

WEST VIRGINIA HUMAN RIGHTS COMMISSION

*Seventh Annual Report*

Fiscal Year 1967-68

\* \* \* \* \*



STATE OF WEST VIRGINIA HUMAN RIGHTS COMMISSION

STATE CAPITOL  
CHARLESTON, WEST VIRGINIA 25305  
TELEPHONE 348-2616

HULETT C. SMITH  
GOVERNOR

- COMMISSIONERS
- RABBI SAMUEL COOPER  
CHAIRMAN  
CHARLESTON
- MRS. ALICE ELDRED  
VICE CHAIRMAN  
SOUTH CHARLESTON
- MR. D. PAUL CAMILLETTI  
WHEELING
- REV. J. MATTHEW COLEMAN  
BLUEFIELD
- MR. THOMAS M. DRAKE  
MORGANTOWN
- MR. JOHN A. JONES  
WEIRTON
- MR. H. R. RICHARDS  
PARKERSBURG
- MR. RUSSELL VAN CLEVE  
CHARLESTON
- MR. ARTHUR J. WILLIAMS  
HUNTINGTON
- CARL W. GLATT  
EXECUTIVE DIRECTOR

December, 1968

The Honorable Hulett C. Smith  
Governor of West Virginia  
State Capitol Building  
Charleston, West Virginia

Dear Governor Smith:

The West Virginia Human Rights Commission is pleased to submit its Seventh Annual Report for fiscal year 1967-68 pursuant to Article 11, Section 4 (i), Chapter Five of the Code of West Virginia.

The term "Crisis in the Nation" did not originate in fantasy. Civil disorder and racial tensions throughout the nation have been very real. West Virginia did not escape, but its share of such problems seems to have been relatively minor. The West Virginia Human Rights Commission has commended public officials, law enforcement officers, and the general public in West Virginia for the calm good sense and general good will which helped to preserve West Virginia's record of progress in the area of human rights in these troubled times. We feel in no small way this Commission may have played an important role in this regard.

Though the Commission and its staff were deeply involved in a series of emergency efforts in tension situations throughout the year, this Annual Report testifies that the compliance and educational programs of the Commission were carried out with some effectiveness.

It has been a pleasure for this Commission and its staff to have served you and the people of West Virginia throughout the four years of your administration which did produce much progress in the field of human rights.

Very truly yours,

*Samuel Cooper*  
Rabbi Samuel Cooper  
Chairman

SC:js

MEMBERS OF THE COMMISSION

Current members of the Commission and their terms of office are:

RABBI SAMUEL COOPER CHAIRMAN - Charleston Third Congressional District	June 30, 1970
MRS. ALICE ELDRED VICE CHAIRMAN - South Charleston Third Congressional District	June 30, 1969
MR. D. PAUL CAMILLETTI Wheeling First Congressional District	*June 30, 1971
REV. J. MATTHEW COLEMAN Bluefield Fifth Congressional District	June 30, 1970
MR. THOMAS M. DRAKE Morgantown Second Congressional District	June 30, 1970
MR. JOHN A. JONES Weirton First Congressional District	June 30, 1969
MR. HARLEY R. RICHARDS Parkersburg Fourth Congressional District	*June 30, 1971
MR. RUSSELL VAN CLEVE Charleston Third Congressional District	*June 30, 1971
MR. A.J. WILLIAMS, JR. Huntington Fourth Congressional District	June 30, 1969

- 0 -

Members are appointed by the Governor with the approval of the Senate. By law, the Commission may not contain more than five members of one political party. At least one person must represent each Congressional district, and there may be no more than three members from any one Congressional district. Commission members receive \$25 per diem for attending to the business of the Commission, plus reimbursement for actual expenses incurred.

\*Reappointed to full three-year terms by Governor Hulett C. Smith effective July 1, 1968.

The Chairman and Vice Chairman are elected by the Commission membership at the annual meeting in July. The Commission meets approximately once a month. Currently, the regular meeting date is the second Thursday of the month.

---

#### FOREWORD

The year 1967-68 was a hectic one for the West Virginia Human Rights Commission which had hoped to make a gradual transition from the administration of the nonenforceable state human rights law to that of administering the fully enforceable West Virginia Human Rights Act effective July 1, 1967. A great deal of the Commission's staff time during the summer of 1967 was spent in the field, "at the scene," in efforts to head-off or alleviate racial tensions which threatened to erupt in the epidemic of disorders which swept the nation. Often the Commission's staff met directly with militant Negro youth to try to understand the grievances giving rise to their anger, and then to arrange meetings between these youthful leaders and those city officials, educators, employers, civic leaders, youth organization leaders, etc., who could take steps to alleviate if not eliminate some of the more pressing problems. For some communities where there were no current or incipient problems, the staff was invited to consult with local public officials and civic leaders as to preventative measures which might be taken, not merely to control disorder if disorder came, but to seek out and deal with problems before they became problems.

Then, in the Fall, the Commission was called upon by Governor Hulett C. Smith to investigate and to report back to him on the tensions created

at Bluefield State College by student dissatisfaction with the administration's disciplinary policies and practices. The preliminary investigation led to six days of Commission public hearings at Bluefield to give the students opportunity to air grievances which the students alleged had been suppressed by the college administration and for which students had been disciplined without hearings. Most observers reported the Commission's hearings provided the safety valve that defused an explosive situation and enabled the campus and the community to resume more normal routines. Hindsight, comparing the more violent campus disorders which occurred around the nation during 1967-68 resulting in massive Federal, state, and local police efforts to restore order, suggests the West Virginia Human Rights Commission at the height of the student unrest at Bluefield State College performed a commendable service to the people of West Virginia by its quick analysis of the tense situation from which greater disorder and possible violence might have resulted unless the students were given the opportunity to be heard with some hope of remedial action.

In March of 1968, the Commission-sponsored Third Annual Governor's Conference on Human Rights was held in Charleston with the theme "Police-Community Relations." The day following this Annual Conference, an all-day workshop on "Police-Community Relations" limited to police chiefs and law enforcement officers stressed understanding of the problems facing Negroes as well as police techniques for coping with tension situations to prevent disorder, property damage, and personal injury resulting from less understanding of the human problems and too great or too quick reliance on the use of force.

Following the tragic assassinations of Dr. Martin Luther King and Senator Robert F. Kennedy, the Commission staff was again assigned to the field to assist at the scene of local disorders or potential local disorders. Here, in some of the more critical situations, it became apparent that local public officials and state and local police officers had calmly and carefully evaluated each local situation as not requiring large scale protective or repressive measures. The police action served to reduce tensions and limit vandalism or acts of violence to but a relatively few offenders without creating or aggravating that mass reaction which had led to such deadly tolls of property damage, personal injury, and death elsewhere in the nation. Certain public officials and police officials have since confided to the Commission that their handling of local situations was helped by policies and procedures they had learned, recalled, or been encouraged to implement by their attendance at the "Police-Community Relations" programs in Charleston.

What should have been a year devoted to preparing, training, and assigning the Commission's present and new staff to the routine processing of formal complaints and expansion of its educational programs turned out to be a chopped-up year of stop-and-go, drop everything, emergency assignments for which the Commission feels it contributed towards the relatively peaceful solutions which have been characteristic of West Virginia's record in human rights progress. Less demonstrable, less dramatic, have been the day-by-day compliance and educational activities of the Commission and its staff which provide the on-going resources to the people of West Virginia by which they may continue to be informed and to be assisted

in the never-ending efforts to achieve that full understanding and spirit of goodwill necessary to the realization of equal opportunities for all citizens in all aspects of living regardless of race, religion, color, national origin or ancestry.

