

City Commission on Human Rights
Public Information Division
Archives Copy

Forty Years
Of History
Thirty Years
Of Law

City of New York
Commission On Human Rights

Introduction

The New York City Commission on Human Rights is the law enforcement agency that implements the City's anti-discrimination law. Its origins date to 1944, when Mayor Fiorello H. LaGuardia established the Mayor's Committee on Unity, a voluntary advisory body designed to deal with tensions in the area of race relations.

The history of the Commission is one of transformation from an informal, mediation agency concerned solely with intergroup relations, into a permanent, professional law-enforcement agency equipped with significant statutory power to protect human rights. Changes in name and structure, expansion of the Commission's functions and powers through law, and programmatic and organizational developments now enable it to carry out its mandate more effectively.

Robert F. Wagner



Former New York City Mayor Robert F. Wagner graduated from Harvard University Graduate School of Business Administration and Yale University Law School in 1937. Prior to his election as Mayor of New York City for three terms (1953-1965), he was a member of the New York State Assembly (1937-1942), a member of the New York City Tax Commission (1946), Commissioner of Housing and Buildings (1947-1949), Chairman of the City Planning Commission (1947-1949), and Borough President of Manhattan (1949-1953). From 1942 through 1945 he was a member of the U.S. Army Air Force, retiring with the rank of Colonel.

Today former Mayor Wagner is a partner in the firm of Finley, Kumble, Wagner, Heine, Underberg, Manley, & Casey. He holds honorary degrees from twelve institutions of higher learning and is currently Vice Chairman of the Port Authority of New York and New Jersey, Chairman of the Board of United Neighborhood Settlement Houses, and President Emeritus of the Catholic Interracial Council. He lives in Manhattan with his wife, the former Phyllis Cerf.

Mayor Edward I. Koch



New York City Mayor Edward I. Koch will commence his third term in office in January, 1986. A combat veteran of World War II in France and Germany and a graduate of New York University Law School in 1948, he was a five term member of the United States Congress representing Manhattan's 17th Congressional District from 1968 through 1977, before becoming Mayor. His third term as Mayor of the City of New York is matched only by the terms of former Mayors Fiorello LaGuardia and Robert Wagner.

Among the accomplishments of Mayor Koch during his first and second terms have been five balanced budgets in a row; a merit-selection system which has been praised for dramatically improving the judiciary as well as substantially increasing the number of judgeships held by minorities and women; a reduction in serious crime for three consecutive years; a record number of meals served and homeless families and individuals housed; the rehabilitation of up to 19,000 apartments per year, compared to 1,700 such rehabilitations by the City in the year before he became Mayor; and agreements with municipal unions that have resulted in substantially increased productivity among city workers.

Dr. Marcella Maxwell



New York City Commission on Human Rights Chairperson Dr. Marcella Maxwell received her doctorate degree in 1972 from Fordham University Graduate School of Education. Prior to her appointment by Mayor Edward I. Koch as Chairperson of the Human Rights Commission in 1984, Dr. Maxwell was Dean of Development and External Affairs at Medgar Evers College of the City University of New York (1982-1984) and Chairperson of the New York City Commission on the Status of Women (1978-1984). She is a member of the Mayor's Commission on the Year 2000, the Mayor's Judiciary Committee for Family and Criminal Courts, and the Adolescent Interagency Pregnancy Council.

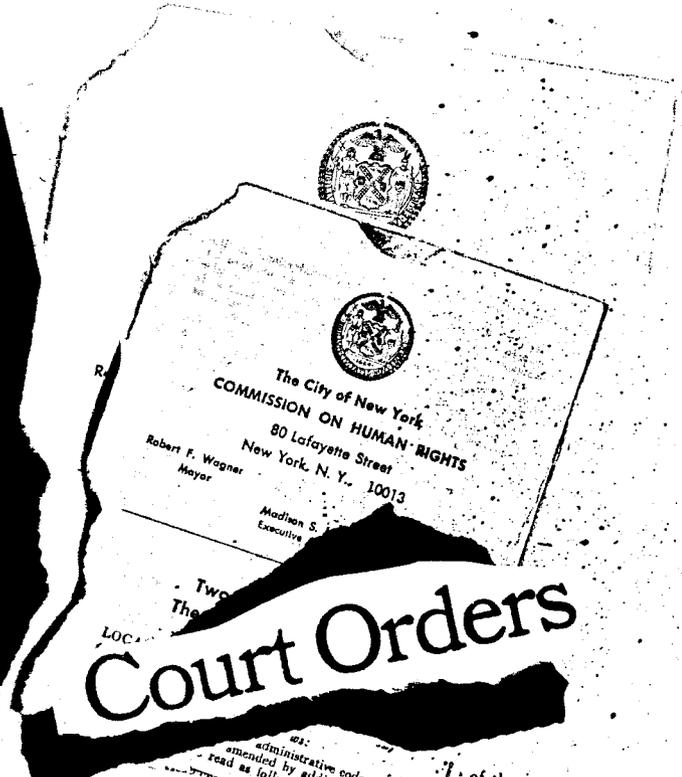
Dr. Maxwell holds honorary doctorate degrees from Marymount Manhattan College (1984) and Pratt Institute (1985). She has been formally honored by the New York State Legislature (1983), the Coro Foundation (1983), the National Conference of Christians and Jews (1977-1979), and the National Association of Negro Business and Professional Women's Clubs, Inc. (1978) among others. She lives in the Park Slope section of Brooklyn with her husband Edward.

