



A Report of an Investigation of Alleged Voting Irregularities in Baltimore's Seventh Congressional District

Prepared by a Subcommittee of the Maryland State Advisory Committee

to the United States Commission on Civil Rights

December 1970

A Report Of An
 Investigation Of
 Alleged Voting
 Irregularities In
 BALTIMORE'S
 SEVENTH
 CONGRESSIONAL
 DISTRICT



Committee

State Advisory Committee

States Commission on Civil Rights

1970

CR 1.2:Y94/3
11
7b

MARYLAND STATE ADVISORY COMMITTEE
TO THE
UNITED STATES COMMISSION ON CIVIL RIGHTS

Herbert Fedder, CHAIRMAN*
Baltimore

Rev. Wofford K. Smith, VICE CHAIRMAN
College Park

John H. Murphy, III, SECRETARY*
Baltimore

Mrs. Lane Berk*
Lutherville

Rev. Charles Mack
Salisbury

Walter Black, Jr.
Easton

Douglas B. Sands
Landover Hills

Mrs. Ann Brown
Garrett Park

Rev. Perry Smith, III
Greenbelt

Richard Fairley
Silver Spring

Mrs. Marjorie Smith*
Baltimore

Barry Greenstein
Baltimore

Hon. Robert B. Watts
Baltimore

Mrs. Mary Wood
Centreville

*Members of the Subcommittee that conducted the investigation.

CR1.2:Y94/3

PREFACE

The United States Commission on Civil Rights

The United States Commission on Civil Rights is an independent agency of the executive branch of the Federal Government created by the Civil Rights Act of 1957. By the terms of the act, as amended by the Civil Rights Acts of 1960 and 1964, the Commission is charged with the following duties: investigation of individual discriminatory denials of right to vote; study of legal developments with respect to denials of the equal protection of the law; appraisal of the laws and policies of the United States with respect to denials of equal protection of the law; maintenance of a national clearinghouse for information respecting denials of the equal protection of the law; and investigation of patterns or practices of fraud or discrimination in the conduct of Federal elections. The Commission is also required to submit reports to the President and the Congress at such times as the Commission, the Congress, or the President shall deem desirable.

The State Advisory Committees

An Advisory Committee to the United States Commission on Civil Rights has been established in each of the 50 States and the District of Columbia pursuant to section 105(c) of the Civil Rights Act of 1957 as amended. The Committees are made up of responsible persons who serve without compensation. Their functions under their mandate from the Commission are to: advise the Commission of all relevant information concerning their respective States on matters within the jurisdiction of the Commission; advise the Commission upon matters of mutual concern in the preparation of reports of the Commission to the President and the Congress; receive reports, suggestions, and recommendations from individuals, public and private organizations, and public officials upon matters pertinent to inquiries conducted by the State Committee; initiate and forward advice and recommendations to the Commission in matters in which the Commission shall request the assistance of the State Committee; and attend, as observers, any open hearing or conference which the Commission may hold within the State.

The Subcommittee

This report is being submitted to the United States Commission on Civil Rights by a Subcommittee of the Maryland State Advisory Committee. The conclusions and recommendations are based upon the Subcommittee's evaluation of information received at a closed meeting held in Baltimore on September 18 and on staff investigations. This report has been received by the Commission and will be considered by it in making its reports and recommendations to the President and the Congress.

Section 703.6 of the 1957 Civil Rights Act of 1957 as amended, authorizes State Committees to establish subcommittees to study and report upon matters under consideration and to take specific action upon matters within the competence of the State Committee.

INTRODUCTION

On Tuesday, September 15, 1970, the staff of the United States Commission on Civil Rights received a number of telephone calls charging irregularities in the primary election being held that day in Baltimore.

These complaints alleged that polling places had opened late; that some voting machines had been misdelivered and others were inoperative; and that last minute changes had been made in polling place locations. The allegations came from both white and black citizens who said that the irregularities were concentrated in black precincts, thus disenfranchising black voters.

The United States Commission on Civil Rights and its Advisory Committees have the dual authority and responsibility to investigate complaints alleging that citizens are being deprived of their right to vote by reason of their race, and to investigate allegations of vote fraud or discrimination in the conduct of elections. (Sec. 104 a (1) and (5) of the Civil Rights Act of 1957.)

