

June 22, 1971

Grand Forks Human Rights Commission Summary of Activities and Status Report

Gentlemen:

As Chairman of the Grand Forks Human Rights Commission, I have been requested by the Commission to present to the Mayor and City Council a summary of the Commission's activities since November of 1970 and in addition, to present to the City Council the Commission's suggestions for the future organization and operation of the Commission.

The Commission has been divided into three separate sub-committees as follows:

1. Public Relations Committee;
2. Housing Committee;
3. Investigations and Hearings Committee

We have attempted to hold regular meetings of the Commission on the first Monday in each month. Accordingly, we have, during the period of this report, held eight regular monthly meetings and one special meeting. There were, at the time of the Commission's election of officers in November of 1970, 19 members serving on the Commission. Of these 19 members, 8 of them have attended 3 meetings or less and out of those 8, 2 have attended no meetings at all. We therefore have roughly 11 active participating members on the Commission.

The sub-committee on Public Relations has been our most active sub-committee during the past year. This sub-committee has caused to be published a brochure briefly describing the Commission and its organization. I am attaching a copy of this brochure to this report for your information. The Public Relations sub-committee also organized Human Relations Week, which was held from April 25 thru May 2, 1971. The Commission made available public speakers, film strips and other information for local organizations desiring to present a program on Human Relations. During this week, 7 local groups received films from the Commission dealing with Human Relations topics, 5 of the Commission members were requested to speak to various organizations, a number of the Commission members made television and radio appearances and the week was concluded with a musical program and presentation of awards to local citizens who had been nominated for an award because of their particular sensitivity to Human Relations matters. Approximately 300 persons were in attendance at the program, which was held at the Armory Auditorium on Sunday, May 2. It was the

feeling of the Commission members that the entire Human Relations week was particularly successful considering that the project was the first such attempt. In this regard, it has been the intent of the Commission to attempt to approach the entire subject of Human Rights in a more positive atmosphere and we believe that this particular sub-committee has made a fine start in that direction.

Our sub-committee on housing has accomplished very little to date other than to conclude that there is a serious shortage of low-income housing in Grand Forks and that minority groups are most frequently the victims of this housing situation. It is strongly urged by the members of the Commission that the Mayor and the City Council intensify their efforts to improve the condition of the existing low-income housing in our community and to secure the construction of additional low-income housing units. Complaints to the Commission during the year by individuals have centered exclusively on claims of discrimination in matters relating to housing. There have been, during the period covered by this report, approximately 4 local apartment owners charged with racial discrimination. The Commission feels that through informal investigation, it has successfully dealt with these charges. In this regard, I might mention that our Public Relations Committee caused to be published in the Grand Forks Herald an advertisement inviting persons who felt that they had been the victims of discrimination to contact the Commission. A phone number was published for such people to call. This ad was sponsored for one week by funds donated by the Unitarian Church.

The committee on Hearings and Investigations has been inactive pending a decision concerning the proper function of the Commission. The Human Rights Commission, has since its origin, experienced a need for more clearly defined functions. At one time or another, the Commission has found itself attempting to perform all three of the following functions:

1. Advocate for an individual who feels that he has been the victim of racial or religious discrimination.
2. A protector of the rights of those who feel that they have been unjustly accused of engaging in discriminatory practices.
3. An impartial hearing board to receive testimony and other evidence and make findings based upon such testimony and other evidence.

After considerable discussion and trial and error methods, it now seems to be the feeling among those Commission members who have attended the Commission's meetings with regularity, that it would not be proper for the Commission to perform all three of these functions, attempting to be an advocate of one point of view at one stage in

the proceedings and at the same time trying to be an impartial hearing tribunal at another stage.

Among those Commission members who have expressed themselves on the subject, it seems to be the consensus of opinion that a system should be devised and legally adopted whereby the Commission's role is limited to assisting a person who feels that he has been the victim of discriminatory practices, to investigate such person's charge informally and formally if necessary. After such investigation, the Commission would make a finding as to whether it believed there was probable cause to believe such person's charges to be true. The Commission would then attempt to contact the person charged with such discriminatory practices on an informal basis to see if the matter could ~~not~~ be handled to the satisfaction of both parties in that way. If upon a finding of probable cause by the Commission the person so accused with discriminatory practices refused to cease such practice or if in the opinion of a majority of the Commission members upon the information available to it such practices are continuing, the matter would then be turned over to the City Attorney's office for prosecution. The prosecution could then be either before the Police Magistrate with or without a jury or if it was determined that the City Council had the power to do so, a special tribunal could be established to hear evidence in such cases and make findings.

It would seem that the following steps would be necessary in considering such a procedure:

1. It must first be determined whether or not the City Council has the legal authority to establish the Commission and confer upon it the functions outlined, considering particularly the Council's powers under the Home Rule Charter.
2. In the event that it was determined that the City Council had the power to establish such a Commission, to pass ordinances prohibiting discriminatory practices and to establish procedures for the prosecution hearing and punishment for the violation of such ordinances, the City Attorney could then be directed to draft proposed ordinances which would include these matters. The Human Rights Commission would be most pleased to render whatever help they could as to the content of such proposed ordinances. Hopefully, any such proposed ordinances would generate healthy debate before the Council so that any final product could benefit from the ideas of as large a segment of our community as possible.
3. Questions such as whether the Commission in its role of determining probable cause, conducting informal and

formal proceedings and meeting with accused persons should have the power to subpoena witnesses and documents would have to be considered by the Council when it is presented with a specific proposed ordinance for adoption. Questions as to the cost of providing such a procedure would also have to be considered. With respect to the question of cost, there is a feeling among a substantial number of the present members of the Human Rights Commission that if the Commission were to act in the capacity outlined above, it would require some professional help. The cost of providing such help would have to be considered by the Council when determining whether or not to establish the Commission.

In summary, it is my feeling as Chairman of the Commission that the Commission has served a useful purpose during the past several years. Efforts such as Human Relations Week, speaking before various civic organizations and informally listening to complaints of minority peoples is a useful function. It seems to me, however, if the Commission is to be a truly trusted and effective body available to process complaints of those persons belonging to our local minority groups, it must have its powers and functions specifically spelled out in some manner or other. If the Commission is to conduct hearings and investigations, it is my opinion that it should do so only within the framework of legally established rules and procedures.

Any members of the Commission would be most pleased to visit with the Council members at any time concerning any of the matters contained in this report and in addition, we extend to the Council members an open invitation to attend our meetings.

Respectfully submitted,



Robert L. McCormick  
Chairman  
Grand Forks Human Rights Commission