

RG453

California State Advisory Committee

Mr. Bert H. Corona
1924 Fruitvale Avenue
Oakland, California 94601

Dear Mr. Corona:

I have received your recent letter to Dr. Hannah, Chairman of the Commission, in which you advised that you are again submitting your resignation as a member of the California State Advisory Committee to the Commission. This time it seems to me that I have no choice but to submit your resignation to the Commissioners with the recommendation that it be accepted.

It would be good to be able to end here, but your letter contains several statements about the Commission which are untrue and which should be answered.

I believe that you know about Commission activities relating to Mexican Americans but you choose to ignore what we are doing. As you are aware, for example, the Commission has undertaken a major project relating to the administration of justice as it affects Mexican Americans in the Southwest. This project has been given high priority and a significant investment of Commission resources has been allocated to it. It is specifically concerned with police misconduct and inadequacies of the agencies of justice. It is our expectation that the project will result in a report which will have significant impact in this area. In carrying out this project, field trips by staff investigators have been made to Colorado and New Mexico. Contrary to your allegations that the Commission has taken no interest in the problems of the administration of justice in New Mexico, our State Advisory Committee has furnished the Commission with a report on the events of June 1967, members of the staff have investigated these events and have conferred with Lopez Tijerina, we have been in close touch with the Department of Justice, future investigations are planned and the State Advisory Committee will play an active role in bringing to light the injustices which have occurred.

I would have hoped that when the Commission staff begins its investigation in California later this spring you would have provided assistance to them and to the State Advisory Committee.

Although not a part of the current administration of justice project, you may find the enclosed report of the Texas State Advisory Committee on the administration of justice in Starr County, Texas, of interest. You will note that it deals with the activities of the Texas Rangers.

You may have been present at the recent Raza Unida conference in San Antonio. If you were present, you would have heard the Moderator, Dr. Laura-Braud, call for a boycott of three Texas oil refinery companies because of their employment practices. Cited by Dr. Laura-Braud as the source of his information is the enclosed report by the Texas State Advisory Committee.

I scarcely need mention to you that the Commission has undertaken a major study in the area of education of Mexican Americans since I am sure that you are aware of this also.

Your statement on the number of Commission employees and the number of Spanish speaking origin also is inaccurate. If you have any interest in the correct figures, let me know and I will be glad to supply them.

Needless to say, I regret the manner in which you chose to resign from the State Advisory Committee. If you wish to continue to impede the work of the Commission by issuing statements that are untrue, we will manage to live with that fact. If instead you decide to join the growing numbers of people who are working with us to secure equal justice for Mexican Americans, we will still welcome your assistance.

Sincerely yours,

William L. Taylor
Staff Director

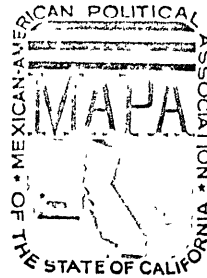
Enclosures

WLT/kva

cc: Mr. Glickstein
Mr. Simmons

MEXICAN-AMERICAN

Mr. Bert N. Corona, State President
1924 Fruitvale Ave., Oakland, Calif. Area 415, 261-7839



POLITICAL ASSOCIATION

Mrs. Jayne Ruiz, Secretary
3840 Railroad Ave., Pittsburg, Calif. Area 415, 439-5300

January 9, 1968

Mr. Joseph Vilaseca
Treasurer
7406 Rosemead Blvd.
Pico Rivera, California
213 - 864-7826

Mr. Philip Ortiz
Vice President South
7262 Firestone Blvd
Downey, California

Atty. Robert Gonzales
Vice President North
1231 Market Street
San Francisco, Calif.

Atty. Manuel Ruiz, Jr.
Legal Counsel
704 S. Spring St
Los Angeles, California

Mr. Louis Flores
Administrator at Large
2246 W. Park Ave
Napa, California

Leo R. Gloria
Northern Administrator
4305 Hillview Drive
Pittsburg, California

Atty. Armando Rodriguez
Northern Administrator
109 S. "D" Street
Madera, California

Mr. Frank X. Paz
Southern Administrator
2951 W. Norwood Place
Alhambra, California

Mr. George R. Herrera
Southern Administrator
P. O. Box 853
Hawthorne, California

Mr. Primo Ruiz
Northern District Director
3840 Railroad Ave
Pittsburg, California

Mr. Manuel Oliveres
Northern Vice-Director
184 San Benancio Canyon
Salinas, California

Mr. Ignacio L. López
Southern Region Director
559 Chester Place
Pomona, California

Mr. Robert J. López
Southern Vice Director
3701 Whiteside Drive
Los Angeles, California

Mr. Eduardo Quevedo
Director of Organization
206 S. Spring St.
Los Angeles, California

Dr. John A. Hanna, Chairman
The U.S. Commission on Civil Rights
Washington, D.C. 20425

Dear Dr. Hanna:

It is with regret that I am submitting my resignation as a member of the California State Advisory Committee to The Commission. The events that force me to resign are those primarily due to the Commission's unwillingness and inability to become truly involved and concerned about the Civil Rights of the Mexican-American and other Spanish Speaking people in America.

For two years the Mexican American Political Association and I have been attempting to cause the Commission and its staff to deal with the serious violations of Civil Rights that have been the lot and history of our people since 1835 in Texas and since 1847 in the rest of the Southwestern States. Specifically, we have been urging for hearings and actions on behalf of the conditions of life of our people in the farm areas of California such as in Delano, the San Joaquin, the Sacramento, the Coachella, the Salinas and the Imperial Valleys in California and the Lower Rio Grande Valley in Texas. To date the Commission and its respective State Advisory Committees which are really moved by the staff, have done nothing significant about the serious violations of the Civil Rights of Farmworkers at the hands of Deputy Sheriffs, Texas Rangers and other law-enforcement agencies and bureaus of the government.

To date you have failed to even show an interest in the whole matter of the incarceration, harassment and continued violations of the Civil Rights of Reies Lopez Tijerina and the members of the Alianza Federal De Pueblos Libres in Northern New Mexico, although MAPA through myself has repeatedly requested and demanded that attention be paid by the U.S. Commission on Civil Rights to the repeated serious violations of the Civil and constitutional rights of these Mexican Americans by the Civil and State authorities of the State of New Mexico and the U.S. Forrest Service.

You have refused or have been unwilling to deal with the whole matter of "Police Brutality" against our people and particularly our youth in such areas of California where it has led to continual killings and beatings such as: Blythe, Calexico, Riverside, Corona, Stanton, Compton, Los Angeles, San Jose, Hayward and other cities of California during the past year.

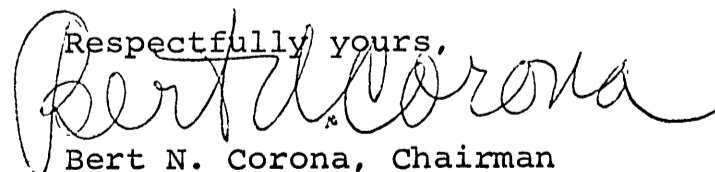
page 2.

I have continually kept pointing out to the staff of the Commission the gross violations in the arraignment, pre-trial, trial and sentencing procedures of Mexican Americans and other Spanish speaking Americans who cannot speak nor understand English in the Courts of California. Hundreds of these persons now find themselves serving unduly harsh and unnecessarily long sentences behind prison bars in such penitentiaries as San Quentin, Folsom, Soledad and others in our State. Yet so far no interest nor movement by the Commission has been evidenced. Finally, the whole discriminatory pattern of employment against the Mexican American and other Spanish Speaking people by the U.S. Commission on Civil Rights itself tramples upon the sincerity and true purposes of the Commission itself not to mention the Civil and employment rights of our people. As of this date although the U.S. Commission on Civil Rights has close to 200 employees there are but 6 of Mexican American or Spanish speaking origins.

We have a folk saying in Spanish that reads, "Taparle el ojo al macho" which means to keep the beast blinded and fooled. I can say that I am fully satisfied that this is the role of the Commission on Civil Rights in terms of the Spanish speaking people in the face of the many violations of their civil and Constitutional rights that they suffer almost daily from New York to California and from Michigan and Washington state to the Mexican Borders.

The Mexican American Political Association will continually expose this nefarious role that the Commission seeks to play in this area of such vital concern to our people. We will continually point out that the U.S. Commission on Civil Rights is there merely to take away the focus upon our own strength and unity and to continually divert our emphasis and efforts away from our own mobilization by the continual offering of false promises and distant hopes. We will not permit our people to be fooled by such "study" and "tokenism" tactics as the Commission offers in place of real redress of grievances and fullest enforcement of the Bill of Rights and Constitution of our country for the Mexican American and other Spanish speaking peoples, as is the due and birthright of all Americans. I am

Respectfully yours,



Bert N. Corona, Chairman

SEP 13 1967

Mrs. Anne Kibler
319 Raymondale Drive
South Pasadena, California 91030

Dear Mrs. Kibler:

Chairman Hannah has asked me to reply to your recent letter concerning the open meeting held last June in East Los Angeles by the California State Advisory Committee, on the subject of "Civil Rights and the Mexican American."

As you may know, the U.S. Commission on Civil Rights has established Advisory Committees in each of the 50 States and the District of Columbia to assist the Commission in its functions of gathering and disseminating facts on issues relating to civil rights. These Committees, consisting of interested and informed private citizens who serve without compensation, have provided valuable, first-hand information concerning civil rights problems on the State and local level. One way in which Advisory Committees are able to gather information is through the vehicle of open meetings, such as the one held by the California Committee in East Los Angeles. Open meetings also have proven useful in calling to the attention of community leaders and other interested persons the existence of problems that previously may have gone unnoticed. We believe that the meeting at which you presented testimony served these purposes well.

Advisory Committees operate informally under general procedures set down by the Commission. These procedures are designed, among other things, to facilitate free discussion between Committee members and witnesses in the course of open meetings. As you suggest, open meetings are not held for accusatory or indictment purposes, and I am concerned over your feeling that you were not treated with sufficient courtesy by members of the California State Advisory Committee. I am sure the Committee did not intend any rudeness. I understand that you were among the last persons to testify and that the Committee members already had heard some 15½ hours of testimony before your appearance. As you can appreciate, the Committee members undoubtedly were fatigued by the time you testified, which may account for what appeared to be impatience or discourtesy on their part.

2

Committee members and Commission staff who were present at the meeting have assured me that your testimony was very helpful to them. Again, let me express my regret for any discourteous treatment you may have received. Thank you for bringing this matter to my attention.

Sincerely yours,

(SIGNED) WILLIAM L. TAYLOR

William L. Taylor
Staff Director

cc: WLTaylor
Official
Reading

MESloane/lb 9/11/67

Mr. Hunter

8/10/67

Staff Director

Oakland, California - SAC report

This report doesn't say very much, but the main problem is that it is seriously out of date. In employment and housing, particularly, there have been developments on the matters discussed since the date of the Oakland meeting. And while they may not have altered the basic situation, people will still be able to say that we have not taken them into account. Perhaps the best and easiest solution would be to state in a preface that this report describes the situation as it existed at the time of the Oakland meeting, and does not take into account subsequent developments. However, the committee believes the basic problems are still the same. I also agree that the report should be given only limited circulation.

April 17, 1967

Mr. David L. North
Coordinator
National Conference on
Mexican American Problems
501 - 19th Street, N.W.
Washington, D.C. 20045

Dear Dave:

Thanks for your note on our meeting in West Los Angeles.
It is an Advisory Committee meeting and it will be held
early in June.

Phillip Montez has accepted an offer of employment at
the Commission so he will be working on this meeting as
a staff member, not just a consultant. Len Simmons can
give you more details on the meeting.

I appreciate your keeping us posted on what our friends
are saying about us.

Sincerely yours,

William L. Taylor

cc: Mr. Hunter
Mr. Simmons
Mr. Holman
Reading File
Mexican American File

WLT/kva

November 23, 1966

Mrs. Grace B. Sieber
428 San Vicente Boulevard
Apartment C
Santa Monica, California 9042

Dear Mrs. Sieber:

This is to acknowledge receipt of your letter of November 18.

I was pleased to hear that you are interested in the activities of the California State Advisory Committee. At the present time the California Committee has the maximum number of members. I am certain, however, that sometime in the near future additional members will be added to the Committee. In view of your interest, we will keep your letter on file and should there be a vacancy we will fully consider you for membership on the Committee.

Mrs. Phoebe Nelson extends her best wishes to you.

Sincerely yours,

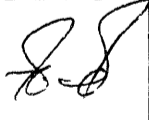
OSD/SD
Chron/Ofc./FSD

Samuel J. Simmons
Director
Field Services Division

copy to Mr. Taylor

SJS/pbn

copy for Mr. Taylor

GENERAL SERVICES ADMINISTRATION ROUTING SLIP											
TO	CO	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
NAME AND/OR SYMBOL						BUILDING, ROOM, ETC					
1	William A. Taylor					Staff Director					
2											
3											
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5											
<input type="checkbox"/> ALLOTMENT SYMBOL		<input type="checkbox"/> HANDLE DIRECT		<input type="checkbox"/> READ AND DESTROY		<input type="checkbox"/> APPROVAL		<input type="checkbox"/> IMMEDIATE ACTION		<input type="checkbox"/> RECOMMENDATION	
<input type="checkbox"/> AS REQUESTED		<input type="checkbox"/> INITIALS		<input type="checkbox"/> SEE ME		<input type="checkbox"/> CONCURRENCE		<input type="checkbox"/> NECESSARY ACTION		<input type="checkbox"/> SIGNATURE	
<input type="checkbox"/> CORRECTION		<input type="checkbox"/> NOTE AND RETURN		<input type="checkbox"/> YOUR COMMENT		<input type="checkbox"/> FILING		<input type="checkbox"/> PER OUR CONVERSATION		<input type="checkbox"/> YOUR INFORMATION	
<input type="checkbox"/> FULL REPORT		<input type="checkbox"/> PER TELEPHONE CONVERSATION		<input type="checkbox"/>		<input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____		<input type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/> PREPARE REPLY FOR THE SIGNATURE OF _____		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
REMARKS											
<p>I think the attached letter of Mr. Corona is very significant because:</p> <ol style="list-style-type: none"> 1. His first reaction was vague and indefinite. 2. His name was originally suggested by Bill Becker (although he was checked out otherwise before appointment). 3. He points out concern and the need for follow-up the SAC recommendations and expresses concern over similar violences. 											
FROM	CO	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
SJSimmons/FSD						 BUILDING, ROOM, ETC TELEPHONE DATE 2/9/66					

JAN 27 1966

*Make file
U.S. Commission
Civil Rights
Cal. Advisory Comm*

January 24, 1966

Rt. Rev. James A. Pike
1055 Taylor
San Francisco, California

Chairman, California Advisory Committee To
U.S. Civil Rights Commission.

Dear Bishop Pike:

After a careful study of both the McCone Report and the Advisory Committee report on the McCone Report I have come to the following conclusions:

1. I am in complete accord with the criticisms made by the Advisory Committee of the McCone Commission.
2. I am very fearful that there will be more 'Watts' not only in Southern California but in other parts of the state and particularly in San Francisco and in Oakland.
3. The Mexican-American 'barrios' and colonias' in the rural and semi-urban areas of our state out of which the bulk of the state's farm workers emanate are also fertile ground for the eruption of violence. The deep and pernicious poverty that is the lot of the Mexican-American farm worker in California and South Texas can cause a 'Watts' in the fields of our State.
4. The disdain and unequal treatment under the law that has been heaped upon the 'Delano Strikers' by law-enforcement agencies, Welfare Department and the California Department of Employment should also be investigated by our California Advisory Committee.

Looking forward to the pleasure and privilege of serving with you on this Advisory Committee with the hope that we can be effective in bringing about some affirmative and positive action into these areas of such tinder-dry potential social conflagration before such conflagration occurs, I am

Respectfully yours,
Bert N. Corona, Member
California Advisory Committee

Pan American Medical Eye Group

DR. R. J. CARREON JR. AND STAFF
424 SOUTH BROADWAY 2ND. FLOOR
MADISON 8-5179
LOS ANGELES 13, CALIFORNIA
December 21, 1965

*Copy
SAC*

U. S. Commission on Civil Rights
1701 Pennsylvania Ave.
Washington, D. C.

Gentlemen:

As a member of the Southern California Advisory Committee to your Honorable Body, I respectfully, though emphatically, wish to express my disagreement with some of the findings and conclusions arrived at by our group which met during the past week-end to evaluate and report on the McCone Commission recommendations concerning the August riots in Los Angeles. I did not attend said meeting because I was not notified of it until 2 days after it was held.

Because of my many years of devotion to the cause of equality in Civil and Human Rights and being a member of a deeply affected minority, shortly after the Watts Riots I accepted an appointment to the (Civilian) Police Commission of Los Angeles. As I expected, this position afforded me an inside view to the accusations and counter-accusations which followed the tragic events. Based on my long experience with the Mexican-American minority problems, my advantageous observation position and my sense of fair play, I have the following impressions regarding our report to you:

1. Generally, it is expertly presented with the specific purpose of erroneously placing all the blame for the rioting, looting, killing and arson on the Law Enforcement agencies in general, and the Los Angeles Police Department in particular. Chief William H. Parker, a national symbol of Police honesty, discipline and integrity has been made the principal target of senseless tirades. His surrender to the forces of evil and civil disobedience, under any pretense, is impossible.
2. The McCone Commission, which rightfully requested specific complaints of Police malpractice, was "swamped" with seventy such grievances. Of these, 55% were against the Sheriff's Dept., and some against the California Hiway Patrol. Of the less than 30 complaints against the local Police, some are over a year old, but all are being very carefully investigated, as are all complaints customarily, and the guilty, I know, will be punished.
3. The McCone Commission report, which I have studied from the day it was first available, is the result of intensive study and evaluation of facts by a Blue Ribbon cross section of devoted public-minded individuals. These experts have analyzed the symptoms and recommended treatments which may fall short, but a cure-all should not be expected, as our committee would want and presumes to have.

U. S. Commission on Civil Rights
Dec. 21, 1965

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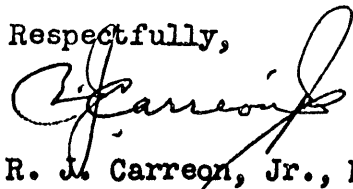
Pan American Medical Eye Group

DR. R. J. CARREON JR. AND STAFF
424 SOUTH BROADWAY 2ND. FLOOR
MADISON 8-5178
LOS ANGELES 13, CALIFORNIA

4. Certainly Civil Rights, as well as Police-Community Relations problems exist in this area as elsewhere. We also have Housing, Equality of opportunity and Employment deficiencies to alleviate. I for one certainly welcome a U. S. Commission meeting here anytime, but fail to see how it can create an Utopia which would summarily appease all of us interested in the Civil Rights image of our Country and the genuine welfare of all our fellow citizens.

Finally, I wish to assure you that the Police Department, as well as other City, County and State Agencies are already implementing some of the recommendations contained in the material of the McCone Commission report to our Governor.

Respectfully,



R. J. Carreon, Jr., M.D.

(TELEGRAM SENT TO U.S. COMMISSION ON CIVIL RIGHTS,
TUESDAY, SEPTEMBER 20, 1966)

TO: Chairman, U.S. Civil Rights Commission
Washington, D. C.

Respectfully request and urge the U. S. Civil Rights Commission send immediately an investigator to Tulare County, California, to investigate continued harrassment, intimidation and interference with the right of Mexican-American members of this organization and of the United Farm Workers Organizing Committee, AFL-CIO, to organize a strike and picket on behalf of their economic demands against the Perelli-Menetti Corporation in Delano, California. We specifically charge Sheriff's Deputies of Tulare County in collaboration and association with organizers of the International Brotherhood of Teamsters with the beating of Mrs. Dolores Huerta, National Vice President of the UFWOC, AFL-CIO and five other pickets and supporters. Members of both MAPA and UFWOC, AFL-CIO are being followed during the day and night to their homes and in their daily pursuits by Sheriff's Deputies and Teamster organizers, verbally threatened and assailed with clubs, with vehicles, and with fisticuffs. The District Attorney and the Sheriff of Tulare County have refused to accept complaints or make arrests when requested by members of UFWOC, AFL-CIO against his deputies and the organizers of the Teamsters Union. At present the safety, due process, civil rights and civil liberties of our members are being grossly violated and

the State Mexican-American Political Association urges an immediate investigation of this terrorism against citizens and residents of Mexican-American extraction in this area.

(signed)

Bert Corona
State President
Mexican-American Political Association

Check to see if
included ~~the~~ on
SAC Recommendations
for Comm. Intg.
9/1

California SAC

UNITED STATES COMMISSION ON CIVIL RIGHTS
WASHINGTON, D.C. 20425

August 2, 1966

Mr. Howard Nemarowski
Office of the Secretary
Department of Health,
Education, and Welfare
Washington, D.C. 20201

Dear Mr. Nemarowski:

It has been suggested to us that you might be able to render valuable assistance to the Commission through membership on the Advisory Committee for your State. We would like to determine, therefore, whether you would be willing to permit us to consider you as a candidate for appointment to the California State Advisory Committee to the United States Commission on Civil Rights.

In order to give you some further information regarding the Commission and its Advisory Committees, we are enclosing a memorandum to prospective members. In addition, we are sending you the materials mentioned in the last paragraph of that memorandum.

Also enclosed is a biographical data sheet. If you are interested in serving on the California Advisory Committee, as we sincerely hope you are, please complete and return this form to us at your earliest convenience. The return envelope, which is enclosed for this purpose, requires no postage.

Sincerely yours,



Samuel J. Simmons
Director
Field Services Division

Enclosures

cc:
Rt. Rev. James A. Pike, Chairman
Philip L. Houser
John I. Siskley
William L. Taylor
F. Peter Libassi



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
WASHINGTON, D.C. 20201

OFFICE OF THE SECRETARY

July 5, 1966

MEMORANDUM

TO : Mr. Samuel J. Simmons, Director, Field Services
United States Commission on Civil Rights

FROM : F. Peter Libassi, Special Assistant to the Secretary for Civil Rights
F. Peter Libassi

SUBJECT: California State Advisory Committee: Mr. Howard Nemerovski,
Candidate

I would like to recommend to you most favorably Howard Nemerovski as an outstanding candidate for appointment to the California SAC. I am enclosing herewith Mr. Nemerovski's biographic data for your review.

Mr. Nemerovski has spent the past year helping John Gardner as a White House fellow. I have worked closely with him during this time and am well acquainted with his native abilities which are considerable, his experience and expertise in the field of civil rights which are excellent, and his general presence and personality which are pleasant and stimulating. Mr. Nemerovski has a diversified background which would be most useful in SAC work. He knows the State and its problems and politics very well. I cannot recommend him too highly as a most helpful person to have working with you in California.

His White House fellowship will be running out soon--I am not sure exactly when, but my office can check this for you if Mrs. Nelson wishes to give us a ring. I hope you will follow up on this suggestion of mine because I really think it would be to your advantage to do so.

Enclosure

Mr. Simmons

Check to note 9/1
7/28/66

Staff Director

Note from Mr. Libassi re Howard Nemerovski - California SAC

I have thought some more about this and have decided that we should add Nemerovski to the Committee. He has a wide range of contacts and if we go to Oakland, he conceivably could be of some help to us. Please make whatever contacts are necessary and have his name on the list of persons to be approved at the next Commission meeting. I may regret this later, but if I do I will blame you for it.

January 3, 1966

MEMORANDUM TO THE COMMISSION

FROM: William L. Taylor

Enclosed is a copy of a report prepared by our southern California Advisory Committee, which is highly critical of the McCone Commission report. Along with it is a letter of dissent by one of the members.

Ordinarily we do not send you Advisory Committee reports, but the matters discussed in this one are, I think, ones of great interest and some controversy. This will not require any formal action at the next Commission meeting, but we may wish to discuss it.

Enclosure



STAFF DIRECTOR

UNITED STATES COMMISSION ON CIVIL RIGHTS
WASHINGTON 25, D.C.

JUL 12 1966

Mr. Erskine Smith
Attorney At Law
Fourteenth Floor
City National Bank Building
Birmingham, Alabama 35203

Dear Erskine:

Thanks for your kind note. I was glad at long last to get a chance to meet with the Alabama Committee and it was a thoroughly enjoyable trip.

We have recently reviewed our Southern Program and plan some project which I think are in line with the concerns of the Committee. I am sure that Sam Simmons and Jacques Wilmore will be discussing this with you if they have not already. Please keep in touch and let me whenever I can be of assistance.

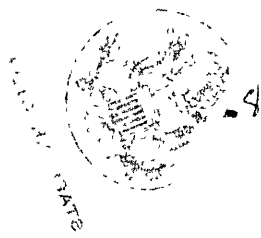
Sincerely,

(SIGNED) WILLIAM L. TAYLOR

William L. Taylor

Subject Files (S)

RECEIVED
U.S. COMMISSION ON CIVIL RIGHTS
WASHINGTON, D.C.



