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SIXTH ANNUAL REPORT

COLORADO ANTI-DISCRIMINATION COMMISSION

1959 - 1960



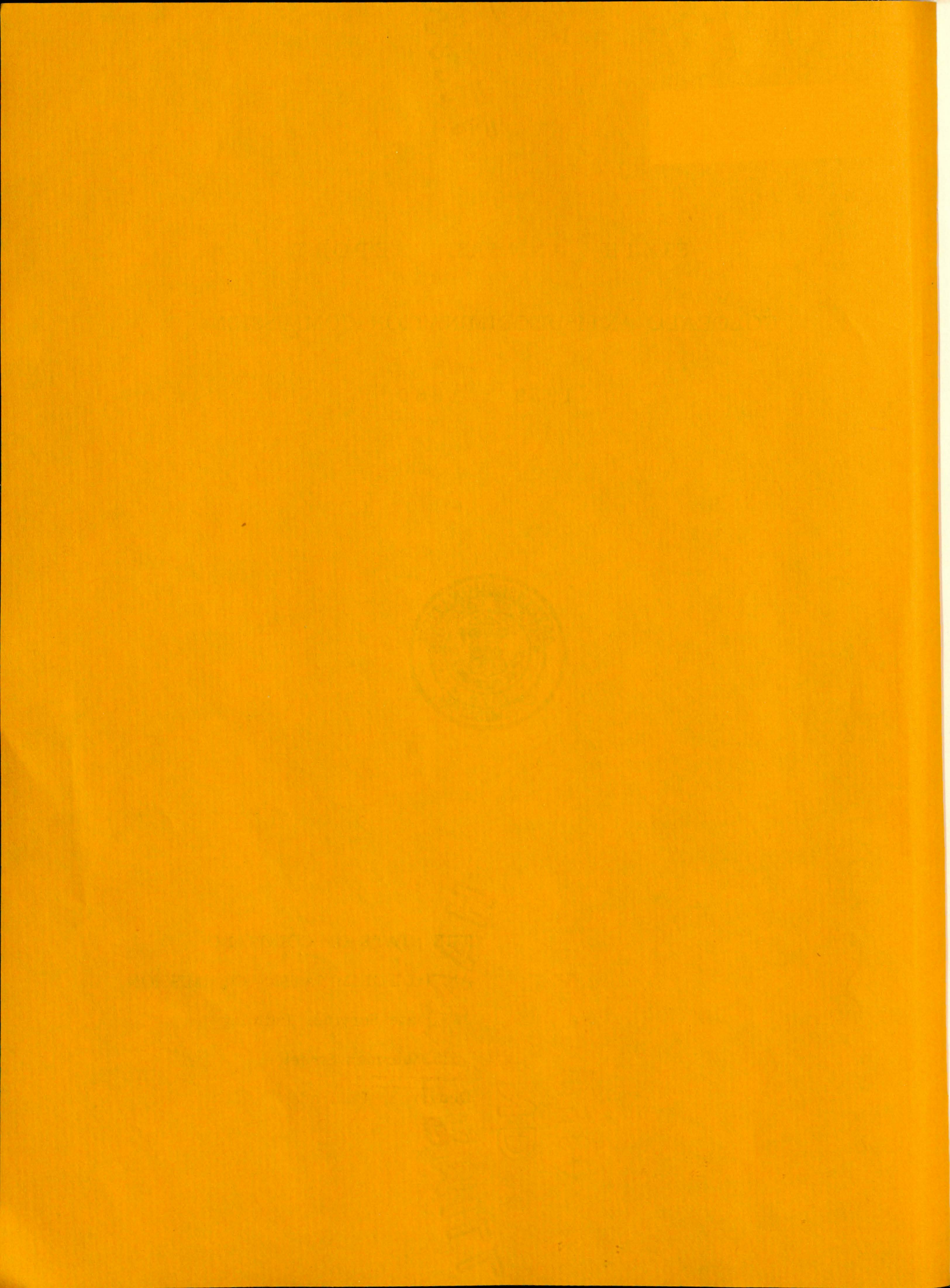
THE STATE OF COLORADO

ANTI-DISCRIMINATION COMMISSION

328 State Services Building

1525 Sherman Street

Denver 3, Colorado



SIXTH ANNUAL REPORT

OF THE

COLORADO ANTI-DISCRIMINATION COMMISSION

328 State Services Building
Denver 3, Colorado

July 1, 1959 - June 30, 1960

INTRODUCTION

Colorado still ranks very high among the states with respect to civil rights legislation. It has a well-rounded set of enforceable laws which combat discrimination in public accommodations, employment and housing. Its Fair Housing Act passed by the General Assembly of 1959 is the first in the nation to cover both privately financed and publicly assisted housing. Because these laws may be deficient in some respect, they are under constant study for improvement. The laws as presently written are effective; qualified minority persons receive more cordial treatment in more places of public accommodation than ever before. They are certainly more jobs open to minority persons than formerly; and these people are freer to live where they choose than at any other period since the turn of the century.

Credit for this general improvement in racial, religious and cultural understanding may be traced back to the 38th, 40th, 41st and 42nd General Assemblies and the endorsement by Governors Thornton, Johnson and McNichols. Public acceptance and compliance with the spirit of these laws has been of value in their administration. This corresponds with the findings of the history of social legislation, namely that laws do little to improve community attitudes and practices unless supported by the general public.

Administration

Since 1955, the State's major civil rights laws have been administered by the Colorado Anti-Discrimination Commission. The Commission is responsible for:

- (1) Acquainting the public with and interpreting the State's anti-discrimination policy.
- (2) Securing compliance with the civil rights laws.

The Commission is composed of seven members appointed by the Governor with advice and approval of the Senate. The commissioners serve without pay but are reimbursed for actual and necessary expenses. As of June 30, 1960 the commissioners are:

Mr. Gene Manzanares, Chairman
1141 Elizabeth Street
Denver 6, Colorado

Mrs. Arthur Ballantine, Jr.
Durango Herald News
Box 61
Durango, Colorado

Mr. Edward Miller
2456 First Natl. Bank Bldg.
621 - 17th Street
Denver 2, Colorado

Mrs. Tor Hyibom
120 Cresta Road
Colorado Springs, Colorado

