

Civil Rights Developments in Connecticut, 1982

March 1983

--A clearinghouse report of the Connecticut Advisory Committee to the U.S. Commission on Civil Rights, published for the information of the Commission and the people of Connecticut. The contents of this report should be attributed to the Connecticut Advisory Committee and not to the U.S. Commission on Civil Rights.

MEMBERSHIP

CONNECTICUT STATE ADVISORY COMMITTEE
To The
U.S. COMMISSION ON CIVIL RIGHTS

Judith H. Holmes, Acting Chairperson
Wethersfield

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Hartford

Shirle M. Childs
Windsor

Ivor J. Echols
Windsor

Martin B. Gant
Branford

Howard A. Glickstein
Bridgeport

John Rose, Jr.*
Hartford

Roy B. Simpson
Greenwich

Mildred Torres Soto
Hartford

Edith R. Stolzenberg
West Hartford

Suzanne L. Taylor*
Mansfield Center

Betty L. Tianti
East Haven

Lynn Wehrli
East Haven

*No longer a member.

CIVIL RIGHTS DEVELOPMENTS IN CONNECTICUT, 1982

CONTENTS

I.	Overview. . . . .	.1
	National Developments. . . . .	.1
	State Developments. . . . .	.2
	Advisory Committee Developments. . . . .	.3
II.	Employment. . . . .	.5
	State and Local Government. . . . .	.5
	Apprenticeship Training and Non-Traditional Jobs for Women. . . . .	.7
	Affirmative Action and Minority Contracting. . . . .	.7
III.	Education. . . . .	.10
	"Project Concern". . . . .	.10
	Funding Inequities in Hartford. . . . .	.10
	Intergroup Relations Guidelines. . . . .	.11
IV.	Public Agencies. . . . .	.12
	Connecticut Commission on Human Rights and Opportunities (CHRO). . . . .	.12
	Governor's Task Force on Racial Harmony. . . . .	.14
	The State and Local Subcommittee. . . . .	.14
	The Community Programs Subcommittee. . . . .	.15
	The Educational Film Subcommittee. . . . .	.17
	Civil Rights Coordinating Committee. . . . .	.18
	Office of Protection and Advocacy for Handicapped and Developmentally Disabled Persons. . . . .	.18
	Permanent Commission on the Status of Women. . . . .	.20
	Stratford Housing Authority. . . . .	.21

I. OVERVIEW

This is the third annual report on civil rights developments in the State prepared by the Connecticut Advisory Committee to the U.S. Commission on Civil Rights, as part of the Commission's clearinghouse responsibility. It attempts to summarize developments in several critical areas and discuss the efforts of public agencies to deal with them.

National Developments

On the national level, 1982 was a disquieting year for civil rights advocates. Progress that had been made in employment opportunity for minorities and women was eroded, both by increasing unemployment, as well as by funding cutbacks for civil rights enforcement. In addition, many of the industries hardest hit by the recession were those that employed large numbers of minorities and women.

NAACP President Benjamin Hooks warned that if "joblessness continues to soar or remains relatively high...we will find ourselves with a group of people in their middle 20s who have never had a job...A new kind of culture of despair will develop."

Black unemployment, traditionally double white joblessness, is serious when it approaches 10 percent. But in 1982, when general unemployment averaged 9.5 percent, unemployment in the black community was a depression-level 20 percent.

Concerned about the reduction in funding of Federal civil rights enforcement agencies, the U.S. Commission on Civil Rights warned in its June report, The Federal Civil Rights Enforcement Budget: FY 1983, that the problems will remain and the victims will be less likely to obtain relief. The proposed budget, said the Commission, contains 25 percent less spending power for civil rights enforcement than in FY 1980, amounting to .07 percent of the total budget. Such a reduced expenditure means "an increasingly passive role for Federal civil rights enforcement agencies" and could retard and possibly reverse civil rights progress.

Throughout the year, spokespersons for the Administration stated their support for civil rights, but made clear their opposition to mandatory busing, court-ordered student assignments, affirmative action, and burdensome reporting requirements for business. However, the U.S. Commission on Civil Rights during the course of the year reaffirmed its position through reports and statements, and on September 27, 1982, pointed out that "a right without an effective remedy is meaningless."

With regard to mandatory busing the Commission observed on November 17, 1982, that the issue was resolved by the Supreme Court

more than a decade ago, and that the effort of the U.S. Department of Justice to eliminate transportation as a remedy for unconstitutional school segregation reopens old wounds.

Earlier in the year (February 19, 1982) the Commission wrote the President expressing opposition to efforts by Congress and the Administration to weaken Federal equal educational opportunity enforcement, including legislation to prevent the Federal government and the courts from requiring remedies for illegal segregation; the Department of Education's acceptance of inadequate higher education desegregation plans; and the effort to grant tax exemptions to racially discriminatory schools.

The Commission, through its publication of the consultation proceedings in connection with its statement Affirmative Action in the 1980s: Dismantling the Process of Discrimination, in October, 1982, reiterated its commitment to affirmative action as a process to make equal opportunity a reality and an organizational strategy for removing the qualitative and quantitative aspects of discrimination.

In addition, civil rights groups fought successfully against the weakening of the Voting Rights Act and for its extension; objected to the deterioration of the Department of Housing and Urban Development's fair housing effort; protested the apparent disinterest of the administration in pursuing sex and age discrimination cases; and denounced the reduction in social welfare programs which serve low-income families, a disproportionately large number of whom are minority.