-----

#### BUDGET AND STAFF

The Commission's budget for fiscal year 1966-67 had been \$51,000. For the first year operations under the enforceable West Virginia Human Rights Act, the Legislature appropriated \$78,900 for fiscal year 1967-68. This provided for the employment of two new Field Representatives. Mr. Morgan Anderson, a native of Washington Township and graduate of West Virginia Wesleyan College at Buckhannon, was employed as a Field Representative in July 1967. Though the Commission recruited through the Civil Service System and conducted its own recruitment efforts throughout the state, it was not until March 1968 that Miss Marcia Pogar, a resident of Charleston and graduate of the University of Vermont, was employed as the second Field Representative authorized by the 1967 Legislature.

With the two Field Representatives mentioned above, the Commission's professional staff now includes Executive Director Carl W. Glatt, Field Service Director George E. Chamberlain, Jr. and Field Representative Franklin Gordon. Its three permanent clerical employees are Secretaries Mrs. Amy Estes and Mrs. Carole Ferrell, and Mrs. Joyce Sargent, Clerk-Typist.

The 1968 Legislature appropriated \$102,425 for the operation of the Commission and authorized the employment of an additional Field Representative, which will give the Commission a total of six professional and

three clerical employees.

---

#### COMPLIANCE ACTIVITIES

Table #1 shows that the Commission docketed a total of 31 employment cases and 19 public accommodations cases since the West Virginia Human Rights Act became enforceable effective July 1, 1967. At the end of the fiscal year on June 30, 1968, a total of 16 employment cases and 8 public accommodations cases remained open on the docket book. Some of these open cases were docketed late in the fiscal year, others were slow to be processed as the Commission's new staff learned its job or, in some cases, when respondents delayed furnishing information requested. As was expected, the Commission never had to utilize its subpoena powers to obtain cooperation from respondent employers or proprietors of places of public accommodations. In fact, the Commission heartily commends the respondents for the general courtesy and cooperation offered to the Commission's representatives. The few delays were occasioned more by the complexity of providing requested information than by any intent not to cooperate. This seems especially true of the cases involving county boards of education where the erosion of the outlines of past discriminatory practices had been slow, so that yesterday's rigid patterns complicate today's required changes.

Of the 15 employment cases processed to conclusion, 7 were closed as Satisfactory Adjustments, 6 on the basis of No Probable Cause to credit the allegations of discrimination, and 2 were Withdrawn by Complainants. Racial discrimination was the basis for the allegations in 29 employment cases, with one religious complaint and one national origin complaint.

TABLE #1

DISPOSITION OF FORMAL COMPLAINTS FROM JULY 1, 1967 THROUGH JUNE 30, 1968

	SATISFACTORY ADJUSTMENT	NO PROBABLE CAUSE	OPEN	WITHDRAWN BY COMPLAINANT	NO JURIS- DICTION	PUBLIC HEARING	TOTALS
Employment Complaints	7	6	16	2	0	0	31
Public Accommodations Complaints	8	2	8	0	0	1	19
	15	8	24	2	0	1	50

Of the 11 public accommodations complaints processed to conclusion, 8 were closed as Satisfactory Adjustments, 2 on the basis of No Probable Cause to credit the allegations of discrimination, and one case went to a formal hearing. All the public accommodations complaints were based on allegations of racial discrimination.

It is interesting to speculate why a higher ratio of Satisfactory Adjustment versus No Probable Cause resulted for public accommodations cases than for employment cases. This seems to follow the pattern of other state human rights agencies for which there seem to be more overt incidents of discrimination in places of public accommodations than exists or are provable for cases of employment discrimination. It may be that places of public accommodation which still practice discrimination adhere to die-hard policies and practices which are easily discerned and not capable

of being denied, whereas employers, generally, are no longer deliberately practicing discrimination though they may be continuing past employing procedures and patterns of employment which have not fully utilized minority group persons and Negroes in particular. It is more difficult for the Commission to investigate and reveal covert practices, indirect acts, comprising a policy of "passive nondiscrimination" which nevertheless has the end result of not having provided equal employment opportunities to members of the Negro race. Quite often the Commission has conferred with employers at the policy-making level who were surprised to learn from the Commission's review of workforce statistics that their companies were not employing Negroes and other minority group persons to the degree that qualified applicants might have been available in the local labor market. Once this was pointed out by the Commission's representatives, these employers embarked on affirmative programs to seek out qualified Negro and other minority group applicants to overcome the "crusts of custom," i.e., employment of relatives and friends of present employees, limited sources of recruitment from certain schools, colleges, labor unions, clubs, organizations, etc., not likely to produce or encourage other than white job applicants.

A formal hearing was held on the complaint of Bernard F. Hawkins, Negro, who charged that the Sunset Memorial Cemetery in Charleston had refused to sell him a burial plot because of his race. A Hearing Panel consisting of Commissioners D. Paul Camilletti, Rev. J. Matthew Coleman, and Russell Van Cleve determined the respondent cemetery to be in violation of the West Virginia Human Rights Act. The Commission then issued a cease and desist order which the respondent cemetery has appealed to the Circuit Court of Kanawha County and for which a decision is pending.

Some comment seems warranted for the category "No Jurisdiction" in Table #1. The Commission has received scores of inquiries and has conducted dozens of preliminary investigations because of persons concerned about possible acts of discrimination against themselves or other persons. In many instances, the Commission quite readily could ascertain that such an employer was not covered by the Act for having less than the required 25 employees. Or, some of the complaining persons upon discussion with Commission representatives no longer felt that discrimination was involved in their problems. In these instances, the Commission's staff counselled these individuals as to a new approach or further preparation with the result that misunderstandings were avoided and these individuals were assisted to employment opportunities or service at places of public accommodations. Human rights agencies in other states docket such incidents as formal complaints because they do constitute part of the workload requiring investigation before lack of jurisdiction can be formally determined. This Commission has tried to handle these incidents informally without subjecting employers or proprietors of places of public accommodations to the formal procedures, and it is believed that the rights of potential complainants are not jeopardized by this concern. However, it should be emphasized that in no instance has the Commission refused or been reluctant to docket a formal complaint where individuals in good faith have believed they have been victims of unlawful discriminatory practices.

Further comment is warranted on the extent of the problem presented by the exemption of employers with less than 25 employees. The Commission has had hundreds of inquiries from Negro job applicants, Negro leaders,

schools, church groups, labor unions, and other interested citizens about the prevalence of employment discrimination among smaller employers. West Virginia has only a few large metropolitan centers with huge industries, most of which are aware of and are attempting to comply with Federal and state fair employment laws. It is in the small towns and with the small employers that Negro youth are reporting the lack of employment opportunities after they complete their schooling. It is not difficult to verify by observation the predominantly white employment patterns in small retail stores, supermarkets, banks, insurance offices, real estate offices, law offices, etc., throughout the state. These are the job opportunities available to white high school graduates which provide them with beginning skills and experience not available to Negro young people with similar schooling. With this skill and experience acquired with smaller employers, the white youth are qualified to advance to the more responsible and better paying jobs with larger employers, jobs which are not available to the Negro youth for "lack of experience."

The Commission believes the evil of employment discrimination is just as deadly, if not more so, when practiced by small employers as by large employers, and that the state human rights law should not sanction employment discrimination by the employer of one or more but less than 25 persons. It has been proven throughout the nation that the small employer benefits the same as the large employer by the adoption of an equal employment opportunity program and the community is likewise benefited by the full utilization of the skills of all its young people regardless of race, religion, color, national origin, ancestry or sex.

Tables #2, 3, and 4 (see following page) are self-explanatory. In Table #3, the classification "Class C Liquor Clubs" resulted in Satisfactory Adjustments in two of the five formal complains, wherein the respondents acknowledged they were conducting a business and agreed to serve all orderly persons without regard to race, religion, color, national origin or ancestry. The remaining three formal complaints were still open at the end of the fiscal year.

