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to the

U.S. COMMISSION ON CIVIL RIGHTS

December 12-13, 1988

"RACE RELATIONS IN TOLEDO, OHIO"

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PROCEEDINGS

Before the Ohio Advisory Committee, taken before me,
Sharon L. Reil, Registered Professional Reporter and
Notary Public in and for the State of Ohio, at the
Hilton Inn, 3100 Glendale, Toledo, Ohio, commencing on
December 12, 1988, at 9:00 a.m.

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Tuesday, December 13, 1988

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Ohio Advisory Committee Members

Donald Prock, Chairperson, Ohio Advisory Committee

Marian Spencer, Vice Chairperson

Ray Leventhal

Virginia Ortega

Barbara Rodemeyer

Lynwood Battle

Martin Plax

Melanie Mitchell

William Muldrow, Acting Director, Central Regional
Division, USCCR

Robert A. Destro, Commissioner

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December 13, 1988
Tuesday Morning Session

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P R O C E E D I N G S

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MR. PROCK: I would like to call this session of the Ohio Advisory Committee to the United States Civil Rights Commission to order. We have a very extensive agenda this morning ending with an open period at approximately 12:35 for those individuals who have not been invited to make presentations but wish to make comments or presentations. The floor will be open for anyone or any individual or organization.

I would like to start out by introducing the members of the Ohio Advisory Committee to the audience. On my very far left is Melanie Mitchell, a resident of the Columbus area. Next to Melanie is Martin Plax, a resident of Shaker Heights. Next to Martin is Lynwood Battle, a resident of Cincinnati, and we have Barbara Rodemeyer, a resident of North Canton. And Virginia Ortega, who happens to be a resident of the Toledo, area. And we have with us Mr. Levanthal, who is a resident of the Cleveland area and Marian Spencer, who

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1 is a resident of the Cincinnati area and my name is
2 Prock and I am chairperson of the Ohio Advisory
3 Committee. To my right we have William Muldrow, who is
4 the director of the central region of the United States
5 Civil Rights Commission and I would ask William to
6 introduce his staff who are present.

7 MR. MULDROW: All right. We have with us
8 presently in the room with our office of general council
9 out of Washington Debra Dougherty and Faye Robinson, who
10 will be sitting at the far end of the table, who is not
11 present, is responsible for putting this together, doing
12 all the leg work and to my right I would like to
13 introduce Commissioner Robert Destro, part of the
14 commissioners which head the Commission headquarters in
15 Washington, D C.

16 MR. PROCK: At this point I would like to
17 invite Dr. Morton to come forward and present himself,
18 however you feel comfortable, whether standing or
19 sitting is fine. The format will be approximately 15
20 minute presentation with questions followed from the
21 Advisory Committee members.

22 DR. MORTON: Okay. Thank you. First of all,
23 good morning and I do appreciate the opportunity to

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1 speak to the Commission to share some observations and
2 some personal experiences that might be related to race
3 relations in Toledo.

4 Let me begin by stating my current
5 occupation. I serve presently as assistant to the
6 president, director of Affirmative Action at the
7 University of Toledo. In that role I serve as an
8 advisor to the president and other key administrators on
9 matters related to the fulfillment of the university's
10 Affirmative Action program, its Affirmative Action
11 mission and the goals associated with that mission.

12 I also participate very actively with several
13 community associations, several community organizations
14 as well as a few statewide activities. Currently I
15 serve as a member of the Board of Community Relations
16 and Affirmative Action here in Toledo, serve as a
17 trustee on the board of Greater Toledo's Housing
18 Directions and I also serve on the Hispanic Advisory
19 Committee with the University of Toledo.

20 I am also a member of the symphonies, the
21 Toledo Black Outreach Initiative project. Although I am
22 a newcomer to Toledo, you can see I have been involved
23 in a number of activities throughout the community and

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1 so over the past year since my arrival from Maryland, I
2 have made some observations and I will comment on those
3 today. They should be understood, though, in the
4 context of a short-timer.

5 Let me suggest that there are several elements
6 that I observe in my -- that I have observed in my year
7 here that I think I would probably associate with race
8 relations generally throughout the country and in Toledo
9 and in most organizations.

10 In order for us to productively address race
11 relations in the University of Toledo and throughout the
12 nation, first and foremost I view the problem as
13 stemming largely from a lack of shared leadership within
14 the community, within the nation and within most
15 organizations.

16 When I talk about shared leadership, I am
17 suggesting to you that in my role and in the roles of
18 those who work in Affirmative Action and in those who
19 probably persist where equal opportunity is concerned,
20 see their leadership role as lacking on the side of
21 those who would suggest that we have done enough, that
22 we have come far enough.

23 In some ways I think that they suggest that

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1 and in other ways, the problem relates to a real lack of
2 understanding as to exactly how you go about defining
3 racism and you are talking about racism and you are
4 talking about race relations in Toledo and so that's an
5 issue that we ought to address obviously, but I don't
6 think we can begin to deal with that until we address
7 the question of racism and until we are able to define
8 it.

9 I understand first and foremost that this lack
10 of shared understanding leads to misinterpretations of
11 what racism is. In its January, 1970 publication,
12 Racism in America and how to Combat it, the U. S. Civil
13 Rights Commission stated the following: Racism is best
14 defined operationally. This means that it must be based
15 upon the way people actually behave rather than upon
16 logical consistency or purely scientific ideas.
17 Therefore, racism maybe be viewed as any attitude,
18 action or institutional structure which subordinates a
19 person or group because of his or her race or color. In
20 America, it is the visibility of skin color and other
21 physical traits associated with particular colors or
22 groups that marks individuals as targets for
23 subordination by members of the white majority.

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1 They went on to state that racism is not just
2 a matter of attitudes, actions and institutional
3 structures especially can also be forms of racism. I
4 have observed that generally whites have little
5 understanding or experience with solving problems
6 associated with institutional or organizational racism.
7 Too many whites in positions of power and influence have
8 a manifestly different perception of organizational life
9 when compared to the perceptions and experience of
10 blacks, Hispanics and other minorities.

11 The thoughtless minor slights and
12 discourtesies of daily life are common occurrence in the
13 experiences of these individuals. An illustration of
14 such a contrary perception of reality might be noted in
15 a recent controversy surrounding the placement of a
16 statue, a statue of the Dearborn, Michigan mayor Ilbor
17 Hubber.

18 According to the study published in the
19 Detroit News just recently, one question surrounds the
20 statue: Is it a monument to a dedicated public servant
21 or tribute to a legendary racist? When questioned,
22 whites give a response quite different from that of many
23 blacks. Any substantial progress in resolving the

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1 problem of racism must be preceded by racism in America
2 is not a black, Hispanic, Asian or native American
3 problem. Racism is a white problem. Too few whites
4 have self-consciously explored the meaning of their own
5 whiteness.

6 As Robert Terry, himself a white male, for
7 whites only -- in his book Whites Coming to Terms with
8 the New White Identity, commit themselves to personal
9 and societal changes through their analysis of societal
10 issues such as power, culture, policy and institutional
11 structure and resources. Too many whites, Terry states
12 want interpersonal solutions apart from institutional
13 societal change.

14 Secondly, the absence of responsibility for
15 shared leadership in attacking racism limits our
16 response. Thus, meaning commitment, passion, will,
17 interest, courage, and vision seems limited to those who
18 would mobilize to fight oppression and injustice.
19 Leadership, involvement and commitment are inseparable
20 when attempting to eradicate racism and other forms of
21 oppression. Without these ingredients, Affirmative
22 Action and other mechanisms used to remove the barrier
23 that limit opportunity for blacks and Hispanics will

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1 fail.

2 Leadership provides a vision and appeals to
3 the ethical and moral sensibilities. Since most people
4 have varying opinions on Affirmative Action, formal
5 leaders must be open to input but should aspire to
6 engage in dialogue at one developmental level above that
7 of the followers. No board, committee, or advisory
8 group can operate effectively in a setting with few
9 examples of responsible and responsive leadership. The
10 challenge, racism leaders must have a clear
11 understanding of the multiple ways these realities
12 express themselves organizationally.

13 Thirdly, the problems associated with
14 resistance individual and organizational change are
15 especially difficult. Large complex organizations like
16 the University of Toledo, like the City of Toledo's
17 government can accurately be characterized as white mal
18 clubs. The club, again a point that Bob Terry points
19 out, is illustrated by its relationship to four major
20 components in organization -- resource, distribution an
21 by resource distribution, very often the club uses a
22 divide and conquer strategy which limits Affirmative
23 Action.

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1 New groups or so-called new groups, women,
2 Hispanics, native Americans are asked to share in a
3 piece of the pie but the slice of the pie gets no
4 larger. So that it's okay, for example, for women and
5 Hispanics and native Americans to petition the
6 organization for change, but too often the
7 organizational change is limited to that same slice of
8 the pie.

9 And power sharing, the practice of
10 establishing new positions with little or no formal
11 power, little or no staff again supports the club.
12 There is also the practice of placing minorities and
13 women in buffered positions. My own position, for
14 example, might be defined in some ways in the eyes of
15 some as a buffer position.

16 The other issue is cultural ethnocentrism, the
17 values of rationality, competition and individual
18 success are associated with this dynamic. Minority
19 women and men are depicted very often as being too
20 emotional or they have an attitude or they stick
21 together so that they are clique oriented. These are
22 common characteristics that are charged at the same time
23 without understanding that cultural diversity and

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1 cultural ethnocentrism should operate -- at least
2 cultural diversity should operate in organizations but
3 ethnocentrism is found most often.

4 Final areas, policy making and here obviously
5 there is too little opportunity available for
6 participation in the development of policy and decisions
7 that affect the organization generally and women and
8 minorities specifically.

9 Fourth, the absence of informed and
10 compassionate leadership at the national level of our
11 government has given encouragement and credence to those
12 who would restrict and resist attempts to remedy past
13 wrongs through Affirmative Action. Too little
14 appreciation for cultural diversity is a final area that
15 I would like to cover for a moment.

16 And, again, this area of cultural diversity is
17 very real and very much of value to organizations that
18 are progressive. They recognize that the demographics
19 in our country with regard to the work force is changing
20 rapidly, that by the year 2000, seven of ten new
21 employees will be either female, minority, most of those
22 or many of those will come from Latin America.

23 To begin the process of racism eradication as

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1 you talk about racism in Toledo and as we deal with it
2 on the university campus, there is some positions that I
3 would want to take in support and provide as a way of
4 looking at at least some resolution.

5 No. 1, there is certainly not enough
6 opportunity for power sharing. Until you begin to share
7 power, you really can't address the issue of racism in
8 this city. Until you begin to understand and share
9 power, you really can't address the issue of racism on
10 the university campus.

11 Secondly, we must support cultural diversity
12 as a value to the organization. Right now that's not
13 the case. We don't value diversity, not enough of us
14 do, and until it becomes truly of value within the
15 institution, again, not much will change. There needs
16 to be a sharing and policy development, people need to
17 be brought in on decisions that affect their
18 departments, their livelihood, their constituencies and
19 again, we have a lack of responsibility here.

20 We have to learn to understand and recognize
21 the many features of racism. I have talked about
22 institutional racism or organizational racism but there
23 is cultural racism, psychological racism, subtle racism

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1 is still a problem obviously and it's very, very
2 difficult and very, very complex an issue but it can be
3 addressed.

4 Fifth, we have to provide adequate resources
5 to those sectors of the organizations traditionally
6 underfunded. Affirmative Action programs, personnel
7 programs, public relations programs are too often
8 underfunded and again, viewed as buffer organizations.

9 And, finally, we must provide visible and
10 forceful leadership in eradicating racism and I can't
11 pay enough attention to the issue of leadership. And
12 it's not just enough to support or to at least support
13 your efforts or to aspire to support your efforts by
14 pointing out that over the course of some period of
15 time, minorities or women have doubled in their number
16 within the institution, the question remains where did
17 you begin; nothing from nothing leaves nothing.

18 And it's also important to understand that in
19 Affirmative Action, we do play a numbers game and we do
20 have some ambiguity associated with the question of who
21 is an administrator, who is a manager and who is a staf
22 person and so I would suggest to you that while the
23 managers, for example, yesterday the manager statistics

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1 are to those of us or to those of you perhaps who are
2 not familiar with that dynamic oppressive, I would want
3 to go a step further and ask the manager to provide
4 opportunity for those of you on the Commission to take a
5 look at exactly where those individuals lie, where those
6 individuals lie that he mentioned within that
7 administrative structure.

8 I want to end my comments by saying that I
9 think although I painted a somewhat negative picture, I
10 think Affirmative Action and equal opportunity are very
11 serious matters. I think the problem of racism is a
12 very serious one and I don't think you can resolve it by
13 kind words, I don't think you can resolve it by talking
14 in ways that are palatable and in pursuing a course of
15 action that people find generally palatable and that is
16 to engage in what generally might be defined as human
17 relations training or seminars or that sort of thing.

18 I think fundamental change needs to occur in
19 organizations and I think fundamental change needs to
20 occur at universities as well as within city
21 government. Thank you.

22 MR. PROCK: Thank you. Melanie?

23 MS. MITCHELL: Dr. Morton, you said that ther

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1 was a lack of shared leadership. How would you
2 facilitate the process of spreading out that power and
3 leadership?

4 DR. MORTON: Well, one of the things that
5 happens is that an organization or an individual, an
6 organization or individual who might feel grieved, takes
7 it upon him or herself very often to first of all
8 initiate some action and that action becomes
9 self-interested because people of common conditions are
10 oppressed, they move forward and they try resolve those
11 issues.

12 I don't see, when I talk about shared
13 leadership, enough insight, enough opportunity, enough
14 willingness on the part of those who have the power and
15 those who have the resources to affect change to provide
16 leadership as well.

17 And here within the city as the ministers and
18 others collectively came together to protest the
19 conditions, there was in fact one very prominent white
20 minister active with that group. On our campus there
21 are a number of progressive white students who are
22 active, but the shared leadership that I speak of is
23 more broad, it contains something that suggests that we

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1 all have a self-interest in this issue and I am not able
2 to do it alone. Those who can affect change most, don't
3 look like me, they don't look like you, they look more
4 like Commissioner Destro.

5 MR. PROCK: Martin Plax.

6 MR. PLAX: I guess I would like some specific
7 information about Toledo. I must say I was sort of
8 hoping that you would make your presentation far more
9 specific than you did.

10 Can you tell me what is happening at the
11 university regarding faculty recruitment, minority
12 student recruitment and more specifically, even not only
13 recruitment but retention.

14 DR. MORTON: Well, the university has made
15 some strides over the last three years where, for
16 example, black faculty recruitment is concerned. We
17 were able to recruit about five or six new black faculty
18 to our faculty last year, still have too few Hispanics,
19 only one native American. That is a real problem in an
20 institution that, again, has not been able to come to
21 grips yet in a more broad and I think shared way with
22 the problem that confronts minorities within our
23 community and within the nation.

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1 Where student recruitment is concerned, we
2 are, I think, at about 6 percent black students overall
3 minority student enrollment, maybe close to 12, 14
4 percent the number of Asian Americans, few Hispanics and
5 very few native Americans. Retention continues to be a
6 problem. I guess in the area of access, we are an open
7 admissions institution but within various programs,
8 there are limits in terms of selectivity, in
9 engineering, for example.

10 But when you talk about specifics, I guess,
11 you know, my comment to that would be that the
12 institution, the city differs very little for most urban
13 communities, from most large complex organizations.
14 the extent that specifics are important, I could bring
15 in a whole bunch of statistics and point all that stuff
16 out. I am not really encouraged to do that.

17 I think the basic bottom line issue or issues
18 remain power, resource distribution, access,
19 opportunity, a lack of leadership. Those may be general
20 terms to you, but within those terms are very specific
21 demands.

22 MR. PLAX: Can I pursue this?

23 MR. PROCK: Yes.

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1 MR. PLAX: There are really a couple of
2 questions I have. Yes, I think without numbers, I don't
3 know how you measure any kind of change, then it becomes
4 purely impressionistic and then I don't know what your
5 categories mean so I am a little disturbed by that
6 approach.

7 A couple of questions a peu pres' because we
8 were in Cleveland last year talking about problems with
9 Cleveland State University and one of the questions
10 arose regarding faculty recruitment and that it was, and
11 this is a problem that I think probably is epidemic,
12 that the pool of potential candidates amongst minority
13 students of potential faculty really and that really
14 went into along two lines. One that there isn't a large
15 pool of potential candidates and two, amongst those
16 minority students who are coming out with advanced
17 degrees, they are being gobbled up by industry.

18 And I am interested in your comments about
19 that in terms of even also beginning to measure
20 effective change at the university in terms of when you
21 begin, you are right in terms of numbers because in
22 effect numbers may mask things that are going on, but I
23 was wondering about your observation about that

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1 regarding faculty, particularly.

2 DR. MORTON: Well, regarding faculty, we are
3 losing a number of -- a good number of minority faculty,
4 potential minority faculty to industry. Higher
5 education has never really been able to compete
6 financially where salaries are concerned but a more
7 important issue or just as important issue is that
8 pipeline that is drying up, in fact, very rapidly so
9 that you see continued numbers of high school graduates,
10 black high school graduates continuing to grow but a
11 very disproportionate drop in the number that attend
12 college.

13 What I am suggesting to my colleagues is that
14 it's important that we have Ph.D. programs and doctoral
15 programs and we ought to use those to develop the
16 pipeline, we ought to use those to encourage more
17 minorities and women to pursue academic careers, provide
18 more in postgraduate study in terms of support and
19 fellowship and that kind of thing.

20 The Cleveland issue is a very real one and so,
21 there is that question of real marketplace competition,
22 and I think what we have been able to do in higher
23 education is to suggest to people that there are

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1 benefits that the private sector can not provide.
2 Summers off is great. To be able to in fact call
3 yourself a full-time employee but only teach two courses
4 a quarter and have the rest off for research. I mean
5 that's a great opportunity and I think it's important to
6 push that effort as well as the need to suggest that
7 there is something very altruistic about education,
8 about the practice of supporting individuals and
9 providing experiences that help it to grow.

10 MR. PROCK: Lynwood.

11 MR. BATTLE: Dr. Morton, since you are a
12 relatively new arrival to the Toledo community, I would
13 like to hear your personal reflections as probably only
14 a new arrival is positioned to give, your personal
15 reflections on how you perceive your first year here in
16 Toledo, how it has personally landed on you as a black
17 family man moving into the community.

18 DR. MORTON: Well, you know, I guess my
19 experiences more or less comes out of personal
20 disposition to involve myself in the community, to be
21 very active in the community and to look at this
22 community as I do most, that is that there are very real
23 problems associated with racism in this community.

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1 I have not experienced, quote unquote, over
2 forms of racism, but very subtle sorts of things are
3 always apparent. My first year I made sure that I got
4 out to meet people, black and white, that I was active
5 in the community. I found a reluctance to deal with
6 issues somewhat more aggressively. I guess Toledo as a
7 community I have been told and I have experienced is a
8 rather conservative community.

9 There have been a number of problems across
10 the community within various sectors, peoples' homes
11 being vandalized, graffiti, this kind of thing, people
12 being physically abused. We have heard reports about
13 the -- we have sponsored, for example, as a Commission
14 member on the Board of Community Relations, we sponsored
15 forums and we heard of police intimidation and that sort
16 of thing from many of our black residents.

17 The school system is a segregated school
18 system in effect. I work with a desegregation unit here
19 in Ohio, I worked out of Kent State University where I
20 did my graduate work. Toledo is one of the few centers
21 in this state that initiated a voluntary plan and
22 therefore voided any court order desegregation plan.
23 That has an impact on the community, that's been my

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1 observation, that the schools are very much de facto
2 segregated.

3 I think that has an impact on our ability to
4 support community development to the extent that
5 youngsters see and understand that it's important to
6 work together and they attend school in segregated
7 communities and still return to segregated communities
8 to live.

9 As a community, economic conditions are not
10 what I am sure most would prefer that they be. There is
11 some theory of thought to suggest whether that has an
12 impact on oppression that the extent that resources are
13 limited, that there is keen competition for jobs and
14 that sort of thing. Within city government, again,
15 although many people support the strong or do not
16 support the strong mayor arrangement, I do. I think it
17 makes sense to do that.

18 I don't think that under the current situation
19 there is enough accountability to the constituency and
20 the constituencies within the community. Should I go
21 on? These are some thoughts that come to mind right
22 away. Coming out of the east, I was raised in
23 Washington, D C., attended a predominantly black

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1 college, my family, by the way, is still in Maryland
2 you talk about being a family man in Toledo.

3 And so those observations coming from that
4 urban Washington experience to Toledo certainly help me
5 or put me in a culture shock kind of position.

6 MR. BATTLE: You say culture shock. Let me
7 ask you to take that a step further. This may be an
8 oversimplification, but on a scale of one to ten, where
9 would you rate Toledo on that continuum as not racist a
10 all to most racist?

11 UNIDENTIFIED SPEAKER: 10.

12 DR. MORTON: It is difficult to do that.
13 Perceptively, we are not on the progressive end of the
14 stick.

15 MR. BATTLE: Okay. Thank you.

16 DR. MORTON: We are not.

17 MR. PROCK: Barbara.

18 MS. RODEMEYER: No.

19 MS. ORTEGA: Dr. Morton, you indicated you are
20 with the Board of Community Relations and in that
21 capacity you had an opportunity to review, for instance
22 various levels of employment with various departments
23 within the city. What has been your observation based

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1 on your review of those different departments, I am
2 thinking now in terms of human resources, for instance,
3 where how well or what are your perceptions about
4 Affirmative Action in those areas, those specific
5 departments?

6 DR. MORTON: Yeah. Well, let me just make a
7 comment that comes to mind very often. I know the Human
8 Resources Department the city government is located
9 somewhere I think on the 19th floor and above that large
10 bulletin board that expands almost the entire wall there
11 is a very important phrase. I guess it says we are an
12 equal opportunity employer.

13 The City of Toledo is not an equal opportunity
14 employer and the University of Toledo is not an equal
15 opportunity employer. In order to be an equal
16 opportunity employer, you have to practice Affirmative
17 Action and you have to practice it diligently and while
18 I work at the university and I support the university's
19 efforts and I will continue to do that, my very
20 realistic appraisal suggests that we again have a very
21 long way to go.

22 You reach equal opportunity through practicing
23 Affirmative Action. And there are too many

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1 imperfections at this point within the Human Resources
2 Department within this city. Certainly too many
3 imperfections within the university structure for us to
4 consider ourselves an equal opportunity employer. I
5 think we ought to aspire to be an equal opportunity
6 employer but we are not there yet.

7 There are still too many opportunities for
8 minorities for women to experience racism, sexism, other
9 sorts of oppression within our institutions and within
10 city government. So that would be my observation
11 generally, again, as a way of looking at human resources
12 as you pointed out.

13 It's really a very saddening experience to
14 think about, you know, the amount of time and energy you
15 put into your work as all of us enjoy our work and
16 should and I enjoy most of mine, but I guess I am on the
17 front line in that I hear these cases where people, for
18 example, have racist graffiti pushed under their doors.
19 Our faculty experience that, black faculty sometimes
20 experience that.

21 I don't want to come to work for a university
22 where I walk into the men's restroom, as an example, and
23 I see this very negative, very nasty racist graffiti as

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1 I did last week and called our physical plant to ask,
2 you know, someone to come over and take this painted
3 graffiti off the walls. You know, it's a very
4 debilitating experience.

5 Do you want to go to work for an organization
6 that allows that sort of thing or at least has that sort
7 of, you know, thing on its walls? So again, the
8 day-to-day kind of indignities, the day-to-day
9 experiences that blacks, Hispanics confront is lost on
10 too many of our white colleagues and so that would be
11 again my observation.

12 MS. ORTEGA: Thank you.

13 MR. PROCK: Ray Levantahl.

14 MR. LEVANTHAL: Dr. Morton, you started your
15 remarks by saying you were going to try to define racism
16 and you did an excellent job and I think we all agree
17 that leadership must come from the top, but Socrates
18 once said, I would like you to define your terms on
19 Affirmative Action. This puzzles me and a lot of other
20 people just what the definition of Affirmative Action
21 is.

22 There are some who think that there should be
23 quotas -- 20 percent minorities should have 20 percent

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1 of the jobs. Others who think that there should be
2 goals, that you should train people to work up to these
3 jobs, the Backey (ph.) case, which I am sure you are
4 familiar with. So there are all sorts of opinions
5 regarding Affirmative Action.

6 I would like to hear briefly your goals or
7 definition of what a true Affirmative Action plan should
8 be, not particularly for the university, but let's say
9 relating to the City of Toledo. Should there be 20
10 percent minority, should 20 percent of the jobs at the
11 official levels be held by minorities, what is your
12 opinion of that, Dr. Morton?

13 DR. MORTON: Well, I guess my thoughts on
14 are number one, I guess it's important to look at
15 proportionate representation. But when I talked about
16 leadership providing a dialogue and discussion and
17 activity one level above the current dialogue, I am
18 suggesting that to, for example, take a look at the 17
19 percent or 16 percent representation of blacks in Toledo
20 and suggest that 16 or 17 percent of the work force
21 within the city ought to be black is important but why
22 not 30 percent of the work force? You know, why not 35
23 percent of the work force?

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1 We have an Affirmative Action plan being
2 proposed that does not have those in timetables
3 associated within the city's plan. And I would not want
4 the city to submit an Affirmative Action plan that did
5 not contain very specific goals and timetables
6 associated with departments. I think that's an
7 important component of Affirmative Action plans.

