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* IMPROVING CIVIL RIGHTS

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-- A SPECIAL MESSAGE --

To Members of the Sixty-third Legislative Session
by
Governor Karl F. Rolvaag,



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STATE OF MINNESOTA

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Civil Rights

In response to Governor Freeman's request in 1955, our legislature recognized that discrimination in employment was a problem that required governmental action. The legislature established a fair employment practices commission. This State Commission Against Discrimination, as it is now called, has worked well within limited resources to reduce discrimination in employment. By education, persuasion, and conciliation, some employment opportunities heretofore closed to minority groups have been opened. But it would be less than candid to say that equal employment opportunity exists today in Minnesota.

One of the most troublesome paradoxes of our economy is that chronic unemployment often exists side by side with a shortage of skilled workers. All too often this absence of skilled workers, among minority groups, is the result of discrimination in education, training, and apprenticeship opportunities. The responsibility, of course, lies with labor and industry, as well as with government. Study after study shows a systematic pattern of exclusion or discouragement of minority group members from participation in apprenticeship training programs. Solving these problems of discrimination in employment and discrimination in apprenticeship and training requires more than pious pronouncements. The State Commission Against Discrimination must be strengthened. It must have effective authority. A law which prohibits discrimination, but is difficult or impossible to enforce, may become a mere verbal precept, and no law at all.

DISCRIMINATION IN HOUSING

The United States Commission on Civil Rights has found that "housing seems to be the one commodity in the American market that is not freely available on equal terms to everyone who can afford to pay." By arrangements and understandings, often unspoken, between real estate brokers,

enforcement procedures. The money and personnel given to the State Commission Against Discrimination have been woefully inadequate. With a full-time SCAD staff of four people, it is wishful thinking to hope for significant accomplishments in ending discrimination in Minnesota.

DISCRIMINATION IN PUBLIC ACCOMMODATIONS

The traditional policy of Minnesota has been to oppose discrimination in public accommodations. We adopted our first such civil rights law in 1885, giving to all persons, regardless of race, creed, or color the right to equal accommodations in places open to the public.

Though the right has been so explicitly recognized, it has not been universally accorded. Some of our citizens must suffer daily the indignities of open or covert discrimination. While many who operate public accommodations open their doors to all, some systematically practice racial exclusion. The existence of the 1885 penal law has had little effect in changing such attitudes.

Enforcement of this law could be made more effective if persuasion, education, and conciliation by a specialized agency were an additional enforcement remedy.

THE SPECIAL PROBLEMS OF THE INDIAN

The civil rights problems of Indians cannot be understood fully without a consideration of their unique history and culture. Off the reservation, they are subject to the same denials and deprivations of rights as are the members of other minority groups; on the reservation they are the victims of a vacillating federal policy and a state policy handicapped by lack of original thought and lack of money.

The problems of the Indian are complicated by the fact that he is at the same time a member of his tribe, a "ward" of the federal government, a citizen with most of the rights and privileges enjoyed by other citizens, and a member of a racial minority. The problem has further been complicated by the inability of our federal government to settle on a consistent Indian policy. Frequent reversals in federal policy have left the Indians confused and mistrustful of all federal programs. One hundred years after our government recognized its responsibilities to the Indian, the social and economic conditions under which he now lives are, for the most part, disgraceful.

The civil rights problems of Indians generally fall into these five categories:

- (1) Discrimination in the administration of justice.
- (2) Denial of economic opportunities.
- (3) Discrimination in housing.
- (4) Discrimination in public welfare benefits.
- (5) Denial of equal opportunity for vocational training.

A United States Commission on Civil Rights report states that "Reservation Indians have not been provided with adequate law enforcement by the states to which the federal government has ceded civil and criminal jurisdiction.*** Reservation and non-reservation Indians are treated unfairly by police and courts in many localities, particularly those adjoining large reservations." The problem is complicated by the fact that the Indian, subject as he is to federal, state and tribal governments, often finds himself tripped by his own confused legal status. He is unable to understand that what is right under tribal law is wrong under the law of the place where he happens to be. Lacking knowledge of his rights or the justice of the white man's courts, he often does not assert those rights.

CONCLUSIONS AND RECOMMENDATIONS

To improve the total civil rights climate in our state, I offer the following recommendations:

- (1) The full budget requests for the State Commission Against Discrimination and the Governor's Human Rights Commission should be approved;
- (2) SCAD should be given power to enforce the public accommodations law;
- (3) SCAD procedures must be simplified to assure swift action on complaints. These procedural changes must include amendment of existing law to provide that appeals to the courts from orders of the commission shall be limited to questions surrounding the legality of commission action and not so-called "de-novo" rehearings of cases by which the proceedings before the commission become mere dress rehearsals prior to court hearings. The present means of enforcement are complex and expensive;
- (4) The Fair Housing Law should be extended to forbid discrimination in all housing, whether publicly assisted or not;

On my own part, I shall take these actions:

- (1) I will issue an executive order setting up machinery to terminate public contracts with employers who illegally discriminate in the hiring of skilled and unskilled labor;
- (2) I will ask all agency and department heads to review present hiring policies and eliminate such discrimination as may be occurring;
- (3) I will appoint a joint labor-industry committee to study and eliminate discrimination in training programs and hiring policies;
- (4) I will appoint an interagency committee to coordinate existing programs of Indian assistance and to encourage Indians to participate in government training and employment programs.

These recommendations are a minimum program. They are neither extreme nor expensive. They seek only to help accomplish what we say as Americans we believe.