BERKOWITZ, LEFKOVITS, VANN, PATRICK & SMITH
ATTORNEYS AT LAW
FOURTEENTH FLOOR
CITY NATIONAL BANK BUILDING
BIRMINGHAM, ALABAMA 35203

A BERKOWITZ
ARNOLD K LEFKOVITS
DAVID J VANN
J VERNON PATRICK JR
C H ERSKINE SMITH

June 21, 1966

CHARLES F ZUKOSKI, JR
COUNSEL
TELEPHONE 328-0480 (205)

Mr. William Taylor, Staff Director
U. S. Commission on Civil Rights
Washington, D. C.

Dear Mr. Taylor:

It was a pleasure to meet you recently at the meeting of the Alabama Advisory Committee on June 10, 1966. We particularly appreciated your informal discussions with us that evening and also of your public participation in the meeting of June 11.

As I mentioned to you while you were in Birmingham, the members of the Advisory Committee would be pleased to receive from you your views on the functions of our committee and any redirection of our efforts that you think might be desirable. I enjoyed meeting you and I look forward to the opportunity of continuing to work with you and the U. S. Commission on Civil Rights.

Yours very truly,

ERSKINE SMITH

ES/vst

Pan American Medical Eye Group

DR. R. J. CARREON JR. AND STAFF
424 SOUTH BROADWAY 2ND. FLOOR
MADISON 8-5179
LOS ANGELES 13, CALIFORNIA
December 21, 1965

U. S. Commission on Civil Rights
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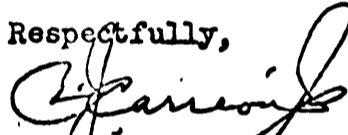
Pan American Medical Eye Group

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4. Certainly Civil Rights, as well as Police-Community Relations problems exist in this area as elsewhere. We also have Housing, Equality of opportunity and Employment deficiencies to alleviate. I for one certainly welcome a U. S. Commission meeting here anytime, but fail to see how it can create an Utopia which would summarily appease all of us interested in the Civil Rights image of our Country and the genuine welfare of all our fellow citizens.

Finally, I wish to assure you that the Police Department, as well as other City, County and State Agencies are already implementing some of the recommendations contained in the material of the McCone Commission report to our Governor.

Respectfully,



R. J. Carreon, Jr., M.D.

AN ANALYSIS OF THE McCONE COMMISSION REPORT

By the Southern California
Subcommittee of the California
Advisory Committee to the
United States Commission on
Civil Rights

January 1966

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TO THE
UNITED STATES COMMISSION ON CIVIL RIGHTS

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PREFACE

The United States Commission on Civil Rights

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

The State Advisory Committees

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

PURPOSE OF THIS REPORT

Following the August riot in Southeast Los Angeles, the Southern California Advisory Committee to the United States Commission on Civil Rights was established as a sub-committee of the state-wide California Advisory Committee. The Southern California Advisory Committee is composed of those members of the state-wide Committee resident in Southern California. The Southern California Advisory Committee met immediately upon formation to consider reporting to the United States Commission on Civil Rights concerning the possible need for Federal action. Following informal consultations with members and staff of the Governor's Commission on the Los Angeles riots (the McCone Commission), we decided to postpone making any recommendations until the McCone Commission had been afforded an opportunity to conduct its investigations and make its findings and suggestions. On December 2nd, the McCone Commission published its report. Accordingly, we now deem it appropriate to submit our views concerning (1) the extent to which the recommendations contained in the McCone Commission Report might assist in resolving the underlying problems; (2) the possible need for Federal assistance with respect to implementation of the McCone Commission Report; and (3) the extent to which the McCone Commission Report fails to consider or resolve essential issues, particularly in areas where Federal action might be appropriate.

THE McCONE COMMISSION REPORT - A BITTER DISAPPOINTMENT

We are sorely disappointed by the McCone Commission Report. Although there are a number of constructive suggestions which the Commission proposed, we feel the report falls far short of even the Commission's own view of its role. Certainly, it does not begin to deal adequately with the underlying problems. It prescribes aspirin where surgery is required.

The McCone Commission states, "Perhaps for the first time our report will bring into clear focus for all the citizens to see, the economic and sociological conditions in our city that underlay the gathering anger" With a budget of approximately \$250,000.00, a professional staff of 30, a secretarial staff of 15, and the services of 26 consultants, this might not have been too much to ask. Yet, the McCone Commission fails in this assignment. The report is elementary, superficial, unoriginal and unimaginative. It offers little, if anything, in the way of a study of economic and sociological conditions not previously available in published reports of public agencies such as the Los Angeles County Commission on Human Relations. In fact, we believe that the recently printed series of articles on Southeast Los Angeles in the Los Angeles Times, at no expense to the public, provide a far better and more well-informed picture of the economic and sociological conditions in our city.

Further, the report demonstrates a surprising ignorance of studies conducted by other groups. It fails to note the warnings of potential trouble in Los Angeles -- warnings which our public officials chose to ignore or scoff at. We are particularly mindful of the excellent report to the Attorney-General of California prepared by Assistant Attorney-General Howard Jewell, May 25, 1964, in which he specifically and unmistakably warned that the bitter conflict between the Chief of Police, William H. Parker, and the civil rights movement might well lead to riots and violence in the streets of Los Angeles. Jewell noted, "The evidence from Los Angeles is ominous." He pleaded for immediate action, saying "I think it is truly a situation in which a stitch in time would save nine." In his report Jewell quoted the perceptive warning of a member of this Advisory Committee, Judge Loren Miller. The Jewell report quotes Judge Miller as follows: "Violence in Los Angeles is inevitable. Nothing can or will be done about it until after the

fact. Then there will be the appointment of a commission which will damn the civil rights leaders and the Chief alike." Judge Miller's prediction was in error only to the extent that the McCone Commission failed to levy the criticism against Chief Parker which was so obviously called for.

In view of the Jewell report and other similar studies, we cannot help but feel that the absence of constructive steps to avert a riot, and the lack of preparation for dealing with one when it occurred, constituted acts of gross negligence on the part of local officials, including Mayor Yorty and Chief of Police Parker. The McCone Commission says, in an unconvincing manner, "Perhaps the people of Los Angeles should have seen trouble gathering under the surface calm." This observation misses the point completely. The officials of Los Angeles were expressly warned of the possibility of riots, failed to act, and instead chose to label those who cried out for reform as troublemakers or rabble-rousers.

We also find running through the McCone Commission Report a marked and surprising lack of understanding of the civil rights movement and a tendency to criticize those who ask for a redress of grievances rather than those who deprive citizens of their constitutional rights. For example, the McCone Commission attributes the riot in part to those who in the year preceding its occurrence urged action "to right a wide variety of wrongs, real and supposed." We think this conclusion readily lends itself to misinterpretation and plays into the hands of those who seek to stifle the civil rights movement.

The paragraph in the report which immediately follows the above quotation attributes the riot in part to the fact that "many Negroes here felt and were encouraged to feel that they had been affronted by the passage of Proposition 14." Here again, we see the basic failure of the McCone Commission to concern itself with

^{1/} Proposition 14, adopted as an amendment to California State Constitution in a November 3, 1964 initiative measure, prohibited either the State, or any subdivision from making or enforcing fair housing legislation. Constitution of the State of California, Art I, Section 26.

essential issues.

We believe that the passage of Proposition 14 contributed to the tensions and resentment in the Negro community. That it would do so was obvious. Yet, the McCone Commission has no comment to make concerning Proposition 14 itself. The McCone Commission fails to mention that Proposition 14 dealt a serious blow to the cause of equal rights and equal opportunities. Instead of considering the primary issue (Proposition 14), the McCone Commission appears to cluck regretfully over the fact of Negro reaction to an injustice. We are not certain why the McCone Commission felt compelled to observe that Negroes were "encouraged" to feel affronted, or who the McCone Commission believes encouraged Negroes to do so. Although the McCone Commission apparently failed to appreciate the significance of Proposition 14, the Negro community did not. It needed no encouragement. Nevertheless, we are distressed by the implication here and elsewhere in the McCone Commission Report that those who criticized Proposition 14, or called for action in the area of social reform, are somehow to blame for the riot. Again, we feel that the McCone Commission Report lends itself to misinterpretation and plays into the hands of those who would silence the voice of protest.

We are deeply concerned over the effect which the patent failure of the McCone Commission to fulfill its assignment may have on the Negro community. As the McCone Commission recognizes, the situation in Southeast Los Angeles remains tense and highly explosive. The community had placed high hopes in the McCone Commission. This [Full we were advised by John Buggs, Executive Director of the Los Angeles County Commission on Human Relations, that if the McCone Commission did not

fulfill these hopes the existing tensions would be substantially increased. We regret to say that the Southeast Los Angeles community has concluded, with justification, that the McCone Commission failed in its mission. Thus, the need for affirmative action is even more critical than it was before.

POLICE - COMMUNITY RELATIONS

The McCone Commission Report recognizes that every "riot" which occurred in 1964 "was started over a police incident, just as the Los Angeles riot started with the arrest of Marquette Frye." The Commission further recognizes that there is a burning concern in the Negro population over police practices. The Commission was charged by Governor Brown with determining whether "these attitudes on the part of the Negro Community are supported by fact and reason." Nevertheless, the McCone Commission failed totally to make any findings concerning the existence or nonexistence of police malpractices, or the justification, or lack thereof, of the almost universal feeling on the part of Negroes that such malpractices exist to a significant degree.

We consider the portion of the McCone Commission Report which deals with police - community relations to be a step backward.

The Negro community assumed justifiably, based on Governor Brown's charge to the Commission that it would provide a forum for the determination of its complaints against the Police Department.

A large number of specific cases were presented to the McCone Commission, but the Commission failed to consider them. This we regret deeply.

Although the McCone Commission expressly refused to pass judgment on the validity of complaints of police malpractice, it did not allow its failure to resolve this essential issue to inhibit it from warning against the grave dangers inherent in criticizing the Police Department. In effect, it called for an end to criticism of Chief Parker and the Department. How it could do so, after

confessing its unwillingness to determine whether such criticism is meritorious, escapes us. Nevertheless, in its section on police - community relations the McCone Commission again engaged in one of its exercises in reverse logic, in which the people who protest injustice are found to be jeopardizing our society, rather than those whose acts give rise to the criticism. We are particularly struck by the following sentence. "The fact that this charge (police brutality) is repeatedly made must not go unnoticed, for there is a real danger that persistent criticism will reduce and perhaps destroy the effectiveness of law enforcement." While we too are concerned over criticism of the police, we believe that this criticism is not only proper, but necessary, if Negro citizens are not receiving equal treatment under the law. We call not for an end to criticism, but for an impartial investigation which will determine whether Negro citizens in Los Angeles are receiving the rights to which they are entitled under our Constitution.

We also consider that the McCone Commission failed in its treatment of the subject of police attitudes and particularly those of the administration of the Police Department. Although the Commission recommended the institution of an Inspector General system, increased efforts in the area of police - community relations, and more frequent meetings of the Police Commission, these recommendations fall far short of a serious treatment of the problem. We conclude, regretfully, that the McCone Commission in effect whitewashed Chief Parker and the administration of the Police Department.

We note with interest the annual report of the Los Angeles Police Department covering police activities during the year of 1964. This report demonstrates a persistent and continued refusal to recognize the problems of police - community relations. It demonstrates a complacency that can be explained only by a lack of understanding on the part of the Police Department of the problems and

attitudes of the minority community. It appears to ignore the repeated warnings that police attitudes required correction, and rejects clear warnings of impending trouble. The only portion of the report which deals in any way with police - community relations consists primarily of self-praise mixed with scorn for "false prophets" who warned of violence "in the streets of this city." Rather than treat the subject seriously, the annual report chose to castigate the courts, at length, for seeking to protect constitutional rights.

For years, police officials, and particularly Chief Parker, have turned a deaf ear to the complaints of Negro citizens of Los Angeles. Chief Parker has constantly refused to meet with Negro leaders, has challenged their right to represent their community, and has disparaged the civil rights movement. His refusal to recognize the very existence of the problem of police - community relations is exemplified by his statement to our California Advisory Committee in the Fall of 1962. "Basically, I do not believe that there is any difficult problem existing in the relationship between the Los Angeles Police Department and the Negro community." The extent to which these attitudes on the part of the police administration contributed to the tension in August, 1965, is immeasurable. We fear that the McCone Commission Report will provide justification for Chief Parker to continue to refuse to recognize the civil rights movement and to continue to underestimate the seriousness of the breakdown in police - community relations which exists in Los Angeles. This, too, we regret deeply.

Finally, with respect to police - community relations, we are surprised by the failure of the McCone Commission to mention or consider the invasion of the Muslim Temple by 60 police officers, the attendant wounding of a number of Muslims in the Temple, and the destruction of Temple property. We express no views concerning the police action involved. We can say, however, that the episode was most serious and that the allegations of denials of constitutional rights have been forcefully presented. The circumstances surrounding

the armed invasion of the Muslim Temple are such as clearly warrant full investigation. Rather than request a Federal hearing, we contacted the McCone Commission and asked whether it would investigate this episode and whether such investigation would constitute a significant part of the work of the Committee. The Muslim Temple episode clearly fell within the charge given the Committee by the Governor. We were assured by the McCone Commission that it considered the Muslim Temple episode of substantial significance and that it would treat it fully. Nevertheless, the report of the McCone Commission fails to contain a single word concerning the Muslim Temple incident. This, we do not understand.

OTHER OFFICIAL ATTITUDES AND ACTIONS

We do not believe that any report can be effective if it seeks to avoid fixing responsibility for basic failures. While criticism for criticism's sake serves no useful purpose, the failure to criticize where criticism is justified can only encourage those whose actions contributed to the problems which existed in Los Angeles in August of 1965, and exist today. Official attitudes towards the Negro community are of major importance in determining whether harmonious relations between majority and minority groups will exist. Where such official attitudes are unresponsive to the needs of the Negro community, it may be expected that the community will be restless and dissatisfied. We believe that the attitudes and actions of Mayor Yorty prior to and during the riot contributed substantially to its existence and duration. In fact, throughout the City administration there has been a demonstrable lack of understanding and concern for the Negro community. This fact must be recognized if official attitudes are to be changed.

The Mayor of Los Angeles, Samuel Yorty, has apparently been more interested in travels, national and international, than he has in visiting the Negro community. During the riots he absented

himself from Los Angeles, one day visiting San Diego and speaking on another day to a group of business leaders at the Commonwealth Club in San Francisco. Since the riot, he has shown far less interest in resolving the issues in Southeast Los Angeles than he has in traveling to South Viet Nam. Although our peripatetic Mayor appears to consider himself under a duty to advise the President concerning foreign policy, in the opinion of the Committee he has shown little interest in, or capacity for, resolving issues of race relations in Los Angeles.

The McCone Commission's failure to recognize the need for a change in the attitudes on the part of City officials constitutes a positive disservice to the ostensible objectives of the Commission. We might point out that the failure to criticize does not appear to stem from a desire on the part of the McCone Commission to limit itself to constructive suggestions. It did not hesitate to criticize Negro spokesmen and civil rights leaders, though not by name, in various portions of its report. Nor, did it hesitate to criticize an individual by name when it appeared a scapegoat was needed.

The individual the McCone Commission chose to criticize was the Lieutenant-Governor of California, Glenn M. Anderson, which criticism we find wholly unwarranted.

The criticism of Lieutenant-Governor Anderson stemmed from the fact that he called out the National Guard shortly before 4:00 p.m. on Friday, August the 13th. The McCone Commission notes that Chief Parker's request that the Guard be called out was made around 11:00 a.m. that day. The McCone Commission also notes, however, that at 1:00 p.m., after consultation with Guard officers and civilian officials, Lieutenant-Governor Anderson ordered that the

Guard be assembled at the armories at 5:00p.m. General Hill, Adjutant General and Commander of the Guard, had advised Anderson that 5:00p.m. was the earliest hour at which the troops could be assembled. The delay which the Commission appears to criticize is the two-hour period between 11:00a.m. and 1:00p.m. This "delay" was occasioned by the fact that Anderson, who was in Berkeley attending a meeting of the Board of Regents of the much troubled University of California, desired to consult with Guard officers and civilian officials before committing the Guard to action. He flew to Sacramento to meet with General Hill immediately upon being advised of Chief Parker's request.

We have several comments on the above facts. First, Lieutenant-Governor Anderson left Los Angeles for Berkeley on Friday the 13th because he was assured on that morning by the Los Angeles Police Department that "the situation was rather well in hand," which advice was subsequently proved to be erroneous. Second, we do not agree that the Lieutenant-Governor should have called out the Guard merely on the basis of telephone reports. We think that a decision to send the Guard into a ghetto area to quell racial troubles should be made only after careful analysis and consideration. We do not believe that a two-hour period in which to determine this grave question is unreasonable. Nor do we believe that a desire to consult personally with responsible officials is unwarranted.

We note, though the McCone Commission did not, that the Guard was probably mobilized more rapidly and more efficiently in this instance than on any other occasion in the history of this country in which the Guard has been requested to quell civil disobedience. We also note that no deaths had occurred prior to the calling out of the Guard. While property destruction was severe and even disastrous, we can well understand the reluctance of the Lieutenant-Governor to order armed troops into action without adequate consultation with Guard officials. The fact is that following the calling out of the

Guard, 34 human beings were killed -- almost all Negroes. These deaths may well have been inevitable, but they help us understand the desire of the Lieutenant-Governor for careful deliberation before ordering troops into action.

We are disturbed not only by what we believe to be the McCone Commission's unfair evaluation of the facts set forth above, but by the glaring omissions in this portion of the McCone Commission's report. General Hill stated at a press conference on Sunday, August 15th, in Los Angeles, "there was no more delay when the formal request was made Friday morning than if the authorization had been signed immediately, and no later, in Los Angeles." (UPI) The failure of the Commission to deal with this statement causes us serious misgivings. Moreover, the Commission notes the fact that Mayor Yorty and Chief Parker decided at 9:15a.m. to call the Guard. It also notes that the call from Chief Parker to state officials was made more than an hour and one-half later. Yet there is no word of personal criticism in the report of Mayor Yorty or Chief Parker.

We seriously question the objectivity of the portion of the McCone Commission Report which criticizes Lieutenant-Governor Anderson -- especially in view of the Commission's failure to criticize any other public official, even where in our opinion serious criticism was obviously called for.

We do so regretfully but we believe that the Commission's unwarranted attack on Lieutenant-

Governor Anderson has done a grave injustice to an outstanding public official and a dis-

service to our state. We are especially concerned that this criticism was levelled at a person

who has a record of affirmative activity in the field of civil rights. We hope

that the injustice can be remedied.

AREAS OF POSSIBLE FEDERAL IMPLEMENTATION
OF McCONE COMMISSION REPORT

General Observations

The remainder of this report will be devoted to a consideration of those areas in which direct Federal action, particularly

the expenditure of Federal funds, is required. The McCone Commission made a number of specific recommendations in the fields of education, employment and housing. In each of these areas we believe that the recommendations made by the McCone Commission are wholly inadequate. In some of these areas we think that the inadequacy of the McCone Commission's recommendations stems from a basic failure to comprehend the nature or significance of the underlying problem. Nevertheless, we believe that the specific recommendations if enacted would constitute a step forward. The very fact that the recommendations were made is of great significance, for a number of proposals which previously lacked sufficient public support may now find a climate of public acceptance. In this respect the McCone Commission has rendered a worthwhile public service.

Preliminarily, we should note our endorsement of the specific steps proposed by the McCone Commission in the areas of education, employment and housing. We are concerned, however, that consideration of these proposals may blind state and local officials to the need for continued efforts to find more basic solutions to the underlying problems. If the specific steps suggested by the McCone Commission are treated as essential preliminaries to a more serious treatment of the issues, they will prove of substantial value. If they are treated as a solution to the problem, more harm than good will have been accomplished. In this respect it is our impression that the McCone Commission realized the limitations of its report. We believe it attempted to suggest only programs which it thought would find ready acceptance. However, we also believe that the McCone Commission underestimated the willingness of governmental agencies, Federal and State, to devote their resources and efforts to providing a solution to problems which must at all costs be solved. In our opinion, it set its sights too low.

Even the limited specific proposals made by the McCone Commission require the participation of the Federal Government if they are to be realized. Governor Brown and Mayor Yorty have met to discuss the financing of the programs suggested by the McCone Commission Report. They each have announced separately that substantial Federal funds will be necessary if effective action is to be taken. The State and City have established a committee to work on joint implementation of the McCone Commission recommendations. In view of the request for Federal assistance already made by the Governor and the Mayor, we believe that the Federal Government should assign a full-time official to participate in the implementation of the recommendations of the McCone Commission. This assignment should be made immediately.

Housing

We believe that the portion of the McCone Commission Report which deals with housing fails completely to deal with the essential issues. The report leaves the impression that the fact that Los Angeles is a segregated community is a result primarily of the voluntary actions of Negroes, compounded by the existence of restrictive covenants. While these factors obviously contributed to the existence of segregated communities, we are concerned that the McCone Commission failed to recognize the adverse effect of past governmental actions as a major force contributing to the creation of segregated communities. Although the McCone Commission was fully advised of the extent to which the location of subsidized low-cost housing projects in ghetto areas contributed to the present pattern of discrimination in Los Angeles, it failed to acknowledge this fact. We believe that the pattern of government-sponsored segregated housing must be reversed by affirmative governmental action. Deliberate efforts must be made to create integrated low-cost housing developments, and to locate housing projects in areas where integration is practical. We do not underestimate

the extent to which the Federal Government can, when it desires to do so, influence the actions of private sectors of the economy, particularly where the use of Federal funds or guarantees is involved.

We are disturbed by the McCone Commission's failure to treat the existence of segregated communities as a major issue. The section of the report dealing with housing consists mainly of an historical discussion and a few minor suggestions for improving life in the ghetto. In our view, most of the evils discussed in other sections of the McCone Commission Report stem from the very existence of the ghetto system. Unless this fact is recognized, all of the recommendations offered by the McCone Commission will, in the long run, be meaningless. We think a frontal assault on segregated communities is essential. Immediate attention should be given by the Federal Government to developing methods of breaking up the ghettos. We would suggest that this issue be given priority by the new Department of Housing and Urban Development and that the housing problem in Los Angeles receive first attention.

Certain steps, in our opinion, should be taken immediately. Among these we would include the expansion of the Executive Order regarding discrimination in housing which covers only a small proportion of present housing. We would also include the adoption of regulations governing savings and loan institutions and banks subject to the jurisdiction of agencies such as the Federal Home Loan Bank Board and the Federal Deposit Insurance Corporation or which are otherwise subject to such regulation. The Executive Order and regulations should require as a condition to the lending of funds for housing construction the execution of non-discrimination covenants.

Education.

With respect to education, we also believe that the McCone Commission recommendations misconceive the basic issue. While we

endorse the specific proposals for reduction in class size and the institution of pre-school programs, we do not agree with the premise that an end to defacto segregation can be accomplished by improving the level of education in minority areas. We find that the McCone Commission's recommendations are deficient as a result of the failure of the Commission to focus on the primary goal of eliminating defacto segregation and a failure to note the relationship between segregated education and segregated housing.

The McCone Commission devotes most of the section of the report on education to seeking to find methods of improving facilities in the ghetto areas. We find this approach to be strikingly reminiscent of the Southern solution to educational problems prior to the 1954 Supreme Court decisions in the school segregation cases. The Southern solution, whenever complaints were made concerning educational opportunities for Negroes, was to urge the improvement of Negro facilities so as to make them equal to those which existed in white areas. We agree that the facilities in Negro areas should be improved, but we do not believe that such improvement will add materially to solving the problem of de facto segregation. Nor do we think that separate but equal is enough in Los Angeles in 1965. The problem of our segregated school system must be recognized and met head-on without further delay.

We believe that de facto segregation can best be ended by a frontal attack on the system of segregated communities. We think, however, that at the same time an effort must be made directly in the area of education. This can be accomplished in several ways. One is to insist that new schools be constructed in locations which will draw students from both white and Negro communities. Another is to modify the doctrine that attendance in all schools must be based solely on neighborhood patterns. These are problems which the McCone Commission ignored. They also ignored the ruling of the California Supreme Court that because de facto school segregation denies a pupil equal protection of the laws and due process of law, school officials must not only refrain from intentionally causing segregated schooling but are under a duty to take affirmative steps to end it.^{2/}

2/ Jackson v. Pasadena City School District, 31 Cal. Repr. 606, 382 P. 2d 878 (1963).

While we do not recommend any particular alternatives to the present system, we find that there is an urgent legal and moral necessity for consideration of such alternatives.