Mr. Robert C. Keeler
1865 West 3rd Avenue
Longmont, Colorado

Mr. Franklin R. Stewart
125 W. 9th Street
Pueblo, Colorado

Mr. George J. White
1730 Stone Avenue
Pueblo, Colorado

The Commission's office is located in the new State Services Building, 1525 Sherman Street, Denver 3, Colorado. The staff comprises seven members.

Expenditures for the year were as follows:

Personal Services	\$36,219.90
State's Share for Retirement	2,168.22
Maintenance and operation*	7,199.29
Capital outlay	1,095.32
Travel	3,226.13
TOTAL	\$49,908.86

The Commission convened seven times during the year, including one special meeting at Colorado Springs.

Activities

The work of the Commission and staff falls into three categories: Research, Education and Regulation. The three categories overlap and complement each other. For example, research and regulation contain elements of education; education is dependent upon research for working material and regulation frequently uncovers facts not discovered by research and at the same time serves as a source of educational material.

Research

The principal research project this year is to determine the State's employment practice with respect to group identity. The groups are studied by job class and salary grade. A major part of the information for this survey has been collected but not analyzed. Department and section heads have cooperated satisfactorily with few exceptions.

*This total includes \$2,310 rent at previous location.

Education

It is important that more people understand the anti-discrimination laws and their use. Compliance involves changes in attitudes and practices by both majority and minority group members. The major task of the Commission is to facilitate this change through education especially in creating a climate of favorable opinion for the effective operation of the laws. The specific aims of the education program are:

1. To explain the purpose and requirements of the state's civil rights laws to the public.
2. To make minority groups aware of the importance
(a) of completing their education and training so that they may be better prepared to compete with the rest of the community in the labor market,
(b) of claiming their rights to equal public accommodations and (c) of assuring their right to own or rent and occupy housing of their own choice.

The Commission uses many techniques to accomplish its educational objectives: mass media publicity, displays, posters, personal appearances and individual counselling; interviews with management, organized labor, employment agencies, operators of places of public accommodation and the housing industry.

