

Civil Rights Developments in Maine, 1982

March 1983

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

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CIVIL RIGHTS DEVELOPMENTS IN MAINE, 1982

Preface

This is the third annual report on civil rights developments in the State prepared by the Maine Advisory Committee to the U.S. Commission on Civil Rights as part of the Commission's clearinghouse responsibility. This report attempts to summarize the important issues and events of 1982 concerning equality under the law for women, minorities, the aged and the handicapped. It is certainly not exhaustive, but it does try to explain what steps were taken in 1982 to deal with some of the civil rights problems in Maine. An effort has been made to put these issues into perspective, rather than merely listing isolated events.

It is difficult to derive trends from an examination of civil rights developments in Maine in 1982. The legislature acted to make the domestic violence statute permanent, and Maine responded quickly to the defeat of the Federal Equal Rights Amendment by initiating an attempt to add an Equal Rights Amendment to the State constitution. Clearly there has been activity to improve opportunities for women, the elderly, the handicapped and minorities.

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 and 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 enough 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 that "a right without an effective remedy is meaningless" (September 27, 1982).

With regard to mandatory busing the Commission observed 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 (November 17, 1982).

Earlier in the year 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 to require 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. (February 19, 1982).

The Commission, through its publication of the papers and proceedings of the consultation in connection with its statement Affirmative Action in the 1980s: Dismantling the Process of Discrimination, in May and 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 effects of discrimination.

In addition, civil rights groups fought against and prevented the weakening of the Voting Rights Act 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 being minority.

How do events in Maine 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 Maine 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.

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 Maine

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 Maine. Among the Committee's activities in the past year were:

--In February 1982, the Maine Advisory Committee released its second annual civil rights developments report and over 250 copies of the document were distributed to interested organizations, government officials and individuals.

--Following the Maine Advisory Committee's forum in Portland in October 1981 to release its report Maine's Domestic Violence Law Has Made a Good Beginning, copies of the report were sent to every member of the State legislature and widely distributed throughout the State. This report discussed the effectiveness of the law in its first year and recommended that the law, which had a sunset provision, be made permanent. As reported above, the legislature did make the law permanent.

--In June, the Committee met with Howard Dana, a Portland attorney appointed to the Board of the Legal Services Corporation by President Reagan to discuss the future of the Legal Services program in Maine.

As its next project the Committee will study the civil rights implications of Federal block grant funding.

The Advisory Committee hopes this report will help raise some of the pressing civil rights issues to the attention of Maine residents, and provide information about what was done in 1982 to address them. We trust that you will find it useful.

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I. Civil Rights Enforcement

Maine Human Rights Commission

Since its creation 10 years ago, the Maine Human Rights Commission has seen its jurisdiction increase significantly. In addition to its original jurisdiction over complaints of employment discrimination based on race, religion, national origin, and age, the areas of sex, pregnancy, physical and mental handicap and mandatory retirement have been added. The Commission also has broad jurisdiction over housing, public accommodations and credit discrimination. However, these areas generate relatively few complaints.

In 1982 the Commission had a case load of almost 500 (463 of which alleged employment discrimination) and a staff of 10. The case load has increased more than 50 percent in the last year. Patricia Ryan, the Commission's Executive Director, reports that the complaints have risen in all categories but the greatest increase was in those cases alleging physical handicap discrimination. While sex discrimination complaints are still the most common, Ryan reports that 25 percent of the complaints filed in 1982 alleged physical handicap discrimination.

The Human Rights Commission is funded in part by State funds (40 percent) and in part by Federal funds from the Equal Employment Opportunity Commission (EEOC) (almost 50 percent), and a small amount comes from the Department of Housing and Urban Development. The Human Rights Commission receives no money from the EEOC for handling handicap discrimination complaints, which make up a quarter of the case load. Because of a decrease in Federal funds, the Commission's staff has decreased from a previous high of 13.

Its jurisdiction in housing discrimination was expanded by the 1981 law prohibiting discrimination in housing against people with children. Since September 1981, the Commission has received about 20 such complaints. The Commission's executive director believes this low number is due to the fact that the law was not well publicized and because of the numerous exemptions it provides landlords. The law requires that landlords register before they are covered by the exemptions. Landlords have been slow to register, but requests are increasing since the Commission announced its first finding of violation of the law.

Racially Motivated Criminal Activity

In the last few years acts of violence and vandalism, such as cross-burnings and desecration of synagogues motivated by racial or religious hatred, have increased nationwide. There has also been a resurgence of the Ku Klux Klan (with Connecticut the key target for Klan organizing in New England). However, until last year there was

little evidence of racially or religiously motivated incidents in Maine.

