the case throughout the United States, so in Texas, inadequate and substandard housing results in a greater incidence of crime, juvenile delinquency, disease, etc. This generalization, however, is true for both the majority and the minority groups. There is at present no attempt being made in Texas to enforce a law or ordinance specifically providing for segregation and discrimination in housing.

CONCLUSION

As is above indicated, it is the conclusion of your Advisory Committee that there prevails in the State of Texas a definite trend toward a more conscious recognition of the civil rights of all of our

citizens and a positive inclination to improve the observance of such rights. Few, if any, will be found who question the basic principle that all of our citizens are entitled to equal protection of the laws under the Constitution. There are differences in opinion as to what conditions and circumstances may constitute a violation or invasion of such principle. Some may view a certain course of action as thoroughly discriminatory, while others may regard the same situation in an aspect which they consider to be altogether proper.

The very vastness of the area which Texas encompasses suggests the great diversification that exists in its resources, both material and human. Just as the natural resources of our land bring forth a wide range of products which vary according to the location of the land, so do the people who inhabit the State vary as to racial and genealogical backgrounds according to the particular section of the State in which they reside. Consequently, it appears that the two largest segments of the so-called minority groups that reside in Texas are concentrated in two particular areas of the State. Those of Mexican descent are more populous in southern Texas, which is nearer to the border of Mexico, while those of Negro descent are located in greater numbers in eastern Texas, which is nearer to the States of the Old South.

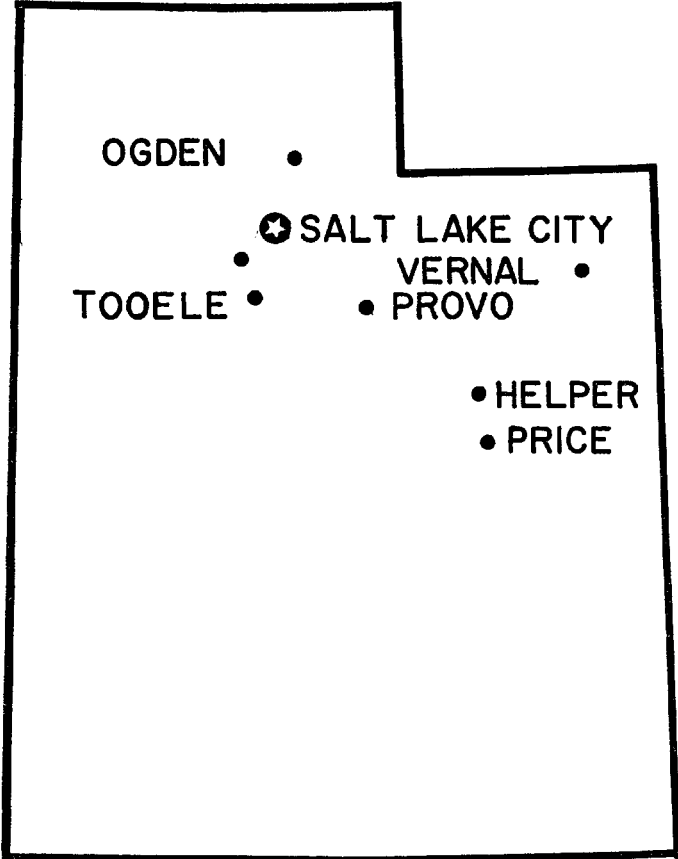
Obviously, the problems incident to racial discrimination are much more difficult of solution in the sections where such minority groups reside in large numbers than in the remainder of the State, where the numbers of these racial groups are comparatively insignificant. It is in the areas last mentioned where the least opposition to the discontinuance of alleged discriminatory practices is found. It is in these areas where reform to alleviate whatever wrong is occasioned by such practice should have, and is having, its genesis. From such beginnings there appears to be a definite trend to extend the acceptance of such reforms further and further into other areas.

It is our opinion that a movement such as this, which implies a revision of inherent social concepts and traditions, to which many of our citizens adhere with strong sentiments and firm convictions, cannot be consummated with summary suddenness. Neither can it be accomplished with enduring effectiveness by legalistic action or judicial decree. It is our sincere belief that such a movement can attain full fruition in a society such as ours only when the people affected are brought to a realization of its righteousness and justice. In most instances, such a transformation must be a matter of gradual and sympathetic readjustment, without the imposition of duress or excessive compulsion.

Whereas, we make no plea for the maintenance of the status quo, nor do we condone either thought or action which is calculated to thwart the fundamental principle of equality under the law, we do recommend that we "make haste slowly" in the undertaking to bring about the ultimate in the realization of such principle. We firmly believe that substantial progress in such direction already has been made in Texas, and that the trend will continue unless the progress is impeded by undue external pressure or some other cause that may arouse the resentment and stimulate the opposition of our people.

It is our considered judgment that in the final analysis, this far-reaching problem can be effectively resolved only through the medium of spiritual understanding. We entertain the hope that such an ideal so deeply cherished may in due time become a reality, and that people of all races and creeds may live in our land in an atmosphere of contentment, good will, and mutual respect.

Utah



Utah Advisory Committee

(First meeting November 23, 1958)

Chairman:

ADAM M. DUNCAN, Salt Lake City

Occupation: Attorney

Member, Utah Legislature; Governor's Committee on Human Relations; Utah representative, American Civil Liberties Union

Vice Chairman:

EDWIN B. SHRIVER, Provo

Subcommittee: Jewish minority

Occupation: Retail merchant

Past moderator, Congregationalist Church of Utah; chairman, Provo Civil Service Commission

Secretary:

MRS. C. HARDIN BRANCH, Salt Lake City

Subcommittee: Greek ancestry minority

Occupation: Housewife

Organizer, League of Women Voters; chairman, Social Action Committee, Salt Lake City Council of Churches

DAN LOUIS BAKER, Salt Lake City

Subcommittee: Mexican minority

Occupation: School administrator

Past president, Utah Secondary Principals' Association

REV. STUART W. OLBRICH, Vernal

Subcommittee: Indian minority

Occupation: Congregationalist clergyman

Former State moderator, United Church of Christ

JAMES W. QUINN, Salt Lake City

Subcommittee: Japanese minority

Occupation: Accounting executive, Merchant Shippers' Association, Catholic diocesan lay chairman, Boy Scouts of America

MRS. THOMAS W. RICHMOND, Salt Lake City

Subcommittee: Negro minority

Occupation: Social worker

Past grand officer, Order of Eastern Star

Other Committee Study Topics: Education, Housing, Employment, Transportation, Local Administration of Justice, and Voting; Mexican-American study, Greek origin study, Jewish study, American Indian study, Negro study, and Japanese-American study

Utah Report

PROCEDURE

THE Utah State Advisory Committee decided to investigate minority rights according to racial categories rather than topically. The reason for this was that there are sharp differences in discriminatory practices among Utah's minorities. The Jew, for example, finds Utah a second Promised Land in the wilderness; the Negro, on the other hand, encounters inconsistent prejudice, which his limited numbers make it impossible to overcome.

HISTORICAL BACKGROUND

Civil rights and liberties in Utah are inextricably bound up with the colorful history of the State and with its principal religion, Mormonism. Driven from their homes in Ohio, Missouri, and Illinois, the early Mormons sought refuge in the wastelands of the Valley of the Great Salt Lake. The scars of persecution were slow to heal, and the constitution of Utah, adopted in 1896, bears many anachronisms reminiscent of those early bitter days. The theology of these people was and is the lifeblood of the State. Even today, perhaps 75 percent—certainly 65 percent—of the citizens are, nominally at least, adherents of the Church of Jesus Christ of Latter-day Saints (Mormons).

With a population 98.2 percent white in 1950, the people of Utah are prone to say, in regard to civil rights, "But we have no problem in Utah." There is the feeling that discussion of a nonexistent problem will create one. But in spite of the fact that Utah's minorities are numerically small, problems of this sort undeniably exist.

Most of the State's 4,600 Indians are either Utes or Navajos. The first Negroes came to Utah largely as employees of the railroads. Later, the mines and mills lured others, and some came as domestic servants. At least one slave family accompanied Brigham Young in his first expedition in 1847 and settled in the Valley. Negroes now number perhaps 4,000 in Utah.

The Mexican-American or Spanish-American (there is a hot dispute over the preferred designation) first came to Utah with Father Escalante in the 1700's, and others of this extraction came later as mine workers, migrant farm helpers, and more recently as unskilled laborers. The Mexican nationals who come temporarily enter the United States on permit to engage in seasonal occupations. Dis-

crimination is stronger against the people whose origins lie in Mexico than the ones whose antecedents are in other Spanish-speaking countries. The Mexican-Americans are concentrated largely in five parts of the State: Salt Lake City, Ogden, Bingham (a copper mining center), Price and Helper (a coal mining center), and Tooele (a smelting center).

Utah's 5,500 Japanese-Americans have settled since 1900, and they produce much of the State's truck vegetables. The influx occasioned by the removal of Japanese from the Pacific Coast during World War II has left its mark in the many college graduates, professional men and women, teachers, doctors, and dentists of Japanese origin who call Utah their home.

FINDINGS

The Jew in Utah

The Jew finds little of which to complain in Utah. He is prominent in politics, the professions, business, education, and civic and social functions. He is barred from some social and fraternal organizations but encounters little or no real anti-Semitism. The Jews of Utah are of the higher economic and cultural strata. They number only 1,500. Jewish civil rights in Utah must be given the highest praise and require little further attention.

Japanese-Americans

The Japanese-American citizen suffered a great deal of inequality during and immediately after the last war, but remarkable progress has been made, and today the Japanese encounters no difficulty in voting, education, transportation, and almost all phases of personal service and public accommodations. His principal areas of embarrassment are housing and, to a lesser extent, employment.

Japanese girls are sought as stenographers, receptionists, and teachers. Japanese men find success in the professions, but they seldom meet with the fine acceptance that is accorded their sisters.

When a Japanese buys a home in a predominantly Caucasian area, he is subjected to the practice of having to wait out the granting of permission to the broker by the neighbor on either side of his proposed residence. Sometimes he will find himself excluded from the best apartment houses, but that is rapidly becoming a thing of the past.

Perhaps the most offensive thing to the Japanese-American is Utah's ancient and tough law forbidding marriage to a white person. He considers this a personal affront and an indignity. This prohibition applies not only to Mongolians but also to members of the Malay race, mulattoes, quadroons, and octoroons.

Socially the Japanese are well accepted, except for certain social and religious organizations that have restrictive clauses imposed by the national organizations.

Statements from the Advisory Committee's rural representatives indicate that Japanese-Americans enjoy almost full acceptance socially, economically, and racially. A survey in one area shows that no racial discrimination has been encountered either directly or indirectly during the past 10 years. In fact, farmers of Japanese ancestry have been sought as purchasers of farms on a preferential basis. A Japanese was elected president of the Davis County Young Farmer's Association, which is predominantly Caucasian.

