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U. S. COMMISSION ON CIVIL RIGHTS

VIRGINIA ADVISORY COMMITTEE

STATEWIDE CONFERENCE ON CIVIL RIGHTS
COMPLAINTS AND COMPLIANCE

November 13th, 1983

The conference was held in the Richmond Room,
Holiday Inn-Midtown, 3200 West Broad Street,
Richmond, Virginia, at 6:00 p.m., Curtis W. Harris,
Chairperson, presiding.

PRESENT:

- CURTIS W. HARRIS, Chairperson, V.A.C.
- ANTHONY L. AZORES, Member, V.A.C.
- DOROTHY J. BURKHARDT, Member, V.A.C.
- VINCENT F. CALLAHAN, JR., Member, V.A.C.
- BERTHA (KIKA) SILVA PLA, Member, V.A.C.
- MAYA HASEGAWA, Member, V.A.C.
- JESSIE M. RATTLEY, Member, V.A.C.
- CARLYLE C. RING, JR., Member, V.A.C.
- REV. JAMES E. VAUGHAN, Member, V.A.C.
- DOUGLAS J. WILCOX, Member, V.A.C.
- BARBARA WURTZEL, Member, V.A.C.

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P R O C E E D I N G S

1
2 CHAIRMAN HARRIS: Good evening, ladies and gentle-
3 men. We welcome you to the State Conference On Civil
4 Rights Complaints and Compliance. I'm Curtis Harris,
5 Chairperson of the Virginia Advisory Committee of the
6 U.S. Commission on Civil Rights.

7 This committee, the Advisory Committee, is
8 the sponsor of this conference.

9 The U.S. Commission on Civil Rights still is
10 an independent bipartisan factfinding agency established
11 by Congress in the Civil Rights Act of 1957.

12 As some of you know, there's been some discus-
13 sion as to whether or not the Commission is going to
14 function past the 29th of this month. It has been reported
15 that a compromise has been reached, and that the Commission
16 will be in business past the 29th. That a part of the
17 compromise is that it will be established, or reestablished
18 for six years.

19 The Commission has established Advisory Committees
20 in each state and the District of Columbia to assist
21 in factfinding, investigatives, and clearinghouse work.

22 The Virginia Advisory Committee is composed
23 of citizens who are familiar with local and state civil
24 rights problems. They serve without compensation. Among
25 its mandates, the Virginia Advisory Committee is authorized

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1 to study legal developments constituting a denial of
2 equal protection of the laws, and the Constitution,
3 because of race, color, religion, sex, national origin,
4 age, or handicap, or in the administration of justice.

5 Other members of the committee present--and
6 some are absent this evening--but as I call the names,
7 will you please stand and remain standing until I will
8 have called the entire Advisory Committee.

9 Anthony Azores of Vienna. Dorothy Burkhardt
10 of Hurt. Vincent Callahan, Jr. of McLean. Bertha (Kika)
11 Silva Pla of Richmond. Maya Hasegawa of Richmond.
12 Jessie M. Rattley of Newport News. Carlyle C. Ring,
13 Jr. of Alexandria. Rev. James E. Vaughan of Norfolk.
14 Douglas J. Wilcox of Fredericksburg. Barbara Wurtzel
15 of Mannican.

16 Thank you very much.

17 The staff of the Midatlantic Region Office of
18 the U.S. Commission on Civil Rights, which region we
19 are in, are here to assist the Virginia Advisory Committee,
20 and they are as follows. I think they're all--I've seen
21 them all. I hope they're all in the room. Ed Rutledge,
22 Regional Director. Is Ed present? He's around here some
23 place. Ed Rutledge, at the door, just coming in, is
24 our Regional Director.

25 Robert Owens, Regional Attorney. I think Robert

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1 is down helping in the registration. Wanda Hoffman,
2 Field Representative. Wanda is not in the room. Most
3 of these staff people are doing what they're supposed
4 to do: help to keep the conference going.

5 Barbara Stafford, Executive Secretary. I know
6 she's down in the other room. That's Wanda coming in
7 the door. Barbara is helping to register the people.

8 The proceedings of this conference are being
9 recorded by a court reporter. All of the conference.
10 He has two tape recorders, and will not miss sixteen,
11 eighteen minutes, or twenty minutes, or whatever is
12 going on. Everything will be recorded.

13 The reporter is Mr. Miles Anderson.

14 For persons who may be hard of hearing, the
15 proceedings will also be interpreted by two persons,
16 Mrs. Harriet Ropelewski, who is now at the table, and
17 Miss Pat Isaacs, who sits over here, to assist her.

18 These persons are supplied to us by the Virginia
19 Council for the Deaf, in Richmond. We thought, and we
20 may have, before we're finished, Rev. James E. Vaughan,
21 who's a member of the Advisory Committee, and also a
22 member of the Virginia Advisory Committee for Norfolk's
23 T-TAC Television, Incorporated. He will be here, hope-
24 fully, before we're finished, to do a videotaping of
25 the conference. At this time, Carlyle C. Ring, Jr.

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1 will explain the purposes of our conference.

2 MR. RING: Thank you, Rev. Harris, and welcome
3 to all of you. Our country is a nation that has ideals.
4 We have a commitment to embracing all within our land
5 with love, and affection, and caring, and to have equality
6 and justice for all. But like many ideals, one must
7 constantly work in order to achieve them.

8 And the purpose of this gathering is to work
9 towards the ideal, to do a better job here in Virginia,
10 in identifying where we're falling short of the mark,
11 and where we need to do more, and to try to identify
12 where we can do more, and how we can do it better.

13 Virginia currently is one of six, only six
14 states in the United States, that does not have a compre-
15 hensive civil rights, human rights law, prohibiting
16 discrimination based on race, color, national origin,
17 religion, sex, age, and handicap.

18 In the light of the fact that we are in that
19 very small minority, the Virginia Advisory Commission
20 has previously recommended, after a study, that Virginia
21 should seriously consider the adoption of such an act,
22 and should establish a statewide human rights commission.

23 The purpose of our gathering here at this time
24 is threefold. First, to identify, through you, and your
25 participation, the types of civil rights problems that

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1 exist in Virginia, and that need attention. Secondly,
2 to look at how well the existing state and local laws
3 are addressing those needs, and those problems. And thirdly,
4 to examine the provisions of a model act, which you have
5 in your folders when you registered, to see to what degree
6 that might be a partial solution to the problems that
7 have been identified during the deliberations of this
8 conference.

9 I serve in sort of a dual capacity, in that
10 I have been appointed for a number of years as one of
11 three Virginia commissioners to the National Conference
12 of commissioners on uniform state laws.

13 Shortly after the 1964 civil rights act was
14 passed, that national group undertook to draft a model
15 act, that implemented, at a state and local level, the
16 provisions of the 1964 civil rights act.

17 That has served as a model for the other forty-
18 five states that have adopted a human rights act.

19 However, that act has gotten somewhat out of
20 date, and through the good offices, at our request, of
21 the University of Washington and Lee, and the University
22 of Virginia law schools, they have examined the various
23 acts that have been adopted in other states, and have
24 attempted to pull out the best provisions that existed
25 in those other states, as a possible model for a Virginia

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1 human rights act. And as you review those provisions,
2 we would like to have your comments. And it is in that
3 capacity, as now the first Virginian ever to serve as
4 president of that national conference, that I present
5 to you this model act for your comments, and for your
6 reactions.

7 And based upon those reactions, and those comments,
8 and the identification of needs, the Virginia Advisory
9 Committee will review the information that has been obtained,
10 and will prepare a report to the U.S. Commission on Civil
11 Rights early next year.

12 Individuals and groups that wish to submit written
13 materials to the Virginia Advisory Committee, on civil
14 rights complaints, and compliance problems in Virginia,
15 are invited to do so.

16 And, of course, throughout this conference,
17 we hope that you will feel free to participate in the
18 discussions of each of the topics, and share with us
19 your experiences, and your viewpoints.

20 I want at this time to introduce to you
21 Anthony Azores who will now introduce the keynote speaker.

22 MR. AZORES: Thank you, Carlyle. Mr. Chairman,
23 distinguished guests, ladies and gentlemen, good evening.
24 Allow me at the outset to express my grateful apprecia-
25 tion for having the honor of introducing our keynote

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1 speaker for this evening, to our charming and dynamic
2 field representative, Wanda Hoffman.

3 We are indeed quite fortunate to have with us
4 this evening, one who is eminently qualified to speak
5 on the subject, "Building the Inclusive Community." Presently,
6 Rev. Frederick S. Lowry is the Director, Community Ministry
7 of Fairfax County.

8 The Community Ministry is composed of represen-
9 tatives of thirty-four churches, and twelve denominations
10 across the country.

11 It is a public ministry which seeks to bring
12 the human and spiritual resources of the congregations
13 to bear on the decisionmaking processes which affect
14 life in Fairfax County.

15 As a social policy research and action group,
16 the Community Ministry has most recently been working
17 with youth, aging, housing, and criminal justice.

18 I have no doubt in my mind, at all, that our
19 next few minutes, listening to our keynote speaker, will
20 prove to be a beneficial and rewarding experience to
21 all of us, and will enable us to be more knowledgeable
22 and well informed of what inclusive community really
23 means, and the modus operandi in building the same.

24 In the next months to come, as is usual in any
25 election year, we can expect to hear more and more speeches

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1 from politicians, Democrats and Republicans alike. Tonight,
2 ladies and gentlemen, it is my pleasure, and my privilege,
3 to be able to present to you a speaker, not from the
4 Senate, not from the House of Representatives, but from
5 the House of God. The Rev. Frederick S. Lowry.

6 MR. LOWRY: Thank you, Mr. Azores for your very
7 kind and generous words.

8 Rev. Harris, and members of the Virginia Advisory
9 Committee, and all of those who are gathered here this
10 evening, I appreciate the opportunity to be with you.
11 I look forward to becoming much better informed about
12 the situation as it exists, and also, about some of the
13 things that we can do about it.

14 So it is a pleasure for me to be with you. I
15 once had, when I was in grade school, several decades
16 at least ago, a book called Experiment In Democracy,
17 and it seems to me, that that's one of the most helpful
18 ways of considering what indeed our country is all about.

19 We haven't made it yet. We've made a beginning.
20 But whatever else can be said about it, we are in process.
21 It is indeed an experiment in democracy, and any kind
22 of experiment raises the possibility that there may be
23 a failure as well as a success.

24 So today, with that acknowledgement, perhaps
25 it's doubly appropriate for us to celebrate some kind

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1 of success. First of all, we're all here, and that's
2 a good thing. Second of all, or maybe even first of all,
3 the Commission is still around, and that's a good thing.
4 And there are a number of forces at work toward the direc-
5 tions in which we are interested in going, are moving
6 us that way, and that's a good thing.

7 Some years ago, at the time of the Pilgrims,
8 there was as you know the Mayflower Compact, which was
9 touted, and is today, held up as an extraordinary document
10 because a group of people banded together for the common
11 good to institute self government.

12 But there are things that have gone wrong with
13 that, and have not always been appropriate. And it's
14 somewhat interesting to briefly trace some of those things
15 that happened, because you know of what happened with
16 the Massachusetts experience.

17 Some of that was a good thing, and some of it,
18 from our perspective today, we might say was rather restric-
19 tive, if not even lethal.

20 Nevertheless, things began to develop from that.
21 I was originally from Rhode Island, and well aware that
22 Roger Williams, who had been banished from Salem, and
23 Plymouth before that, went to found a colony, because
24 he felt that there should be a shelter for persons
25

1 distressed in conscience, who didn't fit in, and so he
2 founded what came to be called the State of Rhode Island,
3 and Providence Plantations.

4 Ann Hutchison, who had the habit of holding
5 discussions in her parlor after church, and criticizing
6 ministers, found herself banished from the Bay Colony,
7 and she too fled to Rhode Island.

8 Roger Williams, who had founded the colony because
9 of religious persecution, was somewhat apprehensive about
10 being liberal enough to allow even Quakers in his midst,
11 and although he did allow it, an uneasy period existed
12 for a long time.