Because education is important to the success of the program, the Commission devotes a majority of its time to these activities. Much educational work cannot be reported statistically; however, some of the information in the following pages will convey ideas of the nature and scope of activities in this area.

The volume on Human Relations in Colorado 1859-1959, referred to in the Annual Report of 1958-59, is to be published and distributed by the Colorado State Department of Education for use in the senior high schools of the state and college social study classes.

This illustrated work of about 240 pages is a comprehensive and documented report of group conflicts and how many of them were resolved during Colorado's first hundred years. While the Colorado Anti-Discrimination Commission, the Anti-Defamation League, the Denver Commission on Community Relations, the Denver Urban League and the Department of Education made significant contributions to the volume, the major part of the credit for the research, organization of the material and writing goes to a volunteer - James A. Atkins, author of numerous newspaper and magazine articles on human relations subjects.

The target date for publication of the volume on Human Relations in Colorado has been set for the early fall of 1960. Although prepared primarily as a supplemental text for senior high schools and college social study classes, copies will be available to other study groups and individuals interested in improving understanding among the diverse peoples of the state.

Appearances and Interviews

The commissioners and staff presented 225 speeches to a total audience of 8,576. Most of these speeches were presented to senior high school and college students; others were presented to groups such as service clubs, civic clubs, religious groups and minority group organizations.

The commissioners and staff interviewed 54 persons in management, labor and the housing industry. Some of these interviews related directly to the investigation of complaints filed with the Commission; others resulted from reported violations and still others were in the nature of public relations or education.

Conferences and Workshops

A total of 48 conferences and workshops were attended by the staff and commissioners. Twenty-three of these were meetings with members of Colorado's public and private intergroup agencies; the rest were conferences and workshops in which members of the Commission and staff served as resource persons, group discussion leaders or panelists. In a latter class there were four interstate and six state and regional meetings.

In the group of interstate conferences was the annual meeting of the National Association of Intergroup Relations Officials (NAIRO), held in San Juan, Puerto Rico; the meeting of the Interim Sub-Committee of the Governor's Civil Rights Committee, also at San Juan, both attended by John Binkley, Assistant Director of the staff; the Conference of Commissions Against Discrimination (CCAD) at Falmouth, Massachusetts, attended by Commissioner Gene Manzanares; and the Seventeenth Annual Race Relations Institute at Fisk University, Nashville, Tennessee, attended by Mrs. Mary McLucas, a new member of the staff.

The National Association for the Advancement of Colored People (NAACP) held both its state and regional conventions in Denver this year. Both conventions were attended by various Commission and staff members who participated in a number of capacities. The American G.I. Forum of Colorado held its annual convention in Colorado Springs and was attended by Mr. Edward Terrones, field representative of the Commission, who was in charge of the panel on civil rights. The Colorado Federation of Latin American Groups was sponsored by one of its member groups and hosted by Mr. Terrones. The last of the six, the Annual Human Relations Workshop of the Adult Education Council of Denver, was held in Bailey, Colorado. Mr. Binkley represented the Commission and staff.

The Commission has not overlooked the need for keeping the staff abreast of the advances and techniques in the social service field. Hence, some of the conferences in which the staff participated were in the nature of in-service training resulting from the free exchange of experience and knowledge among professional workers and others whose major concerns were racial, religious and ethnic relationships. A typical training conference concerned with programs, methods and techniques in the broad field of human relations is the National Training Laboratory at Gould Academy, Bethel, Maine. Galloway Denny, field representative, was a delegate to this training laboratory in June of 1958.

Another training conference more specialized in its approach to human relations problems in the Annual Race Relations Institute at Fisk University, Nashville, Tennessee. Since World War II, the increase in the Negro and Spanish-name populations in Colorado, accompanied by heightened tensions from world wide efforts of non-white peoples to obtain political freedom has given the program of the Institute strong appeal. In 1956, Edward Terrones attended the Institute on a full scholarship. His competency in the problems of migratory Spanish-name workers qualified him to serve as a consultant to the Institute staff. The following year, John Binkley, Assistant Director, attended Fisk, on a tuition scholarship and served as a resource person. In 1960, as previously noted, Mrs. McLucas attended the Institute. She received a tuition scholarship. She, too, served as a resource person.