State Developments

How do events in Connecticut conform to national trends? Cutbacks in Federal funds for programs designed to overcome inequities, or provide equal opportunity, have affected all States. Another development which affects Connecticut as elsewhere is the effort to curtail Federal regulations. Where civil rights enforcement activities are weakened, the effect can be to decrease the protections available to those covered by the civil rights laws.

It should be noted that the economic picture in Connecticut for 1982 has been favorable as compared with the rest of New England and the Nation. Unemployment in 1982, which averaged 9.5 percent nationally and 7.8 percent in New England, was 6.9 percent in Connecticut. In 1981 Connecticut averaged 6.1 percent unemployment compared to 6.2 percent in New England and 7.4 percent nationally. Connecticut also led New England in average hourly earnings in manufacturing in 1982 with \$8.19. New England averaged \$7.55, and for the United States the figure was \$8.47.

Connecticut, as indicated last year, has seen a marked increase in its minority population between the 1970 and the 1980 censuses.

The minority growth rate was 62 percent, while the white population declined 1.3 percent. The Hispanic population increased 70 percent, the black population 20 percent, and Asian/Pacific Islanders increased 200 percent from 6,329 to 18,970. The table below presents the population figures for 1980 by racial groups:

<u>Population Group</u>	<u>Number</u>	<u>Percent</u>
White	2,799,420	90.08%
Black	217,433	6.99%
American Indian	4,533	0.14%
Asian	18,970	1.00%
Other	67,220	2.15%
TOTAL	3,107,576	100.00%
Hispanic (included in main racial categories above)	124,499	4.00%

Advisory Committee Developments

Although the functions and responsibilities of the U. S. Commission on Civil Rights and its Advisory Committees are described elsewhere in this document, a brief description of the Connecticut Advisory Committee and its activities is in order. The members are appointed by the Commissioners who in turn are appointed by the President. Members serve without pay and are responsible for informing the Commission about civil rights issues in Connecticut. Among the Committee's activities during the past year were:

*The release of the second annual civil rights developments report to interested individuals and organizations across the State.

*Participation in the Brotherhood Day Leadership Seminar co-sponsored by the Connecticut Commission on Human Rights and Opportunities and the National Conference of Christians and Jews. Keynote speaker at the seminar was Arthur S. Flemming, former Chairman of the U.S. Commission on Civil Rights.

*Participation in a tri-regional study of minority contracting in the Northeast Corridor Rail Improvement Project.

*Publication of its 79-page report, Hate Groups and Acts of Bigotry: Connecticut's Response. The issue of racially and religiously motivated violence and vandalism was the primary concern of the Advisory Committee in 1982. The report found an increase in the number of incidents since the late 1970s and an increase in the visibility of the Ku Klux Klan, but no direct link between the two. Underlying causes appear to be economic insecurity and ignorance.

Municipal and State government responses include public condemnations, and legislation punishing desecrations, banning paramilitary training camps and increasing penalties for civil rights violations perpetrated by persons wearing masks or hoods. In recognition of the threat posed by hate groups the Governor formed a Task Force on Racial Harmony which is discussed in Chapter IV. of this report.

II. EMPLOYMENT

State and Local Government

In April 1982, the Connecticut Commission on Human Rights and Opportunities (CHRO) issued its annual report on the Status of Affirmative Action in Connecticut State Government. The report found that State agencies made little progress in employing minorities and implementing affirmative action plans. According to CHRO, only 15 of 75 agencies submitted their affirmative action plans on time, and seven agencies did not submit a plan. The commission examined 68 plans and approved only one. Less than 10 percent of the State agencies reached their numerical goals.

Despite shortcomings in implementing affirmative action plans, the State appears to be making headway in employing minorities. While the State workforce increased six percent between 1977 and 1981 (from 40,007 to 42,373) the total minority workforce increased 22.9 percent (from 3,781 to 4,548), a rate nearly four times greater. In 1977, minorities represented about nine percent of State employment (seven percent black, two percent Hispanic and less than one percent other); in 1981 they were 11 percent of the State workforce (eight percent black, two percent Hispanic and one percent other). This employment percentage is slightly lower than the minority percentage in the population.

The Hartford Human Relations Commission has established an affirmative action policy for the city government which sets as its long-term goal minority employment parity with the city's population.

According to 1981 city population figures, blacks make up 34 percent of the city's population but comprise only 25 percent of the municipal workforce, while Hispanics make up 20 percent of the city's population and nine percent of the city's workforce. In September, the city personnel department released statistics which showed that the city fell short of its projected 63.1 percent minority hiring goal by 18.7 percent. However, the city exceeded its hiring goal of 14.5 percent for white females by two percent.

The State Attorney General's minority-hiring record became an issue in the 1982 campaign for that office. The Republican candidate for Attorney General called the incumbent's minority-hiring record an "abysmal failure," and pointed out that all 115 attorneys in the Attorney General's office are white, that only two of the 190 staff members are black, and none is Hispanic. (The report of the CHRO shows no progress since 1977, when the office had two black clericals out of 151 staff members.)

According to the Hartford Courant, the Deputy Attorney General

termed the criticism "nonsense," and said the office made "a continuing effort to hire minorities." The main reason the department has not been more successful in attracting blacks and Hispanics is that its salaries are not competitive with those offered by private firms, he said. In addition, minority attorneys have not applied to take the recent entry level test for positions in the Attorney General's office, the Deputy Attorney General indicated.