Discrimination has nevertheless been practiced against many Japanese who have attempted to purchase new homes. It appears that the "code of ethics" as practiced by the national and local real estate boards prevents realtors from selling homes to persons who are considered detrimental to the areas concerned, and specific wording such as "race and nationality" is used. Article 34, section 1 of the third edition of the Department of Business Regulations states: "A realtor must never be instrumental in introducing into a neighborhood a character of property or occupancy member of any race or nationality or any individual whose presence would clearly be detrimental to property value in that neighborhood." Representatives of the realtors and builders expressed to members of the Advisory Committee a definite feeling that any legislation to meet the problem would create more harm than good. They took the position that the housing problems of the Japanese have greatly improved and that education rather than force of law should be the method of insuring the trend toward general acceptance by the public.

The opinion was also expressed to the Advisory Committee that the law prohibiting intermarriage between the races could not be changed under existing conditions by legislation but only by a test case that reached the Supreme Court and received a favorable decision.

The Indian

The Indian is regarded as a real enigma. Even today, when he may vote even while residing on a reservation, and when his children attend fully integrated white schools, he is still inordinately shy and appears unprepared for any sort of real assimilation into urban society. He is also frequently unskilled for urban employment. This is all the more remarkable because he is experiencing a new era of economic betterment growing out of the development of mineral deposits on his land and reimbursement for past depredations by the white man. His biggest fear is "termination," a word promising

him a deed to his share of the reservation, with freedom from his status as a ward of the Government and according him equal status with (as well as all of the anxieties and financial responsibilities of) his pale-faced cousin—none of which he wants.

Real or fancied inability of the Indian to "hold his liquor" is constantly repeated as a justification for the inequalities practiced. The Indian in Salt Lake City or Ogden is lost, friendless, and apt to find his solace in the principal avenue opened to him—the tavern. When he leaves the tavern and seeks a nice lodging, only the flophouses will have him.

In the cities he finds few opportunities for any kind of employment. Recently a major oil company undertaking a drilling program on its Indian leases sought to employ Navajos on a preferential basis. Only a very few applied, and only two were employed—as rodmen on survey crews.

Basically, the people of Utah hope for equal treatment and full integration of the Indian. They take genuine pride in the reports of Indian achievement in athletic or college pursuits. Perhaps the feeling, almost paternal, stems from a deep-seated sense of guilt over the shoddy treatment once heaped on the Redman. More likely, it is implicit in the Mormon belief that the Indian was once a great beloved-of-God nation and that a return to that destiny is yet possible.

The Indian, along with the Mexican-American and the Negro, faces the big problems in Utah, and the Advisory Committee can only express gratitude to those leaders of other, more fortunate minorities, especially the Jewish and Japanese, who have encouraged understanding and provided leadership toward the solution of these problems.

Mexican-Americans

The Spanish-speaking people of Utah experience many of the difficulties of the Indian, and intermarriage has often occurred between the two groups. The Spanish-speaking American differs in that he has no reservation to which he may return, and he often lives in the worst slum areas of the city. He has little training and often cannot adequately speak the English language. His opportunities are therefore very limited. Since Utah offers equal educational opportunities to all regardless of race or national origin, one might expect a significant number of Mexican and Negro students in college, but this is not the case. The attitude is invariably the same: "Why go to college, or even high school; who will hire us anyway?" This argument is sound, inasmuch as employment discriminations abound. The Mexican-American is reluctant to com-

municate his woes lest he be harmed in return, especially in his job situation.

The Mexican-Americans of Utah may be classified largely as proletarian. They are inclined to accept conditions about them without much complaint. The Subcommittee studying this group found no discrimination against them in Utah in education, voting, or transportation, or in the public courts. However, there was clear evidence of discrimination against Mexican-Americans in employment, housing, law enforcement, and public accommodations.

The Negro

The Negro is the minority citizen who experiences the most widespread inequality in Utah. The exact extent of his mistreatment is almost impossible to ascertain. Few are qualified, for instance, to compete for the better jobs, and few are earning enough to purchase the better homes. But enough instances of individuals with excellent qualifications for substantial income have been brought to the attention of the Committee to conclude that the Negro is simply not given any kind of an equal chance to compete for the jobs for which he is qualified. Irrespective of his personal habits or his ability to pay, he has not been allowed to buy a decent home.

Utah has adopted no urban renewal program, but the VA- and FHA-financed housing, whether in single-dwelling units or multiple units, is rarely, if ever, available to the Negro in Utah. He is confined by "gentlemen's agreements" to substandard dwellings, in the least desirable areas of Salt Lake City and Ogden. For these accommodations, he must pay substantially more than his white brother does for equally inadequate facilities. In the city of Kearns, for example, which is one of several new cities that have sprung up around Utah's Wasatch Front, the homes are low-cost, with low interest and token downpayment terms. But no Negro (or, indeed, Indian or Mexican) has been allowed to purchase a home there.

A great deal of improvement in the Negro's opportunities is long overdue, both in the area of housing, where his accommodations are most inferior and inadequate, and in his employment, where he is largely limited to menial occupations as a domestic servant or in the mining or railroad companies.

The Negro is not admitted to barber shops, beauty parlors, steam-rooms, and the like in Utah. His admission to cafes and hotels is spotty or inconsistent. Motels appear more apt to discriminate, whereas motion picture theaters are good in their relations with the Negro.

The Mormon interpretation attributes birth into any race other than the white race as a result of inferior performance in a pre-

earth life and teaches that by righteous living, the dark-skinned races may again become "white and delightsome." This doctrine is mentioned in passing by way of explaining certain attitudes evident in specific fields of investigation. The Mormon practice of excluding the Negro from their universal priesthood does not extend to any other race.

Other minorities (Greeks, Chinese, and Foreign Students)

Once excluded from some of the restaurants and limited largely to railroad repair work, the citizens of Greek origin in Utah are now accepted on a basis of equality of opportunity and treatment and are admitted to social and fraternal organizations. So far as housing, education, and voting are concerned, there seems to be no noticeable discrimination against Greeks. They number 8,000 or more and include vastly more than a proportionate share of wealthy men.

It is indicated that Utah's Chinese-American people, numbering perhaps 300, encounter little intolerance, principally because they prefer to live, travel, eat, and socialize among themselves. Few have any desire to purchase homes, but whenever attempts are made to do so, the same limited prejudices experienced by Japanese-Americans are seen.

Only a word is necessary concerning the foreign student. Because of Utah's climatic similarity to much of the Middle East and North Africa, it has in years past been a mecca for students from those lands. Irrigation and other agricultural studies especially have attracted them. The University of Utah's fine College of Medicine and the Utah State University's excellent School of Agricultural and Applied Sciences have attracted young men and a few of the young women from dozens of foreign lands. This year at the University of Utah, nearly 200 students have come from 40 foreign lands. Always, when the fact of their foreign nationality is known, these students are given excellent treatment. But all too often their dark skins cause them to be confused with resident Negroes and they are accorded the same inconsistent but generally shabby treatment.

LEGISLATION

GENERAL PROVISIONS

Article I, section 1 of the Utah constitution states that: "All men have the inherent and inalienable right to enjoy and defend their rights and liberties; to acquire, possess, and protect property; to worship according to the dictates of their conscience * * *." Section 2 declares that "No person shall be deprived of life, liberty and

property without due process of law." Section 24 provides that all laws of a general nature shall have uniform operation.

EDUCATION

Article X, section 1 of the Utah constitution states that the public schools shall be "open to all children of the State . . ."

VOTING

Article IV, section 2 grants the right to vote to every person of 21 years of age or more, who has been a citizen of the United States for 90 days and who has resided in the State for 1 year, in the county 4 months, and in the precinct 60 days next preceding any election.

PUBLIC ACCOMMODATION

By statute it was made a misdemeanor in 1953 for any "innkeeper" wrongfully to refuse entertainment to a guest "without just cause or excuse." (Utah Code Ann. sec. 76-31-2 (1953).)

TRANSPORTATION

By statute enacted in 1953, every common carrier in Utah is required to carry any passenger unless there is just cause or excuse. (Utah Code Ann. sec 76-48-19 (1953).) Salt Lake City passed a similar ordinance pertaining specifically to busses in 1955. (Salt Lake City Rev. Ordinances sec 23-1-14 (1955).)

MARRIAGE

A statute enacted by the State of Utah in 1953 prohibits and considers void marriages between a Negro and a white person, or between a Mongolian, a member of the Malay race, or a mulatto, quadroon, or octoroon, and a white person." (Utah Code Ann. sec. 30-1-2(5), (6) (1953).)

PLACES OF PUBLIC AMUSEMENT

Persons may be refused admittance to places of public amusement at the pleasure of the owner. In the case of *De La Yala v. Public Theatres Corp.* (82 Utah 598, 26 P. 2d 818 (1933).), the Supreme Court of the State upheld the right of a theater owner to refuse admittance of Filipino patrons to the ground floor of his theater. In so ruling, the court noted the lack of any statute regulating such questions in privately operated places of public amusement, as dis-

tinct from common carriers and other kinds of businesses affected with a public duty. The judge stated that in view of this lack, a theater proprietor could segregate or exclude "persons of all classes or races."

RESTAURANTS

Restaurants in Utah are not required to serve all persons. The decision in *Nance v. Mayflower Tavern* (106 Utah 517, 150 P. 2d 773 (1944).) distinguished the owner of a restaurant from an "inn-keeper" and ruled that the city did not have authority to enact legislation that went beyond the statutes or constitution of the State.

ATTEMPTED LEGISLATION

Civil rights legislation has not commanded extensive support in the Utah Legislature. In recent years, corrective measures have been introduced but have not been enacted.

1945.—A bill (No. 21) to prohibit discrimination in places of public accommodation, resort, entertainment, or amusement was reported out of committee and no further action was taken.

1947.—Two bills were introduced: Senate Bill No. 25, which sought objectives similar to the one in 1945, and Senate Bill No. 26, which made discrimination in employment unlawful. Both were defeated in the Senate by 16 against 6, with one voter absent.

1951.—A Senate Bill (No. 16), identical to the employment bill of 1947, failed.

1955.—Senate Joint Resolution No. 8 reaffirmed equal rights of all citizens of the United States and of Utah and congratulated President Eisenhower, Congress, and the Supreme Court for accomplishments in this regard.

1957.—House Bill No. 87 sought to prohibit discrimination in places of public accommodation and amusement but died in the Sifting Committee.

1959.—House Bill No. 16, similar to the legislation proposed in 1957, was reported by the Committee on State and Federal Regulations without recommendation.

