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Evening Sun
October 23, 1963

#1

City's Rights Bill Would Give Powers To EOC

This is the first of three articles on the proposed civil rights bill, what it provides, why it was introduced and what it would mean to Baltimore if enacted.

By Richard Frank

With full awareness that it faces a major legislative struggle, the McKeldin Administration has presented the City Council with what it has labeled the most all-inclusive civil rights bill ever drafted for any city in the United States.

In one comprehensive package, the bill provides for equal rights in the fields of education, public accommodations, employment and housing.

It also transforms the city's six-year-old Equal Opportunity Commission into a positive instrument for the amelioration of racial strife before it erupts into overt incidents.

Hammered Into Shape

The legislation has been hammered into shape over the last two months by the Mayor's staff, EOC officials and community leaders.

The entire package, in the Mayor's words, is directed at the avoidance of "potential public discord, strife and unrest" in the area of interracial relations.

The bill is necessary, explains the Mayor, "to avoid permanently

adverse effects upon the development, growth and renewal of the city."

It was only a few months after he took office that Mr. McKeldin announced his plans to introduce what he called "a full package of civil rights legislation."

"Summer Of Discontent"

His decision to act in this field came at the height of the past "summer of discontent" on the part of Negroes here and throughout the nation.

But those close to the decision insist that the Mayor did not decide to act simply as a response to Negro pressure.

While the racial tensions brought the decision to a head, the Mayor was acting in recognition of the basic human rights of Negroes, members of his staff say.

In any event, the Mayor instructed David L. Glenn, the executive secretary to the EOC, and Stanley Z. Mazer, one of the

[Continued, Page C 6, Column 6]

|| You'll Score for the

Bill Would Give Powers To EOC

[Continued From Page C 34]

Mayor's top aides, to prepare the necessary legislation.

Mr. Mazer said today that the Mayor did not specify which areas the bill should cover. Instead, he asked him and Mr. Glenn to provide whatever could be done in the civil rights field through local legislation.

Mr. Mazer and Mr. Glenn worked on the legislation two months, conferring with officials from other cities and States with civil-rights laws on the books, meeting with local legal experts, with community groups and with members of the Council.

The bill did not emerge in its final form until a few hours before it was dispatched to the Council Monday night.

More Powerful Unit

The authors of the bill determined that the more extensive coverage of civil rights problems demanded a more responsible and powerful commission to enforce the new laws, and more importantly, to inject itself into the whole troubled field on behalf of the city government.

The commission, redubbed the Community Relations Commission, will shake off its basically negative role and become a positive force if the new legislation is enacted.

Today, its primary mission is to investigate complaints of discrimination in employment and in service at restaurants and hotels.

The law is silent on how far it can go, but the commission has generally felt it cannot go beyond action in pursuit of formal complaints.

Complaint Necessary

Thus, while it can attempt to negotiate settlements of racial disputes after complaints have been filed, it does not act in the absence of such complaints.

The new bill would specifically charge the commission to formulate and carry out an "educational and action program" to eliminate and prevent discrimination.

It instructs it to conduct investigations, studies and public hearings to determine the existence of problems in any area, within or without its formal jurisdiction.

In short, it establishes an agency that the community can turn to for help in the civil rights field, according to Mr. Mazer and Mr. Glenn.

Another New Power

Another new power given the commission is the right to obtain temporary restraining orders from a court to prevent any "unrectifiable" acts, even in advance of any finding that the law has been violated.

This is expected to be a particularly potent weapon in the housing field, where the final sale of a house would effectively nullify any corrective action the commission might later attempt to take.

Finally, the new law permits the commission to contract with State and Federal agencies to avoid jurisdictional disputes which might arise between similar laws.

[TOMORROW—What the law provides in the fields of public accommodations, educational, health and welfare facilities and employment.]

Eve. Penn
10/23/60

McKeldin's Rights Bill

Baltimore city has made and is still making substantial progress in the fight against discrimination. The desegregation of schools has been carried to an advanced stage with a minimum of disturbance. Hotels and restaurants have been opened to all races partly through the voluntary decisions of many owners and partly as a result of a city ordinance and a State law. Most of the important theaters and many amusement places have dropped all bars. Mayor McKeldin, who has made important contributions to all advances, both as Mayor and as Governor, now proposes an all-embracing city ordinance to end discrimination in housing, employment, hospitals and welfare institutions, and to desegregate all places of public accommodation, including taverns.

With the purposes inspiring this proposal, it is easy to agree. Baltimore must continue its advances in all the fields the Mayor proposes to cover in the new bill. However, it may be asked whether the bill as drawn does not suffer from the same defects which led Attorney General Kennedy to criticize the civil rights bill drafted by the House Judiciary Committee. That is to say, it may go beyond what is presently practical either to get the bill passed by the City Council, which must enact the measure to give it effect, or to make possible its enforcement, once it is passed, in the city at large.

Perhaps the Mayor has deliberately planned to ask for more than he expects to get. That is an old political device. Perhaps he is eager to secure approval of the entire program. In either event, it will be for the City Council to weigh carefully all of the details of this comprehensive program and see just how far it is practical to go now, having regard to the state of public opinion and to enforcement problems.

In employment, to take one of the fields in which further progress is essential if the Negro race is to reach a higher economic level, great care must be taken to insure that qualification for the job applied for is not lost sight of. Otherwise there is danger of more friction than benefit from the enactment of stronger equal employment provisions. Again in housing, the Mayor's program goes even further than the one proposed by Councilman Dixon; it provides for the exemption only of owner-occupied apartments with three family units, a very low cut-off. And in the public accommodations section it may be that councilmen will wish to take another look at the question of bars and pools.

These are a few of the questions that need thoughtful examination before action is taken. In stressing this need it is not intended to suggest that nothing be done. The point is that voluntary action in these matters is always preferable to statutory action and that where voluntary action is not possible, care must be taken that the cure is not worse than the disease. The Mayor's proposals deserve sympathetic study, but they have to be considered with an eye on the possibility of injuring the very cause they are designed to serve. In a word, if they wish to insure progress in this matter, the City Council and the Mayor will have to be as realistic as Robert Kennedy was in testifying on the civil rights bill before the House committee.

Evening Post

10/24/63

#✓

City Rights Bill Broadens Accommodations, Jobs

(This is the second of three articles on the new civil rights bill, what it includes and what it may mean for the city.)

By Richard Frank

Baltimore made its first tentative entry into the field of civil rights legislation in 1956, when the City Council enacted, and former Mayor D'Alesandro signed, the city's fair employment practices law.

In the seven succeeding years, the city's social and political climate has altered to the point that its Council can today be seriously considering the most comprehensive civil rights bill any municipal legislative body has ever had before it.

That pioneer piece of legislation in 1956 provided that discrimination in hiring, tenure, promotion or terms of employment was an unlawful practice.

Opportunity Group

The Equal Employment Opportunity Commission, created by the same law, was charged with investigating complaints of discrimination, attempting to eliminate unfair practices by conciliation and persuasion and holding hearings and issuing cease and desist or-

ders if it felt this final step to be necessary.

But what the commission could not do was as significant as what it could.

It could convene public hearings, but could not compel an alleged offending employer to attend. It could issue orders to an employer to stop unlawful practices, but could do nothing about it if he declined to obey.

In short, the commission had a bark but no bite. It had a law but no real power to enforce it.

This was changed in July of 1960, when the Council enacted an ordinance giving the commission power to compel attendance at hearings and to invoke court aid to support its cease and desist orders.

Since June of last year, the commission (now renamed the Equal Opportunity Commission) has also been responsible for enforcement of a public accommo-

[Continued, Page C 17, Column 7]

Wider Rights Bill Offered

[Continued From Page C 18]

dations law, the second to be adopted in the State of Maryland.

Under this ordinance, it is unlawful to deny anyone service in a restaurant or hotel. Excluded from the law are all other public places, including restaurants which sell more liquor than they do food.

This is the full extent of the commission's functions today—to enforce the fair employment and equal accommodations laws.

The 21-page bill sent to the council this week by the McKeldin Administration substantially increases the coverage and extent of these laws.

The employment section of the bill, for example, has been broadened to include within its jurisdiction all employers with five or more people working for him.

This is what the original 1956 law provided, but the coverage was reduced to employers with fifteen or more employees in 1960, as part of a compromise which resulted in a generally stronger law.

The bill also steps into the field of apprenticeship training programs for the first time, making it unlawful to discriminate in admission to such programs.

The rest of the employment provisions are basically as they have been since 1956, covering labor unions and employment agencies as well as employers themselves.

Other Groups

However, for the first time, educational, fraternal and charitable organizations are recognized as employers under the terms of the fair employment law.

Where the McKeldin bill breaks new ground is in the field of admissions to educational institutions and treatment by health and welfare agencies, including hospitals.

Under the bill, it is illegal for any school, public or private, or any library, nursery school or art

gallery (but excluding parochial schools) to discriminate in admissions, courses of study, fees and services and extra-curricular activities.

Hospitals, Agencies

Similarly, it is unlawful for a hospital, clinic, nursing home, social agency, day or resident camp or counseling agency to discriminate in admissions, services, programs, benefits or rates.

Exceptions are made for any health or welfare agency operated by a religious denomination, except for church-operated hospitals and clinics, which are covered.

The changes in the public accommodations law are almost entirely in the direction of extending its coverage.

Included In Law

The law includes (but is not limited to) inns, taverns, roadhouses, hotels, motels, restaurants, bathhouses, swimming pools, places offering public services (such as barbershops), retail stores, theaters and movies, roof gardens, music halls, race courses, skating rinks, amusement parks and carnivals.

It also includes bowling alleys, gymnasiums, pool halls, garages, ambulances, funeral homes, crematories and cemeteries (except church-operated ones).

In sum, every place in the city "which is open to, accepts, or solicits, whether or not for a consideration . . . the patronage of all or any part of the general public" is covered by the law.

[TOMORROW — The housing provisions of the civil rights bill.]

Equal Rights Bill Faces Battle Over Housing

(This is the last of three articles on the new civil rights bill proposed for Baltimore.)

By Richard Frank

There are an estimated 290,000 housing units in the city of Baltimore: Private homes, apartments and single rooms.

About 150,000 of them, or more than half, are occupied by their owners; the rest are rented or offered for rent.

It is only on this latter category of rental properties that the city Administration's civil rights bill will have a legal impact.

The housing provisions of that bill make a clear distinction between owner-occupied and renter-occupied housing. The former is exempt from the proposed law, and even some of the latter fall outside the terms of the bill.

Sale Or Lease

The bill, now before the City Council, would make it illegal for the owner of a housing unit, a real estate broker, a salesman or an agent to discriminate in the sale or lease of the property or to represent that it is not available for inspection.

It would also be unlawful for the owner, broker, salesman or agent to include any conditions or restrictions in the terms of the sale or lease which are discriminatory, or to discriminate in furnishing any facilities or services to the owner of a tenant because of race or religion.

Lending institutions would also be covered by the law.

They would be barred from discriminating in lending money, guaranteeing loans, accepting mortgages or otherwise making funds available for the purchase, construction or repairs of a housing unit.

Announcements Covered

And it would be illegal to publish advertisements or announce a policy of discrimination in the sale or leasing of housing units.

Those who drafted the bill for the Administration say they have given recognition to the contention that a fair housing law should apply only to those who are in the housing business and not the homeowner himself.

Thus the bill clearly exempts any single-family home occupied by the owner of the house or any

unit of an apartment house occupied by the property owner.

In addition, any multiple dwelling of less than three units is exempt if the owner lives in one of the units himself. All other housing units are covered.

Only 60,000 Involved

Of the 200,000 private homes in Baltimore, all but 60,000 are occupied by the owner of the house. Only the 60,000 would be covered by the proposed law.

The impact of the bill would be more widespread, however, than these figures indicate, since the rented homes are scattered throughout residential areas otherwise consisting of owner-occupied homes.

In addition, any vacant lot available for construction of a dwelling would be subject to the anti-discrimination clauses of the proposed law.

Further, the trend in Baltimore is toward construction of fewer private homes and more large apartment houses, almost all of which would come under the provisions of the civil rights bill.

Bitterest Attack

Those who wrote the bill, as well as those who oppose it, agree on one fact: That the housing provisions will be the most bitterly attacked and the least likely to be adopted in their present form.