In the recent past, other State Advisory Committees have received similar complaints about elections in large Northern cities where black candidates were running. There appears to be a growing apprehension across the country of the potential of the "black vote". It is the hope of the Maryland Committee that such concern does not give rise to any acts

which would result in denying a citizen his right to vote.

Soon after the complaints were received, staff representatives of the Commission went to Baltimore to conduct an investigation. Complainants and public officials were interviewed. The information that was obtained was shared with a Subcommittee of the Advisory Committee and the Subcommittee moved immediately to convene a closed informational meeting for the purpose of obtaining additional information. The Maryland State Advisory Committee felt impelled to investigate the charges since its mandate so clearly instructs it to do so.

The closed meeting was held in the Federal Building in Baltimore on Friday, September 18. In a 13-hour session that began at 9 a.m. and concluded at 10 p.m., the four-member Subcommittee heard from 37 complainants, the chairman and members of the Board of Supervisors of Elections of Baltimore City, the officers of the moving company contracted to deliver the voting machines, and the deputy State attorney general. In addition, more than 90 sworn statements alleging voting irregularities have been received by the Committee.

Because of the importance of this issue--the tensions it has generated in the community, as well as its national implications--the Maryland State Advisory Committee has moved quickly to present this report of its findings and recommendations to the Commission and to the public.

LR 1.2:

11

THE BACKGROUND

The right to vote is basic to a democratic society. The discriminatory denial of that right to a person or a group is not only a violation of our Constitution, but does violence to the concept of democracy--the right of citizens to select their representatives.

Yet in the 107 years since emancipation, black Americans have never fully enjoyed this condition of citizenship. All too frequently in many parts of the country black citizens have been systematically denied the right to participate equally in the selection of their representatives.

In the first half of the 20th century a variety of devices were used, particularly in the South, to disenfranchise blacks. They ranged from grandfather clauses, tests based on education, literacy and property, poll taxes, and white primaries to intimidation and murder. In some States where black citizens persisted in their efforts to vote, devices were used to dilute their voting strength by gerrymandering voting districts.

Recently, a combination of court action, Federal legislation, black awareness, and black leadership, has brought black Americans a bit closer to the democratic ideal.

The history of the black voter has shown a trend from exclusion to manipulation to accommodation and eventually to full participation.

The pattern in Baltimore parallels in many respects the pattern in the Nation:

Between 1878 and the 1920's, no black person held elected office in Baltimore City or in the Maryland State Legislature. In 1927, two blacks were elected to the Baltimore City Council and served one term. Twenty-six years passed before the next black person was elected, despite the rapidly expanding black population.

The experience of very long periods without elected representatives, whom they felt represented them, helped to convince many blacks in Baltimore that the "precious" right to vote, was a meaningless and irrelevant exercise that was part of a white man's game from which they were excluded. However, for others, the supreme challenge was to help make the United States a real democracy that would permit them to participate fully in its affairs and to elect real representatives. Indicative of the climate in the Maryland Legislature, that body in 1955 rejected, for the second time, the 14th amendment to the U.S. Constitution--the first having been in 1867.

Despite this minor setback for civil rights in Maryland, the struggle for black freedom picked up new momentum in 1954 and 1955. Both the Supreme Court decision ending legal school segregation and the Montgomery bus boycott, signaled the beginning of the "civil rights revolution". Certainly whites played an important part in this "revolution", but its most significant aspect was the new role of black leadership. The self-regeneration that has been begun by blacks has shaped a positive self-image that has no parallel in American history. It is this drive and a renewed hope in the black community that has collided with white apathy and a casual procedure with regard to black precincts which had the effect of disenfranchising many.

The past few years have seen blacks in cities across the country preparing to use their latent political strength to secure a decisive voice in their communities. And white America has been an unwitting ally. Residential segregation imposed by white society also created the potential for blacks to develop a political power base. Indeed,

CR 1.2:

Baltimore is given credit for originating the "black block" and "white block" concept which led naturally to all-black and all-white neighborhoods. A political power base for blacks could only come into being if blacks could vote in such a way that their concentrated majorities could be effective in election districts. However this did not occur and changes in election district boundaries resulted in a dilution of black voting strength.

