

NATIONAL COMMITTEE
FOR
SEXUAL CIVIL LIBERTIES

Thomas F. Coleman, Esq.
Co-Chairman

Dr. Arthur C. Warner
Co-Chairman

1800 North Highland Avenue, Suite 106
Los Angeles, California 90028
(213) 464-6666

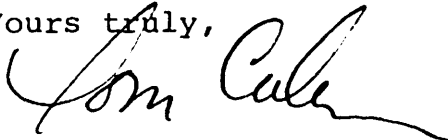
October 8, 1979

J. Anthony Kline
Governor's Legal Affairs Secretary
State Capitol
Sacramento, California 95814

Dear Tony,

Yesterday I received a letter from Joanne Lewis of the Division of Fair Employment Practices. She has informed me that effective immediately the Division will accept gay housing discrimination cases. I can't thank you enough for the assistance that you have given in this matter. It is a tribute to you and to the Governor and further evidence of your commitment to equality for all under the law. I'm enclosing a copy of the press release I recently sent out about this matter.

Yours truly,



Thomas F. Coleman

/psp

cc: Paul Hardman
Advocates for Gay State Employees

Enclosure

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October 8, 1979

Ms. Joanne Lewis
Chief of Division of Fair Employment Practices
P.O. Box 603
San Francisco, California 94101

Re: Implementation of Directive Transmittal No. 044 as Revised
September 25, 1979

Dear Ms. Lewis:

After discussing the revised directive concerning gay housing discrimination cases with several members of the National Committee and interested persons outside the National Committee, it is my desire to clarify several matters with you.

It is apparent that broad discretion is left with the executive staff of the Division to either process or not process gay housing cases as you see fit. This is a change from past practice of simply refusing to process gay housing cases under any circumstances.

It is our desire to be kept informed of the number of complaints regarding gay housing discrimination filed with the Division throughout the state. We would like to have a monthly report from you or from someone in your Division as to the number of complaints filed, the number of complaints forwarded to the executive staff, and the disposition of those cases; that is, whether the cases are dismissed by the executive staff or recommended for further process by them. Since all of these cases must eventually wind up in the hands of the executive staff, it would seem that monthly reports of this nature would not be an inconvenience to anyone. We are not asking to know the details of each case, but merely want a statistical report on such cases and how they are handled by the Division.

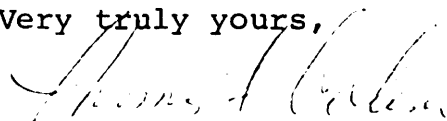
Again, thank you for eliminating the past practices of simply refusing to process cases under any circumstances. Although we

Ms. Joanne Lewis
Chief of Division of Fair Employment Practices
October 8, 1979
Page 2

would like gay housing discrimination cases to be processed in the same fashion as other housing discrimination cases are, this revision of Transmittal Number 044 is a step in the right direction. Let's see how things develop, how many cases are processed, and how many cases are either dismissed or processed by the Division after being reviewed by the executive staff.

Please let us know how you intend to handle the monthly statistical report.

Very truly yours,



Thomas F. Coleman

/psp

cc: Paul Hardman
J. Anthony Kline

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(213) 464-6666

October 8, 1979

Ms. Joanne Lewis
Chief of Division of Fair Employment Practices
P.O. Box 603
San Francisco, California 94101

Dear Ms. Lewis:

Thank you very much for your letter dated September 26, 1979,
and for enclosing a copy of Directive Transmittal 044, Revised.
Gay people in California will be pleased to learn of this news.
This is another example of the commitment of the Brown Adminis-
tration to equality under the law for all.

Again, I sincerely thank you for taking this action and for
doing so in an expeditious manner.

Yours truly,



Thomas F. Coleman

/psp

cc: Paul Hardman

NATIONAL COMMITTEE
FOR
ST RIVAL CIVIL LIBERTIES

1800 North Highland Avenue, Suite 200
Los Angeles, California 90028
(213) 464-6000

October 11, 1977

Mr. Justice Lewis
California Division of Fair Employment Practices
1200 Broadway
San Francisco, California 94111

Dear Mr. Justice:

I am writing you with the good news that your letter dated September 27, 1977, regarding a copy of Detective Magazine's "Blackmail" article in California will be passed on to the appropriate authorities. This is another example of the excellent work that you do in exposing the activities of the lawless.

I sincerely thank you for taking this time and for the information you provided.

William F. Buckley, Jr.

William F. Buckley, Jr.

Mr. Paul Gardner

DEPARTMENT OF INDUSTRIAL RELATIONS

DIVISION OF FAIR EMPLOYMENT PRACTICES

455 GOLDEN GATE AVENUE, SAN FRANCISCO

Address reply to: FEPC, P.O. Box 603, San Francisco, CA 94101

Administrative Office 557-2000

Complaint Section 557-2005



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October 26, 1979

Mr. Thomas F. Coleman, Esq.
Co-Chairman
National Committee for Sexual
Civil Liberties
1800 North Highland Avenue, Suite 106
Los Angeles, CA 90028

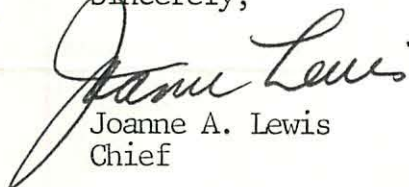
Dear Mr. Coleman:

Thank you for your letter of October 8th.