8 I think it's also important for Affirmative
9 Action plans to challenge institutions, to challenge an
10 institutional constituency and community to understand
11 that this is something of value that is not necessarily
12 quote unquote holistically legally required, that it's
13 important to do this for moral reasons, it's important
14 to do this for ethical reasons.

15 I think Affirmative Action plans ought to
16 point out ways in which that office and the central
17 administration can be supportive of various departments
18 in terms of the resources that are available to them.
19 Very specific actions with targets, targeted dates
20 associated with those actions is an important component
21 of Affirmative Action plans.

22 The fact that the president or the mayor or
23 city manager puts together an 8 by 11 statement of

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1 support is important but that's become too boiler plate,
2 you know, that's a component that people view as, you
3 know, let's turn to the next page and see what they
4 really want to do kind of reaction. So while those
5 things are required in most plans, I think more
6 important issues are very specific actions, very
7 specific target dates, resource availability, trend or a
8 message throughout the plan that supports it as an
9 institutional value as a norm and then I think at the
10 top where central administration is important, there has
11 to be accountability attached to it.

12 So I would want to see as well some attempt to
13 spell out just what responsibilities and accountability
14 managers and directors have and to what extent are they
15 going to be judged and evaluated, assessed with respect
16 to their leadership on those areas.

17 MR. LEVANTHAL: Thank you very much.

18 MR. PROCK: Vice Chair Spencer.

19 MS. SPENCER: Dr. Morton, your definition of
20 racism, would you give me the year that it was
21 presented.

22 DR. MORTON: That was 1970.

23 MS. SPENCER: 1970, by the U. S. Civil Rights

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1 Commission. I would like to hear it again. There are
2 some people who are here now who were not here when it
3 was first read, then I want to ask some more questions.

4 DR. MORTON: All right. Let me see if I can
5 locate it again.

6 MS. SPENCER: It was right in the beginning.

7 DR. MORTON: Here we are. Racism is best
8 defined operationally. This means that it must be based
9 upon the way people actually behave rather than upon
10 logical consistency or purely scientific ideas.
11 Therefore, racism may be viewed as any attitude, action
12 or institutional structure which subordinates a person
13 or group because of his or their color. In America, it
14 is the visibility of skin color and other physical
15 traits associated with particular colors of groups that
16 marks individuals as targets for subordination by
17 members of the white majority. They went on to state
18 racism is not just a matter of attitudes, actions and
19 institutional structures especially can also be forms of
20 racism.

21 MS. SPENCER: I am glad the Commission saw fit
22 to put that down in writing. I heard you say that we
23 apparently have moved away from a posture in this

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1 country of being proud of our diversity. This period
2 moving away seems to me to say that other minorities
3 such as Hispanics coming into our society are going to
4 have to surmount the same hurdles that the largest
5 minority black Americans have had in their past and are
6 still meeting in their present.

7 Now, the question I have of you in academia,
8 if we go to Mexico and we say are you of Spanish
9 background or are you Indian background, the Mexican say
10 we are all Mexicans. In academia, do you see any
11 education toward we are all Americans?

12 DR. MORTON: Too much education toward we are
13 all Americans. I think we are all Americans and I think
14 that's important. But we are also a very diverse
15 country and as someone said once, we are a salad bowl
16 rather than a melting pot. And so there is a shared --
17 there is a need for shared values.

18 True, justice, opportunity, I think those are
19 very worthy values that ought to be shared. What I find
20 problematical as you point out where Hispanics are
21 concerned, for example, and as they rapidly become the
22 largest minority in our country and experience some of
23 the same problems that blacks and native Americans have

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1 experienced, I see this need on the part of too many to
2 push an agenda that suggests that it's not important to
3 make such distinctions where culture is concerned, it's
4 more important that we all move in the same direction
5 and we all more or less become color blind and see each
6 other not as colors, not as genders and so on.

7 And I don't think I support any position that
8 suggests that we ought to move toward a color blind
9 society. I think we have to remain color conscious. In
10 eradicating racism and sexism and other forms of
11 oppression, we have to be very conscious of the
12 differences and so on our campus and in academia, there
13 is a collective collegiate spirit about the community,
14 collective collegiate spirit about what we are as an
15 institution but what we are as an institution is a
16 diverse mix and I am supporting culture diversity as a
17 value and as a diverse mix associated with excellence.

18 MS. SPENCER: I would suggest -- you had said
19 that you supported the strong mayor type government, I
20 would suggest that you might want to look at a report on
21 the representation which will give not necessarily a
22 strong center person but strength to the total Council.

23 DR. MORTON: Well, I think exactly.

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1 Certainly. I think you move from strong mayor to the
2 voice of representation. I think if you -- well,
3 obviously the referendum failed; but if that proportion
4 of representation issue had been tied to the strong
5 mayor proposition, I think it would have failed even
6 more visibly.

7 MS. SPENCER: Do you think it would be good to
8 have observations, as Gunmar Mildol (ph.) did, of our
9 country by foreigners on a very large basis so that we
10 continue to be aware of how we look?

11 DR. MORTON: Yes. We have, as I mentioned
12 earlier, a strong visible representation of Asian
13 students, international students on our campus. And
14 they share their observations with me a lot. You know,
15 these things certainly have to be viewed in context and
16 I attempt to be fair, I attempt to be objective.

17 I make attempts, as all of us do, to do that
18 and I listen, I listen more than I speak to our
19 international students and their observations as they
20 come to our country and take a look at what we are about.
21 are sometimes very sad ones. Again, too little
22 sensitivity to the diversity issue, too often, you know
23 differences of view as deficits, we can't understand

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1 their language, you know, why do they have to wear those
2 scarves, they all collect together and they don't really
3 spread themselves out, do they? What are they thinking
4 about, what are they talking about?

5 So I guess from that perspective, we again are
6 certainly imperfect where that role model is concerned
7 as we espouse our more general values about
8 opportunity.

9 MS. SPENCER: And the growing racism on
10 college campuses is reflective of problems within our
11 society?

12 DR. MORTON: I think. So we are no more than
13 a microcosm of society and I don't want to beat this
14 issue to death, but I do believe over the last eight
15 years, we have not been helped. We have not been
16 helped. As a practitioner, you know, I attend
17 conferences with other practitioners. And I think I ca
18 say quite frankly that we are cordial, we are polite to
19 our visitors from Washington, those from the U. S. Civi
20 Rights Commission and those who come over from the Labo
21 Department and OFCCP and all of those. But that's
22 basically all that we are. We have not been helped.

23 You know, we are on the front line and for th

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1 past eight years, the people that I have to force to
2 the right thing for the wrong reasons take some refuge
3 in the comments and in the actions of our national
4 leadership. It will be interesting to see what happens
5 over the next four years, but we have not been helped.

6 MR. PROCK: Thank you, Dr. Morton. We have in
7 our audience scheduled for our next two presenters both
8 the fire and police chief. If both could come forward
9 and take seats and, Chief Felker, you will be the first
10 presenter and our format is 15 minutes of presentation
11 and then questions from the panel.

12 MR. FELKER: This morning I would like to give
13 you a little historical update of the Toledo Police
14 Division and where we have been and where we are right
15 now. As the chief of the Toledo Police Division, I
16 manage the largest division within the city
17 administration. The division in the 1988 budget
18 authorizes a staffing level of 750 sworn police officer
19 and 59 civilians.

20 We are charged with the responsibility of
21 delivering the police service to 304,000 citizens over
22 an 86 square mile area. Since 1974, the Toledo Police
23 Division has operated under a court supervision

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1 concerning the issues of minority recruitment, hiring
2 and promotion. As such, the division has always
3 endeavored to fulfill its responsibilities.

4 The first case which began in 1972 was called
5 Sarabi versus Duck (ph.). That was a class action suit
6 seeking elimination of racial discrimination in hiring
7 of police officers for the city of Toledo. The suit
8 contended that the height requirement of 5' 6" as a
9 prerequisite of employment with the police division made
10 the effect of excluding substantially higher percentage
11 of Spanish surnamed American males than caucasian
12 males. The suit further contended that there was no
13 evidence showing such recruitment is job related and
14 therefore should be abolished.

15 A November of '74 case was resolved by a
16 consent decree that set up a program of eliminating any
17 vestiges of past discrimination. December of '74, an
18 order was entered embodying the relief providing the
19 consent decree. The order was to begin immediately.
20 The process required to validate all employment
21 examinations to the Toledo Police Division consisting
22 with the E.E.O.C. guidelines.

23 And second, the validation procedure shall be

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1 of quality to insure that such examinations used in
2 police selection process do not discriminate against
3 blacks, Mexican Americans or any other person and the
4 results obtained will provide a reasonable prediction o
5 job performance.

6 The consent decree was modified in 1981 to
7 incorporate the City of Toledo Minority Recruitment
8 Program for police officers and firefighters as applied
9 to the police division. As stated in the Minority
10 Recruitment Program, the objective to the City of Toled
11 were in part to achieve at least a 14 percent black and
12 3 percent Hispanic representation within the police
13 division by 1981.

14 All appointments at the entry level uniform
15 position should be made pursuant to the Rule of Three,
16 this plan was divided into three parts -- local minorit
17 recruitment including local college recruitment, pretes
18 orientation prior to the examination for physical and
19 written testing and a follow-up procedure at all stages
20 of recruitment. The city's required to file with the
21 Court one week prior to any hiring a report which will
22 state the names of persons that will be hired and
23 explain how the proposed hires meet the goals and

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1 objectives of the consent decree and give the reason fo
2 rejection for any minority applicants.

3 In 1983 the parties for the first time
4 utilized an alternative method of certification for
5 hiring called the banding method. Between 19 -- January
6 of 1981, excuse me, division strength of 1981 was 668
7 officers, of that approximately 9.4 percent was black
8 and 2.1 percent were Hispanic. January of 1983, that
9 figure had raised to 12.1 percent black and 3.1 percent
10 Hispanic.

11 1983, based upon the 1980 census, there was
12 another modification made to the order that the increase
13 in percentage goals of the division should be raised to
14 17.4 percent black and 3 percent Hispanic. In January
15 of 1984, we had a 17.3 percent black representation and
16 a 3.8 percent Hispanic. In '85, this was maintained and
17 in '86 it dropped to 15.8 percent for blacks and
18 maintained a 3.8 percent for Hispanics.

19 The reason for the drop at that point was that
20 we had recruited and hired a large number of black
21 officers from the City of Detroit because they had laid
22 off police officers. We experienced difficulty keeping
23 these officer because once the Detroit department

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1 started rehiring, the officers had their family still in
2 the Detroit area and they left to go back.

3 January of 1988, we had a figure of 15.8
4 percent black, 3.7 percent Hispanic. Due to pending
5 retirement, the division is currently projecting a
6 staffing of 471 sworn officers by January 1, 1989, of
7 which 122 are black, 28 are Hispanic and 98 are women.
8 Within my command structure, 13 of the 102 sergeants are
9 black, three are Hispanic. Three of my 36 lieutenants
10 are black and one of my four deputy chiefs is black.

11 Additionally, seven women hold the rank of
12 sergeant and one is a lieutenant. Second case to affect
13 the division was filed in 1974 and this was entitled
14 Harlist versus Duck (ph.). This case was relative to
15 the hiring, recruitment and assignment and promotion of
16 women. This case was settled in February of 1982 with
17 consent decree that all hiring must be validated by
18 experts conforming and remain consistent with Equal
19 Employment Opportunity Commission guidelines.

20 It provided for job related examination and
21 review of disparate treatment among female applicants.
22 Same type of criteria was used for the promotion of
23 females. We established a quota for police applicants

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1 for women. It states that it should not drop between 20
2 percent of all classes and that women were to be hired
3 in equal proportion to number of persons taking the
4 test. This was accomplished by taking the number of
5 women that applied for the test, divided by the total
6 number of persons that had applied for the test and we
7 received a percentage number that should be female.

8 This consent decree was lived up to by the
9 city and was terminated on December the 2nd, 1987. 30
10 percent of all persons hired since 1982 in the Toledo
11 Police Division have been female. At the ranks of
12 sergeant and lieutenant, we are currently ahead of the
13 schedule established in the consent decree, originally
14 entitled the Afro Americans League versus Mason.

15 The goal is to reach by June of 1990 the same
16 census percentage of blacks and Hispanics in the comman
17 ranks. To date, we are currently within those
18 objectives. Those objectives were that 1986 we had nine
19 black sergeants and three Hispanics. In June of '87 we
20 were to raise that to 11 blacks and three Hispanics, by
21 '88, to 13 blacks with three Hispanics, June of '89, to
22 15 black sergeants, three to four Hispanic sergeants and
23 by June 1, 1990, we should have 16 to 18 blacks and

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1 three to four Hispanics.

2 At the lieutenant level, by June 1, 1988 we
3 were to have three black lieutenants, no Hispanics that
4 were required by the consent decree, by June 1, 1989, we
5 were to have four black lieutenants and one Hispanic and
6 by June 1, 1990, we'll have five to six black
7 lieutenants and one or two Hispanics.

8 As I stated before, we are currently within
9 those guidelines. At the present time we have 99
10 sergeants of which 13 are black and three are
11 Hispanics. We have three black lieutenants. It is
12 anticipated by the end of this year that there will be a
13 Hispanic lieutenant appointed.

14 Since 1973, the Toledo Police Division has
15 hired 542 individuals. Of that number, 31.3 percent
16 have been minority with 140 blacks being appointed and
17 13 Hispanics. That concludes my presentation and I
18 would be happy to answer any questions.

19 MR. PROCK: Thank you, Chief. Martin Plax.

20 MR. PLAX: Chief, the statistics, I was
21 finding myself getting lost in all the numbers. I wrote
22 them down, I am not sure what they mean. I would like
23 to ask a different kind of question if I might and that

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1 is would you mind describing from your perspective the
2 relationship between the police department and the
3 leadership of the black community here in Toledo and
4 perhaps you could specify when a problem arises, if the
5 black leadership in the community or Hispanic community
6 has a problem, what kind of linkage or nonlinkage
7 occurs?

8 MR. FELKER: The division probably -- I have
9 been chief since last year, so about the last 15
10 months. I don't believe that the division has always
11 taken advantage of some of the minority representation
12 when we do run into a problem. I have attempted on whe
13 problems do arise to contact members. I have had quite
14 close contact with Mr. Lee Williams, NAACP trying to
15 bounce things off him to see just how he feels, what he
16 sees the problems are, what he feels could correct thes
17 problems.

18 I also attend quite a few meetings within the
19 minority community to talk not so much with the
20 identified leaders of the community but more with just
21 the average citizen. I feel quite often that the
22 average citizen does not always become involved in a
23 leadership capacity but certainly has very valuable

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1 information and suggestions and I rely fairly heavily on
2 their input when problems do occur.

3 I may make mistakes at times that I don't
4 address them in all points but I have taken the time to
5 get with the minority community and to talk to them and
6 try to get the feel that they have of what they would
7 see would be of a benefit for the community, to use that
8 when decisions are made.

9 MR. PLAX: If I could follow-up. One of the
10 things that we heard or at least I heard yesterday
11 amongst some of the speakers is that there is a sense of
12 mistrust, not just the police but a sort of city
13 government in general. Do you see that that's the case
14 and if so, do you see ways of trying to diminish that
15 mistrust if in fact you see that it exists?

16 MR. FELKER: Mistrust, you mean by the
17 division to rely on the minority community?

18 MR. PLAX: Well, the community seems not to --
19 at least this is my hearing of it, that there are
20 problems perceived by the leadership of the minority
21 communities, that somewhere or other whatever they might
22 say or try to communicate to the leadership of
23 government and in a variety of places isn't going

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1 anywhere.

2 MR. FELKER: I can only speak for the police
3 division.

4 MR. PLAX: I understand.

5 MR. FELKER: That's my direct involvement. I
6 see as time goes by with the minority community that I
7 meet with being more open and I think at first there was
8 some of that mistrust. They didn't know me. They may
9 have had some mistrust from prior dealings with the
10 police division.

11 I see that breaking down at this time. We
12 have a ways to go, certainly. But we are quite often in
13 a negative position because we go in and enforce laws
14 and do it on a negative standpoint because someone has
15 to go to jail, we have to tell people they can't do some
16 things they would like to do, but I see that breaking
17 down to where at least I see more cooperation when I
18 talk to the minorities that they feel, appear to me, to
19 be more open in giving their suggestions of what they
20 would like to see done, especially with the relation to
21 the drug problems and things like that, that they are
22 much more open and willing and desire to become involved
23 in these and work these problems out.

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1 MR. PROCK: Melanie Mitchell.

2 MS. MITCHELL: Good morning, I have two
3 questions. First of all, how long have you been the
4 chief?

5 MR. FELKER: I was appointed in August of
6 '87.

7 MS. MITCHELL: So most of these problems, the
8 consent decrees were there before you were there?

9 MR. FELKER: Yes..

10 MS. MITCHELL: Yesterday we heard from the
11 interdemoninational religious alliance.

12 MR. FELKER: Yes.

13 MS. MITCHELL: And they said that they had
14 come to you and I think the city manager and suggested
15 that based on their observation and their involvement in
16 the community, that racial sensitivity training for
17 police officers was needed and I guess my question to
18 you is how would you respond to that? Do you think that
19 was a valid concern?

20 MR. FELKER: It is a concern of theirs, it's
21 concern of ours. But I have a little problem with in a
22 I have discussed with them, we look at sensitivity not
23 restricted to racial type problems. Sensitivity is an

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1 overall training that we continue to give. We spent
2 \$25,000 the year before last on sensitivity type
3 training.

4 I look at sensitivity has to be on every
5 contact that we have. You can't restrict it just to a
6 racial type. When we go interview a woman that's been a
7 victim of a sexual assault, we have to be extremely
8 sensitive. If we go out to a residence that's been
9 burglarized their home, these people are very distraught
10 that someone has invaded their space, we have to be very
11 sensitive; if we are investigating an accident, we have
12 to be sensitive.

13 I look at sensitivity has to be an overall
14 practice of the division, we can't restrict it to just
15 one specific area. We have offered to allow Sam Hancock
16 from the Board of Community Relations if he feels some
17 specific training that he could benefit us to come in
18 and provide that to us. We look at the sensitivity
19 training to be an overall training of the division.

20 I do understand their concerns. They have
21 stated that on some occasions they have seen some
22 insensitivity by the division. Probably true. We
23 responded to over 265,000 calls for service last year,

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1 human on human contact type of thing. There is going to
2 be times as much as we guard against it but, yes, there
3 could be some insensitivity but I think we all in this
4 room can look back on times that we should have been a
5 bit more sensitive but for some reason we at that point
6 were not.

7 But we are very strong on sensitivity
8 training. We are continuing to work with that but not
9 from the standpoint that we are just going to look at it
10 from a racial standpoint, we are going to look at it
11 from our overall contact, every call, every type of
12 service. I don't think we should just worry about
13 sensitivity because it is a racial incident. Every
14 citizen we deal with needs and deserves that we be
15 sensitive to their needs at that time.

16 MS. MITCHELL: What sort of mechanism do you
17 have in play that addresses those kind of accusations?
18 What happens if someone says, you know, a police officer
19 was not only insensitive but sort of based on their own
20 biases agitated the situation? What happens?

21 MR. FELKER: We try to identify those
22 individual incidents when they take place so that we can
23 identify an individual officer, if that's the case. If

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1 we have one officer, a small group of officers that seem
2 to be having a problem with that, we'll take actions for
3 specific training for just those officers to try to
4 eliminate that problem.

5 We have a built-in procedure if someone feels
6 that we are improper the way we have handled any call,
7 for us to investigate it. If those allegations are
8 substantiated, to take the proper corrective action.

9 Whenever we get a racial complaint,
10 specifically, we have a number of different groups that
11 immediately concentrate on that problem. The uniform
12 patrol immediately starts an on-scene investigation. We
13 have an investigator from the detective bureau that is
14 assigned to it. We have an officer from our community
15 affairs unit that is assigned to it. We notify Sam
16 Hancock in the Board of Community Relations that we have
17 had a racial incident. We use their expertise of the
18 different groups that are combined into the Board of
19 Community Relations to attack these problems.

20 So we have a lot of different people going at
21 it and if we identify people that need some additional
22 training, we certainly give that to them as quickly as
23 possible.

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1 MR. PROCK: Lynwood Battle.

2 MR. BATTLE: Chief Felker, I was very
3 impressed by the statistics that you were recounting
4 there but, of course, I realize that a lot of them came
5 about as the result of the consent decrees that preceded
6 you. Now that the consent decrees have been responsible
7 for some measure of diversity in the police department
8 itself, I would like to hear your plans for managing
9 this diversity and whether or not women and people of
10 color are in fact full partners in the division and are
11 relied on for the expertise that they bring to it or are
12 just there as numbers, statistics to be recounted.

13 MR. FELKER: No, they are not just numbers.
14 I don't look at the consent decrees as something that
15 once we fulfill them, we can just say okay, we have done
16 that, we are going to put it aside and let somebody else
17 take us to court the next time if they don't like what
18 we are doing.

19 They are guidelines, they have been very
20 beneficial to the division. There are some drawbacks to
21 the division. We have to accept that responsibility and
22 I think we have taken the strides to correct it. I
23 personally plan to continue this. I have moved

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1 minorities and both black, Hispanic and females into
2 different positions in the division so that they get a
3 chance to grow and to get other expertise. I plan on
4 continuing that procedure and to bring more of them up
5 into the administrative line.

6 I just moved another female up to the
7 administration section and the first black lieutenant
8 was promoted by myself. I have gone to the Civil
9 Service Commission, we had a captain's list that was all
10 white males. I requested that list be expunged and they
11 did that. We gave a new test so that minority
12 lieutenants would have a chance to test for the position
13 of captain and be able that I could consider them to
14 promote them.

15 I have a black lieutenant now that is on that
16 list that can be considered when a captain's opening
17 comes up. So I am taking the strides to bring those
18 people in to positions where their expertise can be
19 relied upon. My black deputy chief I have assigned to
20 investigative services, tried to move more minorities
21 into investigative services because that's one area I
22 feel needs some assistance from that area.

23 We deal with quite a bit of investigations

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1 from the minority community, we need that involvement
2 I rely on him a lot for transfers of party when we do
3 promotional interviews, he is a member of my panel that
4 assists in making recommendations for promotion, so that
5 I am using the minority people to make decisions every
6 day within the division and intend to continue that
7 movement throughout the time that I am chief.

8 MR. BATTLE: Thank you.

9 MR. PROCK: Barbara Rodemeyer?

10 MS. RODEMEYER: How do you test for entry
11 level? Where do you get your tests, who grades them?

12 MR. FELKER: That is completed by the Human
13 Resources Division and I would really have to bow to
14 them because they do the whole testing and then provide
15 me with a list once it's completed. To answer
16 specifically, I would not be able to do that because I
17 do not have the expertise there, but that is done by our
18 Human Resources section and they do all our testing and
19 validation of it and then they provide myself and Chief
20 Winkle, if it's a fire exam, with a list of people that
21 have the requirements that we need for hiring.

22 MS. RODEMEYER: Well, do you test first and
23 then do physical and interview?

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1 MR. FELKER: Yes. There is a recruitment
2 process to get people to come in and take the test and
3 we do a written test and once that we are supplied with
4 a list of people that have passed the written
5 examination, that's supplied to the division and then
6 through the background procedures we do, the
7 psychological, physical and so forth testing until we
8 have reached a list that we could actually point off
9 of.

10 MS. RODEMEYER: And who does the interviews
11 for prospectives once you have got your list?

12 MR. FELKER: We have a background team that is
13 made up of police officers both in command and patrolmen
14 that go through the background procedures. They have
15 questionnaires that they fill out and they do some
16 interviews there. Now, the interviews I am talking
17 about for promotional are different. There is not an
18 actual interview that takes place on the hiring. I
19 bring them in on a panel and ask them questions. The
20 interviews take place at a promotional atmosphere.

21 MS. RODEMEYER: What I am thinking of is no
22 one is hired that someone in authority has not met and
23 talked to, are they?

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1 MR. FELKER: The authority would be the
2 command structure that is in the background
3 investigation. I do not interview applicants for the
4 police division, no. But through the background
5 procedures, we have questionnaires, we have the people
6 in but they may be talked to by a patrol officer, maybe
7 talked to by command officer to verify information that
8 we received both from them and through our background
9 procedures.

10 MS. RODEMEYER: Have you kept your first
11 service stable or have you had layoffs?

12 MR. FELKER: We have never had any layoffs.
13 Back in the early '80's certainly by attrition we
14 dropped way down, but we have never had to lay a police
15 officer off. In the last two years we have stayed
16 reasonably steady. We dropped down. We try to put on
17 at least one class a year to keep us near our 750
18 strength.

19 MS. RODEMEYER: Do you operate totally under
20 civil service or are you unionized as well?

21 MR. FELKER: We have patrolmen who are
22 represented by what is known as the Toledo Police
23 Patrolmen's Association, which is a full-fledged union

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1 and the command officers are represented by the Toledo
2 Police Command Officers Association, which even though
3 they are not a UAW type of organization, have the same
4 authority as the unions. We have a collective
5 bargaining agreement with both organizations.

6 MS. RODEMEYER: Thank you. And you have a
7 chartered government, is your civil service in line with
8 state or is it different?