eliminate prejudice,



Mayor Wagner

ANTI-BIAS AGENCY
VOTED BY COUNCIL
City Commission Would
Use Power of Subpoena
to Hold Public Hearings



Court Orders

Civil Rights

A LOCAL LAW

1955

1960

LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 1955
No. 55

A LOCAL LAW

As added to the administrative code of the city of New York by the Council as follows:
1. Chapter one of the administrative code is amended by adding thereto a new title, to be known as
TITLE B
Commission on Intergroup Relations
Section 1. Policy.—In the city of New York, there shall be no discrimination on the basis of race, color, creed, national origin or ancestry of large numbers of people of

HOUSING BIAS BAN
GOES INTO EFFECT

Historical Origins

The Mayor's Committee on Unity

In response to racial unrest in the City, and in particular to the devastating riot in Harlem during the summer of 1943, Mayor Fiorello H. LaGuardia created the Mayor's Committee on Unity on February 28, 1944. The Unity Committee had as its announced purpose "to make New York City a place where people of all races and religions may work and live side by side in harmony and have mutual respect for each other; and where democracy is a living reality."

The Committee relied on conciliation and persuasion to accomplish its ends. The twenty to thirty unsalaried members of the Committee, one of

whom was designated Chairman, were appointed by the Mayor. They were chosen on the basis of their interest in the purposes of the Committee and their knowledge of the community, without regard to political considerations.*

The City provided the Committee with office space and equipment in the Brooklyn Municipal Building, and the salaries of the Executive Director and one other staff member were paid by the city agencies from which they were on loan. The operating budget was made up from private funds solicited by the Mayor.

In the Executive Director's final report, dated July 12, 1954, Dr. Dan Dodson reviewed the accomplishments of the Mayor's Committee on Unity. He credited the Committee with the passage of State fair employment legislation and The Fair Educational Practices Act and the development of a New York State University. Other Committee achievements or projects

cited were: cracking the color line in baseball; dealing with anti-Semitic disturbances in Coney Island; improvement of consumer intergroup relations in Harlem; investigation of the alleged anti-Semitism of an appointee to the Board of Education; intervention in two riots in New York City high schools; advisement of the press and other media of communication on human relations problems; and an investigation of city services in depressed areas of the community.

**Charles Evans Hughes, Jr. was the first chairman, and was succeeded by Franklin D. Roosevelt, Jr., Judge Edward Lanzansky (acting) and Arthur W. Wallender. The first executive director (1944-1948) was Dr. Dan Dodson. He was succeeded by Mrs. Edith M. Alexander, who served from 1948 to 1954, with the exception of the brief tenure of Milton D. Steward (March-June, 1949).*



1961-1965

EQUAL JOBS for equal skills have been pledged by five major brewers here in a pact signed with two Teamsters locals and the Negro American Labor Council. In other words, no discrimination because of race, color or national origin. That is as it should be.

mathematical and the Negro to deal with Negro complaints of job discrimination. The outcome was a permanent, binding agreement to handle future complaints. Lovell called this a "breakthrough" because he believes it lies ahead in the building industry.

contributing to discrimination. Sixty-five of the...

...that is as it should be. But a notable achievement of the agreement, negotiated by the City Commission on Human Rights, is that it was reached without a strike, demonstrations, name-calling, or the toss of a single pebble. And there is a safeguard against them—for disputes will be settled by binding arbitration. **Now, no more strikes.**



Mayor Wagner

Rights Agencies Broadening Scope

Other industries and other unions—equality of employment opportunity commensurate with qualification—is unexceptionable.

Formula for Fairness

THE CITY OF NEW YORK

Bias Cases

PUBLIC PLACES
It is unlawful to deny anyone access to any place of public accommodation, resort or amusement because of race, creed, color or national origin. However, a religious organization may deny access to its facilities or give preference to its members.