In October, 1982, three Bethel men were convicted of disorderly conduct in connection with the burning of a cross in late 1981 outside Gould Academy, a private school in Bethel. The three, wearing white robes, burned the cross and shouted racial epithets. Unlike many States, Maine has no law specifically designed to prohibit racially or religiously motivated violence or vandalism. In some States, such as Connecticut, cross-burnings are specifically outlawed. Thus, the men were charged only with disorderly conduct in connection with this incident.

Surprisingly, black high school basketball players, despite their small numbers in Maine, have been the subject of racial epithets, especially, during championship tournaments. The problem of racial slurs being directed at black players was especially egregious in 1982, and players from Gould Academy were a special target for abuse.

II. Equal Employment Opportunity

Court Cases

The use of female prison guards has been a controversial issue for the last several years. In 1979 women were first employed as guards at the Maine State Prison, and in 1980, a consent decree was entered into resolving the class action aspect of a sex discrimination case originally filed in 1977. In 1982, Superior Court Justice Jesse Briggs granted a motion filed by inmates to set aside the consent decree. The correction officers union intervened in support of this motion and the case then proceeded to trial. On January 13, 1983, Judge Briggs ruled that women guards must be employed in all areas throughout the prisons. In an attempt to balance the inmates' right to privacy and the female guards' right to employment, the judge ordered that "privacy screens" be installed in prison cells. The Department of Corrections has appealed the decision to the Law Court, Maine's Supreme Court. Meanwhile, the original plaintiff in this case pursued her case for back pay to the Law Court. The Court found that the Corrections Department could bar female guards only if it showed that no reasonable accommodation could be made to protect the male inmates' rights to privacy. It also found that liability for back pay had been incorrectly decided by the court below.

In another discrimination case involving the Department of Corrections, the Maine Superior Court found that the Department had unlawfully denied a job as juvenile court intake worker to a woman because of her age and sex. The Department was ordered to hire the woman, and to give her three years' back pay and retroactive seniority. The Department has also appealed that decision to the Law Court.

The first case raising the issues of the application of the Maine Human Rights Act's affirmative defenses -- "bona fide occupational qualification" and safety -- as they pertain to the handicapped has reached the Law Court. The Canadian Pacific Railroad has a policy of not employing anyone who suffers from any of the conditions considered by the railroad to be a handicap. Apparently this policy is based on the possibility that these persons pose a potential health and safety risk to the railroad. The case was brought by the Maine Human Rights Commission on behalf of two persons who were rejected for employment and one who was terminated by the railroad because of handicaps. One man had a previous back operation, another had a presystolic heart murmur and the third, employed as a cook's helper, wore a leg brace. All three had been declared by their own physicians, and, in two of the three cases, by the railroad's doctors, to be physically able to perform their jobs. After a trial in 1981, the Superior Court judge found that the railroad's action did not violate the Maine Human Rights Act. The case was appealed to the Law Court where oral argument was heard in July 1982. A decision is expected soon.

Employment Program for Women on Welfare

Maine has begun to implement the Comprehensive Job Opportunities Act of 1981, which emphasizes training and education for AFDC recipients. Shortly after the law was passed, a report entitled Women, Work and Welfare was issued by the Work Opportunities Committee, a group consisting of representatives from government and private organizations. The report called for major changes in the State's approach to work and welfare. In April 1982, a new program, "Welfare, Employment, Education, and Training" (WEET), was begun. Financed in part by Federal funds, it is a national demonstration program. The WEET staff identifies available services and training programs for welfare recipients and provides them with individualized assistance in securing training and, ultimately, jobs. The WEET program could provide assistance to welfare mothers in finding and paying for child care and transportation when they are looking for jobs. According to WEET Project Director Diana Scully, 525 AFDC recipients secured employment and 334 left the WEET program, having found employment, during the program's first six months (April 1 through September 30, 1982), the only period for which statistics are available at this writing.

III. Equal Access to Housing

Financed by a grant from the Federal Department of Housing and Urban Development, the Maine Human Rights Commission conducted a campaign to publicize the Maine Fair Housing Laws in late 1981 and early 1982. The campaign consisted of public service announcements on radio and television, brochures explaining the law, and seminars.