13 On and on the story goes. Those folk who believe
14 they have made it in to the perfect group, and the perfect
15 colony, find out, in retrospect, that they really have
16 been somewhat exclusive, and wherever society deliberately,
17 or unwittingly conspires to exclude people, that's where
18 democracy is breaking down, and we have an obligation
19 to repair, and rebuild, in a more adequate way, in the
20 midst of our experience.

21 A Chicano farm worker friend with whom I was
22 working on the West Coast, once observed, and pointed
23 out very clearly to me, that majority rule, that great
24 principle of democracy, can easily become the tyranny
25 of the majority if one is in the minority. And when

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1 majority rule, and majority indifference is used as a
2 smokescreen to cover up oppression, then it's time to
3 assert the principle of the Bill of Rights, and the inclu-
4 siveness of society.

5 There is along with this, of course, the under-
6 standing, that as we develop what we should be as an
7 inclusive society, there is a greater opportunity for
8 an intercultural appreciation, which is apparently feared
9 by so many folk, is precisely the kind of thing that
10 can open us up to appreciate each other, and to understand
11 ourselves better.

12 My wife happens to be an ESL, English as a second
13 language teacher, in a public school, and around the
14 time of the Chinese New Year, they got themselves a dragon.
15 And these kids, elementary school kids, who, many times,
16 because of their language primarily, but also, often
17 because of their race, and the mixture of kids they are,
18 who find themselves, if not persecuted, at least the
19 object of some kind of ridicule from their fellow students,
20 put on their dragon. And someone was the head, and all
21 the rest of them were the tail.

22 And they walked around the school, and they
23 made a visit to all the classrooms, and walked around
24 all the classes. And there was an extraordinary difference
25 as these kids, Vietnamese, Chinese, South American,

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1 European, African, all of them part of the dragon, cele-
2 brating that day. And they became, for that moment at
3 least, the object, or, the agency for people looking
4 to see something exciting going on, of admiration, of
5 hope, and of possibility.

6 There is more and more opportunity for us to
7 participate in cross-cultural understanding, and unless
8 we do, we will find ourselves participating in a kind
9 of cultural ingrownness, which is certainly harmful to
10 what democracy could be about.

11 Many of you I'm sure have worked for years
12 with voter registration. I know I've spent long times
13 with the thirty-one articles of the Mississippi constitu-
14 tion, trying to help people understand what it was,
15 trying to understand it myself, and then trying to go
16 down to the courthouse to see what would happen.

17 And often it didn't make much difference. But
18 they didn't ask much about that to white folks. And
19 there was a change brought about, and it didn't happen
20 because of inaction; it happened essentially because,
21 not only of public opinion, but it happened because
22 of legislation.

23 When we worked with Chicano farmworkers, and
24 came to find out, that the English language requirements
25 in the State of Washington for voting, were there

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1 principally to exclude immigrants, because they'd been
2 initially put there to exclude Chinese, we thought at
3 first, maybe there was something to this. Maybe they
4 were telling us they needed an informed electorate.
5 And then you began to look at the map, and where were
6 the English language requirements, and the English language
7 tests. They were around on the border states. They were
8 there specifically to exclude those people who were
9 new citizens, and had newly come to the country.

10 Or in areas where Indians are not permitted
11 to vote at all. And certainly within my lifetime, and
12 within yours, many states have passed legislation allowing
13 Indians to vote.

14 What a presumptuous thing. Or the Japanese-
15 American folks that we've worked with, and lived with,
16 especially in Wapeta, I recall, and in Yakima Valley.
17 These folks who, those who lived on one side of the
18 Columbia River had all been in detention camps, and
19 the others on the other side of the Columbia River hadn't.
20 What kind of a country is this, or what is the country
21 doing about it now?

22 In 1963, John Kennedy introduced sweeping legi-
23 slation designed to deal with education, voting rights,
24 employment discrimination, and above all, with exclusion
25 from public accomodations.

1 It was, of course, President Kennedy that
2 introduced this, and later, when the composition of
3 the Congress changed, it was President Johnson who was
4 unable to get it through the Congress.

5 But he said, at that point, "I shall ask the
6 Congress to make a commitment it has not fully made
7 in this century, to the proposition that race has no
8 place in American life or law."

9 And perhaps this is something we should say
10 here in our own state. We should ask the commitment
11 of the General Assembly, and of the people of this Common-
12 wealth, to make a commitment that it has not fully made
13 in this century, to the proposition that race has no
14 place in American life or law.

15 And of course not only race, but all of the
16 other persons that we are concerned with, who find them-
17 selves excluded or discriminated against.

18 The task of churches, it seems to me, if I
19 may be permitted a religious parenthetical statement,
20 and of other religious groups, and of other persons
21 across the width of society, is to share a vision, to
22 share a vision of what it would be like to live in an
23 inclusive society.

24 How would it be if the dream that Martin Luther
25 King described, so many years ago now, were actually

1 to be fulfilled? Is it not what we are seeking to have
2 happen? We can bring it about, and we can bring it about
3 on several levels.

4 One of them of course must be the legal level.
5 So many times it was told us, "You can not legislate
6 morality." And true, one can not legislate morality.
7 On the other hand, changes do come about because of
8 legislation.

9 But we can't stop there. We need the legislation.
10 I hope we'll get it. But we need also a good effort
11 on the part of all institutions and community. Schools
12 need to be more interculturally aware. Every kind of
13 organization has the opportunity to hold up to the world,
14 indeed, it's understanding that what things are all
15 about are inclusive rather than exclusive communities.

16 Dr. Martin Luther King in his letter from Birmingham-
17 ham jail was responding, in part, to some white ministers
18 in the city, who had deplored the demonstration there,
19 and had said that the police were doing their job to
20 keep order, and commended the police. And his reply
21 to them, which I have here, but I won't take the time
22 to read it all, is that "those folk who say that time
23 will just take care of everything are mistaken, in the
24 idea of what time is about. All Christians know, he
25 said, that people will receive equal rights eventually,

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1 but it's possible that you are in too great a religious
2 hurry." Dr. King did not say that; his correspondent
3 did. And his reply is: "Actually, time itself is neutral.
4 It can be used either destructively, or constructively.
5 And more and more, I feel that people of ill will have
6 used time much more effectively than have the people
7 of good will. We'll have to repent in this generation,
8 not merely for the hateful words, and actions of the
9 bad people, but for the appalling silence of the good
10 people. Human progress never rolls in on wheels of inevi-
11 tability. It comes through the tireless efforts of those
12 working to be co-workers, and without this hard work,
13 time itself becomes an ally of the forces of social
14 stagnation. We must use time creatively in the knowledge
15 that the time is always ripe to do right. Now is the
16 time to make real the promise of democracy, and transform
17 our pending national elegy in to a creative sum of brother-
18 hood--let us say personhood. Now is the time to life
19 in our national policy from the quicksand of racial
20 injustice to the solid rock of human dignity."

21 We have the need for a vision. We have the
22 opportunity to bring it about. And we have the means.
23 And it seems to me, that there is no reason why we can't
24 proceed on them.

25 Ramsey Clark, talking in the context of

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1 international human rights, made these observations,
2 and it seems to me that they apply to domestic rights
3 as well. He said, "What, then, are human rights? First,
4 there must be freedom from threats to life itself, and
5 on that level, war and its instrumentalities, capital
6 punishment, starvation, infant mortality, environment
7 pollution--all these things people cause, make do, and
8 fail to do, which kill people, violate the first human
9 right.

10 And second among human rights are those things
11 essential to support life. Nutrition, clothing, shelter,
12 population control, and health care are in the forefront.
13 Hunger and sickness are among the most degrading of
14 human adversities.

15 And third, after lifesaving and life supporting
16 rights, are rights to all those things essential to
17 fulfillment of the individual's potential. Education,
18 employment, and full opportunity to develop and utilize
19 genius and skills are basic human rights, and these
20 must be included in any meaningful agenda for human
21 rights.

22 In our interdependent, mass, urban, technological
23 society, the government must guarantee and help fulfill
24 these rights."

25 Again, on the level of schools, on the level

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1 of employment, on the level of religion, on the level
2 of laws, all of society needs to reflect what it is
3 to live in the inclusive community. What extraordinary
4 opportunities have opened up to us, indeed, in terms
5 of the whole fabric of democracy, as we begin to realize
6 things about Black history that many of us did not know
7 twenty and thirty years ago.

8 What extraordinary new vitality--I must tell
9 you this--has come in to churches as a result of feminist
10 and liberation theology, especially among clergy, male
11 clergy, who suddenly see women saying to themselves,
12 that they too would like ordination, and believe this
13 is important. And it has sent many a male clergy person
14 scurrying to find out -- "Well, my goodness, if it's
15 all that important, what is it that we're up to anyway?"

16 And there's been a lot of excitement and ferment
17 coming there. Or realizing the implications of an inclu-
18 sive society includes all folk. It includes older people.
19 It includes younger people. It includes handicapped
20 people.

21 And once again, a religious allusion. The Koran
22 community thought of itself as an inclusive community,
23 and the ideal prototype of what the world was to be.
24 As we look at it now, it's rather strange. It was a
25 group of men. There were women and children, but

1 they were on the edge of the community. No one who was
2 beyond a certain age was allowed to be in it. No one
3 who was handicapped was allowed to be in it. And they
4 worked and studied, and presented themselves as what
5 life should be like.

6 All of our religious traditions, it seems to
7 me, in their best, have a counter picture to this. The
8 New Testament, for one, speaks of including the shepherds
9 who in those days were notorious for stealing the sheep,
10 and were not at all the pastoral folk who were pictured
11 on the Christmas cards.

12 It makes exclusive reference to children, and
13 their being included. If reference to handicapped were
14 omitted, there wouldn't be much left. We even have a
15 story about a building which was not handicapped accessi-
16 ble, and they had to let somebody down through the roof.

17 We have stories about how folk in the New Testa-
18 ment, or rather, in the early Christian community related
19 to women.

20 And we also have stories that the inclusive
21 community is inclusive, not only of the immediate commu-
22 nity, but those who are outside the community by far.
23 Those who are not, those who are traditionally, in this
24 case religious, are members of the community, and the
25 leaders commend them as being more faithful to what

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1 the inclusive community is about, than are those who
2 profess it in more traditional ways.

3 That's only one religious tradition, but all
4 of our religious traditions, it seems to me, point in
5 that direction.

6 We're in an exciting time. As Rev. Harris observed
7 earlier, we are indeed celebrating tonight, rather than
8 eulogizing. This is a good thing.

9 We have opportunity before us. We have articulate
10 folk. We have people who know the difference between
11 what's right and what's wrong, and can say it. And we
12 have ways and means, it seems to me, of holding up to
13 the whole commonwealth, those things which are important.
14 Those things which are lasting; those things which will
15 matter about the community, and about the state.

16 There is a whole range of values which seem
17 to determine people's actions. Some of them are not
18 terribly helpful, but they're pursued intensively.

19 It would do us all well, I think, to point
20 out, that the value of the inclusive society may be
21 the ultimate way that we can lead toward our own develop-
22 ment, as well as providing for the potential of all
23 of the human souls that live here.

24 In conclusion, a line that comes, again, from
25 Dr. King's letter from Birmingham jail. "Let us all

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1 hope, that the dark clouds of racial prejudice will
2 soon pass again--and I would put all kinds of prejudice--
3 and the deep fog of misunderstanding will be lifted
4 from our fear-drenched communities, and, in some not
5 too distant tomorrow, the radiant stars of love, and
6 brotherhood, and sisterhood, will shine over our great
7 nation with all of their scintillating beauty." Thank
8 you.

9 CHAIRMAN HARRIS: I want to thank Rev. Lowry
10 for his provocative statement to us this evening, and
11 with great hope, and anticipation, it will set the gauge
12 for our forthcoming conference.

13 For the remainder of this evening, members
14 of the Virginia Advisory Committee would like to hear
15 persons in the audience, hear them speak briefly about
16 the types of civil rights problems they feel should
17 be addressed by the state and local levels of government
18 in Virginia, and why.

19 First, we would like to hear from representatives
20 of civil rights and human rights groups in the state,
21 and then from others, as time allows.