1961-1965

Cabbies Avoid Negro Riders

Rights Field Office

Booth Sworn; Wider Rights Role Is Hinted

for City

Commenting on the meet-

1965-69

dropped for a Negro passer in the vicinity of 135th St and Morris Avenue, the driver was heading for Second Avenue in the 70's when the cab was spotted by the city commissioner. "I just wanted to get to the working area, I could make a living trouble," said Mr. Pelle. The driver also denied his off-duty sign was he was heading down York Avenue after the drive at 96th Street on Second Avenue. Accusers had testified the second drive Sturniolo, declined the advice of his attorney, Rutenberg, who was retained by Sturniolo's employer, the Municipal System. Mr. Booth and Sturniolo exceeded their authority in examining the driver without a subpoena.

Mayor Lindsay



The city's Commission on Human Rights may be given a role, Mayor Lindsay declared yesterday. He swore in William H. Booth, state chairman of the National Association for the Advancement of Colored People, as new chairman of the commission. Booth, a Republican, succeeded Earl Brown, Democrat, in the \$25,000-a-year post. Booth said he had determined to survey labor practices doing business with the city of eliminating discriminatory tactics. He charged Booth with the "beefing up the commission making it a more vigorous."

weekend, \$4,000 worth musical instruments ruined" at PS 96, on 126 St. near Third Ave. Immediately after she made the complaint, City Councilman Robert A. Low announced that he would inspect the school this afternoon.

CRITICISM

Meanwhile, at another hearing, Nassau County Executive Eugene Nickerson, seeking the Democratic gubernatorial nomination, criticized Rockefeller for his veto year of planned 10 percent increases in state aid to the city for the next couple years. He also charged the administration with a "lack of imagination and planning" in educational television for the city's schools. He said he would hold open houses of the commission in the city to bring the commission to the people. He named the schools as the most serious problems in the human field.

City Rights

to encourage other... things like... disorderly... not an... arrival

1965-1969

Bias Case

ites Construction Unions... which unions he considered discriminatory against whites, Booth replied: "I think the construction unions are particularly guilty. That, however, does not mean that I do not think that other unions are guilty of discrimination." Booth, 43, his wife and their daughter, Ginny, 17, live at 111-55 St., Jamaica, Queens. Lindsay also named 13 city officials to serve temporarily on the Anti-Poverty Operations in the city's coordinating committee in the war on poverty. Lindsay was named vice chairman, and Donald J. Elliott, chairman.

The Commission on Human Rights,

A Stronger Law and the Beginning of Systemic Strategies

Crucial to the thrust toward enforcement that characterized Commission history after 1965 was a major change in the law that significantly extended the agency's jurisdiction and augmented its powers. In December 1965 Mayor Wagner signed the Amended Law on Human Rights (amending and incorporating Local Law 55 of 1955 and Local Law 80, the Fair Housing Law of 1958). The new law extended the Commission's jurisdiction to match that of the New York State Commission Against Discrimination. Included was the authority to combat discrimination not only in housing but also in public accommodations and, most importantly, employment, on the basis of race, sex, age, and national origin.

The Commission was also given the power to initiate its own investigations. Violation of a Commission order was made a misdemeanor punishable by a fine of up to \$500 or imprison-

ment for up to one year. The Commission was given the power to issue cease-and-desist orders after a finding of "probable cause." In the area of housing, it was empowered to post a sign on an apartment for ten days stating that charges of discrimination were being investigated and that anyone buying or renting the premises during the investigation might have to forfeit them if the charges were sustained.

Its new powers formed the basis for aggressive enforcement efforts by the Commission in the area of housing. By 1968 the Agency was augmenting the individual case approach and developing a systemic program against large-scale landlords who engaged in discriminatory practices.

The first major case came in 1968, when the Commission charged the Metropolitan Life Insurance Company with deliberate, intentional, and systematic exclusion of Blacks and Puerto Ricans from its Stuyvesant Town, Peter Cooper Village, and Parkchester Housing Developments, while channeling minority applicants to its Riverton Houses in Harlem. Although Metropolitan Life denied the allegations, it entered into an agreement with the Commission to examine its records. Subsequent Commission-initiated complaints opened up the Glen Oaks, Fresh Meadows, and Phipps Gardens developments in Queens.

In the handling of individual housing cases, the Commission made a number of significant legal breakthroughs during the late 1960's. In a series of decisions, the New York State Supreme Court approved the Commission's use of its posting power, the practice of awarding compensatory damages to victims of housing discrimination, and the imposition of monetary penalties on landlords who acted to obstruct administration of the law.