Employment

We feel that the McCone Commission recommendations with respect to employment are also inadequate. Again, we agree that the specific proposals contained in the McCone Commission Report should be adopted. We find two basic shortcomings, however, in the approach of the McCone Commission. First, we strongly disagree with the McCone Commission's rejection of Governor Brown's suggestion for an immediate Federally-financed program to create additional jobs. With respect to the Governor's suggestion, the McCone Commission comments, "Since we are somewhat skeptical about the feasibility of this program (especially as to the capacity of the unemployed in the disadvantaged areas to fulfill the jobs specified), we feel it should be tested on a pilot basis before a massive program is launched."

We believe that there is an urgent need for a massive program to create additional jobs and that it should be launched immediately. We think that job training for presently existing jobs does not provide an answer to our problem -- particularly in view of the increasing rate of automation. We favor the enactment of a substantial program of public works which will offer immediate employment to a large number of those currently unemployed and at the same time will permit the construction of much needed facilities, particularly in minority areas. We do not believe that a public works program constitutes a utopian concept in our "great society." To the contrary, we feel that job training for unemployed Negroes can only give rise to false hopes and produce additional bitterness unless a substantial number of additional jobs are created by Federal action.

We also believe that the McCone Commission did not recognize the failure of present programs to concentrate sufficiently on the problem of unemployment of those who are presently heads of families. We believe that while youth training and youth counseling are essential in order to avoid a new generation of unemployed, we cannot afford to abandon the older unemployed. We do not single out the McCone Commission for criticism in this respect. It is our feeling, however, that the Commission did not give sufficient attention to the need for concentrated efforts to solve the immediate problem of unemployment for so many heads of Negro families.

Public Welfare

The McCone Commission Report was quite critical of the administration of welfare programs. Its criticisms were made however, by way of raising questions rather than answering them. The questions raised are disturbing and they create implications which, if untrue, do a serious disservice to the entire system of public welfare. We note for example, the following three sentences in the McCone Commission Report: "However, the increase in AFDC [Aid to families with dependent children] expenditures, coupled with the increase in population, raises a question in the minds of some whether the generosity of the California welfare program compared with those in the southern and southwestern states is not one of the factors causing the heavy immigration of disadvantaged people to Los Angeles 'We are assured that many of the present recipients would rather have work than welfare, but the simple arithmetic of the matter makes us uncertain 'Indeed, we were told that the 18 year old girl who is no longer eligible for assistance when living with her mother may have considerable incentive to become a mother herself so as to be eligible again as the head of a new family group."

With respect to the statements quoted above, we find it regrettable that the McCone Commission felt it necessary to raise

such important questions but was incapable of answering them. Nevertheless, in view of the substantial contributions of the Federal Government to the Public Welfare program in Los Angeles County (42 percent according to the McCone Commission), we believe that the questions raised by the McCone Commission require an answer. We note that one of the two Negro members of the McCone Commission vigorously dissented from this portion of the report. However, we believe that the report itself cannot help but undermine public confidence in the public welfare program. In view of the McCone Commission's unwillingness to reach conclusions concerning the basic questions raised by it, we see no alternative to an immediate Federal study which will either justify the newly-created lack of public confidence or restore that confidence and lay the McCone Commission's insinuations to rest.

Coordination of Federal Programs

We also note the McCone Commission findings with respect to the dispersal and lack of coordination of Federal programs for administering funds in minority areas. Here, we believe the McCone Commission's Report points up an area where positive action is required. We believe that the Federal Government should give immediate consideration to consolidation and integration of federally administered or supported programs, and to improving the channels of disseminating information concerning the availability of Federal assistance.

CONCLUSIONS AND RECOMMENDATIONS

We are in full agreement with the McCone Commission's description of the present state of affairs in Los Angeles. The

Commission stated "We are seriously concerned that the existing breach, if allowed to persist, could in time split our city irretrievably. So serious and so explosive is the situation that, unless it is changed, the August riots may seem by comparison to be only a curtain-raiser for what could blow up one day in the future." It is because we agree with this basic view expressed by the McCone Commission that we are so deeply disappointed by its failure to render a report which meets even the minimum hopes, expectations or needs of the minority community. It is also because we believe that local and State authorities have failed to cope with a "clear and present danger" that we feel compelled to report the need for vigorous Federal action.

Two years ago we reported the existence of a crisis in police - community relations to the United States Commission on Civil Rights and urged it to consider scheduling hearings in Los Angeles concerning this subject. We believe that this crisis still exists. We think that the report of the McCone Commission makes it even more imperative that the United States Commission on Civil Rights now hold hearings in Los Angeles.

We would now urge, however, that the Commission on Civil Rights schedule hearings far broader in scope than those originally suggested by our Committee. We think that immediate Federal action is required in the areas of education, employment and housing.

The Committee recommends a four-part program to meet the present crisis:

First, we suggest the immediate assignment of a full-time, high-level Federal official to the Los Angeles area for a period of at least six months, and that he be vested with sufficient authority to make and implement the necessary decisions concerning the allocation and expenditures of Federal funds. Such a Federal official should be assigned the following duties, among others:

- (A) Coordination of existing Federal programs;
- (B) Participation in the current state - city studies

regarding implementation of the recommendations of the McCone Commission;

- (C) Investigation of the availability for immediate use in the Los Angeles area of additional Federal funds;
- (D). Establishment of an immediate "crash program" for assisting the unemployed to obtain employment both from existing job vacancies and by the creation of new jobs through the use of Federal funds.

Second, we urge the immediate expansion of the Presidential Executive Order relating to discrimination in housing. We also urge that regulations be adopted requiring non-discrimination covenants as a condition to the lending of funds for housing construction by banks and savings and loan institutions whose deposits are insured by Federal agencies, or who are otherwise subject to such regulations.

Third, we suggest that the new Department of Housing and Urban Development designate Los Angeles as its area of first concern and that it be instructed to give immediate attention to the development of Federal programs designed to alleviate the present crisis.

Fourth, we recommend that the United States Commission on Civil Rights schedule hearings in Los Angeles at the earliest possible date. We believe that the hearings should cover the following subjects:

(A) Police - Community Relations. In this connection we believe the U.S.

Commission on Civil Rights must assume the responsibility abdicated by the McCone Commission of determining whether justification exists for continued Negro complaints concerning police malpractices. We also believe that the Commission must inquire into the alleged serious violation of constitutional rights in connection with the Muslim Temple episode;

(B) Employment, Education, Housing and Public Welfare.

We believe that there are immediate problems in employment, education and housing which cannot await the scheduling of hearings by the Commission on Civil Rights. For this reason we have

suggested the assignment of a full-time Federal official to deal with the immediate problems. However, we believe that the underlying problems not faced by the McCone Commission are also urgent. We think that the U.S. Commission on Civil Rights is best equipped to deal with these basic issues and to recommend long-range programs and ideas. We think that full-scale efforts must be made to develop new programs which strike at the heart of segregated communities, segregated education and lack of employment opportunities. It is clear that these conditions all exist to an aggravated degree, in the Los Angeles area.

Solutions which go way beyond the minor corrective steps suggested by the McCone Commission must be found. We conclude, with reluctance, that such solutions will be explored and adopted only if the Federal Government takes the initiative. Unless Federal action is forthcoming, and without delay, we believe that no substantial progress will be made towards curing the ills which led to the August riots.

Southern California Subcommittee
STEPHEN REINHARDT, Chairman
MORTON A. BAUMAN
MERVYN M. DYMALLY
ALPHA L. MONTGOMERY
LOREN MILLER

DISSENTING POSITION
Submitted by Member
R.J. Carreon, Jr.

As a member of the Southern California Advisory Committee to your Honorable Body, I respectfully, though emphatically, wish to express my disagreement with some of the findings and conclusions arrived at by our group which met during the past week-end to evaluate the report on the McCone Commission recommendations concerning the August riots in Los Angeles. I did not attend said meeting because I was not available until two days after it was held.

Because of my many years of devotion to the cause of equality in Civil and Human Rights and being a member of a deeply affected minority, shortly after the Watts Riots I accepted an appointment to the (Civilian) Police Commission of Los Angeles. As I expected, this position afforded me an inside view to the accusations and counter-accusations which followed the tragic events. Based on my long experience with the Mexican-American minority problems, my advantageous observation position and my sense of fair play, I have the following impressions regarding our report to you:

1. Generally, it is expertly presented with the specific purpose of erroneously placing all the blame for the rioting, looting, killing and arson on the Law Enforcement agencies in general, and the Los Angeles Police Department in particular. Chief William H. Parker, a national symbol of Police honesty, discipline and integrity has been made the principal target of senseless tirades. His surrender to the forces of evil and Civil disobedience, under any pretense, is impossible.

2. The McCone Commission, which rightfully requested specific complaints of Police malpractice, was "swamped" with seventy such grievances. Of these, 55% were against the Sheriff's Department, and some against the California Highway Patrol. Of the less than 30 complaints against the local Police, some are over a year old, but all are being very carefully investigated, as are all complaints customarily, and the guilty, I know, will be punished.

3. The McCone Commission report, which I have studied from the day it was first available, is the result of intensive study and evaluation of facts by a Blue Ribbon cross section of devoted public-minded individuals. These experts have analyzed the symptoms and recommended treatments which may fall short, but a cure-all should not be expected, as our committee would want and presumes to have.

4. Certainly Civil Rights, as well as Police-Community Relations problems exist in this area as elsewhere. We also have Housing, Equality of Opportunity and Employment Deficiencies to alleviate. I for one certainly welcome a U. S. Commission meeting here anytime, but fail to see how it can create an Utopia which would summarily appease all of us interested in the Civil Rights image of our Country and the genuine welfare of all our fellow citizens.

Finally, I wish to assure you that the Police Department, as well as other City, County and State Agencies are already implementing some of the recommendations contained in the material of the McCone Commission report to our Governor.

DEPARTMENT OF INDUSTRIAL RELATIONS
FAIR EMPLOYMENT PRACTICE COMMISSION

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EDWARD HOWDEN
Executive Officer

2 December 1965

MEMO FROM ED HOWDEN

Here is a copy of my recent statement to the Governor's Commission on the Los Angeles Riots, John A. McCone, Chairman; and of the rather prominent coverage given the statement by the Los Angeles Times.

We are hopeful that the McCone Commission's forthcoming report -- expected this month -- will include among its recommendations proposals for significant budgetary and statutory strengthening of our agency.

Your comment would be most welcome.

FEPCC CHIEF CHARGES 'BIG LIE' USED IN CAMPAIGN

Prop. 14 Passage Called Major Cause of Riot

PAUL WEEKS
Times Staff Writer

The passage of Proposition 14 and the bitter campaign leading up to it was a major cause of the August riot here, a witness told the McCone Commission inquiry into the uprising Tuesday.

Proposition 14 gave most landlords and homeowners absolute discretion in sale and rental of housing, nullifying previous anti-discrimination statutes.

The 2-to-1 victory of the amendment to the State Constitution "struck minority group Californians like a smashing blow to the teeth," said Edward Howden, chief of the State Division of Fair Employment Practices.

"Negro and other non-white residents," he said, "felt this as a stinging and deeply damaging expression of persistent and implacable racism. No other interpretation of the vote was felt to have any value."

But even beyond the vote, Howden attacked real estate interests' campaign on behalf of the proposition as one "promoted widely and most effectively through reckless use of the 'Big Lie' technique and all the scare devices in the arsenal of the skilled mass propagandist."

The basic strategy, he said, was "to induce fear."

Howden's viewpoint was in contrast to that taken earlier by John A. Buggs, executive director of the County Commission on Human Relations, who doubted if nine-tenths of the rioters even knew Proposition 14 existed.

"If it contributed at all," Buggs said, "it was in a tangential way—in that the Negro leadership group felt all they had been doing was for naught."

Constitutionality of the amendment is now being tested before the State Supreme Court.

If the court fails to overturn it, said Howden, "this amendment will remain a festering and dangerous threat to the welfare of our communities and our state until such time as we are

prepared once again to go through the rugged battle to bring about its repeal."

White Americans "built the theater, set the stage and wrote most of the script leading to the terrible drama in Los Angeles" and other recent racial explosions in the nation, Howden testified.

"It is cruel hypocrisy and dangerous self-delusion," he said, "when a people proclaiming the equality of man are laggard and insensitive to the harsh realities of imposed inequality, even in the second century after their formal abolition of slavery."

While he felt the housing issue was high on the list of major riot causes, Howden said that "during the eruption the common target of complaint was the police, and immediately afterward the cry was for jobs."

The executive said the Fair Employment Practices Commission strongly supports the top-priority emphasis "on the imperative need for a large number of jobs," cited earlier in a County Commission on Human Relations post-riot study.

The Legislature's denial of additional funds sought by Gov. Brown for FEPC has severely handicapped the agency's effort to serve effectively, said Howden.

"It appears that most members of the Legislature still see FEPC as nothing but a complaint-processing agency," he declared, while they ignore what he believes to be its functions in educational, consultative and promotional activities.

Although California is the most populous state in the nation, Howden cited figures showing that New York, Pennsylvania and Michigan provide larger budgets for their state anti-discrimination commissions.

California's budget for its FEPC division this fiscal year is \$604,348, exclusive of a recent across-the-board salary increase to all state personnel, said Howden, and reflects a cutback after the passage of Proposition 14.

"The division has thus never reached what we

would consider a normal level of funding in relation to the caseload and the educational duties which the law places upon us," he said.

"We have periodically warned of inevitable and growing disenchantment among minority group citizens concerning the FEP Act due to the case backlog and resulting delays in assisting complaints."

Despite budget handicaps, the FEP division has achieved results, along with voluntary co-operation of employers, in minority group employment, particularly in the aerospace industry as a whole, plus a few

major banks, oil companies and utilities, he said, adding: "We must couple with these observations, however, the fact that other banks, oil companies and utilities have so far exhibited little or no similar inclination."

Relatively little progress is evident among companies with under 400 employees, particularly outside the main metropolitan centers, said Howden.

"Some industry groups and occupations do not yet, to our knowledge, display even beginning steps to

amend the racial patterns of the past," he said.

Examples Given

"Examples include savings and loan, wholesale food, long-haul trucking, breweries, food and bar service in restaurants and many hotels, motion picture crafts, home service technicians, driver-salesmen and route deliverymen, oil fields, merchant marine, and some clubs, educational institutions and other non-profit corporations."

Public employment has made notable strides, he said, but progress is not even, particularly at mun-

icipal and county levels and in school districts.

Progress among unions is irregular, Howden pointed out, but "hard-core and complex problems remain, especially in some craft unions where employment is static or declining."

Changes Proposed

Howden urged a series of changes "to toughen and sharpen" the FEP Act and other legislation aimed at eradicating discrimination.

He said the agency should be able to initiate complaints and to strengthen its investigative and research roles. He would "enlarge the

coverage of the law by narrowing the present, unnecessarily broad categories of exempt employers."

Further, Howden urged a statute prohibiting discrimination in membership in trade and business organizations.

All discrimination should be prohibited among any licensees of the state, he said.

Budget increases, said Howden, would permit the division to strengthen its capacity to operate in fields already assigned to it. He would change FEPC's name to "Human Rights Commission" or "Human Rights and

Resources Commission" because "its functions go well beyond the field of employment."

In hard-hitting language, he laid past failures to the majority community.

"We, the white Americans," he said, "have written, enforced and perpetuated the rules of the game. We have established and tolerated the ghetto in housing, the exclusion or subordination in employment and business opportunity, the second-class schooling, the stigma of cast, and the multiple affronts and indignities of Jim Crow."

"We have been and are in control . . . Were we to fail at this late date to face our collective responsibility for racial segregation and inequity in our state and nation, we would be derelict beyond hope."

STATEMENT of Edward Howden, Chief, Division of Fair Employment Practices,
State of California
TO THE GOVERNOR'S COMMISSION ON THE LOS ANGELES RIOTS -- 12 November 1965
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THE BURDEN OF DEEP POVERTY is a hard and bitter thing for any American to bear today within sight of the abundant affluence all around him. It becomes sometimes an intolerable burden when it is borne disproportionately by a large group of our people because they are still set apart and victimized by discrimination on the arbitrary and immoral grounds of race, color, or ancestry. It is bad enough when hostility and repression are practiced by the dominant majority in an avowedly racist society or in a primitive culture where intertribal warfare is unquestioned custom. It is cruel hypocrisy and dangerous self-delusion when a people proclaiming the equality of man are laggard and insensitive to the harsh realities of imposed inequality, even in the second century after their formal abolition of slavery.

This, in my view, is the condition in our country -- and in each of its major regions, South, North, Midwest, and West -- which gives rise occasionally to a tragedy such as that of last August in Los Angeles. The immediate provocations may vary from city to city, as will the duration of the outburst and the extent of destruction of life and property. But the central fact, without recognition of which our diagnoses will be irrelevant or superficial, is that so far in America's history race distinctions have been defined and race differentials of treatment have been laid down by the white man.

We, the white Americans, have written, enforced, and perpetuated the rules of the game. We have established and tolerated the ghetto in housing, the exclusion or subordination in employment and business opportunity, the second-class schooling, the stigma of caste, and the multiple affronts and indignities of Jim Crow. We have been and are in control. We built the theater, set the stage, and wrote most of the script leading to the terrible drama of Los Angeles -- as to all the explosions preceding -- Harlem, Philadelphia, Selma, Birmingham, Cicero, Detroit, East St. Louis, Beaumont, and the others. Were we to fail at this late date to face our collective responsibility for racial segregation and inequity in our State and Nation, we would be derelict beyond hope.

This, I believe, is where we must begin the analysis of what happened last August in Los Angeles. These simple, basic observations will be painfully obvious to any person who thinks, who is informed, and who is not handicapped

either by a sense of racial superiority or by inability to recognize the profound disparity between his own life experience and that of those who have never known equal educational, economic, or racial opportunity. Such reminders seem nonetheless essential as prologue to testimony which will seek to help understand the August outbreak and to suggest some of the measures which would lower the probability of its recurrence and, hopefully, contribute to lasting solutions.

MR. SHERIDAN HAS SUGGESTED that this statement cover at least the following topics: (1) Essentials as to the functions, powers, budget, staff, strengths, and weaknesses of the Division of Fair Employment Practices as now constituted. (2) Information concerning discrimination practiced by employers and unions, and problems we face in seeking to gather such information. (3) Our experience in securing compliance with FEPC policies on the part of employers, unions, and others affected. (4) Roles played by members of our staff during and following the August disturbances, and their observations. (5) An assessment of causes of the August eruption. (6) Apparent tensions in other areas of the State, and actions which FEPC has taken toward their alleviation. (7) Suggestions and recommendations which I believe might help relieve the tensions out of which disturbances such as that of August arise. Also requested were any other materials which might be of assistance to your Commission.

This, you will appreciate, is a big order -- particularly the sections relating to the nature and extent of discrimination in California, FEPC's experience with regard to compliance, and recommendations as to remedies. Knowing that you must already be laboring under a voluminous load of testimony, I shall seek to keep this statement fairly compact by relying heavily on appended materials to provide the supporting detail or augmentation which you may desire. In addition, we trust that there will be an opportunity to come before your Commission, so that FEPC Chairman C. L. Dellums and Southern California Area Supervisor Lawrence Lucks may offer additional comment, and so we may respond to your questions.

I. FEPC'S FUNCTIONS, POWERS, BUDGET, STRENGTHS, WEAKNESSES.

A. Functions and powers. The California Division of Fair Employment Practices is charged by law with administration of two statutes, the 1959 Fair Employment Practice Act (Labor Code, Chapter 121, Part 4.5, Division 2) and

the 1963 Rumford Fair Housing Act (Health and Safety Code, Chapter 1853, Part 5, Division 24), as modified at present by Proposition 14 (Article I, Section 26 of the State Constitution). It is the public policy of the State, through these laws, to prevent discrimination by reason of race, religion, or ancestry in employment and housing, and to promote equal opportunity in these vital dimensions of our common life.

The Fair Employment Practice Act (FEPA) was essentially modeled after the New York State law enacted in 1945. Fourteen years later, California finally acted on this legislation, after Governor Edmund G. Brown had made it the first priority in his initial legislative program. We were the 15th state to adopt such a law. The total is now 32.

Generally, the FEPA prohibits job discrimination by most private and public employers (except the Federal Government, which is covered otherwise), by trade unions, and by employment agencies. The administering agency is a division of the Department of Industrial Relations, and is governed by the largely autonomous FEP Commission, which is comprised of seven part-time members. The commissioners and executive officer are appointed by the Governor; the executive officer is also chief of the Division of Fair Employment Practices.

Historically, the central reliance of most FEPC programs has been upon receiving, investigating, and resolving complaints through conciliation, resorting only rarely to formal proceedings of hearing and enforcement. This complaint process has been supplemented generally with information-education endeavors of limited scope. Our FEPC is also empowered to initiate investigations of apparently unlawful practices, but may not go beyond persuasion and conciliation in efforts to remedy such violations. In the last several years, like similar agencies in other leading states, we have undertaken, on a modest scale, "affirmative actions" with employers, unions, or others willing to consult with us concerning possible improvements in their work force or membership as to utilization of minority manpower.

Explanation and illustration of each of these main dimensions of FEPC's employment program are provided in Appendix 2, principally in a digest of the law, in testimony earlier this year of former Chairman Clive Graham before the Holmdahl Committee, and in our annual reports. Much of this material reflects also various forms of discrimination we have encountered and some of our

experience in compliance.

The Fair Housing Act is roughly similar to such statutes in about 15 other states, except that (even aside from the impact of Proposition 14) a number of these other statutes now cover larger portions of the total housing supply. Constitutional challenges to the validity of Proposition 14 are now under submission with the State Supreme Court. Meanwhile, FEPC administers those parts of the statute which were not nullified by Proposition 14. Jurisdiction remains over a substantial segment of the activity of real estate brokers and mortgage lenders, as well as over public housing and redevelopment agencies. FEPC may still engage also in endeavors at education and conciliation seeking voluntary remedies of housing discrimination, although effectiveness along such lines is of course gravely impaired, since any owner of residential property is at liberty to reject -- or refuse even to consider -- any prospective buyer or tenant on any grounds whatsoever.

Again, the appended testimony of Mr. Graham (Appendix 2) summarizes the present status of the law relating to nondiscrimination in housing. Appendix 3 includes summaries of powers, operations, and case experience under the Rumford Act during its 14-month life prior to the partial nullification by Proposition 14. Also appended here is a proposed ten-point statement of "guidelines" recommended by FEPC last spring to the California Real Estate Association for effective implementation of the realtors' announced desire to foster nondiscrimination in housing. (These recommendations were angrily rejected by CREA.)

Under both the FEPA and Rumford Act FEPC has subpoena power when investigating a case. Recent litigation, however, has raised some question about our power to require a respondent to furnish information as to the racial or ethnic composition of his work force, union membership, or housing occupancy. When the Rumford Act was fully in force, an owner could be required by a court to hold a disputed housing unit available for a reasonable time pending disposition of the case; no comparable power is contained in the FEPA with respect to a job opening which is the subject of a complaint. On the other hand, under the FEPA our Commission may devise with some flexibility and issue an affirmative remedial order appropriate to the particular situation, whereas the remedies under the Rumford Act are severely limited, with almost no latitude left to administrative discretion.

The Commission has no initiatory power under the Rumford Act comparable to

the FEPA's Section 1421 investigation. Under neither law may the Commission initiate its own complaint which could be taken on to court enforcement proceedings if necessary. In short, ultimately enforceable compliance procedures may be set in motion (a) under the Rumford Act only when an aggrieved individual files a complaint, and (b) under FEPA only when a complaint is filed by an individual job applicant or employee, by the Attorney General, or by an employer charging unlawful interference with his efforts to comply with the Act.

The Commission may establish citizen advisory committees or conciliation councils, but there is no meaningful provision for reimbursement of expenses or for technical assistance to such bodies. Both the employment and housing laws implicitly direct the Commission to conduct programs of research and education, but budgetary provision for these functions has been minimal. Neither act confers subpoena authority in connection with general fact-finding hearings or surveys.

B. Budget and staff. The FEP Division's appropriation for the current fiscal year (1965-66) totals \$604,348, exclusive of a salary increase granted across the board to State personnel in all agencies. This reflects in part a cutback of 2 professional and 2 clerical positions in recognition of the curtailment of regulatory functions in housing as a result of passage of Proposition 14, reducing total staff from 56-1/2 to 52-1/2. The Administration supported our argument last spring that staff should remain as before so that the reduction of enforcement activities could be matched by increased educational and affirmative work for equal housing opportunity -- a goal professedly shared by all sides in the Proposition 14 controversy. The Legislature disagreed, eliminating 4 of the 11 positions earlier authorized pursuant to the fair housing law. (The dollar total for the new year's budget does not appear fully to reflect this cut, due to allowances which are made for certain automatic merit salary adjustments for existing personnel and for law changes relating to staff benefits affecting all agencies.)