But over the past 20 years, the proportion of black voters kept growing in Baltimore City (as did the pattern of residential segregation). The following table demonstrates the growth of the black population and the steady decline of the total population in Baltimore:

<u>BALTIMORE CITY</u>		
<u>YEAR</u>	<u>TOTAL POPULATION</u>	<u>BLACK POPULATION</u>
1950	949,708	226,053
1960	939,024	328,416
1965	917,752	369,000
1970 (estimate)	900,000	410,000

And as the August 1970 hearing of the U. S. Commission on Civil Rights demonstrated, whites have been fleeing the city (apparently for the county) at a remarkable rate. In 1950, Baltimore County had a white population of approximately 252,000; by 1960 it jumped to 475,000 and it is estimated that in 1970 the county's white population will be 600,000. And during this period, the black population of the county remained surprisingly stable at around 18,000.

Without some accommodation to this growing strength, conflict between the interests of the "white power structure" in Baltimore City and the growing black majority seems inevitable. As the U. S. Commission on Civil Rights publication "Racism in America" pointed out:

All the political benefits of racism involve receipt by whites of a disproportionate share of the advantages which arise from political control over government. Their share is disproportionate because they prevent nonwhites from receiving what the latter would get if true political equality prevailed. The benefits of political control over government include ability to control government actions and policies as well as jobs. Therefore, political racism is an extremely important device for maintaining other forms of racism.

Blacks, growing more aware of their political strength and whites who face the challenge to share theirs, each have a stake in peacefully arriving at an equitable redistribution of power.

As noted in the Introduction to this report, the Commission staff received a number of phone calls alleging voting irregularities in the September 15 Primary. The Commission, through its Maryland State Advisory Committee, endeavored to investigate the charges, and what follows is an attempt to enumerate those charges, draw conclusions from the information obtained, and make recommendations.

THE ALLEGATIONS

In both the statements presented to the Committee at a meeting on September 18 and in sworn affidavits presented during the meeting and subsequently, the Committee was informed of a wide variety of acts which allegedly resulted in the disenfranchisement of hundreds of black voters. In addition, hundreds of others were inconvenienced, delayed, frustrated, and insulted in attempting to exercise their franchise.

What follows are direct quotes from the charges and affidavits:

Statements alleging problems with voting machines:

I was the first person at the poll and by 7 a.m., several persons arrived. There were some nurses from Bon Secours who could not wait for the machines to be set up and left without voting. . . . I waited for 1 hour before the machines were in operation.

At 1 p.m. (when I came to vote) one machine was jammed and one was operating. The judge told us that she did not open up until 11 a.m. because the machines were delivered to the wrong address. The line of people was long and some of the people were talking about leaving because they had to go to work. I saw two or three people leave without voting while I was standing in line.

I arrived to vote at about 6:45 p.m. and to my surprise I found about 75 people in line waiting to vote and there was only one machine in operation. There were two other machines supposed to be out of order that had not been used all day. About 7:50 p.m. they got another machine in operation; I used the new machine. I saw a gang of people come to vote who left because there was only one machine in operation.

There were two voting machines located in School #67 at Edgewood and Walbrook, but these machines should have been at Mount Moriah Baptist Church on Garrison Blvd. Voters of the 15th Ward, 16th Precinct were directed to Mount Moriah but there were no machines at that location because they were at School #67. The misdirected machines at School #67 were not operable.

I arrived at my polling place at 7:30 a. m. There were no machines there. I waited until 9:45 a.m. but there were still no machines and I had to leave to go to work. The judges there said that they needed more judges also. No one had voted yet.

I went to vote at approximately 7 p.m. When I went into the booth the lever for Parren Mitchell, 4D, did not work. I opened the curtain and told the judge and she replied that the lever had worked for everybody else so she didn't understand why it didn't work for me.

When I arrived at 6:15 a.m. there was only one machine at School #200. In this school were three precincts 5, 16 and 17. The machines were located in the wrong rooms. Machine for 5th precinct was in the room for 16th precinct, and vice versa. It was immediately reported. It was 4 p.m. before they were changed. These machines were not operating during this period. When the machine for the 5th precinct was finally set up at 4 p.m. it was discovered it was jammed, therefore it was not used during the entire voting period. Consequently there was only one machine in operation which caused unnecessary lines and people left without voting.