Those who oppose it say, among other things, that it would accelerate the flight of substantial taxpaying property owners to the suburbs.

The defenders of the bill insist that the flight would be futile, since housing integration is only a matter of a few years in the suburbs as well as the city.

Since they see fair housing as the key to desegregation in other fields covered by the bill, they do not intend to give up on it without a real struggle.

*Evening Post
10/25/63*

HEALTH AND WELFARE COUNCIL OF THE BALTIMORE AREA, INC.

22 Light Street • Baltimore 2, Maryland • Plaza 2-4146

N. Page Worthington
President

Mrs. Jacob Blaustein
Vice President

Joseph H. Purdy
Vice President

Dennis F. Smyth
Vice President

Milton Young
Treasurer

Harold C. Edelston
Executive Director

October 25, 1963

MEMORANDUM

TO: Board of Directors

FROM: Harold C. Edelston

The HWC officers have instructed me to send you the enclosed copy of the civil rights bill introduced in the City Council this week by Mayor McKeldin. The question of HWC action with respect to this legislation will be included on the Board meeting agenda on October 30.

In their meeting this week, the officers agreed that the matter should be referred to the Board to enable it to consider the following questions:

1. Should the HWC take any action on this bill at this time?
2. If so, should the action be an endorsement of the bill in its entirety or only of the provisions governing health and welfare agencies?
3. What leadership (if any) should the HWC give with respect to urging its member agencies to support the bill?

Unfortunately time did not permit the preparation of a resume of the bill. However, the Evening Sun has carried a summary and interpretation beginning with its October 23 issue and we hope those who are not inclined to read the enclosed text will refer to those articles.

For your guidance in thinking about the matter, a resume of past actions by the HWC Board is presented herewith:

On March 1, 1956, the HWC Board of Directors approved a statement which began as follows:

"In the area of health, recreation and welfare work which is the primary concern of the Council, we believe that non-segregation is the ideal toward which all of our member agencies should strive. We further believe that this is true at all levels including board, staff and the people whom they serve."

On November 16, 1960, the HWC Board passed the following resolution:

"WHEREAS the Commissioners of the Baltimore Urban Renewal and Housing Agency have recognized in principle, and in accordance with Federal policy, that developers in urban renewal areas should be urged to follow a policy of non-discrimination in the disposition and use of housing and other facilities; and

"WHEREAS the present language in urban renewal disposition contracts only prohibits written contracts which permit discrimination; and

"WHEREAS it has become evident that the present language cannot prevent discrimination through private oral understandings;

"BE IT HEREBY RESOLVED that the Board of Health and Welfare Council urges the Baltimore Urban Renewal and Housing Agency to include provisions in their disposition documents calculated to prevent discrimination, both oral or written, in development and use of land and facilities in the renewal program. The Council offers to assist the Commissioners in any manner mutually agreeable to the Council and the Urban Renewal Agency."

On May 2, 1962, the following resolution was passed without dissenting vote:

"Resolved that the Health and Welfare Council favors the passage of a public accommodations bill in Baltimore City, and, when such bills are proposed, in the State Legislature or in any other areas served by the Council; and/Be it further resolved that this resolution be presented to appropriate governmental bodies and in the public press."

I have also enclosed for your information a news release received today from the U. S. Department of Health, Education and Welfare which is of direct relevance to the subject of the social work careers program to be considered on October 30.

Encls.

CITY RIGHTS BILL HEARINGS ARE SET

Council Action Will Start
On November 6

By CHARLES V. FLOWERS

Hearings in the City Council on the Administration's civil-rights bill will begin the evening of November 6.

Thomas D'Alessandro 2d, president of the Council, said last night the Council schedule for November and December will be more crowded than at any time in recent years, what with the civil-rights bill and consideration of the 1964 budget.

Councilman William D. Schoefer (D., Fifth), vice president of the Council, announced yesterday that the budget would probably be introduced at a special session on Tuesday, November 12. The Council will not meet on November 11, which is Veterans Day.

Councilmen are required to meet daily — after receiving the budget from the Board of Estimates — until they pass the 1964 budget and a tax rated to support it.

Councilman Schoefer announced these hearing dates for the civil-rights bill: November 6, November 14, November 19 and November 21. Each hearing will begin at 7:30 P.M. in the Council chamber in City Hall.

The bill would outlaw discrimination in certain housing, in health and welfare facilities, in education and vocational training and in recreation facilities, and would broaden anti-discrimination legislation in places of public accommodation.

Restorations To Be Asked

For most of yesterday, the Council met in closed session with Charles L. Benton, the budget director, to review his recommended 1964 budget. Mr. Benton's recommendation would require a 22-cent increase in the property tax rate — up to 94.67 — even though he cut in half the increases used by city agencies.

Today, various departments are scheduled to ask the Council for restoration of some of Mr. Benton's cuts and then, at 3 P.M. tomorrow, the Council will go before the Board of Estimates to plead for restorations.

The board is expected to have its tentative budget ready by this weekend, but Mr. Benton will need the following week to put it in final form for presentation to the Council. Once it receives the board's recommended budget, the Council may cut but not raise it.

HEALTH AND WELFARE COUNCIL
OF THE BALTIMORE AREA, INC.
22 LIGHT STREET
BALTIMORE 2, MD.

October 29, 19 63

To Coordinating Council for Civic Unity

Attention: Miss Ruth Fegley

Terms:

Payment due the Health & Welfare Council of the Baltimore Area.

Re: Mimeograph paper used in the duplicating of the Mayor's Civil Rights Ordinance.

Number of reams used 5

Price Per ream \$1.25

Total amount due \$6.25

HEALTH AND WELFARE COUNCIL OF THE BALTIMORE AREA, INC.

22 Light Street • Baltimore 2, Maryland • Plaza 2-4146

N. Page Worthington
President
Mrs. Jacob Blaustein
Vice President
Joseph H. Purdy
Vice President
Dennis F. Smyth
Vice President
Milton Young
Treasurer

Harold C. Edelston
Executive Director

October 31, 1963

TO: AGENCY DELEGATES TO THE HEALTH AND WELFARE COUNCIL

An important special meeting of agency delegates will be held to consider the urgent matter of the proposed civil rights ordinance for Baltimore City, with particular focus on its implications for health, welfare, and recreation agencies and institutions. The meeting will be held on:

Tuesday, November 12, 1963
3:30 p.m.
Board Room, Association of Commerce
Second Floor
22 Light Street

Purpose of the meeting will be to acquaint delegates of member agencies with the provisions of the proposed civil rights ordinance, the action already taken by the Board of Directors of the Health and Welfare Council, and the kinds of action which each member agency might take. A copy of the proposed ordinance is enclosed for your information.

Presentations will be made at the meeting by:

Stanley Z. Mazer, Assistant to Mayor
and
David L. Glenn, Executive Secretary
Equal Opportunity Commission

We urge every member agency to be represented at this important meeting. If you cannot attend, will you please arrange for an alternate representative to be present. Please indicate on the enclosed postal card who will represent your organization.

Sincerely,

N. Page Worthington
N. Page Worthington, President

Enclosures

HEALTH AND WELFARE COUNCIL OF THE BALTIMORE AREA, INC.

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Vice President
Milton Young
Treasurer

Harold C. Edelston
Executive Director

October 31, 1963

TO: EXECUTIVES OF MEMBER AGENCIES OF THE HEALTH AND
AND WELFARE COUNCIL

The delegates which your agency has named to the Health and Welfare Council have been invited to an important special meeting on the proposed civil rights ordinance for Baltimore City. We are calling your attention to this meeting in the hope that you will urge the delegates to attend and report back to your organization. You are also cordially invited to be present. The meeting will be held on:

Tuesday, November 12, 1963
3:30 p.m.
Board Room, Association of Commerce
Second Floor
22 Light Street

Purpose of meeting will be to acquaint delegates of member agencies with the provisions of the proposed civil rights ordinance, the action already taken by the Board of Directors of the Health and Welfare Council, and the kinds of action which each member agency might take. A copy of the proposed ordinance is enclosed for your information.

Presentations will be made at the meeting by:

Stanley Z. Mazer, Assistant to Mayor
and
David L. Glenn, Executive Secretary
Equal Opportunity Commission

If you plan to attend, will you please return the enclosed postcard.

Sincerely,

N. Page Worthington
N. Page Worthington, President

Enclosures

9. File - Civil Rights Ordinance
Baltimore City, 1963

October 31, 1963

The Honorable W. Donald Schaefer
Vice-President, City Council
City Hall
Baltimore, Maryland 21202

Dear Sir:

At its monthly meeting yesterday, the Board of Directors of the Health and Welfare Council voted unanimously to endorse the civil rights ordinance recently proposed by the City Administration to the City Council. The members of the Board had had an opportunity to examine copies of the proposed ordinance prior to the meeting and arrived at its decision to support it with full awareness of its comprehensiveness. The broad scope of the ordinance was recognized as having significant relevance to the human renewal planning project in which our organization is now engaged in collaboration with the City of Baltimore and the other three voluntary sponsoring organizations. The passage of the ordinance will be a major factor in the ultimate solution of the complex social problems at which the human renewal program is directed.

Our organization earnestly hopes that the ordinance will be enacted by the City Council at an early date. If the Health and Welfare Council can be of any assistance in the forthcoming deliberations on the bill, we shall be most happy to comply.

Sincerely yours,

N. Page Werthington, President

October 31, 1963

The Honorable Thomas J. D'Alesandro, III
President of the City Council
City Hall
Baltimore, Maryland 21202

Dear Sir:

At its monthly meeting yesterday, the Board of Directors of the Health and Welfare Council voted unanimously to endorse the civil rights ordinance recently proposed by the City Administration to the City Council. The members of the Board had had an opportunity to examine copies of the proposed ordinance prior to the meeting and arrived at its decision to support it with full awareness of its comprehensiveness. The broad scope of the ordinance was recognized as having significant relevance to the human renewal planning project in which our organization is now engaged in collaboration with the City of Baltimore and the other three voluntary sponsoring organizations. The passage of the ordinance will be a major factor in the ultimate solution of the complex social problems at which the human renewal program is directed.

Our organization earnestly hopes that the ordinance will be enacted by the City Council at an early date. If the Health and Welfare Council can be of any assistance in the forthcoming deliberations on the bill, we shall be most happy to comply.

Sincerely yours,

E. Page Worthington, President

October 31, 1963

The Honorable Theodore R. McKeldin
Mayor of Baltimore
City Hall
Baltimore, Maryland 21202

Dear Mayor McKeldin:

At its monthly meeting yesterday, the Board of Directors of the Health and Welfare Council voted unanimously to endorse the civil rights ordinance recently proposed by you to the City Council. The members of the Board had had an opportunity to examine copies of the proposed ordinance prior to the meeting and arrived at its decision to support it with full awareness of its comprehensiveness. The broad scope of the ordinance was recognized as having significant relevance to the human renewal planning project in which our organization is now engaged in collaboration with your office and the other three voluntary sponsoring organizations. The passage of the ordinance will be a major factor in the ultimate solution of the complex social problems at which the human renewal program is directed.

Our organization earnestly hopes that the ordinance will be enacted by the City Council at an early date. If the Health and Welfare Council can be of any assistance in the forthcoming deliberations on the bill, we shall be most happy to comply.

Sincerely yours,

N. Page Worthington, President

MEMORANDUM

November 1, 1963

TO: Coordinating Council For Civic Unity Membership
FROM: E. L. Holmgren, Chairman
SUBJ: Hearings on the Omnibus Civil Rights Bill

The schedule for the Judiciary Committee hearings on the Civil Rights Bill has been set. The hearings will be held at 7:30 P.M. on the evenings of November 6th, 11th, 19th and 21st in the City Council Chambers, City Hall.

We are asking each member group of CCCU to have as many of their members as possible in the audience, each of those nights. If your organization wishes to testify, get in touch with Leon Sachs, PL 2-2630 for information and scheduling.

ELH:mbs

BALTIMORE URBAN RENEWAL AND HOUSING AGENCY

November 4, 1963

Honorable President and Members of
the City Council of Baltimore

Gentlemen:

This is the report of the Baltimore Urban Renewal and Housing Agency on Pending Ordinance No. 1, which prohibits, under certain circumstances, discrimination in the sale, lease, rental, or financing of housing because of race, color, religion, ancestry, or national origin and on the housing provisions of Pending Ordinance No. 181 intended to accomplish the same objectives. This report represents the views of both the staff and the Commissioners of this Agency.