In April, the Connecticut Civil Liberties Union (CCLU), and Men and Women for Justice, Inc., a group of black and Hispanic State Police Officers, filed a class action suit in U.S. District Court in New Haven, charging the State Police with discrimination against racial minorities in recruitment, testing, hiring, job assignments, promotions, training, job conditions, and privileges of employment. The suit also alleges that State police officials "intentionally adopted a series of policies and practices designed to keep the number of minority troopers at token levels."

The suit was filed on behalf of three blacks who applied for jobs as State police officers and were rejected. Among the other issues, is a charge that the exam is not job-related and is racially and culturally biased.

According to the CCLU, of the 859 State police officers, only 33 (22 black and 11 Hispanics) or 3.8 percent, are minority, while 14 percent of the State's population are minority. Three minority group members hold the rank of sergeant out of 140 sergeants on the force, and only two minority group members have been promoted above the rank of sergeant.

The State Police Affirmative Action Officer noted that the 1983 class at the State Police Academy "currently has 106 trainees of which 16 are minority -- 9 black and 7 Hispanic." If the 16 minority trainees complete the academy and are hired, minorities would still only represent about five percent of the force.

The State Police personnel policies are governed by the State's personnel merit systems which require that an applicant for appointment or promotion be given an exam and be judged on the basis of the results as well as experience and education. State police procedure allows the Commissioner to administer an oral or written exam whenever vacancies in the ranks of sergeant or above occur. The Commissioner is not required to select the highest scorer and has the option to appoint any of the top five scorers. This procedure allows the appointing official to consider other factors in addition to test scores, and could be an effective affirmative action tool if implemented to improve representation in the upper ranks of the State Police.

Apprenticeship Training And Non-Traditional Jobs for Women

According to the Permanent Commission on the Status of Women (PCSW), women in Connecticut represent only 4 percent of all active apprentices in State-registered apprenticeship programs in the trades. In recognition of this, the Connecticut Labor Department awarded a grant to the PCSW for a pilot project to facilitate the entry of women into apprenticeships.

In March 1982, a new State apprenticeship regulation became effective which will also help women enter apprenticeship training programs. The regulation establishes policies and procedures for the promotion of equal opportunity in State-approved and registered apprenticeship programs. The sponsors of apprenticeship programs are required to comply with equal opportunity standards; use selection methods established in the regulation; and must include goals and timetables for minorities and women in their affirmative action plans.

A technical assistance project designed to facilitate the entry and retention of women in non-traditional jobs, and to help employers and employment and training program operators recruit and retain women in the skilled trades was conducted by PCSW. As part of the project, the commission held conferences in June 1982, in Middletown and Stamford involving State and Federal agencies, employers and unions to address the issue of women in apprenticeship and non-traditional jobs. Information was distributed which provided resource materials and recommendations for improving outreach and retention of women in the trades. The PCSW is developing a manual for the recruitment and retention of women in non-traditional jobs.

Efforts to recruit and retain women for jobs in public safety are also being promoted. The PCSW worked with the Hartford Personnel and Fire Departments to recruit female firefighters. As a result, the first two women were graduated from the training academy and hired. Subsequently, the Commission and the Connecticut Women's Educational and Legal Fund conducted in-service training sessions for fire department personnel relating to the entry of the new female firefighters. The Commission is also developing a manual on the recruitment and retention of women for police and fire departments.

Affirmative Action and Minority Contracting

In February, the Hartford Human Relations Commission reported to the city council that the builders of six major construction projects had not met the city's affirmative action requirements. Prior to construction, the builders had agreed to hire 15 percent minority workers by trade, and award 10 percent of all subcontracts to minority companies, in exchange for a tax abatement from the city. The Commission report, based on statistics compiled by the

builders for the last quarter of 1981, indicates that minority employment at the six building sites did not meet the 15 percent requirement, and only three builders met the 10 percent subcontracting requirement.

In August the builders' reports revealed that none had reached the 15 percent goal for hiring minority workers; in the awarding of contracts to minority firms, three developers again reached the 10 percent goal.

The developers contend they made every effort to hire minority workers, and give contracts to minority contractors. They claim that they encountered problems in finding minorities in many of the trades, and blame the unions. The unions claim that they tried to recruit minority members, but because of high unemployment many skilled workers are out of work, and training unskilled minorities for a dwindling job market is difficult to justify. The developers said they also encountered difficulty in finding minority contractors with the ability and expertise to handle million-dollar projects.

Despite these explanations, the commission and members of the city council have pushed for stronger measures to bring the builders into compliance with the affirmative action agreement. The commission recommended to the city council that it establish an "equal employment opportunity performance bond" which would require compliance or forfeiture of the bond. The Commission also suggested instituting law suits against unions who do not comply with the affirmative action requirements.

City officials have not attempted to revoke contracts because of the difficulty in proving that a "good faith effort" was not made. However, the affirmative action language has been strengthened and in future agreements if a developer fails to meet the quotas, it will be considered a "violation of good faith effort" unless developers report problems to the Commission and follow all its "reasonable" recommendations.

In July, the Greater Hartford Transit District announced that it was instituting an affirmative action plan that would require minority contractors to perform 15 percent of the rehabilitation work on the proposed renovation of Hartford's Union Station, and that 15 percent of the workers be minorities. The plan also requires that two percent of the minority contracts go to female-owned companies and two percent of the minority workforce should be women. The plan will make compliance a prerequisite for keeping the contract, instead of the current city agreements which require only a "good faith effort."