In the field of employment discrimination, the Commission focused its activities in three major areas during the late 1960's. It renewed its scrutiny of employment practices by city government, directing a site survey of minority employees in city government in 1966 as a follow-up to the original survey completed in 1963. In the following year the Agency submitted its report on the survey to the Mayor, along with recommendations for an affirmative action program in city government.

The Commission also reactivated its contract compliance program, originally established in 1962. It made extensive use of public hearings in investigating discriminatory practices by contractors and unions. In 1966 the Agency held major hearings on the building trades, focusing on the hiring practices of contractors as well as union apprenticeship programs and membership requirements. The Commission first initiated a complaint against a city contractor in 1968, charging a construction company and eight unions involved in the construction of a school annex in Bedford-Stuyvesant with discrimination against minorities in recruitment, apprenticeship programs, and employment.

The third major Commission program to combat employment discrimination was an expanded examination of large-scale employment patterns and practices in the private sector. This program differed from systemic approaches later adopted, in that it relied on voluntary compliance by employers rather than on the Commission's enforcement power.

At this time, the procedure involved investigating industry employment patterns for evidence of discrimination. If such evidence were revealed,

the companies responsible were confronted with the evidence and urged to enter into agreements with the Commission to engage in affirmative action. Once signed, the agreements were monitored by the Commission.

If companies refused to cooperate, pressure was brought to bear through publicity and public hearings. A number of large New York City employers did cooperate with the Commission, among them were Consolidated Edison, New York Telephone, Chase Manhattan Bank, and Manufacturers Hanover Trust Company. They established training programs for minority workers, revised job specifications that had a discriminatory effect, and made special minority recruitment efforts.

In 1967 and 1968, under grants from the Federal Equal Employment Opportunity Commission, the Commission established a Retail Industry Affirmative Action Program to implement the findings of a special survey of minority group opportunities in retail stores in New York City. Also in 1968 the Commission held public hearings on employment practices in the hotel, advertising, and broadcasting industries.

The late 1960s, therefore, saw the beginnings of extensive efforts to focus on whole systems of employment rather than single instances of discrimination. This systemic program became a major foundation of the Commission's work in the 1970s. That decade would see an increased emphasis on enforcement, as well as a number of legal developments on the federal level, such as increased assistance from federal funding sources,

and the development of new technologies, all of which would greatly strengthen the Commission's systemic program.

During the late 1960s, the nature and scope of the Commission's role in tension control also began to change. When the school decentralization crises occurred in 1967 and 1968, the Commission became centrally involved in efforts to mitigate intergroup tensions and also intervened in other school issues, neighborhood problems, and conflicts between firemen and inner city residents.

Toward the end of the 1960s, as intergroup conflict and inner city violence became a central concern of the City administration, Mayor John V. Lindsay established the Mayor's Urban Action Task Force, which became the basic tension control mechanism for the City. At the same time, as the importance of human relations became more widely recognized, many city agencies established human relations units or programs, relieving the Commission of its once exclusive responsibility in this area. As a result, while resolving intergroup tensions remained a major agency concern, the Commission was able to put increased emphasis on its unique function—anti-discrimination law enforcement. Indeed, its maturation as an enforcement agency is the theme of its history in the 1970s.

Seek Ways To Stem Area Decay

How do you preserve a neighborhood? That question was being tackled today by community leaders and scholars concluding a two-day hearing on neighborhood preservation sponsored by the City Commission on Human Rights.

Designed to produce a book of community studies, the hearing was held at the University of the City.

Backs Club Bias Curb

By RITA DELFINER
The city Human Rights Commission has thrown its support behind legislation revoking the liquor license of any private club that refuses to admit blacks, women and Jews.

Commissioner Eleanor Holmes Norton yesterday she would "actively lobby" for passage of legislation, similar already adopted by other states.

State Sen. Roy (R-Man.) introduced legislation last March which would "unlawful discriminatory acts" of private liquor license revocation.

Mrs. Norton after a day-long hearing which some complained and professional fees because of the club.