Radio and Television

Colorado's Fair Housing Month, which the Commission helped to promote, caused more people throughout the state to become acquainted with the provisions of the Fair Housing Act. All Colorado radio and television stations were requested to give public service time for spot announcements concerning the Act throughout the month-long observance. Thirty-two stations responded, asking for a total of fifteen of the 20-, 30-, and 60-second announcements that the Commission had prepared for this purpose. The overall purpose of these announcements was to promote better human relations and understandings.

Each announcement coupled an important provision of the law with a brotherhood appeal. For example, one emphasized the equality aspect: "All people regardless of group identity are able to perform these jobs."

"You can help make brotherhood a reality by working for the principles of fair housing for all families regardless of group identity. Colorado's new fair housing law establishes the principle of equal housing opportunities for all - but it is you who can make this principle a reality."

Another described the nature of the neighbors' relationship. The British humanitarian, G. K. Chesterton was quoted:

"We make our friends; we make our enemies; but God makes our next door neighbor... We have to love our neighbor because he is there -- he is the sample of humanity that is actually given us."

A third made a direct appeal to the spirit of brotherhood:

"As a good citizen you should be familiar with this law and willing to live up to its intent. If you accept any person as neighbor, you have accepted him as brother. If you cannot do this you have not accepted him at all!"

Live and taped radio and television interviews with commissioners and staff were more numerous than at any time in the past, making this our best year. A total of ten radio and six television appearances were made over the same number of stations and channels.

Films:

<u>Showings by Staff</u>	<u>Title</u>	<u>Audience</u>	<u>Loans</u>
28	The F.E.P. Story	810	2
6	Burden of Truth	231	2
3	All The Way Home	233	3
2	The High Wall	35	1
1	Commencement	64	1
5	Chuch Hansen - One Guy	283	1
14	Brotherhood of Man	497	1

Picture Vision Projector

During the year the Commission's picture vision projector was displayed in lobbies and show windows of 23 different business establishments such as hotels, theaters, department stores, labor union offices and banks. It was also shown at conventions and conferences.

The projector through a sequence of 12 slides tells the story of equal opportunity in employment by showing the kinds of jobs being performed and how people regardless of group identity are able to perform these jobs.

Literature

"About Fair Housing" was easily the Commission's most significant publication this year. This leaflet explains in synopsis form the provisions of the Fair Housing Act and how it is administered by the Commission. Nearly 14,000 copies were mailed or distributed in some manner throughout the state to people directly or indirectly affected by the new law. For Fair Housing Month, the Commission printed 50,000 copies of "You and Fair Housing", imprimatur Committee to Oppose Discrimination. More than 25,000 of these four-page leaflets were distributed, about one-half by the Commission office and one-half by the churches and synagogues. The usual distribution of materials about fair employment practices and against discrimination in places of public accommodation was continued. In all, some 84,000 pieces of literature of 40 different publications, including copies of annual reports, general regulations numbers one and two and the anti-discrimination posters were distributed throughout the year.

Regulation

As noted in previous reports the Commission is authorized to adopt, publish amend and rescind regulations consistent with and for the enforcement of any

of the three laws it administers. In accordance with this authority, the Commission, on July 30, 1959 adopted its second General Regulation, which concerned the posting of notices on the Fair Housing Act of 1959. This regulation together with General Regulation Number One, amended last year by the addition of section five, is presented on the reverse side of the anti-discrimination poster. (See next page).

Within this reporting period more than 3,000 of these non-discrimination posters were mailed to the housing industry. As reported in previous annual reports, similar posters have been mailed in the past to employers and places of public accommodation. Budget limitations prevented a complete mailing during this fiscal year. This mailing will be completed in fiscal year 1960-61.

Complaints

The Commission is empowered to receive, investigate and pass upon verified complaints against employers, employment agencies, labor unions, places of public accommodation and the housing industry. Verified complaints alleging discrimination because of race, creed, color, sex*, national origin or ancestry may be filed with the Commission by the aggrieved person, his attorney-at-law, the Commission, a commissioner or the Attorney General of the state.