A second HUD grant received in 1982 is being used to educate real estate brokers and agents on their obligations under the housing discrimination laws. The Maine Public Broadcasters' Association, the Center for Real Estate Education at the University of Southern Maine and the Maine Human Rights Commission are collaborating to produce a three-hour training program on discrimination to be used for training future brokers. Shorter video cassettes on the same subject will also be produced. Once these materials are ready they can be used by groups protected by the laws, as well as for the education of realtors. It is expected that in the future the Broker Licensing Commission will examine prospective brokers on their knowledge of fair housing laws.

IV. Legislative Action Concerning Civil Rights

Few bills to advance the civil rights of minorities, women, the aged and the handicapped were considered during the 1982 legislative session. Perhaps the most important legislation affecting civil rights involved the removal of the "sunset provision" from the State's domestic violence law. This statute allows victims of domestic assaults to secure protective orders from the courts and enforcement of those orders by the police. When the law became effective in 1980, it contained sunset provisions which would have automatically repealed the entire law in 1983. The legislature's action in removing these sunset provisions has the effect of making the domestic violence law permanent.

A weakened version of a bill regulating a town's authority to ban group homes for the mentally retarded or developmentally disabled was passed by the legislature. As originally drafted the bill gave the Commissioner of Mental Health and Retardation the authority to prevent municipalities from using zoning regulations to ban these group homes. The version which ultimately passed allows a zoning board to deny a group home only after the board makes a determination that the home would add to traffic and congestion problems, or that it would not comply with safety codes. The new law precludes discrimination against group homes simply because they are group homes.

A bill permitting deaf persons to sit on juries was withdrawn from legislative consideration after the Maine Court Administrator agreed to add a notice to the questionnaires sent to prospective jurors that handicapped people were "not automatically prevented" from serving on juries. The notice would give handicapped prospective jurors who want to serve and who believe they are capable of serving the option of being called for jury duty. However, once called, the prospective jurors could still be challenged by lawyers as being unable to serve because of their handicap. Sponsors of the bill believed that the new notice to prospective jurors eliminated the necessity to enact a law on this subject.

A bill giving the same rights and privileges to hearing impaired people who use "hearing ear" dogs as blind people who use seeing eye dogs passed the legislature.

A proposal to weaken the employment discrimination protections for handicapped persons in the Maine Human Rights Act failed to pass. This bill, sponsored by the Associated Industries of Maine but vigorously opposed by the AFL-CIO, the Maine Association of Handicapped Persons, the Maine Human Rights Commission and others, would have removed the protection the handicapped now have to be treated as individuals by employers.

V. Rights Recognition and Government Benefits

Native Americans

In December, 1980, Congress approved and the President signed the appropriations bill funding the Maine Indians Claims Settlement Act which finally resolved the complex Indian land claims cases. Under the settlement agreement a total of \$81 million was to be made available to the Passamaquoddy and Penobscot Indian tribes. Of this, \$54.5 million was made available for the acquisition of 300,000 acres of land, and an additional \$27 million for the establishment of a trust fund to be administered for the benefit of the Penobscot and Passamaquoddy tribes. Under the settlement agreement the Houlton Band of Maliseets received about \$1 million. The settlement also contained extensive provisions concerning the relationship between the tribes and State government. For example, the State agreed that the tribes would have the right to establish tribal courts to handle misdemeanors. This settlement was one of the largest ever achieved by any tribe in claims against the Government for loss of aboriginal lands.

The tribes have since been buying land and deciding on its use. The Penobscots have purchased 140,000 acres of the 150,000 acres they are allowed under the agreement. The Passamaquoddies have purchased about 57,000 acres of their allotted 150,000 acres. According to Ralph Dana, Passamaquoddy Governor from Pleasant Point, the tribe is using its funds from the settlement to invest in businesses such as blueberry farms. According to Dana, this is proving to be a profitable investment.

Timothy Love, Penobscot Governor, reports that his tribe is using much of the stubbage income from the forest land it purchased to pay for ordinary municipal services such as street lights, recreation services, sewage treatment and lawyers' fees. Individual tribe members are receiving quarterly payments of about \$250 which is their share of the interest on the \$27 million trust fund. The amount varies from quarter to quarter depending on interest rates. Tribal leaders maintain that it will be a long time before the tribes will earn their living from the land and investments. Meanwhile, unemployment among Penobscots is about 20 percent, and for the Passamaquoddies it is about 67 percent.

Tribal committees are developing land use policies, and are attempting to get the State to comply with its part of the agreement. Governor Love asserts that the Penobscots have had problems with the State complying with certain terms of the agreement. Though the agreement calls for the continuation of the Tribal Housing Authority, the State has failed to appropriate funds to administer it. Prior to the settlement, the State funded the Authority's management costs. This issue of interpretation of the settlement agreement is now pending before Federal Court. Another

problem arising under the agreement is the Governor's failure to request an appropriation for the Indian Scholarship Program. This scholarship fund, which had been in effect for many years, provides money to needy Indian children for college. If the State Scholarship Program is not funded, all the tribes, even those like the Micmacs, who are not a party to the agreement, are affected.