9 MR. FELKER: I would have to believe that they
10 are in line with all the state requirements, yes, that
11 we have our own civil service commission.

12 MS. RODEMEYER: Charter city could do a few
13 different things.

14 MR. PROCK: Virginia Ortega.

15 MS. ORTEGA: When someone is speaking to you
16 and not looking directly at you in the eye, what comes
17 to mind?

18 MR. FELKER: You may look for maybe
19 uncomfortable, they may be nervous or you could go all
20 the way down to maybe questioning whether they are being
21 straight forward with you.

22 MS. ORTEGA: In other words, you might think
23 that the person is telling you a lie or is not telling

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1 you the truth, do those -- does that come to mind?

2 MR. FELKER: That's one that's a possibility
3 but I think you have to look into it more than jumping
4 to just immediate conclusions. Some people are very
5 uncomfortable speaking and just do not look straight at
6 you.

7 MS. ORTEGA: What about the notion that
8 someone might not look you straight in the eye because
9 they are showing respect to you, does that come to
10 mind? In other words, if I refuse to look you straight
11 in the eye, it's because I am showing respect.

12 MR. FELKER: I would have to say that that ha
13 never come to mind, no.

14 MS. ORTEGA: And I am a Mexican American and
15 in my culture, we are taught that when you speak to
16 people who are perceived to be in positions of power, t
17 look them straight in the eye is to show some
18 disrespect.

19 MR. FELKER: Again, I think that you need to
20 look at the whole situation. Immediately if someone
21 doesn't look me straight in the eye, I certainly do not
22 think that they are not being truthful. I think a lot
23 of people whether they be Hispanic or whether they be

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1 white are very nervous when they speak to people and
2 just the fact that they don't look you in the eye
3 doesn't really disturb me.

4 MS. ORTEGA: The point I am making, Chief
5 Felker, is that those cultural sensitivities or those
6 cultural differences are very real and very important
7 and especially when you are dealing with Hispanics. If
8 a police officer does not realize that when he is
9 interviewing someone or that when they are talking to
10 someone in an effort to solicit some information, if
11 this person does not look you straight in the eye or if
12 they tend to look down, they are simply showing respect,
13 that may not -- that may be one of the things that they
14 are doing, they are not lying to you or they don't have
15 something to hide, so that when you go back to the
16 issues of, you know, you mentioned that certainly you
17 want the police to be sensitive in all areas whether it
18 be domestic violence or sexual assault cases, the
19 cultural diversities and the cultural differences also
20 have to be taken into account.

21 I wanted to make that point with you. But the
22 question I have is who in the Hispanic -- you mentioned
23 the blacks or various leaders in the black community,

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1 who in the Hispanic community do you have to call on
2 that same --

3 MR. FELKER: I am trying to cultivate those if
4 you would. My administrative assistant is a Hispanic
5 and I am relying on him to make some contacts in the
6 community to develop some people that we can deal with
7 in a firsthand basis. I do not have an individual right
8 now for me to rely on. We are looking at that avenue to
9 try to develop that. He has spent a great deal of time
10 becoming known in the Hispanic community and to find
11 those persons that would be willing to deal with us and
12 be available to us.

13 MS. ORTEGA: So at this point you are saying
14 then that you are identifying those individuals that can
15 help?

16 MR. FELKER: I do not have a specific
17 individual, no, and we are trying to identify those so
18 we do have an individual when we do have problems and I
19 can contact. I want to get to know them and let him get
20 to know me, but it is an avenue that we are working on
21 at this point.

22 MS. ORTEGA: So are you going to be proposing
23 -- I heard earlier that you mentioned that you wanted

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1 sensitivity or some kind of training but it had to go
2 across the board and include all. Are you going to be
3 proposing any type of training for officers with the
4 various ethnic or minority groups in mind?

5 MR. FELKER: At the present time we have hired
6 a group that are doing a total study of our needs in
7 training and they are coming backs and supposed to have
8 a proposal this Thursday of what they have identified in
9 different areas, different training. We'll sit down, I
10 have some ideas that I would like to do but I want to
11 see what they have come up with.

12 We'll certainly have additional training on
13 the sensitivity area and it will deal with looking at
14 the different groups within the city, yes. That is a
15 normal ongoing training.

16 MS. ORTEGA: And do you have bilingual people
17 in the area of dispatch or people who can speak Spanish
18 for those calls that are coming in, you make an effort
19 or do you have any policy, in other words, if a Spanish
20 speaking person calls a police department, is there
21 someone that can talk to them and take the information?

22 MR. FELKER: Right now we have a list of those
23 officers that are bilingual and that list is

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1 maintained. I know that we have a Sergeant Vesquez
2 (ph.) that is in the communication section. Whether or
3 not he is bilingual, I am not sure but we have that list
4 available and we have run into that situation, we have
5 people that we can call to take care of those. Whether
6 I have got one in communication right now, I would have
7 to refer to the list and I don't have that with me.

8 MR. PROCK: Thank you. Ray Levantahl.

9 MR. LEVANTHAL: Chief Felker, were you police
10 chief when the incident happened here in Toledo at City
11 Hall in which people took over seats and were
12 subsequently arrested?

13 MR. FELKER: Yes, I was.

14 MR. LEVANTHAL: We have had some reports by
15 Reverend Rose and Larry Clark and not being critical or
16 anything, but information that we have received is
17 rather sketchy, so could you please tell us if you will
18 what charges were made against the people, who called to
19 say that they were disorderly, or if they were
20 incarcerated and why were they let out?

21 MR. FELKER: Okay. Due to the fact that we do
22 have some litigation that's pending, the trial is due to
23 start coming up, I do not feel I can go into great

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1 detail on that. I was there.

2 Council meeting was scheduled to start at 9:00
3 in the morning. Shortly before 9:00, individuals
4 occupied the council area, refused to relinquish that
5 area so that council could start. Mayor Owens wanted to
6 have council meeting, attempted to start council meeting
7 and notified me that she could not and those people
8 through an hour and about 20 minutes or an hour and a
9 half of conversations requesting them to relinquish the
10 area being told what the consequences would be if they
11 did not resulted in arrests being made.

12 People were taken to the county jail where
13 criminal charges were placed and then the Court orders
14 of release of prisoners. They were released pending the
15 court date that is, I believe, scheduled to start
16 Monday.

17 MR. LEVANTHAL: How many were arrested?

18 MR. FELKER: I believe 13.

19 MR. LEVANTHAL: Thank you.

20 MR. PROCK: Vice Chair Spencer.

21 MS. SPENCER: Chief Felker, to whom do you
22 report?

23 MR. FELKER: I report directly to the safety

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1 director who then reports to the city manager.

2 MS. SPENCER: So literally, the department is
3 under the managerial aspect of the city?

4 MR. FELKER: Certainly.

5 MS. SPENCER: Through the safety director, the
6 director of the safety department. I heard you say you
7 had a series of people whom you called on for
8 investigative purposes. Do you have an investigating
9 internal unit, rather, within the department?

10 MR. FELKER: Yes, I do.

11 MS. SPENCER: When you have shots fired at
12 people, this automatically goes into action?

13 MR. FELKER: If an officer discharges his gun
14 and shots are fired, we have what we call the Firearms
15 Review Board that is subject from an internal review
16 board that looks at disciplinary possible type. The
17 Firearm Review Board is made up of -- is headed by
18 Deputy Chief Ron Jackson, then he calls the panel
19 together. It's usually made up of other deputy chiefs
20 and captains, always a captain and deputy chief rank.

21 They review all the reports, the total
22 investigation, they make all witnesses, they make all
23 the officers to testify at such time as they have that

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1 hearing, then they make a recommendation of one of three
2 rulings: whether the shooting discharge was justified,
3 it was unjustified or it was accidental. That's the
4 three rulings.

5 If it comes as a justified shooting, they are
6 discharged, then that's it, there is no more
7 investigation made. If they come back as an accidental
8 or an unjustified shooting, then it is referred to the
9 internal affairs unit who again investigates to see
10 whether the division procedures were violated and if
11 they were, then corrective action is taken at that
12 point.

13 MS. SPENCER: You have no civilian review
14 board per se?

15 MR. FELKER: No, ma'am.

16 MS. SPENCER: I recall reading the incident
17 which the young people, young males were arrested in one
18 area of Toledo and the American Civil Liberties Union
19 and others were concerned about those stopped who were
20 -- not arrested but stopped and questioned them on
21 site. Would you tell us what happened as a result of
22 the concern around those incidents.

23 MR. FELKER: Again, I can't go into great

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1 detail because there is litigation taking place in that
2 too. A little background on that, though, may be
3 beneficial to you. We had a situation where it was
4 reported that we had a number of individuals in an area
5 of our town that were being assaulted. There appeared
6 to be no motive for these assaults, no robberies, no
7 threats, just a number of people resulting in some very
8 severe beatings. One individual had quite a few facial
9 bones.

10 In each case they identified a specific
11 description of the suspect in each and every case. We
12 had a similar incident that took place several years ago
13 in another area of town where we had shots fired in the
14 homes, damage done. In that case there was a specific
15 type of individual by the victims identified, used the
16 same procedure there in both of them.

17 This one we identified who the suspects were,
18 we notified the district unit so that they could be
19 looking for that type of an individual to try to put a
20 stop to it. They were directed to concentrate on the
21 area and attempt to bring the situation under control.

22 The first incident that took place a couple
23 years ago resulted in the arrest of several individuals,

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1 this one has not resulted in any arrests at this time.
2 But the situation has stopped.

3 MS. SPENCER: Would you say that the inching
4 along in terms of the current hiring policies of the
5 department came about as the result of citizens taking
6 legal action rather than internal initiative on the part
7 of the department and would you say that the union was
8 helpful to you or harmful to you in terms of the current
9 posture that you have of hiring policies?

10 MR. FELKER: I think initially when we first
11 started into it, it was certainly we were using
12 standards that had been acceptable standards throughout
13 the country. Rightfully so, they were pointed out to us
14 that they had some shortcomings and they were
15 corrected.

16 I think at this point, though, they are being
17 done at the insistence of the public or consent decree
18 or the city wishes to maintain proper representation and
19 have the best police officers that can possibly have in
20 the city. As to the union's involvement, there
21 certainly has been some resistance on their part,
22 especially in the areas of promotion.

23 There is some feelings that they don't like

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1 the fact that some people are given some preferential
2 treatment, but I think I see that as the years go by
3 that less and less it's come to be an acceptable
4 understood reasoning for it. At first there was
5 certainly resentment to it but I think as the years have
6 gone by, we have been involved with this now for quite a
7 few years, that it's slowly going away. They are always
8 going to be watching to make sure that we do not go too
9 far the opposite direction and there is some resentment
10 there, yes.

11 MS. SPENCER: The change you say you see as
12 making it a stronger department and a better city?

13 MR. FELKER: Yes.

14 MR. PROCK: Chief Felker, I am going to try to
15 summarize a few questions that have been addressed
16 respecting your position of upholding the law in the
17 city and your main responsibility and you also pointed
18 out to us that you report to the city manager who
19 basically responds to a political situation.

20 The two viable incidents that happened in the
21 city, which we touched on just a moment ago, received
22 the press throughout the State of Ohio and beyond the
23 State of Ohio. Has that been a learning experience and

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1 has that created some sensitivity to these situations in
2 the future? I guess my question is would they be
3 addressed differently in the future and I respect your
4 position as far as having both issues being challenged
5 in the courts.

6 MR. FELKER: Certainly it's a learning
7 experience. I think every time you get into a
8 situation, you look back on it and say you wished you
9 had done something. Hindsight is certainly much
10 better. I still feel that the orders and direction that
11 was given was proper. It was not based on any type of a
12 racial discrimination that some people tried to put into
13 it.

14 One word seemed to have upset the majority of
15 the people. We were looking for a specific type of
16 individual that was committing the crime, that race of
17 individual had to be supplied to the officer that they
18 knew what they were looking for. It's interesting to me
19 that I look now at especially our news media in the
20 city, and they routinely describe suspects wanted in
21 crimes in the same manner as was described in the
22 direction giving that and it doesn't seem to be causing
23 anybody any troubles.

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1 I think a lot of it was just a
2 misunderstanding of what the intent was of that more
3 than anything else and I probably should have spent more
4 time to explain the intent of it, but it was a situation
5 that was taken and we were having repeated assaults and
6 the concern was that we were going to have a death or
7 some interment type of injury and we felt we needed to
8 get ahold of the situation before that did happen.

9 MR. PROCK: Thank you. We have with us United
10 States Civil Rights Commissioner Robert Destro who has a
11 question.

12 MR. DESTRO: Chief Felker, I wanted to ask a
13 little bit more general question that goes to what might
14 be called the distribution of police services in
15 Toledo.

16 We heard a little earlier that the minority
17 communities don't trust the city generally. I was
18 wondering whether or not you feel that the police
19 department provides an adequate level of service to the
20 minority communities and what I mean by that, and let me
21 hasten to add, that this is a problem that comes up
22 around the country, that minority neighbors have
23 complained that they don't get the same kind of not only

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1 speedy service but also the level of protection and it's
2 usually justified on the grounds that, well, actually,
3 there are more police officers there so obviously the
4 process must be -- they must be getting equal or better
5 services.

6 Do you think that the minority community in
7 Toledo perceives that they get as snappy service as the
8 good neighborhoods in Toledo?

9 MR. FELKER: Do they perceive it?

10 MR. DESTRO: Yes.

11 MR. FELKER: I think there is a majority of
12 the percentage that perceives they do not. I feel they
13 get the same treatment, maybe even a little more
14 treatment because we keep those districts smaller based
15 on the number of calls per service. So they do have to
16 wait for a police cruiser longer than they should if a
17 police cruiser is in a slow district they can respond
18 more quickly than in a larger district.

19 I have assured them and have that in any type
20 of life threatening situation, they will immediately
21 have a police officer sent regardless of where we have
22 to find them. We prioritize all calls. It just isn't
23 first come first serve. There are times when a person

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1 will call and they may wait an hour before we have a
2 police cruiser there because there are more serious
3 calls that come in that we need to send police officers
4 on.

5 We are sensitive to that, we try to respond as
6 quickly as possible but we only have 750 police
7 officers, at any given day those officers can all be
8 busy when an individual calls and then the dispatcher is
9 in a position to make a judgment call of whether to pull
10 an individual off a call and send them on a higher
11 priority call or to hold it until someone comes in.

12 There is some perception in the minority
13 community but I get some complaints from the outlying
14 if you would, upper level communities that they don't
15 get the speedy service that they should either and they
16 sometimes have to wait, but I think that they get the
17 service as quickly as possible and we don't look at it
18 where it's being delivered, it's the type of call that
19 we respond to.

20 MR. DESTRO: Thank you.

21 MR. PROCK: Thank you, Chief. We'll move
22 ahead on our agenda and hear from the Toledo Fire
23 Department. I am going to have to refer back to one

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1 question because of the time element. Thank you,
2 Chief.

3 MR. WINKLE: Good morning, I am Chief Felker.
4 I would like to give a little historical overview. As
5 to the hiring of firefighters, we too have been
6 operating under a court order. The federal court order
7 was first imposed upon us in 1974. It was then Brown
8 versus Tucker, it is now Brown versus Winkle.

9 The order is quite similar to all other
10 orders. It deals with how we recruit, how we give
11 orientation, how we hire and how we place our
12 firefighters. In 1982, the order was modified to insure
13 that minority makeup of the fire division reflected the
14 then percentage of the minorities living within the
15 communities. These percentages were 17.4 percent black
16 and 3 percent Hispanic and the fire division was obliged
17 to meet those by June 30, 1984.

18 In order to insure compliance with the order,
19 certain minority hiring requirements were agreed to.
20 These included all minorities achieving a passing grade
21 would be given consideration. Two, until the specific
22 goals were achieved, at least three minorities for every
23 nonminority would be hired and, three, no hiring would

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1 occur unless there was a sufficient pool of qualified
2 minorities.

3 We met our goals in 1982 and at the present
4 time, we have 17.7 percent black and 3.2 percent
5 Hispanic within the fire division ranks. While unlike
6 Chief Felker, we are not operating under a consent
7 decree to hire females, we have hired nine females over
8 the past five years and five of these females are
9 black.

10 Again, the recent minority promotions have
11 been done in accordance with federal court order Glass
12 City Black Brothers versus Winkle, imposed in 1980 and
13 modified several times thereafter. The comprehensive
14 settlement stipulation was agreed to early in 1983 which
15 included the duties of the court appointed expert,
16 establishment of goals, and a promotion that will
17 schedule for permanent, provisional and temporary
18 promotions. The numerical goal for lieutenant was 15
19 blacks and for captain, five blacks.

20 In 1986, as a result of meetings held between
21 representatives of Glass City Black Brothers and myself
22 and blessed by the city law department, we reached an
23 agreement to settle that decree. Simply put, the legal

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1 side was satisfied with the speed in which we were
2 reaching that consent decree application.

3 So I made a proposal that if they would allow
4 me to promote and have 14 lieutenants and five blacks
5 instead of 15 and five, I would accelerate the
6 promotions by promoting every minority on the then
7 present list. That agreement was reached and I
8 immediately promoted everyone. That brought us to 14
9 and five.

10 I thought that was an important agreement for
11 the entire division for several reasons. No. 1, the
12 minorities were accepted into the rank, promoted ranks,
13 at that time with less resentment than they were
14 before. No. 2, we felt confident for the first time in
15 some years an established promotional list would be
16 allowed to run for two years and allow us to have a
17 sense of organization within the division for a two-yea
18 period. Training for a promotional examination is very
19 hectic and a promotional examination is a very difficul
20 task for the people in Human Resources and we were goin
21 through that every six months or every 12 months and we
22 needed a break from that process and we finally
23 established that. Finally, the agreement would be the

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1 catalyst for approving overall race relations within
2 fire division.

3 Some other achievements, a few statistics, in
4 1979, there were within the division a total of 129
5 promoted officers, either lieutenant or captain, of that
6 number, five or 3.8 percent were black and there were no
7 Hispanics at that time. Today in 1988, the division has
8 123 promoted officers and of that number, 19 are black,
9 and four are Hispanic. This equates to 15.4 percent
10 black and 3.2 percent Hispanic. I think it's important
11 to note that we have those 3.2 Hispanic promoted
12 officers absent of any kind of consent decree. In the
13 promotional decree, it only dealt with blacks.

14 Even though we are no longer under that court
15 order, we are still sensitive to the minority needs and
16 as such, we have recently appointed Miss Perlean
17 Griffith from Affirmative Action to our oral interview
18 panel for promotion.

19 In 1979 there were neither blacks nor
20 Hispanics in the upper command levels, which would be
21 our battalion chiefs or deputy chiefs. While we have
22 not had the opportunity to place a Hispanic in either of
23 these positions, we have promoted two blacks to

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1 battalion chief and one to deputy chief. These
2 particular promotions, again, were made absent any
3 consent decree from the Affirmative Action of the fire
4 department.

5 Again in 1979, the percentage of minorities
6 within the fire division were 8.2 percent black and 1.2
7 percent Hispanic. In slightly less than nine years,
8 these percentages have more than doubled. When I took
9 over as division chief in 1980, there was a total
10 absence of minorities and staff positions. Today we
11 have a black captain and a black lieutenant as staff
12 officers in the Fire Prevention Bureau. There is a
13 black functioning as the in-charge person of the Arson
14 Bureau.

15 We utilize black officers in the training of
16 recruits at the training academy and both black and
17 Hispanics have played important roles in the recruitment
18 process. We have black, Hispanic and females as
19 paramedics and one of our four paramedic officers is
20 black.

21 I feel that we have made significant strides
22 in not only bringing minorities into the work force but
23 also including them into the mainstreams through

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1 promotion and assignments. Overall race relations
2 within the division have improved over the past several
3 years but we are not satisfied yet. Isolated incidents
4 do occur and these instances are always investigated
5 with appropriate action being taken and, again, these
6 problems are not wide spread but usually localized with
7 individuals and I am ready for any questions.

8 MR. PROCK: Thank you, Chief. Miss Mitchell.

9 MS. MITCHELL: No questions.

10 MR. PROCK: Marty?

11 MR. PLAX: I will just ask a nondata based
12 question. Are you aware of any complaints against the
13 delivery of service to minority communities?

14 MR. WINKLE: No, sir. I have not been
15 apprised of any. Again, I would like to expound on
16 that. We go there under different situations than the
17 people who operate under Chief Felker. We are there to
18 provide some sort of good service to the people. We are
19 either going to work on a loved one that is sick or
20 injured or extinguish a fire. So I am sensitive to his
21 experiences as opposed to mine.

22 MR. PROCK: Mr. Battle.

23 MR. BATTLE: I would like to ask a question

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1 involving the distribution of your firefighters among
2 the various fire houses in the city and whether or not
3 race or sex is taken into consideration in the
4 assignments of officers to those fire houses.

5 MR. WINKLE: We talked a little bit about
6 unions under Chief Felker. We have in our contract a
7 bidding procedure. What must be considered when someone
8 bids for houses is seniority. The only way I have of
9 breaking that is if the person has an outstanding record
10 as opposed to another person with a record that's beset
11 with disciplinaries, then I have some flexibility. Other
12 than that, I can't consider race or gender or anything.

13 MR. BATTLE: As a consequence of that then,
14 are there fire houses that either have the total absence
15 of people of color or women or concentrations?

16 MR. WINKLE: Yes, sir, there are both. There
17 are absences of minorities in some stations and there
18 are some stations that are almost completely minority
19 and I don't think that's good for the division.

20 MR. PROCK: Barbara?

21 MS. RODEMEYER: Is the paramedic system part
22 of the fire department?

23 MR. WINKLE: Yes, it is.

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1 MS. RODEMEYER: Do you come in as a fireman
2 and become a paramedic?

3 MR. WINKLE: Yes, you are hired as a
4 firefighter and you apply to become a paramedic and we
5 do some pretesting to see if you are skilled in that
6 area then we send them through for training.

7 MS. RODEMEYER: Have you had any difficulty in
8 getting qualified people?

9 MR. WINKLE: We experienced that for a couple
10 years. There has been some pay increases and we have
11 not experienced this at that time.

12 MS. RODEMEYER: And this is a full-time
13 position?

14 MR. WINKLE: Yes.

15 MS. RODEMEYER: And what do you work, two days
16 on, two off?

17 MR. WINKLE: They work just like the
18 firefighters, one day on, two days off and they are
19 paramedics but they are also firefighters. It's a dual
20 position. 85 percent of their time they serve as
21 paramedics but occasionally they relieve onto a ladder
22 company and work as firefighters.

23 MS. RODEMEYER: Are they dispatched by the

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1 fire department?

2 MR. WINKLE: There is a Runs organization, I
3 am not sure if you are aware of that, it's a county wide
4 organization. They provide funding for the equipment
5 and they provide funding for our people, we provide
6 people. So we kind of subcontract with them so they
7 dispatch the paramedics along with our first responses.

8 MS. RODEMEYER: Have you ever heard any
9 complaints from that division about inequality of
10 service to various sections of the City of Toledo?

11 MR. WINKLE: No. We get occasional complaints
12 as it takes us too long to get there. But that's from
13 all of the city and most of those complaints we review
14 and they were there in a very quick time, but we are
15 sensitive that when you are lying there next to a victim
16 that's had a heart attack or have your house on fire, it
17 seems like we are 25 or 30 minutes getting there when
18 truly it was only five. Those are the type of
19 complaints we get.

20 MS. RODEMEYER: Thank you.

21 MR. PROCK: Virginia.

22 MS. ORTEGA: Chief Winkle, do you have
23 bilingual people?

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1 MR. WINKLE: No, Virginia, we don't and it
2 unfortunate. It's amazing of the Hispanics I have, none
3 of them are very affluent in their language and it's
4 disappointing and amazing. We try to do that right away
5 but none of them speak it.

6 MR. PROCK: Ray?

7 MR. LEVANTHAL: Chief Winkle, I know this is a
8 little aside from the normal questioning and it must be
9 a sore spot with you, the new church that burned down
10 yesterday we saw in the news, I am sure that you have
11 problems investigating this, it's not an easy job and we
12 certainly feel for you, but my question basically, have
13 there been any allegations about racism or minority
14 problems concerning these new churches, were there any
15 threats or just can you tell us a little bit about the
16 status of that problem.

17 MR. WINKLE: If that occurs or the status of
18 the problem we have?

19 MR. LEVANTHAL: I mean were there any threats
20 made to the churches, were they minority churches?

21 MR. WINKLE: No, they were not minority
22 churches and early investigation shows no threats made
23 both preincident or postincident, which makes it very

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1 difficult to explore.

2 MR. PROCK: Vice chair.

3 MS. SPENCER: Chief Winkle, you and Chief
4 Felker represent two of the major service arms of this
5 community. You have stated that you have made major
6 changes in the compliment racially of your departments.
7 My question is have you done this with support of the
8 current administration?

9 MR. WINKLE: Yes.

10 MR. LEVANTHAL: Some of the changes were
11 initiated in advance of the current administration, but
12 they were primarily legal at that point.

13 MR. WINKLE: Primarily illegal?

14 MS. SPENCER: Legal at that point.

15 MR. PROCK: Thank you. Commissioner Destro?

16 MR. DESTRO: Chief Winkle, I had one comment
17 and then a question. It related to your response to
18 Miss Ortega's question about Spanish speaking
19 dispatchers. I was a little distressed about the
20 assumption that you were looking solely for that
21 capability from the Hispanic hires. Have you ever just
22 considered whether or not to send somebody to school to
23 learn to speak Spanish so they can provide the Spanish?