Minority contractors expressed concern about the enforcement of numerical goals, and their own ability to afford performance bonds. The Transit District indicated that its staff will be on the

construction site to ensure minority and female participation, and will require the general contractor to submit periodic reports on minority and female employment. In addition, the general contractor will be required to provide bonding for minority and female subcontractors.

The General Assembly enacted a law aimed at aiding minority businesses to obtain public work contracts. The act requires that a minimum of 25 percent of the value of State contracts for construction, and contractual services, now set aside for small contractors, be reserved for minority business enterprises. In addition, the bill requires that at least 25 percent of the working capital loans, and lines of credit provided by the Small Contractors' Revolving Loan Fund, go to minority businesses. It also requires that 25 percent of the total value of contracts for which the State guarantees bid and performance bonds on behalf of small contractors be reserved for minority businesses.

III. EDUCATION

"Project Concern"

As a result of a \$4.8 million budget cut by the city council, the Hartford Board of Education voted to eliminate "Project Concern," the Nation's first voluntary desegregation busing program. Last year the program bused 914 minority students to 14 suburban towns. In September 1982, the program was cut back to 241 students, and was scheduled to be phased out through attrition when these students graduate.

Several suburban school boards sought ways of reinstating the program, either by assuming the cost or attempting to raise money from the general public and private sources. The concern expressed by parents and school officials encouraged the State Education Department, suburban school systems, and Hartford school officials to find a way to reinstate the program. Their efforts paid off when in March 1983, the Hartford Board of Education voted unanimously to reinstate the program and maintain the suburban component at a reduced level of 821 students.

Funding Inequities in Hartford

In May 1982 the Connecticut Civil Liberties Union (CCLU) issued a report on school financing, Are Minority Pupils Shortchanged?: Intra-District School Financing. The study examined the funding of 24 schools by the Hartford School Department in order to determine whether minority schools received equal funding when compared with predominantly white schools. The CCLU found statistically significant disparities in the distribution of funds to white and minority schools, and concluded that minority students were being shortchanged. The CCLU recommended that a statewide system for collecting and publishing intra-district financial data be established; and that the State Education Department be required to monitor and equalize not only the distribution of educational funds to districts, but also from school to school within a district.

Shortly after the report was released, the CCLU filed complaints with the Office for Civil Rights (OCR) of the U.S. Department of Education and the Civil Rights Division of the U.S. Department of Justice charging the Hartford School Department with racial discrimination. Specifically, the complaint charges that the disparities in educational funding violate the equal protection clause of the Fourteenth Amendment of the constitution and Title VI of the Civil Rights Act of 1964.

In November, OCR officials informed the CCLU that they would investigate the allegations and conduct an onsite inspection of the Hartford School Department. However, as of this writing, the complaint was still in the "investigative stage," and the onsite

visit had not been conducted. OCR claims that the statistical information contained in the CCLU study was forwarded to Washington, and it is awaiting its analysis. The Justice Department has deferred handling the case until the Department of Education completes its investigation and makes a final determination.

Hartford School Department officials have refused to meet with the CCLU or respond officially to the findings of the report. The school officials claim that they have been advised by legal counsel not to comment publicly on the charges, because of the pending complaint before OCR. The Hartford Human Rights Commission tried unsuccessfully to arrange a meeting between the two parties to discuss the report. The Hartford City Council called on the school department for an official response to the charges raised by the CCLU, but the school department did not comply, again citing the legal counsel's advice.

Intergroup Relations Guidelines

In September, 1982, the Joint Committee on Intergroup Relations, which is composed of the Commissioner of Education, Commissioner of Higher Education, Executive Director of the CHRO and Executive Director of the Permanent Commission on the Status of Women, issued a set of Guidelines for Intergroup Relations Education for Public School Personnel. The guidelines, which were approved by all the members except the Commissioner of Higher Education, are not mandatory, and only encourages teacher training institutions and local education agencies to develop and implement ongoing and systematic programs of intergroup relations.

The Committee's guidelines are intended to assist teacher training institutions and local educational agencies in the development of these programs. The guidelines suggest that an intergroup relations program should have three major objectives: to impart knowledge of and appreciation for the pluralism of American society and respect for human diversity and personal rights; to counter biases, stereotyping and discrimination; and to counteract institutional racism, sexism and bias.

The program should also help public school personnel prepare their students to function successfully within pluralistic educational settings; should provide pre-service and in-service opportunities for public school personnel; should involve study in the methods, techniques and approaches needed to counteract bias, stereotyping and discrimination, and should involve study of the ways in which bias, stereotyping and discrimination occur in every aspect of our society.

IV. PUBLIC AGENCIES

Connecticut Commission on Human Rights and Opportunities (CHRO)

The Nation's first official State human rights agency, the Connecticut Commission on Human Rights and Opportunities, was established in 1943, and over the next 40 years helped shape the direction of similar agencies. CHRO is charged with enforcing the State's anti-discrimination laws and has a staff of 109. In 1982, 35 of these positions were Federally funded.

During the 1982 fiscal year, 1,477 discrimination complaints were filed. Critics have charged that the average case before the Commission takes more than a year. However, CHRO states that for complaints filed and closed in fiscal year 1982, the average processing time was 124 days, as compared with 145 days in fiscal year 1981.