This Agency's position has been one of non-discrimination in housing under its jurisdiction, and we would favor the extension of this policy and practice outside of urban renewal and public housing projects. This Agency's policies in connection with housing are all aimed at creating equal opportunities for housing for all groups. Our public housing program is already operating in accordance with the principles that these ordinances seek to establish. In connection with renewal projects, our Commission's policy has been to encourage non-discriminatory use of the land that it sells to private developers, and provisions in recent urban renewal ordinances have required that preference be given in the disposition of land to developers who agree not to discriminate because of race, creed, or national origin in the use and occupancy of facilities to be built on the land. The recent President's Executive Order on Equal Opportunity in Housing now makes mandatory non-discrimination in new public housing and in housing built in new urban renewal projects.

An ordinance prohibiting discrimination in housing would be helpful to the urban renewal program in overcoming the competitive disadvantage to which many developers of housing on urban renewal land would otherwise feel they are subjected as a result of the President's Executive Order on Equal Opportunity in Housing and of those provisions in the more recent urban renewal ordinances which require that preference be given in the disposition of land to developers who agree not to discriminate because of race, creed, or national origin in the use and occupancy of facilities to be built on urban renewal land.

Honorable President and Members of
the City Council of Baltimore

-2-

November 4, 1963

One possible negative effect of the ordinance might be to make it more difficult to obtain new residential development in Baltimore City, until similar legislation is enacted applicable to the surrounding counties of the metropolitan area, particularly Baltimore County.

While either ordinance would establish the principle and require the practice of non-discrimination in housing, we believe that the housing provisions of the Administration Ordinance (Pending Ordinance No. 181) are simpler and clearer than the provisions of Pending Ordinance No. 1.

This Agency believes that segregation in housing is a cause of residential overcrowding and that it aggravates slums and conditions of blight and deterioration. Beyond these physical effects, such segregation is demoralizing to the groups which are discriminated against, discouraging those ambitions and aspirations upon which the community must depend, if such groups are to take a more positive role in community life. Baltimore cannot expect equal responsibility, without affording equal opportunity.

This Agency does, therefore, favor the approval of the housing provisions of the Administration Ordinance (Pending Ordinance No. 181).

Sincerely yours,

(Sgd.) R. L. Steiner

R. L. STEINER
Director

Enclosure

November 5, 1963

Mr. Edward L. Holmgren, Chairman
Coordinating Council for Civic Unity
c/o Baltimore Neighborhoods, Inc.
One Charles Center
Baltimore, Maryland 21201

Dear Ed:

I thought you would be interested in the enclosed letters which were sent to City officials indicating the action by our Board of Directors on the civil rights bill. As you probably know, we are holding a meeting of delegates of our member agencies to urge them to take appropriate action in support of the bill. We are also supplying copies of the bill but because the requests we are receiving are taxing our resources, we are compelled to place some limit on the number of copies we can make available to any one group. We are offering up to 25 copies without charge, but any request for copies in excess of 25 will be charged at the rate of five cents per copy.

I am happy that our organization can participate in activities to promote support of the bill, and hope that our efforts will contribute to a successful outcome.

Sincerely yours,

Harold C. Edelston
Executive Director

Enclosures

City's Civil Rights Bill Is Backed By Citizens Group

A committee of eight prominent citizens announced its support today of comprehensive city legislation in the field of civil rights.

The citizens told the City Council they support the principles contained in the Administration's omnibus civil rights bill and urged councilmen to enact "an effective and carefully drawn ordinance."

City Abolishes CD And Saves \$102,000

With a stroke of its pen, the Board of Estimates has abolished the city's Civil Defense Organization and saved \$102,000 while doing it.

The civil defense functions will remain, however, as a service of the Fire Department.

In adopting its budget for next year, the board eliminated all funds for the civil defense organization and added \$100,000 to the budget of the Fire Department.

The budget director, Charles L. Benton, had recommended an appropriation of \$260,000 for civil defense in 1964. The board has cut this by \$160,000, which includes \$88,000 in city funds and \$72,000 in Federal aid.

In A Lump Sum

Since the city will still get \$40,000 from the Federal Government next year, its out-of-pocket civil defense costs will amount to only \$60,000 next year. Currently, the city's share of CD costs is about \$162,000.

The board's action in abolishing the civil defense agency is irrevocable, since the City Council can only reduce, not increase, recommended expenditures.

The Council can, of course, elim-

[Continued, Page C 22, Column 3]

The committee is headed by William L. Marbury, a partner in one of the city's largest law firms and general counsel to the Maryland Port Authority.

Members Of Group

The other members of the group are:

CHARLES H. BUCK, chairman of the Title Guarantee Company, former chairman of the Greater Baltimore Committee and one-time mayoral candidate.

CHARLES S. GARLAND, a partner in a large investment banking firm and chairman of the Johns Hopkins University Board of Trustees.

ROBERT B. HOBBS, chairman of the board of the First National Bank and chairman of the Greater Baltimore Committee.

JEROLD C. HOFFBERGER, head of the National Brewing Company, one of the owners of the Orioles and a director of several corporations.

EMORY H. NILES, who retired last year as chief judge of the Supreme Bench of Baltimore.

L. MERCER SMITH, JR., vice president of the Chesapeake and Potomac Telephone Company and chairman of the Governor's Science Resources Advisory Board.

WALTER SONDHEIM, an officer of Hochschild, Kohn & Co., former School Board president and retiring urban renewal chairman.

"Deep Conviction"

The eight men told the Council that they "do not wish to be understood as indorsing every provision of the bill which the city Administration has laid before you.

"What we do wish to express is our deep conviction that equal status for our Negro fellow citizens should be achieved as promptly as possible, not only by voluntary action but by the pas-

[Continued, Page C 6, Column 2]

Group Backs Rights Bill

[Continued From Page C 34]

sage of an effective and carefully drawn ordinance."

The statement of the eight men was prepared for presentation to the Council tonight as the first of five public hearings on the civil rights bill. It was made public in advance of the meeting by Mayor McKeldin.

Other Support

The Mayor also announced that the directors of the Health and Welfare Council have voted unanimously to support his civil rights bill.

"Passage of the ordinance will be a major factor in the ultimate solution of (Baltimore's) social problems," said N. Page Worthington, president of the Health and Welfare Council, in a letter to the Mayor.

Tonight's City Council hearing will begin with a discussion of the need for civil rights legislation by members of the clergy and by community leaders.

The bill itself will be presented by H. Warren Buckler, Jr., chairman of the Equal Opportunity Commission, on behalf of the McKeldin Administration.

The proposed ordinance would broaden the coverage of the city's fair employment law, extend its equal accommodations law to all public places, include educational, health and welfare facilities and ban discrimination in the sale or rental of many classes of housing.

Every Person
11/6/60

Memorandum for files

November 19, 1963

Mrs. Anita Darrell called in ask if the support of the civil rights ordinance by HWC meant that all health and welfare agencies supported the ordinance....in other words was HWC speaking for the ~~othxxx~~ health and welfare agencies across the city - and specifically its member agencies. (she had attended the meeting of delegates - representing the Maryland Society for Prevention of Blindness - but had not fully understood what had been said - had to some degree misinterpreted what was said....

I told her no, but that the meeting had been called for the purpose of informing HWC's member agencies of the Council's stand and to encourage delegates to take this info to their boards.... hopefully for an affirmative stand....

Cambridge arms
Be 5-4100

BIG BROTHERS OF BALTIMORE, INC.
2032 MARYLAND AVENUE
BALTIMORE 18, MD.

November 19, 1963

Mr. Thomas D'Alesandro, Jr., President
Baltimore City Council
City Hall
Baltimore, Maryland 21202

RE: Civil Rights Ordinance

Dear Mr. D'Alesandro:

On behalf of our Board of Directors and our agency as a whole, I wish to commend the Baltimore City Administration for their leadership in the area of civil rights through the offering of Ordinance #181, legislation which we earnestly hope will be passed by the City Council and which will continue to have your strong support.

We commend the Ordinance as a whole in its broad purpose to assure equal rights for all citizens of Baltimore, regardless of race, creed or color, in the use of all services offered to the general public. We specifically wish to express our support of the section preventing any racial or religious discrimination in the offering of health and welfare services supported by public funds. We are proud that our own agency has, since the time of its incorporation in 1952, offered its service on an interracial, inter-faith basis and has been integrated both racially and religiously in regard to membership in its group of volunteers, its professional staff and its Board of Directors. We are well aware of the hardship, both physical and psychological, engendered in numerous of the colored families with whom we are in contact because of discriminatory practice in regard to their use of public services and accommodations.

Thank you for your efforts in behalf of Ordinance #181 and be assured of our sincere hope for its successful passage.

Sincerely yours,

John F. Graham
President

JFG/rp

cc: Honorable Theodore R. McKeldin, Mayor
William D. Schaefer
Harold C. Edelston

MARYLAND CHILDREN'S AID SOCIETY

DATE: November 22, 1963
TO: Mr. Harold C. Edelston
FROM: Mrs. Margaret A. Mattare
RE: Enclosure

We want you to know of our Board's action regarding the Mayor's Civil Rights Ordinance #181. Copies of this letter have gone to the President of the City Council, and four Council representatives from this District.

mam

Encl.

MARYLAND CHILDREN'S AID SOCIETY, INC.

5-7 W. 29th STREET BALTIMORE 18, MARYLAND
Telephone: TUxedo 9-8267

DISTRICT OFFICES

Easton

Elkton

Westminster

November 21, 1963

The Honorable Thomas D'Alesandro, III
President, City Council
City Hall
Baltimore, Maryland 21202

Dear Sir:

The Maryland Children's Aid Society, Inc. wishes to inform you that in a regularly convened meeting held on Tuesday, November 19, 1963, the Mayor's Civil Rights Ordinance, known as Ordinance #181 was reviewed by the agency with particular reference to those sections dealing with Employment Practices and with Health and Welfare Agencies.

After due consideration, the following Resolution was introduced and passed unanimously by the Board of Directors:
"Whereas it has been the policy of the Board of Directors of the Maryland Children's Aid Society to favor human rights and civil rights, now therefore, be it resolved that we do hereby affirm the principle embodied in Baltimore City Ordinance #181 known as the Civil Rights Ordinance".

Sincerely yours,

(Mrs.) Lewis Rumford, II
President

RR:mam

C
O
P
Y

Family and Children's Society

a consolidation of

FAMILY WELFARE and HENRY WATSON CHILDREN'S AID SOCIETY of BALTIMORE, Inc.
MARYLAND SOCIETY to PROTECT CHILDREN from CRUELTY and IMMORALITY

BRUCE P. WILSON, *President*
EDMUND P. DANDRIDGE, *Vice-President*
MRS. RALPH G. HILLS, *Secretary*
MRS. HENRY M. FITZHUGH, III, *Assistant Secretary*
HOWARD C. BECK, JR., *Treasurer*
RODNEY G. STIEFF, *Assistant Treasurer*

104 W. LANVALE STREET
BALTIMORE-17, MARYLAND

NORTH 9-9000

CLARK L. MOCK
Executive Director

November 27, 1963

Letter sent to the Mayor and
City Councilmen

Civil Rights Ordinance # 151

Our Board of Managers have voted to endorse
this ordinance in principle, with the understanding
that we have not had an opportunity to study the
bill in detail and there may be areas in which we
may be in conflict.

Sincerely yours,

Clark L. Mock
Executive Director

Copy to Mr. Harold Edelston ✓
Health and Welfare Council



2

CITY COUNCIL

THOMAS J. D'ALESSANDRO, III
PRESIDENT

307 CITY HALL
BALTIMORE, MARYLAND 21202
PLAZA 2-2000

December 6, 1963

Health & Welfare Council of the
Baltimore Area, Inc.
22 Light Street
Baltimore, Maryland 21212

Attention: Mr. N. Page Worthington
President


Gentlemen:

Thank you for your letter of October 31st advising
that your Board of Directors have voted unanimously
to endorse the Civil Rights Ordinance.