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1 MR. WINKLE: We have not thought about
2 schooling and I do not limit myself to Hispanics. I
3 have asked for nonHispanics or anyone for that.
4 Schooling should be something we should look at. Yes.

5 MR. PROCK: Is there a follow-up question from
6 anyone? Samuel Hancock, set the record right, Hancock.
7 I apologize.

8 MR. HANCOCK: Good morning, everyone. My name
9 is Samuel Hancock and I am the executive director of the
10 Board of Community Relations Affirmative Action. I have
11 been the director of this agency since November the
12 10th, 1986 and our agency is responsible for making such
13 investigations, studies and surveys as are necessary
14 that will help promote amicable relations among racial
15 and cultural groups within the City of Toledo and to
16 take appropriate steps to deal with conditions which
17 strain those relations.

18 It is the duty of the Board of Community
19 Relations Affirmative Action to assemble, analyze and
20 disseminate authentic and factual data relating to
21 interrelationship relationships and advocate for that
22 program.

23 In addition, the Board of Community Relations

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1 of community action must be at the forefront of
2 advocating for development of any program or plan that
3 enhances equal employment opportunities within the
4 community and within municipal government. And we try
5 to reduce and eliminate racial and cultural tension
6 within the community at large.

7 While restricted from powers of enforcement,
8 the Board of Community Relations Affirmative Action is
9 responsible for actively becoming involved in the
10 resolution of problems associated with racial and ethnic
11 relations.

12 It is our understanding that the basic reason
13 for the United States Civil Rights Commission Ohio
14 Advisory Committee conducting this forum here in the
15 Toledo area is to ascertain whether or not allegations
16 of racism and discrimination in the community are valid
17 complaints. It is also our understanding that
18 information gathered during numerous conversations
19 between members of the Kansas City based office and
20 individuals from the community was incorporated into a
21 report submitted to the Commission and that that report
22 served as the primary justification for holding this
23 forum.

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1 1988, specifically the summer of 1988 will
2 remembered by many Toledoans as probably the only time
3 in the history of this city when racial tension in
4 Toledo, Ohio received national attention and was played
5 out in all aspects of the print, audio and visual
6 media. I know that others have provided lengthy
7 testimony relative to how problems in the Community
8 Development Department or racial unrest in the old west
9 end part of Toledo and the arrest of the black ministers
10 in city council chambers precipitated the tremendous
11 amount of tension of which was prevalent in our
12 community this past summer.

13 I am sure that as a result of all that
14 testimony, that you would agree that there is still a
15 perception within the minority community that the City
16 of Toledo's employment practices are unfair and have
17 been unfair for quite some time.

18 During the forums that the Board of Community
19 Relations Affirmative Action held in September and
20 October of this year, one very consistent theme or were
21 feelings expressed that the city is not committed to
22 Affirmative Action, that the police department is very
23 insensitive to the needs of the minority community, that

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1 the Department of Human Resources needs to become more
2 committed to removing barriers which tend to keep
3 minority citizens out of jobs, and that the lack of
4 Hispanics employed with the city needs to be addressed
5 in a very comprehensive manner.

6 In addition, it should also be noted that we
7 are having serious problems within our education system
8 here in this city as relates to the lack of
9 desegregation efforts, and I am sure Shanna Smith from
10 the Fair Housing Center will adequately address some of
11 the housing problems here in this area.

12 During the testimony that I submitted before
13 the Ohio Civil Rights Commission in September, it was
14 noted that the city had not made notable progress in
15 providing equal employment opportunity to all of its
16 citizens seeking employment, that Affirmative Action
17 measures remedy past and present discriminatory
18 practices lacked sufficient support at all levels of
19 municipal government for Affirmative Action to be
20 realized, that a serious underutilization of women in
21 management positions existed, that a concentration of
22 women in the clerical positions with no effective career
23 ladder for upward mobility and a disproportionate number

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1 of blacks in lower level labor oriented types of
2 positions existed. That police and fire were the units
3 of municipal government which reflected any
4 representation of the Hispanic population.
5 Unfortunately, this analysis remains true today.

6 However, it must be noted that women in
7 management positions have improved significantly in
8 recent months, yet there appears to be a concerted
9 effort on the part of the city to incorporate
10 assertively an ongoing management training and we have
11 to be honest with ourselves and the community in terms
12 of saying that more is happening out of the manager's
13 office as relates to Affirmative Action than has
14 happened in recent memory.

15 The manager has taken on more responsibility
16 for Affirmative Action and as the CEO, he should do
17 that. However, much more needs to be done. And it is
18 our hope that the Affirmative Action contract complianc
19 coordinator will be given the necessary authority so
20 that the office can have a positive impact on the hirin
21 and promotional practices of the city.

22 At this time I would like to outline steps
23 that the Board of Community Relations Affirmative Actio

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1 has taken and will be taking in the future to overcome
2 serious problems with the city government and the
3 community at large.

4 We are working and will continue to work to
5 insure that the Affirmative Action contract compliance
6 coordinator continues to deal with personnel practices
7 within the city and continue to have sign-off
8 responsibilities on all personnel requisitions and that
9 any Affirmative Action plan submitted to City Council
10 has the necessary measurable goals and timetables and
11 other components that the office of Federal Contract
12 Compliance requires, to insure that the Affirmative
13 Action contract compliance coordinator works with our
14 office to develop programs internally and to monitor on
15 the consistent basis personnel policies, procedures and
16 practices of the Human Resources Department.

17 We have a race, religious ethnic program that
18 presently is involved in developing teen groups within
19 the schools to combat racial violence. What we are
20 trying to do is to get the youth involved in working
21 with the committee so that as we deal with incidents of
22 racial violence in the community, that the youth
23 understand what precipitates racial violence and that

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1 the youth can work cooperatively with us to get the
2 message out that it's against the law and that it's
3 something the city does not tolerate at least as far as
4 the Board of Community Relations Affirmative Action is
5 concerned, and we are an official arm of the city.

6 We are in the process of developing a human
7 relations cultural awareness workshop within the old
8 west end. It is our hope that this workshop and series
9 of workshops similar to this one will be expanded into
10 the community and we can deal with racial violence in a
11 more comprehensive manner.

12 We have been working with the clergy in our
13 community, the Interdenominational Religious Coalition
14 to help victims of racial violence to deal with these
15 situations as it relates to members of the clergy living
16 in certain parts of the community.

17 Basically what we have is a group of clergy
18 who meet on a monthly basis and if a particular incident
19 of racial, religious or ethnic violence occurs in a
20 particular part of town, then the clergy will volunteer,
21 have been volunteering to work with the victims, to
22 counsel the victims to make appropriate referrals. We
23 are very proud of this program and the particular aspect

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1 of it.

2 We provide a proposal for comprehensive human
3 relations cultural awareness training for top
4 administrators within Toledo municipal government. This
5 proposal was reviewed by the United States Department of
6 Justice Community Relations Division. And as a result
7 of the proposal, Warner Peterson from that division has
8 offered to bring in a consultant to develop ethnic
9 relations training with the top managers of the city
10 government and hopefully we can expand this training
11 throughout city government.

12 Just recently we were involved in the first in
13 a series of meetings with the mayor and members of the
14 Interdenominational Minister Alliance to begin the
15 dialogue that needs to take place in order to hopefully
16 start a healing process in this community to improve
17 race relations and to improve the relationship of
18 minority citizens in the community with Toledo municipal
19 government officials. We would like to call it the new
20 agenda for improving race relations in the City of
21 Toledo but we need even more support from everybody in
22 the city. I will take any questions that you may have.

23 MR. PROCK: Thank you. Miss Mitchell.

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1 MS. MITCHELL: Mr. Hancock, we heard from
2 several people yesterday who had differing opinions on
3 the effectiveness of the Board of Community Relations.
4 Why do you think that perception exists?

5 MR. HANCOCK: This past summer as we all know
6 was a pretty hot summer here in Toledo. The incidents
7 in the Community Development Department precipitated a
8 series of problems in this community. And the board
9 felt that because of the complexity of all the different
10 issues, the community development, the small business
11 corporation, racial violence and old west end, there
12 were a series of problems that the board hoped would
13 resolve themselves.

14 Obviously, that did not take place. So the
15 board took the position that we needed to conduct a
16 series of forums of which we have just completed. We
17 are in the process of reviewing the information gathered
18 from those forums and the board is going to draft a list
19 of recommendations to City Council in terms of dealing
20 with some of the problems that have been uncovered as a
21 result of the forums.

22 The board has been extremely busy during my
23 two-year tenure. Unfortunately, many of the citizens

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1 have not been privy, for one reason or another, to some
2 of the activities that the board has been involved in.

3 But I take the position, though, that the
4 Board of Community Relations is not a board that is
5 owned by Sam Hancock or is owned by the 11 individuals
6 on the board. The board meets on a monthly basis, has
7 been meeting on a monthly basis for years. The Board of
8 Community Relations, as some of you may not know, is one
9 of the first human relations boards put together in this
10 country; it was formed back in 1946. And unfortunately
11 many of our citizens have not been aware of the board's
12 activities, have not been aware of what the board is
13 capable of doing, and it's been a big promotional publi
14 relations problem too in getting that out.

15 So we are in the process of redeveloping our
16 bylaws and constitution. We have a lot of raw data tha
17 we can review to help us develop a fresh agenda for 198
18 in terms of dealing with some of the problems in the
19 community.

20 MR. PROCK: Marty.

21 MR. PLAX: Are you doing anything to publiciz
22 what you are doing to the community, I mean different
23 than you had in the past?

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1 MR. HANCOCK: Well, we are in the process of
2 developing some public service announcements and
3 redeveloped our brochure, you know, basic things like
4 that, but what we do intend to do in 1989 are we are
5 going to hold forums on a more consistent basis because
6 the board has realized that we have a very diverse
7 community with very diverse concerns and the concerns of
8 1988 may not necessarily be the concerns of 1989.

9 The three forums illustrated that -- our first
10 forum was conducted at Scott High School. Most of the
11 citizens expressed concerns relative to municipal
12 government. The second forum that we had at Seagate
13 Center, most of the concerns related to the educational
14 system and the third forum we held in the Legal Center
15 in the Hispanic community were primarily related to the
16 concerns of the Hispanic community.

17 So we know that we have a tremendous job ahead
18 of us and we have a better feel for how to tackle that
19 job.

20 MR. PLAX: Thank you.

21 MR. PROCK: Lynwood.

22 MR. BATTLE: Mr. Hancock, I would like to know
23 what the relationship of the Community Relations Board

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1 is to the City's Affirmative Action Department and to
2 whom are you and your board accountable to in the city?

3 MR. HANCOCK: We are accountable directly to
4 City Council. We pretty much are a monitoring office.
5 I expressed a lot of concerns during the forum with the
6 Ohio Civil Rights Commission relative to the fact that
7 Affirmative Action and the Board of Community Relations
8 was combined back in the early '80's, but our office
9 obviously being an autonomous office, was never given
10 the power to really implement an Affirmative Action
11 program.

12 So we welcome more responsibility taken on by
13 the city manager in terms of implementing Affirmative
14 Action programming. We report to Council and we look at
15 our role as the entity who is responsible for insuring
16 that the city is in compliance as relates to Affirmative
17 Action programming. We are not responsible to the
18 manager, we don't report to the manager, and Council is
19 more concerned with us looking over the manager's
20 shoulder and making sure that any Affirmative Action
21 plan is in compliance, making sure the personnel
22 policies and procedures are in compliance with the law
23 and we are generating our energies more in that area.

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1 Quite honestly, we are making some folks a
2 little uncomfortable because we are taking a closer look
3 at some of the basic policies and procedures that the
4 city has been operating under. It's not a very popular
5 position because obviously we have to hold folk -- hold
6 them accountable. We have to tell folk that they are
7 wrong or that we feel they are wrong and that an issue
8 that a particular department may be dealing with
9 deserves another review by our office.

10 So we are always on defense but it's a charge
11 that we have accepted and we feel that in light of all
12 of the concerns as relates to the employment practice of
13 the city, that we can do the city some good in terms of
14 critically analyzing some of the personnel policies
15 internally before entities like yourself and others
16 begin to review those policies externally.

17 MR. BATTLE: What was your role in the
18 production of the current draft of the Affirmative
19 Action plan?

20 MR. HANCOCK: I had no role in that at all.

21 MR. BATTLE: Have you seen it?

22 MR. HANCOCK: I reviewed it, the parts that
23 were given to me, and I expressed some concerns and

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1 those concerns were reduced to writing and we submitted
2 memorandum to the Affirmative Action contract compliance
3 coordinator, measurable goals and timetables. . We feel
4 that in order for an Affirmative Action plan to really
5 be a workable document, that it needs to have numerical
6 placement rates.

7 We all know that Affirmative Action is really
8 not as complex as we try to make it. The problem is if
9 you have deficiencies, you deal with the deficiencies.
10 If you need to hire some Hispanics, you hire them; if
11 you need to hire some women, you hire them. If you need
12 to hire some blacks, you hire them, trying to find
13 qualified minorities to fill vacancies and correct
14 deficiencies that have been identified and you need to
15 put it in writing and work toward doing that.

16 We don't mean to imply that you hire any
17 black, any Hispanic, any woman but we do want to send
18 the message that you need to at least say in writing
19 that you are going to place or try to place X number
20 amount of minorities in a particular job group and that
21 you are going to work in that area and we feel anything
22 less than that is simply a lot of verbage and wouldn't
23 really get about the business of correcting the

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1 deficiencies.

2 MR. PROCK: Barbara.

3 MS. RODEMEYER: The Community Relations Board
4 members, they are appointed by Council, chosen by
5 council?

6 MR. HANCOCK: The mayor's appointments.

7 MS. RODEMEYER: Solely? Is there --

8 MR. HANCOCK: Basically the bylaws and
9 constitution of the board are under revision, as I
10 mentioned earlier, and what happens is the board
11 chairman and the board members consult with the mayor on
12 those appointments and after that consultation takes
13 place, then the mayor takes responsibility for making
14 the appointments. So there is some consultation.

15 MS. RODEMEYER: And you report to the mayor or
16 do you report to City Council?

17 MR. HANCOCK: Directly to City Council.

18 MS. RODEMEYER: You give a monthly report,
19 weekly report, what do you give?

20 MR. HANCOCK: At least annually and quarterly
21 We are doing -- now we are monitoring the city's hire,
22 fire promotion ratios and we develop those reports and
23 we submit those to Council on a quarterly basis,

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1 something that we just started this year.

2 MS. RODEMEYER: Does council ever instruct you
3 to do anything as a board?

4 MR. HANCOCK: Oh, occasionally. Council, as a
5 matter of fact, instructed our office to look into a
6 situation in the Human Resources Department concerning
7 the reclassification of an individual and occasionally
8 Council will simply through a councilman refer or
9 request that our office conduct studies of a particular
10 issue that they feel needs looked into, so occasionally
11 they will do that.

12 MS. RODEMEYER: Do you see yourself as a
13 public body that ordinary citizens would walk to?

14 MR. HANCOCK: Oh, absolutely.

15 MS. RODEMEYER: You are widely attended, your
16 meetings are open to the public?

17 MR. HANCOCK: They are, absolutely. We
18 operate under the Sunshine Law but it goes back to the
19 public relations issue. There was a recent public
20 opinions survey and we were amazed to find out that
21 about 50 percent of our citizens don't know we exist and
22 we think that has a lot to do with over the years the
23 office has moved around quite a bit so we do have

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1 walk-in policies in terms of taking complaints from
2 citizens as relates to discrimination, employment or
3 education or maybe even housing but we pretty much refer
4 those complaints to Fair Housing Center.

5 We are a walk-in office. We are available for
6 all of our citizens and we have internal and external
7 functions and we do obviously have a lot of master's.
8 We have a paid staff and then we have a board and we
9 report directly to Council but we are responsible, of
10 course, to the mayor and to our citizens with limited
11 staff that we have we try to do the best we can.

12 MS. RODEMEYER: When you said you heard
13 complaints, you do not handle complaints.

14 MR. HANCOCK: Oh, absolutely, we do handle
15 complaints. We do conduct investigations.

16 MS. RODEMEYER: What kind, against the city?

17 MR. HANCOCK: Oh, absolutely. What we try to
18 do is try to resolve the complaints in-house. If an
19 individual from an employee feels as if he or she has
20 been treated unjustly, then our office will try to
21 adjust the complaint internally before the person seeks
22 outside counsel or moves into some kind of litigation.
23 So it is one of our responsibilities, absolutely.

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1 MS. RODEMEYER: And would you do this for
2 regular citizens off the street?

3 MR. HANCOCK: Absolutely.

4 MS. RODEMEYER: If I were discriminated say on
5 the job, you would assist?

6 MR. HANCOCK: Sure. If you feel you were
7 treated unjustly, there are various ordinances that give
8 us the responsibility to look into a situation that may
9 affect you.

10 MR. PROCK: Virginia.

11 MS. ORTEGA: Mr. Hancock, we have been told by
12 City Manager Hawkey that sensitivity training or
13 sensitivity sessions for Hispanics and the employees of
14 the city would be handled by your office. Do you feel
15 qualified to do that, do you feel your staff is
16 qualified to do that?

17 MR. HANCOCK: I don't feel we have the
18 resources to Human Resources to develop the kind of
19 sensitivity training that needs to be developed. I feel
20 that we have the expertise to locate the resources but
21 don't feel we have the resources to do it.

22 In the proposal that we wrote, basically we
23 modeled that proposal after a program in Cleveland.

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1 Basically what Cleveland did is they paid for a
2 consultant to come into the Cleveland municipal
3 government work force and the consultant took all of the
4 directors to an off-site location for a day and a half
5 retreat and during that retreat, was intense culture
6 diversity ethnic relations training and then the
7 directors came back and in-house consultants were put
8 together for additional training with the director
9 signing off on that training and then it was expanded
10 throughout the Cleveland municipal government work force
11 and basically what they tried to accomplish is to simply
12 heighten the awareness level of working with individuals
13 from various ethnic groups and trying to bring to
14 surface some of the biases of some of the maybe latent
15 prejudices or whatever to enhance the productivity of
16 the whole work force.

17 This is something that we would like to do for
18 the city but I am not sure if I am answering your
19 question, but that's something that we would not have
20 the human resources to do but we would certainly like to
21 facilitate that type of training to make sure that's
22 done right.

23 What happens with human relations and culture

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1 diversity type of training programs is it's a one-shot
2 deal, you bring somebody in and everybody is trained
3 then they leave and then everybody is feeling good about
4 everybody but that really doesn't address the problem.
5 It needs to be ongoing.

6 You need to do the training and then you need
7 to follow-up every 30 days and it needs to become an
8 intricate part of the work force and not just something
9 that you did to solve the problem because as you all
10 know, as we move into the 1990's, Hispanics and blacks
11 are going to make up a large percentage of the work
12 forces in this country than they ever have before and it
13 doesn't make sense for us to ignore that, we need to
14 accept the fact that it's going to become a reality more
15 so than it is now. We need to begin to get our work
16 force in a position to deal with it. If not, then we
17 are going to continue to experience some of the problems
18 that we have experienced thus far.

19 MS. ORTEGA: You have recently lost your only
20 Chicano or Hispanic staff member on your office. What
21 kind of commitment or what kind of support are you
22 giving in filling that position, Mr. Hancock?

23 MR. HANCOCK: Other than from my board, none.

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1 As you know, Virginia, the board we are reviewing the
2 staff level office but unfortunately, it just seems as
3 if as far as human relations type work is concerned and
4 the types of responsibilities that our office has, it
5 simply is not viewed as being important and this is
6 something that I hope to work with my board to change.
7 But we are understaffed, no doubt about that.

8 MS. ORTEGA: So what I heard you say then
9 today is while you will be charged with creating or
10 getting the sensitivity training in place, you don't
11 have Hispanics on your staff?

12 MR. HANCOCK: Absolutely. We lost a very good
13 employee.

14 MS. ORTEGA: Thank you, Mr. Hancock.

15 MR. HANCOCK: Ray Levantahl.

16 MR. LEVANTHAL: To run any organization, it
17 takes money and we are all limited as to what we can
18 do. Are you at liberty to tell me what the budget is of
19 your organization and where the money comes from?

20 MR. HANCOCK: The budget of our office is
21 about \$350,000. And we are funded solely by the City of
22 Toledo.

23 MR. PROCK: Marian Spencer.

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1 MS. SPENCER: Mr. Hancock, what is the make-up
2 of your group? I see, you know, the visibility often
3 comes from how many blacks, how many women, how many
4 ethnics that you have in terms of the city as a whole.
5 You have said you have had problems with movement in
6 location, maybe we need a neon sign over your office but
7 what is the make-up, this is what I am looking at, of
8 your board?

9 MR. HANCOCK: Of the board? --

10 MS. SPENCER: Yes. I mean do you have the
11 groups --

12 MR. HANCOCK: Does the group represent a cross
13 section of the community?

14 MS. SPENCER: That people could find
15 themselves in the organization, could find themselves,
16 recognize themselves or find role models in your
17 operation?

18 MR. HANCOCK: Our board has a good cross
19 section representation. We have -- see if I can
20 remember because I have to think about that one. I
21 haven't thought about that one lately, of course;
22 Virginia Ortega is a member of our board. We have Mart
23 Tioka (Ph.) a member of the Asian community on our

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1 board. I won't mention the names of the others. But
2 do have -- I am trying to think and talk. If I am not
3 mistaken, we do have I think it's four -- just think for
4 a moment. I didn't expect that question. We have three
5 black males on our board, we have one black female on
6 our board, one Jewish -- a member of the Jewish
7 community on our board. One white male on our board.
8 I think that's about it. I am not sure how many that is
9 but that's the make-up of the board.

10 As far as the staff is concerned, because I
11 think your question is two-fold, on our staff we have
12 two black males, including myself, we have one white
13 male, we have three black females, we have one Hispanic
14 female we just lost, so that's the staff.

15 MS. SPENCER: Thank you.

16 MR. PROCK: Thank you. Mr. Hancock, I am
17 going to try to summarize the questions for you. You
18 heard our earlier two speakers who are also city
19 employees and I am going to raise an issue with you and
20 see if it has come forth from two vehicles on your 1989
21 plan.

22 We heard a very vigorous agenda of integration
23 of the fire department from both the black, Hispanic and

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1 female. However, we also heard of a contractual
2 restriction that is in the realm of a collective
3 bargaining process of the black firefighters and
4 Hispanics being assigned to a certain station via
5 seniority in the bidding process.

6 Has there been a complaint filed with your
7 board regarding that and has that become an agenda item
8 for the further negotiations with the collective
9 bargaining representatives?

10 MR. HANCOCK: Regarding that issue per se, I
11 can't recall a recent complaint having been filed about
12 that issue per se. There was a complaint filed in 1987
13 as relates to the transfer of a group of black
14 firefighters from one of the stations that we felt went
15 contrary to the contractual rules and regulations. From
16 what I understand, that situation has been somewhat
17 resolved but as relates to this particular situation
18 just described, no.

19 MR. PROCK: And it has not become a priority
20 on your '89 agenda to address that further
21 negotiations?

22 MR. HANCOCK: To be perfectly honest with you
23 your talking to me now is the first I heard of it.

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1 MR. PROCK: Thank you, Mr. Hancock. Thank you
2 for taking time out of your schedule.

3 MR. HANCOCK: Thank you very much.

4 MR. PROCK: Shanna Smith. Is Shanna Smith
5 present?

6 MS. SMITH: My name is Shanna Smith, and I am
7 director of the Toledo Fair Housing Center. We opened
8 in 1975 and I have been director since that point in
9 time and three years before that I worked as a
10 consultant to the Housing Authority in the Public
11 Housing Program that was a home ownership program.

12 Listening over the last day and a half, I have
13 been wondering where I should start and there are a lot
14 of issues that were raised yesterday that I want to make
15 comments to. This Fair Housing Center becomes involved
16 in the areas of school issues as well as apartment
17 rentals and sales, lending issues and insurance issues
18 because I am sure as all of you are aware in the issue
19 of housing, that employment and education play a major
20 role in the success of desegregation of housing.

21 The map that you see in front of you is a
22 racial composition of the black community in the City of
23 Toledo. The Hispanic overlay would show that there is

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1 concentration of the Hispanic community down in these
2 census tracts here, a little bit in east Toledo and
3 moving right into here.

4 Your cities all look like this too, although
5 your segregation may be north and south instead of east
6 and west. Our experience has been, as yours has been,
7 that this discrimination in this segregation is not by
8 chance, that there is a long history in our country of
9 segregating people because of race, ethnic background
10 and religious background. Some of the segregation you
11 see by choice. But in this day and age most of it does
12 not continue to exist and be maintained by choice.

13 There are so many institutions that contribute
14 to this and what I would like to do is address some of
15 the issues that were raised yesterday. First of all,
16 either one of you two gentlemen asked Reverend Chambers
17 if there were other issues in employment where he could
18 explain to you where there were more inconsistencies and
19 immediately the issues that came to my mind are that
20 most recently the EPA has found our city not in
21 compliance and our garbage dump has been closed and we
22 have had to figure out where we are going to dispose of
23 this because things weren't filed in a timely fashion.