The Commission has also been attacked for closing cases quickly by finding "no cause," and it has been charged that only 24 percent of the complainants have received favorable determinations. According to CHRO, the 24 percent of resolutions favoring complainants for the period from fiscal year 1980 through 1982 contrasts with 20 percent for complaints closed for fiscal years 1976-1979.

For the first time in its history, the CHRO's performance and existence have come under scrutiny by the State legislature as a result of the State's sunset law. According to provisions of the law, the CHRO will automatically be dismantled as of July 1, 1983, unless the General Assembly passes legislation reestablishing the agency. The Legislative Program Review and Investigations Committee is charged with the responsibility of reviewing the performance of the CHRO and making recommendations to the General Assembly as to whether it should be terminated, continue to exist with program modifications, or be exempt from the sunset review.

In August and September 1982, the legislative committee held public hearings in Hartford and Bridgeport and received testimony from the public concerning the CHRO. For the most part, the testimony praised the CHRO for carrying out its law enforcement responsibilities and for being an effective agency in dealing with the civil rights problems of the State. The testimony revealed that the CHRO's administrative procedures for handling civil rights complaints were more efficient and cost-effective to the State than the civil court procedures, where cases can take from three to six years. The testimony also urged the legislative committee to recommend to the General Assembly that the CHRO be exempt from the sunset law and urged it to recommend that the powers of the Commission be strengthened and expanded to deal with the more subtle forms of discrimination.

Although the legislative committee's recommendations do not call for the termination of the CHRO, their net effect will reduce the Commission's authority and weaken its efforts to monitor and enforce affirmative action and contract compliance laws and regulations. The committee recommended that the Commission's authority in the areas of affirmative action and contract compliance be transferred to the Executive Committee on Human Rights and Opportunities.

According to the CHRO, the Executive Committee was established in 1967 as an advisory body designed to serve a liaison function between the legislative and executive branches in the areas of civil rights. During its 15 years, the Executive Committee met ten times, most recently in February 1976.

The CHRO is also concerned that the legislative committee's recommendation has the potential for political abuse and conflict of interest, because the proposed Executive Committee would have veto power, for example, over a CHRO recommendation that an agency's affirmative action plan be disapproved. An apparent conflict of interest would exist for agency officials serving on the Executive Committee whose affirmative action plans were being considered by the CHRO. Since the Attorney General represents State agencies against all claims of discrimination, CHRO claims that a further conflict would exist between the Attorney General's role as a member of the Executive Committee and as legal representative of the agency.

The legislative committee also recommended that the number of commissioners be reduced from 12 to nine, with the legislative leadership appointing four commissioners and the Governor appointing five, and that the term of appointment for commissioners be reduced from five to four years. In addition, commissioners would be required to meet at least every two months, and would be replaced if they failed to attend three consecutive meetings or attend 50 percent of the meetings during the year.

The CHRO is opposed to the legislative committee's recommendation, and believes that the transfer of the Commission's affirmative action and contract compliance authority to the Executive Committee will impose an unnecessary layer of bureaucracy that will impede rather than strengthen enforcement. The CHRO also believes that the reduction of the Commission from 12 to nine members would not serve any useful purpose and would disrupt the current balance of the Commission, and the change in the appointment of commissioners is contrary to the original legislative intent to establish a politically independent agency. CHRO fears that it would politicize the Commission and create divided loyalties between appointees of the legislature and the Governor.

In December 1982 the CHRO and the New Haven Commission on Equal Opportunities (NHCEO) signed a six-month Memorandum of Understanding in an effort to promote cooperation and improve coordination in the

processing of discrimination complaints. The Memorandum outlines procedures for handling discrimination complaints, defines the jurisdiction of the agencies, and interprets civil rights laws. The NHCEO agrees to make referrals and inform complainants about their right to file a complaint with the CHRO. The NHCEO also agrees to send a list of its pending complaints to the CHRO to determine if it has a duplicate complaint, and to take no action if such is the case. Both agencies also agree to conduct joint staff training, designate liaison officials, and assess progress after 90 days.

Governor's Task Force on Racial Harmony*

As reported last year, Governor William A. O'Neil established a 23-member Task Force on Racial Harmony for the purpose of developing programs to combat discrimination and racism, and to recommend legislation. The Task Force was formed in response to acts of racially and religiously motivated violence and vandalism, and its establishment was announced by Lt. Governor Joseph J. Fauliso at the fact-finding meeting of the Advisory Committee on that subject on September 24, 1981.

Three subcommittees were formed: State and Local Government, Community Programs and Education Film. Over the past year the subcommittees have sought to collect and evaluate information in their respective areas.

The State and Local Government Subcommittee sent questionnaires to 24 local human relations commissions and received responses from eight: Hartford, New Haven, East Hartford, Stamford, Enfield, Danbury, Wethersfield, and Windsor. Despite the poor response, the Subcommittee did develop a profile of the local commissions, and obtained information on their efforts to promote intergroup relations, and on hate group activity in their communities.

The survey revealed that local commission members are nominated by the mayor and their nominations are approved by the city/town councils. Most appointments are for three years, and each selects one member to serve as chairman for a one-year term. The commissions felt that their composition reflected the local municipal population. However, none specified the racial or ethnic composition of its membership.