Samuel Freedman, director of the American Jewish Congress, testified that the social discrimination of the American Jewish Congress is a major concern.

the state's control law and



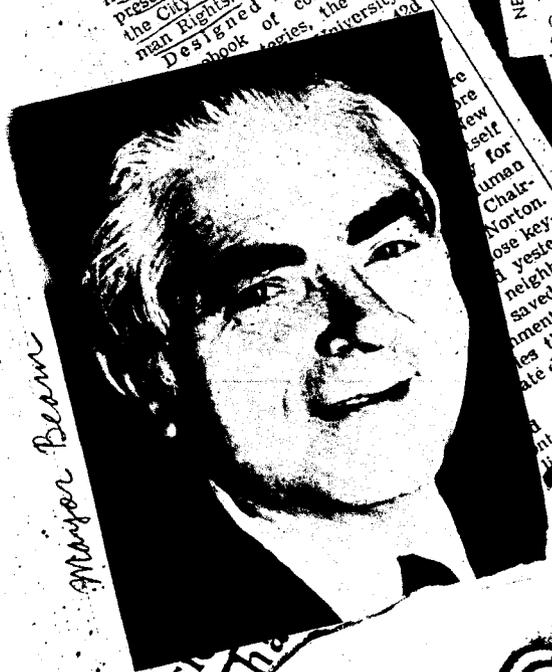
Mayor Lindsay

Rights Panel

Of 50,000 former heroin addicts still under treatment in the city, 30,000 are unemployed because they are wrongly considered vices.

Health Secretary Gordon state ment also ers a Serv- testifi the first stress ss by habit on drug ment meth ted tie the an make

oron cha would be Com employment, a pa step in re-emp



Eleanor Holmes Norton

THE 1970s

"Discrimination"

Human Rights Commission announced that she \$400,000 grant for neighborhood decay.

Bias

Votes

Rights

EQUAL JOBS

concern in field, said the group, addicts and that he had four by metha that depending on their ability help them ad that could function compet tively in both sales and mar ing areas.

even jobs working methadone program for them to find

They re- mended whether addict, whether free or maintained adone, was no more or unstable an employe.

Holmes

ard A. Jones, chairm te Narcotics said the

The Commission on Human Rights

The Maturation of an Enforcement Agency

The history of the Commission in the 1970s is marked by a number of developments that contributed to its growing strength and effectiveness as an enforcement agency. Among these were the continuing expansion of its jurisdiction and responsibilities through amendments of the Human Rights Law, the reorganization and professionalization of agency structure and procedures for maximum effectiveness, the development and refinement of systemic enforcement strategies, and the implementation of innovative social and enforcement programs such as Neighborhood Stabilization.

During the late 1960s and into the 1970s, the Commission's jurisdiction was extended several times through amendments to the Human Rights Law. The Law was amended:

- In December 1968, to include discrimination on the basis of physical handicap in housing, employment, and public accommodations.
- In 1970, to cover sex discrimination in public accommodations.
- In 1970, with the passage of a state law, to give the Commission significant powers to combat blockbusting through the issuance of anti-solicitation orders (these powers were further strengthened by law in 1972).
- In 1972, to strengthen jurisdiction over religious discrimination by requiring employer accommodation to religious needs of employees, including Sabbath observance and the wearing of religious garb.

- In 1973, to cover discrimination on the basis of sex and marital status in housing.
- In January 1977, with the passage of a state law, to give the Commission jurisdiction over discrimination in private employment on the basis of a conviction record.
- In 1977, to expand the prohibition against age discrimination to cover persons between the ages of eighteen and sixty-five years in housing and public accommodations as well as employment.
- In 1977, to cover discrimination on the basis of prior alcohol abuse or prior alcoholism. This was subsequently incorporated into the 1981 amendment on the handicapped.

Not only were the Commission's jurisdiction and responsibilities considerably expanded by these additions to the law, but demands on its services also increased as its constituents became more knowledgeable about the law and the remedies available. Particularly significant was the response by women, as women's rights issues gained prominence in the 1970s. Although the Commission gained jurisdiction over sex discrimination in employment in 1965, it was not until the 1970s that a sharp upward swing occurred in the sex discrimination caseload.

Also contributing to the growth of the Commission's powers and responsibilities was the impact of legal developments growing out of the huge body of civil rights legislation passed in the 1960s. With the support of strong fed-

eral court decisions, administrative agencies such as the Commission had a firmer basis for offering substantial remedies.

Another factor affecting the Commission's enforcement role was its designation in 1974 as a Section 706 deferral agency by the Federal Equal Employment Opportunity Commission (EEOC). This designation meant that the Commission would handle employment complaints deferred to it by the EEOC, for which it would be reimbursed by the federal agency. The assumption of federal cases significantly increased the Commission's workload.

The expansion of its enforcement role necessitated an overhaul of the Commission's organization and procedures, many of which were outdated as a result of the agency's development. While its structure and systems had been modified repeatedly over the years, the Commission's expanded role in the 1970s, coupled with the new emphasis on accountability and efficiency spurred by the City's fiscal crisis, called for a more effective case-handling process. Specifically, individual complaints were beginning to draw staff time and energies away from major priorities such as the elimination of systemic patterns of discrimination in employment.