#### EXAMPLES OF FORMAL COMPLAINTS

##### Example #1.

A Negro professional sought a haircut in a downtown barbershop in his hometown. The barber gave him courteous service and invited him to return. When he returned at a later date, another barber in this shop refused to cut his hair. When the Negro customer insisted, the barber raised the price to \$5.00. A complaint was filed.

Upon investigation, the discriminatory incident was not denied by the respondent.

The case was closed as a Satisfactory Adjustment when the barber-shop owner signed a written statement of policy to serve all orderly persons without regard to race, religion, color, national origin or ancestry, and the complainant returned and was given courteous and efficient service. Months later, the complainant still reports he and other Negroes are receiving equal service in this barbershop.

##### Example #2.

A business school refused to enroll a Negro girl in evening classes.

Investigation revealed there was some doubt that evening classes were available to other than day students making up work. However, the respondent admitted his policy was not to enroll members of the Negro race

TABLE #2CLASSIFICATIONS OF RESPONDENT EMPLOYERS

Manufacturing . . . . .	11
State Government. . . . .	8
Mining . . . . .	3
County Government . . . . .	2
County Boards of Education. . . . .	2
Public Utilities . . . . .	2
Labor Unions . . . . .	2
City Government . . . . .	1
<i>Total Number of Respondents</i> . . . . .	<u>31</u>

TABLE #3CLASSIFICATIONS OF RESPONDENT PLACES OF PUBLIC ACCOMMODATIONS

Class "C" Liquor Clubs. . . . .	5
County Boards of Education. . . . .	3
Cemeteries. . . . .	2
Barber Shops. . . . .	2
Swimming Pools. . . . .	2
Business School . . . . .	1
County Government . . . . .	1
Newspaper. . . . .	1
Retail Service . . . . .	1
Transportation . . . . .	1
<i>Total Number of Respondents</i> . . . . .	<u>19</u>

TABLE #4COUNTY WHERE RESPONDENTS ARE LOCATED

	<u>EMPLOYERS</u>	<u>PUBLIC ACCOMMODATIONS</u>
Kanawha	8	6
Hancock	8	2
McDowell	5	1
Monongalia	2	1
Ohio	2	0
Brooke	1	0
Cabell	1	1
Fayette	1	0
Harrison	1	0
Marion	1	0
Mercer	1	3
Mingo	0	1
Hardy	0	1
Jefferson	0	2
Raleigh	0	1
<i>Total</i>	<u>31</u>	<u>19</u>

in any of his courses of study for fear he could not place them upon completion of the course work with employers who customarily sought his graduates.

The case was closed as a Satisfactory Adjustment when the respondent signed a statement of policy to enroll all persons without regard to race, religion, color, national origin or ancestry.

Example #3.

A Negro employee of a public utility charged that he had been denied promotion because of bias on the part of his immediate superiors and the use of more difficult personnel tests for him than the tests given to white employee candidates for promotion.

Investigation could not reveal any prior use of a different or more difficult test for this Negro employee. Respondent arranged for the complainant to take promotional tests being given to a group of employees in the same job level as his. The complainant did poorly on this test and did not merit consideration for immediate promotion. The case was closed on the basis of No Probable Cause to credit the allegations of racial discrimination.

However, the complainant appreciated the fairness of the new testing and the counselling given him by company officials and Commission representatives. He has been encouraged to enlist in company training programs that he might be better prepared to pass the promotional test in the future with the understanding that he will be given full consideration for promotion unprejudiced by his having filed a complaint against the company.

In addition, the respondent company was concerned at its relative lack of Negro employees and the absence of Negroes in higher paying and supervisory positions. The company has continued to work closely with

the Commission and with Negro leaders to seek out and train Negroes for employment and then follow-through with additional training to qualify new and present employees for promotion.

Example #4.

A Negro woman who had passed a Civil Service test and was on the Civil Service roster for a position to which she had been referred by Civil Service charged that she had not been employed but that the position had been filled by a white woman who had not yet taken and passed the Civil Service test for that position.

Investigation revealed the charges to be true. The complainant was hired to the position she originally sought, which was of a temporary nature, with the understanding she would be moved into a permanent position when one became available in that state agency.

---

EDUCATIONAL ACTIVITIES

Though the general impression is that the West Virginia Human Rights Commission is chiefly a law enforcement agency, the Commission views its role to be equally an educational agency. Even its approach to compliance functions is educational in nature. The emphasis during the course of complaint investigation and conciliation is to provide positive information and positive examples to respondents that they may be encouraged to embark upon or expand nondiscriminatory policies and practices. In the two barber shop cases described in the preceding section, both barbers had fears that serving Negro customers would lead to loss of white customers or that they would be deluged by Negro customers demanding hair-styles which they

could not undertake with professional results. The Commission representatives pointed out that both these fears did not necessarily have to come to pass, and examples were given to indicate advantageous rather than detrimental results of providing nondiscriminatory services. Almost a year later, both barbers can testify that compliance with the state human rights law has not worked a hardship on their business, economically or socially.

#### SPEAKING ENGAGEMENTS

Speaking engagements comprise the heart of the Commission's educational program. For fiscal year 1967-68, the Commission's staff fulfilled 327 speaking engagements for audiences ranging from small study groups of less than 15 persons to public meeting numbering 500 or more persons. The staff lectured to college classes and convocations, high and junior high school classes and general assemblies, police recruit and in-service training classes, church study groups and worship services, and to a host of men's and women's clubs, service clubs, and civic organizations. It seems impractical to try to list all these organizations for economy of time and space and for fear of omission that might offend one group or another. However, it should be mentioned that after the assassination of Dr. King, the Commission was besieged with requests from major religious denominations to assist with their study programs to promote racial understanding and from hundreds of private citizens asking "What can I do?" "How can I become involved?" Around the state, independent of any urging or action from this Commission, in community after community there were memorial services and follow-up ad hoc organizations to work for interracial harmony and human rights progress on the local level.

Radio and television stations utilized members of the Commission and its staff for special programs at the height of the emotional unrest resulting from the assassinations. Some of these programs were public service efforts by national television networks using prime viewing time to reach the public with points of view from all sides of the racial problem without highlighting or over-emphasizing the violence and disorders. Throughout the year, local radio and television stations have featured Commission members and staff on panel programs related to fair employment and fair housing. There is no way to accurately estimate the thousands upon thousands of persons who were reached through the media of radio and television, but the Commission does want to thank the management and station personnel for providing these opportunities to carry the Commission's message to so many citizens all over the state.

#### FILMS

Appendix "A" entitled, "*Films for Human Rights*," is a reproduction of a brochure distributed by the Commission to schools, colleges, churches, and employer, labor, and civic organizations. For fiscal year 1967-68, these Commission films were utilized by these groups for over 275 programs with no estimate of the number of persons participating in such programs. The success of films on human rights is indicated by the number of repeat requests the Commission receives for the same film or another film to be used in a future program.

Two additional films in the Commission's library not listed in the brochure are" "*Conformity and the Crutch*," a thirty-minute, black and white, 16MM sound film, recommended for college and adult level, and "*Rumor*," a five-minute, black and white, 16mm sound film, recommended

for junior high, high school, and college level. All films are available for loan without charge upon request to the Commission.

#### PUBLICATIONS

The Commission's "Annual Report" was distributed to 2,000 individuals and organizations within the state. Many requests for the "Annual Report" were received from schools, colleges, libraries, state, local, and Federal agencies all over the nation and from around the world. The Commission believes its "Annual Report" is one of the most helpful and informative documents describing human rights progress in West Virginia. Many requests, both in-state and out-of-state, asked for additional information about some specific function of the Commission as outlined in the "Annual Report". One state legislator, admittedly not overly-sympathetic in the past to the Commission's goals or methods to reach these goals, advised the Commission that its "Annual Report" had been a valuable resource for him in explaining the Commission's functions to his constituents and causing him to adopt a more positive point of view respecting the Commission and its work.