This is to inform you that I have already publicly
stated I am in favor of Civil Rights Ordinance 181
now pending in the City Council.

However I will pass your comments on to the City
Council for their consideration.

Sincerely,


President

TJD:ls

DIGEST OF MAYOR'S CIVIL RIGHTS ORDINANCE #181

This ordinance, presented to the Baltimore City Council by Mayor McKeldin on Monday, October 21, 1963, has been referred to the Council's Judiciary Committee, which is chaired by Councilman Donald Schaefer (5th Dist.) and is identified as Ordinance #181.

Hearings on the ordinance have been set for 7:30-10:00 P.M. on November 6, 14, 19, 22 and 26, in the City Council Chamber.

Declaration of Policy

Points out the existence and harmful effects of discrimination in employment, public accommodations, housing, education, recreation, health, and social and welfare services. The Mayor and City Council therefore deem it necessary and expedient to promote and protect the public health, welfare and safety by enacting the ordinance to prevent and eliminate discrimination by persons and in areas as later defined.

Definitions

- a. "Person" means an association, partnership or corporation, as well as a natural male or female, officers of corporations, and members of partnerships or other associations.
- b. "Employer" means any person, other than fraternal and religious organization, who employs five (5) or more persons, exclusive of parents, spouse or children. It includes any governmental unit, agency or employee as to which the City can legislate. Please note that the present ordinance covers employers of 15 or more employees.
- c. "Labor organization" means any organization which bargains collectively or deals with employers concerning grievances, terms or conditions of employment, or other mutual aid or protection respecting employment.
- d. "Employment agency" means any person regularly undertaking, with or without compensation, to procure opportunities to work or to procure, refer or place employees.
- e. "Discrimination" means any difference of treatment of any individual because of race, color, religion, national origin or ancestry, except that it shall not be discrimination for a religious or denominational institution to devote its facilities exclusively or preferentially to members of its own religion or denomination.
- f. "Complainant" means any person or groups of persons claiming to be aggrieved under the ordinance and "Respondent" means any person or groups of persons against whom a complaint is lodged.
- g. "Place of public accommodation, resort or amusement" means any place in the City which is open to, accepts or solicits, whether or not for a consideration however designated, the patronage of all or any portion of the general public.
- h. The same broad and complete coverage applies to the definition of "Educational institution" and "health and welfare service agency."
- i. "Housing Unit" means any room, suite, apartment or dwelling for living quarters, as well as any parcel of land or a lot available for construction of a dwelling unit. The only exemption here is that of an owner who occupies at least one unit of a structure containing not more than three (3) housing units.

J. Other definitions cover Lending Institution, Owner, Real Estate Broker, and Real Estate Salesman or Agent.

Unlawful Employment Practices

It shall be an unlawful practice for:

1. Any employer to discriminate with respect to hire, tenure, promotion, terms, conditions, or privileges of employment.
2. Any employer, employment agency or labor organization to discriminate through a quota system or otherwise.
3. Any employer, employment agency or labor organization, to make any inquiry concerning, or record, the race, color, religion, national origin or ancestry of any applicant; to use any form of application containing questions or entries regarding race, color, religion, national origin or ancestry; to print, publish or circulate any notice or advertisement indicating any preference, limitation, specification or discrimination based on race, color, religion, national origin or ancestry.
4. Any employment agency to fail or to refuse properly to classify an individual or to refer him for employment.
5. Any labor organization to limit, segregate or classify its membership in any way that limits or deprives an individual of employment or adversely affects his employment status, wages, hours or other employment conditions.
6. Any employer, employment agency or labor organization to penalize an individual because he has opposed a forbidden practice or been involved in any way in a complaint.
7. Any labor organization or employers' association to discriminate against any person with respect to admission to or membership in apprentice training.

Unlawful Housing Practices

It shall be an unlawful practice for:

1. Any owner, broker, salesman or agent to represent that a housing unit is not available for inspection, sale, lease, sublease, rental, assignment or other transfer when in fact it is so available.
2. Any owner, broker, salesman or agent to include in any contract or lease any clause, condition or restriction which is discriminatory.
3. Any owner, broker, salesman or agent to discriminate in the furnishing of any facilities or services for any housing unit.
4. Any lending institution to discriminate in lending money, guaranteeing loans, accepting mortgages or otherwise making available funds for the purchase, acquisition, construction, rehabilitation, repair or maintenance of any housing unit.
5. Any person to publish or circulate any statement, notice of advertisement or announce a policy or use any application form or to make any record or inquiry in connection with the purchase, lease or rental of any housing unit that is discriminatory.

Unlawful Practices - Public Accommodations

It shall be an unlawful practice for any owner, lessee, proprietor, superintendent, manager, agent or employee of a place of public accommodation, resort or amusement to:

1. Discriminate by withholding or denying the services, advantages, facilities or privileges offered by such places.
2. Discriminate in the setting of rates or charges.
3. Communicate, publish, advertise or represent that the services and facilities will be refused, withheld or denied because of race, color, religion, national origin or ancestry, or that such person is unwelcome, objectionable, not acceptable, desired or solicited.

Unlawful Practices - Educational Institutions

It shall be an unlawful educational practice for any person or any educational institution, owner, superintendent, teacher, professor, manager, trustee or officer to:

1. Discriminate in admissions or restrict or limit admission by quota or otherwise.
2. Discriminate in admission of any student to any course or courses of study or program.
3. Discriminate against any student with respect to any facilities afforded or available to students whether such facilities are on or off campus or owned, rented or leased for the benefit of students.
4. Discriminate or promote discrimination by any officially recognized organization with respect to any extra-curricular activities, whether or not those activities take place on or off the campus.
5. Discriminate against any person as to rates, fees or tuition for any service or program offered by the institution or by any owner, superintendent, teacher, professor, manager or officer.
6. Communicate, publish, advertise or represent that any courses, services, programs, facilities, lectures, affairs or privileges are withheld from or denied to any person on a discriminatory basis or that such person is unwelcome, objectionable or unacceptable because of race, color, religion, national origin or ancestry.

Unlawful Practices - Health and Welfare Agencies

It shall be an unlawful practice for any health and welfare agency, owner, supervisor, staff person, director, manager or officer to:

1. Refuse, deny, or withhold any services, programs, benefits, facilities or privileges of any health and welfare program or service.
2. Discriminate as to setting rates or charges for services, programs, benefits, facilities or privileges.
3. Communicate, publish, advertise or represent that any agency services, programs, benefits, facilities or privileges are withheld or denied on a discriminatory basis or that the patronage of any person is unwelcome, objectionable, or unacceptable because of race, color, religion, national origin or ancestry.

Additional Unlawful Practices

It shall be an unlawful practice for any person to aid, abet, incite, compel or coerce the doing of any act that is declared an unlawful practice, or to obstruct or prevent any person from complying with the ordinance, or to attempt, directly or indirectly, alone or in concert with others, to commit any act declared to be unlawful practice.

Baltimore Community Relations Commission

1. The Baltimore Equal Employment Opportunity Commission shall be continued as the Baltimore Community Relations Commission.
2. The Commission shall consist of ten (10) members, appointed by the Mayor with approval by City Council, five shall constitute a quorum; members shall serve without compensation for a term of three years; they shall be reimbursed for necessary expenses.

Powers and Duties Of The Commission

1. Shall carry out an educational and action program designed to eliminate and prevent prejudice and discrimination in Baltimore.
2. Shall receive, investigate and seek to adjust all complaints, which must be filed within 30 days of the alleged unlawful practice.
3. Shall make appropriate findings as a result of any of its investigations.
4. Not less than once a year shall render to the Mayor and City Council a written report of its activities and recommendations.
5. Shall adopt and publish necessary rules and regulations.
6. Shall consult with such advisory agencies and conciliation councils as will aid and promote the ordinance purposes.
7. Conduct investigations and studies, hold public hearings to determine existence of discriminatory problems, practices or conditions placed under its jurisdiction by local, State or Federal law.
8. Issue subpoenas to compel attendance, testimony and records for hearings, investigations and proceedings, with such subpoenas to be served by the Baltimore City Sheriff or his deputies. In case of disobedience to a subpoena, the Commission may apply to a Baltimore City court of appropriate jurisdiction for an order requiring attendance, testimony, records, etcetera. Further non-compliance by the subpoenaed person then would be punished by the court as contempt thereof.

Complaints

- a. Any aggrieved person or his attorney may file a complaint in writing under oath.
- b. The Commission itself may issue a complaint if it has reason to believe an unlawful practice is being or has been carried on.
- c. A respondent whose employees or agents refuse or threaten to refuse to comply with the ordinance may file a complaint with the Commission, under oath, asking for assistance by conciliation or other action.

Baltimore City Council

1963-1967



Thomas J. D'Alesandro, III, President

FOR



Maurice Soypher



Henry G. Parks, Jr.



Walter T. Dixon



Leon A. Rubenstein



Wm. Donald Schaefer

5th District



Dominic M. Leone



John J. Hines



William J. Myers



Reuben Caplan



Jacob J. Edelman

FOR

?

FOR?



George W. Arthur

3rd District



John A. Pica



James J. Duffy



Joseph J. Staszak



William Bonnett

1st District



J. Joseph Curran



Frank X. Gallagher



Charles Panuska



Clement J. Frucha



Thomas Ward

2nd District

FOR

ALL REGULAR MEETINGS OF
CITY COUNCIL ARE OPEN TO THE PUBLIC

League of Women Voters of Baltimore
411 N. Charles Street
Saratoga 7-1961

29
10/63

What the

MAYOR'S CIVIL RIGHTS PACKAGE

(Ordinance No. 181)

MEANS TO YOU

EMPLOYMENT

- o YOU will be able to receive the same treatment as others in everything relating to your job, including, hiring, promotions, time in service
- o YOU will be able to file job applications with any employment agency, and you will be referred for jobs
- o YOU will be able to take out membership in any labor organization
- o YOU will be able to take part in any apprenticeship training program, and you will be placed on a job

HEARING, CITY HALL, NOV. 6th, 7:30 p.m.

PUBLIC ACCOMMODATIONS

- o YOU will be able to go to all places of public accommodation, resort and amusement in the City which are open to the general public
- o YOU will be served in all places in the City which are open to the general public
- o YOU will be able to use all of the facilities in these places
- o YOU will pay the same price as others in all places in the City which are open to the general public

HEARING, CITY HALL, NOV. 14th, 7:30 p.m.

HOUSING

- o YOU will be able to inspect, sell, lease, sublease or rent any available housing which is not occupied by the owner, nor contains less than three units
- o YOU will be able to get service from any owner, real estate broker, real estate salesman or agent when you go "house hunting"
- o YOU will be able to obtain funds to buy, build or repair your house from any place which is set up to lend money for these purposes

HEARING, CITY HALL, NOV. 19th, 7:30 p.m.

EDUCATIONAL INSTITUTIONS

- o YOU will be able to attend any public or private educational institution, except a parochial one
- o YOU will be able to enroll in any study course offered by any of these institutions
- o YOU will be able to participate in all activities recognized by any of these institutions
- o YOU will pay the same fee as others for programs and services of any of these institutions

HEARING, CITY HALL, NOV. 22nd, 7:30 p.m.

HEALTH & WELFARE AGENCIES

- o YOU will be able to get service from any Health & Welfare Agency which receives public funds
- o YOU will pay the same rates as others for any of these services of these agencies
- o YOU will be able to use any of the facilities of any Health & Welfare Agency which receives public funds
- o YOU will be able to take part in any program of any Health & Welfare Agency which receives public funds

HEARING, CITY HALL, NOV. 22nd, 7:30 p.m.

GENERAL PICTURE

- o YOU will consult the Baltimore Community Relations Commission, formerly the Equal Opportunity Commission, on any matter concerning employment, public accommodation, educational institution, housing, and health & welfare agencies
- o YOU will have an opportunity to learn about conditions in employment, public accommodation, educational institution, housing, health & welfare agencies, through public hearings held by the Baltimore Community Relations Commission

HEARING, CITY HALL, NOV. 26th, 7:30 p.m.