After several years of planning, including consultation with management experts, interim changes and



to avoid the disparate impact of layoffs imposed strictly according to seniority—the “last hired, first fired” syndrome—and in April of 1975 the Commission sponsored a conference, “Alternatives to Layoffs,” that emphasized the use of cost-cutting measures other than layoffs to avoid their devastating impact on minorities and women.

The Commission also employed systemic techniques to combat housing discrimination. New powers granted by state legislation (enacted in 1970 and 1972) enabled the agency to focus effectively on the problems of blockbusting and racial steering, and to issue bans on real estate solicitation when agents exploited fears of declining real estate values to coerce white owners into selling their homes.

The Commission also brought complaints against large-scale realtors and landlords, charging them with discriminatory rental practices that restricted housing opportunity for large numbers of minorities. A Commission-initiated case against the Lefrak Organization was referred to and successfully completed by federal officials having the enormous manpower resources necessary to gather voluminous data.

One of the most innovative systemic approaches developed by the Commission was the Neighborhood Stabilization Program. It was created when the agency realized that when integration began in many communities, prejudice all too often led to withdrawal of services, rapid population turnover, and community instability. These changes frustrated the commission's efforts to fulfill its legal mandate to insure equal housing opportunity. Of particular concern was the pattern of initial integration of a neighborhood followed by precipitous resegregation. The Commission sought to develop strategies to stem the flight of white

and other middle-income people from the city, an exodus that threatened the city's tax base and further contributed to its fiscal crisis.

After considerable planning and a concerted search for funding, the Commission obtained funds in October of 1975 under the Community Development Act with which to launch its Neighborhood Stabilization Program.

The goal of the program was to promote positive intergroup relations and stable neighborhoods in a number of ways, including the organization of tenants' and merchants' groups, the promotion of neighborhood self-image, the affirmative marketing of housing, and the development of supportive community improvement and revitalization projects. The program was instituted in field offices in the Northeast Bronx, Flatbush, and Southeast Queens; six more were subsequently added to serve targeted communities throughout the City.

While placing increased emphasis on its law-enforcement function in the 1970s, the Commission has continued to respond to its mandate to promote intergroup harmony and combat polarization within the City. In this area, too, it has tried to develop systemic approaches in response to patterns of problems and thus, to some extent, obviate the need to address individual crises.

In 1972 the Commission developed the Citywide Intergroup Coalition (CIC), a council of diverse ethnic and minority groups dedicated to finding solutions to common problems. CIC played a role in the Canarsie public schools dispute in 1972, and stimulated the issuance in April 1973 of Human Rights Guidelines for Fair Campaign Practices in Local Elections. These guidelines were implemented in the District 1 Community School Board elections in 1974 in an effort to reduce the intergroup conflict and divisiveness afflicting this school district.

Other Commission efforts to approach intergroup tension in a systemic way in the schools included a

report issued in October 1974 entitled, “*After Integration: Problems of Race Relations in the High Schools Today.*” The report analyzed racial conflict in an integrated high school in Brooklyn and recommended various means of improving intergroup relations in high schools. Several of these suggestions were later adopted by the Board of Education.

In 1972 the Commission issued its study, “*Arson, Vandalism and Other Racially Motivated Violence,*” which documented patterns of violent resistance to residential integration and proposed corrective measures that could be undertaken by law enforcement and other governmental agencies.

During the 1970s the Commission also sought to expand its impact through an assertive research and hearings program. Public informational hearings were mounted to explore issues directly and indirectly related to its mandate. Many of these hearings were landmark efforts bringing considerable public attention to issues previously ignored, such as hearings on women in contemporary society (1970), which constituted the first comprehensive examination of women's issues undertaken by a government agency; hearings on discriminatory teacher selection procedures in the New York City school system (1971); a conference on the profession of household work as a women's rights issue for employers and employees alike (1972); a conference on assuring human rights for the physically handicapped (1972); and hearings on the employment problems of ex-offenders and rehabilitated drug addicts (1972).

Reports of most of these hearings were published, and the recommendations that emerged from them often led to significant legislative and governmental policy changes. The research and hearings program thus was a significant means of conveying the Commission's experience and insights to an increasingly concerned public.

City Rights Aide

The 1980's

Commission Finds Wall Street Firm Fired Him Because Of Race

Commission Chairman, Isaiah E. Rob... of the few Black margin... complaint he filed with... n Rights.

that his employer, Bear, S... had permitted white ma... disability leave to return... while denying him the r... senior margin clerk... 3 1/2 years. The co... reason...

Civil Rights

Queens Board Told to Seek Out Minorities Actively!