The "Mountain State Reflector," the bi-monthly newsletter for the Commission, had a bad year. The last issue was in February 1968 and it is hoped back issues can be published and up-to-date publication resumed once the summer's pressures have waned.

Perhaps the most disappointing use of a Commission publication was the failure to post the printed "Notice" which the Commission had distributed to covered places of public accommodation prior to the July 1, 1967 effective date of the new West Virginia Human Rights Act (see Appendix "B"). Employers and labor unions, in general, posted the "Notice" applicable to them, but in only rare exceptions has it been evident that these "Notices" have

been posted or posted conspicuously by proprietors of places of public accommodations. This is unfortunate because the public accommodations "Notice" was meant to serve a two-fold purpose: 1. to inform minority group persons of their right to equal and courteous service in any place of public accommodation in West Virginia and how they should proceed to contact the Commission if this right was violated; 2. to protect the proprietor from customers who might object to his compliance with the West Virginia Human Rights Act by serving all orderly persons without regard to race, religion, color, national origin or ancestry.

#### CONSULTANT SERVICES

It is difficult to record the number of occasions when the Commission and its staff have been contacted by individuals and organizations seeking advice on a specific human rights problem or on the subject of human rights in general. Some days might involve ten or twelve telephone calls to the Commission office which were answered within each phone conversation. Other times, the matter has been of such depth and urgency as to require a staff member to immediately visit with the individuals or organizations making the request to suggest both short-range and long-range steps for dealing with the problem.

A good deal of the Commission's consultative services are on a continuing basis assisting a school, college, church group, youth group, local police department, local human rights commissions, employer, labor union or civic groups with some specific project.

Appendix "C" is a reproduction of the Commission's brochure entitled "Human Rights in West Virginia" which may answer many of the questions frequently asked of the Commission or describe how individuals and organizations may contact the Commission and its staff for speakers, films, or

consultant services.

THIRD ANNUAL GOVERNOR'S CONFERENCE ON HUMAN RIGHTS

Over three hundred persons attended the Third Annual Governor's Conference on Human Rights, sponsored by the West Virginia Human Rights Commission held on Tuesday, March 26, 1968 at the Civic Center in Charleston in response to the invitation from Governor Hulett C. Smith to mayors, police chiefs, members of human rights commissions, and the general public. In his message on the Conference program, Governor Smith stated:

"I must emphasize the gravity of the Conference theme which brings us together, "Police-Community Relations."

"We, in West Virginia, can be thankful we have had public leaders, police officials, civic leaders, and the general public, all of whom have taken a positive view towards the elimination of the problems which have caused racial tension and violence elsewhere in the Nation. It is our hope that this Conference will provide us all with further information and insights to assist West Virginians to continue our State's record of employing peaceful solutions to the problems brought about by prejudice and discrimination.

"I am confident that in West Virginia all elements in each community will cooperate with the police in establishing wholesome police-community relationships."

Principal speakers were Mr. John Feild, Director, Community Relations Service, U.S. Conference of Mayors, Washington, D.C., on the topic "The Role of Government in Police-Community Relations;" Mr. Roger E. Celler, Civic Affairs Administrator, Smith Kline & French Laboratories, Philadelphia, on the topic "Role of Business and Industry in Police-Community Relations;" Dr. Nelson A. Watson, Assistant Director, International Association of Chiefs of Police, Washington, D.C., on the topic "The Role of Police in Police-Community Relations."

Reactors to Mr. Feild's speech were Mayor Elmer H. Dodson, Charleston; Police Chief Edward Frankovitch, Weirton; Mr. E. W. Conner, General Plant Superintendent, C. & P. Telephone Company, Charleston; and Mrs. Elizabeth Gilmore, Executive Secretary, C.O.R.E., Charleston.

Reactors to Mr. Celler's talk were Colonel Nathaniel Reger, Director, Law Enforcement Officers, Minimum Standards Project, Charleston; Mr. Stanley Loewenstein, Director, Charleston National Bank; and Mr. Allen Tibbs, Clarksburg Human Relations Commission.

Police Chief Dallas Bias, Charleston, President, West Virginia Association of Chiefs of Police, introduced Dr. Watson. Reactors were Mayor W. B. Swope, Welch; Colonel T. A. Welty, Superintendent, West Virginia Department of Public Safety; Sheriff G. Kemp Melton, Kanawha County; and Mr. Henry Hale, Safety Assistant, U. S. Post Office, Charleston.

The afternoon sessions were devoted to concurrent workshops on the three topics of the morning with the principal speakers and their reactors serving as a panel for each workshop. Moderators were Mr. Arthur J. Williams, Jr., Huntington, Mr. Russell Van Cleve, Charleston, and Rev. J. Matthew Coleman, all members of the West Virginia Human Rights Commission.

While some commented that the Conference tended to be laudatory rather than critical of the police in the area of race relations, there seemed to be a general consensus that the workshops were worthwhile in bringing police officers together in close discussion with other public officials and the general public on a topic which for too long has been avoided rather than discussed openly. The results, for the participants at least, seemed to be a feeling of better understanding and mutual respect for each other and for each other's problems.

POLICE-COMMUNITY RELATIONS WORKSHOP

Eighty-seven police chiefs and ranking state, county, and local police officers remained over in Charleston for a Police-Community Relations Workshop at the Civic Center on March 27, 1968 from which all other persons, including the press, were excluded. Contrary to one impression from the previous day's program that too much praise and not enough criticism had been heaped upon the police, these closed workshop sessions for "police only" tended to be critical of police performance in the area of race relations and civil rights. It was interesting to find veteran police officers admitting to some wrongful past practices. It was even more interesting to find these same police officers not defending these past practices but examining and evaluating present-day concepts and techniques for understanding the problems of minority groups with the goal of preventing tensions and resultant civil disorders.

The morning sessions were devoted to talks by the following veteran police or legal officers: Mr. Dante R. Andreotti, Chief, Municipal Services Section, Community Relations Service, U. S. Department of Justice, Washington, D. C., on the topic "Police-Community Relations Programs;" Mr. Glenford S. Leonard, Director of Public Safety, Oak Park, Michigan, and President, Michigan Association of Chiefs of Police, on the topic "Police Recruitment Campaigns;" Mr. Macon Weaver, U. S. District Attorney, Birmingham, Alabama, "Police, The Constitution, and Civil Rights;" and Sergeant John Ziegler (now Lieutenant), Pennsylvania State Police, Harrisburg, Pennsylvania, on the topic "Small-town Police and Minority Group Problems."

Sergeant Ziegler's talk in the afternoon was followed by a panel discussion covering the entire day's program moderated by Police Chief Dallas Bias of Charleston. It is fair to report that not all the

discussants were in agreement on all phases of each topic but there seemed to be general agreement that the need is for a professional approach to a career as a police officer and that this should include an understanding and respect for minority group persons and their problems as a means of lessening rather than exacerbating tension situations.

The West Virginia Human Rights Commission has expressed its appreciation to all the public officials and police officers who participated in these two-day programs and in particular to the Community Relations Service, U. S. Department of Justice, which assisted in arranging for the principal participants from out-of-state and underwrote some of the expenses involved therein.

#### LOCAL COMMISSIONS ON HUMAN RIGHTS

The West Virginia Human Rights Act, effective July 1, 1967, gave authority for the establishment of local human relations commissions by ordinance or resolution. There were some interpretations that local human relations commissions could be granted enforcement powers only to the extent of the powers and coverage granted to the state human rights commission, namely, the prohibition of discrimination based on race, religion, color, national origin or ancestry in employment and places of public accommodations.