CONCLUSIONS

Generally, the people of Utah can and do pride themselves on being free from racial prejudice. In practice, however, a certain amount of wholly unjustifiable inequality is practiced, especially where the darker-skinned minorities are concerned. In some areas, notably voting, transportation, and education, relations are excellent and treatment equal. In other areas, such as hotel, motel, restaurant

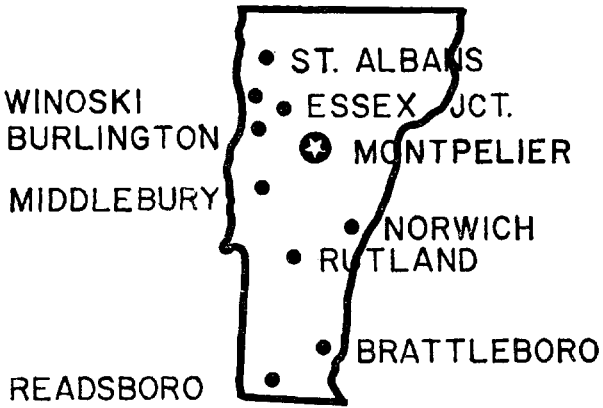
service, and public accommodations, a great deal of improvement has been made in very recent years, and problems are diminishing. However, in housing and employment, again with particular regard to the Negro, Mexican, and Indian, real hardship results from discriminatory treatment. In Utah, the minority citizen is politically impotent, and he must look to Congress for his remedy and relief from such practices.

BENEDICTION

Creation of the Commission on Civil Rights was a good idea with a worthwhile objective. Its Utah State Advisory Committee believes that every thinking American must be deeply concerned by the revelations of such factfinding experiences. We do not point accusingly at any other State. We criticize only our own shortcomings and seek legislative assistance only to solve our own difficulties.

We are grateful and extend to your Commission members and staff our thanks for this opportunity to serve in building a better America for our children.

Vermont



(385)

Vermont Advisory Committee

(First meeting September 3, 1958)

Chairman:

JOHN S. HOOPER, Brattleboro
Subcommittee: Employment
Occupation: Editor, *Brattleboro Reformer*
Former chairman, Vermont State Board of Education

Secretary:

MISS MARY JEAN SIMPSON, East Craftsbury
Subcommittee: Education
Vermont representative, Public Affairs Committee, National YWCA; member, Citizen's Study Committee on Corrections for Vermont

JUDGE BERNARD R. DICK, Rutland
Subcommittee: Public accommodations

Occupation: Attorney
Former judge of Rutland County Municipal Court

LOUIS LISMAN, Burlington
Subcommittee: Housing
Occupation: Attorney

Member, Executive Committee, New England Regional Advisory Board, Anti-Defamation League for past 10 years

MRS. ARCHIBALD (JOSEPHINE LYONS) PEISCH, Norwich

Occupation: Secretary, Archibald Peisch & Company (accounting firm)

Member, Vermont State Board of Recreation

Vermont Report

IT IS AN ADDED virtue in a State with relatively few problems of discrimination that its report can be brief. In comparison with many States faced with greater problems, it doubtless is significant that Vermont's nonwhite population is estimated to be less than 1 percent.

VOTING

Vermont has no discrimination in voting because of color, race or creed. It does, however, request that those eligible for voting in local and State elections shall have paid their local poll tax prior to exercising the franchise. A bill to repeal local poll taxes as a basis for voting was defeated in the 1959 legislature.

EDUCATION

No discrimination is evident in public education. To the contrary Negroes have been employed as teachers, the most recent being in the little town of Readsboro and just previous to that in the college town of Middlebury. There has recently been one instance of religious discrimination but community pressure and support of the high school principal who was involved cleared the way for a renewal of his contract and he was retained.

It is the feeling of the Advisory Committee that the cultural patterns of each community determine to a large extent the selection of teachers for the local schools. Therefore, in many urban areas where the population is predominantly Catholic the majority of the teachers are Catholic. There is no evidence, however, of qualified teachers being denied teaching jobs because of their religious beliefs.

HOUSING

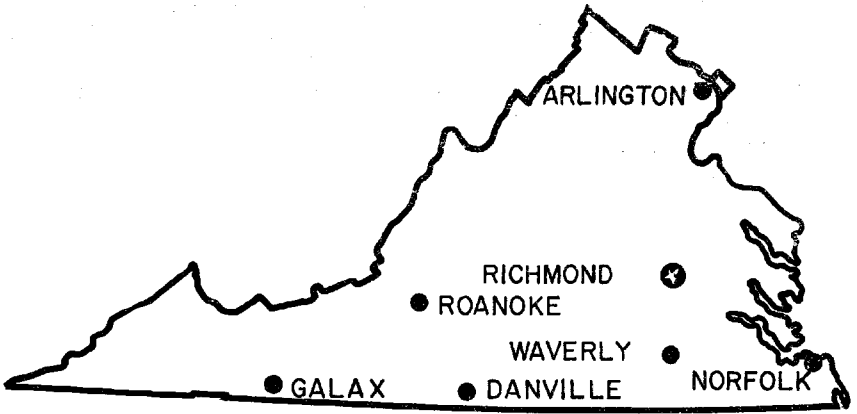
Housing discrimination exists against Negroes in those parts of Vermont where they are present in substantial numbers, that is, in the areas surrounding the principal military installations in the State, in the counties of Chittenden and Franklin, and principally in the cities of Burlington, Winooski, and St. Albans and in the towns of Essex and South Burlington. There is some evidence of similar discrimination near the federally built dams near Brattleboro. Negro inhabitants of the State who resided in Vermont prior to the increase in Negro population by reason of the expansion of the military installations in the State claim to have experienced no discrimination in housing.

Housing discrimination extends to FHA-financed properties. A verified instance has been found in which a builder who planned a racially mixed development was warned by the bank which finances his FHA-insured developments to abandon the plan if he valued his credit. A voluntary citizens' effort in and about the city of Burlington, led by the churches, has established a positive, in contrast to a negative, approach to housing discrimination by instituting a register which landlords and others can use who make their properties available to Negroes.

PUBLIC ACCOMMODATIONS

Since the enactment of a statute by the Vermont Legislature prohibiting discrimination in places of public resort, there have been no complaints of such discrimination, although such complaints were common prior to the enactment of the State statute.

Virginia



(389)

Virginia Advisory Committee

(First meeting August 15, 1958)

Chairman:

J. RANDOLPH TUCKER, JR., Richmond
Occupation: Attorney
Former member, House of Delegates of Virginia

Vice Chairman:

J. MAYNARD MAGRUDER, Arlington
Subcommittee: Housing
Occupation: Attorney
Former member, House of Delegates of Virginia

Secretary:

MRS. FRANCES ROGERS HARTZ,
Waverly
Subcommittee: Public Housing
Occupation: Housewife
Former president, Virginia Federation of Women's Clubs; member State Board of Welfare and Institutions

W. C. DANIEL, Danville

Subcommittee: Voting
Occupation: Textile manufacturer; assistant to president, Dan River Mills, Inc.
Former National Commander of American Legion

DR. L. C. DOWNING, Roanoke

Subcommittee: Voting
Occupation: Physician
Member, Roanoke School Board

HERBERT J. GERST, Norfolk

Subcommittee: Education
Occupation: Attorney
Former president, Norfolk Community Fund

HON. FLOYD S. LANDRETH, Galax

Subcommittee: Education
Occupation: Attorney
State Senator

Virginia Report

THE Virginia Advisory Committee received no complaints of discrimination because of race, either in voting or housing. The voting statistics supplied by the Committee appeared in the Commission's 1959 report to the President and Congress. The Committee's housing report follows:

HOUSING

Virginia has 32 independent cities and 98 counties, or 130 independent political subdivisions. There are also 200 unincorporated towns. The total population in 1958 was estimated by the Bureau of Population and Economic Research of the University of Virginia to be 3,900,000, or 581,000 in excess of the population counted in the 1950 census. Nonwhites, principally Negroes, made up 22 percent of the population in 1950, and were an estimated 21 percent of the population in 1958, as against 35.7 percent in 1900, and 25 percent in 1940. Although the number of Negroes in Virginia has continued to rise, their percentage decline reflects a trend of in-migration of white and out-migration of nonwhite people, principally to and from the North and Midwest. The trek of U.S. Government personnel to the northern Virginia suburbs and to the many military and naval establishments in Virginia accounts for a considerable part of the in-migration but by no means all of it.

In 1940 there were 627,500 occupied dwelling units in the State, which were occupied as follows:

Whites: 481,000 or 76.7 percent

Nonwhites: 146,500 or 23.3 percent

In 1950 the supply of occupied dwellings had increased by 218,000 units to a total of 845,000 with occupancy as follows:

Whites: 681,000 or 80.6 percent, an increase of 200,000 units or 41 percent over 1940

Nonwhites: 164,000 or 19.4 percent, an increase of 17,500 units or 12 percent over 1940

During the 8-year period from 1950 through 1958, the population increased a total of 17.6 percent while occupied dwelling units increased 228,000 or 27 percent, indicating a volume of construction more than adequate to provide for the increase, as well as the replacement of buildings rendered unsafe for occupancy, destroyed by fires, etc. Estimates indicate that about 30,000 of the new units were for nonwhites and the remaining 198,000 units were for whites.

The overall picture from a statistical point of view during the last 18 years clearly shows that an adequate amount of housing has been constructed in the State to take care of all persons, including the only minority group we have, the Negroes. In addition the Negro has in most urban communities moved from the so-called slum areas to areas vacated by white people. In some instances these changes were brought about by development of new business areas or through State or Federal housing programs. However, the change was for the better and in no event worsened the housing conditions of the individuals involved. In some instances, through redevelopment, more white persons were displaced than Negroes.

The problem in the urban areas of the entire State of finding decent and sanitary housing is primarily a problem of the low-income brackets. Public housing has taken care of the very lowest income bracket of both races and is increasing in total unit capacity. In the middle-income brackets, subdivisions for both races are available in or near most of our cities, and financing in most areas of the State is available for both races for the construction and purchase of homes so long as the applicants have good credit references and meet the usual requirements for safe mortgage undertakings. Large numbers of the lower income group cannot afford adequate housing. Others, through lack of training, will not properly allocate their income to provide money necessary for housing, so the problem is primarily one of economics on the one hand and lack of motivation on the other.

Public housing has taken care of a part of the low-income groups, but not all, in most of our larger cities; however, there are still slums in which both whites and Negroes live. These areas have been improved through ordinances in practically all cities, requiring inside toilet facilities, and by condemnation of those properties which were unsafe for occupancy.

Some 16 cities in Virginia have Redevelopment and Housing Authorities which are political subdivisions of the State created under statute of 1939. These authorities now operate or have under construction 14,500 units, of which 80 percent are occupied by nonwhites. On the basis of 21 percent nonwhite population in the State, this indicates a tremendous effort being made to serve those having the greatest housing needs. Since 1950, 11,800 dwelling units have been built or are being built under this program with the aid of Federal

agencies. A typical example is the Redevelopment and Housing Authority of Norfolk which has constructed 3,400 low-rent housing units and recently acquired 300 additional from the Federal Government.