Presently authorized staff totals 31 professional and 21-1/2 clerical positions. The professional staff consists of the Division chief, assistant chief, 2 attorneys, 2 education officers, a community relations officer, 2 area supervisors, 2 supervising consultants, 19 field consultants (all-around field representatives, investigators, and conciliators), and a statistical staff assistant who serves also as librarian. In addition to the 2 major area

or regional offices, in San Francisco and Los Angeles respectively, there are 3 small district offices -- each manned by a consultant and secretary -- in San Diego, Fresno, and Sacramento. Offices may be established only by explicit legislative action. The San Diego and Fresno offices came into being two years ago; the Sacramento office was newly authorized this year, without provision for staff except through transfer of existing personnel.

With area and district staff divided about evenly between Northern and Southern California, this means, for example, that in addition to the area supervisor, supervising consultant, and associate counsel in the Los Angeles office, all of Southern California must be served by at most 9 or 10 professional field personnel, with only slight augmentation from the single statewide community relations officer and the other headquarters staff, whose heavy workloads preclude all but occasional direct assistance in the field.

Periodic comparisons of our employment caseload with those of other major state FEPCs have consistently revealed a higher load in our agency. Our field staff has been obliged to carry a serious backlog of cases since soon after we commenced operations. That backlog or overload at present -- including a relatively small number of housing cases -- is about 300 percent above a normal work-in-process load. The average number of cases on hand per field consultant at the end of last month was about 38, as opposed to the 8 or 10 which we would consider a reasonable figure. Most of these were individual complaint cases, but some were large-scale Section 1421 investigations or affirmative actions.

Following is a comparison of the four leading state anti-discrimination commissions, with regard to budget, staff, employment caseload, and population for the latest available reporting period of 12 months:

	<u>Budget 1964-65</u>	<u>Staff</u>		<u>Emplymt.</u>	<u>Total population,</u>
		<u>Prof.</u>	<u>Cler.</u>	<u>Cases</u>	<u>1960</u>
CALIFORNIA	\$ 592,642	33	23-1/2	783	15,717,204
NEW YORK	1,693,010	105	95	609	(1965: est. 18,815,000) 16,782,304
PENNSYLVANIA	655,878	60	22	247	11,319,366
MICHIGAN	634,441 (1965-66)	24*	13*	286	7,824,965

* These figures probably do not reflect staff increases made pursuant to the Michigan commission's large budget increase for the current year.

Each of the three states with which our California agency is here compared has broader jurisdiction than we, but employment matters still constitute the greatest element of their caseloads. To keep the comparison as conservative as possible, the California staff and budget figures shown are for 1964-65, before the cutback related to Proposition 14 had taken effect. Even after correcting roughly for differences in jurisdiction, it is fair to conclude that New York's budget and staff in the last fiscal year were more than double the California strength -- with our population having gone above New York's -- and that we were substantially less well equipped than the agencies in both Pennsylvania and Michigan in relation to the respective populations served.

Assuming that about two-thirds of the New York and Pennsylvania professional staffs are devoted to employment matters, there were in 1964-65 about 69 New York commission staff so occupied and 40 in Pennsylvania, as against 26 in California. This means that in California there was one FEPC staff professional for each 723,650 persons in the population, as contrasted to ratios of one to 283,000 in Pennsylvania and one to 243,200 in New York.

In the current year, moreover, we understand that both the New York and Pennsylvania budgets have risen, whereas ours is down. Finally, the New York commission has 11 offices, as against our 5, with California's geographic area obviously far greater.

These comparisons of course do not go to the question of quality of service rendered by agency personnel in specific instances. We believe that we do well in this respect. But even this aspect of service is usually affected adversely where the capacity to cope with caseload is seriously inadequate. Time becomes so pressing a consideration that attention to significant detail and to the subjective concerns of the aggrieved individual are sometimes slighted -- with cumulative negative effects upon minority group morale and confidence in officialdom, ^{and consequent increases in} hostility and alienation.

Outlines of the powers and makeup of the above four agencies, as published by the US Civil Rights Commission, are provided in Appendix 4.

The California FEPC commenced operations in September, 1959 with an extremely limited staff authorization which enabled us to assign only one supervisor and 4 field consultants to all of Southern California, with a similar number north of the Tehachapi -- 10 personnel to handle the entire statewide caseload. Apart

from those positions subsequently authorized solely in connection with the 1963 Rumford Fair Housing Act, this area staffing has enlarged very slowly over the past six years, so that today there are 4 additional consultants each in the San Francisco and Los Angeles offices (one of whom must serve mainly in a supervisory capacity), and one each in Fresno and San Diego. We are in process of reassigning a consultant to the new Sacramento office, which will reduce either the San Francisco or Los Angeles force accordingly.

A table, "Summary Budget History," in Appendix 4, covers FEPC annual budget requests over the six years to date, Administration submissions to the Legislature, and the Legislature's action. Repeatedly, from our earliest budget appearances before legislative committees, we have urged provision (a) for sufficient field consultants to reduce the case backlog to reasonable proportions and handle investigations with the promptness called for in the FEPA; (b) for several information-education staff people to carry on an educational program as distinguished from regulatory and compliance work; (c) for one or two highly qualified applied research persons to help us understand the meaning of our own fast-paced experience, to give expert guidance to our more complex investigations and surveys, to point up areas of greatest need, and to facilitate tapping the rich research potentials of the colleges and universities; and (d) for a few community relations specialists who would work in vital and continuous liaison with minority group communities throughout the State, as well as with key civic, business, labor, professional, and religious leaders, and local human relations commissions. Annually we have pressed hard for these prime means of strengthening FEPC. For the most part, we have failed.

We have learned that it is one thing to win a crucial new piece of legislation to declare equal job opportunity a right and to provide channels for redress of grievances, but quite another to secure from some of the same legislators sufficient budgetary substance, staff, and offices to bring that right to life, so that people know about it, prepare themselves to advance under it, call it into play, tell teachers and youth about it, find it functioning effectively, and see increasing numbers of employers and unions respect and even applaud it. Budget has been a frustrating struggle all the way. The infrequent gains have been minor and late in relation to the needs. The Legislative Analyst has consistently and vigorously opposed any augmentation of FEPC's original, skeletal organization, including even our efforts to step up the information-

education program; and^{in the main} he has been persuasive with the legislative budget subcommittees which make the decisions.

The Division has thus never reached what we would consider a normal level of funding in relation to the caseload and the educational duties which the law places upon us. We have periodically warned of inevitable and growing disenchantment among minority group citizens concerning the FEP Act due to the case backlog and resulting delays in assisting complainants. One consequence of such disenchantment with law in the face of great need is recourse to more dramatic tactics on behalf of integration in employment and other fields.

Since 1962, and with rising emphasis, FEPC has sought budget for one other main service not listed above: "affirmative actions" with employers and unions amenable to consultation concerning ways of providing greater opportunity for minority employment. This way of working, akin to that of "Plans for Progress" under the President's Committee on Equal Employment Opportunity, is explained and illustrated in Appendix 5. Recognized in recent years by all FEPCs as a highly productive approach, we saw both undeniable need and promising opportunities to undertake broad-gauged affirmative endeavors to hasten the pace of inclusion of minority workers in the economy's normal employment processes. In the face of the heavy caseload, however, no substantial new effort of this nature could be initiated without additional staff; we have requested such, so far without success.

In the spring of 1964, following various mass demonstrations which focused on the absence of nonwhite employees in a number of conspicuous service occupations, Governor Brown requested supplemental funds in the amount of \$89,000 for an affirmative action program under FEPC. Senator McAteer carried the measure through the Senate, but it died in conference committee. At the next opportunity -- last spring -- a similar request was made (see Appendix 4, summary of "Budget Request for 1965-66"), but gained even less ground.

It appears that most members of the Legislature still see FEPC as nothing but a complaint-processing agency, even though the basic spirit and intent of the fair employment law and the Rumford Act would seem clearly to sanction or even demand active educational, consultative, and promotional activity in pursuit of the large goal of equal opportunity in these essential dimensions of living. Meanwhile, we have engaged in just enough of this kind of voluntary and cooperative undertaking with major employers to be convinced of its great

potential value. But without at least a handful of skilled staff, north and south, working patiently along these lines, much of this potential could remain untapped for years.

Adequate budget by itself is no guarantee of a good program. But without proper budget no good program can come to grips with a real problem in such a vast and complex State as ours.

C. FEPC's strengths. These may be assessed in several ways. The commissioners and staff are highly capable and deeply committed to the goal of equal opportunity. The professional staff -- selected through competitive civil service processes -- qualified initially by virtue of considerable prior experience in intergroup relations, and that experience has deepened with each month of Division operations. The staff includes significant and useful diversity of racial, ethnic, and religious backgrounds, together with expertise in law, community relations, communications, investigation, conciliation, teaching, law enforcement, industrial relations, and housing. The commissioners reflect backgrounds in business, law, public office, real estate, labor and civic affairs.

The FEP Act itself is fairly strong, but could be improved in certain respects, as outlined below. Even without amendment of the law, however, a powerful infusion of budget along lines long sought by the Division would tremendously increase our reach and effectiveness.

A somewhat similar appraisal may be made of the Rumford Fair Housing Act. If the courts should invalidate Proposition 14, restoring the statute to its former coverage and powers, it would probably be found to have greatest initial impact on apartment rentals, new tract home sales, and broker practices. As with the fair employment law, affirmative action approaches to major segments of the housing industry are possible under the Rumford Act as now written.

Governor Brown and his staff have maintained good communication with the Division and have given it strong support throughout its history in speeches, in dealings with other State agencies, in matters budgetary, and in other respects. The Governor's Code of Fair Practices, promulgated in 1963 to strengthen the anti-discrimination policy and practice of all State agencies and officials, is the strongest such code in the country. From the beginning, the Governor has fulfilled the prime requisite for top management with regard to promotion of equal opportunity throughout any establishment: there has never been the slightest uncertainty from top to bottom in the State service about the force-

fulness and unequivocal nature of his personal as well as official commitment against discrimination.

I think it may also be said that the Division has demonstrated ability (though lacking adequate staff capacity) to conciliate civil rights disputes; to get results in affirmative actions in employment; to reach all elements in the urban complex, including people in the ghetto; to analyze and advise concerning the resolution of serious intergroup tensions in a community; to assist inexperienced local human relations commissions; and otherwise to help deal with the causes and the manifestations of intergroup hostility. I emphasize that the reference here is to the "know-how" which this Division could bring to bear on such situations -- as has been done so far on an extremely limited, emergency basis -- given the necessary staff.

Finally, while by no means universally popular or even known, it is probably fair to say that in many circles around the State -- including major corporations, important labor leadership, some local governments, and experienced minority organizations -- FEPC has earned a reasonable share of respect and good will as a responsible and constructive agency.

D. FEPC's weaknesses. On this subject most of the views I shall offer will reflect the well considered consensus of the FEP Commission. There will be other analyses or recommendations which have not arisen for Commission determination or on which no policy has been formulated; on such points I shall indicate that I am expressing simply my own views, it being understood that these may or may not coincide with those of individual members of the Commission.

1. Budget and program under the present statutes. As much of the foregoing discussion suggests, the most serious single weakness of FEPC could be overcome, without substantive statutory amendment, by appropriation of funds for initiation or intensification of certain programs and services. Our Commission has formulated basic recommendations in this regard which we hope will be placed before the Legislature in the upcoming 1966 session. These recommendations are outlined in section VII of this statement. It may suffice here merely to indicate that they pertain to the need for additional small offices in strategic locations; for meaningful programs of affirmative action and job development; for a system of tension detection; for special conciliation and trouble-shooting services; for help in forming and advising local human relations commissions, or consultative aid to other local authorities or organizations; for intensified information-education work, reaching particularly employers,

the housing industry, and minority communities; and for minimum applied research capacity.

In addition to these new or expanded budgetary authorizations, I have already indicated the need for staff augmentation which would enable FEPC to eliminate its backlog of individual complaint cases and Section 1421 investigations, and to maintain a reasonable caseload on a current basis.

As for fair housing activities of the Division, let us note simply that (a) even with Proposition 14 in effect, some budget augmentation would enable us to engage in more affirmative and educational efforts to reduce the discriminatory barriers which help perpetuate the ghetto; and (b) if Proposition 14 is overturned by the courts, reinstatement of budgetary provision for both our enforcement and affirmative functions will be essential.

2. Statutory weaknesses. These were mentioned briefly under "functions and powers" above, and will be covered explicitly in section VII in connection with recommendations for strengthening amendments.

3. Questions of structure and administration. On my recommendation, our Commission last spring established a special Study Committee on Organization and Operations, which is now reviewing all factors bearing on the efficiency and effectiveness of the Division, including questions such as the respective roles of commissioners and professional staff, responsibilities for personnel and administration, and dual supervision. The Study Committee has not yet reached any conclusions, and the following comments are offered strictly as my own.

It is my view that FEPC has certain organizational weaknesses stemming basically from the structure laid down in the statute. Conventional working distinctions between (a) policy and program determination, and (b) administration tend to be blurred and confused at some points. Since each case is assigned by law to an individual (part-time) commissioner, who then must rely substantially on staff for investigation and perhaps aid in conciliation; since the assigned commissioner has sole control over all aspects of investigation, conciliation, and, where warranted in his judgment, the decision to take a case to formal hearing; and since staff consultants work under each of several commissioners on their respective cases as well as under a staff supervisor, the situation is one of multiple supervision, diffusion of responsibility, and something less than fully coordinated direction of staff. Nor is it a simple thing, under this system,

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4. Staff salaries. In the past three to four years the intensification of fair employment compliance programs in the Federal government and elsewhere, accompanied by establishment of substantially higher salary levels for work comparable to that which is carried out by our field consultants, has caused the departure of a number of our most capable employees. Despite persistent efforts to secure upward salary adjustments to meet this situation, appropriations available to the State Personnel Board for such purposes have either been entirely lacking or insufficient to permit action on our problem. The recent proliferation of Anti-Poverty Programs has caused still further staff attrition. It is obvious that such a chronic inadequacy of salary levels threatens to impair the continued effectiveness of the agency.

II. INFORMATION RELATING TO DISCRIMINATION BY EMPLOYERS AND UNIONS.

This topic is of book-size magnitude. There are many perspectives from which it could be approached. Within the scope of this statement we shall have to settle for a few broad generalizations and a number of synopses of cases handled by FEPC during its first six years. Attention is invited to these case accounts which are summarized in various releases in Appendix 6 and in each of the three annual or biennial reports submitted herewith.

First, let us define terms. In most usage "discrimination" in employment seems to refer to an overt, present act of judgment or rejection of an individual because of his race, religion, or ancestry. This is perhaps an adequate, though very narrow, de jure definition. It may be argued, however, that at least de facto job discrimination is occurring, even though no minority applicants appear or are rejected when, for example, (a) a company with a long-standing reputation for discrimination abandons that policy but fails so to inform either its principal recruiting agents or the minority community; (b) an all-white union which actively discriminated until six months ago informs an otherwise qualified nonwhite applicant for membership that his name must now go to the bottom of a long waiting list; (c) an employer whose workers know that no Negro or Mexican American has ever been elevated to foreman fails to announce to them or to his division heads that henceforth such upgrading will take place strictly on individual merit; or (d) in a metropolitan area with a large Negro population and serious unemployment a certain service occupation, with relatively low entry-level skill requirements, and where both employers and union may exert significant influence over hiring, there is a prevailing pattern of no or few Negro employees.

Thus the deliberate rejection of last year functions as a continuing barrier this year, yesterday's conscious discrimination becomes the unconscious habit of today, and the present effect upon actual minority hiring or upgrading is virtually the same as though there were still crude, intentional discrimination. Minority group expectations, long conditioned negatively concerning the restrictive policy prevailing in an occupation, a union, or a firm, will change only when there is concrete evidence that employment practices have changed. The silent or covert shift by management to an open-door policy will not suffice; the word must get around.

For such reasons it seems to me important to be concerned not only with discrimination in the narrow sense, but with the broader concept of inequities which are observable on the job and on the promotional ladder. If we want to cope realistically with this vast problem, we must increasingly direct attention less to the precise moment or situation in which an overt act of discrimination either did or did not occur, and more to the question as to whether, all things considered, the total process of motivation, training, recruiting, and screening is generally bringing about the desirable result of minority employment and advancement.

The general picture as to the economic and employment status of minority group Californians in comparison to others is provided in the appended FEPC volumes titled Negro Californians, Californians of Spanish Surname, and Californians of Japanese, Chinese, Filipino Ancestry. The statistical tables in these publications were largely based on 1960 census data and were compiled by the State Division of Labor Statistics and Research. Your attention is particularly invited to the brief interpretive summaries of these data which introduce each volume, and the accompanying press releases. Here are the overall indicators of economic and educational disadvantage and disparity.

As for the progress, or lack of it, which major groups of employers and unions have been making toward unrestricted integration in the State's work force, I shall offer a few general observations and illustrative examples. It must be remembered -- as in most aspects of the field of intergroup relations -- that few, if any, categorical generalizations can be made which are valid.

Most prominent among private employers who have made significant strides in the past two to four years are some very large firms, especially those with Federal contracts. The aerospace industry as a whole stands out, but there are a few major banks, oil companies, and utilities which have recently moved

effectively in this area. We must couple with these observations, however, the fact that other banks, oil companies, and utilities have so far exhibited little or no similar inclination. Larger, big-name, mass-trade retail firms have tended to act sooner and do more than the others in their field. We have seen relatively little evidence of progress among the smaller (under 400 employees) companies, especially those located outside the main metropolitan centers. A few major hotels have done well, but in most nonwhites are conspicuously absent, or present on only a token basis, in the steady, more desirable public-contact jobs. Some airlines have begun to employ Negro stewardesses, while others have held back. Concessionaires at the Los Angeles airport and in some other large municipal facilities have responded well to FEPC's endeavors.

In contrast, some industry groupings and occupations do not yet, to our knowledge, display even beginning steps to amend the racial patterns of the past. Examples include savings and loan, wholesale food, long-haul trucking, breweries, food and bar service in restaurants and many hotels, motion picture crafts, home service technicians, driver-salesmen and route deliverymen, oil fields, merchant marine, and some clubs, educational institutions, and other nonprofit corporations.

Generally, opportunities have become numerous and appear to be increasing for highly qualified, middle-class nonwhites, particularly in technical capacities. No such trend is yet noticeable in supervision and middle management. And the great majority of Negroes in the labor force are dependent on opportunities at entry levels, in training spots, or in upgrading situations which have been slow in coming. The skills of this part of the labor force are applicable primarily in those industries in which automation is taking over most strongly.

Public employment at State and Federal levels and in some local jurisdictions has made notable strides. Affirmative attention to recruitment and up-
and diligent follow-through
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Your attention is invited also to the excellent two-part article on the employment status of nonwhite Californians by Harry Bernstein, Labor Editor of the Los Angeles Times, which appeared in that paper July 4 and 5 of this year. The article, in my opinion, reliably reflects the mixture of good and bad of both hopeful and backward practices which comprise the overall picture of minority employment. A copy is provided in Appendix 6.

As with employers in general, it is impossible to state one or two simple truths which will accurately describe the posture of union organizations with regard to equal membership and job opportunity. Their general memberships undoubtedly include at least a proportionate share of Americans who are racially prejudiced, anxious, and ill-informed -- to which must be added a deep sense of insecurity among workers in those industries and trades which are declining in overall employment. On the other hand, where leadership has been aggressive and consistent, not only in advocacy of fair employment law and policy but in day-to-day dispatching, representation, and other activities of a union, denial of equal job opportunity has been eliminated or reduced to almost negligible incidence.

In many -- probably most -- occupations covered by union organization the employer may, if he so chooses, exercise his prerogative to hire, upgrade, and assign individuals without discrimination, even where this may incur subtle or overt union displeasure. This was one main conclusion of a comprehensive study of private employer practices (of which I was co-author) carried out ten years ago in San Francisco; I suggest that if this was true in that highly unionized city prior to the enactment of fair employment law, which strengthens the hand of management and of nondiscriminatory union leadership in the face of potential union recalcitrance, it is even more true statewide today under the legal and moral pressures stemming from the FEP Act.

In any event, some individual complaints have been filed with FEPC concerning alleged union discrimination, and the Commission has initiated Section 1421 investigations of the practices of various unions. Both statistics and case histories are provided in the annual reports (Appendix 2) and other appended releases. A good proportion of these cases have been brought to satisfactory conclusion, with resultant admissions to membership, desegregation of membership lists, overhauled dispatching procedures, and even changes in officers. Hard-core and complex problems remain, however, especially in some craft unions and where employment is static or declining. Certain of the increased powers which we recommend below for FEPC would strengthen our capacity to deal with such problems.

Finally, as indicated earlier, except when investigating particular cases, we have neither the research capacity nor the power to require submission to FEPC of racial or ethnic pattern data either of an employer's work force or of union

membership and dispatching activities. Firms under contract with the Federal government do regularly report such information. We know that such reporting and survey processes would yield at least two salutary results: (a) self-examination by the reporting employer or union, which often stimulates voluntary improvements; and (b) comprehensive data which would enable all concerned to assess far more accurately than at present the extent of our progress and the nature of the problem remaining.

III. FEPC'S COMPLIANCE EXPERIENCE.

Compliance by employers, unions and others affected with any anti-discrimination statute may fall into three classifications: (a) direct compliance which results from a case investigation or other immediate contact between the agency and the employer or union; (b) compliance which does not result ^{directly} from an action on the part of the agency, but which, in one way or another, comes to its attention; and (c) a wider range of compliance with the letter and spirit of the law which is not known to the agency and which is rarely subject to measurement.

We believe that compliance with the FEP Act -- and, during its relatively short initial period on the books, the Rumford Fair Housing Act -- has been substantial and significant. Our Division is of course reasonably well aware of at least some of the progress made in the first two kinds of compliance, but our knowledge of the third -- the indirect and broader ranges of compliance -- is at best haphazard and fragmentary. Description or appraisal of any one of these kinds of compliance is most meaningful when it is the product of a perceptive, up-to-date study of exactly what has happened in particular firms, unions, industries or occupations. Such studies are unfortunately rare, and it follows that the state of our knowledge of overall compliance with California's FEP Act depends primarily on our direct experience and upon the sum total of miscellaneous empirical information and impressions gathered by interested persons, agencies, and organizations.

The general observations offered above under section II with regard to progress or problems in various industries and occupations provide also a partial answer to your question as to the willingness of employers and unions to comply with the FEPA. Again, perusal of the many case synopses appended herewith will yield considerable illumination.

There is inevitably a small percentage of respondents in FEPC cases whose responsiveness and cooperation leave much to be desired, but the great majority give fair to very strong cooperation as we proceed through our investigation and, where warranted, to endeavors at conciliation. Not infrequently an employer will wish to abbreviate or by-pass full investigation in favor of talking about corrective measures and how he may improve his practices generally. It is an old FEPC truism that the individual complaint, whether or not it turns out to be justified on its specific merits, often leads an employer into a lively and genuine interest in the entire subject of merit employment, and thence to sincere review and strengthening of the practices throughout his organization. Our commissioners and staff have had many experiences with respondents which richly exemplify such an expanding measure of compliance, well beyond the technical requirements of the statute.

I do not mean to imply that all is well among the great majority of employers with regard to willing and creative compliance with the spirit and letter of the law. It is only rarely that anyone outside a given establishment -- except as its doors are open through a case investigation -- is able to appraise just how much evasion of or indifference to the fair employment law may be present in its inner workings. Again, it is only through careful studies, including examination of employment patterns with respect to race or ancestry, that reliable conclusions could be drawn as to the nature and extent of non-compliance. We would emphasize again that it is possible under the present law for a firm or union to remain in a state of purely technical compliance with the letter of the statute, refraining carefully from visible, overt acts of rejection or other differential treatment of minority persons, yet to be guilty of a very serious non-compliance with the real meaning and spirit of the law.

Perhaps our final and most practical statement with respect to this question of compliance is that where our FEPC has had direct experience through case processes, Section 1421 investigations or affirmative actions, the results have been sufficiently substantial and satisfactory that we believe we could greatly expand our agency's effectiveness if its staff capacity were such as to enable it to double or treble the number of employer and union contacts made in a given year.

IV. FEPC STAFF ROLES DURING THE AUGUST DISTURBANCES.

Negro members of our experienced consultant staff went into the areas of disturbances, at the request of the Governor's office, to make first-hand observations of conditions and to interview informally a number of residents, community workers, and business people. Their report memoranda, written while the notes and recollections of each visit were fresh, may be of special interest to your Commission. Several are provided in full herewith, in Appendix 7.

You will note that these field reports were not prepared with any thought of their being offered as testimony to a commission of inquiry. They reflect the findings, opinions, and, in some instances, individual conclusions of the respective professional workers who went into the area. We think that they speak well for themselves, and that no additional comment is needed.

I would only highlight the observations of Consultant Dove that during the eruption the common target of complaint was the police, and that immediately afterward the cry was for jobs.

