

**STATEMENT OF  
HOWARD A .GLICKSTEIN  
SUBMITTED TO THE  
NASSAU COUNTY LEGISLATURE  
IN SUPPORT OF LEGISLATIVE ITEM #292-06**

I submit this statement in support of Legislative Item #292-06 which amends the Nassau County Human Rights Law to provide an effective structure for combating housing discrimination in this County. I regret that I cannot appear in person, but I will be away from Long Island at the time of the hearing on this Item.

I am the Dean Emeritus and Professor of Law at the Touro Law Center. I served as Dean from 1986 to 2004. I also served as dean of the University of Bridgeport School of Law and held faculty positions at Notre Dame and Howard Universities.

I have extensive experience with the drafting, interpretation and enforcement of civil rights laws. From 1960-1965, I was an attorney with the Civil Rights Division of the United States Department of Justice. I played a major role in the drafting of both the Civil Rights Act of 1964 and the Voting Rights Act of 1965. From 1965 to 1971, I served as General Counsel and then Staff Director of the United States Commission on Civil Rights. The Commission played a significant role in securing the passage of the Civil Rights Act of 1968 which included Title VIII, the Fair Housing law. Another important function of the Commission was to monitor the enforcement of civil rights laws, particularly on the Federal level but also at the state and local level. In addition, my civil rights experience has included serving as Director of the Notre Dame Center for Civil Rights, as Director of the Howard Law School Employment Litigation Clinic, as Director of President Carter's Task Force on Civil Rights Reorganization and as a teacher of civil rights courses.

I strongly endorse Legislative Item #292-06 and urge its enactment by this body.

I am a member of the Board of Directors of ERASE Racism. In April 2005, our organization released a report entitled "Long Island Fair Housing: A State of Inequity" which described the shocking extent of housing discrimination on Long Island and the almost total inadequacy of the laws we have to combat this destructive practice. Since the release of our report, ERASE Racism has worked with both Nassau and Suffolk County Executives and their staffs to develop changes to both Counties' local human rights laws. Legislative Item #292-06 is a result of these efforts. The proposed law offers maximum protection for Nassau County residents, while creating a local enforcement system that is effective, efficient and accessible to all Nassau residents.

I do not believe that much needs to be said about the need to combat housing discrimination. Housing discrimination violates the laws of the United States, the State of New York and the County of Nassau. Violations of these laws need to be as vigorously pursued as violations of our DWI laws, our zoning laws, our laws against the

misappropriation of public funds and our criminal laws. Civil rights laws cannot be the stepchildren on our statute books. The failure to enforce fair housing laws has created the segregative conditions described in ERASE Racism's report and so eloquently outlined in the statement submitted to this body by Dr. John R. Logan. Dr. Logan especially emphasizes the very real consequences housing discrimination has upon people's lives.

I would like to stress the importance of the effective enforcement of fair housing laws on the local level. When Congress passed Title VII of the Civil Rights Act of 1964—the Fair Employment Law—and Title VIII of the Civil Rights Act of 1968—the Fair Housing Law—great emphasis was placed on providing a role for state and local governments in the enforcement of these laws. Congress' theory was that compliance with employment and housing laws was best effectuated on the level of local government. Both Title VII and Title VIII provide for conciliation before more stringent action is taken. Conciliation often is most effective when it is conducted by local officials and not agents from Washington. Congress, in 1964 and again in 1968, was anxious to have local levels of government provide for the enforcement of fair employment and housing laws. The effective enforcement of these laws on the local level is most likely to ensure extensive compliance. What has been needed in Nassau County for some time was a structure to enforce effectively housing discrimination laws. This body can provide that structure by enacting Legislative Item #292-06.

Finally, I urge you to remember the strong tradition we have in this country for the bi-partisan support of civil rights laws. My own career is an example. I was hired by the Civil Rights Division of the Department of Justice during the Eisenhower administration, was nominated to be Staff Director of the United States Commission on Civil Rights by President Nixon and served as Director of President Carter's Task Force on Civil Rights Reorganization. The Civil Rights Act of 1964 was shepherded through the United States Senate by Republican Everett Dirksen of Illinois and Democrat Hubert Humphrey of Minnesota and through the House of Representative by Republican William McCulloch of Ohio and Democrat Emmanuel Celler of New York.

Support for fair housing laws has been bipartisan as well. The Civil Rights Act of 1968 was passed by Congress with substantial bipartisan majorities in both houses. In the Senate, the legislation was approved by 71.2% of the Democrats and 90.6% of the Republicans. In the House, the break down was 63% Democrats and 54.3% Republicans. One of the members of the House of Representatives to vote for the law was then Congressman George H.W. Bush. Bush stated that it seemed "fundamental that a man should not have a door slammed in his face because he is a Negro or speaks with a Latin American accent."

On April 11, 1968, President Johnson signed the Civil Rights Act of 1968 and said: "Now, with this bill, the voice of justice speaks again. It proclaims that fair housing for all—all human beings who live in this country—is now a part of the American way of life....This afternoon, as we gather here in this historic room in the White House, I think we can all take some heart that democracy's work is being done. In the Civil Rights Act of 1968 America does move forward and the bell of freedom rings out a little louder."

In April of 2003, President George Bush issued a proclamation observing the 35<sup>th</sup> anniversary of the Civil Rights Act of 1968. He said: “The Fair Housing Act of 1968 has helped open doors of opportunity for countless families. America has made significant progress in achieving equal housing access for all individuals. Despite this progress, more work remains in our struggle to achieve equality and racial justice. Prejudice and discriminatory practices in housing still exist in America. A recent lending study showed that minorities continue to receive less information, less assistance, and less favorable terms and conditions than non-minorities when applying for home loans. These practices are wrong. As a Nation, and as individuals, we must be vigilant in responding to discrimination wherever we find it and ensuring that minority families have access to housing. We are vigilantly enforcing fair housing laws, showing no tolerance for those who discriminate.”

I respectfully urge this body to approve unanimously Legislative Item #292-06 to demonstrate that “the bell of freedom [continues to ring] out a little louder” and that Nassau County shows “no tolerance for those who discriminate.”