Statistics on Norfolk

	White	Negro	Total	White	Negro
1958 population.....	221, 379	77, 860	299, 239	<i>Percent</i> 74	<i>Percent</i> 26
Low income housing units.....	800	2, 700	3, 500	23	77

Washington



(395)

Washington Advisory Committee

(First meeting November 24, 1958)

Chairman:

HON. WILLIAM F. DEVIN, Seattle

Subcommittees: Education and housing

Occupation: Attorney

Former mayor of Seattle; former member, President's Civil Defense Advisory Council; organizer of first Seattle Civic Unity Committee

Chairman:

ARTHUR G. BARNETT, Seattle

Occupation: President of Civic Unity Committee

Vice Chairman:

SAMUEL W. TARSHIS, Seattle

Subcommittees: Education and Housing

Occupation: Wholesale furniture dealer

President, district 4, B'nai B'rith; former member, National Commission of Anti-Defamation League of B'nai B'rith

Secretary:

MRS. JOHN C. REESE, Spokane

Subcommittees: Education and Housing

Occupation: Housewife

Chairman of the Cosmopolitan Club and Spokane Institute of International Relations

MISS SOESTER I. ANTHON, Yakima

Subcommittee: Voting

Occupation: News editor, *Yakima Morning Herald*

Chairman, Yakima City Planning Commission; secretary, Central Washington Fair Board

HAROLD J. GIBSON, Seattle

Subcommittees: Education and Housing

Occupation: General vice president, Northwest Division, International Association of Machinists

CHARLES M. STOKES, Seattle

Subcommittees: Education and Housing

Occupation: Attorney

Member, Washington State Legislature; former member, Seattle Civic Unity Committee

DAVID E. WILLIAMS, Richland

Subcommittees: Education and Housing

Occupation: Attorney

Member, executive board, State Labor Council; former member, Tri-Cities Committee on Human Relations

Washington State Report

THE State of Washington has made progress in the passing of civil rights laws and in creating the machinery for their enforcement. Favorable conditions can be reported especially with regard to voting, public education, and the administration of justice. However, in some areas serious discrimination still exists. Employment and housing are the worst areas of discrimination, and there are also some instances in public accommodations.

EMPLOYMENT

Unless a Negro is highly skilled or professionally trained, his opportunities for securing adequate employment are not good. There is not a single Negro bellhop or porter in hotels and motels in the State of Washington. Negro girls find it extremely difficult to secure jobs as waitresses, except at the New Orleans Room of the Bon Marche Department Store. There is not a single Negro taxi driver in the State of Washington, though the cab companies have been reminded that their policy of discrimination is in violation of the fair employment practices law.

A Negro man cannot secure employment in the chain service stations such as Standard and McKale's stations, except for token employment at a Standard station at 32d and Union in Seattle. There are, however, a number of gas stations operated by lessees who are Negroes. A Negro man cannot secure employment as a fireman, brakeman, conductor, or steward in charge on dining cars of the major railroads operating in the State of Washington, either in inter- or intra-state lines. Negro men and women are the only members of a minority group who cannot secure employment as airline pilots, hostesses, ticket clerks or pursers on the major airlines operating out of the Seattle-Tacoma Airport. Negro men find it extremely difficult to secure employment as operators of heavy trucking equipment in the State of Washington. In all of these situations there have been qualified applicants. Management, labor unions, and the community are responsible for these conditions.

In a State as varied as Washington, it is not surprising that information brought forth by individual members of the Advisory Committee differs in accordance with local conditions and attitudes. From the Yakima region, for example, the testimony emphasizes lack of education or training as a stumbling block to skilled employment. There, the best hospital surgical nurse is a Negro, and the district school superintendent has been trying in vain to find a

qualified Negro teacher. Japanese and Filipinos find employment for much "stoop labor," such as weeding, which white workers dislike. There are two Chinese physicians with white practice in that community. Unions are said to be open to minority groups, and uniform wage scales are observed.

Testimony from other parts of the State indicates the existence of discrimination in employment, both as regards hiring and upgrading. This is said to apply to Indians, Mexican-Americans, Negroes, and Jews. Unions listed as not accepting Negroes, Mexican-Americans, and other minority workers include those for railway trainmen, operating engineers, oilers and burners, bartenders, and taxicab drivers. On the other hand, Negroes and Mexican-Americans are said to be permitted to operate their own private businesses—retail stores, farms, ranches—and are encouraged to enter professional fields. There are at least seven Negro teachers in the Spokane public schools, also one Indian. All are popular with pupils and parents.

HOUSING

There is a tremendous amount of discrimination in housing in Washington State that is not covered by the present State fair housing law. Not 1 manager in 10 apartment houses located in the First Hill section of Seattle would rent a unit to a qualified nonwhite applicant, whether Negro, Japanese, Chinese, Filipino, or American Indian, according to an informal survey by the Urban League. Similar discrimination has been observed in smaller communities. It is considered an impediment to job procurement on government projects.

A highly trained Negro doctor with his wife and a 20-month-old baby had to live in cramped quarters in a motel in the North End of Seattle, though accepted on the staff of the hospital. After a month, the doctor secured a house and paid \$125 in advance as rent. Before he could move in, neighbors objected, although they did not even know him and his family, and the house was taken off the market. Cases of this nature, which are numerous, are not covered by the present law.

In Pasco and Kennewick, the bars against the Negroes are so rigid as to be reminiscent of those that prevail in the deep southern tier of States. The Kennewick Housing Authority has never provided rooms for a Negro family, even though the project it administers was built with Federal funds. Before acquiring public housing, an individual has to be a resident of Kennewick for 3 months, and no Negroes have been permitted to live in the community.

Rental opportunities for the 12-percent Negro population in Pasco are so slight as to be almost wholly negligible. In the East Pasco

area, ghetto-like conditions prevail, with wooden shacks, inadequate heating, refuse, and other hallmarks of substandard living. Loan agencies are said to refuse to lend on East Pasco property, and interest rates on personal loans to nonwhites are usurious. There is no visible discrimination against other minorities in these cities.

About 50 percent of the Negroes in this area live in substandard housing. Vice and crime have increased in the depressed areas of these counties. Bad housing, unsanitary conditions, overcrowding, and community hostility have all had their depressing effect upon the nonwhite population. There has been some improvement in public facilities such as the sewer system, lighting, and recreation, but there is quite evident reluctance on the part of community leaders, realtors, lending agencies, and others to hasten desegregation.

In Spokane, on the contrary, 40 percent of housing available for sale or rental is offered to nonwhites as well as to whites. However, Negroes find greater difficulty in obtaining home loans, and there are substandard districts in the section called Peaceful Valley and in the southeastern area where open occupancy and low-income families go hand in hand.

In spite of the Washington State law which opposes discrimination in the sale of certain kinds of property, middle class, "decent" housing in Spokane is generally closed to Negroes and they are relegated to the inferior, rundown neighborhoods. These will continue to get worse, for there is no urban renewal program in the city. Oriental families can move to better neighborhoods with somewhat greater ease. Firm denials of discrimination have been made by the real estate board.

Complainants have described stratagems used to avoid selling to Negroes, which include refusing to show the property and increasing the downpayment from that originally asked.

The housing picture in the city of Tacoma has been a grim one. In the postwar era, large numbers of Negroes were crowded into a lower-taxed, blighted area, at a time when other Americans were enjoying new opportunities to obtain homes with long-term favorable Government-assisted loans. However, the Tacoma urban renewal project made public a report in April, 1958, which took notice of the problem of relocating nonwhites and offered a program that would give standard housing to persons being relocated. The report was submitted to the Housing and Home Finance Agency and approved by them; and the Tacoma City Council passed a resolution approving the plan, which awaits development.

In addition to the problem of obtaining adequate financing from insurance companies and banks, the Negro has encountered increasing neighborhood resistance. In many instances reported to the Ad-

visory Committee, owners had been willing to sell to nonwhites but had withdrawn under organized pressure.

There is also a smaller but significant problem in the refusal of some nonwhites in Seattle to move from their ghetto-like environments. Meanwhile, migration of nonwhites into the city continues as a result of Seattle's economic expansion.

A number of grade schools in Seattle are predominantly Negro, and one high school is becoming so, not because of school or city policies, but because of *de facto* residential segregation. Seattle's civic government has shown commendable interest in the problems of minority groups, especially in the field of housing. Decent, safe, and sanitary housing that is racially integrated is definitely a part of Seattle's public policy. The city is working for open-occupancy in its urban renewal program and has the cooperation of the Greater Seattle Housing Council, which is composed of most of the agencies concerned with redevelopment, human relations, and adequate housing. However, real estate representatives in the membership of this council have been slow to accept the democratic American standards of offering equality of opportunity in housing acquisition. Furthermore, Seattle's nonwhite population, which is concentrated in a small, old area of the city, is increasing much more rapidly than the white. The membership of the Greater Seattle Housing Council is by no means unanimous in its opinions.

The State of Washington is one of the few States having "publicly-assisted housing" laws. In that respect, it is in the vanguard among the States that are strongly civil-rights conscious.

The Advisory Committee has analyzed the policies prevailing in four distinct neighborhood areas that have traditionally barred persons of the Jewish faith from residence. These are Broadmoor, Highlands, Sand Point Country Club, and Windermere. More recently, some new suburban areas have offered evidence of this same kind of religious discrimination, for example, Mercerwood in Mercer Island and Brydel Wood in Bellevue, both outside of the city limits, and apparently Canterbury within them.

Oriental and Negroes entering Washington State as military personnel have been irritated to encounter extreme difficulty in finding quarters except in areas distant from their duties.

In Yakima, discrimination against Negroes and Orientals in housing is less evident, and the greatest difficulties result from inability to pay the high prices. A definite correlation was noted between disease and juvenile delinquency, and substandard housing. The community will shortly be faced with new relocation problems occasioned by the plotting of a new freeway through a low-income area.

To sum up, the State of Washington, known for decades as a leader in progressive labor legislation, still has a long way to go before it can assume that it has made a good start on the housing problem.

VOTING

It is the Advisory Committee's opinion that very little, if any, discrimination exists in the State of Washington in registration or voting.

PUBLIC EDUCATION

There appears to be no conscious effort or desire on the part of school or college authorities and administrators to discriminate because of race, color, or creed in the State of Washington. On the contrary, there would appear to be a conscious effort to bar discrimination in our schools and colleges. Where there is a concentration of Negroes in a public school, it arises rather out of residential segregation.

JUSTICE

It is the concensus of opinion of the Advisory Committee that the policies of the police administration and the courts in Washington are not discriminatory. Where discrimination by police or law enforcement officers may have been shown, it is believed to have arisen by reason of an individual's personal feeling, emotion, or prejudice.