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1 No one was suspended with or without pay,
2 one was reprimanded. In addition, the city acquired
3 land on Front Street in east Toledo which had a Coke
4 processing plant. No toxic test had been done and it's
5 going to cost the city \$5 million to clean that land up
6 before any construction can be taken on that land.
7 There was no disciplinary action whatsoever that
8 occurred to the people who were involved in that, in
9 addition to the other examples that Reverend Chambers
10 said to you.

11 Under the area of employment, and the fire
12 department and the police department, an operative word
13 I heard again today was maintain. We maintain these
14 percentages. And you have to understand in my field
15 that I listen very carefully to the words people use to
16 describe what they do as understanding what a goal is or
17 a quota is and using terms like maintain. And there is
18 someone from ABLE here who I am sure will address the
19 issue of the fire department. I would like to speak to
20 the police department immediately on that memo that came
21 out in July.

22 The instances that the Old West Association
23 reported occurred in June. They were between, as I

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1 re all, ten year old kids, some teenagers and then an
2 adult who was accosted by some youth, I don't know the
3 age of them, maybe 18 years old. That all occurred
4 prior to July 4.

5 It was sometime in July that the police -- the
6 chief of police issued an order that said to stop all
7 black juveniles traveling through the old west end.
8 That's a quote; I remember that. It didn't say stop
9 black juveniles who were the age of 13 to 15 who
10 followed the suspect's identification, it said stop all
11 black juveniles.

12 When that report was challenged by the
13 ministerial alliance and other people in this community,
14 they did not immediately come, they said we have not
15 done anything wrong, we issued a similar order in the
16 Rudolph shootings in 1986. Well, let me distinguish
17 that for you. In August of 1986, Carry and Roosevelt
18 Rudolph's home was fired into by the Apunauhs, who were
19 black, their home was fired into. It was after that
20 felonious assault that the police department said let's
21 look for whites who fit this description.

22 It was not after a few incidents in the old
23 west end, which is a highly integrated neighborhood of

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1 51 percent black community, where he tells them to s
2 all black juveniles walking through the community. It's
3 outrageous and for him to equate that at all with what
4 happened in the Rudolph case is outrageous.

5 This in addition to the sensitivity issue that
6 the police chief talked about, I was at a meeting in the
7 Dorr, Collingwood neighborhood, which is a predominantly
8 black community, and they were complaining that there
9 were prostitutes that were in this area. Let me show
10 you where this is. This is near our office near the
11 downtown area. And he said to them, you know, our
12 forces are just drawn out. We just can't put someone
13 over there to stop the prostitutes.

14 But earlier that year when the mayor
15 complained that there was a facility, a building where
16 people were engaging in a variety of sexual encounters
17 when the neighborhood didn't even know it was going on,
18 they found it fit to station police cars there to watch
19 who was going in and out although they did not find it
20 to be a constitutional violation to engage in the
21 activity that was occurring there. Yet they had the
22 police power to station someone there but when the
23 community, which is undergoing revitalization, cannot

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1 get police assigned to try to keep the prostitutes from
2 walking through their residential neighborhood, you
3 know, he tries to explain that away as they don't have
4 the manpower.

5 In other shootings that have occurred, the
6 racial violence didn't just start. I know Cleveland and
7 Cincinnati have experienced racial violence, I think one
8 of the big differences is how your police department
9 have responded to it. Because your cities, as I said,
10 are segregated as our city and you have the same
11 problems that we have, the differences here, we have a
12 total lack of leadership from the government and from
13 the corporations in this city to address these serious
14 problems.

15 The racial violence occurred way before 1986
16 when people started trying to say, well, you know, we
17 got on CNN, Toledo was getting a bad name so now we must
18 address this name. It started before that and we gave
19 incidents to the police department on how we had made
20 reports and to the FBI and the FBI has not done as good
21 a job as I think it should do but in October of 1985,
22 there was a shooting into a black family's home, it was
23 reported to the police, the bullet was never removed

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1 from the wall. When we reported it to the FBI in
2 January, the FBI came out and took the bullet out of the
3 wall and ballistic tests were conducted.

4 Reverend Williams, who has been the victim of
5 racial harassment since he moved into his west Toledo
6 predominantly white area, they have not been able to
7 apprehend any culprits in this although there is a
8 handwritten letter threatening his life and the life of
9 his children that was turned over to the FBI and
10 somehow, you know, they just couldn't seem to find out
11 who wrote this letter.

12 In addition, what I find as a real disparity
13 to me with the police department is in the Rudolph case
14 we are talking about a high income predominantly white
15 area where several black families had moved in.

16 They apprehended the people in a very timely
17 fashion, of course, with a lot of community pressure
18 because when the incident occurred, which you have to
19 understand, is that the Wards woke up -- I am sorry, the
20 Wards moved into the neighborhood, they went over on a
21 Sunday, started cleaning to move in on Monday. When
22 they came back Monday, all the windows in their house
23 had been broken in the front. No other home in the

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1 neighborhood had been vandalized and when it was raised
2 that maybe this was racially motivated, the first
3 comment out of the police chief's mouth at the time -- I
4 am sorry, it was the community relations officer was
5 that we don't see any racial connection to this.

6 Well, that comment in testimony by Mr. Tabner
7 who then fired shots the next night into two black
8 families' homes was that I wanted them to know that this
9 was a racial incident. And it's that lack of
10 sensitivity when I stand here and hear people saying
11 that they want to have general sensitivity training when
12 what they need is specific sensitivity training because
13 of these instances where race is not even considered.

14 I mean when Virginia Ortega asked, and I am
15 really glad you said that, do you have any Hispanics,
16 somebody who can speak Spanish, the police chief said
17 the Hispanics we hired don't speak Spanish, as if no
18 whites could learn or can speak Spanish. It is that
19 narrow perception that continues to perpetuate the
20 segregation as exists in our city.

21 Other experiences with the police department.
22 After the '86 incident, the Board of Community Relation
23 has tried to work with the police department, they held

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1 a training, they brought in a Colonel from Maryland,
2 can't remember his last name, but he was very good and
3 yet we can't seem to get the mayor through the irascy of
4 the Board of Community Relations.

5 They don't invite me to their meetings so I
6 don't get to put my two cents in on who I think they
7 should invite to these meetings, that it was a good
8 meeting, yet I was at meeting with Sam and
9 representatives of the police department and they say
10 things -- Sam was supposed to get a beeper I don't know
11 how many months and I mean a number of months so that we
12 could be notified immediately of racial, religious,
13 ethnic acts of intimidation. Then he could call us
14 those that dealt with housing, we could address.

15 I don't know how many times Sam and I read
16 things in the paper before we were even notified of what
17 occurred. I sat in meetings and had -- this goes to the
18 issue of sensitivity training, where I have had captains
19 say to me, Shanna, how can it be a racial incident. We
20 had a Jewish woman and her neighbor put a swastika sign
21 in his backyard that faced hers but he thinks she is
22 just a nosey busybody. So isn't that just a problem?
23 Isn't that just an interpersonal problem?

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1 Any time you use a symbol that can intimidate
2 anybody, it is a racial incident, it is a religious
3 incident, it is an act of violence. I had the same
4 police chief say to me, well, a black woman received a
5 copy of her photo with KKK written on it and slipped
6 under her apartment door, but after we investigated it,
7 we found out that another black woman sent it so that's
8 not an incident of racial violence. And we go back to
9 this symbol is wrong and whoever commits the act, is
10 violating somebody else's civil rights. They lack so
11 much sensitivity to this issue.

12 Well, I have, you know, a thousand notes that
13 I have taken to discuss with you and I know I have a
14 short period of time. I don't know about your cities,
15 but our city doesn't put a penny in the general fund
16 into our community general fund department, therefore,
17 if that department federal funds ceases tomorrow, not
18 only would I cease but also would most of the blacks
19 that have been hired by the City of Toledo cease to have
20 employment. And this city has made no financial
21 commitment to the Department of Community Development.

22 It is very much like community development is
23 the stepchild in this city. And we have asked

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1 repeatedly for general fund moneys to be committed to
2 the programs that are operated through community
3 development. We have repeatedly asked for this money
4 and they tell us there is no money in the general fund.
5 But now just last week the police department bought
6 little stickers that say whoa -- we have a horse thing,
7 you know, the horse downtown. A large sum of money goes
8 into the horses downtown. And they bought stickers for
9 the horses that say whoa to drugs, as opposed to no to
10 drugs but, you know, this is a priority of the their
11 funding.

12 And under the Community Development Program I
13 would like to say some things about the issue that if
14 you will read the document that Reverend Chambers put
15 together is a comprehensive and accurate assessment of
16 what's occurred in the Community Development
17 Department. But you have to understand that the city
18 had a finding against our rehab program and against our
19 home ownership program and it is a HUD finding that
20 said certain things hadn't been done properly, certain
21 contracts hadn't been signed in the proper manner.
22 Things that I don't think any city sitting here has not
23 had a HUD finding in a situation and, in fact, in

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11 Cincinnati, during the time that Hawkey was assistant
12 city manager there, the program he started with their
13 neighborhood group had a \$1.2 million audit finding and
14 now I believe Cincinnati has worked that down to a
15 little less than 200,000 with allegations that money was
16 being improperly spent in predominantly white
17 neighborhoods that were not low income and that were not
18 eligible for those funds. I would like to hold him
19 accountable for those decisions he made then as he held
20 Mr. Cobb and Mr. Duckworth accountable with decisions
21 that were made now.

22 The home ownership program and the ministers
23 who received funds from that, I would like to address
24 that. The home ownership program was designed because
25 the City of Toledo is under numerous court orders from
26 the police and the fire to their housing to their
27 Affirmative Action and then there are two specific
28 housing cases, Datsun and Hamez and in the Hamez case,
29 believe it's the Hamez case, could be the Datsun, the
30 city was ordered not to put any or subsidized housing in
31 areas that were already concentrated and we in the City
32 of Toledo, probably better than your communities, have
33 dispersed Section 8 existing housing throughout the

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1 community because of the work of ABLE and the litigation
2 that occurred in there.

3 On this map all these yellow dots that you see
4 out here are private Section 8 developments. They would
5 not exist except for litigation. Every one of these
6 that opened we have filed, had complaints filed against
7 race discrimination and sex discrimination during rental
8 as they were trying to limit the number of minorities
9 and women who could occupy this particular housing.
10 This was built prior to the consent order, actually the
11 decision by the federal court.

12 On that issue, when the housing was dispersed,
13 all those sites that you see outside of that area we had
14 to challenge constantly. ABLE was in court to get
15 zoning and platting approved for those sites. We had a
16 referendum in this city, the people who did the recent
17 -- I don't know if it's "West 57th Street" or one of
18 those magazine stories called and was talking to me
19 about what was going on in Yonkers. They said it's like
20 the 1950's. I said, no, it's like the 1970's in Toledo,
21 where every time -- there has not been one subsidized
22 housing development outside of the black community that
23 has been constructed without litigation, not a single

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1 one.

2 Litiigation against City Council at one point
3 in time all feederal dollars were threatened to be held
4 in this city unnless a City Council member changed his
5 vote to allow ffor the platting and zoning of certain
6 subsidized houssing.

7 The hhome ownership program was put into the
8 central city arrea in order not to put anymore subsidized
9 housing in an aalready racial and economically impacted
10 area. The cityy knew this was going on, they knew about
11 the home ownersshp program; Hawkey signed the
12 contracts. Hawwkey knew about these programs and many o
13 these programs wwere started before Hawkey came. It was
14 designed speciffically to meet the housing needs and to
15 stop the economric impact that was occurring which also
16 had an impact onn the schools and the employment and all
17 those other issuses.

18 Some cof that money was used out of the slum
19 and blight program. Under the slum and blight program,
20 there are no income guidelines for eligibility. So a
21 millionare couldd move into the area and receive a grant
22 to purchase the pproperty. There are no economic
23 guidelines. Noww, somebody filled their report going to

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1 HUD and checked low and mod instead of slum and blight
2 instead of -- now, I know who constantly did that when I
3 sent my reports to community development and it was not
4 a black person, it was a white person and my reports
5 would go to the HUD area office and they would call me
6 back and say I have got your annual report that says you
7 handled this many cases, but I have got this report but
8 it doesn't reflect that. I said well, that report from
9 CD is wrong. It's incorrect. And we would constantly
10 correct that problem thatt was occurring.

11 Now, I am not saying there weren't some
12 problems in Community Development with administration.
13 But what I am saying is that the discipline was not
14 consistent with the other discipline that has occurred
15 in this city. At the same time we had a white female
16 finance director and she by mistake said we actually had
17 a surplus and she was fired. We have a white male who
18 is one of those seven white males that Mr. Hawkey has
19 hired who now has misunderstood the money that we have
20 or don't have, actually now don't have, and there has
21 been no action taken against him, no reprimand
22 whatsoever against him.

23 So, you know, I want to say some of it's

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1 political but the bottom line is tthat it's racial. On
2 the arrest of the ministers, this -mayor was mayor at the
3 time that Richard Burke was chairman of our Planning
4 Commission and the Fair Housing Ceenter's clients had
5 filed two lawsuits against him for- blatant acts of
6 racial discrimination. I went to tthe previous mayor
7 told him, you know, actions are peending against Richard
8 Burke, chairman of your Planning CCommission, went to the
9 mayor when she became elected and ssaid actions are
10 pending against Richard Burke, chazirman of the Planning
11 Commission. I had no idea what polittical party he was a
12 member of. I should have when the first mayor didn't do
13 anything, but then when the second mayor -- when Mayor
14 Owens decided now we are going to ssay something and do
15 something about this.

16 You need to know that Reverend Rose and other
17 ministers occupied the chairs of tthe Planning Commission
18 and they were not arrested. But now when it's an issue
19 that confronts her directly and connfronts her in her
20 chambers, they are arrested. And tthat is another
21 blatant inconsistency that has occurrred in this city.

22 The commissioner from Ohio was saying
23 something about yesterday confrontaational approaches an

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1 why don't we sit down and talk and one of the problems
2 is in this city, nothing has happened without litigation
3 and I mean litigation from all the housing issues, from
4 the police and the fire department, and two private
5 corporations. Forest City Auto Parts, which is a
6 national company was charging blacks more, from 150 to
7 200 percent for auto parts.

8 Reverend Rose came to the -- they have a
9 contract with Procter and Gamble and do some testing to
10 see if employees are being treated the same and they
11 said you do testing, can you test Forest City Auto Parts
12 and we said, sure, we'll do it on our lunch hours. It's
13 not a Fair Housing case, but how can we close our eyes
14 to this.

15 And sure enough, all the whites who purchased
16 auto parts not only were given them at the fair price,
17 but several of us who took our little tickets and got a
18 bunch of extra stamps on our tickets so that you could
19 more quickly purchase, get a discount. That Central
20 City, Forest City Auto Parts store closed after there
21 was a settlement. There was no discussion or outrage
22 from our corporate community about that action.

23 Someone asked about economic development, is

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1 there fair treatment in economic development. The
2 Collingwood Dorr, Collingwood Dorr Shopping Mall I think
3 was supposed to be built sometime in 1970 or the plans
4 were on the books in late 1970 and the out lot of
5 McDonalds is the only thing that's been built to date.
6 They are still in negotiations for that although there
7 is a court order and they were in arbitration again with
8 ABLE to get the shopping facility constructed.

9 I have a theory on why some of the things
10 happen to the black employees in this city. I was born
11 in Toledo, I was raised in Toledo, I went to the
12 University of Toledo, in high school I met the man I
13 married. We went to college together, got married after
14 college and he was the first black college educated
15 person to operate in a high level Department of Natural
16 Resources. He was also the first black to be pushed out
17 of city government by Mr. Hawkey.

18 Now, he came to work for the city in 1983 when
19 they created a job for him. I think a lot of them
20 didn't know we were married. I am not sure that he
21 would have gotten that job if some of them would have
22 known, of manager of special projects with the Division
23 of Natural Resources and for three years he had a

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1 wonderful record. He brought the Rally by the Rivers
2 the community groups making 5,000 a year to input until
3 they were making 20 and 30,000 a year for nonprofit
4 groups.

5 He started a program in Ottawa Park, that has
6 been put up for a state award for natural -- I don't
7 know all this stuff, you know, where you go through
8 parks and you like the nature part of it and his
9 director renovated the ampitheater in Ottawa Park and
10 they decided to have a theatre program to try theatre in
11 the program and when Mr. Hawkey came in, well, it was
12 that January before Mr. Hawkey left Cincinnati in the
13 spring that we had the case against Richard Burke. No
14 I have made the Democrats mad because we have taken out
15 of the chairman of the Planning Commission the head who
16 is a Democrat.

17 Right at the same time Palmer Gardens was
18 under discussion for purchase of it, which is right by
19 the University of Toledo and a very Republican strong
20 hold by the city of Toledo. The last -- you know, ever
21 since Reagan was in the office, there was no new
22 construction of family subsidized housing.

23 This construction was left over from an old

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1 lawsuit that we could get this housing built and my
2 husband, Glen Smith, Pete Cobb and Mike Duckworth had
3 roles in the Fair Housing Center and ABLE and a lot of
4 other people had roles in making sure that that site was
5 developed.

6 Originally, they wanted some park land for the
7 site. And they asked Glen not to support part of Grove
8 Patterson Park for the development. He said, no, and he
9 wrote a letter and said that it would not have a
10 negative impact on the size of the park or the baseball
11 field or other things to build the 75 units of family
12 housing. Well, it was in March, right before Mr. Hawkey
13 came that he received a phone call said they can't touch
14 Shanna so they are going to go after you and we laughed
15 because he is just -- he was so very crystal clear in
16 what he did.

17 But then he got a call from Mr. Hawkey that
18 said if the theatre program doesn't turn a profit,
19 that's your job. Now, unless you know anything about
20 theatre, you know most of those city theatres don't turn
21 a profit, also it wasn't his program, it was not his
22 program. He did not operate that program. So we didn't
23 take it seriously. And when the new budget came out,

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1 his job was eliminated. And he went back to get his
2 master's degree and was working on his master's degree
3 at the time that he died.

4 Then Pete Cobb and Mike Duckworth, who were
5 also incredibly outspoken on the construction of Palmer
6 Gardens, came under fire, under rigorous fire. And it
7 is my theory that many people who were involved with the
8 construction of that particular site in a predominantly
9 Republican neighborhood, and I don't mean to isolate
10 that because when we tried to build housing in the
11 Democratic neighborhood, they got just as outraged and
12 would try to find out who's funding me and how is it the
13 law -- the city gives us 210,000 and how can we stop
14 funding her but the mayor said we have to fund her, it's
15 a court order.

16 So that would -- so I don't mean to say that
17 this is unique to Republicans, this is also unique to
18 Democrats. And I have often thought that we would be
19 like Cincinnati that had a third party that comes in.
20 But the ministers who moved into those areas did nothing
21 illegal and prior to Mr. Hawkey's press conference
22 chastising the ministers, I called him aside and I said
23 these ministers have done nothing wrong. If anything,

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1 somebody didn't mark slum and blight properly and I was
2 trying to talk in a spirit of cooperation with him and
3 suggest that he not say these harsh things against the
4 ministers who were doing, in fact, what the city had
5 told the community development party to do, , develop
6 nonsubsidized housing in these areas.

7 Under the slum and blight program, you are
8 supposed to have a continuing idea of how you are going
9 to redevelop what you take out under urban renewal. And
10 part of that redevelopment was all kinds of housing
11 going into that area. But instead, he chose to go
12 forward and specifically use some of the ministers'
13 names in that and it's caused a problem for the Fair
14 Housing Center. Whenever I go to talk to white groups,
15 I have to spend most of my time explaining to them how
16 the reporting has been inaccurate.

17 This Fair Housing Center handles -- between
18 Cincinnati and Toledo we handle most of the cases in the
19 midwest, the largest number of cases and this Fair
20 Housing Center has received the largest dollar awards
21 per year consistently since our inception.

22 MR. PROCK: Martin.

23 MR. PLAX: I just have one question. Is the

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1 possibility of any improvement in race relations doomed
2 to failure in your eyes or are there any bright spots,
3 at least open the doors for is there some changes?

4 MS. SMITH: I have seen the acts of litigation
5 be the sole acts that change the people's behavior
6 around here and I think a good note is that the realtors
7 -- out of our last seven pending lawsuits that were
8 filed on behalf of our clients, five of those were
9 referred to us by the real estate agents who recognized
10 the discrimination occurring. But that was after
11 litigation against the realtors in the late '70's and
12 early '80's but some people will change when they have
13 to change, but without leadership or without coercion
14 through federal court, they don't seem to be inclined to
15 change in this city.

16 MR. HANCOCK: Lynwood.

17 MR. BATTLE: No questions.

18 MR. HANCOCK: Virginia?

19 MS. ORTEGA: Shanna, does your agency -- do
20 you see an increase or do you see any leveling off of
21 complaints from the Hispanic community?

22 MS. SMITH: Seems to be increasing. Our
23 complaint load has increased since 1980, it's tripled

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1 since 1980. And the complaints are getting more
2 complaints of racial harassment and that's because
3 realtors are marketing homes in traditionally white
4 neighborhoods.

5 The type of complaints we are getting
6 regarding Hispanics tend to be very much like black,
7 just the direct denial of the availability of units and,
8 in fact, a Hispanic couple came in and it would be the
9 first lawsuit in the country against private mortgage
10 insurance companies because of the discrimination they
11 have just experienced.

12 MR. PROCK: Ray.

13 MR. LEVANTHAL: Seems to me, Shanna, that with
14 all this litigation, this would be a great city for a
15 lawyer to go into with all the cases coming up. You
16 spent just a brief period, but being a businessman, I am
17 very concerned and interested in the issue that you
18 brought up of waste disposal of hazardous material
19 whereby you stated that the City of Toledo bought
20 property in which it will cost them \$5 million to clean
21 up the waste.

22 And having some experiences with that, when
23 the estimate is 5 million, usually goes to 7 or 8

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1 million, I was wondering you said someone is derelict
2 their duty and nothing was done, if it happened once, it
3 could conceivably happen again. I don't think a city
4 like Toledo can afford 5, 10, \$20 million to take care
5 of waste disposal.

6 For any agency or any business person to buy
7 property without having it tested to me as a businessman
8 is totally unconscionable and inconceivable and I was
9 wondering if steps could be made in this direction.
10 Whether the property is a fait accompli or not, I don't
11 know, but to deter the city officials from buying
12 similar properties without proper testing. I think this
13 is an issue that should be brought up.

14 MS. SMITH: Yes. For your first comment, this
15 Fair Housing Center has only filed two lawsuits in the
16 last year because we do negotiate and work through HUD
17 on the majority of our cases and our reputation precedes
18 us before going to court, so most of our work in the
19 last few years has been done through conciliation
20 efforts.

21 Secondly, I understand that they are trying to
22 recover funds from the companies who dumped the toxic
23 chemicals on that property and they may have secured

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1 some of that money. It's still hindsight and I think
2 the newspaper made some comments about it and we would
3 hope that appropriate actions have been taken by the
4 directors in charge. I don't know if they have or not.

5 MS. SPENCER: Shanna, I am a member of Homes
6 so I know what you are doing here with your housing
7 program. In these last few years, getting funding for
8 city projects has been very difficult. In fact, inner
9 city construction has almost come to a halt in
10 Cincinnati. It's on the move now, we hope, but private
11 sector is working where there are changes; HUD has not
12 issued funds.

13 In the report, which was a part of our
14 material, Deloitte, Haskins & Sells pointed out various
15 discrepancies in the housing department. The
16 discrepancies which you referred to, checking whether
17 you were dealing with blight and low and moderate income
18 or a higher. Could those discrepancies have been used
19 in order to insure funding that would not otherwise have
20 been available since there was such resistance
21 apparently to this kind of housing going in other parts
22 of the city or in the parts of the city where it were?
23 How much of that can you relate to federal funding or

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1 the lack of it?

2 MS. SMITH: The home ownership program that
3 was going into the center city had to be in either a
4 slum and blight or a low, mod income area. The other
5 programs were of the private Section 8 that were issued
6 by HUD for specific areas. The City of Toledo had a
7 five-year housing plan so they had to, they agreed to it
8 and they had to disperse these sites according to the
9 five-year plan which, I think, took seven years to
10 implement.

11 I think we had tried, offered the idea of land
12 banking to the city to use black grant moneys to
13 purchase land in these white areas for the further
14 construction of subsidized housing and were always
15 turned down by the administration and black council on
16 their issue, which I think is implicit in saying we are
17 not going to hedge for the future because we really
18 don't want this housing in here and that kind of housing
19 belongs in the center city area. I don't know if I
20 answered your question.

21 MS. SPENCER: You did.

22 MS. SMITH: I would like to flip this over
23 just for you to look at. This shows you the elementary

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1 schools. The green, as you see the overlay, our
2 elementary schools are highly segregated, highly
3 segregated and you can just see just by that and if you
4 look closely at the map, it will tell you the percentage
5 of blacks in the schools and because the Hispanic
6 community is segregated, their elementary schools are
7 also segregated. But we address it as a systemic
8 institutionalized problem.

9 We started first in 1975 with the apartment
10 owners, then we moved to the real estate industry, in
11 the mid '80's we started working with the lending
12 companies, now we are going to the secondary mortgage
13 market and subsequently into the insurance issues as the
14 people in Dayton -- from Dayton should know that
15 insurance homeowners insurance is almost impossible to
16 get in the City of Dayton.