Our staff of course participated from its inception in the manning of the special State Service Center in Watts and staff and commissioners have done a great deal of emergency job development among employers, with reasonably good results.

V. CAUSES OF THE AUGUST ERUPTION.

Many passages of this statement, including the introduction, deal with conditions which, in my view, were contributory causes of the eruption. I suspect that your Commission has on hand at this point an ample number of formulations and analyses of the causes. No doubt you will find certain basic, recurrent themes running through these analyses, and that among such themes is a constant stress on the desperate need for jobs and for cessation of the indignities and provocations which have become tragically chronic in the experience of the people of the ghetto.

I wish to reemphasize one familiar but nonetheless urgent factor -- the victory of Proposition 14 at the polls in November 1964. We believe it would be a grave error to fail to include high on the list of major causes not only the vote itself which wrote this license to discriminate into the State Constitution, but the harsh, lurid and irresponsible campaign on behalf of the measure which was waged throughout the preceding year.

As early as October 1, 1963, immediately on the heels of the first announcement by the California Real Estate Association of its decision to place the

amendment on the ballot, I was among those who sounded a warning as to the terrible message to nonwhite Californians which the success of such a proposition would communicate. Glancing back over my speech of that date to the State convention of the California Apartment Owners Association, I feel even in retrospect that my warning was in no way exaggerated. Promoted widely and most effectively through reckless use of the Big Lie technique and all the scare devices in the arsenal of the skilled mass propagandist, who knows that his basic strategy must be to induce fear, the two-to-one victory of the amendment struck minority group Californians like a smashing blow to the teeth.

Negro and other nonwhite residents felt this as a stinging and deeply damaging expression of persistent and implacable racism. No other interpretation of the vote was felt to have any value. Once again, in a vital test, the white man had resoundingly and cruelly rejected the legitimate needs and aspirations of nonwhite fellow citizens for reasonable housing opportunity.

As FEPC Chairman C. L. Dellums has pointed out, despite the miserable and depressing conditions under which tens of thousands of Negro citizens must live, a law such as the Rumford Act, even though it provides no magic key to immediate improvement of these conditions, stands out as a source and symbol of hope. Mr. Dellums states that for some months after the passage of Proposition 14 he was acutely aware of the almost stunned loss of hope discernible in the faces and actions of Negro Californians.

It is my personal view that if the courts should fail to overturn this devastating modification of Article I of our State Constitution, this amendment will remain a festering and dangerous threat to the welfare of our communities and our State until such time as we are prepared once again to go through the rugged battle to bring about its repeal.

VI. FEPC'S SPECIAL SERVICES IN RELATION TO TENSIONS IN OTHER COMMUNITIES.

Immediately on the heels of the Los Angeles August outbreaks rumors and reports of threatening situations in other cities began to circulate. On the basis of information reaching the Division through its contacts in the communities or at the request of the Governor's Assistant for Human Rights, some of our most capable community workers moved rapidly into certain of these tension situations, reached key persons and groups within the depressed ghetto areas, helped bring about communication with local authorities, and contributed at least to temporary

alleviations out of which, hopefully, could come serious planning for real solutions to long-standing grievances.

A leading example of this emergency community conciliation service was provided in Bakersfield by Consultants Beane and Connelly. Their reports appear in Appendix 8. Also appended are two memoranda from this writer to Governor Brown summarizing several such tension-control endeavors, and similar reports on a most difficult and prolonged array of problems in San Bernardino on which Area Supervisor Lucks and Consultant Mason have been working for many weeks.

With the sole exception of certain services which the Bureau of Intergroup Relations in the State Department of Education can render, upon invitation, to local school districts, it seems clear that the Division of Fair Employment Practices is the only statewide agency with the kind of personnel, working knowledge of intergroup relations, and at least general statutory authorization to assist in these ways in problem areas not served by experienced local agencies in this field. No one can say for sure, but it may be that our work in such situations in recent months has been largely responsible for averting repetitions of the tragedy of Los Angeles.

Our operating problem is that this is work not provided for in the programs for which we are budgeted. The staffers who have rendered these special services have done so to the neglect of their pressing caseloads. It is obvious that such services can be maintained with the continuity which is needed only if budgetary provision is forthcoming.

VII. RECOMMENDATIONS.

My recommendations will not purport to cover the entire field of concern of your Commission. It seems to me most appropriate at this point to focus upon those ways in which the only general human rights agency of the State of California needs to be strengthened so that its sector of responsibility can be fully and effectively served.

First, however, I am sure that my Commission would want me to record with you hearty endorsement of the main features of the comprehensive set of action recommendations which were recently submitted by the Los Angeles County Commission on Human Relations to the Board of Supervisors. Although our FEP Commission has not had an opportunity to study these recommendations and to take formal action

on them, our commissioners strongly support the CHR top-priority emphasis on the "imperative" need for a large number of jobs for people in the most severely depressed areas.

Our own priority recommendations for equipping FEPC to meet the challenges we now face are summarized in part in our letter of last September 18 to Governor Brown (Appendix 9). We would ask that this letter be read as an essential part of this closing set of recommendations.

Since I have already touched upon much of the rationale for these recommendations in preceding sections of this statement, they will be listed in the briefest possible form.

A. Budget and program under present statutes. Budget increases, not requiring statutory amendment, to strengthen operating capacity to permit:

1. Adequate affirmative action and job development program.
2. Special community conciliation services in tension areas.
3. Assistance to local human relations commissions and other local authorities or agencies.
4. Stepped-up information-education work.
5. Essential applied research guidance and aid for the Division's many-faceted program.
6. Geographic extension of services through additional small offices and dispatch of visiting consultants to communities where no regular office exists.
7. Formation and assistance to local and other citizen advisory committees or councils.

B. Strengthening amendments to present laws administered by FEPC:

1. Name change from FEPC to "Human Rights Commission" or "Human Rights and Resources Commission." The agency's functions go well beyond the field of employment.
2. Complaint initiation power. To permit the agency to move significantly and on a planned basis to remedy discrimination in areas of employment concerning which no individual complaints have been received.
3. Enlarge the coverage of the law by narrowing the present, unnecessarily broad categories of exempt employers. The Federal FEP law provides a model in this regard.

4. Prohibit discrimination in admissions to membership in trade and business organizations (as the law now provides with respect to union membership).

C. Other desirable legislation:

1. Give aggrieved persons under the Unruh Act the option of bringing a complaint to the Commission. At present the only recourse for an individual discriminated against by a business establishment is to go to court in a civil action.
2. Prohibition of discrimination by any licensee of the State.

All of the foregoing recommendations have been made one or more times by the FEP Commission. I should like to add several other ideas for statutory strengthening which have not yet been studied by my Commission, but which will perhaps deserve consideration if there is to be a general overhaul of the law:

1. Clarify and strengthen the Commission's research, survey, and investigative powers. The Federal Equal Employment Opportunity Commission's power to require reporting by employers and others might be useful in this connection.
2. Enhance the Commission's capacity for affirmative actions by placing a duty upon employers, unions, and others at least to consult with and provide reasonable information to the Commission in situations relating to fair utilization of minority manpower.
3. Place a duty upon all public employees (State and local) to forward to the Commission information indicating apparent violations of the FEPA.

None of these suggested amendments to the FEP Act would change it into an oppressive instrument. They would add a bit more potential sanction and contribute to greater efficiency in carrying out investigations and securing compliance without unnecessary resort to formal proceedings. There are probably few laws in such an absolutely vital field which are as gentle as the standard FEP statute modeled after the New York State original. Now, 20 years later, if we truly want law to provide a beacon and a recourse which is regarded as relevant to the problems of these times, there is, I suggest, an urgent need to restudy this statute and to seek action to toughen and sharpen it.

Appendix

STATE OF CALIFORNIA—EMPLOYMENT RELATIONS AGENCY

EDMUND G. BROWN, Governor

DEPARTMENT OF INDUSTRIAL RELATIONS
FAIR EMPLOYMENT PRACTICE COMMISSION

455 GOLDEN GATE AVE., SAN FRANCISCO 861-8700
Address reply to: FEPC, P. O. Box 603, San Francisco, Calif. 94101



CLIVE GRAHAM
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DWIGHT R. ZOOK
EDWARD HOWDEN
Executive Officer

18 September 1965

The Honorable Edmund G. Brown, Governor
State of California
State Capitol
Sacramento, California 95814

My dear Governor:

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In recent weeks your Fair Employment Practice Commission, like many other agencies and persons, has rendered special emergency services in the aftermath of the Watts tragedy, and has sought to reexamine in depth its capacity to help solve the grave underlying socio-economic problems which generate such upheavals. We hope to present to the McCone Committee two main kinds of testimony: direct reports by those of our staff who have been working in the area during and since the eruption of August, and some interpretive thoughts as to root causes. The Commission has asked me to write to you now, not to go over this same ground, but to underscore the desperate necessity of developing jobs for many thousands of unskilled residents of the ghetto, and to summarize for you certain ways in which we know FEPC could materially contribute both to long-term solutions of these problems and to the reduction of extreme tensions in specific threatening situations.

As you are of course aware, a prime, basic, and urgent need in areas of severe minority group unemployment -- of which Watts is not the only example in our State -- is for unskilled, entry-level, or trainee jobs. Estimates of the unemployment rate in Watts range as high as 35 percent, when youth from ages 16 to 21 are included, as they should be. Adult unemployment in that area is estimated to run two to three times higher than the average for Los Angeles as a whole, or between 15 and 20 percent. Such disparities in the impact of economic distress, whatever their immediate causes, take form along racial lines, with implications long understood by sensitive workers in this field and now disastrously demonstrated.

Substantially the same shocking differentials characterize the plight of Negro Americans not only in Los Angeles or in California as a whole, but in the Nation generally. Whether measured in relation to education, income, or employment, the economic status of Negro members of the labor force remains two or three times worse than that of non-Negroes, and the situation of Mexican Americans is little better.

In the face of such harsh statistics the California FEPC wishes to stress the fact that the struggle for fair employment is of course seriously hampered and circumscribed to the degree that our economy fails

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to afford reasonably full employment opportunity. We therefore heartily applaud your determination and that of President Johnson to move on a "crash" basis to bring into being all possible work opportunities which might help alleviate this situation in our State, and to persist in seeking still more basic, long-term solutions.

The second main point of this letter is to tell you that there are ways in which FEPC can very substantially contribute to the alleviation or solution of these problems throughout the State, and to ask you to place before the Legislature at the special session commencing Monday the necessary measures to equip our agency to take on this large assignment.

In brief, it is our urgent plea that the name of this Commission be changed, to reflect the broader responsibilities which already occupy it in limited degree, to the California Human Rights Commission, and that our operating capacity be strengthened to permit:

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1. Significant expansion of our highly successful but severely limited affirmative action program whereby -- as with the Bank of America -- cooperative and consultative work is undertaken with employers who wish to expand their work forces to include persons of groups not formerly represented. (Attached is a copy of our recent report to you and to the Legislature concerning this program.)

2. Provision of expert consultative and conciliation services to local human relations commissions, other local authorities, and to other agencies or civic bodies seeking to survey or remedy conditions of inequality or to prevent eruption of tensions arising from such problems. This service would be analogous to that which the Bureau of Intergroup Relations of the State Department of Education now renders to school districts, but it would apply to problems in other fields such as employment, housing, and police-community relations. There would be some similarities to the Federal Community Relations Service established under the Civil Rights Act of 1964.

3. Establishment and operation of a system of tension detection and "trouble-shooting" as needed in matters involving interracial and intergroup relations.

4. Sufficient practical research capacity with which to develop and maintain the data essential to evaluation of the problems of minority group Californians and to proper formulation and guidance of the agency's action programs.

5. Establishment and maintenance of liaison with representative citizen advisory committees or councils (as now authorized under the FEP Act but never funded to permit a meaningful program).

6. Sharply stepped-up educational and informational programming, seeking, among other objectives, truly effective communication with minority communities and development of more extensive motivational programs directed mainly to minority youth and their parents and advisers.

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7. Physical extension of the existing services to the Commission and of those proposed herein to specific communities and districts where the needs are most urgent. (The Commission's present "visiting consultant" arrangement is a desirable but pitifully inadequate effort to meet a manifest need in areas or districts in which we are not yet authorized to establish offices.)

8. Selective and specialized job development work among willing employers, with special reference to the needs and potentialities of minority group citizens.

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These proposals, given here only in bold outline, will be detailed as desired for explicit presentation. Very little would be required in the way of amendment of the substantive statutes under which our Commission operates. The principal action indicated would be budgetary. The cost, calculated in the usual terms of percentages of existing budget, would surely not be low. Compared, however, to the immeasurable costs in human frustration, suffering, and indignity which attach to minority status, to the toll of life and property which can be taken when these tensions are no longer bearable, and to the incalculable damage of the very image of our State and Nation before the world, we suggest that business-as-usual budget criteria are drastically irrelevant.

On this sixth anniversary of the effective date of California's Fair Employment Practice Act -- the number one measure in your first legislative program as Governor -- we respectfully submit that it has become essential to enlarge the work of our agency as indicated above. We make this proposal now not merely because of the tragedy of Watts, but because Watts has shockingly illuminated the degree to which all of us have so far failed to build the society in which no group of citizens has reason to feel such terrible depths of despair and alienation.

Your FEPC has worked long and hard over these years to remedy at least part of the legacy of inequality which has fallen to our generation. There is now clearly an urgent need for a far greater effort. Ours is a fine, experienced, dedicated group of commissioners and staff. It is an agency which the State of California today needs more than ever. We respectfully urge that its authority and capacity to do the job demanded by these troubled times be strengthened as outlined above.

Very truly yours,

/s/ CLIVE GRAHAM

Clive Graham
Chairman

CG:mm
Enclosure

Department of Industrial Relations

FAIR EMPLOYMENT PRACTICE COMMISSION
SUMMARY OF BUDGET HISTORY

State of California

FISCAL YEAR	FEPC REQUEST (Positions Only)	DEPARTMENTAL REQUEST	STATE BUDGET AS SUBMITTED TO LEGISLATURE	LEGISLATIVE APPROPRIATION	ACTUAL EXPENDITURE
1959-60 (9-1/2 months)			\$ 240,000 (or about 303,000 for 12 months)	\$ 202,953 16 Pro 12 Cler	\$ 162,343 (Unexpended: 40,610 or 20%)
1960-61	16 Pro 12 Cler	\$ 262,393	262,393	262,942	258,453 (Unexpended: 4,489 or 2%)
1961-62	+ 11 Pro + 8 Cler	369,203 [+ 9 Pro] [+ 8 Cler]	321,217	330,206 * [+ 4 Pro] [+ 3 Cler]	294,976 (Unexpended: 35,230 or 11%)
1962-63	+ 2 Cler	285,554 [+ 2 Cler]	341,248	340,168 *	335,796 (Unexpended: 4,372 or 1%)
1963-64	+ 12 Pro + 7 Cler	374,157 ** [+ 6 Pro] [+ 4 Cler]	468,946	501,408 *** [+ 9 Pro] [+ 8 Cler]	481,565 (Unexpended: 19,843 or 4%)
1964-65	+ 12 Pro + 7 Cler	585,979 # [+ 4 Pro] [+ 2 Cler]	586,381 # +89,020 supplemental ###	585,381 # [+ 4 Pro] [+ 3 Cler]	592,642
1965-66	+ 24 Pro + 13 Cler	767,567 [+ 8 Pro] [+ 4 Cler]	638,091	604,348 ##	

General Note: Each year, in each agency's budget, provision must be made for statutory merit salary increments to existing staff. For this reason, in addition to other steadily rising costs of operation, the dollar total of each year's budget is inescapably somewhat higher than that of the preceding year, even when there has been no staff increase. Also, from time to time the Legislature grants across-the-board salary increases, with the same effect on year-to-year agency budget figures.

* Including general State salary increase.

** Employment only.

*** Includes: (a) \$75,000 for housing; (b) establishment of Fresno and San Diego offices, with 1 professional and 1 clerical each; (c) augmentation, March 1964, for general State salary increase.

Includes \$116,572 re housing (11 positions)

A general Statewide salary increase, not reflected in this figure, was subsequently approved for this year.

To enable FEPC to step up its affirmative action work in employment and to render special conciliation service in civil rights disputes.

Appendix

GOVERNOR'S COMMISSION ON THE LOS ANGELES RIOTS

P.O. BOX 54708, LOS ANGELES, CALIFORNIA 90054



28 January 1966

CHAIRMAN
Mr. John A. McCone
VICE CHAIRMAN
Mr. Warren A. Christopher
MEMBERS
Judge Earl C. Braddy
Mr. Asa V. Call
The Very Rev. Charles S. Casassa
The Rev. James Edward Jones
Dr. Sherman M. Maffinkoff
Mrs. Robert G. Neumann

Dr. John A. Hannah
P. O. Box 190
East Lansing, Michigan

Dear Dr. Hannah:

Each member of Governor Brown's Commission, created to investigate the Los Angeles riots of last August, received a copy of the report of the Voluntary Advisory Committee to your Commission and through this document we learn that their analysis of our report has been formally submitted to the Commission by the Advisory Committee.

I find that the report of the Governor's Commission, of which I was the Chairman, was not formally transmitted to you and other members of your Commission. I, therefore, am forwarding six copies of the report under separate cover and can send more to you if needed.

The report was prepared after a three and one-half months' study, during which time we took testimony under oath from seventy-nine witnesses, received sworn depositions from many others, interviewed hundreds of individuals, the majority of whom lived in the south-central Los Angeles area and many of whom were witnesses to the rioting.

In addition, we employed a substantial staff of experts and consultants and received from them reports in almost every area of concern to us. The Commission met formally 64 times in 100 days to hear testimony and consider this mass of evidence. The report itself was reviewed in detail one might say word by word by all eight members of the Commission and there was no dissent except that expressed by Reverend James Jones in the two footnotes which appear in the report.

While no useful purpose would be served by engaging in a debate with your Advisory Committee, I am compelled to tell you that all areas which the Advisory Committee felt we either overlooked or ignored were covered fully in testimony presented to us; were carefully considered by the Commission and, for reasons which I believe are entirely valid, were rejected and therefore not covered by our report nor included in our recommendations.

Mr. Tolson

- 2 -

28 January 1966

All testimony and consultants' studies are being placed in the public domain and can be made available to you or your staff if you so desire. Furthermore, I would be pleased to meet with you or the Commission, as would other members of the Governor's Commission, if you feel doing so would be constructive.

Our report has been exceptionally well received by the public and by the interested government officials and agencies at the local, state and federal level. It is gratifying to me to see that action of a constructive nature is being taken on every one of our recommendations. While there is no complete remedy for the problems we observed, actions being taken now will provide a considerable and immediate improvement in many important areas. Furthermore, it is the Commission's opinion that the implementation of our recommendations will go a great distance towards the permanent correction of the many problems within our negro community which contributed to the disturbances.

Yours most sincerely,

John A. McCone

AN ANALYSIS OF THE McCONE COMMISSION REPORT

By the California Advisory Committee
to the United States Commission on
Civil Rights

January 1966

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

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PREFACE

The United States Commission on Civil Rights

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

The State Advisory Committees

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

This analysis has been submitted to the United States Commission on Civil Rights by the California Advisory Committee to the Commission and is made public at its request. The Commission has not had occasion to evaluate or act upon the facts, allegations and opinions contained in this analysis.

The primary role of the voluntary Advisory Committees to the Commission is to apprise the Commission of the status of civil rights throughout the United States as seen by these groups of interested citizens residing in each of the 50 States and the District of Columbia. The views expressed, of course, are their own.

INTRODUCTION

The California Advisory Committee is organized into two Subcommittees for geographic convenience. The Northern California Subcommittee under the chairmanship of Hon. Robert J. Drewes is composed of those members of the Advisory Committee who reside in Northern California. The Southern California Subcommittee is similarly composed of members located in that region of the state under the chairmanship of Stephen Reinhardt.

Following the August riot in Southeast Los Angeles, the Southern California Subcommittee met to discuss possible actions which might be undertaken by the Federal government in alleviating conditions in Los Angeles. Following informal consultations with members and staff of the Governor's Commission on the Los Angeles Riots (The McCone Commission) the Subcommittee decided to postpone any recommendations until the McCone Commission had been afforded an opportunity to conduct its investigation and make its findings and recommendations.

On December 2, 1965, the McCone Commission published its report which was reviewed and analyzed by the Southern California Subcommittee and reported to the California Advisory Committee for consideration and action. Accordingly, the California Advisory Committee deems it appropriate to submit to the United States Commission on Civil Rights, its views concerning: (1) the extent to which the recommendations contained in the McCone Commission Report might assist in resolving the underlying problems; (2) the possible need for Federal assistance with respect to implementation of the McCone Commission report; and (3) the extent to which the McCone Commission Report fails to consider or resolve essential issues, particularly in areas where Federal action might be appropriate.

THE McCONE COMMISSION REPORT - A BITTER DISAPPOINTMENT

We are sorely disappointed by the McCone Commission Report. Although there are a number of constructive suggestions which the Commission proposed, we feel the report falls far short of even the Commission's own view of its role. Certainly, it does not begin to deal adequately with the underlying problems. It prescribes aspirin where surgery is required.

The McCone Commission states, "Perhaps for the first time our report will bring into clear focus for all the citizens to see, the economic and sociological conditions in our city that underlay the gathering anger" With a budget of approximately \$250,000.00, a professional staff of 30, a secretarial staff of 15, and the services of 26 consultants, this might not have been too much to ask. Yet, the McCone Commission fails in this assignment. The report is elementary, superficial, unoriginal and unimaginative. It offers little, if anything, in the way of a study of economic and sociological conditions not previously available in published reports of public agencies such as the Los Angeles County Commission on Human Relations. In fact, we believe that a recently printed series of articles on Southeast Los Angeles in the Los Angeles Times, at no expense to the public, provides a far better and more well-informed picture of the economic and sociological conditions in our city.

Further, the report demonstrates a surprising ignorance of studies conducted by other groups. It fails to note the warnings of potential trouble in Los Angeles -- warnings which our public officials chose to ignore or scoff at. We are particularly mindful of the excellent report to the Attorney-General of California prepared by Assistant Attorney-General Howard Jewell, May 25, 1964, in which he specifically and unmistakably warned that the bitter conflict between the Chief of Police, William H. Parker, and the civil rights movement might well lead to riots and violence in the streets of Los Angeles. Jewell noted, "The evidence from Los Angeles is ominous." He pleaded for immediate action, saying, "I think it is truly a situation in which a stitch in time would save nine." In his report Jewell quoted the perceptive warning of a member of this Advisory Committee, Judge Loren Miller. The Jewell report quotes Judge Miller as follows: "Violence in Los Angeles is inevitable. Nothing can or will be done about it until after the fact. Then there will be the appointment of a commission which will damn the civil rights leaders and the Chief alike." Judge Miller's prediction was in error only to the extent that the McCone Commission failed to levy the criticism against Chief Parker which was so obviously called for.

In view of the Jewell report and other similar studies, we cannot help but feel that the absence of constructive steps to avert a riot, and the lack of preparation for dealing with one when it occurred, constituted acts of gross negligence on the part of local officials, including Mayor Yorty and Chief of Police Parker. The McCone Commission says, in an unconvincing manner, "Perhaps the people of Los Angeles should have seen trouble gathering under the surface calm." This observation misses the point completely. The officials of Los Angeles were expressly warned of the possibility of riots, failed to act, and instead chose to label those who cried out for reform as troublemakers or rabble-rousers.

We also find running through the McCone Commission Report a marked and surprising lack of understanding of the civil rights movement and a tendency to criticize those who ask for a redress of grievances rather than those who deprive citizens of their constitutional rights. For example, the McCone Commission attributes the riot in part to those who in the year preceding its occurrence urged action "to right a wide variety of wrongs, real and supposed." We think this conclusion readily lends itself to misinterpretation and plays into the hands of those who seek to stifle the civil rights movement.

The paragraph in the report which immediately follows the above quotation attributes the riot in part to the fact that "many Negroes here felt and were encouraged to feel that they had been affronted by the passage of Proposition 14."^{1/} Here again, we see the basic failure of the McCone Commission to concern itself with essential issues.

We believe that the passage of Proposition 14 contributed to the tensions and resentment in the Negro community. That it would do so was obvious. Yet, the McCone Commission has no comment to make concerning Proposition 14 itself. The McCone Commission fails to mention that Proposition 14 dealt a serious blow to the cause of equal rights and equal opportunities. Instead of considering the primary issue (Proposition 14), the McCone Commission appears to cluck regretfully over the fact of Negro reaction to an injustice. We are not certain why the McCone Commission felt compelled to observe that Negroes were "encouraged" to feel affronted, or who the McCone Commission believes encouraged Negroes to do so. Although the McCone Commission apparently failed to appreciate the significance of Proposition 14, the Negro community did not. It needed no encouragement. Nevertheless, we are distressed by the implication here and elsewhere in the McCone Commission Report that those who criticized Proposition 14, or called for action in the area of social reform, are somehow to blame for the riot. Again, we feel that the McCone Commission Report lends itself to misinterpretation and plays into the hands of those who would silence the voice of protest.