SUMMARY

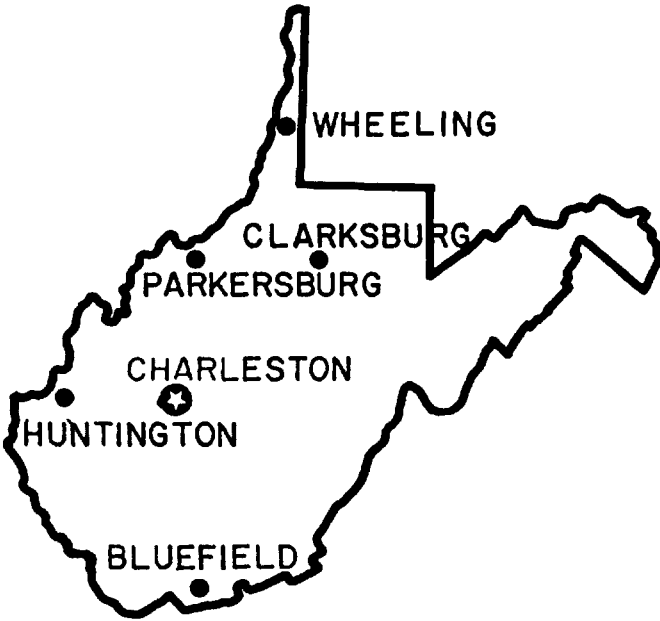
It is the definite feeling of the Washington State Advisory Committee that a continuing and vigorous effort should be made by all public and private agencies and individuals to educate and persuade the people of our country concerning the truth and justice in a policy of nondiscrimination toward all of our citizens in matters involving life, liberty, and the pursuit of happiness as granted in our Constitution and as interpreted by our established institutions of government. We believe that much can be accomplished in this field through education and persuasion, but that there are also areas where the hand of legal enforcement is required.

We further believe that the various agencies and organizations now functioning in the State of Washington in this field of human relations have provided and can in future provide greater assistance in carrying into practice many of the desirable objectives enunciated by government and civic bodies.

In conclusion, we are proud on the one hand of the showing made by the State of Washington in this area of human relations. It no

doubt reflects some of the spirit of the "Old West," where a man is taken for what he is, rather than who he is. On the other hand, we cannot deny that there have been planted and are growing in our State, seeds of bigotry, prejudice, and ignorance, which unless checked and uprooted through enlightenment, education, and constant vigilance can grow to dangerous proportions.

West Virginia



(408)

West Virginia Advisory Committee

(First meeting November 10, 1958)

Chairman:

MILES C. STANLEY, Charleston

Subcommittee: Housing

Occupation: President, West Virginia Labor Federation (AFL-CIO)

Vice Chairman and Secretary:

HOWARD V. CORCOBAN, Wheeling

Subcommittee: Voting

Occupation: Owner of Corcoran's Church Goods Company

B. PAUL BROIDA, Parkersburg

Subcommittee: Education

Occupation: President, **Broida**, Stone and Thomas Department Store

MISS HELEN L. GOLDSBOROUGH, Shepherdstown

Subcommittee: Housing

Occupation: Owner of the Leland Orchard

Member, State Federation of Women's Clubs

MRS. DOUGLAS C. TOMKIES, Huntington

Subcommittee: Voting

Occupation: Educator of preschool children

Former president of West Virginia Division, American Association of University Women

MISS CERELLE H. WARFIELD, Bluefield

Subcommittee: Education

Occupation: Professor of Romance Languages, Bluefield State College

West Virginia Report

VOTING AND EDUCATION

IT IS THE opinion of the Committee that discrimination in voting is practically nonexistent. In the area of public education and in the State's institutions of higher education, integration is progressing at perhaps a little better than average rate. We would particularly call your attention to West Virginia State College, located at Institute, W. Va., which prior to 1954 was an all-Negro school. However, since that time white enrollment has steadily increased until in the 1958-59 school term the student body consisted of 55 percent white, 44 percent Negro and 1 percent from other races. This has been accomplished without one single unfavorable incident. We are particularly proud of this accomplishment and we believe that it exemplifies the situation which exists in our institutions of higher learning.

HOUSING

Of the three areas to which the Committee gave its attention, we believe that housing represents the area in which most discrimination exists. We find little progress in terms of new housing being made available to minority groups, except that which is being provided by governmental agencies. It should be noted, however, that substandard housing in West Virginia is not limited to minority groups. It is a very real problem to all races. This can be traced in most cases to very low incomes, which make the cost of adequate housing prohibitive. Moreover, from certain answers appearing on the housing survey questionnaires and from talking with numerous individuals interested in the housing field, it is evident there is definitely discrimination practiced on a universal basis. This particularly applies to real estate brokers, sellers of property and subdivision developers. The subtlety used in such practices has thus far kept them from becoming a public issue.

EMPLOYMENT AND PUBLIC ACCOMMODATIONS

It is further the observation of the Committee that racial discrimination in West Virginia is very pronounced in the broad fields of public accommodations and employment.

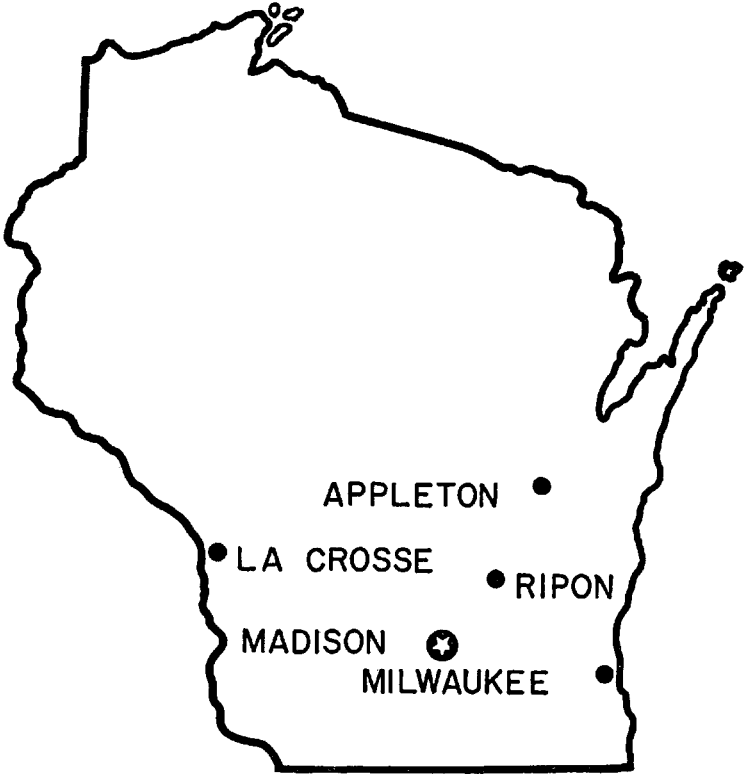
Some noticeable progress is being made in the former. For example, most hotels in Huntington, Parkersburg, Clarksburg, and Wheeling are now accepting Negro guests. Currently a city ordinance dealing with this subject is pending before the Charleston City

Council. Thus far all hotels and restaurants in Charleston have maintained a segregated status.

In the field of employment little or no progress is evident. Negroes with college degrees, as well as those who are completely illiterate, are limited in most cases to various types of service work. In fact, in spite of numerous chemical engineers being graduated from West Virginia State College, only one such graduate is currently employed in this capacity in the Kanawha Valley's large chemical industry.

Therefore, we can only rightfully conclude that fair and equal employment opportunities are not being offered to members of the Negro race.

Wisconsin



(407)

Wisconsin Advisory Committee

(First meeting November 23, 1958)

Chairman:

DR. FREDERICK O. PINKHAM, Ripon
Occupation: President, Ripon College

Vice Chairman:

BRUNO V. BITKER, Milwaukee
Subcommittee: Local Administration of Justice

Occupation: Attorney

Former member, Governor's Commission on Human Rights; former chairman, State Public Utility Arbitration Board

Secretary:

MRS. THEODORE W. COGGS, Milwaukee
Subcommittees: Education, Health and Housing

Occupation: Housewife

Former member, Governor's Commission on Human Rights

LEO T. CROWLEY, Chicago, Ill. (Resigned)

Occupation: Chairman of the board, Chicago, Milwaukee, St. Paul and Pacific Railway

GEORGE W. HAMILTON, Milwaukee

Occupation: Attorney

Subcommittees: Employment and Housing

Chairman, State Committee on Fair Employment Practices; former administrative assistant to the Governor, Virgin Islands

VICTOR I. MINAHAN, JR., Appleton

Subcommittees: Migratory Workers and Public Accommodation

Occupation: Editor, *Appleton Post Crescent*

Member, Governor's Commission on Human Rights

PETER G. PAPPAS, LaCrosse

Occupation: Attorney

Former executive legal counsel to the Governor of Wisconsin

Other Committee Study Topics: Cooperating Agencies, Justice, and Voting

Wisconsin Report

AT BEST, this report should be considered as a progress statement. The Wisconsin Advisory Committee is continuing to conduct its studies and will file a final report at a later date.

To date, the Committee has found no gross violations of civil rights. There are a relatively small number of colored and other minority-group families in the State, including some Indians. Aside from the usual vague, unwritten attitudes which exist wherever there are minority groups, the Committee has not uncovered a significant amount of serious violation based upon prejudice. The number of persons in minority groups is increasing in the larger cities, particularly in Milwaukee. This influx of people will certainly increase the probability and evidence of civil rights problems.

Perhaps the most significant finding to date concerns the problem of how to educate minority-group people who have migrated into the State from the South. These people are often uninformed as to their rights and responsibilities regarding political participation. Further, due to the relatively low income and educational level of these minority groups, they have health, education, and living problems that tend to become confused with and often interrelated with civil rights problems.

Wisconsin has sufficient organizational machinery for handling civil rights problems, and civic leaders and officers are fully aware of the need for the constant study of civil rights.

EDUCATION

As far as the Committee can ascertain at present, integration in the schools is not a problem. In the realm of higher education, LeRoy E. Luberg, Dean of Students of the University of Wisconsin, states that no known racial or minority-group problems in civil rights exist in Wisconsin at the present time.

HOUSING

The universal problem of resistance to the movement of Negroes and other minority groups into all-white neighborhoods is not now a widespread problem in Wisconsin. However, it does exist; and, as the renewal programs in Milwaukee and other cities require condemnation of land and relocation of people, this problem may become more serious. The Committee plans to continue its study of the situation and report more fully at a later date.

VOTING

A four-month project was undertaken by the Milwaukee NAACP, Negro churches, labor leaders, and civic, social, and fraternal organizations to increase the number of registered and voting citizens in the Negro communities. More people were registered in this area of the city during the drive than any other—but not enough considering the effort made.

EMPLOYMENT

By means of a questionnaire, the Advisory Committee solicited information on employment practices from a generous sampling of various types of industry in Wisconsin. A questionnaire was also sent to various labor organizations to obtain a survey of their policies in regard to employment. Sufficient returns had not been received at the time of going to press to provide significant data.

HEALTH

At this point, it appears that minority groups suffer no serious problems in relation to health as a result of civil rights offenses. The problems are more closely related to housing, education, and the low economic status of people in minority groups.