Statements alleging problems of poll-watchers and problems with judges:

I was a challenger at the 5th precinct, 15 ward. I arrived at the poll at 6:15 a.m. and the judge refused to let me come in so that I could check the machine to see if it was ready for operation. I went back again at 6:55 a.m. and she again refused to let me in. When they finally let us in, the voters were ready to begin and had started voting. The first voter was unable to cast a ballot because the machine wasn't operating properly. She was denied the right to use another machine to cast her vote. I brought it to the

CR 1.2:

attention of the judges and they were not checking the registration slip in the book for party affiliation. Instead, they were asking the people themselves what party they belonged to. One judge was extremely slow and unable to distinguish differences in numbers. That night the challengers of all candidates were at first denied admission to check the rear of the machines at the close of the poll. The police were summoned and after explaining and showing them our legal rights they compromised and let us stay. Only one challenger was able to check the results as the numbers were read to the judges recorded on the tally sheet.

The judge in charge of the election . . . asked all poll watchers to leave. I informed her that I had an official identification slip and instructions that all poll watchers had the right to remain in the presence of the voting machines until the polls closed, the count was made and the machine sealed. This lady said that she wasn't going to start the count until all poll watchers had left. I then went to the school phone and called headquarters . . . She called the policeman on duty . . . [I was] informed that if I was forced to leave, to get this lady's name. I returned to the voting area and asked for her name but she not only refused to give her name but told all the other judges not to give their names. At about 9:20 p.m. I went outside.

We [The Assigned Challengers and Watchers for Parren Mitchell] arrived at our assigned place of duty at 6:15 a.m. The judges would not allow us to inspect the machines in accordance with Maryland law. Judges said that they were informed the night before [Monday] not to let anyone inspect machines or get near them. They attempted to keep us out of the polling place and harassed us all day in an attempt to make us leave.

I arrived at my polling place at approximately 6 a.m. as I was a poll-watcher. During the day I was told by the head judge that I could not be allowed to remain in the polling place continuously for the entire day and that I would have to leave periodically.

Upon arriving at said polling place at 6:15 a.m. I noticed the chief judge, a Republican and two Democratic judges. The judges expressed a lack of knowledge and experience in setting up a polling place and conducting an election. They said that they would

have to rely completely on the chief judge for guidance; two of the three machines were finally set up. Judges complained that they did not have all of the materials that they should have, i.e., time cards, lists of polling places. Judges were unable to direct voters to their proper voting places. There was no policeman on duty or stationed at the polling place.

I asked the judges where were the machines. The judge said why, and I said I was told to check to see if all the machines started at zero. They said the machines are not here and if they were you wouldn't be allowed to see them. No one will look at those machines except us judges!! And they was giving us such a hard time that I called back to the office to the area coordinator and she sent out a young man . . . and he came up and talked to them and told them we was supposed to check the machines and they said no, they went into a fit again . . . said we wasn't going to look at the machines The machines hadn't arrived and this was about 6:30 . . . so the judge got on the phone and started calling downtown and about a quarter to eight the machines came, but before that people had come to vote and the judge would yell out the window, 'You can't vote now because the machines are not here,' and most of them turned around and went back saying, 'I got to go to work' or 'I just got off and I got to go home to go to sleep'.

Statements alleging that polling places opened late:

I was an election judge at the 15th ward 28th precinct located at school #112 Laurens & Calhoun Sts. I arrived at the polling place at 6:20 a.m., but couldn't get into the school until 7:45 a.m.... After the school was opened the judges didn't have the voting machines operational until 8:15 a.m.

I went to my polling place at 7:30 a.m. to vote. I waited 40 minutes to vote and the poll was still not open. Travel to and from my job would not allow me to get back to vote.

On September 15, 1970 I went to my polling place at Calverton Jr. High School at 7 a.m. The polling place had not opened, after waiting a considerable period of time, I had to leave for work. This was the only time I had to vote, I have followed this same routine of early voting for the past 15 years.

At approximately 7:30 - 7:45 could not get in to vote at school 61 because the door was locked. There were about 10 people who also walked away because they could not get in.

On September 15, 1970, I went to my polling place at 7:15 a.m. to vote. The judge said they had not opened yet. I left after a long wait and after telling the judge that I had to be in College Park and that I would not be able to get back before 10 p.m. and this was the only chance I would have to vote. The polling place did not open until 10:45 a.m.