17 MR. PROCK: You are going to have to
18 finalize. I have a list in front of me, it looks like
19 the time period is going to be extended for the open
20 session. We at this time have eight individuals in the
21 audience who would like to address the forum.
22 Approximately five minutes apiece. Shanna, I just had
23 one question.

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1 MS. SMITH: It's Shanna.

2 MR. PROCK: We have had testimony that has
3 been positive as far as movement towards a more stable
4 race relation basis in the city and we have had negative
5 testimony. It's a cross section and that's what we are
6 seeking. One concern -- you covered a lot of areas, one
7 concern I have and I would like your opinion on it, is
8 the Community Relations Board.

9 How is that perceived by the city mayor, the
10 administration and the council? How do they perceive
11 the input from the Community Relations Board in your
12 opinion, now?

13 MS. SMITH: Obviously I don't know what's
14 their hearts and minds, all I can do is comment upon
15 what I see is their actions and their actions have not
16 been to give that board a lot of power. Their actions
17 in the one employment case that I am familiar with that
18 the board investigated, the facts of the case were very
19 strong, they made a recommendation to, I believe,
20 reinstate and back pay this black woman and the manager
21 did not deal with it and I am not sure if it ended up in
22 federal litigation.

23 It's their action of nonsupport. When our

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1 budget comes before them, there is a real lack of
2 leadership in our community. Either through members of
3 council -- there are a couple of members of council who
4 are outspoken, but the majority of council is not, nor
5 is our mayor.

6 When it comes to issues of civil rights
7 concerns, you must have the courage to stand up and say
8 these things are wrong and it will not be tolerated of
9 which she did, when the shootings occurred in south
10 Toledo. But then it was a real media event. It is
11 those smaller issues that fester the frustration that
12 exists in the black and Hispanic and integrated
13 neighborhoods from the city. It's a lack of action,
14 total lack of action and support.

15 MR. PROCK: Thank you for taking time out of
16 your schedule. Perlene Griffith, is she present?

17 MS. GRIFFITH: First of all, I would like to
18 thank you very much for giving me this opportunity to
19 come before you. My name is Perlene Griffith and I am
20 the Affirmative Action coordinator for the City of
21 Toledo.

22 By way of background information concerning
23 the Affirmative Action contract compliance unit, I have

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1 held this position five and a half months. For the
2 majority of this time, I had no staff and inadequate
3 office space. On November the 7th, 1988, I finally got
4 a clerical person and I received an Affirmative Action
5 specialist who is my professional staff person just two
6 weeks ago.

7 Given these circumstances, I think everyone
8 here today will understand it's quite unrealistic to
9 expect a completed Affirmative Action document which was
10 due the end of November. However, it was my
11 determination to make sure that I submitted a plan with
12 the clear indication that goals and timetables would be
13 submitted at a later date.

14 Because there have been some concerns
15 discussed yesterday, I feel compelled to bring to you
16 two draft documents that I would like for you to take a
17 look at as I continue my presentation and I would like
18 to pass those documents to you now. One of my
19 overriding concerns in preparing this document is to
20 make sure that not only the city administration but
21 representatives of the community clearly understand my
22 overriding objective.

23 I would like to take just a few moments to

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1 read that objective to everyone. To leaders of city
2 government, the equal employment objective is to achieve
3 optimal utilization of minorities and women in all
4 levels of the city work force. We have available among
5 our employees persons of varied talents and abilities
6 who are in reality underemployed, inasmuch as they are
7 not realizing the fullest extent of their potential.

8 A Human Resources management strategy which
9 identifies these individuals and ensures the upward
10 mobility based solely on merit would by its very nature
11 transcend any artificial constraints which heretofore
12 may have impeded their progress. Our single minded
13 dedication to the attainment of this objective is
14 essential to the fulfillment of our responsibility to
15 its ultimate beneficiaries, the citizens of Toledo.

16 Between June, 1986 and January, 1988, the
17 total number of minority employees in managerial
18 positions increased from 13.8 percent to 22.3 percent.
19 Minority representation in all other job classification
20 remained basically unchanged. The figures pertaining to
21 managerial positions illustrates the city's progress in
22 upgrading minorities and women. However, similar
23 progress in other areas must be targeted in our

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1 Affirmative Action effort.

2 Starting at this point and in addressing the
3 advisory committee, I would like to proceed with the few
4 minutes of my presentation. It must be understood that
5 goal setting is a final step and a painstaking process
6 which necessitates surveying the personnel structure of
7 every department and every division in city government.
8 Meetings and consultation with divisions and department
9 heads and reaching a consensus on the goals to be
10 pursued is absolutely essential.

11 By a conservative estimate, such a process
12 will take up to seven months. In other words, we need
13 most of 1989 to create goals which are reflective of the
14 environment which we are addressing. I take very
15 seriously and very personal remarks made by councilman
16 Jack Ford and staff person Tony Lionss. Each of those
17 individuals clearly understand that there were no staff
18 individuals to provide the information that they were
19 requesting.

20 I have indicated in preliminary information
21 submitted to Council that a final document of the
22 Affirmative Action plan must be fair, workable and
23 honest. To be honest, we must be deliberate. We must

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1 be cautious and we must work very closely with all
2 people that will be held accountable for this document.
3 I further submit that the draft document compiled
4 contains all the elements necessary for a successful
5 Affirmative Action effort and will compare favorably
6 with any document which you may review.

7 Also let us not forget that the essence of any
8 plan the ingredients essential for its success is not a
9 collection of grandiose pronouncements but commitment
10 and support. I urge you to look at what we have before
11 you. I bring this information because I think it is
12 necessary as the Affirmative Action coordinator to have
13 a total picture of what we are attempting to do.

14 Again, I remind you that this office was
15 created only six months ago. I have been working
16 independently of any staff support for five months and
17 as I said earlier, I just brought staff on and I feel
18 that given the set of circumstances, we have made
19 tremendous strides and I wanted that on the record.
20 Thank you very much.

21 MR. PROCK: Marty.

22 MR. PLAX: No questions.

23 MR. BATTLE: I just would like to ask Miss

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1 Griffith whether at any point in your development of
2 Affirmative Action plan you were in consultation with
3 anyone else in the city government or were you in total
4 isolation in pulling the plan together with no
5 resources, pretty much crunching the numbers and all of
6 the things involved with the plan yourself?

7 MS. GRIFFITH: In responding to that, sir, I
8 basically had a working document that was put together
9 by the city manager's Affirmative Action task force. At
10 the time that I came on, other staff individuals were
11 deeply emeshed in other responsibilities and, therefore.
12 I was working pretty much independently in preparation
13 of the document.

14 MR. BATTLE: Thank you.

15 MR. PROCK: Virginia.

16 MS. ORTEGA: You mentioned the Human Resources
17 Division. Could you give me the racial breakdown.

18 MS. GRIFFITH: I think you will find that
19 information in the document before you.

20 MS. ORTEGA: I know there is, from what I have
21 observed of the document, there isn't any explanation or
22 any definition of Hispanic as one of the protected
23 classes, is that something that you intend to work on?

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1 I know this is a draft, but is that something you plan
2 to include?

3 MS. GRIFFITH: One of the things that I have
4 recommended is that as we move forward in the
5 implementation of the Affirmative Action plan, that the
6 city gives serious consideration to the appointment of a
7 Hispanic individual in the Human Resources Department.
8 I think that is crucial inasmuch as the Human Resources
9 Department is the first encounter when people attempt to
10 enter city employment.

11 We need to have a face in Human Resources that
12 is familiar to the Hispanic community so that they will
13 feel a certain degree of security and friendliness when
14 they walk into that office. This is something that is
15 not done, has not been done thus far, but I am hoping it
16 will be considered very seriously in the near future.

17 MS. ORTEGA: Is there a black face, just to
18 kind of paraphrase in words, in that department?

19 MS. GRIFFITH: Yes, there are several blacks
20 in that department. In fact, the office administrator
21 is a black female.

22 MR. PROCK: Ray?

23 MR. LEVANTHAL: Nothing.

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1 MS. SPENCER: I am concerned that you seem to
2 be addressing what is sudden momentum around Affirmative
3 Action in the community based on, I guess, the impetus
4 of the certain persons in the community who have brought
5 this attention to the managerial operations. I hear you
6 saying that you were brought on board to do a job which
7 you fully intend to complete.

8 I think my question is do you anticipate great
9 support target completion of that effort in view of the
10 fact that you are working from the base of a task force
11 only?

12 MS. GRIFFITH: I think there is a strong
13 indication from the task force that there is a
14 willingness to work with me very closely in finalizing
15 the document that we'll be submitting to City Council.
16 On the flip side of that, however, I think it's going to
17 take a lot of time to gain that kind of support and that
18 kind of commitment throughout city government.

19 I think it is no secret from all the people
20 that are in the room today that live in the City of
21 Toledo that we do indeed have a number of problems that
22 we must address. Those problems have to be addressed
23 aggressively. I am thankful that the community has come

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1 forward and that they have indicated that they have
2 concerns and that they want to be heard.

3 As a part of the document that we have before
4 you today, one of the things that we are putting in
5 place is a vehicle where we can hear their concerns,
6 that we'll take those concerns into serious
7 consideration and as we move each year to revise the
8 plan and to fine tune it based on new issues and based
9 on new problems, that we include in that revision those
10 concerns and those issues that are brought before us by
11 the community.

12 MS. SPENCER: You literally worked from a
13 dormant position, is what you are really saying, as to
14 what you see as a very active role in this area?

15 MS. GRIFFITH: That's correct.

16 MR. PROCK: Mrs. Griffith, I have a few
17 housekeeping items to ask you. Is this the document you
18 submitted to council?

19 MS. GRIFFITH: The document was never
20 submitted to Council, sir. I have a memorandum where I
21 sent a notice to Council that this is a working
22 document, that it is available in my office for review.
23 To this date I have had one councilperson come into my

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1 office to review the document and that was councilm
2 Jack Ford that appeared before this body yesterday.

3 MR. PROCK: I note that the first page is
4 listed as a draft and I would like to follow-up to that
5 question. Then as a draft, was it your understanding
6 then this draft would move forward into public input at
7 the hearings and review?

8 MS. GRIFFITH: I consulted with the city
9 manager and the city manager gave me the go ahead to
10 talk to community groups and to invite them in to review
11 the plan and to open discussions, yes.

12 MR. PROCK: In a follow-up to that question,
13 there has been some issues raised that the document did
14 not present timetable and goals specifically. How do
15 you intend to address that issue?

16 MS. GRIFFITH: Okay. Sir, if you would look
17 on page -- if you would look on page 1, I have stated
18 the plan provides city administrators with practical
19 guidelines and methods for evaluating the soundness of
20 the city's Affirmative Action program. I go on to say
21 that this is only a working document inasmuch as we have
22 not had an opportunity to complete the goals and
23 timetables and that that information will be completed

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1 within the first year of implementation, 1989.

2 MR. PROCK: Thank you. Is there a
3 representative of the Ohio Civil Rights Commission
4 present? Let the record so note that there has been
5 numerous invitations extended to the Ohio Civil Rights
6 Commission to sum up their feelings in this hearing her
7 and that there is no one here to represent them even
8 though the executive director had confirmed to be here
9 and I want the record to note that.

10 I am going to break for the court reporter.
11 So we'll reconvene immediately in five minutes and our
12 first speaker, if he will come forward at that time, is
13 Brian O'Malley, from the Toledo Catholic Diocese.

14 (Short recess taken.)

15 MR. PROCK: I am going to reconvene at this
16 time and take this time to clear a few housekeeping
17 items as a matter of record. This proceeding is open t
18 the general public. We have a court stenographer which
19 is recording the entire proceeding. We ask that our
20 participants refrain from defaming or degrading any
21 individual or organization and in follow-up to that, if
22 anyone does feel defamed or degraded during these
23 proceedings, they do have an opportunity to contact

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1 staff that if time allows, we can provide them with an
2 opportunity here to address it or if not, they can --
3 this proceeding will stay open until January 2, 1989 and
4 they can submit written testimony to the United States
5 Civil Rights Commission office in Kansas City and if you
6 need the address, I have it here, it is 911, Suite 3100
7 Kansas City, Missouri. And as I stated, the record will
8 stay open until January 2, 1989 to include written
9 testimony. Thank you.

10 MR. O'MALLEY: Good afternoon. My name is
11 Brian O'Malley and I am the secretary of Social Ministry
12 for the Diocese of the Toledo Catholic church. So I
13 appear today on behalf of Bishop Hoffman who is the
14 bishop of these diocese. I have the opportunity to
15 read, I guess the best way to put it, I don't want to
16 pretend I am doing this off the top of my head, a
17 statement that was prepared by Bishop Hoffman, by Mrs.
18 Marla Lasline (ph.) and Reverend Eugene Pierson who put
19 together a letter to you as commissioners in regards to
20 Civil Rights Commission and their hard feelings
21 regarding race problems in this community from a
22 religious perspective.

23 Before I begin, I would tell you that I am ne

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1 to this position and this diocese and recently relocated
2 here from Kansas City, Missouri so I would be glad to
3 take any responses with me, I will be going home for
4 Christmas; my family hasn't relocated yet. However, in
5 the short time I have been here, I am a little bit
6 dismayed and upset, frankly, by the racial incidents
7 that have occurred just in the short time that I have
8 been here, which begins in August.

9 When I interviewed for this position, one of
10 the things I asked Bishop Hoffman is does this seem to
11 be a constant problem in the City of Toledo? He said
12 yeah, that's one of the reasons we are trying to fill
13 this position because we are trying to come up with some
14 response. With this letter we hope this is the
15 beginning of our response and we hope -- we welcome this
16 opportunity to address the hearing process of a Civil
17 Rights Commission from our experience within Toledo's
18 religious community.

19 We feel that the issues of respect for
20 persons' rights and dignity, the fairness of our
21 communities' processes for dealing with conflict and the
22 need for effective means for challenging injustice and
23 healing the wounds of injustice are all appropriate

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1 concerns for the religious community.

2 Our perception of Toledo's experience
3 regarding racial relationships in the past 15 to 20
4 years is a mixed picture of both calm and unrest. Our
5 city has not been racked with the violent experience by
6 many communities, the pattern of continuous ugly
7 confrontations. At the same time, there seems to us to
8 have been a constant just beneath the surface rumbling
9 of tension and dissatisfaction about racial relations in
10 our city's life. At times, this has erupted in
11 incidents of more blatant and focused racism.

12 The allegations of racial bias in recent
13 actions by the city administration are one instance of
14 this sort of occurrence. The outbreaks from time to
15 time of slogans painted on black homes or churches are
16 still another. It is our sense that when these isolated
17 incidents occur, there is a focusing of attention that
18 leads to some action. This action, however, is usually
19 short term, reactive and often undertaken by one element
20 in the community rather than the outcome of dialogue
21 among various groups..

22 The image of band aid, although a belittling
23 term for some persons, too often seems appropriate.

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1 There seems to be major elements in the situation which
2 the Toledo area finds itself attempting to address. No.
3 1, there has not been any history of sustained
4 constructive dialogue between the leadership within
5 either the black community or other minority groups in
6 the city on the one hand and the elected and
7 administrative leadership on the other.

8 There are no adequate structures in place to
9 effectively address both incidents of racial
10 confrontation and the underlying day-to-day issue of
11 race relations. We feel that the community's perception
12 of such groups as do exist, for example, the Board of
13 Community Relations is that they are structured in such
14 a way that their work is not demonstratively effective.

15 Three, the economic ebb and flow of Toledo's
16 life has impacted the minority community far more
17 heavily than the white community. Both perceived lack
18 of opportunity and or the lack of skills to seek such
19 opportunities as may appear contribute to a sense of
20 alienation for our minority citizens in many instances.

21 For the tendency to translate real community
22 problems into issues of personality has been an ongoing
23 liability. Public figures by nature become symbols but

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1 we feel that few in any of our cities' pproblems are
2 simply the results of individuals' problæms and
3 actions.

4 We are hesitant as a community to name the
5 truth that we, all of us as a social body, have to
6 address these issues. We do not mean by listing such
7 items to imply that in the Toledo greater metropolitan
8 area there are no positive energies to mmaintain a
9 positive strength of racial climate, but: we have seen
10 too often at times like these that a lissting of all the
11 good things being done and all the groupps ready to
12 address the problems leads to a positionn that we really
13 are doing a lot to address these issues,, after all, and
14 things really are not as bad as they seem. But problem
15 persist.

16 Community dialogue never reachhes a sustained
17 substantial conversation. Fires are putt out but unrest
18 smolders. We feel that our community needs to summon
19 the frankness and optimism to say we do have problems,
20 they won't go away by themselves. We all share in the
21 climate that makes this community what iit is for each
22 one of us but we choose not to allow dennial or fear of
23 one another or any sort of impotence to keep us from

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1 taking the steps we can take and must take in order to
2 change things.

3 We believe that this community has a potential
4 for good that is not fully tapped. We believe that in
5 dialogue across racial lines, we can honestly name
6 problem areas, examine strategies for addressing those
7 areas and energize people in institutions to take
8 effective long term action on them.

9 Whether we choose to do so or not will be the
10 measure of our care for this community. Our hope is
11 that the Civil Rights Commission can lend its influence
12 to our efforts and we pledge whatever resources we in
13 the religious community can bring to bear on these
14 issues to common efforts in our city's pursuit of
15 justice and fair treatment of all.

16 MR. PROCK: Thank you, sir. I will be calling
17 upon Charles Penn next. Again, let me reiterate a five
18 minute time period and if there is additional testimony,
19 you can submit that in writing.

20 MR. PENN: To the chair and to the audience.
21 Firstly, I must apologize to you, Miss Robinson, for not
22 considering to be a presenter. I had conflict and so I
23 could not. But I sort of felt obligated to say a few

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1 words to you as persons who seemingly are interested in
2 our plight in the City of Toledo.

3 As the architect of Toledo's first written
4 Affirmative Action plan, I am somewhat appalled over the
5 fact that here we are 15 years later almost reinventing
6 the wheel. It's very obvious to me that the grandiose
7 plan that we submitted those many years ago did really
8 nothing as far as making for commitment and a
9 re-establishment of priorities in the City of Toledo.

10 It appalls me to no end to know that there was
11 a plan that was similarly dumped into the Board of
12 Community Relations and sometimes I think under the
13 guise of instituting an austerity program that had goals
14 and timetables attached to it with all departments wi
15 the exception of police and fire that we did not attach
16 goals to because they wanted a court order.

17 A utilization study of persons in the city
18 employment had been done. A problem analysis had been
19 done, and a programmatic approach to resolve those
20 problems and here we are back in this room today
21 reinventing a wheel.

22 This lack of commitment, you know, we have all
23 kinds of laws -- national laws, city ordinances that

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1 would make for Affirmative Action. However, if the
2 commitment doesn't emanate from the top, nothing again
3 is going to happen. To give you a very classic example,
4 of this United States of America, for the last eight
5 years, I have seen Affirmative Action efforts retrograde
6 and it emanated from the top. And it has reverberated
7 right through the totality of these United States.

8 As I look at you folk today, you're faced with
9 controversy and challenge. Vanity says if it's popular,
10 I will do something about it. Politics says if it's
11 expedient, I will do something about it, cowardess says
12 that if it's going to jeopardize my position, I am not
13 going to do anything about it. But conscious tells me
14 that if it's right, then I should do something about
15 it.

16 I feel very strongly that the cause that has
17 been presented by the ministers and by other groups here
18 is a step in the right direction. I also feel very
19 strongly that, and we have suggested to the top persons
20 in the City of Toledo, that until that such time as
21 there is a resolve with the Peacock Mike Duckworth
22 organizational situation, that I don't feel that the
23 climate is going to really be right for any real resolve

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1 in the City of Toledo.

2 And if we do get over that hurdle, then we
3 have also suggested that persons from all realms of
4 discipline would be involved as we come up with a
5 resolve and that means members from the affected class.

6 Because historically, we plan for people
7 without the persons who we expect to be affected by our
8 plans. And as a result, we have come up with all kinds
9 of Mickey Mouse programs that address a certain problem
10 that an individual has, such as lack of employment or
11 drug abuse, one situation, and we proliferate our
12 efforts in those particular realms of discipline never
13 taking into consideration that we must deal with the
14 totality of an individual and his or her problems i. e
15 are ever going to come up with any resolutions.

16 So this means then that this city and those
17 that are concerned must come up with the comprehensive
18 plan to deal with all of the problems that we are able
19 to identify and not just take single issues.

20 Affirmative Action in the City of Toledo was
21 born out of conflict. Any time we have had any progres
22 in this city, it's been out of conflict. I can go back
23 almost 20 years ago with our model city's program. We

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1 recognized then that there were certain things in this
2 city that we would not be able to do if we did not have
3 a legal arm to help us out. And thus was born the
4 advocates for basic legal equality. They were funded by
5 the late Waymond Palmer in our office. Model cities and
6 as a result, we were able to do some things with police
7 and fire in this city that we never would have been able
8 to do through just sitting down talking about it.

9 I certainly hope that we don't continue to
10 have to go to litigation to get those things that are
11 rightfully ours. And I would applaud you on your
12 efforts and certainly if we can be of any assistance on
13 a later date to give you some of the history of the City
14 of Toledo's Affirmative Action program or anything else
15 because we dealt with the whole spectrum, we would be
16 most happy to do it.

17 MR. PROCK: Thank you. Reverend Franklin
18 Freeman.

19 REVEREND FREEMAN: Panel, chairman. Even
20 though I was not invited to speak before this
21 commission, and at one time felt it was not necessary,
22 after sitting through hearings yesterday morning,
23 requested to come before you.

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1 I have requested to speak before you today
2 a response to two questions or a question which two of
3 you raised on yesterday morning, also to an observation
4 made by Mrs. Spencer during the hearings on yesterday.
5 The question after hearing --

6 MR. PROCK: Could you give us your complete
7 name and organization affiliation.

8 REVEREND FREEMAN: I am Reverend Franklin
9 Freeman. I am a local pastor here in Toledo and I am
10 also a past president, immediate past president of the
11 interdenominational ministerial alliance and also serve
12 as the director of pastoral care to the mental health
13 center and serve on a number of boards in the city to
14 include the Board of Community Relations.

15 I have requested to speak before you today,
16 though, as a response to questions which were raised by
17 two of you on yesterday morning and also to an
18 observation made by Mrs. Marian Spencer on yesterday
19 during the preliminaries.

20 The question after hearing a wonderful
21 presentation by the city manager and also following
22 remarks implying reconciliation and enthusiasm on the
23 part of the black speaker, the question arose what,

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1 then, is all of the tension in Toledo all about?

2 The tension which exists in Toledo is not
3 merely confined to the facts of injustices which are
4 succinctly outlined for you on the presentation made by
5 the representative from the Toledo Metropolitan
6 Ministries and also by Miss Shanna Smith this morning.
7 I trust that you will give earnest attention to both of
8 those records.

9 Also they are not confined to the facts which
10 have encompassed the hearts through the years and have
11 been recalled and rehearsed by many of the people of
12 this city, that is the facts of racial and cultural
13 abuse. The tension is not limited to these facts alone,
14 but also find its thrust and vitality in perceptions, in
15 attitudes and in feelings.

16 It is these three things that I wish to
17 address as I come before you because I was not hearing
18 them being adequately stated. Thus, it seems to me to
19 be very crucial to appeal to your sensitivities and your
20 sensibilities regarding human rights issues that you do
21 not allow polished presentation plans and programs and
22 the rhetoric of perhaps well intentioned persons and
23 well intentioned words to convince you that the

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1 relaationships in Toledo are on the mend.

2 The perception is that city government is not
3 only structured to exclude participation by racial and
4 cultcural minorities, but that the persons themselves who
5 indeeed can make decisions for racial harmony and party
6 to exxist do not desire to do so. This may for sure be a
7 polittical and economically motivated pursuit,
8 nevertheless, as stated yesterday, the effect as well as
9 the affect is racial.

10 For instance, when the black community first
11 came to City Council in a very peaceful and organized
12 and weell orchestrated manner, led by a group of black
13 ministters, we made our presentation in a fashion that
14 was hiighly acceptable and would be acceptable anywhe
15 At thee completion of our presentation, we were not told
16 we'll consider these concerns, we'll pass them on to a
17 subcommmittee, we were not told your concerns are out of
18 order,, we did not need to hear them. We were not told
19 get out of here, bye, boo, scat nothing. We were just
20 simplyy ignored.

21 We perceive that city government is but an
22 extenssion of the great Toledo population at large and
23 thus, the perception is that throughout our city,

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1 minorities are being ignored. The attitude of persons
2 in governments have been unyielding and unbending and
3 focused around that which is politically expedient. We
4 have been told by at least three members of the City
5 Council that despite how seriously we the ministers who
6 are attempting to negotiate a hearing to be heard while
7 we were in Council seats, that it was a political move
8 that the mayor was making when she had us arrested.

9 When the full steering committee of the
10 ministers coalition attempted to offer openings and
11 other concerns by which dialogue between the city
12 government and this portion of the black community could
13 take place, we were not only blatantly rejected but the
14 next day, five of us had our pictures appear in the
15 local newspaper with the caption above it, "Ministers
16 Attempt to Hold the City Ransom."

17 Despite our attempts to sit at the table to
18 reconcile, we were greeted with rigidity and with a
19 stone wall attitude. Whenever we spoke in terms of
20 apples, we were responded to in the language of grapes
21 and then looked at as if we were crazy.