By DEE WEDEMEYER

A FEDERAL district judge in... has ordered the board of dir... Queens cooperative apartm... nity shareholders and give a... ing for rejecting prospective...

Officials active in the... tion field said it was... try that a co-op's b... required to give a... nity applicant... provide impetus... ing all co-op b... applicants. "I think it... Thompson, City Com...

Race Suit

Bank Told to Rehire Guard by Rights Panel

Citibank, which the city's Comm... on Human Rights said had illegally... dismissed a security guard because of... her race and sex, must rehire her within... 30 days.

Mayor Koch



ARTS

The Motion Picture Project's goal: End race bias in moviemaking

By MEL TAPLEY... is a race as rampant as any... of our writers that made the... and with the message of love... Mustafa Mamed, executive... coordinator of The Motion... because the challenge of... and Hispanics jobs or... in your motion picture... New York City.

United Press International City Human Rights Comm new documentation program homosexual discrimination some of it linked to the fear The commission said Tuesday menting anti-gay discrimination and that the 82 cases had been Before November, only 11 ca... under the commission's for... The commission said th...

... picture can increase the city's in... come by millions of dollars through jobs... and the spin-off of picture-making like...

Gay

The Commission on Human Rights

Meeting the Needs of a New Decade

Entering the 1980s the Commission took the lead in defending the rights of an ever-broadening constituency. The vast majority of complaints received and processed are based on racial or sexual discrimination. The Agency continues to pursue its traditional goals in these areas. Additionally, the Agency has stepped forward to meet the needs of other groups, such as gays and lesbians, the aging, and the handicapped, who have long been victims of discrimination.

The City's Fair Housing Law prohibits discriminatory practices not only by owners of housing accommodations but also by real estate brokers, salespeople, and lending institutions. Any person claiming to be aggrieved by an unlawful discriminatory practice may file a complaint with the Commission. As part of the Agency's expanded responsibilities to implement the City's Fair Housing strategy, a Fair Housing Division was established in 1980 to coordinate a variety of efforts designed to fight discrimination and ensure New Yorkers equal access to housing opportunities. This unit processes verified individual and systemic housing discrimination complaints, trains counselors in fair housing law, coordinates fair housing activities in the Commission's Neighborhood Stabilization Program field offices, and is a permanent member of the NYC Fair Housing Task Force.

The Fair Housing Task Force consists of representatives from several city agencies and a number of non-

profit organizations. It constitutes a unique public/private partnership to:

- Educate New Yorkers about the nature of discrimination in housing.
- Provide fair housing counseling services on a borough-wide basis.
- Expand the City Commission on Human Rights' Fair Housing Unit.
- Provide direct access to Federal Court through a private attorney.

The Neighborhood Stabilization Program (NSP) has become a model for similar programs nationally. Groups in Chicago and Washington, D.C., and a number of smaller municipalities have asked NSP's director to consult on replicating the Programs.

In 1980 the New York City Police Department set up a separate bias unit to investigate bias complaints. As of 1981, the Commission had established a formal relationship with that unit, and NSP began its own supplementary investigations of acts of criminal bias in the city. Results of these investigations include recommendations for and implementation of specific aid to victims, neighborhood-wide strategies such as establishment of or support to clergy or other intergroup coalitions to reduce tensions, and various other mediation activities.

NSP moved into another area of critical importance when it formed a Reinvestment Unit in 1977. Originally formed to document and combat the practice of redlining, this unit now has as its goal the education and training of residents on broader reinvestment issues. It has provided information and technical assistance to NSP field

offices and neighborhood organizations interested in or working on the reinvestment issue. In addition it has published research reports including: *Mortgage Activity in New York City—1981*, *Mortgage Activity in New York City—1982 and 1983*, and *Wrap-around Mortgages: What They Are and How to Deal With Them*.

The Commission has had several important legal victories in the first half of the 1980's. The Agency's Counsel's office was instrumental during 1979 in drafting an amendment to the Human Rights Law expanding its jurisdiction to protect handicapped persons from discrimination. In May 1981 the amendment known as "Intro 707-A" was approved by the City Council; it was signed into law on June 16, 1981. The previous statute had limited the definition of handicapped persons to those who have *physical* handicaps and are dependent on an appliance (such as a crutch or hand-controlled car) for performance of their duties.