^{1/} Proposition 14, adopted as an amendment to California State Constitution in a November 3, 1964 initiative measure, prohibited either the State or any subdivision from making or enforcing fair housing legislation. Constitution of the State of California, Art 1, Section 26.

We are deeply concerned over the effect which the patent failure of the McCone Commission to fulfill its assignment may have on the Negro community. As the McCone Commission recognizes, the situation in Southeast Los Angeles remains tense and highly explosive. The community had placed high hopes in the McCone Commission. This Fall we were advised by John Buggs, Executive Director of the Los Angeles County Commission on Human Relations, that if the McCone Commission did not fulfill these hopes the existing tensions would be substantially increased. We regret to say that the Southeast Los Angeles community has concluded, with justification, that the McCone Commission failed in its mission. Thus, the need for affirmative action is even more critical than it was before.

POLICE - COMMUNITY RELATIONS

The McCone Commission Report recognizes that every "riot" which occurred in 1964 "was started over a police incident, just as the Los Angeles riot started with the arrest of Marquette Frye." The Commission further recognizes that there is a burning concern in the Negro population over police practices. The Commission was charged by Governor Brown with determining whether "these attitudes on the part of the Negro Community are supported by fact and reason." Nevertheless, the McCone Commission failed totally to make any findings concerning the existence or nonexistence of police malpractices, or the justification, or lack thereof, of the almost universal feeling on the part of Negroes that such malpractices exist to a significant degree.

We consider the portion of the McCone Commission Report which deals with police - community relations to be a step backward. The Negro community assumed justifiably, based on Governor Brown's charge to the Commission, that it would provide a forum for the determination of its complaints against the Police Department. A large number of specific cases were presented to the McCone Commission, but the Commission failed to consider them. This we regret deeply.

Although the McCone Commission expressly refused to pass judgment on the validity of complaints of police malpractice, it did not allow its failure to resolve this essential issue to inhibit it from warning against the grave dangers inherent in criticizing the Police Department. In effect, it called for an end to criticism of Chief Parker and the Department. How it could do so, after confessing its unwillingness to determine whether such criticism is meritorious, escapes us. Nevertheless, in its section on police - community relations the McCone Commission again engaged in one of its exercises in reverse logic, in which the people who protest injustice are found to be jeopardizing our society, rather than those whose acts give rise to the criticism. We are particularly struck by the following sentence. "The fact that this charge (police brutality) is repeatedly made must not go unnoticed, for there is a real danger that persistent criticism will reduce and perhaps destroy the effectiveness of law enforcement." While we too are concerned over criticism of the police, we believe that this criticism is not only proper, but necessary, if Negro citizens are

not receiving equal treatment under the law. We call not for an end to criticism, but for an impartial investigation which will determine whether Negro citizens in Los Angeles are receiving the rights to which they are entitled under our Constitution.

We also consider that the McCone Commission failed in its treatment of the subject of police attitudes and particularly those of the administration of the Police Department. Although the Commission recommended the institution of an Inspector General system, increased efforts in the area of police - community relations, and more frequent meetings of the Police Commission, these recommendations fall far short of a serious treatment of the problem. We conclude, regretfully, that the McCone Commission in effect whitewashed Chief Parker and the administration of the Police Department.

We note with interest the annual report of the Los Angeles Police Department covering police activities during the year of 1964. This report demonstrates a persistent and continued refusal to recognize the problems of police - community relations. It demonstrates a complacency that can be explained only by a lack of understanding on the part of the Police Department of the problems and attitudes of the minority community. It appears to ignore the repeated warnings that police attitudes required correction, and rejects clear warnings of impending trouble. The only portion of the report which deals in any way with police - community relations consists primarily of self-praise mixed with scorn for "false prophets" who warned of violence "in the streets of this city." Rather than treat the subject seriously, the annual report chose to castigate the courts, at length, for seeking to protect constitutional rights.

For years, police officials, and particularly Chief Parker, have turned a deaf ear to the complaints of Negro citizens of Los Angeles. Chief Parker has constantly refused to meet with Negro leaders, has challenged their right to represent their community, and has disparaged the civil rights movement. His refusal to recognize the very existence of the problem of police - community relations is exemplified by his statement to our California Advisory Committee in the Fall of 1962. "Basically, I do not believe that there is any difficult problem existing in the relationship between the Los Angeles Police Department and the Negro community." The extent to which these attitudes on the part of the police administration contributed to the tension in August 1965, is immeasurable. We fear that the McCone Commission Report will provide justification for Chief Parker to continue to refuse to recognize the civil rights movement and to continue to underestimate the seriousness of the breakdown in police - community relations which exists in Los Angeles. This, too, we regret deeply.

Finally, with respect to police - community relations, we are surprised by the failure of the McCone Commission to mention or consider the invasion of the Muslim Temple by 60 police officers, the attendant wounding of a number of Muslims in the Temple, and the destruction of Temple property. We express no views concerning the

police action involved. We can say, however, that the episode was most serious and that the allegations of denials of constitutional rights have been forcefully presented. The circumstances surrounding the armed invasion of the Muslim Temple are such as clearly warrant full investigation. Rather than request a Federal hearing, we contacted the McCone Commission and asked whether it would investigate this episode and whether such investigation would constitute a significant part of the work of the Committee. The Muslim Temple episode clearly fell within the charge given the Committee by the Governor. We were assured by the McCone Commission that it considered the Muslim Temple episode of substantial significance and that it would treat it fully. Nevertheless, the report of the McCone Commission fails to contain a single word concerning the Muslim Temple incident. This, we do not understand.

OTHER OFFICIAL ATTITUDES AND ACTIONS

We do not believe that any report can be effective if it seeks to avoid fixing responsibility for basic failures. While criticism for criticism's sake serves no useful purpose, the failure to criticize where criticism is justified can only encourage those whose actions contributed to the problems which existed in Los Angeles in August of 1965, and exist today. Official attitudes towards the Negro community are of major importance in determining whether harmonious relations between majority and minority groups will exist. Where such official attitudes are unresponsive to the needs of the Negro community, it may be expected that the community will be restless and dissatisfied. We believe that the attitudes and actions of Mayor Yorty prior to and during the riot contributed substantially to its existence and duration. In fact, throughout the City administration there has been a demonstrable lack of understanding and concern for the Negro community. This fact must be recognized if official attitudes are to be changed.

The Mayor of Los Angeles, Samuel Yorty, has apparently been more interested in travels, national and international, than he has in visiting the Negro community. During the riots he absented himself from Los Angeles; one day he visited San Diego and on another day spoke to a group of business leaders at the Commonwealth Club in San Francisco. Since the riot, he has shown far less interest in resolving the issues in Southeast Los Angeles than he has in traveling to South Viet Nam. Although our peripatetic Mayor appears to consider himself under a duty to advise the President concerning foreign policy, in the opinion of the Committee he has shown little interest in, or capacity for, resolving issues of race relations in Los Angeles.

The McCone Commission's failure to recognize the need for a change in the attitudes on the part of City officials constitutes a positive disservice to the ostensible objectives of the Commission. We might point out that the failure to criticize does not appear to

stem from a desire on the part of the McCone Commission to limit itself to constructive suggestions. It did not hesitate to criticize Negro spokesmen and civil rights leaders, though not by name, in various portions of its report. Nor, did it hesitate to criticize an individual by name when it appeared a scapegoat was needed.

The individual the McCone Commission chose to criticize was the Lieutenant-Governor of California, Glenn M. Anderson. This criticism we find wholly unwarranted.

The criticism of Lieutenant-Governor Anderson stemmed from the fact that he called out the National Guard shortly before 4:00 p.m. on Friday, August 13. The McCone Commission notes that Chief Parker's request that the Guard be called out was made around 11:00 a.m. that day. The McCone Commission also notes, however, that at 1:00 p.m., after consultation with Guard officers and civilian officials, Lieutenant-Governor Anderson ordered that the Guard be assembled at the armories at 5:00 p.m. General Hill, Adjutant General and Commander of the Guard, had advised Anderson that 5:00 p.m. was the earliest hour at which the troops could be assembled. The delay which the Commission appears to criticize is the two-hour period between 11:00 a.m. and 1:00 p.m. This "delay" was occasioned by the fact that Anderson, who was in Berkeley attending a meeting of the Board of Regents of the much troubled University of California, desired to consult with Guard officers and civilian officials before committing the Guard to action. He flew to Sacramento to meet with General Hill immediately upon being advised of Chief Parker's request.

We have several comments on the above facts. First, Lieutenant-Governor Anderson left Los Angeles for Berkeley on Friday the 13th because he was assured on that morning by the Los Angeles Police Department that "the situation was rather well in hand," which advice subsequently proved to be erroneous. Second, we do not agree that the Lieutenant-Governor should have called out the Guard merely on the basis of telephone reports. We think that a decision to send the Guard into a ghetto area to quell racial troubles should be made only after careful analysis and consideration. We do not believe that a two-hour period in which to determine this grave question is unreasonable. Nor do we believe that a desire to consult personally with responsible officials is unwarranted.

We note, though the McCone Commission did not, that the Guard was probably mobilized more rapidly and more efficiently in this instance than on any other occasion in the history of this country on which the Guard has been requested to quell civil disobedience. We also note that no deaths had occurred prior to the calling out of the Guard. While property destruction was severe and even disastrous, we can well understand the reluctance of the Lieutenant-Governor to order armed troops into action without adequate consultation with Guard officials. The fact is that following the calling out of the Guard, 34 human beings were killed--almost all Negroes.

These deaths may well have been inevitable, but they help us understand the desire of the Lieutenant-Governor for careful deliberation before ordering troops into action.

We are disturbed not only by what we believe to be the McCone Commission's unfair evaluation of the facts set forth above, but the glaring omissions in this portion of the McCone Commission's report. General Hill stated at a press conference on Sunday, August 15, in Los Angeles, "there was no more delay when the formal request was made Friday morning than if the authorization had been signed immediately, and no later, in Los Angeles." (UPI) The failure of the Commission to deal with this statement causes us serious misgivings. Moreover, the Commission notes the fact that Mayor Yorty and Chief Parker decided at 9:15 a.m. to call the Guard. It also notes that the call from Chief Parker to state officials was made more than an hour and one-half later. Yet there is no word of personal criticism in the report of Mayor Yorty or Chief Parker.

We seriously question the objectivity of the portion of the McCone Commission Report which criticizes Lieutenant-Governor Anderson -- especially in view of the Commission's failure to criticize any other public official, even where in our opinion serious criticism was obviously called for. We do so regretfully but we believe that the Commission's unwarranted attack of Lieutenant-Governor Anderson has done a grave injustice to an outstanding public official and a disservice to our state. We are especially concerned that this criticism was levelled at a person who has a record of affirmative activity in the field of civil rights. We hope that the injustice can be remedied.

AREAS OF POSSIBLE FEDERAL IMPLEMENTATION
OF McCONE COMMISSION REPORT

General Observations

The remainder of this report will be devoted to a consideration of those areas in which direct Federal action, particularly the expenditure of Federal funds, is required. The McCone Commission made a number of specific recommendations in the fields of education, employment and housing. In each of these areas we believe that the recommendations made by the McCone Commission are wholly inadequate. In some of these areas we think that the inadequacy of the McCone Commission's recommendations stems from a basic failure to comprehend the nature or significance of the underlying problem. Nevertheless, we believe that the specific recommendations if enacted would constitute a step forward. The very fact that the recommendations were made is of great significance, for a number of proposals which previously lacked sufficient public support may now find a climate of public acceptance. In this respect the McCone Commission has rendered a worthwhile public service.

Preliminarily, we should note our endorsement of the specific steps proposed by the McCone Commission in the areas of education, employment and housing. We are concerned, however, that consideration of these proposals may blind state and local officials to the need for continued efforts to find more basic solutions to the underlying problems. If the specific steps suggested by the McCone Commission are treated as essential preliminaries to a more serious treatment of the issues, they will prove of substantial value. If they are treated as a solution to the problem, more harm than good will have been accomplished. In this respect it is our impression that the McCone Commission realized the limitations of its report. We believe it attempted to suggest only programs which it thought would find ready acceptance. However, we also believe that the McCone Commission underestimated the willingness of governmental agencies, Federal and State, to devote their resources and efforts to providing a solution to problems which must at all costs be solved. In our opinion, it set its sights too low.

Even the limited specific proposals made by the McCone Commission require the participation of the Federal Government if they are to be realized. Governor Brown and Mayor Yorty have met to discuss the financing of the programs suggested by the McCone Commission Report. They each have announced separately that substantial Federal funds will be necessary if effective action is to be taken. The State and City have established a committee to work on joint implementation of the McCone Commission recommendations. In view of the request for Federal assistance already made by the Governor and the Mayor, we believe that the Federal Government should assign a full-time official to participate

in the implementation of the recommendations of the McCone Commission. This assignment should be made immediately.

Housing

We believe that the portion of the McCone Commission Report which deals with housing fails completely to deal with the essential issues. The report leaves the impression that the fact that Los Angeles is a segregated community is a result primarily of the voluntary actions of Negroes, compounded by the existence of restrictive covenants. While these factors obviously contributed to the existence of segregated communities, we are concerned that the McCone Commission failed to recognize the adverse effect of past governmental actions as a major force contributing to the creation of segregated communities. Although the McCone Commission was fully advised of the extent to which location of subsidized low-cost housing projects in ghetto areas contributed to the present pattern of discrimination in Los Angeles, it failed to acknowledge this fact. We believe that the pattern of government-sponsored segregated housing must be reversed by affirmative governmental action. Deliberate efforts must be made to create integrated low-cost housing developments, and to locate housing projects in areas where integration is practical. We do not underestimate the extent to which the Federal Government can, when it desires to do so, influence the actions of private sectors of the economy, particularly where the use of Federal funds or guarantees is involved.

We are disturbed by the McCone Commission's failure to treat the existence of segregated communities as a major issue. The section of the report dealing with housing consists mainly of an historical discussion and a few minor suggestions for improving life in the ghetto. In our view, most of the evils discussed in other sections of the McCone Commission Report stem from the very existence of the ghetto system. Unless this fact is recognized, all of the recommendations offered by the McCone Commission will, in the long run, be meaningless. We think a frontal assault of segregated communities is essential. Immediate attention should be given by the Federal Government to developing methods of breaking up the ghettos. We would suggest that this issue be given priority by the new Department of Housing and Urban Development and that the housing problem in Los Angeles receive first attention.

Certain steps, in our opinion, should be taken immediately. Among these we would include the expansion of the Executive Order 11063 regarding discrimination in housing which covers only a small proportion of present housing. We would also include the adoption of regulations governing savings and loan institutions and banks subject to the jurisdiction of agencies such as the Federal Home Loan Bank Board and the

Federal Deposit Insurance Corporation or which are otherwise subject to such regulation. The Executive Order and regulations should require as a condition to the lending of funds for housing construction the execution of nondiscrimination covenants.

Education

With respect to education, we also believe that the McCone Commission recommendations misconceive the basic issue. While we endorse the specific proposals for reduction in class size and the institution of pre-school programs, we do not agree with the premise that an end to de facto segregation can be accomplished by improving the level of education in minority areas. We find that the McCone Commission's recommendations are deficient as a result of the failure of the Commission to focus on the primary goal of eliminating de facto segregation and a failure to note the relationship between segregated education and segregated housing.

The McCone Commission devotes most of the section of the report on education to seeking to find methods of improving facilities in the ghetto areas. We find this approach to be strikingly reminiscent of the Southern solution to educational problems prior to the 1954 Supreme Court decisions in the school segregation cases. The Southern solution, whenever complaints were made concerning educational opportunities for Negroes, was to urge the improvement of Negro facilities so as to make them equal to those which existed in white areas. We agree that the facilities in Negro areas should be improved, but we do not believe that such improvement will add materially to solving the problem of de facto segregation. Nor do we think that separate but equal "or even better" is enough in Los Angeles in 1965. The problem of our segregated school system must be recognized and met head-on without further delay.

We believe that de facto segregation can best be ended by a frontal attack on the system of segregated communities. We think, however, that at the same time an effort must be made directly in the area of education. This can be accomplished in several ways. One is to insist that new schools be constructed in locations which will draw students from both white and Negro communities. Another is to modify the doctrine that attendance in all schools must be based solely on neighborhood patterns. These are problems which the McCone Commission ignored. They also ignored the ruling of the California Supreme Court that because de facto segregation denies a pupil equal protection of the laws and due process of law, school officials must not only refrain from intentionally causing segregated schooling but are under a duty to take affirmative steps to end it.^{2/}

^{2/} Jackson v. Pasadena City School District, 31 Cal. Repr. 606, 382 P. 2d 878 (1963).

While we do not recommend any particular alternatives to the present system, we find that there is an urgent legal and moral necessity for consideration of such alternatives.

Employment

We feel that the McCone Commission recommendations with respect to employment are also inadequate. Again, we agree that the specific proposals contained in the McCone Commission Report should be adopted. We find two basic shortcomings, however, in the approach of the McCone Commission. First, we strongly disagree with the McCone Commission's rejection of Governor Brown's suggestion for an immediate Federally-financed program to create additional jobs. With respect to the Governor's suggestion, the McCone Commission comments, "Since we are somewhat skeptical about the feasibility of this program (especially as to the capacity of the unemployed in the disadvantaged areas to fulfill the jobs specified), we feel it should be tested on a pilot basis before a massive program is launched."

We believe that there is an urgent need for a massive program to create additional jobs and that it should be launched immediately. We think that job training for presently existing jobs does not provide an answer to our problem -- particularly in view of the increasing rate of automation. We favor the enactment of a substantial program of public works which will offer immediate employment to a large number of those currently unemployed and at the same time will permit the construction of much needed facilities, particularly in minority areas. We do not believe that a public works program constitutes a utopian concept in our "great society." To the contrary, we feel that job training for unemployed Negroes can only give rise to false hopes and produce additional bitterness unless a substantial number of additional jobs are created by Federal action.

We also believe that the McCone Commission did not recognize the failure of present programs to concentrate sufficiently on the problem of unemployment of those who are presently heads of families. We believe that while youth training and youth counseling are essential in order to avoid a new generation of unemployed, we cannot afford to abandon the older unemployed. We do not single out the McCone Commission for criticism in this respect. It is our feeling, however, that the Commission did not give sufficient attention to the need for concentrated efforts to solve the immediate problem of unemployment for so many heads of Negro families.

Public Welfare

The McCone Commission Report was quite critical of the administration of welfare programs. Its criticisms were made however, by way of raising questions rather than answering them. The questions raised are disturbing and they create implications which, if untrue, do a serious disservice to the entire system of public welfare. We note for example, the following three sentences in the McCone Commission Report: "However, the increase in AFDC [Aid to Families with Dependent Children] expenditures, coupled with the increase in population, raises a question in the minds of some whether the generosity of the California welfare program compared with those in the southern and southwestern states is not one of the factors causing the heavy immigration of disadvantaged people to Los Angeles 'We are assured that many of the present recipients would rather have work than welfare, but the simple arithmetic of the matter makes us uncertain 'Indeed, we were told that the 18 year old girl who is no longer eligible for assistance when living with her mother may have considerable incentive to become a mother herself so as to be eligible again as the head of a new family group."

With respect to the statements quoted above, we find it regrettable that the McCone Commission felt it necessary to raise such important questions but was incapable of answering them. Nevertheless, in view of the substantial contributions of the Federal Government to the Public Welfare program in Los Angeles County (42 percent according to the McCone Commission), we believe that the questions raised by the McCone Commission require an answer. We note that one of the two Negro members of the McCone Commission vigorously dissented from this portion of the report. However, we believe that the report itself cannot help but undermine public confidence in the public welfare program. In view of the McCone Commission's unwillingness to reach conclusions concerning the basic questions raised by it, we see no alternative to an immediate Federal study which will either justify the newly-created lack of public confidence or restore that confidence and lay the McCone Commission's insinuations to rest.

Coordination of Federal Programs

We also note the McCone Commission findings with respect to the dispersal and lack of coordination of Federal programs for administering funds in minority areas. Here, we believe the McCone Commission's Report points up an area where positive action is required. We believe that the Federal Government should give immediate consideration to consolidation and integration of Federally administered or supported programs, and to improving the channels of disseminating information concerning the availability of Federal assistance.

CONCLUSIONS AND RECOMMENDATIONS

We are in full agreement with the McCone Commission's description of the present state of affairs in Los Angeles. The Commission stated, "We are seriously concerned that the existing breach, if allowed to persist, could in time split our city irretrievably. So serious and so explosive is the situation that, unless it is changed, the August riots may seem by comparison to be only a curtain-raiser for what could blow up one day in the future." It is because we agree with this basic view expressed by the McCone Commission that we are so deeply disappointed by its failure to render a report which meets even the minimum hopes, expectations or needs of the minority community. It is also because we believe that local and State authorities have failed to cope with a "clear and present danger" that we feel compelled to report the need for vigorous Federal action.

Two years ago we reported the existence of a crisis in police - community relations to the United States Commission on Civil Rights and urged it to consider scheduling hearings in Los Angeles concerning this subject. We believe that this crisis still exists. We think that the report of the McCone Commission makes it even more imperative that the United States Commission on Civil Rights now hold hearings in Los Angeles.

We would now urge, however, that the Commission on Civil Rights schedule hearings far broader in scope than those originally suggested by our Committee. We think that immediate Federal action is required in the areas of education, employment and housing.

The Committee recommends a four-part program to meet the present crisis:

First, we suggest the immediate assignment of a full-time, high-level Federal official to the Los Angeles area for a period of at least six months, and that he be vested with sufficient authority to make and implement the necessary decisions concerning the allocation and expenditures of Federal funds. Such a Federal official should be assigned the following duties, among others:

- (A) Coordination of existing Federal programs;
- (B) Participation in the current state - city studies regarding implementation of the recommendations of the McCone Commission;
- (C) Investigation of the availability for immediate use in the Los Angeles area of additional Federal funds;
- (D) Establishment of an immediate "crash program" for assisting the unemployed to obtain employment both from existing job vacancies and by the creation of new jobs through the use of Federal funds.

Second, we urge the immediate expansion of the Presidential Executive Order relating to discrimination in housing. We also urge that regulations be adopted requiring nondiscrimination covenants as a condition to the lending of funds for housing construction by banks and savings and loan institutions whose deposits are insured by Federal agencies, or who are otherwise subject to such regulations.

Third, we suggest that the new Department of Housing and Urban Development designate Los Angeles as an area for top priority attention. Every effort should be exerted in the development of all Federal resources toward alleviating the present crisis.

Fourth, we recommend that the United States Commission on Civil Rights schedule hearings in Los Angeles at the earliest possible date. We believe that the hearings should cover the following subjects:

- (A) Police - Community Relations. In this connection we believe the U.S. Commission on Civil Rights must assume the responsibility abdicated by the McCone Commission of determining whether justification exists for continued Negro complaints concerning police malpractices. We also believe that the Commission must inquire into the alleged serious violation of constitutional rights in connection with the Muslim Temple episode;
- (B) Employment, Education, Housing and Public Welfare. We believe that there are immediate problems in employment, education and housing which cannot await the scheduling of hearings by the Commission on Civil Rights. For this reason we have suggested the assignment of a full-time Federal official to deal with the immediate problems. However, we believe that the underlying problems not faced by the McCone Commission are also urgent. We think that the U.S. Commission on Civil Rights is best equipped to deal with these basic issues and to recommend long-range programs and ideas. We think that full-scale efforts must be made to develop new programs which strike at the heart of segregated communities, segregated education and lack of employment opportunities. It is clear that these conditions all exist to an aggravated degree in the Los Angeles area.

Solutions which go way beyond the minor corrective steps suggested by the McCone Commission must be found. We conclude, with reluctance, that such solutions will be explored and adopted only if the Federal Government takes the initiative. Unless Federal action is forthcoming, and without delay, we believe that no substantial progress will be made towards curing the ills which led to the August riot.

DISSENTING STATEMENT
Submitted by Member
R. J. Carreon, Jr.

As a member of the Southern California Advisory Committee to your honorable body, I respectfully, though emphatically, wish to express my disagreement with some of the findings and conclusions arrived at by our group which met during the past weekend to evaluate the report on the McCone Commission recommendations concerning the August riots in Los Angeles. I did not attend said meeting because I was not available until two days after it was held.

I am in agreement with the Advisory Committee Report except for the portion which deals with law enforcement, particularly as it relates to the Los Angeles Police Department. My reasons for disagreeing with that portion of the Advisory Committee Report are set forth below.

