

Sentinel

STATEMENT OF EVA FREUND BEFORE THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA ON JULY 15th, 1974 CONCERNING A HUMAN RIGHTS ORDINANCE.

Good evening. Thank you for giving me this opportunity to appear before you. My name is Eva Freund and I am currently employed by Fairfax County as a Manpower Planner.

As a Manpower Planner, I have seen the economic repercussions resulting from artificial barriers to employment. An artificial barrier is one which is not directly related to an individual's ability to perform a particular job. Fairfax County is no different from other jurisdictions in that persons who find themselves discriminated against in attempting to carry out their life functions -- jobs, housing, credit, services -- are not able to sustain themselves in our economic society. Therefore they must avail themselves of services provided by the county, thereby putting an additional burden on the property owners of the county.

Page 1 of the Human Rights Ordinance as proposed by the Ad Hoc Committee on Human Rights, and as revised by the County Attorney, recommends that it

is contrary to the public policy of the County to permit these conditions to arise or continue unabated which impede the peaceful coexistence of all people in the County, threaten peace and good order and adversely affect the physical, economic and social well-being of the resident.

That same section continues,

. . . it is declared to be the policy of the County to ensure that all persons be afforded equal opportunity to participate, on the basis of personal merit, [emphasis supplied] in the social, cultural economic, political and other phases of community life free from discrimination. . .

To this end I would urge that not only the categories of protected classes be expanded but also that they remain consistent throughout the ordinance.

required information be accepted directly from the minor.

This concludes my prepared statement, except to add that I would be glad to offer whatever research or other technical assistance that may be requested by your staff. Our common task is to translate the vital aims of this Human Rights Ordinance into a realistic and workable plan that will improve and enrich the lives of all citizens of Fairfax County.

The balance of this presentation will refer to several provisions in the proposed ordinance. My comments will be in the form of questions or speculations on the intended meaning of sections that seem unclear. Let me note that I have not attempted an exhaustive analysis of the proposal as presented by the Ad Hoc Committee.

(1) In section 15D-1(I); lending institution does not appear to specifically cover credit unions. Or are credit unions to be covered by "any other person?"

(2) Nowhere is age defined. Frequently "age" has been defined as being between 40 and 65 years of age, as in the case of employment discrimination. But this assumption, for Fairfax County, would be puzzling since a respondent would then be free to discriminate against persons under 40 or over 65 years of age in matters of employment, housing, finance and credit, etcetera.

(3) Section 15D-2(A) does not clearly spell out whether or not such real estate practices as "blockbusting" and "steering" would also be prohibited practices.

(4) It is paradoxical that although it would be a prohibited practice to discriminate on the basis of age in matters of housing, including "the terms, conditions or privileges of sale" and "other amenities connected with ownership or possession;" it would not be a discriminatory practice to discriminate on the basis of age in the granting of mortgages or loans for improvement of this very same housing.

(5) Section 15D-2(A)(7) and 15D-10(C) ^{are} puzzling as to the intent of ~~this~~ ^{these} sections which states that "upon application of any person" the Commission "may permit the rental, leasing, sale or other disposition

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As a representative of the National Task Force on Sexuality and Lesbianism of the National Organization for Women, I would urge that this ordinance be broadened to include the phrase "sexual orientation" as a condition of non-discrimination not only in employment but also in housing, public accommodations, credit, education and county services.

I realize that this inclusion would serve to increase the controversial aspect of the proposed ordinance; however, I would remind the supervisors that the inclusion of race was very controversial in the early 1960's and the inclusion of sex was very controversial until congressional passage of the ERA, state ratification of which was endorsed by this Board not too long ago.

In view of the ambitious scope of the Ad Hoc Committee's proposed ordinance as specified in the first paragraph, i.e., "to prohibit discrimination on the basis of race, color, religion, sex, ancestry, national origin, marital status, political opinion, personal appearance or age," all of which are consistent with the statement of policy previously mentioned, it is an anomaly that several sections have been worded less broadly. Perhaps some or all of the omissions are inadvertent. In any event, I cannot understand why the prohibited categories of discrimination are not set forth uniformly throughout the ordinance,

e.g. (1) Specifications in the areas of County Services and Public

Accommodations are totally omitted in Section 15D.2;

(2) Only discrimination based on race and/or color are prohibited in matters of education. Obviously, all other forms of discrimination would not only be condoned but would be legal, the statement of policy notwithstanding.

ADDENDUM

Civil rights laws and municipal ordinances granting equal protection to homosexuals in matters of employment, housing, public accommodations have been passed in many jurisdictions. Since 1972, the cities of Ann Arbor, Mich.; Berkeley, Calif.; Columbus, Ohio; Detroit and East Lansing, Mich.; Minneapolis, Minn.; San Francisco, Calif.; Seattle, Wash.; Toronto, and Washington, D.C. have passed homosexual rights ordinances.¹

¹"Last Minority," The Wall Street Journal, July 1, 1974.