ADMINISTRATION OF JUSTICE

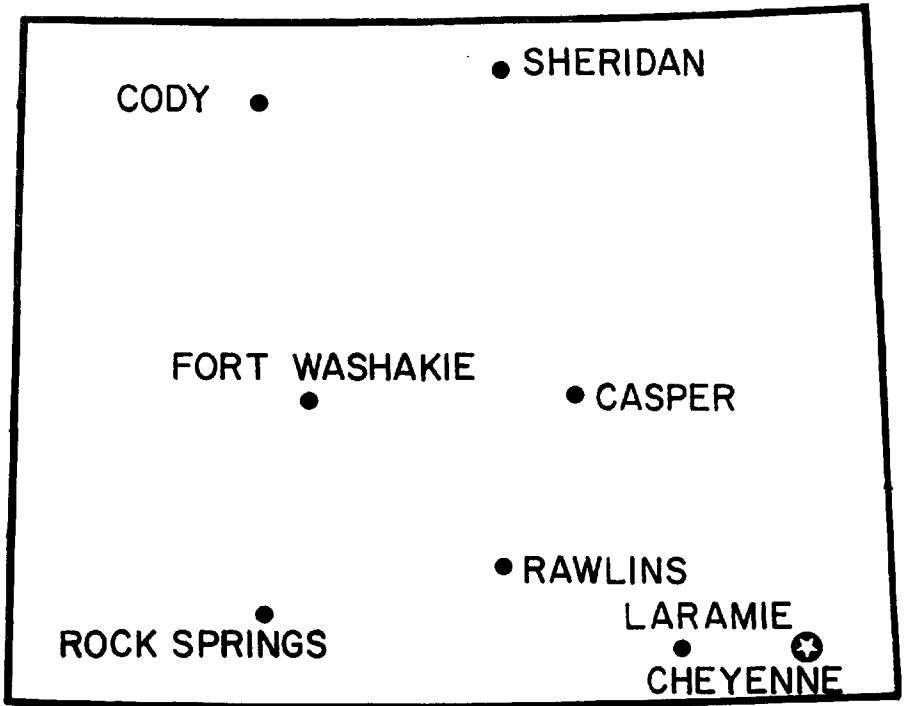
Students of Marquette University Law School are conducting a study of discrimination in the administration of justice, as part of a survey of the Wisconsin Advisory Committee.

Milwaukee, like other northern metropolitan areas, has experienced a sharp rise in nonwhite residents during the past decade. This has produced what appears to be a law enforcement problem and with it an apparent imbalance in the administration of justice. Whether this carries with it any discrimination on a basis of color, religion, or nationality, however, is difficult to assess.

As long ago as 1952, the Milwaukee Police Department made use of "A Guide to Understanding Race and Human Relations." It was prepared by police officers in conjunction with the local Commission on Human Rights for use by the department in its own training school. The Milwaukee Police Department was the first in any metropolitan area to thus formalize the education of its own members, and this action may have contributed substantially to the fact that in the past there have been a minimum of problems. This certainly does not mean, of course, that discrimination has been eliminated. But at least it indicates the official police department's attitude on

questions of race, religion, and nationality. The recent increase in criminal activity, particularly among the rapidly increasing minority groups, will surely intensify any problems in this area.

Wyoming



Wyoming Advisory Committee

(First meeting November 25, 1958)

Chairman:

REV. JOHN P. McCONNELL, Laramie

Subcommittee: Education

Occupation: Minister, Union Pres-
byterian Church

Vice Chairman:

MRS. NELLIE F. SCOTT, Fort Washakie

Subcommittees: Housing and local
conditions regarding Indians

Occupation: Housewife

Chairman of Arapahoe Business
Council

Secretary:

MRS. P. E. DALEY, Rawlins

Subcommittees: Housing and Vot-
ing

Occupation: Housewife

Former State president, American
Association of University Women

MELVIN M. FILLERUP, Cody

Subcommittees: Education and
Housing

Occupation: Attorney

President, Wyoming Junior Bar
Conference

WILLIAM WEXALL, Casper

Subcommittees: Education and
Housing

Occupation: Businessman

American Legion Leader

Wyoming Report

INTRODUCTION

THIS REPORT of the Wyoming State Advisory Committee combines the various reports of its members and gives general coverage to the State of Wyoming, except that no report has been received from Rock Springs, as the Advisory Committee has no member in that city. Being a coal mining town on the Union Pacific Railroad, Rock Springs may have housing problems peculiar to itself.

Wyoming is an area of small communities, Cheyenne and Casper being the two largest cities, each having a population of only about 40,000 people. Laramie, Rawlins, Rock Springs, and Sheridan are the next largest cities, each having populations between 10,000 and 20,000. The remaining communities throughout the State generally have 6,000 or less.

HOUSING

There are no laws regarding segregation in housing or any other phase of life in the State of Wyoming. Some cities have zoning ordinances, but these are based upon the use of property rather than on any lines of race, religion, or national origin. In some instances, there are restrictive covenants for some of the subdivisions in the cities and towns. However, these restrictive covenants, so far as any type of segregation is concerned, are unenforceable.

There is no segregation in the full sense of the word as such, but some areas do contain what have been termed minority groups. These areas have developed out of either social or economic reasons, and there are some instances of substandard housing, but these are rather limited. Exact percentages and figures are unavailable at this time.

So far as the Advisory Committee has been able to determine, there is no discrimination in home financing, either in regard to the financing itself or the areas where homes are purchased.

No specific complaints concerning housing have been reported to the Advisory Committee, notwithstanding statewide publicity of the Committee's meetings and purposes.

EDUCATION

In no instance has it been observed that segregated housing patterns have resulted in segregated schools. Here, as in other areas of life, enforced segregation as such does not exist in Wyoming. In

no known case have school districts been established to accomplish segregation.

In Laramie, it was observed that there is a larger percentage of juvenile delinquents among the Mexican and the Spanish-American group than among other groups, including Negroes.

INDIANS

There appear to be no problems connected with the voting rights of the Indians in Wyoming. Rather, the problem is one of inducing the Indians to exercise these rights.

In one town, it was noted that Indians in mixed schools were restricted in athletic participation.

More aid for Indians who desire a college education was regarded as a worthwhile objective. The problem of motivating Indians to accept responsibilities and become more interested in raising their economic standards was considered to be largely a matter of education and of giving the Indians greater opportunity and more freedom from the dictatorship of bureaus. Very few, if any, Indians hold staff-appointed or elective positions at the State level.

APPENDIX

Housing Study Questionnaire for State Advisory Committees

THE LAW

HOUSING is one of the three main fields of inquiry selected by the Commission on Civil Rights. Under the Civil Rights Act of 1957 the Commission is required to "study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution" and to "appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution" (section 104(a)). The Commission is concerned with discrimination in housing by reason of color, race, religion or national origin. The Supreme Court has held that any such discrimination by public authorities, whether in the form of racial zoning laws or in the form of judicial enforcement of private racial covenants, is unconstitutional as a denial of the equal protection of the laws.¹ The Court has also held that this rule of non-discrimination is the public policy of the United States and is applicable to the action and policies of the Federal Government.² The legal question then is whether the laws and policies of Federal, State, and local governments in the field of housing are in any respect denying the equal protection of the laws to any Americans, and whether this Commission, in appraising Federal housing laws and policies, should recommend any changes in order to fulfill the promise of equal protection of the laws to all Americans.

THE HOUSING STUDY. Before the Commission can appraise Federal housing laws and policies it must understand the problem these laws and policies are designed to cope with. The first purpose of the Commission's study of discrimination in housing is to get the fullest and most accurate picture possible of the housing problem for minority groups in all parts of the country. Some of the general aspects of this nationwide problem are known. As the President's Advisory Committee on Government Housing Policies and Programs reported in 1953, nearly 70 percent of nonwhite families lived in dwellings

¹ *Buchanan v. Warley*, 245 U.S. 60 (1917); *Shelley v. Kramer*, 334 U.S. 1 (1948).

² *Hurd v. Hodge*, 234 U.S. 24 (1948).

which were dilapidated or were deficient in plumbing facilities—nearly three times the proportion of white families living under such conditions. But the shape of the problem differs in different cities and States. It is important for the Commission to understand these differences. It is the hope of the Commission's staff study group on housing that the State Advisory Committees will help the Commission in this regard by advising it on the way the problem of discrimination in housing appears in their respective States.

Specifically, the staff housing study group would welcome a report by each State advisory committee giving as much information, including particular examples, statistics and evaluations, about as many communities in the State as possible, covering some or all of the following points, and any other points the State committee deems pertinent:

I. A PICTURE OF THE MINORITY HOUSING PROBLEM IN THE STATE

Facts on a statewide basis and for selected case-study areas in the State showing the following:

- A. The situation with respect to the quantity and quality of housing at present occupied by or available to racial, national or religious minority groups, including:
 1. The percentage of members of minority groups in substandard housing.
 2. The differences in quantity and quality of housing available to minority groups and that available to the general white population.
 3. The extent to which minority groups have shared in new housing units sold or rented in recent years.
- B. The difficulties of members of minority groups in finding decent, safe and sanitary housing, and the source of such difficulties.
 1. The practices of housing builders and real estate brokers with respect to new housing intended for racial minority groups and to sales to racial purchasers in developments intended for the general market.
 2. The terms and availability of mortgage financing for minority home buyers, in segregated areas, in white residential areas, and in racially mixed areas and new open occupancy developments.
 3. The experience of mortgage credit institutions with racial minority borrowers from the standpoint of repayments, property maintenance, foreclosures, resales, and other relevant factors.
 4. The policies and practices of real estate boards. Are members of minority groups on such boards?

- C. The location of housing for minority groups, including patterns of residential segregation, if any.
1. What has been the historical development of minority group housing patterns?
 2. Is minority group housing changing toward increased or lessened segregation?
 3. Do the locational patterns of minority group housing differ as between old cities and new cities? If so, why?
- D. The effects of either inadequate housing for minority groups or segregated areas of housing in terms of family life, school conditions, crime, juvenile delinquency, disease, interracial relations, property values, the municipal tax base, etc.
1. Is there a correlation between bad housing and community problems such as crime, juvenile delinquency, disease, etc.
 2. Do segregated housing patterns result in segregated schools, and if so, to what extent?
 3. Are the rates of crime, juvenile delinquency, disease, etc. significantly different in areas where minority groups are segregated and in comparable non-segregated areas?
 4. What are the results in terms of the above factors of community welfare in areas where minority groups have secured adequate housing, and in areas where there is racially integrated housing?

II. A PICTURE OF FEDERAL, STATE AND LOCAL EFFORTS TO COPE WITH THE PROBLEM

- A. A description and appraisal of efforts by city planning commissions, city and state public housing authorities, city and state renewal and redevelopment commissions, or other agencies, to accomplish either of the following:
1. Decent, safe and sanitary housing along racially separate but equal lines.
 2. Decent, safe and sanitary housing that is integrated or open to all racial groups.
- B. A description and appraisal of the effect of Federal housing laws and policies on state and local community patterns and programs for housing of minority groups, particularly of the effects of the three main agencies of the Federal Housing and Home Finance Agency: the Public Housing Administration, the Federal Housing Administration, and the Urban Renewal Administration.