22 Microphones have been set up in places in the
23 audience, and a list has been compiled, and your names
24 will be called, and you may proceed to the microphone.

25 But before we get in to that, we would call, at this

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1 time, on attorney Robert Owen, who will give us, or
2 advise us concerning certain procedures. Attorney Owens
3 is Regional Attorney for the Midatlantic Regional Office
4 for the U.S. Commission on Civil Rights. I call on attorney
5 Owens at this time.

6 MR. OWENS: I want to thank you, Rev. Harris,
7 and I'd also like to thank Rev. Lowry for setting the
8 stage for tonight's activity. At this point, we've reached
9 that stage of the agenda, where those of you who represent
10 various civil rights groups, and those of you who simply
11 have individual stories to relate, will be afforded
12 an opportunity to speak to this body.

13 However, prior to doing so, there are one or
14 two things that I'd like to simply point out. They are
15 matters of formality, and if you'll indulge me for one
16 or two seconds.

17 This meeting is being held pursuant to rules
18 applicable to the State Advisory Committees, and to federal
19 agencies and administrative policies established by
20 the United States Commission on Civil Rights.

21 Under the Privacy Act of 1974, the Civil Rights
22 Commission, as well as its State Advisory Committees,
23 are required to inform those of you from whom we solicit
24 information of our statutory authority to do so.

25 The authority for the Civil Rights Commission

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1 to undertake tonight's activity is found at 42 United
2 States Code, Section 1975(d). Closely related to that
3 same subpart, you will find the authority for the Advisory
4 Committee to undertake what they're doing tonight.

5 I'd also like to point out, that any and all
6 information that'll be solicited tonight, is being presented
7 voluntarily.

8 While the Civil Rights Commission does have
9 authority to issue subpoenas, we have not sought to
10 compell the attendance of anyone tonight pursuant to
11 the subpoena power.

12 Finally, I'd like to say, that this is certainly
13 an open meeting; that everyone who is in the room has
14 the right to refuse to be photographed, or interviewed;
15 and I would simply acknowledge at this point, for members
16 of the media, that individuals do have that right, and
17 if they choose not to be recorded or photographed, I'll
18 have to ask you to please respect their wishes.

19 With that brief statement, at this time I'd
20 like to turn the program over to the two moderators
21 who will handle this segment of tonight's agenda, Miss
22 Barbara Wurtzel and Mr. Doug Wilcox, both members of
23 the Virginia Advisory Committee.

24 MR. WILCOX: Thank you, Robert. I'd like to
25 introduce you to Barbara Wurtzel who is going to take

1 over half of the program. Our role here is not to do
2 much mōrē thān make sure everyone gets a chance to speak.
3 Now we have a list of eleven names, with a time for
4 five minutes for each person. If anyone would like to
5 speak, after these eleven speakers speak, please contact
6 Kika Pla. Would you stand up, please, Kika. Kika is
7 a member of the committee. She is also the timer. She
8 has my watch, which means that at the five minute mark,
9 she'll raise her hand to me, and then I will just simply
10 say--so we don't, we don't confuse too much--I will
11 just simply say "Five minutes", and then hopefully you
12 can make your last remark.

13 If you have questions, to keep this thing orga-
14 nized, if you have questions, please record your question,
15 and the time, because then, after we get through with
16 the main speakers, we can go back, and we can talk about
17 6:50, and it'll make sense to us. And then we can get
18 you in conversation with the speaker of that particular
19 time.

20 To Wanda Hoffman at the back of the room. Wanda,
21 would you please stand. Thank you, Wanda. If you have
22 any desire to speak after these speakers, please contact
23 her as well.

24 In order to obtain information on the types
25 of civil rights problems that need to be addressed

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1 by the state and local levels of government in Virginia.
2 We have asked that representatives from civil rights,
3 and human rights groups speak briefly on this topic.

4 We don't want to try to restrict you in any
5 way, but you have to realize that we do kind of have
6 a schedule to run here, so feel free to say what you
7 want to say, but we do want to try to keep it scheduled.

8 A list of representatives who wish to make
9 statements at this time has been compiled, and I have
10 it here. First, we would like to hear from them, and
11 as your name is called, please come to the nearest micro-
12 phone and make your statement.

13 Now those of you who are in chairs, we're going
14 to have to lower--Connie, would you lower that microphone,
15 please, because it's very, very high. Thank you. And
16 we do have time to wait for everyone to get to the micro-
17 phone.

18 Next, we would like to hear from other persons
19 in the audience who want to make a statement on the
20 same topic.

21 If you do, as I said earlier, please write
22 the time, just look at your watch, and what they're
23 talking about, hopefully, and then your comment, and
24 we'll take that on later. Your name will be called in
25 the same order as the speakers appeared on the list.

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1 We would like, if time permits, to hear from everyone.
2 Keep in mind that what is said here, and is not recorded,
3 really won't sustain itself. Only those things that
4 are recorded will be looked at as time goes on, and
5 will become a part of the final report. So it's just
6 absolutely imperative that you speak in to the microphone
7 so that information is recorded.

8 I would like to start by calling Earl Chandler
9 of the Richmond Human Rights Coalition. Would you please
10 go to the microphone, sir, any one you can find. Thank
11 you, kindly. And Kika, you are now on the five minute
12 alert.

13 MR. CHANDLER. I'm not an officer. Our convenor
14 was scheduled to come here to talk for our group, and
15 he found it impossible, so he asked me to substitute
16 for him. So I'm speaking for him, and not for myself,
17 and I would say that I am very much in agreement with
18 it. What we wanted to bring forth was our idea of what
19 the Commission should be, or how it should be formed,
20 and it was suggested that a Commission of nine members
21 be appointed by the Governor. That this Commission have
22 the power to invoke their investigative power, and the
23 power to hold public meetings, appropriate meetings,
24 and to subpoena witnesses. And through the courts to
25 have means of enforcing the law as passed. This in general

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1 is what our organization's purpose is, to educate the
2 public, and in the process also educate ourselves. That
3 is, we gear and see what we believe ought to be done
4 in the area of civil rights, and we try to get our ideas
5 out to the public. And that is our main purpose, and
6 therefore we bring this suggestion of how we think the
7 Commission should work. So I didn't have very much to
8 say, and won't take up the five minutes, but I thank
9 you very much for letting me say it.

10 MR. WILCOX: Thank you very much, Mr. Chandler.
11 The next speaker will be Mr. John A. Chappell, Jr.,
12 or Chappell, Jr. of the Endependence Center. Will Mr.
13 Chappell, or Chappell.

14 MR. CHAPPELL: Members of the Advisory Commission,
15 and fellow attendees, I'm John Chappell, the Executive
16 Director of the Endependence Center of Tidewater, which
17 is an advocacy and referral and training service, for
18 persons with severe disabilities. And I've got five
19 minutes to try to articulate some major concerns. And
20 I, first of all, want to thank the speaker in referencing
21 disabled people.

22 But I think we have to look at, very quickly,
23 some major contrast in the last three years, and why
24 I see a very real and urgent need to deal with disability
25 civil rights on this commission, and to pass legislation

1 that does just that. In the last three years, we have
2 seen major attacks by the National Administration on
3 Disability and Civil Rights attacking Section 504, attack-
4 ing rights to equal access of transportation, educational
5 rights. Tremendous advances, prior to 1981, at the first,
6 were almost completely obliterated, all because in 1981,
7 we had a state administration who really listened to
8 disability life issues, and we began to make some changes
9 in Virginia. But that's just one state administration,
10 and one governor.

11 And I'm afraid that this commission doesn't
12 really address statutory, legal equal access rights
13 for disabled persons. When this governor is gone, or
14 we get another administration in Washington that continues
15 to attack our civil rights, we can't count on one
16 individual.

17 Some examples, if I might. It was the legisla-
18 tion, or the comments that were made in the last two
19 years about "our rights." We're so far in to trying
20 to take and analyze our rights to cost. I submit to
21 you, that you cannot, and must not, analyze civil rights
22 and cost issues.

23 Access to a bathroom, for a person who is a
24 wheelchair user, or lack of access, is as much a civil
25 rights issue as denial of riding a bus, except on

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1 the back, as it was in 1957. Discrimination in employ-
2 ment because the employer sees you can't do a job because
3 you're handicapped, is the same discrimination as if
4 you are Black, or a woman, and he perceives you can't
5 do the job. And so I suggest that you look very care-
6 fully at the legislation that's been proposed. I have
7 briefly looked at the Human Rights Act, but I see some
8 explosions because of a handicap. One that stands, glaringly,
9 to me, was the one who went forward to collect informa-
10 tion about a disability in the very preliminary stages
11 of employment. And I can say to you, that sets up, very
12 quickly, the right of a person to discriminate against
13 an individual who is handicapped.

14 In closing, thank you for the chance to speak
15 to you, but let me remind you, that we speak loudly
16 and clearly about civil rights for disabled persons,
17 and we want to remind you that we want to see this
18 commission become much more active on that issue. We
19 will be willing to help whenever we can, and that this
20 commission needs to deal with our issues. Thank you
21 very much.

22 MR. WILCOX: Thank you, Mr. Chappell. Thank
23 you very much. Our third speaker of the evening will
24 be W.B. Scott, Paralyzed Veterans of America, Virginia
25 Chapter. W.B. Scott. And here he comes.

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1 Go right ahead, sir.

2 MR. SCOTT: Good evening, and thank you. My
3 name is W.B. Scott. I'm with the Virginia Chapter of
4 the Paralyzed Veterans of America. My friend John said
5 a lot of the things that I'm most interested in saying,
6 but I'm most interested in the laws that apply to public
7 accomodations. Virginia has some laws that are recently
8 written and about public accomodations, and employment,
9 and fair housing, and it would be much to our advantage
10 to have a much stronger law that applies in these areas.
11 There should be enforcement procedures for all of them,
12 so that we can be assured, once the laws are on the
13 book, that they're carried out.

14 We have somewhat adequate building codes in
15 the State of Virginia now, and they're not enforced.
16 There are numerous building code violations just happen-
17 ing on a continuing basis. So one of the main things
18 that should be considered would be enforcement procedures
19 for this.

20 Also, there should be input from disabled commu-
21 nity on what they should be, and there should not be
22 any exclusions in any of the laws, that would exclude,
23 or allow anyone to exclude the handicapped from any
24 of the programs. They should all be included. I thank
25 you for your time.

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1 MR. WILCOX: Thank you very much. Our next speaker
2 will be Gregory Lucyk of Fan District Tenants Association.

3 MR. LUCYK: Thank you. My name is Gregory Lucyk.
4 I'm the president of the Fan District Tenants Association
5 here in the City of Richmond. I'm also an attorney in
6 the City of Richmond. And I'd like to address, briefly,
7 the housing aspects of civil rights in Virginia. Let
8 me tell you a little bit about the Fan, first of all.

9 It's a neighborhood in the City of Richmond.
10 We have about ten thousand housing units. Fifty-five
11 percent of those housing units are occupied by renters.
12 Pardon me. Fifty-five percent in the City of Richmond
13 are occupied by renters. Richmond is a renter's town.
14 There's no question about it.

15 In the Fan, in our neighborhood, seventy-five
16 percent of those housing units are occupied by renters,
17 and that's interesting because most of our policies
18 are decided by the Fan District Association which is
19 a group of homeowners who are clearly a minority in
20 our community.

21 The tenants are an oppressed majority in the
22 City of Richmond, and particularly in the Fan, and I
23 think our laws can address some of the needs of tenants
24 in the City of Richmond. First of all, Virginia's fair
25 housing law itself, while it does protect against some

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1 forms of discrimination, it does not protect against
2 discrimination against handicaps. There is no provision
3 in our Fair Housing law protecting handicaps. It also
4 does not protect discrimination on the basis of marital
5 status, and that is primarily single mothers with children.

6 This is a particular problem in our neighborhood
7 in the Fan. Single parents have a very difficult time
8 finding housing, and the Human Rights Act would go far
9 to assist those individuals in finding housing.