Prepared by Facts and Civic Techniques Seminar
Affiliate of the Baltimore Urban League

- ① Stan
- ② Buckler
- ③ Daniels

Koplon held up
5th Dist

discussion by
Gustavus Buckler

Gallagher (Councilman)

2 p. 2

2 o. 2
2 d. 2
2 (minutes)

For - 1
Mr. Fairblatt
Comm. BARRIA
re: resolution
1. of BARRIA

2. ~~Steiner~~
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Baltimore Neighborhood
Inc

3. Edward Halogren
Et Dir = Baltimore

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= Harry Berman, atty.
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D'Albentro - attorney

Agnes Blem
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Northwood
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(Mayor College Ave)
(from one)

At request of - The Administration

BY: The President

AN ORDINANCE to repeal Sections 8 - 17 inclusive of Article 14A of the Baltimore City Code (1950 Edition), title "Human Relations," subtitle "Baltimore Equal Opportunity Commission," some of said sections having originally been ordained by Ordinance 379, approved April 18, 1956; Sections 10A thereof having been ordained by Ordinance 1249, approved June 8, 1962; and some of said sections having either been amended or ordained by Ordinance 409, approved July 6, 1960, Ordinance 1249, approved June 8, 1962, and Ordinance 1339, approved August 31, 1962; and to repeal said subtitle and said several ordinances; and to ordain in lieu thereof new Sections 8 - 22 inclusive in said Article 14A, to follow immediately after Section 7, thereof, and to be under the new subtitle "Baltimore Community Relations Commission," amending the ordinance concerning the Baltimore Equal Opportunity Commission in order to change the name thereof to the Baltimore Community Relations Commission and to change some of the duties thereof, continuing the tenure and present membership of the former Baltimore Equal Opportunity Commission into the Baltimore Community Relations Commission herein established, stating the purpose of this ordinance, prohibiting certain forms of discrimination in this City based upon race, color, religion, national origin, or ancestry with respect to employment, housing, places of public accommodation, resort or amusement, educational institutions, health and welfare agencies, and in other respects; providing for the enforcement of these prohibitions

against discrimination and the powers and duties of certain executive and judicial officers in such enforcement, and relating generally to the prohibition of certain forms of discrimination in this City based on race, color, religion, national origin, or ancestry.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sections 8 - 17 inclusive of Article 14A of the Baltimore City Code (1950 Edition), title "Human Relations," subtitle "Baltimore Equal Opportunity Commission," some of said sections having originally been ordained by Ordinance 379, approved April 18, 1956; Section 10A thereof having been ordained by Ordinance 1249, approved June 8, 1962; and some of said sections having either been amended or ordained by Ordinance 409, approved July 6, 1960, Ordinance 1249, approved June 8, 1962, and Ordinance 1339, approved August 31, 1962, be and they are hereby repealed; and that said subtitle and said several ordinances be and they are hereby repealed; and that new Sections 8 - 22 inclusive in said Article 14A be and they are hereby ordained in lieu thereof, to follow immediately after Section 7 thereof, to be under the new subtitle "Baltimore Community Relations Commission," and to read as follows:

Baltimore Community Relations Commission

8. DECLARATION OF POLICY AND FINDINGS OF FACT

The Mayor and City Council of Baltimore find that:

The population of Baltimore is composed of persons having differing racial, religious, and ethnic backgrounds, and it is essential to the peace and welfare of the community that public as well as private efforts be made to reconcile differences and eliminate friction among such persons and to promote harmonious inter-group relations, to the end that no resident of the City will be handicapped in availing himself of community resources solely by reason of race, color, religion, national origin, or ancestry.

Discrimination has been and is being practiced in the City of Baltimore against minority groups in many fields of endeavor and daily existence, including, but not limited to, those of employment and preliminary job training, public accommodations, housing, education, recreation, health, and social and welfare services. Such discriminatory practices against minority groups have been personally degrading, have deadened incentive and initiative, have prevented useful, intelligent and unbiased participation in, and advancement of, the general body politic, have required substantial expenditure of public funds, and have been substantially detrimental to the public health, welfare, and safety.

Discrimination in the fields of education and preliminary job training has precluded members of minority groups from acquiring, developing, and maintaining the essential educational, vocational, cultural, and professional background and efficiency for entrance into, and earning of a livelihood in, many field of endeavor. Members of these groups who are qualified are not given fair, equal, and impartial

employment opportunities. Such prevention of a substantial body of citizens from earning an income necessary to maintain normal and decent living standards has fostered crime and public unrest, retarded community progress, and increased public relief rolls.

Discrimination in health and welfare services imposes unnecessary individual and community hardships, in areas of social, mental, and economic well being, and has actually resulted in denial to many members of such minority groups of care, attention, and service essential to maintenance of their physical and emotional well being.

The practice by places of public accommodations, resort or amusement, of refusing to accommodate and serve members of minority groups tends to impose degradation and hardship upon the members of these groups and also tends to cause and intensify inter-group tensions.

Discrimination in housing has increased mortality, disease, crime, vice, and juvenile delinquency, endangered human life because of substandard facilities, and tended to defeat and impede governmental programs designed to achieve desegregation in various fields.

Acceleration and expansion of legal measures, as well as voluntary efforts to eliminate discrimination against minority groups, are essential to avoid potential public discord, strife, and unrest, similar to that experienced in many other urban areas in protest against continuing discriminatory practices. Legislation is necessary in the public interest to avoid permanently adverse effects upon the development, growth, and renewal of the City of Baltimore.

Therefore, the Mayor and City Council of Baltimore deem it necessary and expedient to promote and protect the public health, welfare, and safety by enacting this sub-title to prevent and eliminate discrimination by the persons and in the areas herein defined.

9. Definitions: The terms hereinafter set forth, wherever used in this sub-title, are defined as follows:

(a) "Person" means an association, partnership, or corporation, as well as a natural person, whether male or female. The term "person" as applied to partnerships or other associations includes their members, and as applied to corporations includes their officers.

(b) "Employer" means every person, other than fraternal and religious organizations, who employs five or more people, exclusive of parents, spouse, or children of such person. The term includes any governmental unit, agency, or employee as to which the City has the power to legislate.

(c) "Labor organization" means any organization which exists for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment, or of other mutual aid or protection in relation to employment.

(d) "Employment agency" means every person regularly undertaking in this City, with or without compensation, to procure opportunities to work or to procure, refer, or place employees.

(e) "Commission" means the Baltimore Community Relations Commission, heretofore named the Baltimore Equal Opportunity Commission.

(f) "Discrimination" means any difference in the treatment of an individual or person because of race, color, religion, national origin, or ancestry and shall include segregation, except that it shall not be discrimination for any religious or demoninational institution to devote its facilities, exclusively or primarily, to or for members of its own religion or denomination or to give preference to such members or to make such selection as is calculated by such institution to promote the religious principles for which it is established or maintained. This definition also applies to the verb "to discriminate" and to the adjective "discriminatory" as used herein.

(g) "Complainant" means any person or groups of persons claiming to be aggrieved under this sub-title.

(h) "Respondent" means any person or groups of persons against whom a complaint is lodged.

(i) "Place of public accomodation, resort or amusement" means any place in the City which is open to, accepts, or solicits, whether or not for a consideration, however designated, the patronage of all or any portion of the general public, including but not limited to, inns, taverns, roadhouses, hotels, motels, restaurants, or eating houses, or any place where food, confectionery, milk, milk products, or beverages (alcoholic or non-alcoholic) are sold for consumption on or off the premises, all bathhouses, swimming pools, any establishment offering personal service or service facilities to the general public, all retail stores and establishments, theatres, motion picture houses, roof gardens, music halls, race courses, skating rinks,

amusement and recreation parks, fairs and carnivals, bowling alleys, gymnasiums, health clubs, shooting galleries, billiard and pool parlors, garages, and all public conveyances operated on land or water or in the air, as well as the stations, terminals and airports thereof, all crematories, cemeteries (other than church operated), funeral homes, and ambulances.

(j) "Educational institution" means any person, institution, or organization, public or private, rendering services free or for tuition, and licensed or accredited by the City, State, or Federal Government, or any agency thereof, for the purpose of teaching or instructing persons and shall include also all libraries, art galleries, nursery schools, kindergartens, primary and secondary schools, high schools, academies, colleges and universities, business schools, and extension or correspondence courses, and all institutions established for vocational or professional training or preparation, but shall not include parochial schools of instruction.

(k) "Health and welfare service agency" means any public, voluntary, or private health or welfare organization which receives public funds. The term includes any hospital, clinic, dispensary, nursing home, convalescent home, rehabilitation center, social work, agency, community service center, group work-recreation center, counselling and guidance service agency, sheltered or protective workshop, social agency, day camp or resident camp, protective service organization or facility, but, except for a hospital, clinic, or dispensary, the term does not include any health and welfare service agency operated by a bonafide religious denomination, exclusively or primarily for members of its faith.

(l) "Public Funds" means funds derived from any governmental body or agency thereof, or derived or solicited by whatever means from the general community at large.

(m) "Housing Unit" means (i) any single room, suite of rooms, apartment or dwelling, occupied or intended for occupancy or use as separate living quarters, by an individual, by a family, or by a group of individuals living together, or (ii) a parcel of real property or a lot available for construction of a structure for dwelling purposes. The term does not include any housing unit which is occupied by the holder of the legal or beneficial title thereto or is located in a structure containing not more than three housing units, at least one of which is occupied by such holder. The foregoing exemption of the specified holder of legal or beneficial title shall apply with equal force and effect to any successor in interest by virtue of said legal or beneficial title holder's incompetency or death.

(n) "Lending Institution" means any person regularly engaged in the business of lending money on real or leasehold property.

(o) "Owner", as used in connection with Housing Unit, means any person holding legal or beneficial title to a housing unit, and, in addition, the lessee, sublessee, or assignee of any such owner, or any other person having the right to sell, rent, or lease a housing unit.

(p) "Real Estate Broker" means any person who, for a fee or other valuable consideration, sells, purchases, exchanges, or rents, or negotiates, or offers or attempts to negotiate, the sale, purchase,

exchange, or rental of a housing unit, or holds himself out as engaged in the business of selling, purchasing, exchanging, or renting of housing units, or collects rental for the use of same.

(q) "Real Estate Salesman or Agent" means any person employed by a real estate broker to perform, or to assist in performance of, any or all of the functions of a real estate broker.

10. Unlawful Employment Practices. Except where a particular occupation or position reasonably requires, as an essential qualification thereof, the employment of a person or persons of a particular race, color, religion, national origin, or ancestry and such qualifications is not adopted as a means of circumventing the purpose of this sub-title, it shall be an unlawful practice:

(a) For any employer to discriminate against an individual with respect to hire, tenure, promotion, terms, conditions, or privileges of employment or any matter directly or indirectly related to employment.

(b) For any employer, employment agency or labor organization to practice discrimination by denying or limiting through a quota system or otherwise, employment or membership opportunities to any group or individual.

(c) For any employer, employment agency or labor organization prior to employment or admission to membership to:

(i) Make any inquiry concerning, or record, the race, color, religion, national origin, or ancestry of any applicant for employment or membership.

(ii) Use any form of application for employment of personal or membership blank containing questions or entries regarding race, color, religion, national origin, or ancestry.

(iii) Cause to be printed, published, or circulated any notice or advertisement relating to employment or membership indicating any preference, limitation, specification, or discrimination, based upon race, color, religion, national origin, or ancestry.

(d) For any employment agency to practice discrimination by failing or refusing properly to classify an individual or to refer him for employment.

(e) For any labor organization to discriminate against any individual, by limiting, segregating, or classifying its membership in any way which would deprive or tend to deprive such individual of employment opportunities or would limit his employment opportunities or otherwise adversely affect his status as an employee or as an application for employment or would affect adversely his wages, hours, or employment conditions.

(f) For any employer, employment agency, or labor organization to penalize or discriminate in any manner against any individual because he has opposed any practice forbidden by this sub-title or because he has made a complaint, testified, or assisted in any manner in any investigation, proceeding, or hearing hereunder.

(g) For any labor organization or employers' association established for the purpose of training apprentice candidates, acting individually or jointly, to discriminate against any person with

respect to admission or membership, or with respect to terms, conditions of employment or training, placement, or any other benefits.