Complaints may be dismissed upon the face of the information contained therein or after investigation. If no probable cause for crediting the allegations is found, it shall be dismissed. If a finding of probable cause for crediting the allegations is made, the Commission attempts to settle it by conference, conciliation or persuasion. Usually complaints are settled by this method, but should this method fail, the Commission may take whatever action is deemed proper, including re-referral to the investigating official for further investigation and for setting it down for hearing. From the record of the proceedings at a hearing the Commission will make a determination as to whether the respondent has violated the law under which the complaint has been filed. Depending upon its findings, the Commission may either dismiss the complaint or issue a cease and desist order and order such affirmative action as it considers appropriate. Either the complainant or the respondent may petition the District Court for judicial review of the Commission's action.

There was a total of 47 verified complaints and reported violations this year. Listed according to respondents, final disposition and group identity, their distribution was similar to that of the previous year. A majority of the respondents were employers and persons engaged in the housing industry. The methods of disposition were mainly dismissal or conciliation. By group identity the complainants were mostly Negroes and persons of Spanish ancestry. The number of cases pending as a result of hearing decreased significantly, but the most difficult case the Commission has yet encountered, that of Marlon D. Green against Continental Air Lines, Inc., remained unsettled. There was about the same variety of cases as in other years.

*Discrimination because of sex is included only in the Fair Housing Act of 1959

A review of the case of Green vs. Continental Air Lines, Inc., was included in the Commission's report for 1958-59. The complainant, a Negro, met the company's requirements for employment as a co-pilot but was refused a position because of his race. After the hearing the Commission issued a cease and desist order and ordered the company to enroll the complainant in its next training class. Instead of complying, the company petitioned the District Court for judicial review. The Court remanded the case to the Commission ordering it to make additional findings of fact and conclusions of law. This year the Commission petitioned the Colorado Supreme Court for reversal of the District Court's order. On June 6, 1950, the case was heard by the Supreme Court but to date no decision has been handed down.

In September 1959, a complaint under the Fair Housing Act, Rhone vs. J. L. Case & Co. was filed with the Commission. This complainant alleges that the respondent refused to sell a home to the complainant because he is a Negro. The complainant offered to purchase housing on terms offered by the respondent's salesman and made a deposit of \$500 earnest money. Later, respondent told complainant that the property had been sold to another party. As a result of the Commission's investigation, probable cause for crediting the allegation was found. Attempts to settle the complaint by conference, conciliation and persuasion failed and the Commission held a hearing. The Commission found for the complainant, issued a cease and desist order and ordered respondent to find for and sell to the complainant in a comparable neighborhood housing at a price and on terms acceptable to the complainant. Within the thirty days allowed, the respondent petitioned for judicial review of the case. The case is pending as a result of this petition.

A medical doctor who recently arrived in Denver to begin a year's internship at Colorado General Hospital reported to the Commission that he had been refused rental of an apartment because of his being a Negro. After making a deposit on the apartment in the 1100 block on Birch Street, he moved some personal effects into the apartment. The same day the owner-manager asked him to vacate via the back entrance and refunded his down payment.

Three days later, the Anti-Defamation League was informed by the owner-manager that the physician had misunderstood her motive, that her action was not due to his being a Negro, but that she had previously committed herself to hold the apartment available for a former tenant. She admitted though, that she did not know the whereabouts of the former tenant. She stated also that tenants are required to move their belongings out through the back entrance. She agreed to hold the apartment that day, which was Monday.

On that same morning the physician advised the Commission that he had found a more desirable apartment in the 1200 block on Colorado Boulevard, but the superintendent felt that she should clear the matter with the owner before renting the apartment to him. Monday, the Anti-Defamation League arranged a meeting between the physician and owner. Subsequent to that meeting, the owner approved renting the apartment to him. On the following morning he advised the Commission by telephone that he had moved into the apartment on Colorado Boulevard.