10 There are a couple of forms of discrimination
11 that we ought to consider, though, that are not mentioned
12 in the Human Rights Act, and may not be mentioned tonight.

13 One of those is the fact that there is a Land-
14 lord-Tenant Act in Virginia, and this law protects tenants.
15 It gives them a right to put their money in to the court
16 in order to obtain repairs needed to their housing.
17 It lets them get their security deposit back. It provides
18 quite a few protections for tenants. The problem is,
19 is that seventy percent of the tenants in Virginia are
20 not covered by that Landlord-Tenant Act, and that is
21 because of an exclusion in the act, and the exclusion
22 is for single family residences.

23 If you live in a house, if you're renting a
24 house, and it has its own phone, and its own front
25 door, as seventy percent of the single family residences

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1 being rented in Virginia do, you're not covered by the
2 Landlord-Tenant Act unless your landlord owns more than
3 ten of those houses.

4 There are very few landlords who own more than
5 ten, because by and large, they'll keep nine in their
6 name, nine in their wife's name, nine in little cousin
7 Lucy's name, and, you know, they are completely uncovered
8 by this act. It's a form of discrimination that is hideous.
9 If your landlord owns eleven houses, you are protected
10 by the Landlord-Tenant Act. If he or she owns nine,
11 you are not.

12 There is also a form of economic discrimination
13 that exists, that particularly affects tenants in the
14 Commonwealth of Virginia.

15 One of those is the fact that if your landlord
16 takes you to court, in general district court, and you
17 lose, and you want to appeal that, you've got to post
18 a bond. Virginia law requires you to post a bond that
19 is as much as three to six times the amount of your
20 rent.

21 Now if you're a low income person living in
22 the Commonwealth of Virginia, as the majority of, you
23 know, our renters are, it's very difficult for you to
24 post that bond, and the bottom line is, that you're
25 denied justice. You're denied access to the courts,

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1 you cannot appeal your case, and you lose. The appeal
2 bond provision is particularly heinous. It affects tenants,
3 particularly low income tenants, and it is something
4 that any organization or group looking in to civil rights
5 should address.

6 And finally, there is -- I guess the ultimate
7 form of discrimination in this Old Dominion occurs right
8 here in the Virginia General Assembly, which is going
9 to convene this January 15th. And our General Assembly,
10 particularly in housing-related laws, operates on the
11 golden rule, and that is, that he who has the gold makes
12 the rules.

13 And the bottom line is that if you're a tenant
14 in the Commonwealth of Virginia, you have no representa-
15 tion in the Virginia General Assembly. There is no one
16 out there, but for one or two totally underpaid, or
17 unpaid individuals --

18 MR. WILCOX: Five minutes.

19 MR. LUCYK: Thank you. I'll wrap up by saying
20 that I would that we would, you know, pay attention
21 to the needs of tenants, and particularly, look in to
22 some of these laws affecting tenants, when we're analyzing
23 what in fact is discriminatory in this Commonwealth
24 of Virginia. Thank you.

25 MR. WILCOX: Thank you, Mr. Lucyk. Our next

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1 speaker is Doris Ray of the Handicaps Unlimited of
2 Northern Virginia. Doris Ray. Is Doris here?

3 VOICE: I don't see her.

4 MR. WILCOX: Would anyone like to speak in
5 Doris's behalf representing the Handicaps Unlimited
6 of Northern Virginia? Is there anyone here?

7 (No response.)

8 MR. WILCOX: Well, if she should come in,
9 and you recognize her, we'll have her follow the others,
10 rather than come now.

11 Our next speaker is--I'm having difficulty
12 reading it. Is it Coriel, the League of Women Voters
13 of Virginia? Would you speak in the microphone, please,
14 and tell us who you are.

15 MS. CONNELL: Jeanne Connell.

16 MR. WILCOX: Thank you.

17 MS. CONNELL: I am Jeanne Connell representing
18 the League of Women Voters of Virginia, and commend
19 the Civil Rights Commission for being in Richmond.
20 The League, during its 63-year history, has subscribed
21 to certain concepts of government, which today are
22 known as "The Principles." These principles define,
23 specific measures and policies which it supports,
24 and which have survived through the years as broad-
25 based policy statements. You may be interested to

1 know, that prior to 1942, they were an integral part
2 of what was then called "The Platform."

3 By whatever name, they embrace fundamental
4 concepts of government, and we find such terminology
5 as individual liberties, representative government,
6 citizen's right to know, right to vote, equal opportunity
7 for all, equitable, general welfare, and public interest.

8 Today, the concepts contained in these League
9 principles are interpreted by some as generalities
10 and too broad-based, lacking specifics or focus on
11 the complicated issues which we face in present day
12 circumstances.

13 Yet, when applied to current studies of issues,
14 or when they are used as criteria in evaluating govern-
15 ment actions, they become basic and fundamental to
16 our understanding of government, and our desires and
17 goals for our life together in our respective communi-
18 ties, whether it be local, state, or national.

19 One of these six principles says: " The League
20 of Women Voters believes that every citizen should
21 be protected in the right to vote; that every person
22 should have access to a free public education, which
23 provides equal opportunity for all; and that no person
24 or group should suffer legal, economic, or administrative
25 discrimination." We believe that one of the most

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1 fundamental rights is the right to vote. Yet, in Virginia,
2 according to the 1982 census, only 59.2 percent of
3 eligible voters were registered to vote. Virginia ranked
4 46th out of the 50 states. We cannot stand by, and
5 be satisfied with this kind of a record. How can this
6 happen, especially when the League, and other groups
7 have worked so hard to get people registered, and voting?
8 Is it due to administrative obstacles, registration
9 roadblocks, or attitudes? Perhaps all of these are
10 at work in contributing to Virginia's dismal record
11 in voter registration.

12 Whatever the cause, the League wholeheartedly
13 supports the goal of the State Board of Elections to
14 increase voter registration by ten percent in 1984.
15 But we must exceed that ten percent goal, and we must
16 go beyond that measure alone.

17 We applaud Governor Robb's initiative in appointing
18 a Commission to investigate legislative remedies to
19 increase voter registration.

20 The League looks forward to working with the
21 commission, and participating in its activities in
22 order to make recommendations in this area. But we
23 must raise the question, is even more needed? Shouldn't
24 we be focusing on the benefits to be realized, when
25 all of us participate in the decision-making which

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1 affects our future? In the words of Walter Hines Page,
2 "There is one thing better than good government, and
3 that is government in which all the people have a part."
4 Or to quote Aristotle: "If liberty and equality, as
5 is thought by some, are chiefly to be found in a democracy,
6 they will be best attained when all persons alike share
7 in the government to the utmost."

8 Accompanying our concern for the right to
9 vote is one for Virginia's reapportionment, and redistrict-
10 ing process. We question whether or not in past years,
11 the process has been conducted efficiently, and economi-
12 cally, providing just and equitable treatment for all
13 our citizens.

14 The League has undertaken a study of the process,
15 and plans to be ready for action to support its position
16 in time to affect Virginia's next reapportionment process.

17 And looking to the National scene, the League
18 is working to secure ratification of the amendment
19 to the United States Constitution, which would provide
20 self-government for the District of Columbia.

21 As early as 1924, four years after women's
22 suffrage was realized, the League began to seek redress
23 for another disenfranchised group--residents of the
24 District.

25 If one truly believes that the right to vote

1 is basic to our system of government, then continued
2 denial of voting representation for D.C. residents
3 cannot be justified. Citizens in many states, including
4 Virginia, have an opportunity to remedy this inequity
5 in 1984, by assuring ratification of this amendment
6 to our Constitution.

7 Born out of the suffrage movement, the League
8 began an attack on social problems, particularly those
9 affecting women. Civil rights issues in the sixties
10 translated in to a national program priority of "equality
11 of opportunity" for the League. Our concern for social
12 justice saw us working to combat discrimination and
13 poverty.

14 Today, we are concerned about equal access
15 to education, employment, housing, and transportation.

16 Today, we are concerned about feminization
17 of poverty.

18 Today, the economic equity and job-hunting
19 we are concerned about. And we are also concerned about
20 equitable treatment of estates in the case of divorce
21 or death. In order to ensure equal access, and equal
22 treatment, and in order to ensure the League's goals
23 are acquired, because individual liberties is a long-
24 standing principle of the League Of Women Voters. We
25 must have the necessary mechanisms to promote and

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1 protect the rights of individuals and groups. Thank
2 you very much.

3 MR. WILCOX: And thank you very much. We have
4 now exhausted half the list, and I'm going to turn the
5 microphone over to my co-moderator, Barbara Wurtzel,
6 and when she gets through with about six speakers, she'll
7 give it back to me and then we'll finish. Barbara.

8 MS. WURTZEL: I'm glad that the full range of
9 my duties is to call people's names tonight, and the
10 first person I get to call is Alma Barlow from Richmond.

11 Will you tell us who it is you're representing.

12 MS. BARLOW: My name is Alma Barlow. I am the
13 Executive President of the Richmond Tenant Organization.
14 I reside in the City of Richmond. I am a low income
15 person that lives in an incorporation of 17,000 people,
16 where most of them are women who are head of household.

17 And we feel that one Human Rights Act, so that
18 we can be in compliance with the state, and national
19 government. Since 1964, there has not been a civil rights
20 act in the Commonwealth of Virginia.

21 We also feel that the present administration,
22 that we have in the Commonwealth of Virginia, is some-
23 one that this commission could utilize in making a Human
24 Rights Act in the State of Virginia. And so, it is with
25 that in mind, that the women that I speak of -- we feel

1 that we are being discriminated against, because no
2 one addresses the human rights issues, and human rights
3 needs, that these head of households, or need to be
4 addressed. And we would urge the Commissioners, if you
5 would, some time, to come out and talk to some of us
6 residents who are heads of households, and see what
7 it is that we need in terms of a better Human Rights
8 Act in the Commonwealth of Virginia.

9 In the 1964 Act, there was nothing in there
10 to speak about handicapped people of the Commonwealth
11 of Virginia. We also feel that that is discrimination.

12 We feel like when you come up with a civil
13 rights act, it should be for all citizens, since we
14 are all created by one God, one Lord, one faith, and
15 one baptism, and put here on Earth as human beings.
16 And we don't want to be looked at as handicaps, but
17 as human beings with a human rights act to protect us
18 in the Commonwealth of Virginia. I thank you.

19 MS. WURTZEL: Thank you, Mrs. Barlow. The next
20 speaker is Hodges Mann who is the president of the Rappahannock
21 Chapter of the Vietnam Veterans.

22 MR. MANN: Thank you. I appreciate this opportu-
23 nity to speak to you tonight. I've got a unique problem,
24 that I think some people have never thought about, but
25 it happened. And that is, we all agree that the Vietnam

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1 War was a terrible situation, and I think the citizens
2 of the United States kind of showed that in a very active
3 fashion during the war, and after the war. Unfortunately,
4 the veterans, the guys and women that came back, that
5 fought in that situation, not all of us agreed with
6 the situation; but I think we ended up being the victims
7 of that situation. And today, we're carrying a unique
8 discrimination type situation in trying to find employ-
9 ment.

10 And what I want to address specifically in
11 this discrimination, is that I think the way the war
12 was publicized, about the horrible situations that some
13 of the veterans went through--employers, when they're
14 interviewing a veteran for a particular job, kind of
15 look at them as a risky situation for their particular
16 employment. And unfortunately, this is kind of hard
17 to prove in given situations; but I know for a fact,
18 that it has happened, and it is hard to deal with. It's
19 kind of an invisible prejudice situation that takes
20 place, but it does, and we appreciate any attention
21 that the Commission can address to that. Thank you.

22 MS. WURTZEL: Thank you, Mr. Mann. The next
23 speaker is Ed Peeples, who is the Chairperson of the
24 Richmond City Commission on Human Relations.

25 MR. PEEPLES: Thank you for the opportunity

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1 to speak. I will try to speak for the Commission on
2 Human Relations, although everybody on the Commission
3 hardly always agrees on everything. I'll still try to
4 do justice to them.