11. Unlawful Practices - Housing.

It shall be an unlawful practice:

(a) For any owner, real estate broker, real estate salesman, or agent to represent that a housing unit is not available for inspection, sale, lease, sublease, rental, assignment, or other transfer when in fact it is so available or to discriminate in any transaction with respect to such housing unit;

(b) For any owner, real estate broker, real estate salesman or agent to include in the terms, conditions, or privileges of the sale, lease, sublease, rental or assignment, or other transfer of such housing unit any clause, condition or restriction which is discriminatory;

(c) For any owner, real estate broker, real estate salesman or agent to discriminate in the furnishing of any facilities or services for any housing unit;

(d) For any lending institution to discriminate in lending money, guaranteeing loans, accepting mortgages, or otherwise making available funds for the purchase, acquisition, construction, rehabilitation, repair, or maintenance of any housing unit;

(e) For any person to publish or circulate, or to cause to be published or circulated, any notice, statement, or advertisement, or to announce a policy, or to use any form of application for the purchase, lease, rental, or financing of housing units, or to

make any record or inquiry in connection with the prospective purchase, rental, or lease of housing units which is discriminatory.

12. Unlawful Practices - Places of Public Accommodation, Resort or Amusement. It shall be an unlawful practice for any person, including any owner, lessee, proprietor, superintendent, manager, agent, or employee of a place of public accommodation, resort, or amusement to:

(a) Discriminate against any person by directly or indirectly withholding from or denying to such person any of the services, advantages, facilities, or privileges offered by such place of public accommodation, resort, or amusement.

(b) Discriminate against any person, in the setting of rates or charges for any of the services, advantages, facilities, or privileges offered by such place of public accommodation, resort, or amusement.

(c) Communicate, publish, advertise, or represent that any services, advantages, facilities, or privileges of such place of public accommodation, resort, or amusement will be refused, withheld, or denied to any person on account of race, color, religion, national origin, or ancestry, is unwelcome, objectionable, or not acceptable, desired, or solicited.

13. Unlawful Practices - Educational Institutions. It shall be an unlawful educational practice for any person or any educational institution, or any owner, superintendent, teacher, professor, manager, trustee, or officer thereof to:

(a) Discriminate in admissions to such institutions or to restrict or limit the same by quota or otherwise;

(b) Discriminate in the admission of any student to any course or courses of study or programs offered by or in any such educational institution;

(c) Discriminate against any student with respect to any of the facilities of such institution otherwise afforded to students or available to students whether or not such facilities or accommodation are on or off the campus or owned, rented, or leased for the benefit of students;

(d) Discriminate or promote discrimination by any organization officially recognized by such educational institution with respect to any extra-curricular activities, whether or not those activities take place on or off the campus of said educational institution;

(e) Discriminate against any person in the establishment of rates, fees, or tuition for any service or program offered by such educational institution, or by any owner, superintendent, teacher, professor, manager, or officer thereof;

(f) Communicate, publish, advertise, or represent that any of the courses, services, programs, facilities, lectures, affairs, or privileges are withheld from, or denied to, any person on a discriminatory basis, or that any person is unwelcome, objectionable or unacceptable because of race, color, religion, national origin, or ancestry.

14. Unlawful Practices - Health and Welfare Agencies. It shall be an unlawful practice for any health and welfare agency, or owner, supervisor, staff person, director, manager, or officer thereof to:

(a) Discriminate against any person by refusing, denying, or withholding from him any of the services, programs, benefits, facilities, or privileges of any health and welfare program or service;

(b) Discriminate against any person, in the setting of rates or charges for any of the services, programs, benefits, facilities, or privileges of any such agency;

(c) Communicate, publish, advertise, or represent that any of the services, programs, benefits, facilities or privileges of any health or welfare agency are withheld from or denied to any person on a discriminatory basis, or that the patronage of any person is unwelcome, objectionable, or unacceptable, because of race, color, religion, national origin, or ancestry;

15. Additional Unlawful Practices. It shall be unlawful practice for any person to aid, abet, incite, compel, or coerce the doing of any act declared herein to be an unlawful practice or to obstruct or prevent any person from complying with the provisions of this sub-title or any order issued hereunder, or to attempt, directly or indirectly, along, or in concert with others, to commit any act declared by this sub-title to be an unlawful practice.

16. Baltimore Community Relations Commission.

(a) The agency originally created as the Baltimore Equal Employment Opportunity Commission and subsequently continued as the Baltimore Equal Opportunity Commission is continued as the Baltimore Community Relations Commission of the Mayor and City Council of Baltimore.

(b) The Commission consists of ten members (continued from the former Baltimore Equal Opportunity Commission), who shall be appointed by the Mayor subject to approval by the City Council. Any five members of the Commission shall constitute a quorum. They shall serve without compensation but shall be reimbursed for all expenses necessarily incurred. Each member of the Commission shall serve for a period of three years and until his successor is duly appointed and qualified, except that in the case of those first appointed the terms shall be staggered as follows: three to serve for one year; three to serve for two years; and three to serve for three years. The members of the Commission shall annually elect a chairman from among the members of the Commission and shall appoint a secretary.

(c) The Commission has the responsibility for the elimination of discrimination in all areas of community life, as more particularly provided throughout this sub-title.

17. Powers and Duties of the Commission. The Commission is authorized to and shall:

(a) Formulate and carry out a comprehensive educational and action program designed to eliminate and prevent prejudice and discrimination in the City of Baltimore.

(b) Receive and investigate and seek to adjust all complaints of unlawful practices forbidden by this sub-title, but no complaint shall be received unless made to the Commission within thirty days of such alleged unlawful practice.

(c) Make appropriate findings as a result of any of its investigations.

(d) From time to time, but not less than once a year, render to the Mayor and City Council a written report of its activities and recommendations.

(e) Adopt and publish such rules and regulations as maybe necessary to carry out the functions of the Commission and to effectuate the purposes and provisions of this sub-title.

(f) Consult with such advisory agencies and conciliation councils as will aid in effectuating the purpose of this sub-title.

(g) Conduct investigations and studies, and hold public hearings for the purpose of determining the existence of problems, practices, or conditions in the areas placed under its jurisdiction by this or any other ordinance or by State or Federal law, and in any other areas in the field of intergroup relations, tending to impair or disrupt harmonious relations among the various ethnic, religious, and racial groups in Baltimore City.

(h) In the enforcement of this sub-title, issue subpoenas and compel the attendance and testimony of witnesses and the production of books, papers, records, and documents relevant or necessary for hearings, investigations, and proceedings. Any such subpoena shall be served by the Sheriff of Baltimore City or any of his deputies. In

case of a disobedience to a subpoena, the Commission may apply to the court of appropriate jurisdiction of Baltimore City for an order requiring the attendance and testimony of witnesses and the production of books, papers, records, and documents. Said court may, in case of continuacy or refusal to obey any such subpoena, after notice to the person subpoenaed, and upon finding that the attendance or testimony of such witnesses or the production of such books, papers, records, and documents, as the case may be, is ^{relevant} ~~revelent~~ or necessary for such hearings, investigations, or proceedings of the Commission, issue an order requiring the attendance and testimony of such witnesses and the production of such books, papers, records and documents, or any of them, and any failure to obey such order of said court may be punished by such court as contempt thereof.

(i) To cooperate, negotiate, and contract on behalf of the City with any State or Federal agency functioning or having jurisdiction in the same areas as the Commission, with respect to the subject matter of this sub-title, to the end that duplication of effort in said areas may be avoided.

18. Complaints.

(a) Any person claiming to be aggrieved by an alleged unlawful practice may, by himself or his attorney, make, sign, and file with the Commission a complaint in writing under oath. The complaint shall state the name and address of the person alleged to have committed the unlawful practice (hereinafter referred to as the respondent) and the particulars thereof, and contain such other information as may be required by the Commission.

(b) Whenever it has reason to believe that any person has been engaged or is engaging in any unlawful practice, the Commission may issue a complaint.

(c) Any respondent whose employees, or agents, or any of them refuse or threaten to refuse to comply with the provisions of this ordinance, may file with the Commission a written complaint under oath asking for assistance by conciliation or other remedial action.

19. Investigations:

(a) After the filing of any complaint, the Commission shall consider such complaint, and where the Commission by majority vote shall deem it necessary, it will refer the complaint, in its discretion, to the appropriate section of the Commission's staff for prompt investigation and ascertainment of the facts. The results of the investigation shall be reduced to written findings of fact.

(b) If the finding is made that there is probable cause for believing that an unlawful practice has been or is being committed, the Commission's staff shall immediately endeavor to eliminate the unlawful practice by conference, conciliation and persuasion. Where the unlawful practice pertains to employment, the Commission's staff shall be authorized to require as a condition, the elimination of the unlawful practice, upgrading, or reinstatement of the employee discriminated against, with or without back pay, hiring, or acceptance in any respondent labor organization, as the situation may warrant.

(c) If an agreement is reached for the elimination of such unlawful practice as a result of such conference, conciliation, and persuasion, the agreement shall be reduced to writing and signed

by the respondent, and an order shall be entered by the Commission setting forth the terms of said agreement. No order shall be entered by the Commission at this stage of the proceedings except upon such written agreement. If no such agreement can be reached, a finding to that effect shall be made and reduced to writing, with a copy thereof furnished to the complainant and the respondent.

(d) If the finding is made that there is no probable cause, said finding shall be reduced to writing and a copy promptly mailed by certified mail to the complainant and to the respondent. Within seven days after receipt thereof, the complainant shall have the right to appeal such finding to the Commission by filing a written statement with it.

(e) Neither the Commission nor its staff shall disclose what has transpired during the course of any investigation; nor shall any publicity be given to any negotiations or to the fact that a complaint has been filed.

20. Hearings.

(a) In case of failure to reach an agreement for the elimination of such unlawful practice, and upon the entry of findings to that effect, the entire file, including the complaint and any and all findings made, shall be certified to the Chairman of the Commission. The Chairman of the Commission shall thereupon appoint a hearing tribunal of three or more persons, who shall be members of the Commission, acting in the name of the Commission, to hear the complaint and shall cause to be issued and served in the name of the

Commission a written notice, together with a copy of the complaint as the same may have been amended, and a copy of the findings of fact, requiring the respondent to answer the charges of the complaint at a public hearing before such tribunal, at a time and place to be specified in such notice.

(b) The respondent may file a written answer to the complaint and appear at the hearing in person or otherwise, with or without counsel, and submit testimony and be fully heard and otherwise examine and cross-examine witnesses.

(c) The tribunal conducting any hearing may permit reasonable amendment to any complaint or answer. Testimony at the hearing shall be under oath and recorded.

(d) If, upon all the evidence, the tribunal finds that the respondent has engaged in any unlawful practice, it shall state its findings and recommendations thereto and certify the same to the Commission. The Commission shall issue and cause to be served on such respondent an order requiring such respondent to cease and desist from such unlawful practice and to take such affirmative action as will effectuate the purpose of this sub-title. In addition, where the unlawful practice pertains to employment, the Commission shall be authorized in its discretion to require upgrading or reinstatement of the employee discriminated against, with or without back pay, to require hiring, or to require restoration to any respondent labor organization, as the situation may warrant.

21. Enforcement.

(a) In the event any respondent refuses to comply with an order of the Commission (as to any matter other than those covered

by Section 17 (h) of this sub-title), or in the event, at any time after the filing of a complaint, the Commission determines that the alleged unlawful practice will have become final and unrectifiable unless restrained, the Commission may certify the matter to the City Law Department.

(b) The City Law Department shall thereupon proceed, in the name of the Mayor and City Council of Baltimore, as soon as reasonably possible, to invoke the aid of an appropriate court to secure compliance with the Commission's order and with the provisions of this sub-title, or to prevent final, unrectifiable accomplishment of a practice designated as unlawful by this sub-title, as the case may be. The court shall have power to grant such temporary relief or restraining order as it deems just and proper and to make and enter an order enforcing, modifying, and enforcing, as so modified, or setting aside, in whole or in part, the order of the Commission.

22. Severability. The provision of this sub-title are severable. Should any section, subsection, paragraph, or clause, or the application of any of it to a particular state or case, be held unconstitutional, invalid, or illegal, the same shall not affect the remainder of the sub-title or its application to other persons or circumstances. It is expressly declared that this sub-title would have been adopted if such unconstitutional, invalid, or illegal sections, subsections, paragraphs or clauses had never been included herein, and if the person or circumstances to which the sub-title or any part hereof is held inapplicable had been specifically exempted therefrom. Furthermore, if any exclusion, exemption, or exception

provided for in this sub-title be held unconstitutional, invalid, or illegal, the remaining provisions shall be retained as if such exclusion, exemption, or exception had never been included in this ordinance.