Because of my years of devotion to the cause of equality in civil and human rights and being a member of a deeply affected minority, shortly after the Watts Riots I accepted reappointment to the (Civilian) Police Commission of Los Angeles. As I expected, this position afforded me an inside view to the accusations and counter-accusations which followed the tragic events. Based on my long experience with the Mexican-American minority problems, my advantageous observation position and my sense of fair play, I have the following impressions regarding our report to you.

1. Generally, it is expertly presented with the specific purpose of erroneously placing all the blame for the rioting, looting, killing and arson on the law enforcement agencies in general, and the Los Angeles Police Department in particular. Chief William H. Parker, a national symbol of police honesty, discipline and integrity has been made the principal target of senseless tirades. His surrender to the forces of evil and civil disobedience, under any pretense, is impossible.

2. The McCone Commission, which rightfully requested specific complaints of Police malpractice, was "swamped" with seventy such grievances. Of these, 55% were against the Sheriff's Departments, and some against the California Highway Patrol. Of the less than 30 complaints against the local police, some are over a year old, but all are being very carefully investigated, as are all complaints customarily, and the guilty, I know, will be punished.

3. The McCone Commission Report, which I have studied from the day it was first available, is the result of intensive study and evaluation of facts by a blue ribbon cross section of devoted public-minded individuals. These experts have analyzed the symptoms and recommended treatments which may fall short, but a cure-all should not be expected, as our Committee would want and presumes to have.

4. Certainly civil rights, as well as police - community relations problems exist in this area as elsewhere. We also have housing, equality of opportunity and employment deficiencies to alleviate. I for one certainly welcome a U.S. Commission on Civil Rights meeting here anytime

but fail to see how it can creat a utopia which would summarily appease all of us interested in the civil rights image of our country and the genuine welfare of all our fellow citizens.

Finally, I wish to assure you that the Police Department, as well as other City, County and State agencies are already implementing some of the recommendations contained in the material of the McCone Commission report to our Governor.

GENERAL SERVICES ADMINISTRATION ROUTING SLIP											
TO	CO	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
NAME AND/OR SYMBOL						BUILDING, ROOM, ETC					
1.	<i>Mr. Dayton</i>										
2.											
3.											
4.											
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<input type="checkbox"/> ALLOTMENT SYMBOL		<input type="checkbox"/> HANDLE DIRECT		<input type="checkbox"/> READ AND DESTROY		<input type="checkbox"/> APPROVAL		<input type="checkbox"/> IMMEDIATE ACTION		<input type="checkbox"/> RECOMMENDATION	
<input type="checkbox"/> AS REQUESTED		<input type="checkbox"/> INITIALS		<input type="checkbox"/> SEE ME		<input type="checkbox"/> CONCURRENCE		<input type="checkbox"/> NECESSARY ACTION		<input type="checkbox"/> SIGNATURE	
<input type="checkbox"/> CORRECTION		<input type="checkbox"/> NOTE AND RETURN		<input type="checkbox"/> YOUR COMMENT		<input type="checkbox"/> FILING		<input type="checkbox"/> PER OUR CONVERSATION		<input type="checkbox"/> YOUR INFORMATION	
<input type="checkbox"/> FULL REPORT		<input type="checkbox"/> PER TELEPHONE CONVERSATION		<input type="checkbox"/>		<input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____		<input type="checkbox"/>		<input type="checkbox"/>	
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REMARKS											
FROM	CO	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
NAME AND/OR SYMBOL						BUILDING, ROOM, ETC					
<i>Samuel Johnson</i>											
TELEPHONE						DATE <i>1/19/62</i>					

✓

Sent to: Carl Maxey John Binkley
 1015 South F Street Olympia Hotel
 Spokane, Washington Room 789
 Seattle, Washington

The Department of Justice has informed us that the Rees case is still under active consideration. Although an FBI investigation has been conducted the case must be further investigated before the Department can make a final decision. In view of this fact, the Department has requested that the Washington State Advisory Committee to the U.S. Commission on Civil Rights not solicit or hear testimony relating to the merits or substance of this matter at the open meeting to be held in Seattle January 19-21. If necessary and appropriate the Commission will assist the Committee in holding further meetings relating to this matter when the Department of Justice has taken final action.

Pan American Medical Eye Group

DR. R. J. CARREON JR. AND STAFF
424 SOUTH BROADWAY 2ND. FLOOR
MADISON 8-5179
LOS ANGELES 19, CALIFORNIA
December 21, 1965

U. S. Commission on Civil Rights
1701 Pennsylvania Ave.
Washington, D. C.

Gentlemen:

As a member of the Southern California Advisory Committee to your Honorable Body, I respectfully, though emphatically, wish to express my disagreement with some of the findings and conclusions arrived at by our group which met during the past week-end to evaluate and report on the McCone Commission recommendations concerning the August riots in Los Angeles. I did not attend said meeting because I was not notified of it until 2 days after it was held.

Because of my many years of devotion to the cause of equality in Civil and Human Rights and being a member of a deeply affected minority, shortly after the Watts Riots I accepted an appointment to the (Civilian) Police Commission of Los Angeles. As I expected, this position afforded me an inside view to the accusations and counter-accusations which followed the tragic events. Based on my long experience with the Mexican-American minority problems, my advantageous observation position and my sense of fair play, I have the following impressions regarding our report to you:

1. Generally, it is expertly presented with the specific purpose of erroneously placing all the blame for the rioting, looting, killing and arson on the Law Enforcement agencies in general, and the Los Angeles Police Department in particular. Chief William H. Parker, a national symbol of Police honesty, discipline and integrity has been made the principal target of senseless tirades. His surrender to the forces of evil and Civil disobedience, under any pretense, is impossible.
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-U. S. Commission on Civil Rights
- Dec. 21, 1965

2.

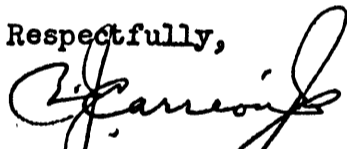
Pan American Medical Eye Group

DR. R. J. CARREON JR. AND STAFF
424 SOUTH BROADWAY 2ND. FLOOR
MADISON 8-5178
LOS ANGELES 13, CALIFORNIA

4. Certainly Civil Rights, as well as Police-Community Relations problems exist in this area as elsewhere. We also have Housing, Equality of opportunity and Employment deficiencies to alleviate. I for one certainly welcome a U. S. Commission meeting here anytime, but fail to see how it can create an Utopia which would summarily appease all of us interested in the Civil Rights image of our Country and the genuine welfare of all our fellow citizens.

Finally, I wish to assure you that the Police Department, as well as other City, County and State Agencies are already implementing some of the recommendations contained in the material of the McCone Commission report to our Governor.

Respectfully,



R. J. Carreon, Jr., M.D.

File

February 16, 1965

Miss Judith C. Smith
Northwestern University Law School
Evanston, Illinois

Dear Miss Smith:

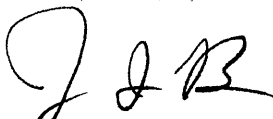
I have received from Bishop Pike your letter of inquiry regarding employment with the California Advisory Committee, and also his reply to you.

His explanation that the California State Advisory Committee does not have funds for employing staff is true of all the State Advisory Committees to the Commission on Civil Rights, however, we would be happy to consider you for summer employment in the Commission offices in Washington, D.C.

If you are interested in summer work, please send a resume directly to Mr. Warren I. Calkins, Special Assistant to the Staff Director, U.S. Commission on Civil Rights.

Thank you for your interest in our work.

Very truly yours,



John I. Binkley
Deputy Director
Field Services Division

cc:
Bishop Pike
W. Calkins

Handwritten notes:
X
12-24
Bishop Pike
12/24/64

December 24, 1964

The Right Reverend James A. Pike
Chairman
California State Advisory Committee
1055 Taylor Street
San Francisco, California 94108

Dear Bishop Pike:

I well recall the Commission discussion last June of your request for a hearing in Oakland. As you know, we found it impossible to act favorably on your request at that time.

We share your concern about the far-reaching implications of the action on Proposition 13. This matter is receiving national attention by individuals and organizations, both public and private, who share a continuing responsibility or concern in the area of equal housing opportunity.

The Commission has gone through a most difficult year. Vacancies in Commission membership have only recently been filled. The 14-month vacancy in the staff directorship is only now being acted upon. A major rebuilding of the staff is being completed. During the period, the Congress gave us new responsibilities which we have had to move forward on.

We are presently in the final stages of preparation for a major hearing in Mississippi in February. Several Commission reports are awaiting final Commission consideration and action before their publication and release during the next few months.


For these reasons, I must say that I see no possibility of a Commission hearing in California in the foreseeable future. This should not discourage you and your Committee in your efforts.

Recent strengthening of Commission staff should result in better and more comprehensive service to advisory committees. I am sure that Mr. Simmons and his staff will work with you on a meaningful program in California.

Your personal efforts and those of your Committee are recognized and deeply appreciated. I regret that the Commission is unable to return to California for the purpose you outline.

Sincerely yours,

John A. Hannah
Chairman



cc: Mr. Summit

HW Rogerson/pr
12/24/64

COMMISSION ON CIVIL RIGHTS
WASHINGTON 25, D. C.

December 29, 1964

Dear Howard:

In response to yours of the 24th, I have rewritten the letter to Bishop Pike and have signed the new letter and am returning it herewith so that if you approve of it you can mail it out. If you do not approve of it, we can take another look at it.

The letter from Bishop Pike is really a letter to the Commission and I think should be handled as such, and you will notice that I changed the nature of the response to indicate that his letter will receive the attention of the Commission at our January 7 meeting.

If you approve of the letter as I have signed it, I assume you will mail it out. If you do not approve it, we can discuss it by phone or you can hold it until after the December meeting.

Sincerely,


Chairman

Mr. Howard W. Rogerson
Acting Staff Director
Commission on Civil Rights
701 Pennsylvania Avenue, N.W.
Washington, D. C. 20425

rj



The Daily Times

Press-Radio Center, Telephone 532-6211

Gainesville, Georgia

December 21, 1964

Sylvan Meyer

Dr. John A. Hannah
Chairman
US Commission on Civil Rights
Washington, D.C.

Dear Dr. Hannah:

After seven years as chairman of the Georgia Advisory Committee, I respectfully ask you to accept my resignation effective Feb. 1, 1965, or sooner if I can be replaced before that date.

With the growing obligations of the state committee, I can no longer perform the duties of office adequately and still fulfill other personal and business responsibilities.

I appreciate the opportunity the Commission has given me to serve and think the Georgia Committee is now well able to perform without me. Some one else should now have the privilege of working with the fine people who have given me such good support and cooperation.

Permit me to say, also, that with the staff help now available to state committees through Sam Simmons and such area counselors as Lewis Mitchell, more and more volunteers will be available to serve on the advisory groups.

Indeed, I regret to leave just at the time when we are becoming equipped to carry on a regular program, but my service adds considerably to the burdens of my associates here. I also feel that a newspaper editor shouldn't wear two hats and now that the organizational phase of the committee's activities is completed, I should hang up one of mine.

Cordially and respectfully,

Sylvan Meyer
Sylvan Meyer, Editor
Chairman, GAC

cc: Mr. Sam Simmons
Mrs. Frances Pauley
Mr. Lewis Mitchell
Mr. Eugene Patterson

UNITED STATES COMMISSION ON CIVIL RIGHTS
WASHINGTON, D. C. 20425

File

ADDRESS REPLY TO:

Rt. Rev. James A. Pike, Chairman
California State Advisory Committee
1055 Taylor Street
San Francisco, California 94108

December 17, 1964

The Honorable John A. Hannah
Chairman
United States Commission on Civil Rights
Washington, D. C. 20425

My dear Mr. Hannah:

At a meeting of the California State Advisory Committee just concluded, I was asked if I had ever received a reply indicating the action of the Commission on the request of our Committee communicated to the Commission on June 2, 1964 [a copy is attached] that the Commission (possibly through two commissioners) held a hearing in the Bay Area to take testimony from Realty Board officers. The fact is that, though this matter was discussed informally at the Washington Conference by representatives from our Committee with staff members and individual members of the Commission, no reply has been made to our request. At today's meeting, after discussion, a resolution was adopted reaffirming the request and directing me to communicate with you, calling to your attention my previous letter and stressing our conviction that such a hearing would be of great importance.

Now that the initiative measure known as Proposition #14 passed in the State in the November election, we know that the National Association of Realty Boards will be organizing campaigns for similar anti fair-housing measures in the other States. Further, a number of people are rethinking the matter in this State particularly since it has become apparent that federal aid for local renewal project will now be cut off due to the passage of the constitutional amendments forbidding instrumentalities of the State from imposing anti-segregation restrictions. Therefore we feel it is important to complete our data, and continue to call to public attention, the practices of Realty Boards in segregation policies re membership applications, and also in promoting segregated housing patterns. These points supplement those made in the letter which is attached, and for all these reasons we express the earnest hope that our request will be granted.

With every good wish, especially this coming Christmastide,

Sincerely yours,

James A. Pike

Enc.

UNITED STATES COMMISSION ON CIVIL RIGHTS
WASHINGTON, D. C. 20425

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Address Reply To:

Rt. Rev. James A. Pike, Chairman
California State Advisory Committee
1055 Taylor Street
San Francisco, California 94108

June 2, 1964

The U. S. Commission on Civil Rights
Washington, D. C.

Honorable Sirs:

I write you in the name of the California State Advisory Committee as an aftermath of our public meeting in Oakland on May 12th. This was the third of a series (the other two meetings having been held in Los Angeles and San Diego), with the sessions hearing testimony on the practices of Realty Boards with regard to alleged discriminations in the admission of real estate brokers as realtors, and the alleged practices of such Boards and realtors in seeking to maintain segregated patterns in housing.

For all three meetings we invited representatives of the Realty Boards, and for the first two meetings the invitations were accepted and testimony of their representatives was taken. But in the case of the Oakland meeting no representative of the Realty Boards attended or so much as replied to our letters of invitation. The press inquired about their absence and I simply answered that they had been invited and that such representatives had attended and given testimony at the other two meetings. The press then contacted representatives of the Realty Boards with the result that there appeared in the next day's papers a statement of the latter that they had deliberately boycotted the meeting.

We are quite aware that we do not have subpoena power. Therefore, we request that the Commission or a Commissioner (or such number as is required), schedule a hearing in Oakland as soon as possible, issuing subpoenas to officers of Realty Boards in the area. Submitted to us at the testimony were a good number of multiple listing cards on which appeared such designations as "caucasians only", "caucasians and orientals only", etc. These very cards are evidence of violation of State law. This matter is being taken up with the Attorney General's office by the chairman of the subcommittee in charge of the Oakland meeting, the Honorable Robert J. Drewes. However, the Committee would like

The U. S. Commission on Civil Rights

Pg. 2

to be afforded the opportunity to question the representatives of the Realty Boards as to this pattern and also question them as to their policy as to admission of real estate brokers as realtors. We learned enough from similar questioning in the Los Angeles and San Diego meetings to give us every reason to believe that such questioning in the Oakland area would be fruitful.

Further, we believe that the "image" of our Committee and of the Commission would be conceivably helped by this action on your part which indicates that we "mean business".

The other members and I will be awaiting with interest your reply to our request. Before writing I consulted with Mr. Philip Hammer and he is in accord with the plan proposed.

Very truly yours,

/s/ James A. Pike

James A. Pike, Chairman
California State Advisory Committee

cc: Judge Drewes
Mr. Philip Hammer

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December 29, 1964

The Right Reverend James A. Pike
Chairman
California State Advisory Committee
1055 Taylor Street
San Francisco, California 94108

Dear Bishop Pike:

I well recall the Commission discussion last June of your request for a hearing in Oakland. As you know, we found it impossible to act favorably on your request at that time.

We share your concern about the far-reaching implications of the action on Proposition 14. This matter is receiving national attention by individuals and organizations, both public and private, who share a continuing responsibility or concern in the area of equal housing opportunity.

The Commission has gone through a most difficult year. Vacancies in Commission membership have only recently been filled. The 14-month vacancy in the staff directorship is only now being acted upon. A major rebuilding of the staff is being completed. During the period, the Congress gave us new responsibilities which we have had to move forward on.

We are presently in the final stages of preparation for a major hearing in Mississippi in February. Several Commission reports are awaiting final Commission consideration and action before their publication and release during the next few months.

I think it is unlikely that the Commission will be able to hold a hearing in California in the near future. Your letter of the 17th will be called to the attention of the Commission at its next meeting, January 7.

This should not discourage you and your Committee in your efforts. Recent strengthening of Commission staff should result in better and more comprehensive service to advisory committees. Mr. Simmons and his staff will work with you on a meaningful program in California.

The Right Reverend James A. Pike--page 2
December 29, 1964

Your personal efforts and those of your Committee are recognized
and deeply appreciated.

Sincerely,

John A. Hannah
Chairman

cc:
Mr Simmott, SAC

October 22, 1964

Mr. Philip L. Hemmer
300 West Hedding
San Jose, California 95110

Dear Phil:

The Commission has recently received a supplemental appropriation for the 1964-65 fiscal year. This action will make it possible for the Commission to increase its service to Advisory Committees, State governments, local communities, and organizations. The State Advisory Committees Division will be expected to perform a vital role in the new clearinghouse function. On a continuing basis, it will have the responsibility of keeping the Commission informed of local needs for information and assistance and implementing various community service programs. Examples of new programs which will be implemented on an increasing basis in the future are the Atlanta, Georgia and the Columbia, South Carolina information meetings which had a combined attendance of over 1,000 officials and other citizens from 200 cities, and a survey of compliance with Title II of the Civil Rights Act in 260 cities.

Each division staff member has been assigned several States and will be responsible for the total field activities of this division. Because of the change in program emphasis and reorganization of the State Advisory Committees Division, the regional consultant system must of necessity be changed. Consultants will still be utilized but on an ad hoc or project basis rather than on a regional Advisory Committee activity basis. The staff person servicing the States near you will be in contact with you in the near future regarding specific program plans and the need for assistance by consultants.

In view of your long association with the Commission on Civil Rights, we hope that your schedule will permit your assistance under the new arrangement. Enclosed for your information is a copy of a memorandum to Advisory Committee

outline of projected field activities for the present fiscal year.

With every good wish,

Very sincerely yours,

Samuel J. Simmons
Director
State Advisory Committees Division

Enclosures

APPROVED:

Howard W. Rogerson
Acting Staff Director

cc/
Howard W. Rogerson

Alpha/OBA
SD/OBA
Reading file/SAC
Official file/SAC

SJSimmons/SAC/pbn

GENERAL SERVICES ADMINISTRATION
ROUTING SLIP

TO	CO	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
NAME AND/OR SYMBOL						BUILDING, ROOM, ETC.					
1.	W. L. Taylor					Staff Director					
2.											
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<input type="checkbox"/> ALLOTMENT SYMBOL <input type="checkbox"/> HANDLE DIRECT <input type="checkbox"/> READ AND DESTROY <input type="checkbox"/> APPROVAL <input type="checkbox"/> IMMEDIATE ACTION <input type="checkbox"/> RECOMMENDATION <input type="checkbox"/> AS REQUESTED <input type="checkbox"/> INITIALS <input type="checkbox"/> SEE ME <input type="checkbox"/> CONCURRENCE <input type="checkbox"/> NECESSARY ACTION <input type="checkbox"/> SIGNATURE <input type="checkbox"/> CORRECTION <input type="checkbox"/> NOTE AND RETURN <input type="checkbox"/> YOUR COMMENT <input type="checkbox"/> FILING <input type="checkbox"/> PER OUR CONVERSATION <input type="checkbox"/> YOUR INFORMATION <input type="checkbox"/> FULL REPORT <input type="checkbox"/> PER TELEPHONE CONVERSATION <input type="checkbox"/> <input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____ <input type="checkbox"/> PREPARE REPLY FOR THE SIGNATURE OF _____											
REMARKS											
Attached hereto are 10 copies of the Southern California Subcommittee report on the McCone Report which you requested for the Commissioners and Executive Staff.											
FROM	CO	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
NAME AND/OR SYMBOL						BUILDING, ROOM, ETC.					
S. J. Simmons/FSD						TELEPHONE		DATE			
								12/21/65			

Being revised

REPORT ON

The McCone Commission Report:

"NOT WITH A BANG BUT A WHIMPER"

By the Southern California
Advisory Commission To The
United States Commission
On Civil Rights

December, 1965

PURPOSE OF THIS REPORT

Following the August riot in Southeast Los Angeles, the Southern California Advisory Committee to the United States Commission on Civil Rights was established as a sub-committee of the state-wide California Advisory Committee. The Southern California Advisory Committee is composed of those members of the state-wide Committee resident in Southern California. The Southern California Advisory Committee met immediately upon formation to consider reporting to the United States Commission on Civil Rights concerning the possible need for Federal action. Following informal consultations with members and staff of the Governor's Commission on the Los Angeles riots (the McCone Commission), we decided to postpone making any recommendations until the McCone Commission had been afforded an opportunity to conduct its investigations and make its findings and suggestions. On December 2nd, the McCone Commission published its report. Accordingly, we now deem it appropriate to submit our views concerning (1) the extent to which the recommendations contained in the McCone Commission Report might assist in resolving the underlying problems; (2) the possible need for Federal assistance with respect to implementation of the McCone Commission Report; and (3) the extent to which the McCone Commission Report fails to consider or resolve essential issues, particularly in areas where Federal action might be appropriate.

THE McCONE COMMISSION REPORT - A BITTER DISAPPOINTMENT

We are sorely disappointed by the McCone Commission Report. Although there are a number of constructive suggestions which the Commission proposed, we feel the report falls far short of even the Commission's own view of its efforts. Certainly, it does not begin to deal adequately with the underlying problems. It prescribes aspirin where surgery is required.

The McCone Commission states, "Perhaps for the first time our report will bring into clear focus for all the citizens to see, the economic and sociological conditions in our city that underlay the gathering anger" With a budget of approximately \$250,000.00, a professional staff of 30, a secretarial staff of 15, and the services of 26 consultants, this might not have been too much to ask. Yet, the McCone Commission fails in this assignment. The report is elementary, superficial, unoriginal and unimaginative. It offers little, if anything, in the way of a study of economic and sociological conditions not previously available in published reports of public agencies such as the Los Angeles County Commission on Human Relations. In fact, we believe that the reports printed by the Los Angeles Times, at no expense to the public, provide a far better and more well-informed picture of the economic and sociological conditions in our city.

Further, the report demonstrates a surprising ignorance of studies conducted by other groups. It fails to note the warnings of potential trouble in Los Angeles -- warnings which our public officials chose to ignore or scoff at. We are particularly mindful of the excellent report to the Attorney-General of California prepared by Assistant Attorney-General Howard Jewell in which he specifically and unmistakably warned that the bitter conflict between the Chief of Police, William H. Parker, and the civil rights movement might well lead to riots and violence in the streets of Los Angeles. Jewell noted, "The evidence from Los Angeles is ominous." He pleaded for immediate action, saying "I think it is truly a situation in which a stitch in time would save nine." In his report Jewell quoted the remarkably perceptive warning of a distinguished member of this Advisory Committee, Judge Loren Miller. The Jewell report quotes Judge Miller as follows: "Violence in Los Angeles is inevitable. Nothing can or will be done about it until after the

fact. Then there will be the appointment of a commission which will damn the civil rights leaders and the Chief alike." Judge Miller's prediction was in error only to the extent that the McCone Commission failed to levy the criticism against Chief Parker which was so obviously called for.

In view of the Jewell report and other similar studies, we cannot help but feel that the absence of constructive steps to avert a riot, and the lack of preparation for dealing with one when it occurred, constituted acts of gross negligence on the part of local officials, including Mayor Yorty and Chief of Police Parker. The McCone Commission says, in an unconvincing manner, "Perhaps the people of Los Angeles should have seen trouble gathering under the surface calm." This observation misses the point completely. The officials of Los Angeles were expressly warned of the possibility of riots, failed to act, and instead chose to label those who cried out for reform as troublemakers or rabble-rousers.

We also find running through the McCone Commission Report a marked and surprising lack of understanding of the civil rights movement and a tendency to criticize those who ask for a redress of grievances rather than those who deprive citizens of their constitutional rights. For example, the McCone Commission attributes the riot in part to those who in the year preceding its occurrence urged action "to right a wide variety of wrongs, real and supposed." We think this conclusion readily lends itself to misinterpretation and plays into the hands of those who seek to stifle the civil rights movement.

The paragraph in the report which immediately follows the above quotation attributes the riot in part to the fact that "many Negroes here felt and were encouraged to feel that they had been affronted by the passage of Proposition 14." Here again, we see the basic failure of the McCone Commission to concern itself with

essential issues.