Statements alleging that polling places had been moved at the last minute without adequate publicity:

I arrived at the polling place at 6:35 am.. The judges were upset because the 19th precinct machines had been delivered to the 18th precinct, and vice versa. One judge said he had called in a complaint at about 6 a.m.; the other judges said numerous calls to election headquarters had led to no result. It turned out that the polling places for the 18th and 19th precincts had been interchanged this year, for no apparent reason. The judges said the locations had not been changed over the last 10 years or so. It appeared that the machines were wrongly delivered because the delivery labels had the old addresses. A truck came to move the machines about 9 a.m., but at the same time an unidentified man, who said he had spoke at election headquarters, instructed the judges and policemen to interchange the precinct labels, and the judges, instead of moving the machines, thus returning each polling place to its old location. The polls finally opened at 9:30 a.m.

I had voted at School 67 for approximately 6 years, but on arrival there on September 15, 1970, was told that the voting machines had been moved to Mt. Moriah Baptist Church, 2201 Garrison Blvd. I proceeded to Mt. Moriah Baptist Church, arriving at approximately 7:30 a.m. and was advised that the machines had not yet arrived. I personally witnessed a number of people who had to leave without voting because their working hours did not permit them to stay. I waited until 10:30 a.m., when the machines arrived and were set up. I went to vote and was told that one machine was not operable.

About 8:30 a.m., I went to School 64 to vote and they told me I had to go to 4301 Norfolk Avenue to vote. I went to this address and was told that there were no machines there. I asked when they would be there and she said she didn't know. Then I left. I went to work. When I got off of work my mother said someone came around to tell us that we could vote at School 64. It was after 8 p.m. when I got home, so there was no use in going back to School 64.

I went to vote at approximately 7:15 a.m. to School 218 Liberty Heights. On arriving there I was told that the polling place had been moved to the firehouse at Liberty Hts. and Marmon. I proceeded there and was told that the polling place was at the Armory Reserve at Liberty and Rogers. On arriving at the Armory I was told that there was no polling place there. At this time it was necessary to leave for my job and so I was therefore unable to vote, because I was at work until 10 p.m.

At approximately 7:45 a.m. I went to PS #150 where I had voted in the past and I was told to go to Fayette & Gorman Avenue to vote. I arrived at 64 N. Gorman only to find no voting machines or election judges. I personally observed 15-20 people who came to vote and left.

I attempted to vote on the morning of the 15th and discovered that my polling place had been moved without any notice. My original polling place was the Towanda recreation center located on Towanda Avenue. I discovered at this time (9:30 a.m.) that the polling place had been moved to 2901 Ridgewood Avenue. The Ridgewood Avenue polling place was in an old dilapidated garage that had no windows and was poorly lighted. There were two machines here but only one was operating. At 11 in this garage I refused to vote because the person who preceded me said he could not make out the names on the machine. I left the polling place and made several calls to have the situation corrected. I returned to the poll at 2 with my own flash light.

I went to St. Veronica Church to vote and then was sent to School #180 to vote. At this school I attempted to enter three doors and could not get in any. This was 7:30 p.m. As a result I was completely unable to vote.

Statements alleging that qualified voters were turned away and denied the right to vote:

I arrived at third precinct, 20th ward located at Bentalou and Saratoga Sts. at 5:30 p.m. I found a great deal of confusion. A number of registered voters were having difficulty because their names were not on the register, although they had voter registration cards. I discussed the situation with the judges but found they were unable to give any answers regarding the problem. Consequently, more than 12 voters were turned away during this period.

For the past 18 years I have been voting at School #100 without any difficulty. On September 15th when I attempted to vote I discovered my name did not appear on the book. The judges sent me to school on Walbrook & Smallwood. I then called the Board of Elections to get to the bottom of this. I was told that I didn't have a voting card and I would have to register all over again. I was not able to receive help in clearing up the matter. I was simply told that I couldn't vote.

I have been voting at the above precinct for the past 6 years. When I attempted to vote on September 15th I was not permitted to vote because my name was not on the book. The person in charge was very rude and made no attempt to assist me. There was no reason that my name should have been removed from the book. Therefore it was the responsibility of the people there to do something about it. Consequently I was unable to vote even though I'm a registered voter.