SEC. 2 AND BE IT FURTHER ORDAINED, That the Baltimore Community Relations Commission herein provided for is a continuation of the Baltimore Equal Opportunity Commission now functioning pursuant to Ordinance No. 1249, approved June 5, 1962, as amended by Ordinance No. 1339, approved August 31, 1962 (The Baltimore Equal Opportunity Commission in turn having been a continuation of the Baltimore Equal Employment Opportunity Commission formerly functioning pursuant to Ordinance No. 379, approved April 18, 1956, as amended by Ordinance No. 409, approved July 6, 1960). Nothing in this ordinance shall be construed or applied to affect or interrupt the continuity of the former Baltimore Equal Opportunity Commission (which in turn was the former Baltimore Equal Employment Opportunity Commission) or the tenure and present membership thereof or the appropriations thereto. It is the intent of this ordinance with respect to the former Baltimore Equal Opportunity Commission (which was in turn the former Baltimore Equal Employment Opportunity Commission) simply to change the name and to change some of the duties thereof.

SEC. 3 AND BE IT FURTHER ORDAINED, That this ordinance shall take effect from the date of its passage.

THE FEDERAL CIVIL RIGHTS LAW

**Questions and answers pertaining
to the application and enforcement
of the new law.**

**Prepared by the Baltimore League
of Women Voters and WBAL-TV.**

JULY 1964

PREFACE

On Sunday, June 21, 1964, WBAL-TV in Baltimore presented a special program with Maryland Senators Beall and Brewster and Congressmen Sickles and Long answering questions, telephoned to the studio, by viewers, concerning the Federal Civil Rights Law.

Baltimore League of Women Voters volunteers manned the phones during this telecast and recorded more than 600 questions during the course of the hour. These questions have been categorized, combined, and verified as to answers for inclusion in this manual in order to answer some of the more frequently raised questions concerning the application and enforcement of this new law.

We wish to express our appreciation to the following persons for their assistance in the formulation of the answers contained herein:

Mr. Edmund Yocum	Baltimore Community Relations Commission
Mr. Frank Pullhouse Mr. Marvin Caplan	Leadership Conference on Civil Rights, Washington, D. C.
Mr. Arthur G. Murphy Mr. Joseph H. H. Kaplan	Assistant Attorneys, Office of the United States Attorney General, District of Maryland.

1) What is in the Law?

The major provisions of the eleven sections of the Law are meant to assure all citizens, regardless of race, color, religion or national origin, their equal rights: In voting; in access to hotels, restaurants, theaters and other places of public accommodation and to such other public places as libraries and parks; in education; in federally assisted programs; and in employment. To accomplish this, the law gives the Justice Department additional powers; establishes two new agencies... an Equal Employment Opportunity Commission and a six-man Community Relations Service; and extends the life of the U. S. Civil Rights Commission another four years.

2) When does the Law go into effect?

Voting Rights: Immediately

Public Accommodations: Immediately

Equal Employment Opportunity: By stages over a four-year period beginning one year from now, with firms employing 100 or more persons and including at the end of the four years employers of 25 or more. Also, unions with 100 or more members are covered with a similar reduction to 25 after four years.

3) What is the constitutionality of this Law?

The Civil Rights Act is based on the commerce clause (Art. 1, Sec. 8) of the Constitution, which gives Congress the power to legislate over interstate commerce; the Fourteenth Amendment, which safeguards the rights of citizens against state denial of equal protection of the law; and the Fifteenth Amendment, which protects the right to vote. Both the Fourteenth and Fifteenth Amendments authorize appropriate legislation by Congress to enforce them.

4) Who is covered by the Law?

The law protects the individual rights of all persons whether they are citizens of the United States or simply visiting our country.

DISCRIMINATION IN PLACES OF ACCOMMODATION

SUMMARY OF TITLE II - It would prohibit discrimination in most hotels, motels and other places of lodging; restaurants, cafeterias and other eating places; motion picture houses, theaters, sports arenas, stadia and other places of exhibition and entertainment; gas stations; and such places as specialty shops and barber shops in hotels subject to the section and stores with eating facilities covered by the law.

When does the Public Accommodations Section of the law go into effect?

Immediately

5) Which facilities are covered by the new Federal Law?

All facilities publicly owned by a city, county, state, or the national government.

The following privately owned facilities are mentioned in the law: Restaurants, cafeterias, lunch rooms, soda fountains, gasoline stations, motion picture houses, theaters, concert halls, sports arenas, and all hotels, motels or lodging houses except those which are owner-occupied with five or less units for rent.

Also, any facility principally engaged in selling food for consumption on the premises. This includes facilities located in retail stores and gas stations.

Also, any place of exhibition or entertainment.

Facilities located within a place of public accommodation such as a barber shop within a hotel is covered, whereas a separate barbershop is not covered.

In addition, in Baltimore City under local law, the following are covered: Retail establishments, race courses, skating rinks, amusement and recreation parks, fairs and carnivals, bowling alleys, bath houses, swimming pools, shooting galleries, billiards and pool parlors, garages and all public conveyances as well as stations and terminals and ambulances.

There is no clear federal ruling at the time of this writing about non-covered establishments containing covered facilities, as an apartment house (not covered) with public dining room (covered).

Under Maryland law, any place which might fairly be called a bar, tavern, or cocktail lounge is not covered by the law; but an establishment known as an eating place which also serves drinks cannot discriminate even if most of its profits are derived from the sale of liquor.

6) How do I know when an establishment is covered?

If after reading the above list you are still uncertain, call either the Baltimore Community Relations Commission, PLaza 2-2000, Ext. 2107 - or - the Maryland Commission on Interracial Problems & Relations, VErnon 7-9000, Ext. 786.

7) What will prevent motel owners, restaurants, etc., from converting their establishments into private clubs?

To qualify, they must become "bona fide" clubs. "Instant membership" is not valid.

8) Will rest rooms in gas stations and motels, etc., now be open to members of all races?

Yes.

Will separate white and colored facilities be legal in facilities covered by public accommodations section?

No.

9) Will public parks and public buildings be allowed to provide separate but equal rest-room facilities?

No.

10) Will the Civil Rights Law affect individually owned beauty and barber shops?

No, unless they are located within a covered facility such as a hotel.

11) If I have a stag bar, must I, under the law, serve a woman?

No. The Public Accommodations Section does not mention sex.

12) How will the law affect private clubs, social clubs, swimming clubs, key clubs, etc.?

Bona fide private clubs are specifically exempted. An interpretation of what is "bona fide" will probably be sought from the courts.

13) Which facilities are not covered in Public Accommodations?

Private clubs such as fraternal organizations, college sororities and fraternities, and religious organizations (except when private clubs serve patrons of covered establishments, such as hotels).

14) What do I do if I have been refused service by a "covered" establishment; that is, one included in the Federal, State, or City Public Accommodations Act?

The person refusing you service is liable for civil suit. To file a complaint, call VERNON 7-9000, Ext. 786 (Maryland Commission on Interracial Problems & Relations).

DESEGREGATION OF PUBLIC EDUCATION

SUMMARY OF TITLE IV - It authorizes the Attorney General to initiate or intervene in school desegregation cases. It provides for technical assistance, grants and training institutes to help communities prepare for school desegregation. But it exempts from its definition of desegregation the transportation of students to end racial imbalance.

15) When does the Education Section or Title of the law go into effect?

Immediately.

16) Will the Federal Government provide any financial assistance to schools trying to carry out desegregation plans?

The law provides that financial and technical assistance shall be provided to school boards to deal with problems resulting from desegregation of schools, including provisions for training teachers. The law prohibits the use of federal funds for the bussing of children to secure racial balance in public schools.

17) Does this law mean that all private schools and private colleges must integrate?

No. It says that schools which are wholly or predominately operated with public funds must not discriminate. This would not include private or religious schools.

18) Certain counties may wish to revamp their public school system to avoid civil rights provisions. Is this possible?

The law does not cover this, but the courts have already decided that Prince Edward County, Virginia must provide public schools for all students who wish to attend.

19) Does the law provide that bussing must be done to eliminate de facto segregation in northern cities where neighborhood schools are often all white or or all Negro?

The law does not permit the Federal Government to order transportation of students to provide racial balance in the schools and forbids the use of federal money for such purposes.

20) Are parochial and private schools covered by this law?

No.

21) Will it be legal for college applications to continue to ask for information on race or religion?

There is no prohibition as to questions about race or religion.

22) Does this bill cover "quota systems" in graduate schools supported by public funds?

Quota systems for members of various races or religions would be prohibited under the law, insofar as public schools and universities are concerned and in programs financed by the Federal Government.

23) Does the act force all public schools to integrate?

No. The act does not force all public schools to integrate, but discriminatory practices are now specifically forbidden. Under this act, the U.S. Attorney General is permitted to sue where there is evidence of discriminatory practices.

PROTECTION OF EQUAL EMPLOYMENT OPPORTUNITY

SUMMARY OF TITLE VII - Employers, labor unions and employment agencies whose activities affect interstate commerce would be prohibited from discriminating. Coverage would include employers and unions with 25 or more employees or members. But coverage would apply at first to those with 100 or more employees or members and drop by stages to 25 after four years. An Equal Employment Opportunity Commission would be established to investigate and voluntarily settle complaints. Upon failure to settle, the Commission would be authorized to file suit to enforce non-discrimination. Prohibited discriminations include sex, as well as race, creed, color or national origin. The law excluded from coverage those denied employment because they are communists.

24) When will the employment section of the law go into effect?

In stages, beginning July, 1965, one year from now, with employers of 100 and over, and ending in four years with employers of 25. Also, unions with 100 or more members are covered with a similar reduction to 25 after four years.

25) What is the Equal Employment Opportunity Commission?

The law created a bipartisan, five-man Equal Opportunity Commission to administer the Equal Employment Section of the law. They will investigate charges of job or union discrimination and attempt through conciliation to resolve disputes.

26) May you indicate on application blanks and want ad\$ the color or sex of the employee you are now seeking?

No, unless your business is not covered by the act or unless the job requires someone of a particular race, religion or sex.

27) Does this law mean that a person of inferior training and ability must be hired to fill a quota of Negro employees?

No. The employer still may set all reasonable hiring standards. There are no "quotas" and no one is required to be let go to make room for another.

28) Would a company now be required to pay equal salary in Baltimore for the same job done in another state for more or less?

This is not within the provisions of the act, but an employer, all other things being equal, may not discriminate with respect to compensation paid his employees compared to the prevailing rates within the same locality.

29) If a complainant is upheld, must he be hired and the man who filled the job in the meantime be fired?

If a person is found to have lost his job or not been hired (by a company covered under this law) for reasons of race, color, creed, religion, sex or national origin, he must be employed by the discriminating company. It would be left up to the employer to decide whether to let the man go whom he originally hired.

30) Must a corporation employing over 100 persons have an equal balance of employees according to race, color, sex, or creed?

The act does not permit the Federal Government to require an employer or union to hire or accept for membership a quota of employees from any particular minority. But, discrimination for reasons of race, religion, sex, or national origin is forbidden.

31) Can a person be refused a job because he is a communist?

Yes. An atheist? No.

32) What provision does the new law make for women's rights?

Women's rights are guaranteed in the employment section of the law. They may not be discriminated against because of their sex except where the nature of the employment demands a certain sex.

33) Who or what group will determine hiring standards?

Hiring standards for performance are determined by employer and/or union. There may be no discrimination in hiring for reasons of race, color, sex, creed or national origin.

34) Can labor unions keep members of minority groups out of apprenticeship training programs?

No. The law forbids labor unions to practice discrimination in qualifications for membership or participation in training programs.

35) Will employment agencies be able to engage in job referrals that are discriminatory in order to get around the law?

No. Job referrals by employment agencies may not be discriminatory.

36) Will this law affect the seniority of labor union members?

No. The act protects the seniority of labor union members, and government rulings may not destroy job seniority in any way.

37) If a white man loses his job because a Negro is hired, and he believes he is being discriminated against, to whom does he complain?