5 Our commission--I don't know if it's the oldest,
6 but it does have a history of going through the civil
7 rights era, the era of economic justice, the War On
8 Poverty, the question of psychological justice that
9 we perhaps are in now, and for that matter, the near
10 future, the era of biological justice, in which environ-
11 mental hazards, and a host of abuses that are visited
12 on poor communities, Black communities, and so forth,
13 that contour their lives; generate early infant mortality;
14 create disabilities at ages that are sadly, brought
15 forward.

16 We've had this experience for about close to
17 fifteen years in Richmond, and, of course, we've dealt
18 with all these, as each of you have. The question of
19 discrimination against Blacks, the poor, police violence.
20 For that matter, the psychological and physical abuse
21 of women and children, which incidentally, as poverty
22 increases, the incidence also increases. We have to
23 struggle with the question of civil rights for the disabled,
24 and two things that are on the horizon now, that trouble
25 many of our commissioners, and many of our citizens,

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1 are the neglect, the systemized, organized discrimination
2 against the gay and lesbian communities, and, for that
3 matter, the things that thwart the Asian communities,
4 and the immigrants to our country, which we think are
5 dangerous and volatile.

6 So these are the problems we struggle with,
7 just some of them, and what do we encounter? Well, what
8 we see is reminiscence of the 1960's, when Virginius
9 Dabney and others were praising the idea of massive
10 resistance. As I see it, it's massive resistance being
11 revisited. It's worse than benign neglect. It's the
12 conspiracy of militant apathy, a silence of neglect
13 among the forces that could do something about this.

14 Despite the rhetoric of local control, our
15 state laws prohibit people of good will in my city to
16 do what needs to be done. We want to be freed up. We
17 want to be free to do what our good folks, our good
18 citizens, our fair-minded citizens want, and we want
19 a model law in Virginia to help let Virginia loose to
20 do right. Thank you.

21 MS. WURTZEL: Thank you, Mr. Peeples. The next
22 speaker is Dan LeBlanc from the Virginia State AFL-
23 CIO, Virginia Machinists.

24 MR. LEBLANC: Thank you. I support everything
25 that's been said here tonight, and it's easy to go at

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1 the end. Mr. Chairperson, members of the Commission,
2 and guests. The people here tonight feel the way I do,
3 and the way our organization feels about civil rights.
4 Thanks for letting me come here tonight. I'm Daniel
5 LeBlanc. I'm President of the Virginia State Council
6 Of Machinists, and I'm speaking on behalf of the AFL-
7 CIO, and I have with me here tonight, Virginia Diamond,
8 who is on the legal staff for the AFL-CIO.

9 Organized labor is here to express our concern
10 about the problems of discrimination, here, in Virginia,
11 particularly in the area of employment.

12 We strongly support the establishment of a
13 state agency, and state enforcement of mechanisms to
14 remedy discrimination on the basis of race, sex, age,
15 religion, national origin, handicap, and veterans of
16 the Vietnam era.

17 Those workers in Virginia, who have the benefit,
18 in spite of Reagan and his corporate cronies, who have
19 a union contract, already have something to protect
20 them against discriminatory practices. They have a grie-
21 vance procedure and arbitration.

22 But, unfortunately, unionized workers, and
23 work places in this state, are a small minority. Most
24 workers are at the mercy of employer's practices, in
25 which they have no voice. Those workers have a special

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1 need for state laws, and a state agency to which they
2 can turn, and thwart the discrimination. The old story
3 that was told me, when I went to work in a shop was,
4 when you walk through those archways to that mill, you
5 don't have any rights, unless they're guaranteed by
6 the law, or if they're in a union contract.

7 We feel it is time for Virginia to join the
8 vast majority of states in enacting a comprehensive
9 civil rights statute.

10 In times of unemployment, workers who are older,
11 or handicapped, are especially in jeopardy, and for
12 women and minorities, discrimination in hiring, promotion,
13 and pay, are always a concern.

14 Thank you very much for the time that you've
15 given me tonight.

16 MS. WURTZEL: Thank you for your comments. The
17 next speaker is Stephen Levinson, who is representing
18 the Alexandria Human Rights Commission.

19 MR. LEVINSON: Thank you very much, Barbara.
20 To Rev. Harris, and to the members of the Virginia Committee,
21 it is really a pleasure to be here tonight. For the
22 last several years, I have been Chair and Administrator
23 for the City of Alexandria, and for the past several
24 years, have been active in the attempt to create a state
25 human rights commission. As difficult as being a human

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1 rights director is, I'm fortunate, in that I have someone
2 we've heard from tonight, Jeanne Connell, who is not
3 only the president of the League, but is also the Vice
4 Chair of my commission. And Carlyle Ring, who you've
5 heard from tonight, who is also a member of the City
6 Council of the City of Alexandria.

7 So I'm in an environment where I have both
8 the political, and the financial, and the moral support
9 to continue the efforts that we're all trying to achieve,
10 and I'm very fortunate therefore.

11 Virginia -- Connie mentioned to you that there
12 are, I think forty-four states, and I think one of your
13 handouts has forty-four states, that have human rights
14 commissions. It's now forty-six, and we're one of four
15 that's left out. So we're getting in to a very small
16 minority.

17 The concept of a state human rights commission
18 is one which is not only questionable, and needed on
19 a moral level, as well as the legalistics, but we have
20 a situation, and I think it's important to put on the
21 record some of the reasons, and some of the advantages.
22 There are two human rights commissions in Virginia that
23 have 706 status, that have contracts with EEOC to process
24 cases. One is Alexandria, and one is Fairfax County,
25 represented by Fred Alexander who is here tonight.

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1 Citizens of Virginia, who do not live in Fairfax
2 County, or in Alexandria, are forced to go to EEOC.
3 Now, not to be derogatory by any means to that agency,
4 but what that entails is time, and case processing,
5 and a situation where, because of their backlog, the
6 resolution of that matter is quite a ways down the road.

7 It also involves a situation where people,
8 who are not familiar with the locality, not familiar
9 with the individuals, not familiar with the politics,
10 come in from the outside and begin to make some judgments
11 that may or may not be correct.

12 The purpose of the state bill, the purpose
13 of human rights laws, and provisions in various states,
14 are certainly to give people protection. Certainly,
15 they're to give people access to raise grievances, and
16 raise complaints. But also, to do that, on a basis where
17 they can participate in a legal process, quickly, without
18 a great deal of financial expenditure.

19 Taking a case to a court, as an attorney, as
20 many of you in the room know, that taking a civil rights
21 case to court is prohibitive. Not only can't you maybe
22 find an attorney, but the costs are outrageous, and
23 the time frame involved is one in which resolution is
24 so far down the road, that sometimes the issue tends
25 to get lost. We're in a situation, where we have an

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1 opportunity to create a situation where all citizens
2 of this Commonwealth--and I agree with most of the comments
3 made tonight, whether it involves single parent families;
4 whether it involves the feminization of poverty; whether
5 it involves the disabled community. We have situations
6 where people need equal access. There are situations
7 where people are not allowed to participate in a system,
8 whether it's housing, whether it's employment, whether
9 it's transportation.

10 It reminds me. Dr. Fleming, Arthur Fleming,
11 who used to be the Chair of the Civil Rights Commission,
12 in many of his talks, talks about a statement made by
13 Gunnar Myrdahl in the '60s when he was watching the
14 various civil rights marches, and the various civil
15 rights activities.

16 He made a comment that what we were witnessing
17 was the search for the soul of America, and for many
18 of us, twenty years later, we're still witnessing the
19 search for the soul of America.

20 And it seems to me, that we have an opportunity,
21 in Virginia, to take a giant step toward the realization
22 of that dream, toward the realization of the ideas and
23 the concepts expressed by Dr. King and others over the
24 last years. And it seems to me, that I compliment the
25 Virginia committee, I compliment the current administration.

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1 in Virginia for some of its sensitivity, and I hope
2 they will have the sensitivity to grab on to this bill.
3 I have been fortunate to be one of those individuals
4 to review many of the previous drafts of the document
5 you've been distributing tonight. Believe me, we really
6 want your input We want your comments. We want, your
7 constructive criticism.

8 The document you have tonight is a good bill,
9 is comprehensive, has some rough edges, needs some revision,
10 and needs some--we need to smooth out some provisions.
11 And that's why we're here. Tomorrow, you will get a
12 lot more detail. I will be able to speak to you tomorrow
13 in more detail about local efforts, with Fred, and with
14 some others.

15 But please participate. Please give us your
16 ideas, and your thoughts, and your comments, and your
17 criticisms, so that we can reach an agreement, at least
18 in Virginia, on having equal access to the rights, and
19 the privileges that we're all entitled to as Americans,
20 and we're all entitled to as citizens of Virginia. Thanks
21 very much.

22 MS. WURTZEL: Thanks for your comments, Steve.
23 The next person to speak is Flora Crater. Will you please
24 identify the organization that you're representing this
25 evening.

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1 MS. CRATER: I'm Flora Crater, Chair of the
2 Virginia Equal Rights Amendment Ratification Council.
3 The council organized in 1973, and I served as its first
4 Chair. When the time for ratification of the equal rights
5 amendment expired, the Council considered for a moment
6 disbanding, until ERA comes again before the states,
7 but then decided that this fight for our civil rights
8 cannot end until the ERA is part of the U.S. Constitution.

9 I do not need to document to you the struggle
10 of women and minorities to secure their civil rights
11 in Virginia.

12 My fight for civil rights in Virginia began
13 in the days of Virginia's massive resistance to the
14 Supreme Court decision, that separate but equal schools
15 for blacks and whites was not constitutional, and that
16 the schools in Virginia must be integrated.

17 So I'm familiar with the delaying tactics of
18 the governing bodies of Virginia in those years.

19 Since the passage of the equal rights amendment
20 by the Congress in 1972, we have tried at every session
21 to get Virginia to ratify the amendment. We have not
22 yet succeeded, but we have not given up.

23 Virginia, and fourteen other, mostly southern
24 states, refused to ratify in the seven year time limit
25 and beyond; failed to ratify during the three year extension.

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1 The Virginia ERA Ratification Council was wise
2 not to disband. The House Judiciary Committee of the
3 U.S. House of Representatives has just reported out
4 the equal rights amendment by a vote of 21 to 10. It
5 is expected to be debated on the floor, and passed by
6 its required two-thirds majority, before or directly
7 after Thanksgiving, before the session ends.

8 The Senate will wait for House action. They
9 have completed their hearings for this year, but we
10 do expect passage by the Senate in this gender gap conscious
11 election year.

12 I would like to firmly establish the fight
13 for the equal rights amendment as a civil rights fight,
14 and one affecting both men and women.

15 The equal rights amendment is both real and
16 symbolic. It is a broad principle of profound significance
17 as a legal instrument for specific change. It will set
18 the constitutional stage for women's emancipation..

19 It is a simple statement. Equality of rights
20 under the law shall not be denied, or abridged by ~~the~~
21 United States, or any state on account of sex. It speaks
22 to the concept of democracy itself, because it promotes
23 the freedom of the individual. The individual knows
24 best his or her need, and ideally would be self-governed.
25 In a society of millions, that is not possible; not yet.

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1 But this is its end, and its beginning, and this is
2 the spirit of democracy. Ultimately, all governmental
3 actions are so perceived and judged by the individual,
4 what does it do for me, or what does it do to me? The
5 Declaration of Independence, the Constitution, the Bill
6 of Rights, all speak to this concept, the freedom of
7 the individual.

8 The Equal Rights Amendment is a step toward
9 that autonomy, and it is a step that is significant
10 to all, because it removes an impediment to the equal
11 treatment of persons.

12 The Equal Rights Amendment holds within it
13 a profound political concept, whereas it denies and
14 buries the unjust premise, that a physical difference
15 is cause for different treatment.

16 It not only opposes sex discrimination in its
17 concept; it opposes race, age, and all other forms of
18 discrimination.

19 This concept extends the freedom of the individu-
20 al because it rejects all stereotypes. You are to be
21 judged and treated as an individual, and not put in
22 a box as a member of a class.