In 1968 I voted at the above precinct without any difficulty. When I attempted to vote on September 15th I was told that my name did not appear on the book. I returned home and called the Board of Elections. I was told to return to the polling place and request them to fill out a temporary slip which would permit me to vote. I went back to Dolfield Avenue and they called the Board and I was told I had to go down town to sign a form. At this point it was time for me to go to work and I leave the poll without voting.

On September 15, 1970, my wife and I attempted to vote at the above polling place. The judges informed us that our names were not on the books and that we could not vote. I asked them where could we go or what could we do about it. Their response was that we should go down to City Hall. This was around 6 p.m. and we felt that it would be too late to do anything about the situation. Therefore, we were unable to vote. We both had voted at this same polling place for the last two elections.

On Tuesday, September 15, 1970, I went to the poll at 10:30 a.m. precinct 95, ward 27 and was rejected to vote. I am a registered voter and have voted at this precinct at the last election. The judges told me that my name was not on record. I had my voters card with me and showed it to the judge. Later I went back and filled out a sheet of paper and was allowed to vote.

At approximately 11 a.m., I arrived at School 67 and was told by an election judge that there were too many people and I would have to come back later. I had taken personal leave from my job to vote and I could not return.

In addition to the above, the police themselves, in documents submitted to the State attorney general's office, acknowledged that there were a large number of voting irregularities occurring in the city, and after an investigation found that the majority were occurring in the west and northwest sections of the city. Police estimates, in approximately 11 to 14 precincts located in the western part of the city, indicated that more than 200 people were not able to vote on election day morning.

While the police reported some irregularities occurring almost all over the city, they reported disproportionate amounts occurring in sections with predominantly black populations.

11

The Committee was told that the black community was deeply disturbed by what it felt was "a systematic, deliberate conspiracy," and a coalition of community organizations charged that there was a "blatant manipulation of the vote in Northwest Baltimore".

The Committee, in meetings with the president and members of the Board of Supervisors of Elections and the officers of Metropolitan Moving and Storage, the firm contracted to move the voting machines, hoped to have some light shed on the causes for the irregularities. In a sentence, each blamed the other for the errors.

The movers claimed that they were not given the necessary information and there were too many last minute changes. They mentioned that, because of the arrangement of the voting machines in the warehouse, the black precincts received their machines last.

The Board officials complained that the contractor did not come to the Board to ask how best to meet the requirements of the contract, and they were assured on the afternoon of September 14 that all the machines were out. According to the Board officials, the obligations for insuring that the machines are delivered rests with the carrier.

CONCLUSIONS

The Committee was shocked by the nearly 40 presentations describing every kind of voting irregularity, which in almost every case, had occurred in predominantly black precincts. There appeared to be a pattern--a pattern of neglect.

As with many other municipal services, the black community was again being treated in a "second class" manner. The placement of the voting machines should have been a routine operation. This was so in the white areas of Baltimore city and in the county. But in black areas, it turned out to be far from routine and a display of discrimination.

Voting Irregularities

The Committee received information that indicated that substantial numbers of black voters were prevented from exercising their right and responsibility to vote. Many informants charged that the occurrences could not have been coincidental. The principal features that concerned the observers were:

1. Late opening polls.
2. Voting machine breakdowns.
3. Last minute changes of polling places.
4. Misdelivery and improper placement of machines.
5. The apparent lack of understanding by election officials of the proper operation of voting machines.
6. Harassment of certain poll-watchers by judges.
7. The frequency of the above difficulties concentrated in black precincts.

The Committee again notes that voting machine delivery went very smoothly in the county and that black people are aware how much better municipal services seem to be generally in all-white areas. And now it is again evident that officials provide white precincts with better service and equipment.

Some black people who gave the Committee information pointed out that this was not the first time irregularities had occurred in predominantly black sections of Baltimore, but this was the worst instance they could recall. The Committee observed in Baltimore the continued patterns of institutionalized preference for the accommodation of whites and the similarly institutionalized neglect of blacks--a phenomenon becoming recognized more and more as "institutional white racism". It is in this context that the large scale voting discrepancies and irregularities in the black community can begin to be understood, and it is in this context that the Committee feels they must be eradicated.