The amendment covered "an *otherwise qualified* person who is *physically or mentally* handicapped" by an "impairment that substantially limits one or more major life activities," including

caring for one's self, walking, seeing, hearing, speaking and learning. The term "otherwise qualified" refers to a handicapped person who "with reasonable accommodation can satisfy the essential requisites of the job...in question." The effect of the amendment was to place upon the employer the burden of showing a handicapped



person could not, with reasonable accommodation, perform the work expected. The impact of this bill was widespread: there are an estimated 36 million disabled Americans, 40 percent of them nonwhite and 52 percent with incomes under \$2,000 a year.

One of the most notable achievements of this period was the passage of the Private Clubs Bill in October 1984—the culmination of more than four years' effort on the part of the Commission and many other groups and individuals in and out of government.

Before enactment of the legislation, the City Human Rights Law forbade discrimination in institutions, clubs, or places of accommodation that were not distinctly private. "Distinctly private," however, had never been defined. The Private Clubs Bill amended the law to state that a club is *not* distinctly private if it has more than 400 members, provides regular meal service, and regularly receives payment for dues, fees, use of space, facilities, services, meals, or beverages directly or indirectly from or on behalf of nonmembers for furtherance of trade or business. The bill does not affect purely social clubs; it affects only clubs that regularly receive income from nonmembers for business purposes.

Passage of the bill was an exciting and important event. No bill similar to it had been enacted anywhere in the country. It established rights for women and minorities who have been denied the opportunity to take part in membership and activities in clubs where a large percentage of the business of New York City is conducted. The discriminatory practices of the large clubs have served as an impassable barrier for minorities and women who were trying to get ahead in business, law, and other areas.

The Agency moved into another area of vital importance when the Lesbian and Gay Discrimination Documentation Project was established. In addition to accepting those few jurisdictional complaints brought by gay men and lesbians (largely complaints brought alleging discrimination because of sexual orientation in city employment, under Executive Order No. 4, and physical handicap complaints concerning AIDS), the project had two other purposes: to log and document all such complaints in order to determine the extent of discrimination against gays and lesbians and the form such discrimination assumes; and to provide counseling and referrals, when appropriate, for these complainants.

Following the Commission's mandate to "...study the problems of prejudice, intolerance, bigotry and discrimination...in all...fields of human relationship," the results of the documentation project were organized into a report. This report was then presented to the City Council with recommendations for the enactment of suitable legal protections for gay men and lesbians.

Trends elicited from these gay complaints indicated the need for Commission intervention and networking within the community, which was begun immediately. Relationships with City agencies and departments, gay and lesbian organizations, and other appropriate groups were intensified.

The work to counter discrimination suffered by people with AIDS has been encouraging. Several AIDS victims

have regained their jobs and obtained back pay and other monetary settlements. Arrangements have been made for emergency dental work for people with AIDS at Bellevue and NYU schools of dentistry. A number of cash settlements and policy changes were effected for people with AIDS who were denied transportation to hospital appointments by ambulette services. Documentation of the discrimination experienced by people with AIDS is also in progress. Additionally, through working with the AIDS Interagency Task Force, of which the Commission is a member, several support systems were finally established for hemophiliacs, IV-drug abusers, and others at risk for AIDS. The Commission's work in this area has resulted in a continuing perception of the Agency as one of few resources available today on AIDS discrimination. The N.O.W. conference, the International Lesbian and Gay Health Conference, and other large convocations of groups interested in this area utilized the NYC Commission on Human Rights as an information source on which to model their own programs to help persons with AIDS. The lead the Commission has taken in this area is another clear demonstration of the strong commitment to social justice that the Agency has shown since the 1940s.

The Future

The history of the Commission developed in response to changing demands of its contemporary role as an activist enforcement agency, continually expanding to meet the needs of its constituents. Much has been accomplished, and much still remains to be done. The Commission has unequivocally demonstrated that it is ready to meet future challenges.

Dr. Marcella Maxwell, Chairperson (1984–)
Isaiah E. Robinson, Jr. (1978–1984)
Patria Nieto-Ortiz (February–April 1978)
Marian Logan (1977–1978)
Eleanor Holmes Norton (1970–1977)
Simeon Golar (1969–1970)
William H. Booth (1966–1969)
Earl Brown (1965–1966)
Stanley H. Lowell (1961–1965)
Dr. Alfred J. Marrow (1956–1960)

Alberta B. Fuentes, Executive Director
Spencer McLaughlin, Deputy Executive Director

COMMISSIONERS

S. Ted Antholes, Vice-Chairperson
Rabbi Jacob Bronner
Lionel Hampton
Robert F Hickey
Joyce Hunter
Glenn Lau-Kee
James B. Levin
Wittie McNeil
Dr. LeRoy E. Pagano
Lydia Rivero
Julia Garced de Rodriquez
Dr. Helga Weiss
Boleslaw Wierzbianski
Andrew Wolf