23 You have become in a sense a free, individual
24 spirit. Freedom and democracy are evolving concepts.

25 I see ratification of the Equal Rights Amendment barring

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1 sex discrimination, an important step in that evolution,
2 for both men and women. The Supreme Court has failed
3 to view sex discrimination as critically as it has race
4 discrimination, and in fact, Justice Powell has said,
5 that it's not likely that they will, until the Equal
6 Rights Amendment is ratified.

7 In a review of Virginia cases of sex discrimination
8 from the Federal Practices Digest, I found fifty-one
9 cases brought before the federal courts in Virginia.

10 I know that there are in the state three human
11 rights commission--in Alexandria, Fairfax County, and
12 Richmond.

13 I am sure review of their complaints would
14 show many complaints of sex discrimination. Given the
15 history of our fight for ratification of the ERA in
16 Virginia, the instances of sex discrimination heard
17 before the courts, and before human rights commissions,
18 there is an established need for a Virginia human rights
19 commission, and one that has enforcement powers, that
20 would provide a place to air the grievances of all,
21 who have had, or have now, impairment of their civil
22 rights.

23 The economic consequences of discrimination
24 fall most heavily on women and children. I received
25 my copy of the proposed Virginia human rights act just

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1 a few days ago, so I cannot make specific comments for
2 change or additions, but I will provide you with such
3 a review as soon as I can. The Virginia ERA ratification
4 will certainly support legislation to enact an act for
5 its--the act, for its value in providing some remedy
6 for cases of sex discrimination in employment and education.

7 We certainly hope that having a Virginia human
8 rights commission, with enforcement powers to correct
9 discrimination, will further the civil rights of all
10 Virginians, and prove the case for the ratification
11 of the Equal Rights Amendment.

12 I consider that a necessary step forward for
13 our continuing fight for ratification of the Equal Rights
14 Amendment in Virginia. Thank you very much.

15 MS. WURTZEL: Thank you very much, Mrs. Crater.
16 I now turn it back to the original moderator.

17 MR. WILCOX: Thank you very much, Barbara. As
18 I told you all earlier, you've been very nice to listen
19 to these speakers, and this is when -- how much time
20 do we have, Kika, since you have my watch?

21 MS. PLA: (Inaud.)

22 MR. WILCOX: So, we have about two hours scheduled.
23 We're supposed to adjourn at 9:30. Of course we don't
24 have to go that long. What I'd like to do now -- first
25 of all, is Doris Ray here? Has Doris gotten here?

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(No response) O.K. I would like to read something that our regional attorney went over rather rapidly, but I wanted you all to understand the rules.

What I'm trying to do is prepare you for a question and answer session, and I want to read to you the law, first.

It says here, "Any information you give to the Virginia Advisory Committee will be given voluntarily. The Advisory Committee will not impose any sanctions on any individual who chooses not to answer a particular question asked by the Advisory Committee. However, should a situation occur, in which statements being made to the Advisory Committee would tend to defame, degrade, or incriminate any person, I will ask that person refrain from making such statements." And that, of course, is our -- Mr. Owen will do that. I'm looking right at him. We've gone through this before, and he's supposed to raise his hand if I do something wrong.

First of all, I'd like to go back to the first speaker. The first speaker was Mr. Earl Chandler. Mr. Chandler, would you be willing to answer a question or two? Would you please go to the microphone. I would like to have a show of hands on who would like to ask Mr. Chandler a question.

MR. CHANDLER: I'll try to answer them. I'm --
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1 MR. WILCOX: Well, we'll see what we can do
2 here. This is an experiment in democracy. Barbara has
3 a question.

4 MS. WURTZEL: You spoke about various elements
5 of the proposed model act, that you thought were impor-
6 tant. One of those that you mentioned was the subpoena
7 power.

8 Could you expand a little more on why you think
9 that's a significant part of the act, and what we would
10 lose, from your view, if it were not there.

11 MR. CHANDLER: Well, as I said before, I'm speaking
12 for a coalition, but I'm also in agreement with what,
13 in principle, what was said. Well, the point here is
14 that if certain information is needed, and we know certain
15 people have that information, we feel that the public
16 has a right to demand that they give that information,
17 and it's needed to fulfill the law, to say what the
18 law is, and we feel that we should have the right, you
19 know, to have a right to demand that these people produce
20 that information.

21 MR. WILCOX: Thank you, Mr. Chandler. We have
22 no more questions. Thank you, sir. We'll go to the next
23 speaker. The next speaker was John Chappell. Would you
24 mind answering questions?

25 MR. CHAPPELL: Not at all.

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1 MR. WILCOX: Connie is a member of our committee.

2 MR. RING: I would like to comment on the power
3 of subpoena. I think Steve probably could speak to it
4 maybe a little more directly. The Alexandria ordinance
5 does include a subpoena power. However--and it's been
6 very useful in getting necessary information, in order
7 to act, to be, to have that remedy available. One of
8 the legal problems is that, although the Alexandria
9 ordinance includes that power, there's always been a
10 doubt in the back of some of our minds, as to whether
11 or not we really can exercise that right under simply
12 a municipal ordinance.

13 And one thing that a human rights act would
14 clearly do, is to make it crystal clear, that there
15 is a subpoena power, that it enables local commissions,
16 like that in Alexandria, to get the necessary informa-
17 tion, which is critical in order to bring relief in
18 many situations. Is that correct, Steve?

19 MR. LEVINSON: Yes. Thank you, Connie. That
20 is correct. Let me be a little more specific with you.
21 The Alexandria ordinance was passed in 1974, has subpoena
22 power. Again, some jurisdictional questions are raised
23 as to whether we should, or shouldn't, have it.

24 The subpoena power for the Alexandria commission
25 has been used once in the last nine years. The existence--

1 now, that may say we're good, which we may be a little
2 bit; and that may say that we're lucky, which we are
3 a lot. But the fact remains, that the existence of that
4 power has been enough to convince respondents that it
5 is less expensive, and less controversial, and, as a
6 matter of good business, and public relations, it's
7 easier to cooperate with, in this case, a local commission,
8 than to get in to some legalistic kinds of questions.

9 More importantly--and I think it's very impor-
10 tant in the times that we're in. The last three years
11 for me--I have been in this business for fifteen years,
12 both in Alexandria, and Massachusetts, and on a national
13 basis, and never have I experienced the resistance that
14 I have experienced in the last three years, two and
15 a half years of this administration.

16 The respondents--and I think Fred will speak
17 tomorrow with me on a panel, and the representative
18 from Richmond, who I have not had the pleasure of meeting
19 at this point. The three of us will address you from
20 a local perspective.

21 But I can tell you, from my perspective in
22 Alexandria, and in Massachusetts, that never have I
23 experienced the resistance on the part of respondents,
24 to cooperate with local human rights commission and
25 investigatory agencies on civil rights questions, as

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1 I experience now. And the need for the subpoena power.
2 The need -- don't forget: a state commission, or a
3 local commission is not an adversarial body. It is not
4 an advocacy group.

5 We are empowered, by law, to carry out a legisla-
6 tive mandate of the state, or, in this case, the City
7 of Alexandria. We are the representatives to carry out
8 that moral and legislative belief that the city precribes
9 as its policy.

T2?S1--- 10 And we are representative of that policy of the
11 city or the state. It is our duty to fairly investigate,
12 and as completely as possible, investigate all matters.
13 And if a respondent, for whatever reason, denies us
14 access to certain information, it should be the right
15 of the state, and the right of the citizens of that
16 state, or city, to have access to that information.

17 As I say, we have not used it. But the existence
18 of that power is imperative. And one other thing that
19 this bill does--and I don't want to assign any of you
20 homework, but I hope that all of you will spend a few
21 minutes tonight looking through the bill that you've
22 been given in a package.

23 One of the things that this bill does is to
24 remedy--and I will defer to representative Callahan
25 on this question--but in my short version, what it does

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1 is avoid what we now know as the Dillon Rule, in the
2 defense of cities or towns, or counties having the ability
3 to pass certain ordinances. This bill allows cities,
4 towns and counties to create local human rights commissions.

5 MR. WILCOX: Steve, let's do that tomorrow.

6 Thank you very much.

7 MR. LEVINSON: O.K.

8 MR. WILCOX: I'd like to get through some of
9 these questions.

10 VOICE: May I ask a question?

11 MR. WILCOX: I have a speaker. I've got -- just
12 a moment, please.

13 VOICE: (Inaudible)

14 MR. WILCOX: Would you please--sir, would you
15 please come to a microphone. Mr. Chappell, I have not
16 forgotten you. Just relax.

17 Would you please introduce yourself.

18 MR. HARRELL: My name is Eliza Harrell. I'm
19 from Mobility On Wheels, a handicapped group.

20 MR. WILCOX: Yes, sir.

21 MR. HARRELL: My question is, the gentlemen
22 just talked about subpoena power, and I have this model
23 act in front of me. I just want to know if it's mentioned
24 in here, and if so, what page. Thank you. Page 23.

25 MR. WILCOX: Page 23. Thank you very much. We're

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1 going to talk about the model act a great deal tomorrow.
2 I'd like to get some of these questions answered for
3 the speakers tonight. Mr. Chappel, are you willing to
4 answer questions?

5 MR. CHAPPEL: Yes, I am. It's Chappel.

6 MR. WILCOX: Chappel. Thank you very much.
7 Mr. Chappel.

8 Yes, do you have a question? If you do, would
9 you go to the microphone, please.

10 MR. TATE: I'm looking at the concerns that
11 you have for the disabled and --

12 MR. WILCOX: Sir, would you give us your name,
13 please.

14 MR. TATE: Yes. I'm John Tate.

15 MR. WILCOX: Thank you.

16 MR. TATE: Looking at the concerns that you
17 have for the disabled community, and the human rights,
18 would you recommend that your organization have a look
19 at the model act, and also, provide input to the Commission,
20 and perhaps even ask for a representative on the Commission
21 for human rights.

22 In other words, I think it would be nice to
23 have a disabled person on the board.

24 MR. CHAPPELL: John, that's an excellent point.
25 I overlooked it in my presentation. Certainly, we all

1 know from personal experience, that the way to get input
2 is directly, so the commission, or the committee certainly
3 should have a person with a disability on the committee.
4 The other half of your question, about the model act,
5 however, in the areas that I expressed concern about,
6 I gave a very brief overview of it. The section on employ-
7 ment, when it talks about the types of information that
8 an employer can ask, it specifically lists race, sex,
9 origin, but excludes handicap. That is, it allows an
10 employer, then, by exclusion of handicap, it allows
11 an employer to ask questions about disability, as it
12 relates to an employee application.

13 That's the way I read it, and I think it's
14 very important for you to know that in Section 504 regula-
15 tions, that are federal guidelines, do not allow an
16 employer to ask any types of preliminary questions on
17 disability.

18 It's legal to do it once you've offered a person
19 a job. That's to see, of course, whether or not -- you may
20 not be able to do the job. That is through the regs
21 route. But this is the way I read it, a preliminary
22 stage.

23 MR. WILCOX: Do you have any other questions?

24 Steve?

25 MR. LEVINSON: Yes. I was going to ask--

1 Mr. Chappell, in his comments, made a reference to the
2 point of employers asking questions, and I was going
3 to ask what section he was referring to. I appreciate
4 your pointing out that section. To my knowledge--and
5 I'll defer till tomorrow--

6 MR. WILCOX: Please do.

7 MR. LEVINSON: To my knowledge, that exclusion
8 was inadvertent.

9 MR. WILCOX: Thank you, Steve.

10 MR. CHAPPELL: It was a very important emergency,
11 so I definitely--and I did not get a chance to go over
12 the rest.

13 MR. WILCOX: Well, thank you very much. Are
14 there any other questions? Thank you, Mr. Chappell.

15 Mr. Scott. Does anyone have a question for
16 Mr. Scott? So we don't go running around here, and find
17 out we don't have any questions. Question for Mr. Scott?

18 (No response)

19 MR. WILCOX: All right. There are two people
20 that want to make speeches, and I would just as soon
21 go through the questions first, and then let them speak.

22 Does anyone have a question for Gregory Lucyk?

23 Anyone have a question for Gregory?

24 (No response)

25 Does anyone have a question for Jeanne Connell,

1 from the League of Women Voters of Virginia?