House Bill #316, passed in the regular session of the 1968 Legislature on February 7, 1968 and effective on passage, amended Article 4, Chapter 8 of the code of West Virginia one thousand nine hundred thirty-one, by adding the following section:

"§ 8-4-30,

The council or similar governing body of any municipality (however created, whether operating under a legislative charter, home rule charter or general law only, notwithstanding any statutory or municipal charter provisions to the

contrary) shall have the power and authority, by ordinance, to prohibit discrimination on the basis of race, creed, color or national origin in the sale, purchase, lease or rental of housing accommodations within the corporate limits of such municipality, and to impose fines for the violation of the provisions of any such ordinance."

As a result, there is now no question about the legality of the enforceable human rights ordinance enacted by Charleston in November 1967 covering employment, places of public accommodation and housing. Subsequently, ordinances were enacted in Beckley, Montgomery, Morgantown, Weirton, and Wheeling providing enforcement power to those local human relations commissions in the area of employment, public accommodations, and housing.

The Charleston commission successfully conciliated the only complaint of housing discrimination brought to its attention, and a complaint of housing discrimination in Wheeling is under review by the court of jurisdiction in Wheeling. Contrary to the warnings of opponents of fair housing laws, the six cities in West Virginia with such laws have not been deluged with complaints.

The West Virginia Human Rights Commission has not been able to keep up with all the activities of local human relations commissions around the state (see Appendix "D"). However, enough contact has been maintained by the Commission to verify that most local commissions were helpful in their communities during the time when racial tensions were mounting after the assassination of Dr. King.

The City of Huntington passed a relatively weak antidiscrimination ordinance and the mayor had already appointed a new human rights commission to administer that ordinance when a local referendum was held recalling

the ordinance. Huntington, which is the largest city in West Virginia, and which has the state's third largest Negro population (fifth in percentage), is without any ordinance or commission dealing with human rights problems.

---

#### PUBLIC SCHOOLS AND EDUCATIONAL INSTITUTIONS

Public schools and educational institutions fall within both the employment and public accommodations sections of the West Virginia Human Rights Act subject to the jurisdiction of the West Virginia Human Rights Commission. The governing clause in the Act is "including the state, or any political or civil subdivision thereof." The Commission is concerned at the decrease in Negro principals, supervisors, and teachers in county school systems throughout the state and the fact that some schools still have all-Negro student bodies and all-Negro faculties. In November 1967, there were approximately 1,545 Negro students attending all-Negro schools and 66 Negro teachers still assigned to these schools.

Mercer County continues to be the last county school system with segregated patterns. In Mercer County, about 1,057 Negro students attend all-Negro schools (5 elementary, 1 junior high, 1 senior high). There are about 48 Negro teachers in these same schools. Neighboring Raleigh County successfully changed school boundary lines to accomplish integration of student populations in 1967.

Research during investigation of formal complaints against several county school systems has verified there has been a marked decrease in the number of Negro teachers during the period from 1954-1968. In the same period of time, there had been an increase in the total number of

school teachers. Even more dramatic has been the decrease of Negro principals and supervisory employees. This raises the probability that when there were legally segregated schools in West Virginia, county school boards had to actively seek Negro candidates to fill teaching positions in the Negro schools. Now there seems to be no such compunction to seek out Negro teacher candidates and so the number of new Negro teachers has fallen off and not kept step with the number of new white teachers. Negro teachers have expressed concern about the loss of principalships. They insist they are never informed of available supervisory positions until after the positions have been filled by white persons. Where Negroes have obtained supervisory positions in county school systems, it has usually been due to assignments with a Federal financed program for which there must be implementation of a nondiscriminatory policy and program.

Though Negro athletes tend to abound in secondary school athletics, there continues to be a prevailing pattern denying coaching assignments to members of the Negro race. It is still most difficult for Negro referees and other Negro sports officials to be assigned to high school athletic contests. In the past year, the Commission learned of only one new appointment of a Negro as head basketball coach in an integrated junior high school, and of two Negroes assigned to coaching at junior high schools. However, the Commission has observed that a few more Negroes are appearing as cheerleaders and majorettes, though these seem to be the exception rather than a common pattern around the state.

There does seem to have been progress towards greater integration on the college level. College administrators seem to be trying to make

integration work and are actively seeking Negro professors, for which there is a national shortage, so that results are token at best.

On-campus housing is generally nondiscriminatory, except for fraternity and sorority houses. However, with the general increase of students at most colleges, plus the increased number of Negro students who no longer are forced to attend the formerly all-Negro colleges, the need for off-campus rental housing has increased and with it the pattern of racial discrimination in off-campus housing. College administrators have not solved this problem by just denying landlords the privilege of listing their housing accommodations with the college housing office if they refuse to end the discriminatory practices.

(At Cornell University and other state-supported colleges in New York State, all off-campus housing for undergraduate and graduate students, married and unmarried students, must meet the requirements of the University's Approved Housing Code. Students cannot live in any off-campus housing which is not on the current list of Approved Housing. Regular inspections to approve or disapprove such housing include safety (fire escapes, fire extinguishers, etc.), sanitation, heating, lighting, and other health considerations, plus the requirement not to discriminate on the basis of race, religion, color, national origin or ancestry. New York State's fair housing law makes such requirements legal and practicable.)

Compared to the secondary schools, college bands, majorette corps, and cheerleaders seem to show more signs of integration. However, Negro students still report they have serious problems at most West Virginia colleges in the area of "social activities." Fraternities and sororities which do provide greater opportunities for "social activities" are, in most

instances, closed to Negro students. Because there are so few Negroes on campus, it is not feasible to organize their own social clubs or functions. At least one Negro athlete told the Commission's staff of his unhappiness at being "left out" of campus life, so that he would advise other Negro athletes not to enter this particular college.

-----

BLUEFIELD STATE COLLEGE

On October 4, 1967, Governor Hulett C. Smith by letter requested the West Virginia Human Rights Commission to investigate reports of "student-administrative racial conflicts at Bluefield State College."

On October 25, 1967, after the West Virginia State Board of Education had held a closed hearing at Bluefield State College, the Commission reported to Governor Smith that the situation had worsened.

The Commission then proceeded to hold six days of public hearings at Bluefield State College (October 30, 31; November 1, 7, 8, 9, 1967) pursuant to the following provisions of the West Virginia Human Rights Act:

"Art. 5-11-8 (c) to initiate its own consideration of any situations, circumstances or problems, including therein any racial, religious or ethnic group tensions, prejudice, disorder or discrimination reported or existing within the state relating to employment and places of public accommodations;"

"Art. 5-11-8 (d) to hold and conduct public and private hearings on complaints, matters and questions before the Commission. . ."

It should be noted the State Board of Education just prior to the Commission hearings contacted the Commission as to what steps the Commission might take to bring an end to the student demonstrations which were disrupting normal campus activities. The Commission contacted student leaders and informed them that its hearings would be public and

that all who testified would be protected by the West Virginia Human Rights Act from possible reprisal. The demonstrations ceased and remained in cessation throughout the hearings and thereafter.

On December 14, 1967, the Commission presented the report of its hearings and investigation at Bluefield State College to Governor Smith. This report contained a narrative account of events on campus, conclusions, and recommendations for the Governor's consideration.