We believe that the passage of Proposition 14 contributed to the tensions and resentment in the Negro community. That it would do so was obvious. Yet, the McCone Commission has no comment to make concerning Proposition 14 itself. The McCone Commission fails to mention that Proposition 14 dealt a serious blow to the cause of equal rights and equal opportunities. Instead of considering the primary issue (Proposition 14), the McCone Commission appears to cluck regretfully over the fact of Negro reaction to an injustice. We are not certain why the McCone Commission felt compelled to observe that Negroes were "encouraged" to feel affronted, or who the McCone Commission believes encouraged Negroes to do so. Although the McCone Commission apparently failed to appreciate the significance of Proposition 14, the Negro community did not. It needed no encouragement. Nevertheless, we are distressed by the implication here and elsewhere in the McCone Commission Report that those who criticized Proposition 14, or called for action in the area of social reform, are somehow to blame for the riot. Again, we feel that the McCone Commission Report lends itself to misinterpretation and plays into the hands of those who would silence the voice of protest.

We are deeply concerned over the effect which the patent failure of the McCone Commission to fulfill its assignment may have on the Negro community. As the McCone Commission recognizes, the situation in Southeast Los Angeles remains tense and highly explosive. The community had placed high hopes in the McCone Commission. This Fall we were advised by John Buggs, of the Los Angeles County Commission on Human Relations, that if the McCone Commission did not

fulfill these hopes the existing tensions would be substantially increased. We regret to say that the Southeast Los Angeles community has concluded, with justification, that the McCone Commission failed in its mission. Thus, the need for affirmative action is even more critical than it was before.

POLICE - COMMUNITY RELATIONS

The McCone Commission Report recognizes that every "riot" which occurred in 1964 "was started over a police incident, just as the Los Angeles riot started with the arrest of Marquette Frye." The Commission further recognizes that there is a burning concern in the Negro population over police practices. The Commission was charged by Governor Brown with determining whether "these attitudes on the part of the Negro Community are supported by fact and reason." Nevertheless, the McCone Commission failed totally to make any findings concerning the existence or nonexistence of police malpractices, or the justification, or lack thereof, of the almost universal feeling on the part of Negroes that such malpractices exist to a significant degree.

We consider the portion of the McCone Commission Report which deals with police - community relations to be a step backward. The Negro community was led to believe that the Commission would provide a forum for the determination of its complaints against the Police Department. A large number of specific cases were presented to the McCone Commission, but the Commission failed to consider them. This we regret deeply.

Although the McCone Commission expressly refused to pass judgment on the validity of complaints of police malpractice, it did not allow its failure to resolve this essential issue to inhibit it from warning against the grave dangers inherent in criticizing the Police Department. In effect, it called for an end to criticism of Chief Parker and the Department. How it could do so, after

confessing its unwillingness to determine whether such criticism is meritorious, escapes us. Nevertheless, in its section on police - community relations the McCone Commission again engaged in one of its exercises in reverse logic, in which the people who protest injustice are found to be jeopardizing our society, rather than those whose acts give rise to the criticism. We are particularly struck by the following sentence. "The fact that this charge (police brutality) is repeatedly made must not go unnoticed, for there is a real danger that persistent criticism will reduce and perhaps destroy the effectiveness of law enforcement." While we too are concerned over criticism of the police, we believe that this criticism is not only proper, but necessary, if Negro citizens are not receiving equal treatment under the law. We call not for an end to criticism, but for an impartial investigation which will determine whether Negro citizens in Los Angeles are receiving the rights to which they are entitled under our Constitution.

We also consider that the McCone Commission failed in its treatment of the subject of police attitudes and particularly those of the administration of the Police Department. Although the Commission recommended the institution of an Inspector General system, increased efforts in the area of police - community relations, and more frequent meetings of the Police Commission, these recommendations fall far short of a serious treatment of the problem. We conclude, regretfully, that the McCone Commission deliberately whitewashed Chief Parker and the administration of the Police Department.

We note with interest the annual report of the Los Angeles Police Department covering police activities during the year of 1964. This report demonstrates a persistent and continued refusal to recognize the problems of police - community relations. It demonstrates a complacency that can be explained only by a lack of understanding on the part of the Police Department of the problems and

attitudes of the minority community. It rejects the repeated warnings that police attitudes required correction, and rejects clear warnings of impending trouble. The only portion of the report which deals in any way with police - community relations consists primarily of self-praise mixed with scorn for "false prophets" who warned of violence "in the streets of this city." Rather than treat the subject seriously, the annual report chose to castigate the courts, at length, for seeking to protect constitutional rights.

For years, police officials, and particularly Chief Parker, have turned a deaf ear to the complaints of Negro citizens of Los Angeles. Chief Parker has constantly refused to meet with Negro leaders, has challenged their right to represent their community, and has disparaged the civil rights movement. His refusal to recognize the very existence of the problem of police - community relations is exemplified by his statement to our California Advisory Committee in the Fall of 1962. "Basically, I do not believe that there is any difficult problem existing in the relationship between the Los Angeles Police Department and the Negro community." The extent to which these attitudes on the part of the police administration contributed to the tension in August, 1965, is immeasurable. We fear that the McCone Commission Report will provide justification for Chief Parker to continue to refuse to recognize the civil rights movement and to continue to underestimate the seriousness of the breakdown in police - community relations which exists in Los Angeles. This, too, we regret deeply.

Finally, with respect to police - community relations, we are surprised by the failure of the McCone Commission to mention or consider the invasion of the Muslim Temple by 60 police officers, the attendant wounding of a number of Muslims in the Temple, and the destruction of Temple property. We express no views concerning the police action involved. We can say, however, that the episode was most serious and that the allegations of denials of constitutional rights have been forcefully presented. The circumstances surrounding

the armed invasion of the Muslim Temple are such as clearly warrant full investigation. Rather than request a Federal hearing, we contacted the McCone Commission and asked whether it would investigate this episode and whether such investigation would constitute a significant part of the work of the Committee. The Muslim Temple episode clearly fell within the charge given the Committee by the Governor. We were assured by the McCone Commission that it considered the Muslim Temple episode of substantial significance and that it would treat it fully. Nevertheless, the report of the McCone Commission fails to contain a single word concerning the Muslim Temple incident. This, we do not understand.

OTHER OFFICIAL ATTITUDES AND ACTIONS

We do not believe that any report can be effective if it seeks to avoid fixing responsibility for basic failures. While criticism for criticism's sake serves no useful purpose, the failure to criticize where criticism is justified can only encourage those whose actions contributed to the problems which existed in Los Angeles in August of 1965, and exist today. Official attitudes towards the Negro community are of major importance in determining whether harmonious relations between majority and minority groups will exist. Where such official attitudes are unresponsive to the needs of the Negro community, it may be expected that the community will be restless and dissatisfied. We believe that the attitudes and actions of Mayor Yorty prior to and during the riot contributed substantially to its existence and duration. In fact, throughout the City administration there has been a demonstrable lack of understanding and concern for the Negro community. This fact must be recognized if official attitudes are to be changed.

The Mayor of Los Angeles, Samuel Yorty, has been far more interested in travels, national and international, than he has in visiting the Negro community. During the riots he chose to absent

himself from Los Angeles, preferring on one day to visit San Diego and on another to speak to a group of business leaders at the Commonwealth Club in San Francisco. Since the riot, he has shown far less interest in resolving the issues in Southeast Los Angeles than he has in traveling to South Viet Nam. Although our peripatetic Mayor considers himself under a duty to advise the President concerning foreign policy, he has shown little interest in, or capacity for, resolving issues of race relations in Los Angeles.

The McCone Commission's failure to recognize the need for a change in the attitudes on the part of City officials constitutes a positive disservice to the ostensible objectives of the Commission. We might point out that the failure to criticize does not appear to stem from a desire on the part of the McCone Commission to limit itself to constructive suggestions. It did not hesitate to criticize Negro spokesmen and civil rights leaders, though not by name, in various portions of its report. Nor, did it hesitate to criticize an individual by name when it felt a scapegoat was needed.

The individual the McCone Commission chose to criticize was the Lieutenant-Governor of California, Glenn M. Anderson. Anderson, unlike Chief Parker and Mayor Yorty, has a long record of devotion and service to the cause of civil rights. We find the McCone Commission's criticism of Anderson wholly unwarranted. We do so, not on the basis of Anderson's record in the field of civil rights, but because we believe the criticism is unfair and unjustified.

The criticism of Lieutenant-Governor Anderson stemmed from the fact that he called out the National Guard shortly before 4:00p.m. on Friday, August the 13th. The McCone Commission notes that Chief Parker's request that the Guard be called out was made around 11:00a.m. that day. The McCone Commission also notes, however, that at 1:00p.m., after consultation with Guard officers and civilian officials, Lieutenant-Governor Anderson ordered that the

Guard be assembled at the armories at 5:00p.m. General Hill, Adjutant General and Commander of the Guard, had advised Anderson that 5:00p.m. was the earliest hour at which the troops could be assembled. The delay which the Commission appears to criticize is the two-hour period between 11:00a.m. and 1:00p.m. This "delay" was occasioned by the fact that Anderson, who was in Berkeley attending a meeting of the Board of Regents of the much troubled University of California, desired to consult with Guard officers and civilian officials before committing the Guard to action. He flew to Sacramento to meet with General Hill immediately upon being advised of Chief Parker's request.

We have several comments on the above facts. First, Lieutenant-Governor Anderson left Los Angeles for Berkeley on Friday the 13th because he was assured on that morning by the Los Angeles Police Department that "the situation was rather well in hand." This advice was obviously erroneous. Second, we do not agree that the Lieutenant-Governor should have called out the Guard merely on the basis of telephone reports. We think that a decision to send the Guard into a ghetto area to quell racial troubles should be made only after careful analysis and consideration. We do not believe that a two-hour period in which to determine this grave question is unreasonable. Nor do we believe that a desire to consult personally with responsible officials is unwarranted.

We note, though the McCone Commission did not, that the Guard was probably mobilized more rapidly and more efficiently in this instance than on any other occasion in the history of this country in which the Guard has been requested to quell civil disobedience. We also note that no deaths had occurred prior to the calling out of the Guard. While property destruction was severe and even disastrous, we can well understand the reluctance of the Lieutenant-Governor to order armed troops into action without adequate consultation with Guard officials. The fact is that following the calling out of the

Guard, 34 human beings were killed -- almost all Negroes. These deaths may well have been inevitable, but they help us understand the desire of the Lieutenant-Governor for careful deliberation before ordering troops into action.

We are disturbed not only by what we believe to be the McCone Commission's unfair evaluation of the facts set forth above, but by the glaring omissions in this portion of the McCone Commission's report. General Hill stated at a press conference on Sunday, August 15th, in Los Angeles, "there was no more delay when the formal request was made Friday morning than if the authorization had been signed immediately, and no later, in Los Angeles." (UPI) The failure of the Commission to deal with this statement causes us serious misgivings. Moreover, the Commission notes the fact that Mayor Yorty and Chief Parker decided at 9:15a.m. to call the Guard. It also notes that the call from Chief Parker to state officials was made more than an hour and one-half later. Yet there is no word of personal criticism in the report of Mayor Yorty or Chief Parker.

We seriously question the objectivity of the portion of the McCone Commission Report which criticizes Lieutenant-Governor Anderson -- especially in view of the Commission's failure to criticize any other public official, even where serious criticism was obviously called for. We do so regretfully. But we believe that the Commission's unwarranted attack on a public servant with a record of devotion to the cause of civil rights has done a grave injustice to an outstanding public official and a disservice to our state. We hope the injustice can be remedied.

AREAS OF POSSIBLE FEDERAL IMPLEMENTATION
OF McCONE COMMISSION REPORT

General Observations

The remainder of this report will be devoted to a consideration of those areas in which direct Federal action, particularly

the expenditure of Federal funds, is required. The McCone Commission made a number of specific recommendations in the fields of education, employment and housing. In each of these areas we believe that the recommendations made by the McCone Commission are wholly inadequate. In some of these areas we think that the inadequacy of the McCone Commission's recommendations stems from a basic failure to comprehend the nature or significance of the underlying problem. Nevertheless, we believe that the specific recommendations if enacted would constitute a step forward. The very fact that the recommendations were made is of great significance, for a number of proposals which previously lacked sufficient public support may now find a climate of public acceptance. In this respect the McCone Commission has rendered a worthwhile public service.

Preliminarily, we should note our endorsement of the specific steps proposed by the McCone Commission in the areas of education, employment and housing. We are concerned, however, that consideration of these proposals may blind state and local officials to the need for continued efforts to find more basic solutions to the underlying problems. If the specific steps suggested by the McCone Commission are treated as essential preliminaries to a more serious treatment of the issues, they will prove of substantial value. If they are treated as a solution to the problem, more harm than good will have been accomplished. In this respect it is our impression that the McCone Commission realized the limitations of its report. We believe it attempted to suggest only programs which it thought would find ready acceptance. However, we also believe that the McCone Commission underestimated the willingness of governmental agencies, Federal and State, to devote their resources and efforts to providing a solution to problems which must at all costs be solved. In our opinion, it set its sights too low.

Even the limited specific proposals made by the McCone Commission require the participation of the Federal Government if they are to be realized. Governor Brown and Mayor Yorty have met to discuss the financing of the programs suggested by the McCone Commission Report. They each have announced separately that substantial Federal funds will be necessary if effective action is to be taken. The State and City have established a committee to work on joint implementation of the McCone Commission recommendations. In view of the request for Federal assistance already made by the Governor and the Mayor, we believe that the Federal Government should assign a full-time official to participate in the implementation of the recommendations of the McCone Commission. This assignment should be made immediately.

Housing

We believe that the portion of the McCone Commission Report which deals with housing fails completely to deal with the essential issues. The report leaves the impression that the fact that Los Angeles is a segregated community is a result primarily of the voluntary actions of Negroes, compounded by the existence of restrictive covenants. While these factors obviously contributed to the existence of segregated communities, we are concerned that the McCone Commission failed to recognize the adverse effect of past governmental actions as a major force contributing to the creation of segregated communities. Although the McCone Commission was fully advised of the extent to which the location of subsidized low-cost housing projects in ghetto areas contributed to the present pattern of discrimination in Los Angeles, it failed to acknowledge this fact. We believe that the pattern of government-sponsored segregated housing must be reversed by affirmative governmental action. Deliberate efforts must be made to create integrated low-cost housing developments, and to locate housing projects in areas where integration is practical. We do not underestimate

the extent to which the Federal Government can, when it desires to do so, influence the actions of private sectors of the economy, particularly where the use of Federal funds or guarantees is involved.

We are disturbed by the McCone Commission's failure to treat the existence of segregated communities as a major issue. The section of the report dealing with housing consists mainly of an historical discussion and a few minor suggestions for improving life in the ghetto. In our view, most of the evils discussed in other sections of the McCone Commission Report stem from the very existence of the ghetto system. Unless this fact is recognized, all of the recommendations offered by the McCone Commission will, in the long run, be meaningless. We think a frontal assault on segregated communities is essential. Immediate attention should be given by the Federal Government to developing methods of breaking up the ghettos. We would suggest that this issue be given priority by the new Department of ^{Housing and Development} Urban Affairs and that the housing problem in Los Angeles receive first attention.

Certain steps, in our opinion, should be taken immediately. Among these we would include the expansion of the Executive Order regarding discrimination in housing which covers only a small proportion of present housing. We would also include the adoption of regulations governing savings and loan institutions and banks subject to the jurisdiction of agencies such as the Federal Home Loan Bank Board and the Federal Deposit Insurance Corporation or which are otherwise subject to such regulation. The Executive Order and regulations should require as a condition to the lending of funds for housing construction the execution of non-discrimination covenants.

Education.

With respect to education, we also believe that the McCone Commission recommendations misconceive the basic issue. While we

endorse the specific proposals for reduction in class size and the institution of pre-school programs, we do not agree with the premise that an end to defacto segregation can be accomplished by improving the level of education in minority areas. We find that the McCone Commission's recommendations are deficient as a result of the failure of the Commission to focus on the primary goal of eliminating defacto segregation and a failure to note the relationship between segregated education and segregated housing.

The McCone Commission devotes all of ^{the section of the} ~~its~~ report on education to seeking to find methods of improving facilities in the ghetto areas. We find this approach to be strikingly reminiscent of the Southern solution to educational problems prior to the 1954 Supreme Court decisions in the school segregation cases. The Southern solution, whenever complaints were made concerning educational opportunities for Negroes, was to urge the improvement of Negro facilities so as to make them equal to those which existed in white areas. We agree that the facilities in Negro areas should be improved, but we do not believe that such improvement will add materially to solving the problem of defacto segregation. Nor do we think that separate but equal is enough in Los Angeles in 1965. The problem of our segregated school system must be recognized and met head-on without further delay.

We believe that defacto segregation can best be ended by a frontal attack on the system of segregated communities. We think, however, that at the same time an effort must be made directly in the area of education. This can be accomplished in several ways. One is to insist that new schools be constructed in locations which will draw students from both white and Negro communities. Another is to modify the doctrine that attendance in all schools must be based solely on neighborhood patterns. These are problems which the McCone Commission ignored. While we do not recommend any

particular alternatives to the present system, we find that there is an urgent necessity for consideration of such alternatives.

Employment

We feel that the McCone Commission recommendations with respect to employment are also inadequate. Again, we agree that the specific proposals contained in the McCone Commission Report should be adopted. We find two basic shortcomings, however, in the approach of the McCone Commission. First, we strongly disagree with the McCone Commission's rejection of Governor Brown's suggestion for an immediate Federally-financed program to create additional jobs. With respect to the Governor's suggestion, the McCone Commission comments, "Since we are somewhat skeptical about the feasibility of this program (especially as to the capacity of the unemployed in the disadvantaged areas to fulfill the jobs specified), we feel it should be tested on a pilot basis before a massive program is launched."

We believe that there is an urgent need for a massive program to create additional jobs and that it should be launched immediately. We think that job training for presently existing jobs does not provide an answer to our problem -- particularly in view of the increasing rate of automation. We favor the enactment of a substantial program of public works which will offer immediate employment to a large number of those currently unemployed and at the same time will permit the construction of much needed facilities, particularly in minority areas. We do not believe that a public works program constitutes a utopian concept in our "great society." To the contrary, we feel that job training for unemployed Negroes can only give rise to false hopes and produce additional bitterness unless a substantial number of additional jobs are created by Federal action.

We also believe that the McCone Commission did not recognize the failure of present programs to concentrate sufficiently on the problem of unemployment of those who are presently heads of families. We believe that while youth training and youth counseling are essential in order to avoid a new generation of unemployed, we cannot afford to abandon the older unemployed. We do not single out the McCone Commission for criticism in this respect. It is our feeling, however, that the Commission did not give sufficient attention to the need for concentrated efforts to solve the immediate problem of unemployment for so many heads of Negro families.

Public Welfare

The McCone Commission Report was quite critical of the administration of welfare programs. Its criticisms were made however, by way of raising questions rather than answering them. The questions raised are disturbing and they create implications which, if untrue, do a serious disservice to the entire system of public welfare. We note for example, the following three sentences in the McCone Commission Report: "However, the increase in AFDC expenditures, coupled with the increase in population, raises a question in the minds of some whether the generosity of the California welfare program compared with those in the southern and southwestern states is not one of the factors causing the heavy immigration of disadvantaged people to Los Angeles 'We are assured that many of the present recipients would rather have work than welfare, but the simple arithmetic of the matter makes us uncertain 'Indeed, we were told that the 18 year old girl who is no longer eligible for assistance when living with her mother may have considerable incentive to become a mother herself so as to be eligible again as the head of a new family group."

With respect to the statements quoted above, we find it regrettable that the McCone Commission felt it necessary to raise

such important questions but was incapable of answering them. We also find it regrettable that the McCone Commission failed to identify the anonymous source of its information that 18 year old girls fornicate not for pleasure, but in order to become eligible for welfare benefits. While the implication is certainly sinister, we would be far more concerned with such allegations if we were informed of their source. Nevertheless, in view of the substantial contributions of the Federal Government to the Public Welfare program in Los Angeles County (42 percent according to the McCone Commission), we believe that the questions raised by the McCone Commission require an answer. We note that one of the two Negro members of the McCone Commission vigorously dissented from this portion of the report. However, we believe that the report itself cannot help but undermine public confidence in the public welfare program. In view of the McCone Commission's unwillingness to reach conclusions concerning the basic questions raised by it, we see no alternative to an immediate Federal study which will either justify the newly-created lack of public confidence or restore that confidence and lay the McCone Commission's insinuations to rest.

Coordination of Federal Programs

We also note the McCone Commission findings with respect to the dispersal and lack of coordination of Federal programs for administering funds in minority areas. Here, we believe the McCone Commission's Report points up an area where positive action is required. We believe that the Federal Government should give immediate consideration to consolidation and integration of federally administered or supported programs, and to improving the channels of disseminating information concerning the availability of Federal assistance.

CONCLUSIONS AND RECOMMENDATIONS

We are in full agreement with the McCone Commission's description of the present state of affairs in Los Angeles. The

Commission stated "We are seriously concerned that the existing breach, if allowed to persist, could in time split our city irretrievably. So serious and so explosive is the situation that, unless it is changed, the August riots may seem by comparison to be only a curtain-raiser for what could blow up one day in the future." It is because we agree with this basic view expressed by the McCone Commission that we are so deeply disappointed by its failure to render a report which meets even the minimum hopes, expectations or needs of the minority community. It is also because we believe that local and State authorities have failed to cope with a "clear and present danger" that we feel compelled to report the need for vigorous Federal action.

Two years ago we reported the existence of a crisis in police - community relations to the United States Commission on Civil Rights and urged the Commission to consider scheduling hearings in Los Angeles concerning this subject. We believe that this crisis still exists. We think that the report of the McCone Commission makes it even more imperative that the United States Commission on Civil Rights now hold hearings in Los Angeles.

We would now urge, however, that the Commission schedule hearings far broader in scope than those originally suggested by our Committee. We think that immediate Federal action is required in the areas of education, employment and housing.

The Committee recommends a four-part program to meet the present crisis:

First, we suggest the immediate assignment of a full-time, high-level Federal official to the Los Angeles area for a period of at least six months, and that he be vested with sufficient authority to make and implement the necessary decisions concerning the allocation and expenditures of Federal funds. Such a Federal official should be assigned the following duties, among others:

- (A) Coordination of existing Federal programs;
- (B) Participation in the current state - city studies

regarding implementation of the recommendations of the McCone Commission;

- (C) Investigation of the availability for immediate use in the Los Angeles area of additional Federal funds;
- (D) Establishment of an immediate "crash program" for assisting the unemployed to obtain employment both from existing job vacancies and by the creation of new jobs through the use of Federal funds.

Second, we urge the immediate expansion of the Presidential Executive Order relating to discrimination in housing. We also urge that regulations be adopted requiring non-discrimination covenants as a condition to the lending of funds for housing construction by banks and savings and loan institutions whose deposits are insured by Federal agencies, or who are otherwise subject to such regulations.

Third, we suggest that the new Department of ^(Housing and) Urban ^{Development} Affairs designate Los Angeles as its area of first concern and that it be instructed to give immediate attention to the development of Federal programs designed to alleviate the present crisis.

Fourth, we recommend that the United States Commission on Civil Rights schedule hearings in Los Angeles at the earliest possible date. We believe that the hearings should cover the following subjects:

- (A) Police - Community Relations. In this connection we believe the Commission must assume the responsibility abdicated by the McCone Commission of determining whether justification exists for continued Negro complaints concerning police malpractices. We also believe that the Commission must inquire into the alleged serious violation of constitutional rights in connection with the Muslim Temple episode;

- (B) Employment, Education, Housing and Public Welfare.

We believe that there are immediate problems in employment, education and housing which cannot await the scheduling of hearings by the Commission. For this reason we have

suggested the assignment of a full-time Federal official to deal with the immediate problems. However, we believe that the underlying problems not faced by the McCone Commission are also urgent. We think that the Commission is best equipped to deal with these basic issues and to develop long-range programs and ideas. We think that full-scale efforts must be made to develop new programs which strike at the heart of segregated communities, segregated education and lack of employment opportunities. It is clear that these conditions all exist to an aggravated degree, in the Los Angeles area. Accordingly, among the subjects which we believe the Commission should consider are:

- (1) Development of new long-range Federal programs. Particular emphasis should be given to the establishment of a Federal public-works program and the creation of substantial numbers of additional jobs. Even more important, we believe, is the development of new Federal programs and ideas designed to help eliminate the present pattern of segregated communities and defacto segregation in education;
- (2) Investigation of the questions raised by the McCone Commission concerning the public welfare program.

Solutions which go way beyond the minor corrective steps suggested by the McCone Commission must be found. We conclude, with reluctance, that such solutions will be explored and adopted only if the Federal Government takes the initiative. Unless Federal action is forthcoming, and without delay, we believe that no substantial

progress will be made towards curing the ills which led to the August riots.

STEPHEN REINHARDT, Chairman
MORTON A. BAUMAN
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By Stephen Reinhardt
Stephen Reinhardt, Chairman