22 Thirdly, it is a matter of deeply imbedded
23 historical feelings regarding racial prejudice which

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1 through the years have kindled the imagination of an
2 entire community yet have crushed the spirit and the
3 aspirations of a goodly number of those who were either
4 born in this city or who have lived here over a number
5 of years.

6 Again, when the ministers carried a large
7 number of our community to the City Hall for our initial
8 presentation to City Council, persons who have lived
9 here for years all remarked with renewed hope of the
10 unity and the positive anticipation which was being
11 exhibited and they said for the first time by our
12 community.

13 It's a matter of feelings. One minister who
14 was 72 years old looked at me with tears coming down his
15 eyes and he said this is the first time that our
16 community has ever come together like this and he said
17 I am so proud, so proud to be black. That same minister
18 two weeks later because of the intensity of his feelings
19 and for the first time being able to stand up with
20 courage in a new and aggressive way wet his pants as he
21 was dragged off to jail. It's a matter of feelings as
22 well.

23 One last comment. From Mrs. Spencer's remark

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1 yesterday regarding the lack of join within
2 encouragement given to civil rights programs throughout
3 our country by this current administration to thoroughly
4 address the resolution of civil rights incidents and
5 conditions, I wish to earnestly appeal to you again to
6 do more than just merely hear us and to fit what we are
7 crying out as children, in a sense, or as babies or
8 those who are helpless coming to you for help, please do
9 more than just merely hear us, and make our concerns a
10 matter of a written report.

11 We need somehow to have this assistance of
12 enforcement to remind persons of our city that with
13 respect to the law and government, that all people in
14 this city are created equal, that all persons have the
15 right to equal access and due access of law in terms of
16 hiring, in terms of discipline, and also, please don't
17 be fooled into thinking that we had a little
18 disagreement and now we can just jump over that and pick
19 up now on new plans, which we all are excited about, we
20 want to engage in them, we don't want our city torn
21 down, we want to build it up, but we can't build until
22 we are first recognized, all of us as being human
23 beings, as being persons who have parity when we sit at

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1 the table, to have our concerns addressed.

2 They have not been addressed. We presented
3 them innocently and they are not being addressed.
4 Please help us.

5 MR. PROCK: Thank you. Ada Morris.

6 MS. MORRIS: I want to get started, I want to
7 be heard. I mean not yell at you, I want everybody to
8 hear what I have to say. I am saying this because
9 someone needs to come forth now, believe it or not, I
10 can tell you this. One reason I am here because God wa
11 on my side. I am not using him as an issue but for the
12 full 30 years that I put in time with the City of
13 Toledo, I was browbeaten, cussed at, lied to,
14 discriminated against, I have got witnesses and it'
15 bad I can't bring any charges. I was threatened that
16 when I did file a discrimination suit, if I went throug
17 it with, I would be fired.

18 Of the six people that I started with at the
19 beginning when I first started writing this, five are
20 dead. So I had nothing to do with it but, see, they
21 won't be around to harass anyone else, but the thing of
22 it is, someone will always take their place. I want to
23 ask one question. Are all policemen required to take a

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1 psychiatry examination before they are hired? Is that
2 -- does anyone know the answer to that?

3 UNIDENTIFIED SPEAKER: Yes.

4 MS. MORRIS: All right. Then that should
5 apply to all supervisors. I don't care if they start
6 scrubbing floors and work up, that should be to all
7 supervisors.

8 I have a few items here. When I started for
9 the City of Toledo, I came here in 1937, I have been
10 here a taxpaying citizen for 51 years, I am now 63 years
11 old. I worked from March of 1956 to May of 1986. And
12 when I first went into the city tax department, I was
13 already working for the Internal Revenue. I am glad --
14 you know, I was glad to get a permanent job. Okay.

15 So then the union steward, me not knowing
16 anything about the union at all, the union steward told
17 jokes and I wanted to be accepted as one of the gang,
18 one of the crowd or whatever, or I didn't care about wh
19 was what color, what nationality or nothing. I didn't
20 know anything about Polish, German, Jews, Chinese or
21 anything when I was in the south. So I came here and I
22 started to work and tried to do my job.

23 I was an addressograph operator and by being

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1 constantly harassed by that supervisor, I was nervous
2 and then I started learning how to fight back. When I
3 first started working for the city in March of 1956, I
4 did not curse. And now, you know, you would know if you
5 work for the city. I was time watched, followed on my
6 restroom visits.

7 One girl went to the basement every morning to
8 get pop and potato chips, eat them at her desk. I
9 didn't, but she wasn't followed. I get one cup of
10 coffee, a small 15 cents and another girl got a large
11 cup of coffee 25 cents, I was accused of eating
12 breakfast every morning. Just from little things. I
13 left my pop at work, on purpose I left it there over the
14 weekend. Somebody put it in the icebox, everybody know
15 I drank too much Pepsi. Put it in the icebox but
16 because somebody put it in the freezer, naturally, you
17 know, it busted.

18 Monday morning I was accosted by a sergeant,
19 shook his finger in my face yelled and didn't even wait
20 until the night person came in to question them and did
21 all that and I was asked by the man from Civil Service
22 if you can't get along, why don't you just transfer to
23 another office. This officer apologized later when the

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1 truth came out but publicly -- I mean, not publicly,
2 which I think he should have apologized in front of the
3 whole office.

4 There were cockroaches in the safety building
5 and mice. Okay. Someone saw a cockroach -- my desk was
6 immediately outside the captain's -- outside the
7 captain's door and he came out and yelled at me. I
8 didn't see the cockroach but someone up front did.
9 Nothing was done about it. I filed a grievance, the
10 union steward never turned it in, eventually she and her
11 husband got fired.

12 Okay. Well, there is so much to go on and I
13 am going to put it in writing but one reason I was
14 saying all this is because it needs to be known what is
15 going on in these offices and how the supervisors are
16 browbeating the people if they don't conform and one
17 more last thing. I worked in the tax office, I worked
18 in the police department and I worked in the water
19 department.

20 When I went to the water department in May of
21 '82, they were three months behind. I was put in
22 another office. None of the caucasians were put in
23 another office on a trial period and the work was

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1 entirely different. When I first came there, they were
2 three months behind, I started doing March work in
3 June. And when I took another job, I wasn't completely
4 taught the first job and I was held responsible for
5 everything plus the new job that I took and well, it
6 wasn't my doing, but I did leave them six months
7 behind.

8 MR. PROCK: Thank you, Ada. Randall Marshall,
9 ABLE.

10 MR. MARSHALL: My name is Randall Marshall, I
11 am a lawyer with Advocates with Basic Legal Equality, an
12 organization that has been referred to numerous times
13 throughout these proceedings.

14 ABLE is class counsel for black and Hispanic
15 classes of firefighter applicants and police department
16 applicants and has been since 1972, when lawsuits were
17 originally filed against the City of Toledo. I sat here
18 this morning as the chief of the fire division and the
19 chief of the police division addressed the body and
20 talked about their operations being run in conformance
21 with consent decrees that were entered back in 1974.

22 They both started out saying it was important
23 to give you a bit of the history of how these things

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1 came about, how the litigation came about. I would like
2 to fill in a little bit of the history of that because
3 one key factor was missing in the presentations.

4 Three lawsuits were originally filed in the
5 period of 1972 and 1973, one against the police division
6 for its hiring practices, one against the police
7 division for its promotion practices, and one against
8 the fire division for its hiring practices. The police
9 promotions case went to trial first in 1973. Judge Don
10 Young of the U. S. District Court here in Toledo found
11 that the City of Toledo had intentionally discriminated
12 against blacks and Hispanics in its hiring practices.
13 That decision was subsequently affirmed by the Sixth
14 Circuit Court of Appeals in Cincinnati. It was then
15 after a finding of intentional discrimination that
16 consent decrees came about.

17 It's far too late in the history of the
18 litigation and it's a lengthy history of litigation to
19 suggest that the City of Toledo has not discriminated
20 and has voluntarily entered into consent decrees in
21 order to avoid further litigation. The writing is on
22 the wall. There is a finding of discrimination there
23 since 1974, the steps have been made to attempt to

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1 remedy that discrimination.

2 Unfortunately, 14 years later, we are still
3 under the auspices of the Federal District Court. The
4 Sixth Circuit in 1981 stated quite succinctly in one of
5 the cases that went up to the Sixth Circuit from the
6 fire division and this is a quote, "The record reveals
7 the long torturous path which minorities have had to
8 tread to achieve equality in Toledo." The journey is
9 not yet complete.

10 In the recent past as part of its obligations
11 as class counsel, ABLE had the opportunity to review
12 records for the proposed class hiring of a fire
13 department class. -- During that routine investigation of
14 applicant files, ABLE discovered and has alleged, in
15 on file at the Federal District Court, that the criteri
16 on the background investigation for imposing negative
17 points was not being applied consistently to all
18 applicants.

19 Some applicants were told about information in
20 their files while other applicants were not. Some
21 applicants had an opportunity to explain negative
22 information in their files while others were not. Some
23 applicants' negative scores were changed without proper

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1 documentation, and finally, some documents and applicant
2 files were removed and destroyed.

3 As a result of these allegations, the fire
4 department is today under an injunction not to hire
5 another fire class until the problems are resolved that
6 were found. We are in the process of attempting to get
7 that back on track and we are close to doing so. We
8 also heard the statistics on the goals that have been
9 established through these lawsuits for hiring. And it
10 became clear to me as I listened to the police
11 department, those goals have not yet been met.

12 And while the fire department goals are very
13 close, what we didn't hear was that the last class hired
14 in February, 1988 contained 11 percent minorities, not
15 closer to the 17 percent. But more important, more
16 importantly, what concerns us is that it was reported in
17 the newspaper widely that the number of minorities for
18 the next class after February of '88 had already been
19 decided before the selection process was completed.

20 We have a concern that the goals that have
21 been set are no longer goals but are caps. So that
22 we'll not have more than 17 percent blacks in the
23 department or more than 3 percent Hispanics. I will be

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1 able to finish briefly here. There are ongoing concerns
2 about the process itself because adverse impacts still
3 exist in the testing process. And after the recent
4 developments in the fire department, I think the
5 overriding concern that ABLE must address and certainly
6 a concern for the community is that once the letter of
7 the decrees is met, will the spirit continue? Thank
8 you.

9 MR. PROCK: Thank you. Willie Woods, Junior.
10 Will our speaker identify themselves, if they are here on
11 behalf of an organization.

12 MR. WOODS: Yes, my name is Willie Woods,
13 Junior and I am representing the Health Coalition at
14 Risk Community and the Inner City Landlords and the
15 People Tribunal. I deeply appreciate the organization
16 that I am representing here today for you taking the
17 time to come down and hear our concerns.

18 This city is known as the heart of us all and
19 heart of it all is the racism that is in this city.
20 It's not Toledo, Ohio, it's Toledo, Mississippi and I
21 don't mean to be factitious.

22 It is through my understanding that you do
23 have a copy of this document here that I will be reading

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1 some portions from. Correct me if I am wrong. Well, if
2 you don't, I can leave this one and you can make copies
3 for everyone but this was directed to Darlene Evans,
4 executive director of Ohio Civil Rights Commission that
5 a copy was supposed to have been sent to you also and I
6 will just read some brief statements from this.

7 Facts regarding the city health department.
8 There has not been a black physician on staff in the
9 clinic area in the Health Department in the last eight
10 years. This is a contractual position recruited by the
11 chief of medical service. The current chief of medical
12 service have held this responsibility for the last 15
13 years. This is currently representing a severe lack of
14 sensitivity to the needs of the black community.

15 Blacks represent 60 percent of the Health
16 Department clients. Further note, 17 percent of Lucas
17 County is black, there is no black representation in
18 administrative position currently in the Health
19 Department. Only one has ever represented there.

20 The black population has always been the
21 largest ethnic group in the city. Currently two or four
22 chief administrative positions defined in the Tartar
23 (ph.) study are filled by Asian Americans who comprise

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1 less than 2 percent of the minority population of Lucas
2 County. That figure was changed to 2 percent by
3 information that we received from the director of the
4 Ohio Department of Health.

5 Today we have received no direct response from
6 our city regarding the above issues and copies of this
7 information that I am reading from has been sent to Sam
8 Hancock, the director, executive director of Community
9 Relations, Affirmative Action office that you heard
10 today, Perlene Griffith, the director of Affirmative
11 Action, and contract compliance which you heard today
12 and Mr. Charles Corley (Ph.) acting chairman of the
13 Board of Community Relations.

14 Current statistics of policy making
15 administration positions and staff physician at the
16 Toledo Health Department as of October, 1988. The
17 current funding and policy making administration
18 position at the Toledo Health Department are the
19 executive director, health, chief of medical services
20 and chief of administration and planning. None of the
21 policy making administration positions are held by
22 blacks. The executive director health is a white male,
23 the chief of medical services is an Asian male, and the

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1 chief of administration and planning is an Asian male
2 also.

3 Previous position of administrator of health
4 was a policy making administrator held by a black man.
5 However, the position and funding was eliminated. In
6 the reorganization process with the position
7 administrator, health was reinstructed and reclassified
8 as a position chief administrator and planning. The
9 qualifications for the position were lowered from a
10 master degree in public health to a bachelor's degree by
11 the Board of Health or of the Civil Service Commission
12 or both working together.

13 The Asian appointed to the chief administrator
14 had no experience in public health, no experience in
15 administration, no experience in planning, and had
16 previously worked as a technical under the black health
17 administrator.

18 And to briefly summarize, because all of the
19 facts about Toledo has been explained more eloquently by
20 myself, but we want to bring attention to the Health
21 Department and in closing, in 1980, one black nurse
22 worked at the health department. Currently of 13
23 nurses, six are black and one is a supervisor, which is

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1 the low end in administration, but that person is in
2 question now, that one black nurse working at the Health
3 Department.

4 So I hope diligently and seriously that we
5 would see some positive results, much more than the act
6 of the civil rights that's supposed to be much more than
7 our president of the United States who is an actor,
8 everything seemed to be an act nowadays. But let's have
9 some action on the positive side so that the people can
10 have faith and confidence in this government. Thank
11 you.

12 MR. PROCK: Thank you, Mr. Woods. Doris
13 Green. Doris, if you would identify yourself as you are
14 speaking on behalf of your organization.

15 MS. GREER: Good morning. First, please, let
16 me correct my name. It's Doris Greer, G-r-e-e-r. Thank
17 you. Appreciate being here. To your chair, to the
18 members of your committee, we appreciate your being here
19 even in our cold weather.

20 I will try to be as brief as possible. We
21 were given, as Mr. Woods alluded to, a package of
22 materials submitted on behalf of the Health Coalition
23 for Outward Community the Toledo Black Nurses

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1 Association and citizens concerned about the health
2 issues of Toledo. We are now primarily one umbrella
3 under the health coalition for outright communities
4 which is a group which I personally convened as a
5 community based organization of many representatives
6 from many different groups and organizations of this
7 city.

8 Because of our concerns that came out of the
9 Black Family Community Leader, Inc., of which I am
10 president, we looked very hard at what can we do to
11 help. Not only our own ethnic representative community
12 but the community as a whole and surmised about two
13 years ago that we fell from the gaps under two primary
14 areas in our life in addition to here in the city and
15 that was health and legal issues.

16 And I think if you would summarize what you
17 listened to today, that much of that comes out of those
18 same two categories. To be more specific, also I would
19 like to add if someone could take this, I will give it
20 to you as I leave. This is the governor's task force o
21 black and minority health, a summary of final report.
22 do not have copies for everyone, but I would like to
23 give it to your chair for review and information.

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1 Much of our concerns continue to be addressed
2 out of that which was addressed in this report and
3 recommendations that were made from the governor's task
4 force so I will give that to you for your review. This
5 is not a very proper presentation but it certainly will
6 hope to summarize what the concerns are here.

7 In addition to what Mr. Woods just pointed out
8 to you as part of our membership and just to sort of
9 flow through from what he said, there is 60 percent
10 representation by utilization of primarily the black
11 community. The next primarily large ethnic group in
12 this community is our Hispanic community. They do not
13 also have fair and equitable representation in this
14 city.

15 The reason why I can speak to you from so many
16 levels is because I personally belong to many boards and
17 groups and organizations in this city that are outside
18 of my own ethnic representation so I am able to have
19 empathy and feeling and information from many groups I
20 work with, the migrant community here in the city and so
21 I feel very comfortable in the things that I say to you
22 not because I am so full versed but because I am rounded
23 in my information.

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1 Mr. Woods alluded to not only that 60 percent
2 but the concerns continue as to what's going on in the
3 health department. There is director of the
4 commissioner of health Mr. Wintzel (ph.) who was going
5 to retire, stated he was to retire two years ago. I
6 questioned that we don't have a good boy network going
7 in there to keep someone in a place of position where he
8 wants to retire, should retire and still hasn't retired
9 and yet there are persons being put into new positions.

10 As we said, we have Asian representatives
11 there, we have smaller representations, persons in the
12 community. I think that's a serious question that
13 should be addressed. In one of your packets there is an
14 article by the Toledo Blade where the reporter talks
15 about in the Taggart report on the health issues of the
16 city that there should be more rounded use of the
17 persons in the city like the nurses that are there have
18 been in the department for many years and do not have
19 adequate chance to have jobs posted and to apply for
20 them and yet these jobs are being filled daily, monthly
21 even as I speak.

22 I will present to you a copy of an update of
23 information before your deadline on January the 2nd tha

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1 will contain more of our concerns on who is hired, who
2 is not hired, who is represented into ethnic groups. In
3 the governor's task force, there is a page in there
4 which alludes to the fact -- thank you, which alludes to
5 the fact of the need to have cultural sensitivity and
6 equality and efficient representation by those members
7 of the community most served by those organizations.

8 We are concerned that there is a discussion
9 that the Department may move physically from where most
10 of the community is served in the downtown urban poor
11 community of this city into something more centrally
12 located to this area. That's a very hard question that
13 someone needs to answer and to ask why and please allow
14 me just an extra minute because there are some things
15 that need to be said here.

16 MR. PROCK: Mrs. Greer --

17 MS. GREER: I am going to be very brief. I
18 will do this in 60 seconds. Give me a minute, please.
19 I question that we need to look at why black females are
20 put in the place of black males, why that is part of a
21 racist type of system that continues to be in action not
22 only locally but even perhaps from a national level. I
23 think we need to question that we have continued reports

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1 of police beatings on minorities in this city.

2 Currently we have a few church burnings that
3 are being looked at and we don't know why, suspicion and
4 not proof but certainly something to be questioned. I
5 think the ministers in this city who took an issue did
6 it in proper effect and did not have adequate answers
7 such as we have done in the health coalition,
8 recommendations and issues were addressed there that
9 were not presented.

10 Why as I sat and listened to our radio one day
11 in the heart of this racial tension I had to listen to a
12 record played, "Woman is the Nigger of the World." Is
13 that sensitivity in this city? Why are the retail
14 merchants placing products on the shelf that are
15 primarily used by our ethnic community and labeling them
16 and tagging them a certain way.

17 These are many other questions that need to be
18 addressed and answered but I will fully support your
19 need to be here and tell you that there are other
20 persons who were to be here who felt that your
21 organization and persons like you were only listening
22 boards, did not have impact and I am begging you on
23 their behalf and myself who did see the need to come

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1 before you, with your willingness to listen to prove to
2 us that you can do something to help a community who's
3 trying to help themselves. You will not be alone in
4 helping us. If we can feel that we are not being alone
5 in your coming to present yourself to us. Thank you.

6 MR. PROCK: Thank you Mrs. Greer. The chair
7 is reading from a handwritten agenda and I apologize if
8 the names are mispronounced. Is there a Dutridge?
9 Lloyd Dutridge? Would you come forward. If you would
10 introduce yourself and if you are here on behalf of
11 yourself or an organization, please identify that.

12 MR. DUTRIDGE: I am Lloyd W. Dutridge and I am
13 here about the city's discrimination against elderly,
14 including myself and my wife.

15 Speaking of I just heard about housing,
16 tearing down housing and so forth. There is a lot of
17 houses being tore down in the colored district which
18 were beautiful homes and the only reason why they were
19 condemned is because they had nobbin tooth wiring.
20 Those houses would have stood long years more than what
21 the ones that are built in their place.

22 Taking my -- I have had trouble with the City
23 of Toledo ever since I took out a permit to build a

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1 house, 2943 Ascot. They approved a plan and a plat
2 showing where the house would be located and after the
3 house was completely built, they come out and wanted me
4 to tear the vestibule down because it was encroaching 4
5 feet beyond the 25 foot building code, which in the
6 abstract it set out a setback of 20 feet, which I drew
7 the plat up to that extent.

8 They come out and wanted me to tear the
9 vestibule out and I have had trouble with them on
10 different things ever since. In 1944, I had building
11 material on the lot next door, which was stockade
12 blocked which I was going to build a house of and I was
13 stopped the construction due to the war and they come
14 out in 1944 when I was on my wedding trip with a
15 subpoena that had many false statements in it.

16 And I went into court, they ordered me to
17 build the garage as far as I could and finish it up
18 later. And in 1958, I started, some of the materials
19 got available and I started working on the garage, the
20 garage was set afire. And also in 1947, I took out a
21 permit to duplex my home and then I had an injured right
22 knee, which I tore the ligaments and the muscles and my
23 men weren't putting out and I had to go out of business

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1 temporarily and it was quite some time before I could
2 get back to work.

3 I started back to work in 1951. And in 1958,
4 the materials became available to finish up the garage
5 and I started working on the garage by putting in the
6 concrete floors, which the concrete reinforcing wire at
7 that time was available and yet the other wire for the
8 stucco was not available as yet. I put the one side in
9 and I was having trouble with my arms finishing the
10 concrete but I managed to get it finished.

11 It turned too cold to do any further work on
12 the garage and in March of 1959, the garage was set
13 afire. The city firemen did more damage than the fire
14 did. And I have been harassed ever since this fire
15 about the property and I was notified in a letter that I
16 could not rent the house as a duplex. And I was until
17 June of 1973 before I found out what my problem was and
18 it was corrected by bypass heart surgery and I got the
19 use of my arms back.

20 I started -- just prior to finding that out,
21 my roof had been blown off in October of '72 and I
22 sealed the roof and due to the sealing, I landed in the
23 hospital and then from then on they finally found out

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1 what it was. I had been to 28 different doctors besides
2 Mayo Clinic. They couldn't come up with what the
3 problem was.

4 I started working by putting a new roof on the
5 place and I put new sheeting on the front because it was
6 weather-beaten and reinsulated the walls, insulated the
7 attic, put new siding on and the city come out in June
8 of '74 when I was working on the roof and come out with
9 a citation that the house needed a new roof and needed
10 this and needed that and the fellow that did the
11 citation originally said I was doing a good job and
12 everything, they changed sanitarians and cited me into
13 court.

14 I went into court on in '75 and I don't
15 remember exactly what date it came up, but anyway, I
16 went into a hearing and I filed an injunction, request
17 for an injunction against the city to cease and desist
18 harassment so I could get the work finished. The Court
19 ordered that as long as I was doing work, I wasn't
20 supposed to be harassed.

21 But they turned right around and kept citing
22 me into court when I was working on it and in 1978, the
23 cited that while this case was still pending, they cite

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1 another case and the building inspection cited a case on
2 cars in the front yard limits. And this particular case
3 was CRB-78-14885, was the only court case out of all the
4 cases that the city filed from '75 on that was properly
5 heard.

6 MR. PROCK: Mr. Dutridge, I am sorry, I am
7 going to have to ask you to summarize.

8 MR. DUTRIDGE: After this not guilty plea,
9 there was 18 further cases signed on this same thing.
10 And they took it into court and the judge sent it over
11 to November the 16th for compliance. And on October the
12 7th, 1983, the city came out with five policemen,
13 attacked me, knocked me to the ground, which caused two
14 ruptured disks in my back and I went in to have the
15 disks repaired and they took an EKG and then they took
16 another EKG and canceled the surgery and I ended up
17 having triple open heart bypass surgery.

18 Just before this on October 7 of '83, I had
19 had a hernia operation on the 26th of August, which they
20 had no problem whatsoever with the heart. And I have
21 had several complications since then. Right now I am
22 still not able to work, but while we was in the case in
23 '75, in court there was several --

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1 MR. PROCK: Would you submit your final
2 conclusions in writing. I am sorry. I have gone over
3 the time, way over the time limit.

4 MR. DUTRIDGE: I was just going to state that
5 when I was in court, there was several cases brought in
6 from elderly people in wheelchairs and so forth that
7 they were harassing about getting their houses
8 completed.

9 MR. PROCK: Thank you. Sandra Bibbs.

10 MS. BIBBS: My name is Sandra Bibbs and I am
11 just a citizen. And basically what I wanted to say is
12 that, you know, it's the city as a whole not just like
13 the city officials, the people that live in this city
14 that's, you know, discriminating against minorities and
15 as far as I am concerned, the only thing that's changed
16 in the last few years is the people that took the hood
17 off because I am an electrical contractor, I have been
18 in business over ten years and we do quite a bit of
19 work.

20 Most of the work that we perform is out of
21 this area. 90 percent of our work isn't in the Toledo
22 area because you can't even buy a job in Toledo unless
23 you are one of these minorities contractors that they

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1 can set up in business themselves. And this is one case
2 of a minority contractor that's in business, okay, he
3 wasn't even an electrician, he was an apprentice. They
4 put him in business and he is doing so much work in
5 Toledo and sending all these papers to the federal
6 government, you all think that minorities are getting
7 their share of the work.