Specifically, the Committee concludes that since the obligation for supervising the election rests with the Board of Supervisors of Elections, the Board must be held responsible for all those acts which resulted in disenfranchising voters. It would be impossible, on the basis of the limited information obtained, for the Committee to impute motive. But the effect was certainly clear.

The Committee believes that this primary election has served to increase the level of tension between blacks and whites in Baltimore City. Two years ago, the assassination of Dr. Martin Luther King, Jr. touched off latent fires of frustration brought on by a sense of white injustice to black people. It also follows the regrettable

incidents of the so-called "grey areas" in which the police were reported to be justifying a slow or no response to calls for assistance in some black communities. This was later declared to be a mistake, but it left many people concerned.

The primary also follows a very turbulent school year in which problems with strong racial overtones were its main element.

In 1964, the National Urban League's executive director, Whitney M. Young, Jr., in his book "To Be Equal" wrote:

In Baltimore, an important Chamber of Commerce official said to me recently, "Negroes will soon have the political majority in this city and will elect public officials without the aid of other voting factions. How can we be sure that they will elect responsible people to office?"

My reply was, "Don't wait! Appoint and elect qualified Negroes to responsible positions now. Give them experience . . ."

If Baltimore is going to avoid conflict, it will have to give black Americans the opportunity to hold office, without resorting to devices which give rise to the suspicion that those many outmoded political maneuvers are being used to keep the "outs" out and the "ins" in.

RECOMMENDATIONS

1. In view of the large number of citizens denied the opportunity to exercise their right to vote in Maryland's Seventh Congressional District, the Maryland State Advisory Committee recommends that the United States Commission on Civil Rights transmit a copy of this report to the U. S. Department of Justice together with the affidavits received by the Committee with the request that it conduct an investigation to determine whether a violation of Federal law has taken place in the September 15 primary election.
2. To insure that every citizen will be able to exercise his right to vote during the general election in November and to prevent a repetition of the events of September 15, the Maryland State Advisory Committee recommends that the United States Commission on Civil Rights request the U.S. Department of Justice to send Federal observers to Baltimore to oversee the conduct of the general election.
3. Based on the information presented to the Committee indicating the disenfranchisement of a significant number of voters which was supported by documentation from the Baltimore City Police Department and the statement to the Committee of the deputy State attorney general, the Maryland State Advisory Committee recommends that in all those precincts in which voters were disenfranchised, another Democratic primary election be held, as soon as possible.
4. Because of the many irregularities in the primary election resulting from the failure of the Board of Supervisors of Elections to carry out its responsibilities and the resultant loss of confidence in the Board, the Maryland State Advisory Committee recommends to the Governor that the

present Board of Supervisors of Elections of Baltimore City be relieved of further responsibility for the November general election.

5. To avoid some of the problems encountered in this primary, election, the Advisory Committee recommends:

- a) That the Board of Supervisors of Elections and its employees be incorporated in the State merit system, and that they be given the legal responsibility for tabulating the election returns and announcing the results.
- b) That the State attorney general be responsible for promulgating and enforcing uniform election procedures and that all boards of elections report to the attorney general at least 2 weeks prior to an election that all provisions have been met.
- c) That polling places be determined at least 30 days prior to an election.
- d) That no polling place be located in a private home, but that wherever possible, be in public buildings.
- e) That the location of polling places be published in all newspapers of public record on at least two occasions within a 7-day period immediately preceding an election. A special section should designate polling places changed from the previous election, clearly identifying both the old and new addresses.
- f) That every registered voter be notified by mail (as automobile owners and taxpayers are of their obligations) at least a week in advance, of the time and date of the election and the address^s

CR 1.2:
11
of his polling place, and be informed of the proper procedures to report any voting irregularities.

g) That voting machines be in place by a specified time prior to an election, adequate to insure that mistakes can be corrected, and that the police department be responsible for seeing that the machines are in place and in working order.

6. A vehicle is necessary to enable the citizens of Baltimore to express their concerns about community problems--whether they be shortcomings in the election process or ways of making government more responsive to their needs. The Maryland State Advisory Committee therefore recommends that a forum be convened by either the Maryland Commission on Human Relations or the Baltimore Community Relations Commission to provide individuals with an opportunity to be heard and to have their recommendations transmitted to the appropriate agencies.