The local commissions have similar statements of purpose which include: to foster understanding and respect among all racial, ethnic and religious groups; to encourage equal opportunity; to cooperate with government agencies and community groups to enhance intergroup relations; and to engage in studies and investigations which promote human relations. Their responsibilities include holding public meetings; receiving and resolving discrimination

*As this report is being written, the final report of the Task Force has just been issued.

complaints; supervising municipal affirmative action plans; initiating investigations and submitting reports to the municipal governments; and developing educational programs.

Of the eight commissions, only Danbury, Hartford and New Haven have the authority to seek relief through State court proceedings. The remaining commissions were limited to seeking relief through conferences, negotiation and conciliation, and when these efforts fail, the cases are referred to the CHRO for resolution. All commissions use negotiation and conciliation as an initial step in order to seek remedies for discriminatory practices.

The commissions are part of the municipal government structure, and receive most of their funding from the town's general fund. The agencies without enforcement authority operate for the most part in an advisory capacity to the municipal governments. Those agencies with broad investigatory and enforcement authority have larger funding levels and support staff, while commissions acting in an advisory capacity have minimal, if any, appropriations and staff.

The survey also solicited information concerning the sources of ethnic, racial or religious conflict, and the nature and adequacy of local response; the role of local commissions in responding to intergroup conflict; and their recommendations for statutory changes. Five of the eight commissions that responded reported having no knowledge of racially, religiously or ethnically motivated incidents of hate activity the previous year. The Windsor, Danbury and Enfield commissions reported incidents of hate activity during this period, which were recorded as juvenile-initiated vandalism. The incident reported by the Windsor commission resulted in the arrest of two juveniles, a second incident in Danbury was referred to the Connecticut Commission on Human Rights and Opportunities and the third, in Enfield, remains unsolved. The commissions reported that they had no knowledge of hate or extremist groups operating in their areas except Enfield, which reported the rumored existence of one such organization in its area.

Most of the commissions believe that the primary causes of hate group activity are related to a backlash against minorities, and a resentment against the gains they are supposed to have made in housing, employment and education as a result of the civil rights movement. Other causes noted by the commissions include economic conditions, particularly high unemployment and the view that current socio-political attitudes nationally and locally have fostered a revival of bigotry and intolerance. The majority said that hate group incidents are best handled by the police, and were unanimous that local law enforcement agencies have sufficient authority to deal with the problem.

None of the local commissions had specific programs designed to promote intergroup relations. Most commissions indicated that their primary efforts are in the areas of complaint resolution and the

monitoring of affirmative action programs, and pointed out that success in these areas will minimize intergroup tension.

Most commissions agreed that current laws are adequate to eliminate discriminatory practices, and that enforcement authority under current legislation is also adequate. With respect to in-school programs designed to enhance intergroup relations, most responded that their schools have speakers, seminars and conferences to address the issues of racial, ethnic or religious bigotry.

The subcommittee concluded that while each of the local commissions is authorized to engage in efforts designed to generate intergroup understanding, most had not devised programs to achieve those goals. Furthermore, while a great deal of time and resources were spent by local commissions on the resolution of complaints, few had the authority to initiate judicial proceedings in order to obtain a final resolution.

Subsequently, the subcommittee held several meetings with local human rights commission representatives and learned that their efforts to achieve civil rights progress have met with limited success. Many reported facing increasing apathy and efforts to weaken their authority. The participants agreed that intergroup education is essential and supported the subcommittee's recommendation mandating intergroup education for teachers. They also endorsed the subcommittee's recommendation for the creation of additional local commissions.

The Community Programs Subcommittee is charged with the responsibility of developing community programs to counteract racism and prejudice. In January 1982, it conducted a survey to collect information concerning intergroup tensions and conflicts, and to identify community programs which have successfully addressed such problems. A questionnaire was mailed to 169 organizations and individuals representing civil rights, civic, business, labor and religious organizations. The subcommittee received 33 responses,

It found that when some local governments attempted to curtail racial, ethnic and religious hate activity, they were impeded by apathy, and disinterest. In other cases, local government played no role in addressing intergroup conflicts or the underlying problems which contribute to those conflicts.

The subcommittee observed that racist incidents were frequently attributed to young people, and expressed concern that alienation contributes to their acting out their frustration, using symbols which will get attention. The alienation of many groups and individuals in society, according to the subcommittee, may be an underlying cause of intergroup tension. In addition, the segmentation of society is reducing opportunities for communication and group interaction.

Because of the differences in communities, the subcommittee concluded that the development of a "model" human relations program was unrealistic. Consequently, it changed its goal from developing models to serving as a clearinghouse for various community programs.

Based on its survey, the subcommittee formulated recommendations addressed to community organizations, municipal officials, school boards, and the General Assembly:

Community organizations should develop a mechanism to coordinate their activities and programs to share resources and to promote intergroup harmony.

Local officials should support and provide sufficient resources to their human rights commissions in order that they may better coordinate and initiate efforts to address and resolve intergroup conflicts and tensions, and the commissions should be given a key role in promoting and enforcing equal opportunity and affirmative action in all areas of government operation.

Local boards of education should develop and implement permanent intergroup relations and multi-cultural education curricula and programs for all students and assess their effectiveness.

The Connecticut General Assembly should strengthen section 10-145a(b) of the Connecticut General Statutes (which establishes a Joint Committee on Intergroup Relations) to require the completion of an intergroup relations component for all candidates in teacher training programs prior to certification.