Subsequently, in March 1968, after a series of meetings with Governor Smith and representatives of the Commission, the State Board of Education, the administration of Bluefield State College, student leaders, and the West Virginia Conference of the NAACP, the Governor submitted to the State Board of Education and made public four of the ten recommendations contained in the Commission's report as follows:

"The West Virginia Human Rights Commission recommends to the Governor of West Virginia and the West Virginia Board of Education that:

- "A. The existing policies and practices of the West Virginia Board of Education and of Bluefield State College regarding student life, student organizations, on-campus housing, off-campus housing services, and all college-related activities be enforced in such a manner as to prohibit all forms of discrimination based on race, religion, color, national origin, or ancestry, and that such additional policies and practices as may prove necessary to accomplish this end be initiated and promulgated.
- "B. All suspensions, probations, penalties, and other forms of discipline assessed against all students since the opening of the Fall semester be rescinded or annulled, other than those who actually participated in acts of violence and vandalism. The Commission wishes to state emphatically that it upholds the administration's authority, prerogatives and obligations in the area of student discipline. But, in view of the extraordinary circumstances now prevailing at Bluefield State College we feel justified in making the above recommendations.

- "C. The social probation of the one student (Carolyn Bratton) whose initiative led to the campaign for fair and just student disciplinary procedures should be lifted.
- "D. The Bluefield State College Student Handbook, Faculty Handbook, and the disciplinary procedures of the Student Affairs Committee should be revised to include student participation in the promulgation and administration of "Procedural Standards in Disciplinary Proceedings" to follow the recommendations of the "Statement on the Academic Freedom of Students" by a committee of the American Association of University Professors reported in the AAUP Bulletin, Winter 1965."

The West Virginia Board of Education replied it would take no action on recommendations "B" and "C" because these matters were in litigation in the U. S. District Court. (NOTE: At the end of fiscal year ending June 30, 1968, these matters were still pending on appeal to the U. S. Court of Appeals for the Fourth Circuit.)

The West Virginia Human Rights Commission has not received a reply to its request dated April 10, 1968 to the West Virginia State Board of Education for information on the status of the implementation of the other two recommendations. Incidentally, the Commission has been consulted by other state institutions of higher learning for advice or suggestions in the area of student life and student discipline, particularly affecting on-campus and off-campus living arrangements and student participation in the formulation and implementation of rules for student conduct and discipline.

# # # # #

RECOMMENDATIONS

Article 5-11-8 (e) of the West Virginia Human Rights Act authorizes and empowers the Commission to "recommend to the Governor and Legislature policies, procedures, practices and legislation in matters and questions affecting human rights."

Accordingly, the West Virginia Human Rights Commission respectfully requests amendments to the West Virginia Human Rights Act to:

1. REDUCE THE "EMPLOYER" COVERAGE TO EMPLOYERS OF ONE (1) OR MORE PERSONS;
2. EXTEND THE STATUTE OF LIMITATIONS FROM SIXTY (60) DAYS TO SIX (6) MONTHS;
3. PROVIDE FOR MANDATORY POSTING OF THE COMMISSION'S "NOTICE" BY COVERED EMPLOYERS AND PLACES OF PUBLIC ACCOMMODATIONS.
4. EXPAND THE COVERAGE OF THE ACT TO PROHIBIT DISCRIMINATION BASED ON SEX;
5. AMEND THE ACT BY INCLUDING PROHIBITION OF DISCRIMINATION BASED ON RACE, RELIGION, COLOR, NATIONAL ORIGIN OR ANCESTRY IN THE SALE, PURCHASE, LEASE, RENTAL AND FINANCING OF HOUSING ACCOMMODATIONS OR REAL PROPERTY.

# # # # #

# Films for Human Rights



West Virginia Human Rights Commission  
State Capitol  
Charleston, West Virginia 25305  
Telephone -- 348-2616

★★★

## APPENDIX "A"

These 16 mm films can be furnished free of charge with or without a member of the Commission staff to lead the follow-up discussion.

The "Rotating Trapezoid," is an excellent, educational device which makes for a very lively program requiring about 35 minutes time. A member of the Commission staff is required to conduct this program.

The "Rumor Clinic" is another educational device requiring about 35 minutes time and a member of the Commission's staff to conduct the program.

In addition, the Commission publishes a bi-monthly newsletter, "Mountain State Reflector," and has human relations materials available for distribution without cost.

## A MORNING FOR JIMMY

Time 28 minutes. Black and white. A story of a young Negro boy who encounters racial discrimination while seeking employment. He learns a lesson for the future. Jimmy becomes aware that with proper education and training, he can obtain employment in the field of his choice. Particularly valuable to and recommended for young people, parents, and counselors.

## PROPERTY VALUES & RACE

Time 24 minutes. Black and white. What happens to property values when nonwhites move into a neighborhood? Some assert that values go down---others say that there is no change. What are the facts? Based upon the exhaustive study made by Dr. Luigi Laurenti. Over 10,000 home sales analyzed. Produced by the Council for Civic Unity of San Francisco.

## THE ROAD AHEAD

Time 30 minutes. Black and white. Produced by the National Urban League. This film describes a young Negro man who hesitates at taking a beginning job for fear it is a "Negro" job. His girl friend convinces him that he must start at the bottom and work his way up, which he does with some success. His white companion is a high school dropout with a series of dead-end jobs who finally goes to night school so he can qualify for beginning jobs with the same chance for future success.

## BOUNDARY LINES

Time 11½ minutes. Color. Explores various imaginary boundary lines that divide people from each other. Dramatic use of color, cartoons, art and music make an appeal for greater understanding among all peoples. Recommended for adults and secondary school level.

## BROTHERHOOD OF MAN

Time 10½ minutes. Color. An animated cartoon that reveals the scientific facts that all people are essentially alike. Based on a Public Affairs pamphlet, "The Races of Mankind," by Ruth Benedict and Gene Weltfish. Recommended for all age levels beginning with the fourth grade.

## ONE GOD

Time 33½ minutes. Black and white. The rituals and ceremonies of the Jewish, Roman Catholic, and Protestant religions, using material and musical background and descriptive narrative. Illustrates similarities and differences of all three faiths. Recommended for all age levels.

## CHALLENGE

The Illinois State Chamber of Commerce has produced this film to help companies train their personnel in meeting fair employment requirements. Guided by a philosophy that it is good business to face the challenges of the law with clear and precise procedures, the film seeks to spell out these procedures and how to implement them. Time 30 minutes; black and white.

## GO FIND A HOME

Time 27 minutes. Black and white. Depicts the disheartening efforts of skilled and professional Negroes to find adequate housing. While a few landlords are willing to rent, the reason offered by many others indicate the depth of prejudice that blocks the families' search. Produced by the University of Wisconsin.

## ALL THE WAY HOME

Time 28 minutes. Black and white. Depicts the anxieties aroused in the community when a Negro couple comes to look at a house that is For Sale. The owners are torn apart over the right or wrong of any decision they may make. Neighbors, friends, a real estate broker, banker, all assert pressure to influence their decision. A minister conducts a community meeting in the church confronting each person with the personal decision to be made as a matter of conscience, as a matter of morality, and as a matter of economic good sense. An excellent film which leads to lively discussion of both the positive and negative aspects of housing discrimination. High school, college, adult levels.

## NO MAN IS AN ISLAND

Time approximately 29 minutes. Black and white. Produced by CBS Television. Following the war, the friendship between a Negro and white soldier is resumed when the Negro soldier, Paul, is awarded a scholarship to a mid-western college located in the hometown of his army friend, George. The close friendship is immediately disturbed by the uneasy attitudes of George's girl friend, family, and friends, when Paul is asked to join their church and other social activities. Recommended for adults and secondary school level.

## A DAY IN THE NIGHT OF JONATHAN MOLE

Time 32 minutes. Black and white. Produced by McGraw-Hill Book Company. This film seeks to examine some of the attitudes and stereotypes that accompany prejudice and discrimination. Jonathan Mole is a bitter, bigoted man who one night dreams that he is the Lord Chief Justice in an imaginary land presiding over the trials of a Jew, an immigrant, and an Indian who have sought to enter occupations reserved for native-born Christian Caucasian majorities.