(A list for your State of urban renewal programs approved under the Federal housing laws will either be attached to this questionnaire or will be sent to you upon request. As the staff

study progresses, specific inquiries may be directed to the State committee. Meanwhile, the following questions under point C may suggest possible lines of inquiry.)

- C. Specific questions relevant to points A and B above.
1. What additions have been made to the supply of minority group housing since 1940 in terms of both new construction and old housing made available?
 2. Are minority groups discriminated against in terms of the availability of land for housing by local government bodies having authority over use of land for housing? By owners of land? By subdividers or builders purchasing land for development? Are the desirable housing sites developed only for exclusively white occupancy?
 3. What have been the effects of Federal housing policies on the supply and cost of housing for minority groups and on residential patterns?
 - (a) Federal aids to private housing (FHA, VA).
 - (b) Public housing programs.
 4. What have been the effects of minority group housing of relevant state and local laws and policies?
 - (a) State or local laws and policies requiring segregation in housing?
 - (b) State and local laws and policies prohibiting discrimination in housing.
 5. Under the urban renewal and redevelopment programs under way in cities in the State are members of minority groups who are displaced being rehoused "in decent, safe and sanitary accommodations" as the Federal law requires?
 - (a) Are members of minority groups being relocated in integrated or segregated areas?
 - (b) Is the result of the relocation and the renewal projects to increase or decrease patterns of residential segregation?
 - (c) Have other problems for minority groups arisen under the program?

* * *

The Commission's study group recognizes that some of the above questions may not be applicable to some States, and that on others information will not be available to the State Committees. The limits of time and personnel are well understood. The above questions are suggestive of the kind of information that would be welcomed. Whatever information on the housing problem that the State Committee can send us will be carefully studied and greatly appreciated.

Voting Study Questionnaire

IN ITS voting study, the staff of the Commission on Civil Rights needs certain factual information not readily available through established sources. Your State Advisory Committee may be able materially to aid us by securing this information, or at least some part of it. We earnestly seek your cooperation in this matter.

A number of the following questions pertain to State law, and may be answerable with a single statement indicative of statewide uniformity. Some of the information sought, however, is needed on a county-by-county basis, with identification of each county and the particular source of information.

In some instances, you may choose to break a county down by precincts in order to present the most accurate answer possible; as, e.g., where one or two precincts in a particular county are predominantly populated by people of a particular national origin (e.g., German, Spanish-surname, Irish, French, Polish); people of a particular religious group (e.g., Catholic, Amish, Jewish, Mormon), or people of a particular race and color (e.g., Negro, Indian, Oriental), such groups being identifiable and generally identified as a particular "kind" of community. In some instances you may choose to divide a county into urban and rural portions, as, e.g., where a city ordinance affects voting practices.

We fully appreciate the magnitude of the task involved in securing this information, and are aware of the fact that it may not be available from any source in some instances. But, we feel sure that your State Advisory Committee will do its utmost to get all of the information necessary to answer these questions so far as is practicable in the time available.

To be useful to us, these forms must be returned within a month.

VOTING STUDY QUESTIONNAIRE

State of _____

1. Minimum age for voters is ____ years
2. Minimum residence requirements for voting are
_____ years as resident of the State
_____ (years) (months) as resident of the county
_____ (months) (days) as resident of the precinct
3. Is literacy a prerequisite to registration and voting? _____ (Yes or No)
4. If your answer to question No. 3 was "yes," is the requirement for literacy interpreted to mean that a person must be literate in the English language before he is eligible to vote? _____ (Yes or No)

5. If the answer to question No. 3 was "yes" which of the following methods of testing literacy is used? (Check one or more)
- Applicant required to read a section of the Federal or State Constitution
 - Applicant required to write a section of the Federal or State Constitution
 - Applicant required to read and explain the meaning of a section of the Federal or State Constitution
 - Applicant required to execute a form of application by writing answers to questions on the form
 - Other methods of testing literacy (please describe) :

6. Is there a poll tax in your State? ----- (Yes or No)
7. If the answer to Question No. 6 was "yes" is the payment of the poll tax a condition precedent to voting? ----- (Yes or No)
8. The amount of the poll tax is \$----- per year
9. In connection with the poll tax, is there any identification of individuals by any of the following? (Check more than one if appropriate)
- Race ----- Color ----- Religion ----- National Origin
10. If any part of Question 9 was checked by you, how many persons paid most recent poll tax assessment in each county, by race, color, religion or national origin? (Use attached separate form for listing counties and figures)
11. Is registration required? ----- (Yes or No)
12. If registration is required, is there a system of permanent registration? ----- (Yes or No)
13. If registration is periodic, how often must registration be repeated? (Check appropriate answer)
- Yearly
 - Every 2 years
 - Every 4 years
 - Oftener than every 10 years (specify) -----
 - Other (specify) -----
14. How may a registrant be removed from the list of eligible voters? (describe) :

15. How often are voting lists brought up to date?
- Yearly
 - Every 2 years
 - Every 4 years
 - Oftener than every 10 years (specify) -----
 - Other (specify) -----
16. Where is registration of voters performed? (Check all appropriate answers)
- At the county courthouse
 - At a separate county-owned or State-owned building
 - At private residences
 - At privately owned business establishments
 - Other (specify) -----
17. What official or officials conduct the registration of voters? (specify) -----

18. How often do opportunities to register occur?
 ---- Annually
 ---- Every 2 years
 ---- At any time
 ---- At any time except when polls are open for voting
 ---- Other (specify) -----
19. How many days in each registration period? (specify) -----
20. On each of the days on which there is an opportunity to register, how many hours per day is the place of registration open? ----
21. How much time is consumed for the registration of each applicant? (indicate how many minutes or hours) :
 ---- minutes
 ---- hours
22. Does an applicant for registration have to be accompanied by persons willing to recommend him as a registrant? (Yes or No) ----
23. If Question No. 22 was answered "yes" how many recommenders are required? (specify) ----
24. What qualifications does a recommender have to possess?
 ---- Same precinct residence as applicant
 ---- Same race or color as applicant
 ---- Recommender must be qualified, registered voter himself
 ---- Other (specify)
25. At the time of registration, which of the following occurs? (check one)
 ---- 1. A registrant must state his party affiliation
 ---- 2. A registrant is not asked to state his party affiliation
 ---- 3. A registrant is asked his party affiliation but he may decline to state it if he so elects
26. Are elections for State officials held on a date different from that on which Federal officials are elected? ----- (Yes or No)
27. If answer to Question No. 26 was "yes" specify what State officials are so elected -----

28. How many polling places are there per precinct? -----
29. How many precincts are there per county? -----
 (Separate sheet required listing counties)
30. On election days, at what time do the polls open and close?
 Polls open at ---- o'clock
 Polls close at ---- o'clock
31. Does your State law provide for permitting voters time off from work to vote? ----- (Yes or No)
32. If answer to Question 31 was "yes" is that law generally observed by employers? ----- (Yes or No)
33. Is absentee voting permitted? ----- (Yes or No)
34. Are shut-ins or physically incapacitated persons permitted to vote by absentee ballot? ----- (Yes or No)
35. Do former residents of your State who are serving in the Armed Forces vote by absentee ballot? ----- (Yes or No) By special ballot? ----- (Yes or No)
36. If records are maintained in your State showing the number of persons who voted in *each county by race*, please use the attached forms to furnish us with that information. Forms are provided for each of the last 5 general elections.

Education Study Questionnaire for Public Institutions of Higher Education

State of _____

1. Name of institution _____
 Location _____

2. Was racial exclusion practiced at this institution by virtue of State law, policy or practice within the last 10 years?

Yes _____ No _____

(If the answer to the above question is "No" disregard items 3 through 8.)

3. What race or races denied admission by virtue of State law, policy or practice? (Specify) _____

4. Is admission *presently* denied to otherwise qualified students because of race by virtue of State law, policy or practice?

Yes _____ No _____

5. If the answer to (4) is "yes", what race or races are being denied admission? (Specify) _____

6. If there is no longer a denial of admission to otherwise qualified students by virtue of their race, when did this policy or practice become effective? _____

7. How did the above policy or practice first become effective:

(a) Court decision _____ Citation _____

Date of _____

Date student or students actually admitted _____

Race of admitted student or students _____

College, school or department admitted to:

Undergraduate _____

Graduate (specify) _____

(b) Voluntary admission upon application of otherwise qualified students—Date of first admittance _____

Race of admitted student or students _____

College or department admitted to—

Undergraduate _____

Graduate (specify) _____

Place a check mark here if no applications leading to admission have been received from otherwise qualified and previously excluded racial group or groups _____

8. Is the *present* student body of the institution composed *entirely* of members of one race?

Yes (Specify) _____ No _____

9. If the answer to the above question is "No", what races are presently represented in the student body? (Specify) _____

10. What is the race of the majority of the present student body? -----

11. Enrollment Statistics :

	School year				
	54-55	55-56	56-57	57-58	58-59
Total.....					
White.....					
Negro.....					
Other race (specify)					

12. Requirements for admission—For residents of the State: (Mark all applicable. If various combinations will meet admission requirements, indicate combinations by use of symbol "a" for one, "b" for another, etc.)

- 1. Graduation from State-accredited high school with specified type of diploma
- 2. Specified minimum scholastic average in high school
- 3. Recommendations of principal of high school
- 4. Subject examinations
- 5. Scholastic-aptitude examination
- 6. Other examination—Specify
- 7. Recommendation of alumni
- 8. Recommendation of others
- 9. Personal interview
- 10. Other—Specify

13. Indicate below the present limitations or restrictions, if any, placed upon students who are members of a minority race at institution.

Permitted to live in dormitory without segregation.

Yes ---- No ----

Permitted to eat in institution's dining halls, cafeterias etc. without segregation.

Yes ---- No ----

Permitted to attend or participate in all academic or educational campus events without segregation.

Yes ---- No ----

Permitted to attend or participate in all campus athletic events without segregation.

Yes ---- No ----

Permitted to use the institution's swimming pool, if any, without segregation.

Yes ---- No ----

Permitted to attend all college social events.

Yes ---- No ----

Eligible for membership in honor societies.

Yes ---- No ----

Eligible for membership in all academic or special interest clubs.

Yes ---- No ----

14. If students who are members of a minority race are permitted to live in dormitories, indicate below how room assignments are made.

---- Single room or roommate of same race.

---- Student choice or preference.

---- Assigned room without regard to race.

15. With regard to the student body as a whole, indicate below how dormitory room assignments are made.

---- Assigned without regard to race, religion or national origin.

---- Assigned on basis of student's preference as to race, religion or national origin.

16. Are students who are members of a minority race admitted to places of public accomodation such as restaurants and movie theatres in the immediate off-campus community?

Yes ---- No ----

17. Indicate below present limitations or restrictions, if any, imposed by the State or community by law, policy or custom in the off-campus professional training of students who are members of a minority race at institution.