The Educational Film Subcommittee was charged with the responsibility for developing a film and/or program which reflects Connecticut's racial, ethnic and religious groups and depicts successful intergroup relations. A survey questionnaire was sent to 646 schools to determine whether intergroup relations films are used; the response of teachers and students to these films; and the feasibility of mandatory intergroup relations courses in teacher training institutions.

One hundred and ninety-five teachers representing 135 schools or districts responded to the survey. The survey revealed that about half the teachers had viewed intergroup relations films within the last year. Lack of knowledge, lack of relevance, and lack of funds were the reasons given for not having viewed such films. With respect to teacher familiarity with intergroup relations programs, one-third were knowledgeable about such programs, one-third were unfamiliar, and the remaining third did not answer the question.

In response to whether the schools should develop an intergroup relations program, 36 percent said yes, 28 percent said no, and the rest did not answer. With respect to in-service training, 43

percent of the teachers favored in-service training programs in intergroup relations, and 23 percent opposed. Finally, a majority of the teachers responding believe that teacher-training institutions should have a mandatory course in intergroup relations.

The subcommittee's analysis of the 195 survey responses resulted in the following findings: that intergroup relations films are underutilized; that there is no central source for such films; and that intergroup relations programs are needed in the schools, in in-service training and in teacher-training institutions. A video-tape film program as a teaching aid is currently under consideration.

Civil Rights Coordinating Committee

Five meetings of the reactivated Civil Rights Coordinating Committee (CRCC) took place in 1982. The body is an ad hoc committee established by CHRO to exchange information and stimulate advocacy of civil rights issues. The 36-member body includes representatives of public and private agencies and organizations involved in every aspect of civil rights.

In order to facilitate local community involvement, the CRCC will hold its meetings around the State. Its November meeting was held in New London. Among the issues considered were the growing resistance to set-aside programs for minority contractors, minority concerns in the allocation of block grants and the failure of contractors to meet their minority hiring goals.

Office of Protection and Advocacy for Handicapped and Developmentally Disabled Persons

Despite "the proliferation of well-trained, dedicated advocates for people with disabilities, discrimination still runs rampant in all areas of disabled people's lives," according to the State Office of Protection and Advocacy. "It is easier to discriminate than to accommodate."

The 1982 annual report of the Office of Protection and Advocacy indicated that the office handled 2,735 requests for information and referrals, and 916 cases alleging non-compliance with applicable laws between November 1981 and October 1982. This represents an increase of 131 cases (17%) over the previous reporting period. Its legal staff also reported an increase in the number of cases that could not be resolved administratively and required litigation. The most complex cases involved obtaining appropriate educational placement for children with multiple disabilities, and habilitation programs for persons residing in State institutions.

The office has an extensive public information program, publishing and distributing brochures in English and Spanish, and a

monthly newsletter, Advocacy Update. Representatives have appeared on numerous radio talk shows and conducted 44 awareness programs for schools and social service agencies. Advocacy and the New Federalism: The Need for Coalition Building and Political Action is a guide published by the office which encourages persons with disabilities and their families to be their own advocates. The guide offers information on key laws, services and entitlements for the handicapped, and includes a brief history of the "civil rights movement" of handicapped people.

The Connecticut Developmental Disabilities Council awarded a \$58,740 grant to the Office of Protection and Advocacy to establish a Parent Special Education Advocacy Project. The grant will enable the office to train the parents of children and young adults with severe developmental disabilities in special education, due process procedures, and self-advocacy techniques. A core group of parents will be recruited to receive additional training and learn how to train other parents to help themselves.

An outreach program for black and Hispanic disabled persons and their families, as well as service providers, is being developed by the office. It is expected to be operational in early 1983, and will provide training in the rights of the disabled and self-advocacy skills.

The office reported that some legislative gains were made in 1982 in providing telecommunications equipment for deaf and hearing-impaired persons; creating more stringent criteria to determine if sterilization is in a person's best interest; mandating year-round operation of the Department of Mental Retardation's (DMR) special school district; and clarifying some statutory language and expanding due process protection. The description of the statutes discussed below are drawn from the summaries prepared and published by the Office of Legislative Research of the Connecticut General Assembly.

An Act Concerning the Involuntary Placement of Mentally Retarded Persons with the Department of Mental Retardation allows a probate court to place the person in the least restrictive environment available. Previously, the law had required that placement be in the least restrictive environment. The act also allows a mentally retarded person, not in need of immediate placement, to be placed on a waiting list for an appropriate facility; requires that those placed after the effective date receive an automatic review of their placement every five years; and also changes the criteria for determining the need for involuntary placement and makes several changes in the placement procedures.

An Act Concerning Guardianship of Mentally Retarded Persons makes numerous changes in the statutes relating to the appointment of guardians of mentally retarded persons by the Probate Court. Specifically, the act authorizes a Probate Court to appoint limited

guardians who would have powers and duties in specified areas only. It eliminates some existing parental consent requirements, and specifies certain duties and powers which a court may confer on a guardian. The act also imposes certain additional reporting requirements on guardians and requires a review by the court every three years; gives guardians immunity from civil liability under certain circumstances; and eliminates the specific authority of the court to appoint "a guardian of the property of a mentally retarded person and a guardian of the person."

An Act Concerning Voluntary Admission to Facilities for Mentally Retarded Persons eliminates the statutory requirement that the Commissioner of Mental Retardation approve an application for admission to a residential facility for the mentally retarded, if the persons on whose behalf the application is made is suitable for admission. Instead, the act allows the Commissioner to approve such applications if space is available.

