

Attachment 2

Supervisors To Consider Human Rights Ordinance

Reston Times 7/4/74

On July 15 the Fairfax County Board of Supervisors will consider adding to the County Code a Human Rights Ordinance put together by an ad hoc citizens committee convened by Supervisor James Scott. Prior to that meeting, Scott will address the issue on Thursday, July 11 at a public forum sponsored by Reston's Black Focus. The open session, during which Scott will make a 20-minute presentation to be followed by a question and answer period, will be held at 8:00 p.m. in the Glade room. Petitions for the adoption of the ordinance will also be available.

The Human Rights Ordinance, as proposed, prohibits discrimination on the basis of race, color, religion, sex, ancestry, national origin, marital status, political opinion, personal appearance or age in housing, public accommodations, employment, County services, education and credit facilities. In addition, the ordinance establishes a Human Rights Commission empowered to enforce the regulations of the ordinance.

A separate resolution accompanying the ordinance covers activities of County employees and those holding County contracts. The ordinance and Commission if passed by the Board will replace the present Fair Housing Ordinance and Fair Housing Board.

Behind the ordinance is conviction on the part of authors that the County has an obligation to assume an initiative in instituting affirmative human rights program to eliminate discrimination and provide citizens recourse for discriminatory acts.

Areas of concern include: real estate transactions, leases and restrictive covenants; credit and loan practices; firing and advancement practices;

membership in labor organizations; educational conditions, benefits and services (Applications attempting to elicit information concerning race or color, for example, are prohibited, as are required photographs. Quota systems are barred as is discriminatory recruitment); and public accommodations.

Provision for exceptions included for religious organizations and those offering housing for the elderly, for a particular age or marital status or for members of one sex.

The ordinance was put together by an ad hoc citizens committee including, in addition to Scott, members of the Commission on Women, the Council on Human Relations, the ACLU and the NAACP. Supervisor Martha Pennino also participated.

Under the separate Board resolution pertaining to County employees and services, employees, including police officers and those involved with the criminal justice system, are barred from discriminating on the above bases in terms of services, access to facilities, treatment in incarceration, bail bonds or rehabilitation opportunities. Complaints concerning County employees or services will be investigated by the Commission with the approval of the Board of Supervisors and any Commission findings or recommendations will be forwarded to the Board for action.

As proposed the Human Rights Commission will be charged with the elimination of discrimination in housing, public accommodations, employment, education, credit facilities and County services by initiating investigations, and affirmative action programs, under the ordinance, and handling citizen complaints of discrimination by

investigation, negotiating and enforcing its decisions. It will have power to subpoena witnesses and compel their attendance at hearings; utilize methods of conciliation and mediation of grievances; hold public hearings; investigate complaints or conditions deemed to have an adverse effect upon the rights protected under the ordinance; and to gather and disseminate information about discrimination and human rights problems in the County.

Investigations of violations of the ordinance may be initiated by the Commission itself, as well as through citizen complaints, an important addition to the powers of the present Fair Housing Board. Conciliation, upon the request of affected parties, may be initiated by the Commission and can result in consent orders signed by all affected parties. More formal proceedings, including public hearings, may be initiated following conciliation attempts, or through the Executive Director if he or she deems it necessary.

If the persons involved are found to have committed illegal acts under the ordinance, they can be served orders to cease and desist, or initiate affirmative action to change the conditions in violation. The Commission can require payment of damages to the injured party. Such orders can, if requested, be reviewed by a court of competent jurisdiction. If any party refuses to comply with any order of the Commission, the Commission may refer the matter to the County Attorney for appropriate legal action.

Questions regarding the July 11 Black Focus forum featuring Scott should be referred to Carol Bradley at 620-9873.

Attachment 3

Human Rights

RESTON TIMES
JUNE 11, 1974

Within the next week or so, Fairfax County will decide whether to adopt a proposed Human Rights Ordinance which would permit the County to assume the initiative in instituting an affirmative human rights program to eliminate discrimination and provide citizens recourse against discriminatory acts.

A public hearing on the proposed ordinance is scheduled for Monday, July 25, 8:30 p.m. in the Board Room of the Massey Building, and a public meeting featuring the ordinance's sponsor, Providence Supervisor James M. Scott is scheduled for tonight, 8:00, in the Glade Room. At the latter, Mr. Scott will explain the provisions and intent of the ordinance.

It would appear that with the several amendments to the U.S. constitution and with the new Virginia constitution, the necessity for a Human Rights Ordinance is questionable. It would be, but for one or two critical considerations.

First, adoption of the human rights ordinance as proposed by the authors places Fairfax County in the laudable posture of affirmative support of rather than defensive reaction to issues of human rights. Such an ordinance puts County residents and County employees on notice that the County government is sensitive to potential violations of human rights, and, more important, that

actual violations are adjudged intolerable.

Related to that is the consideration that there are some human rights-type issues better dealt with locally and expeditiously. The ordinance as drafted would permit aggrieved citizens a facility of complaint considerably more readily available than the vast bureaucracies of the Commonwealth and the federal government.

And, certainly, resolution of local issues of human rights locally, in full view of one's fellow citizens raises sensitivities to potential abrogations, inadvertent or intended, and may stave off the polarization often caused by solutions imposed from without.

Hopefully, an adopted human rights ordinance could remedy whatever discriminatory ills beset Fairfax County. To do so, the ordinance must be enforced and enforceable. If enforced with reasonable diligence, a human rights ordinance, through the aforementioned heightened awareness, can go a long way toward elimination of the more covert, insidious forms of discrimination that the divorced, the single, the elderly, the black, the handicapped and the foreign accented have suffered.

Fairfax County should have a human rights ordinance, provided it can be and is enforced.