Complaints which seemed to have justification but lacked some of the necessary elements were made by five workers of Spanish ancestry against an industrial corporation. The workers reported a series of grievances and mistreatments because of their ancestry. Field representatives of the Commission arranged conferences with the complainants and representatives of the corporation. None of the incidents reported constituted a basis for complaint. The Industrial Relations Director of the corporation agreed to work through the supervisor of the complainants to secure better understanding between them and their employer. As a result of the agreement the complaints were dismissed.

Occasionally alleged violations are reported over the telephone by persons who fail to follow through by coming to the Commission office to file a complaint. An example of this type of happening follows. An employer telephoned the Commission to report that one of his employees, a Negro, had been refused membership in the union. The employee was described as being a good worker whom he would like to keep; therefore, he was willing to pay union membership fees and dues. An appointment was made for the aggrieved employee and the employer to come to the Commission office for further discussion and for possible action against the union. Neither came.

In addition to these types of reported violations there is a type of situation which comes into the Commission's purview, but about which it can do little if anything. Reports persist in various communities that discrimination is practiced against Negroes and Spanish-name persons; particularly in public contact jobs. Whether the reported current practice of not hiring these minority persons for public contact jobs constitutes discrimination is not clear; it could be that old group habits of not applying for jobs wherein members of one's own group have not been employed is the cause. Besides these habits, established by what may well be work customs, there are other factors, such as a lack of training for or a lack of persistence in seeking jobs for which they believe themselves prepared. And always there is the possibility of the practice of deliberate discrimination which has been subtle enough to escape detection. Whatever may be the case, if discrimination is alleged within the Commission's authority, appropriate action shall be taken.

The following three charts summarize the total number of complaints processed through June 30, 1960, according to: Respondents, final disposition, and complainant's group identity.

Breakdown, as to Neg Capt P/A

CHART I

Complaints According to Respondents

Year	Employers	Employment		PUBLIC		Housing	Total
		Agencies	Unions	Accommodations			
1951-52	3	1	2	-	-	-	6
1952-53	7	2	1	-	-	-	10
1953-54	12	0	1	-	-	-	13
1954-55	11	0	1	-	-	-	12
1955-56	8	4	0	-	-	-	12
1956-57	19	3	1	-	-	-	23
1957-58	25	5	0	18*	-	-	48
1958-59	42	12	2	6	0**	-	62
1959-60	20	6	1	6	14	-	47
TOTAL	147	33	9	30	14	-	233

* Jurisdiction over places of public accommodation was vested in the Commission April 30, 1957.

** The Colorado Fair Housing Act of 1959 became effective May 1, 1959.

CHART II

Complaints According to Final Disposition

Year	Dropped*	Dismissed	Conciliated	Hearings	Action After		Total
					Hearing	Pending	
1951-52	1	2	2	1	(1 Dismissed)	-	6
1952-53	5	2	3	0	-	-	10
1953-54	6	5	2	0	-	-	13
1954-55	7	3	0	0	-	-	10
1955-56	7	3	2	0	-	-	12
1956-57	10	7	5	0	-	-	22
1957-58	7	34	4	3	(2 cease & desist orders issued, 3rd case appealed)	-	48
1958-59	1	43	13	0	(1)**	-	65
1959-60	2	22	21	2	4	4	47
TOTAL	45	121	52	6	4	4	233

* Withdrawn or no follow-through by complainant, no jurisdiction, etc.

** Cease and desist order which respondent appealed, pending.

No breakdown, as to Neg, Emp & P/A

CHART III

Complaints According to Complainant's Group Identity

Year	Spanish Ancestry	Negroes	Jewish	Japanese	Other	Total
1951-52	1	4	1	0	0	6
1953-53	4	6	0	0	0	10
1953-54	2	9	1	0	1	13
1954-55	7	5	0	0	0	12
1955-56	3	7	0	0	2	12
1956-57	10	10	0	0	3	23
1957-58	12	35	0	0	1	48
1958-59	8	51	0	1	2	62
1959-60	11	24	2	0	10	47
TOTAL	58	151	3	1	20	233

Respectfully submitted

COLORADO ANTI-DISCRIMINATION COMMISSION

/s/ Roy M. Chapman

By Roy M. Chapman, Director

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