8 And if anybody would ever take the time to
9 investigate or check his bank accounts, you know if you
10 are making \$30,000 a year and all of a sudden you go
11 into making a million dollars a year and your old
12 standard of living and you ain't moved nowhere, you
13 ain't got no new cars and nothing has changed, something
14 ain't right. They are paying him foreman wages. They
15 are claiming they are in business.

16 As a matter of fact, they even took one guy,
17 put him in business. Got him setting on the board. He
18 decides now who can take the test to be electricians in
19 this city. They got people down there sitting on boards
20 that don't even live in the city limits, living in
21 Sylvania and everything and they are deciding what we
22 can do in Toledo.

23 And I think somebody needs to do a full

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1 investigation of how this city is ran in general. And
2 also like I said, it's just not the city because there
3 was a HUD program bid about a couple weeks ago, it was
4 over \$4 million and it's not -- you know, the city
5 should be trying to do something about finding out are
6 the people going to let any minority contractors work on
7 the job or whatever, but they are not going to do
8 anything and like if you call over there, I am talking
9 one of you all can call, and they will tell you right
10 now that we don't even have to have minorities on this
11 job.

12 You know, things like that is going on. They
13 write their own rules and their own regulations,
14 whatever federal regulations they decide that they are
15 going to follow. Nobody is investigating it. So they
16 can put out whatever timetables and rules they want and
17 nobody is going to follow unless somebody come here and
18 investigate. I am not talking about just a little
19 whitewash.

20 It's okay, the city said they are going to do
21 15 percent because unless you all do a full
22 investigation, no 15 percent, not even 2 percent is
23 going to be hired. And this is not just for

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1 contractors, this is all across the whole board. That's
2 all I wanted to say.

3 MR. PROCK: Thank you. Lisa Rice.

4 MS. RICE: Good afternoon, my name is Lisa
5 Rice and I am speaking on behalf of both the Fair
6 Housing Center and GTHC, which is the Greater Toledo
7 Housing Coalition. The Fair Housing and GTHC have been
8 involved in negotiations, litigation and challenges
9 against lending institutions and as a result have
10 established a rapport with certain bank officials but
11 the problem has not been absolved and is not near being
12 absolved.

13 Many of these banks are headquartered in
14 cities that engage -- in your cities that engage in
15 discriminatory policies and practices. The Commission
16 should actively engage in studying practices of lending
17 institutions and insurance agencies, PMI companies and
18 whether these practices are discriminatory.

19 Look at the lending patterns of the
20 institutions, review their CRA files, look for funding
21 for agencies to do testing, even simple phone testing
22 will reveal certain discriminatory practices. Some
23 discriminatory practices include having customers only

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1 policy, putting a limit on mortgage amounts, not being
2 competitive in the 90/10 market, not having any branches
3 to serve minority communities, closing branches in
4 minority communities and et cetera.

5 The Commission should take a leading role in
6 investigating and looking at discrimination in lending.
7 People at these institutions discriminate, the loan
8 officers discriminate. The one officer who told a
9 single female before granting her a mortgage loan she
10 wanted to know how this woman was going to maintain her
11 property and provide for repairs. The home equity loan
12 officer who simply stated that it is not the bank's
13 policy to write home equity loans in certain
14 neighborhoods or who grants loans for only 50 percent of
15 the equity of the home in minority tracts and 70 percent
16 of the equity of the home in nonminority tracts.

17 The insurance adjustor who stated over the
18 phone -- these are not -- these are cases that just
19 happened in 1988, we are dealing with today. The
20 insurance adjustor who stated other the phone we are not
21 regulated by the federal authorities, we can redline.
22 It is conceivable that discrimination occurs because we
23 grow up with biases and we bring these biases with us

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1 into the work force.

2 The Fair Housing Center does educational
3 training programs and workshops for lending
4 institutions, real estate agencies and also schools and
5 at one elementary school, a predominantly white
6 elementary school, I believe it's 99 percent white.
7 Shanna asked the class, who was I think all white, asked
8 the class if a Japanese or a Chinese child was born in
9 America in the United States, would that child be an
10 American and the overwhelming response was no, that
11 child is not an American.

12 The same sentiment was felt in a suburb. The
13 Fair Housing Center used to host a poster contest every
14 year and this particular school submitted a poster with
15 families from different racial backgrounds who were all
16 living in the neighborhood together getting along. They
17 had a black family, a Hispanic family and a white
18 family. Under the black family they wrote black, under
19 the Hispanic family the caption was written Hispanic,
20 and under the white family they wrote the caption
21 American.

22 One of the reasons that these feelings of
23 racial bias exist in our children is the fact that our

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1 schools are so segregated. By the way, we have also
2 brought in Michael Sessman (ph.) who litigated the
3 Yonkers, New York case to talk about different issues of
4 school desegregation in Toledo.

5 There are two public school systems in Toledo,
6 I don't know if you all knew that, there is Washington
7 Local, which is predominantly white, and there is the
8 Toledo Public School System. When Washington became
9 part of Toledo, they did so with the promise that they
10 could maintain their own and keep their own school
11 system and the city officials okayed them to do that.

12 If our children can interact and get to know
13 one another, perhaps we can look forward to a future of
14 intelligent people with mature and sensible thinking
15 patterns, but until the future becomes the present, we
16 have the present to deal with and I hope, we all hope,
17 that you, the Civil Rights Commission, deals with the
18 present effectively. Thank you.

19 MR. PROCK: Reverend Harry Crenshaw?

20 REVEREND CRENSHAW: Thank you, Mr. Chairman,
21 and to the other members of the Commission, I want to
22 thank you for this opportunity to speak to you. I have
23 said that I wasn't going to say anything because so man

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1 people had said so many good things.

2 MR. PROCK: Would you identify yourself.

3 REVEREND CRENSHAW: My name is Harry Crenshaw,
4 I am pastor of the Jerusalem Baptist Church, I am
5 president of the Interdenominational Ministries,
6 Jerusalem Outreach working with delinquent youth for the
7 last six years contracting with the Court and the
8 state. I want to speak to you concerning one thing in
9 particular and just comment upon some of that which you
10 have heard.

11 And one thing that I want to speak to you
12 about is the city's failure to develop land within the
13 Collingwood area. And this line was designated as a
14 shopping center area and redevelopment in 1975 and
15 completely clean away by 1978 and in '78 a commitment
16 was made to the shopping center and to build houses and
17 since that time, nothing has been done.

18 As Miss Shanna Smith mentioned, it's in
19 arbitration with the city. The land is vacant, we got
20 one building up, which is McDonalds, and this is the
21 kind of apathy on the part of the city to its
22 commitments even when they are made and contracts are
23 signed that really causes a serious problem.

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1 But aside from that, I would hope you as a
2 Commission would really pay particular attention to all
3 of the testimony you have heard but especially that of
4 Mr. Chester Chambers, Shanna Smith and Leroy Williams,
5 because I think those have spoken to the hearts of the
6 issues as confronting us in the City of Toledo.

7 Though I was not one of those ministers that
8 were arrested, my heart was with them and I hated to see
9 it take place but history has taught us, unfortunately,
10 the only way we can get results in some cases where
11 civil right denial is involved, is through confrontation
12 and demonstration. That is sad.

13 I guess my hope is that your coming here will
14 lead a light to how we may get out of this kind of
15 dilemma that we are now in. I am not so much concerned
16 about what has happened in the past, yesterday on back,
17 but what is going to happen today and tomorrow.

18 I have met with the mayor and assistant city
19 manager, I have offered suggestions of how I think we
20 might be able to educate ourselves from this and move
21 forward. I don't know what they are going to do with
22 it, but I do know unless something positive is done,
23 it's going to get a whole lot worse than it has been and

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1 I would hate to see that because I love this city as
2 though it was my home.

3 I have been here for 35 years but we have
4 these kind of problems because people in leadership fail
5 to take the initiative and make the decisions that ought
6 to be made so that these kind of things won't happen and
7 those who have been oppressed for all of these years
8 with injustice and so forth can only take so much and so
9 I would hope that you would say after reviewing all what
10 you have heard, what ought to be done, how it can be
11 done and challenge the city to go forth and do it for
12 the remaining of us who are in the city and have
13 goodwill and good faith to join hands and work together
14 and make our city a better place.

15 Nothing is going to help unless somebody take
16 the steps to do what ought to be done and I think you
17 can lead the light for us to follow and I certainly hop
18 that you will do that.

19 MR. PROCK: Thank you. I have an announcement
20 to make. The executive director of the Ohio Civil
21 Rights Commission has arrived. So we'll be calling upon
22 our last presenter who is Frank S. Cole and then we'll
23 take a five-minute break and reconvene to hear the

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1 testimony from the Ohio Civil Rights Commission.
2 Frank. If you would identify yourself if you are
3 speaking on behalf of an organization.

4 MR. COLE: Okay. My name is Frank Cole. I do
5 not represent any organization. I am a citizen of
6 Toledo, former employee of the City of Toledo.
7 Mr. Chairman, ladies and gentlemen, members of the
8 audience, I appreciate the opportunity to tell my little
9 story rather briefly to point out some things about
10 Toledo. If I am not heard, I hope anyone will hold up
11 your hand. I will be brief.

12 I said before that I am a former employee of
13 the City of Toledo. I experienced discrimination
14 personally. I came to work in 1964 as a refuse
15 collector by way of going sitting on a bench and if
16 nobody showed up, eventually I was logged and I was
17 eventually hired that way. I mentioned that because
18 later on, I want to point out something about the
19 Affirmative Action program that's significant.

20 So, anyway, I moved from the refuse departmen
21 to the street department, ventured to traffic engineer,
22 and then to radio communication from which I retired a
23 year ago. Now, let me say the problem I want to talk

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1 about, my story is they didn't want me to get into radio
2 service when I had the qualifications.

3 I had worked in the radio service in
4 television service for years before I went to work for
5 the city, but I didn't have a license so if you get a
6 license, you can get a job. I got the license and I
7 went and applied for that job. What did they do then?
8 They found some other excuses. Do you know I had to go
9 to BCR, the Civil Rights Commission down to the State
10 Civil Rights Commission and they still didn't give me
11 the job.

12 So finally, I saw one day who had the
13 governor's ear. At the time he said, Frank, you know,
14 did you get the job yet? I said no. He said go the
15 tomorrow and go to work. I said you don't mean that.
16 He said of course I do. Okay. I am a city employee so
17 I went there. Sure enough, I went to work. All the
18 shenanigans fell before a plantation syndrome. All of
19 that fell before a plantation syndrome.

20 So I wanted to point out to you that Toledo
21 today is still affected adversely with a plantation
22 mentality and that mentality adversely affects the
23 progress of blacks and minorities entering and moving

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1 upward in the City of Toledo.

2 Now, the theme about goals and timetables, I
3 saw the lady up here and, by the way, I am going to
4 digress a moment. One of the reasons I am here, I heard
5 somebody on TV -- I think I heard them, I am severely
6 hearing impaired, but I think the lady said last night
7 the City of Toledo just presented its first Affirmative
8 Action program. I said no. They didn't do that. But
9 this is what I heard. It's what I thought I heard.

10 So by the way, this is one of their programs.
11 1975. And I participated in this process over those
12 years. And by the way, there is one thing I want to go
13 back to about getting the job. I talked to one of the
14 gentleman who spoke here today, Mr. Charles Penn.

15 I said, Charles, what about this, if a person
16 want to get into the city, they go into Civil Service,
17 they won't even take your application. They say I am
18 not accepting applications. Charles, he said, I am
19 going to see about that. Do you know when I left the
20 city last year, persons still did not go to the Civil
21 Service to make application for a job.

22 The way people come into the city is because
23 somebody knows somebody, otherwise you don't get into

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1 the city. So my point in sharing this with you is that
2 here is a man who at that time was in the Affirmative
3 Action program, was acutely aware of what I was talking
4 about and I served on committees with him, was involved
5 in the process. Nothing happened. I said, Charles,
6 what's the deal? He said well, man, they just don't
7 give us enough staff or something of that sort.

8 So let me just finish up by telling you this
9 one last story to show you how really sad it is, this
10 business of discrimination. As chairman of the Minority
11 Coalition in 1976, I along with a couple other people
12 wanted to take the City of Toledo to court for not
13 implementing its Affirmative Action program, so I had
14 been involved with ABLE, in fact, I have been on the
15 board.

16 And Mike Frank was very good at winning
17 cases. He could get the action done but what would
18 happen oftentimes with the consent decree, you all know
19 what a consent decree is, well, I don't plead guilty to
20 that but I am not going to do that no more. But this is
21 what those people were doing at that time.

22 So anyway, I was aware of that in this
23 situation bringing the City of Toledo to court was a

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1 very serious matter. And I said I wanted to go to New
2 York to get NAACP to come here to take the case of the
3 work with the local attorneys. Okay, the reason for
4 that was because I know the powers, the political power
5 that's all persuasive and so I called Mr. Patterson,
6 talked with him, NAACP in New York.

7 He said Frank, refer me to somebody. I said
8 okay. I did, to a Mr. Dauthet. I assumed Mr. Dauthet
9 would let him come on here. To make a long story short
10 and this is the end, Mr. Dauthet went back to ABLE, the
11 took the case and there were many black people who had
12 tried to get in the building trades, had gone prior to
13 their apprentice program and were promised they will get
14 jobs, they didn't get jobs.

15 Over about seven years this litigation went
16 through until finally, finally somebody said, well,
17 we'll see if we can't get you jobs as refuse
18 collectors. That happened, ladies and gentlemen, these
19 people after seven years of litigation with the
20 assistance of some ABLE attorney. When I say ABLE, I am
21 not classifying ABLE because ABLE is a fine group and
22 some fine young lawyers, it wasn't them, it's the system
23 itself, it's persuasive and they can only do so much.

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1 So what happened, these fine young black and
2 Hispanic people who had tried to get into the trade and
3 upward mobility was eventually offered jobs as refuse
4 collectors. Can you believe that? Well, it happened
5 right here in Toledo.

6 So I wanted to share that with you because I
7 wanted you to know that all they they say they are
8 starting again and back in 1975 I said why are you
9 starting again, in 1968 you started. You had a profile
10 of the employment practices in Toledo now you are going
11 to start in '75. Here in 1988 they are going to do it
12 again. Thank you.

13 MR. PROCK: Thank you, Mr. Cole. We'll recess
14 until 2:00 at which time we'll hear a presentation from
15 the executive director of the Ohio Civil Rights
16 Commission and then there will be some announcements
17 from the chair.

18 (Short recess taken.)

19 MR. PROCK: I would like to reconvene this
20 session and invite Darlene McCoy, who is the executive
21 director of the Ohio Civil Rights Commission. The
22 format, Darlene, has been a 15 minute presentation by
23 the presenter and then questions from the Advisory

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1 Committee members. Darlene Williams.

2 MS. WILLIAMS: Mr. Chairman and members of the
3 committee. I am certainly pleased to be here and I
4 apologize for being late. I try to take care of as much
5 as I can when I come to Toledo, it's so far from
6 Columbus. I did have some previously arranged
7 appointments that prevented me from getting here at a
8 newly assigned time.

9 The Civil Rights Commission is a statutory
10 enforcement agency for 4112 of the Ohio Revised Code
11 which covers a loss against discrimination and
12 employment, housing, public accommodation, credit and
13 higher education accommodation. We operate through six
14 regional offices which are located in Toledo, Cleveland
15 Cincinnati, Dayton, Akron and Columbus.

16 We process about 6,000 cases per year, the
17 majority of which are employment cases -- 1 percent
18 representing housing, 1 percent representing combined
19 public accommodation and higher education accommodation
20 and about 2 percent credit. We have 706 agencies and
21 have a work sharing agreement with E.E.O.C. and we
22 recently entered into an interim agreement with HUD for
23 a capacity building pursuant to a tentative legislation

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1 which prompted us to get equivalency with the federal
2 housing law.

3 In September of this year, it came to our
4 attention that there could conceivably have been some
5 disparage treatment with respect to discipline
6 associated with individuals that were currently employed
7 by the City of Toledo. As a result of the overwhelming
8 evidence that was presented in the Toledo Blade, the
9 commissioners made a decision to have a public forum on
10 September 14 and to take testimony from any concerned
11 citizens regarding the employment practices of the City
12 of Toledo as an employer.

13 On September 27, informal session, the Rights
14 commissioners made a decision to initiate an
15 investigation against the City of Toledo regarding their
16 employment practices. The City of Toledo has been
17 enormously cooperative and we have a room full of
18 documents that we are currently evaluating. Our law
19 does require, however, that we attempt to conciliate
20 prior to finding cause and we are in the process of
21 conciliating and therefore cannot make any specific
22 comments with respect to that investigation.

23 Our office in the City of Toledo processes

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1 about 1,200 cases a year, 45 percent of which are race
2 cases, 22 percent sex cases, 10 percent age cases, 5
3 percent handicap and higher accommodation. I have
4 brought for your information I have brought with me a
5 list of cases, the basis on which they were charged, the
6 issue and our determination.

7 The City of Toledo ranks first in the total
8 number of dollars in negotiated settlements for both
9 1986 and 1987, making negotiated settlements exceed the
10 \$1 million mark in both of those years. I would be more
11 than happy to answer any questions that you have
12 regarding our efforts.

13 MR. PROCK: Thank you, Miss Williams. Lynwood
14 Battle is our representative on the Ohio Advisory
15 Committee from the Cincinnati area. Lynwood.

16 MR. BATTLE: I would just like to know, Miss
17 McCoy, how did the Ohio Civil Rights Commission get
18 involved in the Toledo issue, was it based on numbers of
19 cases, specific complaint, general interest of the
20 commissioners, just how?

21 MR. PROCK: Mr. Chairman, Mr. Battle. As a
22 result of the overwhelming amount of information that
23 was publicized in the Toledo Blade, the commissioners

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1 made a decision to have a public forum. At that public
2 forum, we heard about four hours worth of testimony from
3 concerned citizens, it was obviously our perception of
4 racial tension.

5 As a result of that perception, we made a
6 decision to further investigate to get more specific
7 information regarding the employment practices in the
8 city.

9 MR. BATTLE: For our information, can you give
10 us the next steps involved in the process from here.

11 MS. McCOY: Yes. Mr. Chairman and
12 Mr. Battle. The statute requires an attempt to informal
13 conciliation prior to a finding of cause. At this point
14 we have collected an enormous amount of data and will be
15 continuing to collect data until such time until we make
16 a determination and our initial conciliation attempt
17 should fail. Should our initial conciliation attempt
18 fail, we'll complete our investigation and make a
19 determination of cause or no cause at a public meeting.

20 If we make a determination of cause, then we
21 have to have, by statute, another conciliation attempt
22 before a complaint is issued. If that conciliation
23 attempt fails, then we would issue a formal complaint

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1 and it would go to public hearing. If it went to public
2 hearing, which is primarily for evidentiary gathering
3 efforts, we'll have specific evidence placed into the
4 record and make a determination whether or not we should
5 file cease and desist.

6 MR. BATTLE: Are we talking weeks, months,
7 years?

8 MS. McCOY: The statute of limitation,
9 Mr. Battle, on this case is one year, so we'll have to
10 complete our investigation with two conciliation
11 attempts and a hearing -- no, two conciliation attempts
12 prior to a complaint before September 27 of 1989.

13 MR. BATTLE: Thank you.

14 MR. PROCK: Virginia Ortega happens to be a
15 representative from the Toledo area.

16 MS. ORTEGA: The Columbus office is handling
17 this case?

18 MS. McCOY: Mr. Chairman, Miss Ortega.
19 Because of current staffing shortages, I have pulled
20 senior staff from offices other than Toledo to assist.
21 The investigators that are currently on the case are now
22 in Cincinnati, Akron and Columbus with my chief of
23 enforcement heading up that team. And we have brought

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1 in investigators from all offices other than the City of
2 Toledo office to assist in the information gathering
3 process.

4 MS. SPENCER: Miss McCoy, Marion Spencer. You
5 stated that -- Cincinnati. You stated that in '86, '87
6 a million dollars in the negotiating settlements had
7 come to the Toledo area?

8 MS. McCOY: That's correct.

9 MS. SPENCER: That would infer that there have
10 been employment problems that have been negotiated for
11 funds in terms of dollars out of this area and that
12 there was probable cause and it was found. So the
13 testimony that has come to us has been that there is
14 systemic racism in this area. You are dealing with
15 employment, or my concern is will you be able to use in
16 your resolution any of the information that we have
17 gathered through our court reporters that would relate
18 to your situation, because we are here for more than the
19 one concern, but certainly the concerns which you are
20 conciliating are a part of them.

21 MS. McCOY: Mr. Chairman, Miss Spencer. I
22 don't know. I don't know if we would be able to
23 incorporate in our conciliation attempt information that

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1 has been gathered and submitted to us by another entity,
2 but I would be more than happy to look into that and get
3 an answer to you or the appropriate answer to you.

4 We are doing a systemic investigation in the
5 City of Toledo as an employer. We are not seeing a
6 pattern of systemic discriminatory activity amongst
7 other employers at this point. The million dollars
8 represents a multitude of employers, not just one
9 employer. And although the million dollars --

10 MS. SPENCER: The city plus --

11 MS. McCOY: Right. The negotiation with
12 settlement is something that's authorized under the law
13 and normally offers the remedy that's far superior than
14 that which will be accomplished by cease and desist and
15 that's normally the basis on which the Commission makes
16 a determination to settle a case, for a dollar value
17 rather than what would normally be their usual remedy of
18 reinstatement, for example.

19 MS. SPENCER: As cities go, is this a very
20 high amount in terms of --

21 MS. McCOY: It's the highest of the regional
22 offices in the cities that we have.

23 MS. SPENCER: Of the six regional offices?

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1 MS. McCOY: But we get an enormous amount of
2 negotiated settlements. The negotiated settlement tends
3 off the top of my head, appears to be more of a
4 deterrent than a cease and desist. A large negotiated
5 settlement with a nondisclosure clause makes an employer
6 think twice to have the impact of discrimination.

7 MS. SPENCER: Thank you.

8 MS. ORTEGA: Do you have any idea what
9 percentages of those would be Hispanic cases, just, you
10 know, I don't mean specific?

11 MS. McCOY: About 5 percent.

12 MS. ORTEGA: About 5 percent. Is that
13 reflective of the work force of the Ohio Civil Rights
14 Commission?

15 MS. McCOY: No. As a matter of fact, it is
16 not. I think that the Civil Rights Commission has
17 painfully few number of Hispanics, which is one of my
18 major goals as the director is to increase the total
19 number of Hispanics that are currently served in the
20 work force. That is absolutely necessary.

21 MS. ORTEGA: I ask that because we heard in
22 other presenters that there are increase of charges
23 being made by Hispanics and I wanted to know if that was

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1 something perhaps you would have experienced with the
2 Ohio Civil Rights Commission.

3 MS. McCOY: Yes. And right now we are trying
4 to be a lot more proactive with respect to meeting the
5 needs of growing Hispanic communities and we are
6 currently, for example, in the process of making sure
7 that all of our literature that goes out to any public
8 entity is printed bilingual.

9 MS. ORTEGA: Thank you.

10 MR. PROCK: Miss McCoy, we have handled and
11 conducted a two-day forum of hearings on race relations
12 in the City of Toledo, which is a lot larger and broader
13 than your Advisory Committee addresses and your
14 Commission addresses.

15 In earlier testimony, I perceived that through
16 your visibility, through your office's visibility there
17 has been an increase in complaints filed in this area
18 and that those complaints were all being forwarded to
19 the Columbus office.

20 MS. McCOY: No.

21 MR. PROCK: That may be a misunderstanding on
22 my part.

23 MS. McCOY: Maybe the party was confused. As

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1 a result, Mr. Chairman, of our forum, we did take the
2 charges that were filed as a result of us talking to
3 employees at the city where employees may have indicated
4 to us that given that we are here and that we called
5 them in while they are here, can we file a charge.
6 Because we are in the process of a systemic
7 investigation we have to analyze those and take the
8 material that we have already collected from the city
9 and that's why they are coming from my office.

10 We don't want to ask the City of Toledo to
11 submit duplicate copies of information that we already
12 have on hand, nor do we want to separate, necessarily,
13 the charges and another systemic review. Incidentally,
14 we did get a systemic charge filed by the Hispanic -
15 a Hispanic organization. We did not want to draw the
16 conclusion that we automatically wanted to separate
17 those from the systemic investigation and that's why
18 they are being forwarded to our office.

19 MR. PROCK: Thank you. Do we have any other
20 questions? At this point in our forum, I am going to
21 conclude our hearings here in Toledo. I want to again
22 point out for the record that this hearing will stay
23 open until January 2, 1989 for written testimony, which

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CERTIFICATE

Ohio Advisory Committee :
 Public Hearing :
 Toledo, Ohio :
 December 13, 1988 :

- - -

I, the undersigned, do hereby certify that the foregoing pages, numbers 1 through 212 of Volume II, inclusive, are the true, accurate, and complete transcript prepared from the reporting by Sharon L. Reil in attendance at the above-identified hearing, in accordance with applicable provisions of the current GSA professional verbatim reporting and transcription contract, and have verified the accuracy of the transcript by (1) comparing the typewritten transcript against the reporting or recording accomplished at the hearings and (2) comparing the final proofed, typewritten transcript against the reporting or recording accomplished at the hearing.

Sharon L. Reil

Sharon L. Reil,
 Transcriber, Proofreader
 and Reporter

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