2 (No response)

3 MR. WILCOX: Does anyone have a question for
4 Alma Barlow?

5 (No response)

6 Does anyone have a question for Hodges Mann?

7 (No response)

8 Does anyone have a question for Ed Peeples?

9 (No response)

10 Does anyone have a question for Dan LeBlanc?

11 (No response)

12 Does anyone have a question for Flora Crater?

13 (No response)

14 At this time I would like to ask Peggy Bendrick,
15 who has asked to make a speech, to come to the microphone,
16 and please make one. Is Peggy here? Ah, yes. Peggy's
17 coming. Don't give us. Five minutes.

18 Before you start, I have to ask one more question.
19 Is there an Arthur Kreiger here? Does Arthur want to
20 make a speech? O.K. Fine. Peggy, would you please make
21 a speech.

22 MS. BENDRICK: Barbara, Mr. Wilcox, ladies
23 and gentlemen. My name is Peggy Bendrick. I did not
24 have an opportunity to peruse the papers that were handed
25 to us.

1 MR. WILCOX: Would you please tell us whether
2 you represent yourself, or an organization.

3 MS. BENDRICK: I'm sorry, sir. Right now I'm
4 speaking for myself. I do know other people in the disabled
5 community. I'm here for a slightly different angle.

6 I am the only, I think, literal "wheeler-dealer" at
7 the capital because I do lobby. I am unpaid. But that's
8 not my problem. Medicine. From the cradle to the casket,
9 your elderly, children born with defects, are being
10 kept alive. I have a great big concern about what medical
11 facilities will be available to us. What will be covered?

12 I was in the hospital before Easter, and did
13 not have the initial \$304 that Medicare requires. I
14 told that before I went in. I have about five threatening
15 letters, several threatening telephone calls, they want
16 to collect, a collection agency. I don't have it.

17 I'm one of those who fell through the Administra-
18 tions' safety net. The other aspect that I want to bring
19 up is education.

20 What is not known about spinal cord injury,
21 nursing care, and doctoring would fill a book. I was
22 a registered nurse for twenty years prior to my accident.
23 I tried to go and get a B.S. degree in nursing so that
24 I could teach because you cannot teach without a degree.
25 I cannot get the degree because I cannot do the clinical

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1 work. I can't empty bedpans, and give baths, and make
2 beds. So that's out. Very little nursing on spinal cord
3 injury is taught in the nursing curriculum. I believe,
4 after hassling with doctors almost twenty years, they
5 don't all know too much either, because we are a different
6 breed of patient.

7 I tried to get a refresher course in nursing
8 at one of our local community colleges. Here again, I
9 was turned down because I did not do the clinical work.
10 I don't want to run around. I want to be able to tell
11 nurses, to teach them how to take care of people like
12 me, because believe me, I have survived by pure determi-
13 nation, by harrassing doctors, working with nurses. If
14 there are any doctors in here, I don't apologize.

15 But here again I do say, I'm greatly concerned
16 about the medical needs that are going to forthcoming
17 more and more on people with disabilities. I'm disabled
18 but I'm also fast approaching the age of the elderly.
19 Thank you very much.

20 MR. WILCOX: Thank you, Peggy. My wife is a registered
21 nurse.

22 MS. BENDRICK: Ask her what she knows about spi-
23 nal cord injuries.

24 MR. WILCOX: I will. Since you're there, Peggy,
25 and we're kind of getting wound up here, does anyone

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1 have a question of Peggy?

2 MS. BENDRICK: Apparently not.

3 MR. WILCOX: Apparently not. Thank you, Peggy.

4 MS. BENDRICK: Thank you.

5 MR. WILCOX: Arthur, I'm sorry, I forgot you
6 a while back. Arthur Kreiger would like to make a speech.
7 Arthur, find a microphone, please.

8 Arthur, do you represent yourself, or --

9 MR. KREIGER: O.K. My name is Arthur Kreiger.
10 I prefer to be representing myself at the moment. I also
11 serve on the Petersburg Commission on Community Relations
12 Affairs which might have some bearing on what I'm about
13 to say.

14 Most of the people that know me, that are here
15 today, recognize that I usually take a back set in most
16 things. I'm a little bit shy, if you want to use that
17 word, and I'm a little bit scared about going ahead and
18 asserting my rights, until somebody tramples on them
19 so much, that I get mad. And then, I start to assert.

20 A couple of things that were hitting me, from
21 the comments of Miss Barlow, Mr. Peeples, and Mr. Levinson.
22 They all seemed to be talking among the same terms, to
23 my mind, and I'd like to expand the thinking, if I may
24 here. Instead of looking at issues, look at the overall
25 thing, that everyone was talking about human dignity.

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1 The individual dignity that each and every one of us
2 want to be able to carry home with us. And if those things
3 are denied, or misappropriated, or side-issued, because
4 of other characteristics, such as race, profession, or
5 whatever--and I guess I'm urging this commission, and
6 the people here, to think in broad terms. That if a broad
7 statement, law, can be written, and used. I think people--
8 a lot of people are like myself. We basically have a
9 good heart, but we're a little bit shy about saying what
10 we feel. We're a little bit reluctant to be the person
11 out there talking about what we feel.

12 And we look to those people who feel a little
13 more comfortable in the public eye to be our leaders,
14 and to do our talking for us.

15 I guess what I'm actually trying to get down
16 to is, if we, here, in this group, on the Commission,
17 can write something, I think there's support for it out
18 of the people's hearts, and I think that they will be
19 the ones who will most benefit.

20 I believe that as any law that is written, it
21 will not be anything unless it does have abilities to
22 both understand what is the rule, and to enforce it.
23 In Petersburg at this moment, we have a commission that
24 has been in existence since '74.

25 The past two years, that I've been on, we've

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1 been talking in terms of trying to get a fair housing
2 ordinance. The amount of ability that we have right now,
3 if you want to come in and talk to us, we might be able
4 to persuade you to quit discriminating under the state
5 and federal legislation. Short of that, we pass it on
6 to the state, Virginia Housing Real Estate Board, or
7 to federal.

8 And, to my mind, when you have it in a local
9 area, working with it, with something that will cause
10 people to listen, you might have a chance at achieving
11 something.

12 So I guess I'm taking a very liberal view with,
13 I think, very broad terms of what you want to call pro-
14 tected classes, and a very conservative view, have a
15 very huge club that can be used, if it's needed. Thank
16 you.

17 MR. WILCOX: Thank you very much. Arthur, why
18 don't you stay there. Does anyone have a question for
19 Arthur? Yes, sir. Do you have a question? Please go to
20 the microphone. Your name, and whether you represent
21 yourself.

22 MR. PEEPLES. Ed Peeples. I guess I represent
23 the Chairman, as Chairman of the Commission on Human
24 Relations, City of Richmond.

25 MR. WILCOX: You are a former speaker, right?

1 MR. PEEPLES: Yes, that's right.

2 MR. WILCOX: I'm saying that, to have it on the
3 tape.

4 MR. PEEPLES: Yes, the same culprit. I want to
5 ask him--Arthur has a little different situation in Peters-
6 burg. They have sort of an embryonic ordinance over there,
7 and what we have over in Richmond is a Wonder Bread model
8 of ordinance. So that you have a case, and you go to
9 squeeze it to use the ordinance, and it disappears, or
10 it's in a little ball, and you can't get ahold of it.
11 So our ordinance is recognized broadly throughout the
12 city, and there are some solutions.

13 I wonder, over in Petersburg--I'd like to hear
14 a little description of where they are, and how this
15 model law may put them in a better position. And then
16 perhaps a discussion tomorrow will lead us to understand
17 how this will enhance many of the localities, and make
18 it possible for us to have better enabling legislation
19 for people of good will in the localities.

20 MR. WILCOX: Thank you. Arthur, would you like
21 to answer that question?

22 MR. KREIGER: I will attempt to. I apologize
23 because I've not had a chance to read the model ordinance,
24 as presented.

25 I will say that two years ago, the Petersburg

1 Commission offered to our city attorney--and I'm not
2 sure if any of this should be made public, but I will
3 take the chance now..

4 MR. WILCOX: This is very public, Arthur.

5 MR. KREIGER: I recognize that. That's why I
6 am talking my viewpoint now. O.K.?

7 MR. WILCOX: Thank you.

8 MR. KREIGER: We offered it to our city attorney
9 for his perusal. He indicated that due to state law,
10 the Dillon Rule--I've heard many times--parts of it which
11 we were looking for, subpoena power, enforcement power,
12 and the ability to make findings, and have those findings
13 hold up, those were denied us.

14 A year later, we came back with a change from
15 that. They're going to grant and progress, a progression,
16 that our protected glasses had gone from the standard
17 age, race, sex, to points where we were even spending
18 the evening going, "Well, what about sexual preference?
19 What about what the person does for a living? What if
20 they're a prostitute? Should they not be allowed the
21 same liberties that another person is, when it comes
22 to where they live? Not where they do business, but where
23 they live." And it continued, that we had, in my opinion,
24 something that really reached out to the human being,
25 and ignored everything except that it was a homo sapien,

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1 period. And it didn't really have to be that wise, to
2 be in that classification.

3 We've run in to the enabling legislation blockage
4 a number of times. I have talked with Steve, when was
5 it? a year ago?, because I understood Alexandria was
6 making progress.

7 I think until the state, or someone above and
8 beyond just local ability, starts giving a little bit
9 of encouragement, and starts indicating a little interest
10 in localities doing something for themselves, that it
11 won't happen.

12 And I sincerely believe, that this is one time
13 Virginia might--even though we're behind now, we could
14 take the first place, by advancing our thinking far enough.

15 We were one of the first states in this country,
16 and there's no reason for us to always be last. I hope
17 that answers it.

18 MR. WILCOX: Thank you very much. I hope so,
19 too. Thank you.

20 Kent Willis has said he would like to make a
21 speech. Is Kent here? Would you please come to the micro-
22 phone and introduce yourself, and whether you represent
23 yourself or some organization.

24 MR. WILLIS: My name is Kent Willis, and I work
25 for Housing Opportunties Being Equal, a fair housing

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1 organization in Richmond. However, tonight, because I
2 haven't cleared this with my board, I'm representing
3 myself only.

4 Something came to my attention as I listened
5 tonight, and I read through the model act myself for
6 the first time today.

7 Naturally, my concerns relate to the housing.
8 In Section 1502, it says, and I'll paraphrase slightly:
9 "It is unlawful for a real estate operator, real estate
10 broker, real estate salesperson, or an agent or employee
11 of any such individual, to discriminate on the basis
12 of race, color, religion, national origin, sex, age,
13 marital status, or handicap."

14 I would like the Advisory Committee to consider
15 adding to that family status. What we mean by that is
16 families with children.

17 Roughly a dozen states already have passed laws
18 of some kind to protect families with children. It's
19 a shrinking market. I would like to, tonight, make the
20 results, or state something about the results of a study
21 that Housing Opportunities is taking on, which is looking
22 at the market, and the availability of housing for children
23 in Richmond.

24 We haven't finished it, so I can't say anything
25 about that yet. What I would like to make note of is

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1 that it isn't just children we're talking about. That's
2 an obvious and clear moral issue in itself when it's
3 a shrinking market. But if we look at this from a broader
4 standpoint, we see, for example, that female heads of
5 household--that is, households with children with a single
6 parent, and that parent is female, that's vastly more
7 of them than men. So in essence, if you discriminate
8 against families with children, you're also discriminating
9 against women.

10 Similar statistics apply to minorities, and
11 also to low income people. I just wanted to make that
12 brief point. Thank you..

13 MR. WILCOX: Thank you very much. Please don't
14 leave. Does anyone have a question?

15 MR. RING: A question or a comment. I would
16 suggest that you look at page three, and see whether
17 that bit on marital status handles the problem you've
18 identified, and it includes parenthood. Now maybe it
19 doesn't fully meet your problem, but the intent, by including
20 that in the definition, was to handle the problem. It
21 may not do it adequately, but, read that.