The Indians also believe that the State has not lived up to its commitment involving the tribes' right to send persons to county jails for incarceration. Love says that the agreement calls for the State and the tribes to respect each other's court systems. However, the Penobscot County Sheriff has said that the county does not have to accept prisoners sent by the tribe. Under the agreement, the Penobscots have the authority to impose sentences of up to six months in jail. The county's refusal to accept individuals sentenced by the tribe renders this right meaningless, asserts Love. Negotiations with the Attorney General's Office are underway to resolve this problem.

The Micmacs are beginning the process of seeking Federal recognition, and four conferences of Micmacs to discuss this issue were held in Maine and Boston in 1982. During the year, various local committees were established by Maine Micmacs to organize toward Federal recognition. A 120-page Micmac Recognition Resource Manual was produced in April, 1982, and a monthly Micmac newsletter has been published since October, 1981.

Micmacs in Maine were not included in the Maine Indian Land Claims case because they are a border tribe with much of their aboriginal territory in Canada, and, perhaps more significantly, because the Micmac community had not organized to deal with the legal and political issues involved. After the Land Claims Settlement which benefited the Penobscots, Passamaquoddies and the Houlton Band of Maliseets, the Micmacs began their organizing efforts. (The Settlement indirectly hurt the Micmacs because, following its signing, Maine abolished its State Department of Indian Affairs which had previously provided services and programs.)

There are several avenues the Micmacs might pursue to obtain Federal recognition, including filing a Federal Acknowledgement Petition and utilizing the Indian Reorganization Act. A requirement for both is the measuring of individual "blood quantum" -- each Micmac must establish that he/she is the descendant of at least two "full-blood" Micmac grandparents or one full-blood Micmac parent. This requires detailed documentation and time-consuming geneological research which has been underway since October, 1981. Given the established minimum "blood quantum," the Federal government would recognize individuals as Micmac Indians eligible for a number of services through the Bureau of Indian Affairs. Recognition of individuals would be the first step toward gaining eventual tribal recognition for the Micmac people living in Maine.

Traditionally, Micmacs were migratory, a pattern they continue today, making organizing efforts extremely difficult. In order to qualify for Federal recognition as a tribe they will have to prove established tribal authority and organization. Because of their migratory nature this will probably take a long time and be difficult.

There are 4,500 Micmacs in the United States and approximately 9,000 in Canada, making them one of the largest tribal groups in the East. Micmacs bands are officially recognized by Canada but not by the United States. There are almost 800 Micmacs living permanently in Maine, about 560 in Aroostook County and another 230 in Southern Maine.

State Equal Rights Amendment

When the Federal Equal Rights Amendment was not ratified by the required 38 states by the June 30, 1982, deadline, the Maine Commission for Women decided to look into the possibility of adding an Equal Rights Amendment to the Maine State Constitution. A Maine State ERA Steering Committee was organized and drafted a proposed amendment. This group, chaired by Julie Motherwell of Falmouth, is composed of representatives of women's, labor, church, and political organizations. Governor Brennan announced his support of the effort and has made it part of his 1983 legislative package. The amendment, which has been introduced in the 1983 legislative session, appears to have broad support and its sponsors anticipate little trouble in achieving legislative approval.

The procedure for amending the constitution is more complicated than for the enactment of legislation. Proposed amendments must be approved by two-thirds of both the House and the Senate. The amendment must then go to a referendum and be passed by a majority of the voters. This referendum could take place in either November 1983 or 1984.

Indo-Chinese and Other Refugees in Maine

Since 1975 an estimated 650,000 refugees from Southeast Asia have entered the United States. According to figures provided by the New England Regional Office of the Federal Refugee Resettlement Program, about 25,000 Vietnamese, Laotian and Cambodian refugees now reside in New England, ranging from 14,000 in Massachusetts to 270 in Vermont. Refugees have also come to New England from other countries including Poland, the Soviet Union, Afghanistan and Nicaragua.

The Refugee Act of 1980 passed by Congress provides that a Refugee Resettlement Program be established in each State to provide assistance to the refugees in their adjustment to life here. Refugees enter the State after a sponsor, usually a church group, is found for them. The sponsor meets the refugee family or individual,

secures housing and pays the first month's rent, furnishes the apartment and provides clothing. The sponsor also works closely with the refugees for their first few months in Maine helping them enroll in school or find jobs and secure medical services.