We are presently developing a recordkeeping system which will enable us to generate the information you have requested. However, it will not be feasible to provide you with reports on a monthly basis.

I suggest you submit your request quarterly, commencing with January 1, 1980. It should be sent to the attention of Carol Schiller, Assistant Chief - Field Operations. If this poses any problem for you, please feel free to discuss your needs directly with Ms. Schiller. She can be reached at 620-2630 in Los Angeles.

Sincerely,


Joanne A. Lewis
Chief

JAL/CFS/clu

cc: Carol Schiller, Assistant Chief
Division of Fair Employment Practices
322 West First Street, Room 2126
Los Angeles, CA 90012

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Thomas F. Coleman, Esq.
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Dr. Arthur C. Warner
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1800 North Highland Avenue, Suite 106
Los Angeles, California 90028
(213) 464-6666

November 7, 1979

Ms. Joanne A. Lewis
Chief
Division of Fair Employment Practices
P.O. Box 603
San Francisco, California 94101

Re: Quarterly Reports on Sexual Orientation, Housing
Discrimination Complaints

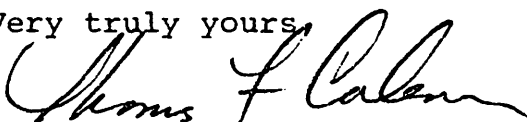
Dear Ms. Lewis:

Thank you for your letter of October 26, 1979, in which you agreed to provide the National Committee with quarterly reports regarding housing discrimination complaints. I agree that quarterly reports seem to be more feasible than monthly reports.

Beginning January 1, 1980, we will submit requests to the Assistant Chief of the Division, Ms. Carol Schiller, for this information.

Again, thank you for your continued cooperation.

Very truly yours,



Thomas F. Coleman

/psp

cc: Carol Schiller, Assistant Chief
Division of Fair Employment Practices
322 West First Street, Room 2126
Los Angeles, CA 90012

J. Anthony Kline
Governor's Legal Affairs Secretary

Paul D. Hardman
Western Regional Office
National Committee for Sexual Civil Liberties



FIELD OPERATIONS DIRECTIVE

Department of Fair Employment and Housing

Directive Number:

22

Distribution Date:
January 18, 1968

1. **SUBJECT:** UNRUH ACT COMPLAINTS.
2. **PURPOSE:** To provide guidelines for accepting cases alleging violations of the Unruh Act (Civil Code Section 51).
3. **BACKGROUND:** The Unruh Civil Rights Act (Civil Code Section 51) expressly prohibits discrimination on the basis of sex, race, color, religion, ancestry and national origin by business establishments (including those selling or renting real property), in the provision of accommodations, advantages, facilities, privileges or services. The Act has been interpreted to prohibit, in addition, discrimination on any arbitrary basis. A complainant can file a private lawsuit without having filed a complaint with the Department of Fair Employment and Housing. The Department does not have the personnel or resources to enforce the Act against any and all arbitrary discrimination, and must therefore establish some priorities for exercising its jurisdiction under the Act. This is the purpose of these guidelines.
4. **GUIDELINES:**
 - A. Cases to be accepted.
 - 1) Cases where the basis of discrimination is enumerated in the Fair Employment and Housing Act (i.e., sex, race, color, religion, ancestry, national origin, marital status, medical condition and age) except physical handicap (see 4B3) below).
 - 2) Arbitrary discrimination which is likely to have an adverse impact on protected groups. (Examples: discrimination based upon source of income, refusal to rent under a government subsidy program.)
 - 3) Housing accommodations denied because of sexual orientation.
 - 4) Arbitrary age limit complaints which affect adults, a practice typical in mobile home parks.



FIELD OPERATIONS DIRECTIVE

Directive Number

22 - Revised

Department of Fair Employment and Housing

Distribution Date

March 24, 1982

1. **SUBJECT:** UNRUH ACT COMPLAINTS.
2. **PURPOSE:** To provide guidelines for accepting cases alleging violations of the Unruh Act (Civil Code Section 51).
3. **BACKGROUND:** The Unruh Civil Rights Act (Civil Code Section 51) expressly prohibits discrimination on the basis of sex, race, color, religion, ancestry and national origin by business establishments (including those selling or renting real property), in the provision of accommodations, advantages, facilities, privileges or services. The Act has been interpreted to prohibit, in addition, discrimination on any arbitrary basis. A complainant can file a private lawsuit without having filed a complaint with the Department of Fair Employment and Housing. The Department does not have the personnel or resources to enforce the Act against any and all arbitrary discrimination, and must therefore establish some priorities for exercising its jurisdiction under the Act. This is the purpose of these guidelines.
4. **GUIDELINES:**
 - A. **Complaints to be accepted.**

Department of Fair Employment and Housing will accept only those complaints where the basis of discrimination is enumerated in the Unruh Civil Rights Act, i.e., sex, color, race, religion, ancestry or national origin.
 - B. **Complaints not to be accepted.**

On all other charges, the complainant is to be advised of his/her right to file a civil action in a Superior Court of the State of California.
 - C. **EXCEPTION:** Complaints based on sexual orientation will be accepted as Unruh cases.
 - D. **CAUTION:** Consultants should be alert to identify cases in which the respondent's asserted basis for discrimination is a pretext for exclusion on the basis of sex, color, race, religion, ancestry or national origin.
5. **APPROVAL:**



Joanne A. Lewis, Director



Date