## WHEN I'M OLD ENOUGH, GOODBYE

Time 28 minutes. Black and white. Produced by Louis de Rouchmont Associates. What happens when a youngster drops out of school is vividly dramatized in the story of Doug, an ambitious, friendly boy who leaves school with high hopes of independence and luxuries that money can buy. This boy is not a juvenile delinquent. He is unable to compete because he lacks both the minimal of skill and education.

CONFORMITY AND THE CRUTCH

Time 30 minutes. Black and white. Discussion and dramatic illustrations of race and ethnic prejudices. Authors differentiate between two types of prejudice: "Conformity" prejudice, wherein the individual's words and deeds conform to prevailing racist community standards and "crutch-type" prejudice is explained in terms of a personality disease wherein the individual must use minorities as a scapegoat.

RUMOR

Time 5 minutes. Black and white. Abstract reproductions dramatically illustrate the social phenomena of the rumor. Historical events are recounted to illustrate how a minor incident can be distorted and magnified by the spread of rumor to the point where a vast amount of damage to property and life can result.

STATE OF WEST VIRGINIA



# NOTICE

THE WEST VIRGINIA HUMAN RIGHTS ACT (Article 11, Chapter 5, Code of West Virginia) EFFECTIVE JULY 1, 1967, PROHIBITS DISCRIMINATION BECAUSE OF RACE, RELIGION, COLOR, NATIONAL ORIGIN, OR ANCESTRY BY A PLACE OF PUBLIC ACCOMMODATIONS.

Article 5-11-3 (j) of the Act states "THE TERM 'PLACE OF PUBLIC ACCOMMODATIONS' MEANS ANY ESTABLISHMENT OR PERSON, AS DEFINED HEREIN, INCLUDING THE STATE, OR ANY POLITICAL OR CIVIL SUB-DIVISION THEREOF, WHICH OFFERS ITS SERVICES, GOODS, FACILITIES, OR ACCOMMODATIONS TO THE GENERAL PUBLIC, BUT SHALL NOT INCLUDE ANY ACCOMMODATIONS WHICH ARE IN THEIR NATURE PRIVATE."

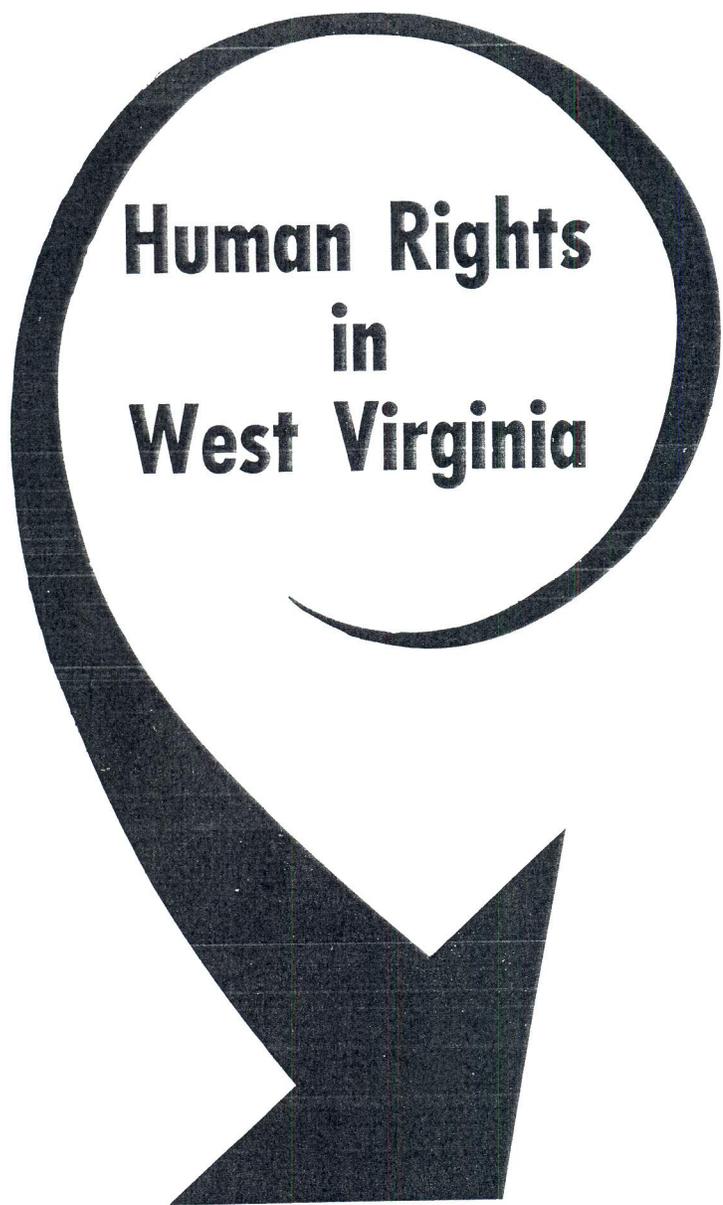
IT IS THE DECLARED POLICY OF THIS ESTABLISHMENT TO SERVE ALL ORDERLY PERSONS WITHOUT DISCRIMINATION BECAUSE OF RACE, RELIGION, COLOR, NATIONAL ORIGIN OR ANCESTRY. OUR EMPLOYEES HAVE BEEN INSTRUCTED TO COMPLY WITH THIS POLICY AND THE WEST VIRGINIA HUMAN RIGHTS ACT.

The law provides penalties for discriminatory practices based on race, religion, color, national origin or ancestry.

**THE WEST VIRGINIA HUMAN RIGHTS ACT**  
is administered by the  
**WEST VIRGINIA HUMAN RIGHTS COMMISSION**  
**CHARLESTON, WEST VIRGINIA 25305**

TELEPHONE 348-2616

APPENDIX "C"



**Human Rights  
in  
West Virginia**

The 1961 West Virginia Legislature enacted Article Eleven, Chapter Five of the Code of West Virginia, creating the West Virginia Human Rights Commission. The Commission consists of nine members who are representative of the racial, religious, ethnic, and political groups residing within the state. The Commissioners are appointed to three-year terms by the Governor.

The 1961 legislation empowered the Commission to investigate allegations of discrimination but it did not empower the Commission with any means of enforcing its findings. The absence of enforcement powers greatly reduced the Commission's effectiveness in eliminating discrimination. In March, 1967 the Legislature amended the original legislation to provide the Commission with enforcement and subpoena powers in the areas of employment and public accommodations.

The Commission's staff consists of an Executive Director, a Field Service Director, Field Representatives and office personnel who carry out the Commission's day-to-day work. The Commission and its staff is the administrative agency which enforces the West Virginia Human Rights Act and conducts educational programs to eliminate discrimination based on race, religion, color, national origin, and ancestry.

*"It is the public policy of the state of West Virginia to provide all of its citizens equal opportunity for employment and equal access to places of public accommodations. Equal opportunity in the area of employment and public accommodations is hereby declared to be a human right or civil right of all persons without regard to race, religion, color, national origin, age, sex, or ancestry."*

*The West Virginia Human Rights Act  
Chapter 5, Article 11, West Virginia Code*

## How the Commission Processes Complaints:

- 1 An aggrieved individual must sign a notarized complaint, either in person or by mail, alleging that he has been discriminated against because of race, religion, color, national origin or ancestry. The complaint must be filed within sixty days after the occurrence of the alleged unlawful discriminatory practice.
- 2 The Commission's staff undertakes a complete, objective, impartial and confidential investigation of all the facts and reports to the Commissioner assigned to the complaint.
- 3 If the Investigating Commissioner determines there is probable cause to support the complaint, a confidential conciliation meeting is arranged with those concerned in an effort to work out a satisfactory adjustment of the complaint.
 