In Maine, the Refugee Resettlement Program, an affiliate of the U.S. Catholic Conference, has a grant to coordinate services for refugees for their first 90 days in the State. The State Refugee Resettlement Program also assumes some of the responsibility for providing assistance to the refugees. All adult refugees participate in an intensive English language training program where they receive individual tutoring two hours a day for three months and also receive employment counseling and job placement services.

David Stauffer, Maine State Coordinator for the Refugee Resettlement Program, states that there are about 1,100 refugees in Maine and that the numbers did not increase as rapidly in 1982 as in previous years. For the first time in recent years, non-Indo-Chinese refugees came to Maine. By year's end there were about 100 Polish, Afghanistani and Cuban refugees in the State. Of the approximately 1,000 Indo-Chinese refugees now in Maine about 600 are Vietnamese, 150 are Laotian and another 250 are Cambodians.

Accessibility of Maine's Courthouses to the Handicapped

In November, the Maine Association of Handicapped Persons (MAHP) filed a class action suit in Federal court against the State of Maine alleging that most of the State's courthouses are inaccessible to people in wheelchairs. Laura Pawle, State Organizer for the MAHP, explains that the suit arose when MAHP members who wanted to attend the Maine Supreme Court hearing on a handicap discrimination case discovered that the Portland courthouse was inaccessible to wheelchairs. In preparing the case MAHP utilized a survey conducted by the Governor's Committee on Employment of the Handicapped which found the overwhelming majority of courthouses -- district and superior courts -- to be inaccessible. Prior to filing suit, MAHP representatives had several meetings with State officials to develop a plan "to eliminate the barriers from our courthouses," states Lena Muldoon, President of the MAHP.

Handicapped People Protect Their Rights

In 1982, MAHP continued its efforts to protect the rights of handicapped persons. It conducted campaigns to oppose weakening the regulations governing two important Federal laws protecting the handicapped: Section 504 of the Rehabilitation Act of 1973 and the Education of All Handicapped Children Act (commonly referred to as "PL 94-142"). Section 504 requires that all programs receiving Federal funds must be accessible to the handicapped, and PL 94-142 provides financial assistance to States on an entitlement basis to fund "free appropriate education" for all handicapped children.

MAHP launched a four-month statewide campaign in opposition to the proposed changes in the 504 regulations. Between March and July it collected 20,000 signatures, staged rallies, convened forums, called news conferences, and organized a day of protest, in opposition to the weakening of the 504 regulations. The campaign culminated in a trip to Washington where 10 MAHP members met with the Executive Director of the Federal Regulatory Reform Task Force and presented him with the 20,000 signatures. As of this writing, the proposed changes to the 504 regulations have not been released.

The U.S. Department of Education, which administers PL 94-142, had drafted revised regulations, and Secretary of Education Terrell Bell was scheduled to release them on August 3. On August 2, the MAHP held a news conference criticizing the proposed regulations. The Association was instrumental in causing the U. S. Department of Education to relocate its September 13 public hearing in Portland on the proposed regulations, because the hearing site was not accessible to the handicapped. Some of the provisions most strongly opposed by MAHP and other advocates for the handicapped have been deleted. The Department of Education is still reviewing the comments submitted on the proposed revisions.

VI. Elections, 1982

Women, blacks and Hispanics made measurable gains in representation in the U.S. Congress. The 98th Congress will have more women and minorities than any before it. Women increased from 16 to 21, blacks from 18 to 21 and Hispanics from 7 to 11. Across the nation, women increased their representation in State legislatures from 12 to 14 percent.

However, no such increase occurred in Maine's November 1982 elections where the number of women elected to the legislature decreased by 1. The 35 women (23 percent) who were elected to the 151-member House of Representatives is one fewer than last term. The number of women in the 33-seat Senate remains the same at 6 (18 percent). Of the 70 women candidates for State legislature, 41 won. No minority candidates ran for the State legislature or for any State or national office. Thomas Andrews, the Executive Director of the Maine Association of Handicapped Persons, and himself handicapped, was elected to the House of Representatives from a Portland district.

Congresswoman Olympia Snowe won re-election to one of Maine's two congressional seats but, otherwise no women ran for major office in Maine.

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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This report was researched and written by Mary Lee Walsh, with clerical support from Sylvia Cooper. The project was undertaken under the overall supervision of Jacob Schlitt, director, New England Regional Office.

U.S. COMMISSION ON CIVIL RIGHTS

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