Practice teaching

---- No limitations because of minority status.

---- Permitted only in schools with pupils predominantly of the same race as the student.

---- No local facilities available for training of minority race.

Social service field work

---- No exclusion from any local institution or neighborhoods because of minority group status.

---- Permitted only in local institutions or neighborhoods where race of student is predominant.

---- No local facilities available for training minority race.

Medical training

---- No exclusion from affiliated hospitals or clinics because of minority group status.

---- Permitted only in hospital or clinic predominantly serving race of the student.

---- No local facilities available for training of minority race.

Dental training

---- No exclusion from affiliated hospitals or clinics because of minority group status.

---- Permitted only in hospital or clinic predominantly serving race of the student.

---- No local facilities for training of minority race.

Nurse's training

---- No exclusion from affiliated hospitals or clinics because of minority group status.

---- Permitted only in hospital or clinic predominantly serving race of the student.

---- No local facilities available for training of minority race.

18. Does the application blank or any other record which an applicant is required to file for admission require information as to the race, color, religion or national origin of the applicant or call for information from which race, color, religion or national origin could be inferred?

Yes ---- No ----

19. Is a photograph of applicant required?

Yes ---- No ----

20. Please attach copy of application blank.

Office or title of person or persons completing form -----

Education Study Questionnaire for Public Schools

State of _____

1. Did any school districts in the State in fact provide one or more separate schools for Negroes and/or other racial or national-origin groups (exclusive of those resulting from residential patterns) in school year 1953-54?
---- Yes ---- No
(Those answering question 1 in the negative omit questions 2 to 8 inclusive)
2. If the answer to question 1 is affirmative, indicate the numbers of such school districts.
---- Number of school districts
3. Approximately how many children were enrolled in such separate schools in the school year 1953-54?
---- Number of pupils
4. Indicate below the principal reason for such segregation in the various districts. (Insert the number of districts which operated separate schools for the reasons listed.)
---- Low economic status of minority group
---- Inability of children to speak English
---- Community belief of inferiority of minority group
---- Other Specify _____
5. Indicate below the method used to eliminate segregation by school districts which have taken such action. (Insert the number of districts which used methods listed.)
---- Integration of system by rezoning
---- Integration of system gradually by grades
---- Voluntary transfer on application to white schools
---- Assignment of pupils to other schools
---- Other Specify _____
6. Does any of such segregation (other than as a result of residential patterns) continue today?
---- Yes ---- No
7. If the answer to question 6 is "yes", please indicate the number of such school districts and number of pupils enrolled therein below :
---- Number of school districts
---- Number of Negroes in separate schools
---- Number of other races in separate schools
---- Number of any nationality group in separate schools
Specify _____
8. If the answer to question 6 is affirmative, what is the principal reason for such continued segregation in the various districts or district? (Insert number of districts operating segregated schools for reasons listed.)
---- Opposition of majority group to integration
---- Preference of minority group
---- Administrative problems due to overcrowding of schools
---- Other Specify _____

9. Are there any schools in the State having an enrollment composed entirely of Negroes and/or other nonwhite races as a result of school districting and residential patterns?
 ---- Yes ---- No
10. If the answer to question 9 is "yes" indicate the number and enrollment.
 ----- Elementary schools
 ----- Total number of elementary school pupils
 ----- High schools (junior or senior)
 ----- Total number of high school pupils
11. Are there any schools in the State having an enrollment composed entirely of a nationality group as a result of school districting and residential patterns?
 ---- Yes ---- No
12. If the answer to question 11 is "yes" indicate the number, classification and enrollment of such schools
 ----- Elementary schools
 ----- Total number of elementary school pupils
 ----- High schools (junior or senior)
 ----- Total number of high school pupils
13. If the answer to question 9 and/or 11 is negative, was such a result deliberately avoided by any of the methods listed below? (Insert the number of school districts avoiding such segregation by any of the methods listed below.)
 ---- Districting
 ---- Assignment of pupils to other schools
 ---- Other Specify -----
14. Are there any Negro or other nonwhite teachers employed in the State?
 ---- Yes ---- No
15. If the answer to question 14 is affirmative, what is the percentage of such teachers to the total number of teachers in the State?
 ---- Percent Negro teachers
 ---- Percent other nonwhite teachers
16. If the answer to question 14 is affirmative, what proportion of such teachers are assigned to schools with predominantly white students?
 ---- None
 ---- Less than 10 percent
 ---- 10-25 percent
 ---- 25-50 percent
 ---- More than 50 percent
17. What proportion of the teachers in schools having all nonwhite pupils are white?
 ---- None
 ---- Less than 10 percent
 ---- 10-25 percent
 ---- 25 to 50 percent
 ---- More than 50 percent
18. If Negro or other nonwhite teachers are employed in predominantly white schools, indicate their acceptance by the various groups below:
Majority

<i>Accept</i>	<i>Object</i>	
-----	-----	Fellow teachers
-----	-----	Pupils
-----	-----	Parents

19. If white teachers are employed with predominantly Negro or other nonwhite enrollment, indicate their acceptance by the various groups below :

Majority

Accept

Object

----- Fellow teachers
 ----- Pupils
 ----- Parents

20. Is the salary scale for teachers and other school personnel uniform within the districts without discrimination by reason of race or color?

---- Yes ---- No

21. If the answer to question 20 is negative, indicate the degree of discrimination.

White scale ---- percent higher than Negro or other nonwhite.

Negro or other nonwhite scale is ---- percent higher than white scale.

22. Composition and selection of State Board of Education :

---- Elected ---- Appointed

---- Total number of members

---- Number of white members

---- Number of Negro members

---- Number of other nonwhite members (Specify) -----

(The space below is for comment, explanation or supplying additional information.)

Office or title of person or persons from whom information secured to complete this form.

Questionnaire A—Public Schools

(Supplementing statistical data on school districts which have admitted Negroes to formerly white schools)

State of _____ School district, name of _____

County of location, name of _____

Office or title of person completing form _____

1. Composition and selection of the local Board of Education

Elected () Appointed ()

---- Number of members

---- Number of white members

---- Number of Negro members

---- Number of other non-white members

---- Number representing a predominant nationality group. Specify.

2. What was the basis for the choice of the desegregation plan used? (Indicate below, grading importance; "1", "2", "3", if more than one factor influenced choice.)

---- Overcrowding of schools

---- School building plans

---- Administrative problems

---- Elimination of substandard schools

---- Economy of operation

---- Minimize effect of desegregation on community

---- Minimize effect of desegregation on educational standards

3. What kind of community preparation for public acceptance of desegregation was undertaken, if any? (Check any used)

---- Joint Negro and white teachers' committees or institutes. Meetings of educators with:

---- PTA groups

---- Church groups

---- Civic groups

---- Other (Specify)

---- Orientation program for Negro students

---- Orientation program for white students

---- Other (Specify)

---- No community preparation

4. Did local officials actively support the desegregation plan?

---- 100 percent ---- 50 percent ---- Took no position ---- Opposed

5. Did the local press support the desegregation plan?

---- 100 percent ---- 50 percent ---- Took no position ---- Opposed

6. Did any community group or groups actively support the desegregation program?

---- Yes ---- No

(Check any of the following which actively supported the plan. List includes those active in many communities.)

---- Churches

---- Ministers' Association

---- PTA

---- American Legion

---- Service Clubs (such as, Lions, Rotary, Elks, Kiwanis)

---- Women's Clubs (such as, General Federation, League of Women Voters, AAUW)

- Committee on Racial Equality
- YMCA
- YWCA
- Boys Clubs
- Urban League
- NAACP
- Other (Specify)

7. Did any community group or groups oppose the desegregation plan?

- Yes ---- No

(Check any of the following which actively opposed. List includes some which have opposed in some communities.)

- White Citizens Council
- Committee on Constitutional Government
- Mothers' League
- PTA
- Other (Specify)

8. At the time the desegregation plan was put into effect what was the status of other public services and facilities as to segregation?

Segregated Desegregated

- ----- Transportation
- ----- Parks
- ----- Public library
- ----- Civil service (police, fire and other)

9. Did the desegregation plan go into effect smoothly?

- Yes ---- No

10. If not, which of the following influences played a part? (Indicate below, grading importance "1", "2", "3" etc., if more than one.)

- Opposition of local officials
- Opposition of community
- Opposition of teachers
- Opposition of students
- Influx of opposition from outside the community

11. If a gradual, grade level plan, has it continued to progress on schedule?

- Yes ---- No

12. If it has not continued to progress on schedule, which of the following caused the interruption?

- Change of State law
- Increase in community opposition
- Requests for retransfer to separate racial school
- Adverse effect on educational program

13. If a voluntary transfer plan was used, what percentage of applications for transfer to a school formerly for the other race have been granted?

- 10 percent or less
- 11 to 30 percent
- 31 to 50 percent
- 51 but less than 100 percent
- 100 percent

14. If a voluntary transfer plan was used and some applications for transfer have been denied, what were the reasons for denial? (Insert percentage of the total applications rejected for the reasons listed.)

- Overcrowding of classes in school to which transfer requested
- Academic achievement of applicant below class in school to which transfer requested

- Present school nearer residence
 - Retransfer would be required when new facilities completed
 - Applicant judged unable to adjust to new school
 - Other (Specify)
15. Did integration result in any reduction in operating cost to the school system?
 ---- Yes ---- No
16. If a saving in operating cost resulted, how much?
 ---- percent of total operating cost
17. Are all of the school-age Negroes now residing in the school district attending schools located in the district?
 ---- Yes ---- No
18. If the answer to question 17 is negative, how many of such Negroes attend schools outside of the school district?
 ---- Number of high school pupils
 ---- Number of elementary school pupils
- a. Are they transported to such school by public school bus?
 ---- Yes ---- No
- b. If the answer to "a" is affirmative how long is the maximum one-way bus trip?
 ---- miles
19. Was there any reduction in the number of Negro teachers in the school system at the time of desegregation?
 ---- Yes ---- No
20. If there was a reduction in the number of Negro teachers, how great was the reduction?
 ---- percent of the total teachers in the school system
21. How does the present percentage of Negro teachers in the school system compare with the percentage just prior to desegregation?
 ---- Larger
 ---- Smaller
22. Are Negro teachers now assigned to schools with predominantly white students?
 ---- Yes ---- No
23. Are white teachers now assigned to schools with predominantly negro students?
 ---- Yes ---- No
24. Did desegregation include more than desegregation of the classrooms?
 ---- Yes ---- No
25. If the answer to question 24 is "yes", which of the following were included?
 (Check any of the following desegregated.)
 ---- Bus transportation
 ---- School lunchroom
 ---- School playground
 ---- School athletic program
 ---- School academic or special interest clubs
 ---- School social program
26. Is the desegregation effected now generally accepted by the following groups?
 Teachers ---- Yes ---- No
 Students ---- Yes ---- No
 Parents ---- Yes ---- No
 Community ---- Yes ---- No