**or:**

 If the Investigating Commissioner determines the evidence found in the investigation does not support the complaint, he will so notify the complainant and the respondent and the case will be closed.
- 4 Should efforts at conciliation fail, the Commission shall schedule the complaint for a public hearing. All the evidence is put into the record at this time and all parties may be represented by counsel.
- 5 Following a review of the evidence presented at the public hearing, the Commission either dismisses or sustains the complaint. If the Commission sustains the complaint, it shall order the respondent to cease and desist from the unlawful discriminatory practice and to take such affirmative action as will effectuate the purposes of the West Virginia Human Rights Act.
- 6 If the order is not followed, the Commission may secure enforcement of its order by the Circuit Court.
 

**or:**

 Any party adversely affected by a final order of the Commission may seek judicial review in the Circuit Court on appeal within 30 days of the service of the order.

## LITERATURE

Just as state and local boards of health prepare and distribute educational materials for the prevention and control of physical diseases, so does the West Virginia Human Rights Commission distribute educational publications for the prevention and control of the twin social diseases of prejudice and discrimination.

The Commission maintains a small human relations library from which books are available on a loan basis. The Commission also makes available to the public various reprints of articles, studies, and speeches by well-known authorities in the field of human relations.

## FILMS AND FILMSTRIPS

The West Virginia Human Rights Commission makes available to the public a selection of 16 mm. films and filmstrips on housing, employment, prejudice, discrimination, and other intergroup relations problems. For a descriptive list consult the Commission's "Annual Report" or write to the West Virginia Human Rights Commission.

## COMMISSION PUBLICATIONS

1. "Annual Report"
2. "The West Virginia Human Rights Act"
3. "The Mountain State Reflector" (a bi-monthly newsletter)
4. "A Guide for Pre-Employment Inquiries"
5. "Negro Enrollment in All-Negro Schools of West Virginia, 1965-1966"
6. Posters (Abstracts of the Act for places of employment and public accommodations)

THESE SERVICES AND ITEMS ARE AVAILABLE  
UPON REQUEST AND WITHOUT CHARGE.

## EDUCATIONAL ROLE OF THE COMMISSION

The West Virginia Human Rights Act states that, "The Commission shall encourage and endeavor to bring about mutual understanding and respect among all racial, religious and ethnic groups within the state and shall strive to eliminate all discrimination in employment and places of public accommodations by virtue of race, religion, color, national origin or ancestry." In order to achieve the objectives of the Act the Commission has developed a program of human relations education.

The West Virginia Human Rights Act is itself an instrument of education. But for many persons, touched only indirectly by discrimination, the enforcement sections of the Act are limited as educational tools. A program of human relations education adds the necessary complement that the Act needs to successfully accomplish its goal of eliminating and preventing discrimination.

## WHAT EDUCATIONAL SERVICES AND AIDS DOES THE COMMISSION OFFER?

### **Consultant Service—**

The Commission's staff stands ready to offer its services as a consultant to any business, labor, or civic group wishing to establish or promote better human relations throughout West Virginia.

### **Speakers Bureau—**

Well over 200 times a year the staff of the Commission serves as principal speakers or panelists at meetings, large or small, over the State.

## WHO IS COVERED BY THE ACT?

1. Employers of twenty-five or more
2. Employment agencies
3. Labor organizations
4. Any place of public accommodation which offers its services, goods, facilities, or accommodations to the general public.
5. The State of West Virginia, and any political subdivision thereof, including public schools and colleges.

## WHAT DOES THE ACT PROHIBIT?

Discrimination based on race, religion, color, national origin, or ancestry in hire, compensation, tenure, terms, conditions or privileges of employment, union memberships, referral for employment, advertisements, inquiries on applications or otherwise.

—AND—

refusal of equal courtesy and service by any person or establishment including the state, or any political subdivision thereof, which offers its services, goods, facilities, or accommodations to the general public,

—AND—

reprisal against any person involved in a proceeding before the Commission.

## WHEN MUST A COMPLAINT BE FILED?

Complaints must be filed within sixty days of the alleged act of discrimination.

**A law is useful only when it is used.**

**A law is useful only when it is used properly.**

**The West Virginia Human Rights Act can be a useful law if individuals and organizations will use its educational procedures to bring about the understandings that will eliminate all forms of discrimination based on race, religion, color, national origin, or ancestry.**

**The West Virginia Human Rights Commission is pledged to make this a useful law through proper use. Please use the services we offer. There is no charge.**

## PLEASE CONTACT THE WEST VIRGINIA HUMAN RIGHTS COMMISSION FOR INFORMATION OR ASSISTANCE:

In filing complaints . . .

In obtaining speakers, human relations materials, and films which are part of the Commission's educational program . . .

On consultation services to employers, employer organizations, labor unions, and other civic groups about specific problems.

## WEST VIRGINIA HUMAN RIGHTS COMMISSION

P & G Building  
Washington and Jefferson Streets  
Charleston, West Virginia 25305  
348-3429—Area Code 304—348-2616

## APPENDIX "D"

CHAIRMEN OF LOCAL COMMISSIONS/COUNCILS

Mr. Isadore R. Wein  
Beckley Human Rights Commission  
107 Queen Street  
Beckley, West Virginia 25801

Rev. J. J. Dickerson (Acting)  
Bluefield Human Rights Commission  
309 Allen Street  
Bluefield, West Virginia 24701

Spencer Simpson  
Cedar Grove Human Rights Commission  
Cedar Grove, West Virginia 25039

Rev. John Wilkes  
Charleston Human Rights Commission  
Baptist Temple  
Morris and Quarrier Streets  
Charleston, West Virginia 25301

Rev. Harper Callison  
Clarksburg Human Rights Commission  
513 Broadway Avenue  
Clarksburg, West Virginia 26301

Mr. Bill Marshall  
Dunbar Human Rights Commission  
City Building  
Dunbar, West Virginia 25064

Mr. William Moore  
Fayette County Human Rights  
Commission  
Oak Hill, West Virginia 25901

Mr. Charles Snyder  
Hinton Human Rights Commission  
914 Temple Street  
Hinton, West Virginia 25951

Mr. Clyde Riley  
Fairmont Human Rights Commission  
First National Bank Building  
Fairmont, West Virginia 26554

Rev. Robert Fields  
Montgomery Human Rights Commission  
308 6th Avenue  
Montgomery, West Virginia 25186

Mrs. Gladys Bowman  
Greenbrier County Commission  
on Human Relations  
Alderson, West Virginia 24901

Mr. Edward I. Eiland  
Logan Commission on Human Rights  
196 Nighbert Avenue  
Logan, West Virginia 25601

Mr. Sam B. Householder  
Morgantown Commission on Human Rights  
789 Kermit Place  
Morgantown, West Virginia 26505

Mr. Clifford A. Martin  
Parkersburg Human Rights Commission  
1114 Thirteenth Street  
Parkersburg, West Virginia 26101

Mr. John A. Jones  
Weirton Human Rights Commission  
Weirton Steel Company  
Weirton, West Virginia 26062

Mr. Phillip Reed  
Wheeling Human Rights Commission  
1007 Chapline Street  
Wheeling, West Virginia 26003

Mr. Kyle Cook  
Williamson Human Rights Commission  
c/o C. & P. Telephone Company  
Williamson, West Virginia 25661

Mrs. Paul Hamilton  
Kanawha Valley Council on Human  
Relations  
623 Gordon Drive  
Charleston, West Virginia 25143

Mrs. Helen Treanor  
So. Charleston Human Relations Commission  
921 Highland Terrace  
So. Charleston, West Virginia 25303

Rev. William G. Galbreath  
Mercer-Tazwell County Council  
on Human Relations  
1208 Mercer Street  
Princeton, West Virginia 24740