The Commissioner of Mental Retardation expressed the belief that while this legislation is significant in protecting the rights of individuals, much more needs to be done. And the Office of Protection and Advocacy observed that it "found itself committing most of its resources to retaining past legislative successes instead of pushing forward with progressive legislation."

Permanent Commission on the Status of Women

The Permanent Commission on the Status of Women (PCSW) is a State agency established in 1973 to work toward the elimination of sex discrimination and to help improve the status of women. The Commission provides public information, works with other State agencies to assess programs and practices as they affect women, helps individuals to resolve problems of sex discrimination, and reports its findings and recommendations to the Governor and the General Assembly.

The Minority Women's Task Force of the PCSW is conducting a survey of Connecticut's governmental boards, councils and commissions to determine their composition by race and sex in an effort to promote the appointment and consideration of qualified women to these policymaking bodies. The task force also hopes to develop an outreach project for low-income minority women, which will provide information on legal rights and resources available to them.

Among the wide range of legislative measures identified in the PCSW's report on the 1982 legislative session, are four bills approved by the General Assembly which expand the legal protection for sexual assault victims:

An Act Concerning Admissibility of Evidence of Prior Sexual Conduct prohibits admissibility of evidence of a victim's past

sexual history in rape trials except in certain limited instances. The bill also establishes a process in which a judge may determine whether evidence of the victim's prior sexual history is relevant to the case and admissible at the trial.

An Act Requiring Rape Crisis Training for Police Officers will require every State, municipal and local police training program to include a course in rape crisis intervention.

An Act Concerning an Appropriation for Rape Crisis Centers provides \$25,000 to the Department of Human Resources for a grant to Connecticut Sexual Assault Crisis Services.

An Act Concerning Definite Sentences mandates that sexual assault in the first degree will be a Class "B" felony, for which one year of the sentence may not be suspended or reduced by the court. Under this provision, second degree sexual assault will be a Class "C" felony, for which nine months of the sentence may not be suspended or reduced by the court.

The legislature also appropriated \$570,000 (a 14 percent increase) to maintain the State's program for funding emergency shelters for battered women.

Stratford Housing Authority

In April, a controversial report by the U.S. Department of Housing and Urban Development (HUD) was made public which reviewed the 1980 Stratford Housing Authority residency rule limiting public housing units to Stratford residents, employees and those promised employment in the town. The report points out that the rule will reduce the number of minorities living in public housing, and consequently violates Title VIII of the 1968 Civil Rights Act. According to HUD, the rule resulted in a 14.5 percent drop in the number of minority applicants, from 62.5 percent to 48 percent, and also reduced the number of minorities on the waiting list for Federally subsidized Section 8 housing from 67.5 percent to 44 percent.

Local officials contended that the rule is not discriminatory because the number of minority tenants in public housing increased from 15.5 percent in 1978 to 21.7 percent in 1982. They also pointed out that there are more minorities in public than in private housing. Furthermore, in one low-income housing project, minority tenants increased from 27 percent in 1976 to 46 percent in 1982. However, HUD asserted that there would have been an even greater increase in minorities had the rule not been implemented, and that the rule adversely impacted minorities and therefore violates the Civil Rights Act of 1968.

The residency rule was first challenged in April 1981, by a Bridgeport resident who claimed that the rule violated her civil

rights. Subsequently, three additional complaints were filed with HUD charging the Stratford Housing Authority with discriminatory housing practices. Two of the four filed complaints with the Connecticut Commission on Human Rights and Opportunities (CHRO) which investigated and found probable cause. The Secretary of HUD determined that the parties should attempt to resolve the complaint. In February 1983, a voluntary conciliation agreement was signed by the complainants, the Stratford Housing Authority, CHRO and HUD.

Specifically, the housing authority agreed to rescind the residency requirement; reinstate applicants to the waiting list who were removed as a result of the requirement; suspend the acceptance of new applications; notify applicants on the waiting list about the terms of the agreement; and revise its Tenant Selection and Assignment Plan for subsidized public housing, and its Section 8 Administrative Plan to reflect the provisions of the agreement. Although the housing authority agreed to rescind the residency requirement, the agreement does give preference to Stratford residents on the reconstituted waiting lists, provided that at least one applicant in five offered a unit must be a non-resident. The housing authority will be required to report semi-annually to HUD and the CHRO on the status of the waiting lists and applicants admitted during the reporting period.

THE UNITED STATES COMMISSION ON CIVIL RIGHTS

The U.S. Commission on Civil Rights, created by the Civil Rights Act of 1957, is an independent, bipartisan agency of the executive branch of the Federal Government. By the terms of the act, as amended, the Commission is charged with the following duties pertaining to denials of the equal protection of the laws based on race, color, sex, age, handicap, religion, or national origin, or in the administration of justice: investigation of individual discriminatory denials of the 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 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 Advisory 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 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 Advisory Committee; initiate and forward advice and recommendations to the Commission upon matters which the Advisory Committee has studied; and attend, as observers, any open hearing or conference which the Commission may hold within the State.

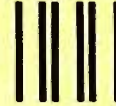
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U.S. COMMISSION ON CIVIL RIGHTS

New England Regional Office
55 Summer Street, 8th Fl.
Boston, Massachusetts 02110

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