Call the Maryland Commission on Interracial Problems & Relations - VERNON 7-9000, Ext. 786 or PLaza 2-2000, Ext. 2107 for consultation.

38) Does the law apply to communists and atheists?

Communists are not protected under the employment section. There is nothing in the act, as finally passed, about atheists.

ENFORCEMENT
OF THE CIVIL RIGHTS LAW

SUMMARY OF TITLE III -

The Attorney General would be empowered to initiate or intervene in suits aimed at desegregating public facilities other than schools - such as parks, libraries, hospitals and playgrounds - where the injured party is unable to pursue the remedy. He would also be authorized to intervene in private actions brought by persons seeking relief from a denial of equal protection of the law because of race, creed, color or national origin.

39) What are the new duties of the Attorney General?

The Attorney General is permitted to sue to prevent discriminatory practices in public education when students or the parents involved are unable to bring suit, and when he considers the suit important to the orderly programs of desegregation. In voting cases he is empowered to ask the Chief Judge of the Circuit Court, within 20 days of the complaint, to empanel a Three-Judge Court to act immediately. The Attorney General also is authorized to bring civil action when he "has a reasonable cause to believe" that a person or group of persons is engaged in a pattern of practice of resistance to public accommodations and employment provisions of the act and can assume court costs where necessary.

40) Can the Attorney General come into a community and charge an individual with violation of this law?

No. The Attorney General can intervene only if he has received a complaint or has been called in by State or Court authorities. The Attorney General cannot act independently except in cases of publicly owned facilities. He also must establish in the courts that there is a pattern of discrimination.

41) Is the Attorney General the only one responsible for the effectiveness of this act?

No. The Secretary of Commerce is administratively responsible for the Community Relations Service in the areas of Public Accommodation. The Equal Employment Opportunities Commission is responsible for conciliation in the areas of employment.

42) How will the U.S. Civil Rights Commission be set up and how will it operate?

The act extends the life of the Civil Rights Commission (established in 1957) and gives it authority to serve as a national clearing house for information on denials of the equal protection of the laws and to investigate vote frauds.

The Justice Department, at a meeting on July 8, tentatively agreed to a plan whereby the Maryland Commission on Inter-racial Problems & Relations, 301 West Preston Street - VERNON 7-9000, Ext. 786, would act as a clearing house for all complaints in this state, which complies with the intent of the act to use all state machinery first.

43) What happens to a person in a covered place of public accommodation who refuses to serve patrons for reasons of race, color, creed or national origin?

The person refusing service is liable to civil suit if the person denied chooses to bring suit.

44) Will the F.B.I. enforce this law?

No, the F.B.I. is only investigative. It has no enforcement powers.

45) If I reside in a state (or county) that has no local civil rights protection laws, what do I do?

Where there is no local law, individuals may go immediately to the Federal Court or to the local offices of the Attorney General of the United States. The matter may then be referred by the court to the Community Relations Service of the United States for voluntary compliance. After a maximum of 120 days, if no agreement has been reached, the matter is referred again to the court for action.

46) Won't it be too expensive for minority groups to prove discrimination in the courts?

No, the machinery of government operates for the victim of discrimination. The law provides that the court may appoint a lawyer and assess court costs and attorney fees against the person found guilty of violating the law.

47) If I have an establishment not covered by the law, and it is disturbed by pickets, can I order them away?

You may ask them to leave, but peaceful picketing is specifically allowed under the Constitution, and Maryland law enforcement officers have been instructed not to make arrests under the Maryland Trespass Law in public accommodations cases.

48) What is the Community Relations Service?

It is established by this law under the Department of Commerce to help communities resolve racial disputes. The service has no power of compulsion or law enforcement and cannot file suits. Leroy Collins, former Governor of Florida, will direct the conciliation service.

49) Can the Equal Opportunities Commission file suits?

No, it only conciliates and mediates.

50) How, under this act, will public facilities be made available to all without sit-ins, wade-ins, and demonstrations?

The act has a section on publicly owned facilities such as parks, publicly owned beaches, golf courses and playgrounds. The Justice Department, upon receipt of complaint, can sue to secure public use of these facilities.

51) If a person is denied service on the basis of race, creed, color, or or national origin, what can he do?

He can report this discriminating practice to the State Commission on Interracial Problems & Relations, VERNON 7-9000, Ext. 786 (or address correspondence to the Commission at the State Office Building, 301 West Preston Street, Baltimore 21201) which will refer complaints to the proper agency for investigation and, if necessary, see that a complaint is filed in court.

52) Which takes precedence, state and local civil rights laws, or the federal act?

Federal law always takes precedence over local laws; but contained in this federal law is the stipulation that local machinery, where in existence, must be used first. Where there is no local law, or where such local laws are not enforced or are in conflict with the federal law, the federal act will be applied.

53) How will individuals be penalized for violating the provisions of the law?

There are no specific penalties in the law. Violators are ordered to cease discriminating. If they refuse to obey the order of the court, they are dealt with by the courts in the normal manner of contempt proceedings. The law states that penalty for contempt is \$1,000 or six months in prison, to be determined by judge or jury.

54) Are there any penalties for bringing false charges or complaints against a person?

Yes. Under other laws, complainants found guilty of "willful intent" to falsify are subjected to five years imprisonment or \$10,000 fine.

55) If I file a complaint with the proper state agency and no action has been taken, then what can I do?

To file proper action you must either send a registered letter or appear in person at the proper state agency. (In Maryland this is the Commission on Interracial Problems & Relations, 301 West Preston Street, Baltimore 21201.) If, at the end of thirty days, there has been no action, then go to either the Federal Court or to the Attorney General of the United States. (In Maryland his representatives are Thomas J. Kenney, U.S. Attorney for the District of Maryland, Room 409, Post Office Building, Baltimore 21202; and Arthur G. Murphy, Jr., and Joseph H.H. Kaplan, Assistants.) Where there is no local law, go directly to the Federal Court or to the Attorney General's office. The court may refer the case to the Federal Community Relations Service and would give them a maximum of 120 days to effect conciliation.

56) What can the courts do to enforce the law?

1. Courts can provide injunction relief by ordering compliance.
2. Courts can refer cases to the Community Relations for conciliation.
3. Courts can refer cases to the Community Relations Service for conciliation.
give thirty days' notice to the state authority.
4. Either an individual or the Attorney General's office can file civil suit in the courts, charging that rights have been denied.

5. Courts can order contempt proceedings.
6. Courts can impose penalties of six months' imprisonment or \$1,000 fine.

57) What procedure do I follow if I live in one of Maryland's "exempted counties" where the state equal accommodations law does not apply?

1. You may institute action in a federal court without first going to any state authority.
 2. You may go to the Maryland Commission on Interracial Problems & Relations.
 3. If the Federal Court thinks it is of general public importance, it may permit the Attorney General to join in the action with you.
- or
4. If you wish to sue under the federal law and pay your own legal fees, you are free to do so.

58) Can anyone violating any part of the act be brought to trial without a jury?

No. Jury trials, if requested, are provided for by the act.

59) Are you allowed to use private guards to keep Negroes out of privately owned establishments?

If the facility is covered by the act, no.
If the facility is not covered by the act, it is not prohibited, but discriminatory practices are not enforceable by state or local officials.

60) Will it be legal to "sit-in" or test a privately owned business to verify complaints or to pressure for service?

There is nothing in the act which says you cannot verify complaints or pressure for service as long as the "pressure" is in accordance with existing laws regarding picketing, etc.

61) Is the Federal Government empowered to send police to enforce the act in states which are reluctant to enforce it?

This does not appear in the act. The Attorney General has said that the Federal Government does not have this power. However, this is being contested by a group of knowledgeable constitutional lawyers of leading law schools. Thus, this is now in dispute.

PROTECTION OF VOTING RIGHTS IN FEDERAL ELECTIONS

SUMMARY OF TITLE I - To further protect voting rights in federal elections, the law prohibits (1) the application of different tests, standards, etc. to white and colored voters and (2) the denial of registration for immaterial errors in applications. It requires all literacy tests to be given in writing or transcribed. To expedite handling of cases filed under the 1957 and 1960 Civil Rights Acts, it authorizes the Attorney General or a defendant to ask for trial by a three-judge court, with direct appeal to the U.S. Supreme Court. In any such proceeding it establishes a presumption of literacy for those who have completed the sixth grade.

62) If I cannot read or write, can I be denied the right to vote?

Yes. Literacy tests are allowed by the law, but there is a rebuttable presumption of literacy if a person has a sixth grade education.

63) Does the act guarantee me the right to vote in all elections?

No. The law only says you cannot be denied the right to vote in national elections (President, Congressmen, Senators) if you are otherwise qualified.

64) Can there be one set of voter qualifications for Negroes and another for whites?

The act prohibits unequal application of voting registration requirements in national elections. It prohibits registrars or registration officials from applying different standards to white and Negro applicants.

65) If my birth certificate has some errors on it, can I be denied the right to vote?

The law prohibits the denial of the right to vote because of immaterial errors or omissions on records of applications.

66) Is the poll tax illegal?

The poll tax is illegal in federal elections by reason of the passage of the Twenty-third Amendment to the Constitution of the United States; and therefore, it was not necessary to provide for it in this law.

HOUSING

67) When does the housing section of the law go into effect?

There is no housing section as such. Housing directly assisted by the Federal Government such as public housing is covered under Title VI, which is effective immediately.

68) How will this law affect my right to sell my home to the person of my choice? To rent my home to the person of my choice?

The act in no way affects the sale, rental, or leasing of private real estate.

69) Must the builder of a federally financed housing development sell his new homes to whoever wishes to buy?

There is nothing in the law that would require the sale of a house to any buyer whatever the financing. However, an executive order in 1962 requires that federally assisted building developments must have "open occupancy" clauses. These require rental or sale to anyone, regardless of race, creed or color.

70) If you have a government insured loan on your boarding house, will you have to rent to anyone?

The act states that federal insurance and guaranteed loan programs are exempted from the act.

71) Is it true that boarding houses serving permanent residents must give lodging to all?

No. Boarding houses occupied by "residents" rather than "transients" (travelers) are not covered in this act. Furthermore, owner-occupied houses with five or less rooms for rent are exempted, even if it serves transients.

72) Will it be possible to have "restricted" housing developments or "restricted" apartments?

This is not covered in the act, but racially discriminating covenants have been ruled by the courts to be "judicially unenforceable;" that is, they will not be upheld in court.

73) If Urban Renewal funds are used for private building, will there be a requirement for open occupancy?

Under Title VI, the law requires open occupancy, and an earlier act of Congress makes open occupancy a requirement for the use of Urban Renewal funds.

GENERAL QUESTIONS

74) Is it illegal for a white person to marry a Negro?

Certain state statutes forbidding miscegenation are now in the courts for interpretation with respect to their constitutionality. No provision for or against miscegenation is contained in this law.

75) Are banks permitted to lend money to persons or firms of their choice?

Yes. The act makes no mention of this.

76) Does the Civil Rights Law mean I have to take a Negro into my home?

No. There is absolutely nothing in the act which says you have to have anyone in your home you do not want.

77) Do professional men have to attend anyone who requests service?

The law does not cover doctors, lawyers, bankers, or other professional men.

78) What definitions of the following terms will be used to interpret the meaning of the law: transient, discrimination, racial imbalance?

The act does not provide any definitions of the above terms and all may be subject to court interpretation.

NON-DISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS

SUMMARY OF TITLE VI - It would prohibit discrimination in any program or activity receiving federal assistance under grant, contract, or loan. It directs federal agencies to establish programs of compliance and would authorize denial of funds to those programs that discriminate. But any denial is subject to judicial review. A hearing is guaranteed before funds are cut off, and a report to Congress is also required before funds can be denied. Presidential approval is required before any general cut-off of funds is approved.

79) Can Congress hold up the funds of a contractor doing government work who fails to employ Negroes?

The law permits the halting of funds to federally aided programs in which racial discrimination is allowed to persist. The act prohibits racial discrimination under any program or activity receiving federal assistance except insurance and loan guarantee programs.

Example: Requests for federal aid for a new hospital, school, airport, or other public facility would be denied if the party making the request refused to observe non-discriminatory requirements. Any cut-off of federal funds is subject to review by the courts.