22 MR. WILCOX: The speaker is Connie Ring. Go right
23 ahead.

24 MR. WILLIS: Can I respond to what he said? I'm
25 glad you said that. I skipped immediately down to Housing

1 in the table of contents, and to page fifteen, because
2 I was seeing the act for the first time. I'll take a
3 look at that. Thank you.

4 MR. RING: Bring it tonight, and, address that
5 again tomorrow. It may be that that doesn't do it, ade-
6 quately.

7 MR. WILCOX: Thank you, Connie. Thank you very
8 much. Any other questions?

9 VOICE: I have a question.

10 MR. WILCOX: Would you please come to the micro-
11 phone. I want to tape it. We want to hear it three years
12 from now.

13 MRS. BARLOW: I would like to know how can you
14 stop mothers from being discriminated by the landlord,
15 who are head of household. Is there anything in there
16 that gives the women, being head of household, the same
17 right and respect that our men have? And mind you, men,
18 I'm not criticizing you, but I'm just saying, since we
19 are head of households, is there anything in the Human
20 Rights Act, that gives us the power to be head of households,
21 independently?

22 MR. WILCOX: Would anyone like to answer that
23 question? Connie, do you happen to know if that's in
24 the act? Steve? You've got your chance. Did you get the
25 question? Steve?

1 MR. LEVINSON: Steve Levinson. I apologize.
2 We were talking about the definition, and I caught the
3 beginning of your statement, Alma, and don't know exactly --

4 MR. WILCOX: Alma, would you please restate your
5 question.

6 MRS. BARLOW: I said, being that we have in the
7 Commonwealth of Virginia, most women are head of households.
8 Is there anything in the act that gives the women the
9 same kind of power that it gives men, so that they will
10 not be harrassed by their landlords, as has been in the
11 past?

12 MR. WILCOX: Thank you. Steve, did you get the
13 question? Connie? Steve?

14 MR. RING: I did, and I'll go first.

15 MR. WILCOX: Connie Ring.

16 MR. RING: Again, we hope tomorrow, that all of
17 you will be reading the language very closely, but the
18 inclusion in the act of the marital status as a prohibi-
19 tion of discrimination against marital status, includes
20 being married, single, divorced, separated, or widowed,
21 and the usual conditions associated therewith, including
22 parenthood.

23 So it's the intent, within that definition,
24 that it would include all that you're referring to.

25 MRS. BARLOW: Could it be amended so that it's

1 mandatory that we have it?

2 MR. WILCOX: Alma would like to make it so that
3 it was mandatory.

4 MR. RING: This statute would make it mandatory.

5 MRS. BARLOW: I would like for to see it mandatory,
6 that women have their rights, whatever amount of money
7 that the landlord says we have to pay.

8 MR. WILCOX: That's Alma Barlow. Does that answer
9 the question?

10 MR. RING: If there's any discrimination, it's
11 based upon the fact that it's a single parent. That is
12 prohibited by this act, and the sanctions that are outlined
13 in the act may be utilized to give protection, by either
14 reporting it to a local human rights commission, or the
15 state commission, and the state commission then has the
16 legal authority to, by injunction, by court order, by
17 its own order, or by various kinds of fines and civil
18 remedies, to enforce your right to be free from any harrass-
19 ment, or discrimination, based upon the fact that you're
20 a single parent.

21 MR. WILCOX: Thank you, Connie. We have one more
22 speaker. Our next speaker gave us our keynote address.
23 Rev. Lowry would like to make another speech.

24 Please do.

25 MR. LOWRY: With your forebearance, Mr. Chairman,

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1 and members of the Committee. My name is Fred Lowry.
2 I'm director of the Community Ministry in Fairfax County.

3 I didn't want to let the occasion going by,
4 without mentioning to you some circumstances that we
5 have had in Fairfax County, where citizens have been
6 subject to intimidation. One of these was the painting
7 of a swastika on a synagogue, and the other was a painting
8 of Ku Klux Klan signs on an apartment building, in addition
9 to leafletting. I suppose the leafletting business is
10 covered under the First Amendment somehow, but it does
11 occur to me, that it is appropriate, or rather, that
12 it ought to be that citizens of the Commonwealth should
13 be able to live without fear of intimidation.

14 At the time of the painting of the synagogue,
15 there was a joint meeting, and a number of people in
16 the community, including Delegate Plum, who was conse-
17 quently instrumental in the General Assembly's passing
18 some legislation to deal with this, were there.

19 The event was the message, and it was an affir-
20 mation that this is not appropriate in a community. Never-
21 theless, it seems to me, that it should be on the record
22 that this has happened; that these things do happen.
23 Fred Allen who -- Mr. Allen is director of the Human
24 Rights Commission in Fairfax County, and would be a more
25 appropriate person than I, to give the details and

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1 frequency; but I think it's something the committee should
2 take in to consideration.

3 One other item I would like to mention, and
4 that is only to reaffirm, or, to add to what has already
5 been said about the issue, and here, I speak only as
6 myself, or as a member of the United Church of Christ,
7 which is a national church denomination. And the general
8 senate of that denomination has requested all the members
9 of the United Church of Christ to work in every way possi-
10 ble, at local, state, and national levels, to ensure
11 the civil rights of gay and lesbian persons. So I hope
12 that this will also be taken in to consideration by the
13 Committee in its consideration of persons in Virginia,
14 who are subject to discrimination and intimidation. Thank
15 you.

16 MR. WILCOX: Thank you, Reverend. are there any
17 questions?

18 (No response)

19 MR. WILCOX: No questions. Thank you. We have
20 exhausted our list of speakers. Yes, Wanda? Would you
21 come to a microphone, please. I know you're in charge.

22 MS. HOFFMAN: I was --

23 MR. WILCOX: This is Wanda Hoffman.

24 MS. HOFFMAN: Did you have a speaker by the name
25 of Mrs. Blackwell, NAACP, Fairfax County?

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1 MR. WILCOX: Not yet. I have so many names here,
2 but, I would like to now introduce Mrs. Blackwell, presi-
3 dent of the Fairfax County NAACP.

4 MRS. BLACKWELL: Good evening, fellow participants,
5 and members of the Advisory Committee. I am Pat Parris
6 Blackwell, president of the Fairfax County branch, NAACP.

7 I join the Executive Board, and the general
8 membership, in thanking you for providing us this oppor-
9 tunity to again attempt to articulate a few of the problems
10 with which we are confronted, vis-a-vis discriminatory
11 practices employed by some private enterprises, some
12 departments, and agencies, under the aegis of the Fairfax
13 County government; some owners and/or managers of housing
14 complexes; and some administrators, and other key personnel
15 in the public school system of Fairfax.

16 The Fairfax County NAACP maintains a posture,
17 appropriately called "Mediative Advocacy." That is, we
18 do not approach a human problem in a combative mode.
19 We seek to discern the depth, breadth, and severity of
20 an individual's, or a group's allegations, and to then
21 actively assist in mediating between the conflicting
22 parties, such that communications, viable communications
23 can be restored.

24 Moreover, we provide an advocacy role, which
25 is more proactive than reactive; more preventive than

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1 restorative. It is very difficult for us to maintain
2 that posture; very difficult. It is difficult, because
3 all too often, the perception of the majority, racial
4 and numerical, is that Fairfax County is Virginia's mecca
5 for the liberal, affluent, farsighted, and intellectual
6 present, and future, leadership of the state, and perhaps
7 the country.

8 Moreover, certainly they are collected by socio-
9 political theorists, coupled with the placement and/or
10 creation of certain citizen, or statutorily-empowered
11 boards, give an almost unassailable legitimacy to these
12 perceptions.

13 Discrimination in Fairfax can not be much more
14 serious than the distinction between one's preference
15 for caviar or shad roe.

16 These perceptions allow too much room for the
17 continued growth of top level administrative indifference,
18 and insensitivity to the plight of the socio-economically
19 disadvantaged, disenchanting, and disinherited.

20 It sets these same administrators on a crash
21 course to the reopening and broadening of federally insti-
22 tuted litigation.

23 These perceptions allow the public school system's
24 administrators the luxury of visiting an oriental country,
25 to seek positive comparisons between district systems,

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1 while failing to see the scope of the disparate treatment
2 accorded Oriental students enrolled in the Fairfax County
3 school system.

4 These perceptions allow local and state government
5 agencies to applaud their own efforts to develop county
6 lands in a manner which preserves the integrity of the
7 environment, while they systematically rape Black land
8 owners, who have been technically homeless because of
9 a lack of adequate housing.

10 These perceptions allow owners, and managers,
11 of both privately, and publicly owned apartment complexes,
12 to use court-supported evictions as a tool for removing
13 undesirable elements from the property, elements which
14 became undesirable because they have attained individual
15 subsidized standing, and are qualified for economic assis-
16 tance.

17 The Fairfax County branch NAACP has, and will
18 continue to work with the one county agency clearly able
19 to assist in remediating some of the problems because
20 of their limited statutory empowerment to do so.

21 The Fairfax County human rights commission is
22 a logical paradigm for what can be done to introduce
23 behavior modification in to discriminatory patterns.
24 They're also a model of local legislation, negative legi-
25 slation vis-a-vis their inability to investigate, and

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1 resolve complaints against two of the possibly most
2 entrenched pools of discrimination--the local government,
3 and the local school system.

4 Perhaps a statewide human rights commission,
5 a commission empowered to address discrimination practiced
6 by state and local governments, and the public' education
7 system, as well as those groups and individuals tradi-
8 tionally within the purview of such commissions, will
9 strengthen our local commission. Perhaps each commission
10 will reinforce the other, such that the individuals,
11 and groups, traditionally targeted for discriminatory
12 behavior, and the new target, those pluralistically but
13 economically handicapped persons, known as the have-
14 nots, will have a clearly identifiable, accountable,
15 and empowered body to ease their load.

16 Perhaps these commissions will reach a level
17 of effectiveness, which will allow the Fairfax County
18 NAACP to enhance its posture of positive proactive,
19 communicative advocacy. Thank you.

20 MR. WILCOX: Thank you. Are there any questions
21 before she leaves the microphone?

22 (No rspnse)

23 MR. WILCOX: Thank you very much. I don't think
24 we have any more speakers, and if we do not, I want to
25 thank Barbara, to my right, as a moderator; Kika Pla,

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1 who has my one and only watch, kept the time; Wanda Hoffman,
2 and Robert Hall, and Barbara Stafford, who I haven't
3 given credit to at all, who collected the list of all
4 the speakers.

5 I want to thank you for the opportunity to help,
6 and I'd like to turn this meeting back to our Chairman,
7 Mr. Curtis Harris.

8 CHAIRMAN HARRIS: Thank you very much, Doug,
9 and Barbara, for moderating this session of our conference.

10 This is going to end our activity for the evening,
11 a little ahead of the time that we have listed on the
12 agenda.

13 I won't treat you the way I do the people in
14 my church. If we get through a little early, I just go
15 on to another sermon, so that we can let them out at
16 the same time, and they won't get in the habit of getting
17 out too early. But we'll let you go, with the understand-
18 ing that you will be here tomorrow, if you're already
19 registered.

20 Then at 8:30 a.m., we will begin the General
21 Session. We hope that you will come, and be ready, and
22 be interested, as you have demonstrated your interest
23 this evening, and that we can make this an all day con-
24 ference, during which time much information can be gathered,
25 and many people will be inspired to move forward, in

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1 trying to correct some of the ills that we have lived
2 with now, across the years. We believe that this is an
3 opportune time for us to be on the case, and we hope
4 that you will come back with determination to be on the
5 case.

6 Have we covered everything, Wanda? Thank you
7 very much. We will adjourn the meeting until tomorrow
8 morning.

9 (Whereupon, at 8:23 p.m., the meeting was
10 adjourned.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: U.S. Commission on Civil Rights
Virginia Advisory Committee
Statewide Conference on Civil
Rights Complaints & Compliance

Before: Curtis W. Harris, Chairperson

Date: November 13, 1983

Place: Richmond Room
Holiday Inn, Midtown
3200 West Broad Street
Richmond, Virginia

represents the full and complete proceedings of the
aforementioned matter, as reported and reduced to type-
writing.

Neal R. Gross

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