

HEARING - ASSEMBLY COMMITTEE ON JUDICIARY, 55th Session, February 10, 1969

Hearing was called to order at 2:10 P.M. by Chairman Torvinen.

PRESENT: Torvinen, Schouweiler, Reid, Swackhamer, Bryan, Fry, Prince,  
Kean, Lowman

GUESTS: Senators Gibson, Slattery, Fransway, Lamb, Bunker, White  
Assemblymen Wilson, Swallow, Brookman, Foote, Tyson, T. Hafen  
Viani  
Eddie Scott and members of the press, Members of League of Women  
Voters

SCR 8: Calls for firm action in school disorders.

MR. TORVINEN: This hearing is for the purpose of hearing proponents and opponents on SCR 8. We will hear proponents first.

MR. WILSON: Have you received any communication from Southern Nevada in regard to this resolution?

MR. TORVINEN: I have received a telegram from Jerry Ferr, is all.  
(He then read the telegram)

ESTHER NICHOLSON: League of Women Voters, State Legislative Chairman and Representative: (Read prepared statement, see end of minutes) She also urged support for the Resolution and urged adoption of proposed amendment which she brought and presented to each member of the committee. (See end of minutes).

MR. TORVINEN: I see we have several of the introducers of this Resolution here now from the Senate.

SENATOR FRANSWAY: The Resolution speaks for itself. There has been some comment that this is slanted at a particular group. I can't see how any group would think this was directed right to them. It seems to me that it is directed at any group, regardless of color or race, that is seeking to destroy our educational system in Clark County. If we don't do something soon this will spread to other schools. It has even been announced that it is to be spread to other schools.

There is a counter-resolution which is an attempt to water down. There are several things in favor of adopting this resolution now. 1. The timing is good. We wanted to put something of our intent into the Legislature right now so that the law enforcement officers would know what we want. I hope this committee will have the strength to go ahead and pass this. It is not directed toward any particular group.

SENATOR SLATTERY: I am sick of the League of Women Voters coming up here and telling us how to legislate. There is nothing wrong with this legislation. We are not taking sides. We are trying to do a job. They are over here with their liberal ideas and trying to tell us what to do. There is nothing wrong with this Resolution. We did not pick on either black or white.

SENATOR LAMB: I would like to clarify that we are not trying to pick on any group. We had 15 militants in Clark County about a year

ago, Now there are 138. Next year there will be twice as many if we don't stop this thing right now. Whether they are black or white we do not care. I have lots of good friends among the black people. They are as concerned about this as we are. This situation is costing us thousands of dollars. If you do not handle it today you will regret it. We must take a strong stand and stop it before it is too late.

MRS. BROOKMAN: What these introducers have brought to us is their side of this. They are not willing to listen to the other side. This is why I oppose this resolution. We are here to try to make good laws for the State of Nevada. I do not like it when only one side can be heard. I do not condone civil disobedience. We should allow responses to all kinds of efforts and let people on all sides be heard on things like these.

These students had no place to go. I am down there and I work on many commissions and committees and have for the past twenty years. I have given myself to try to assist. This is an inflammatory thing to do. These students have explored every avenue and possibility and there is no place to go.

Both sides should be heard. All 20 Senators were on there as introducers. I hope that next time they will have the good sense to know that both sides should be heard.

MR. WILSON: I am speaking in opposition to SCR 8, not because I do not believe in law and order or law enforcement. I feel that we must have the very things that this resolution is trying to do. Had SCR 8 reached Clark County at the time that it was proposed it could have caused the most explosive situation we have had in our state.

As a citizen of this state, let me say to you that Las Vegas is my town. The State of Nevada is my state and I will stand up against anybody anytime if I see that they are going to do anything to destroy what we have had here for the 26 years that I have lived in Nevada.

We have lots of people trying to pass this resolution that have not been in Clark County three times in their lives and they do not know the deep-seated problems that we have. Here we have this resolution and many do not realize the potency or tremendous effect that it could have had on the damnable situation that we have in Clark County. This is why I tried to stop this legislation, because I love and know the people of Nevada. I, too, have friends throughout the community, both black and white. I will do anything to bring about justice for our county.

The members of the Legislature cannot possibly realize the magnitude of this situation in our state at this stage of the game. We are going to have to deal with these problems in the proper manner, or destroy the harmony and the total state and counties in which we live. We do have problems. We cannot squash these by force or by exerting the total energies that we might have in law enforcement.

We should all have learned something from the situation in Viet Nam. We all should have learned something from Detroit, Watts, Chicago and Washington, D.C. I will not stand by and see Nevada put in the same categories as these communities I have noted. Let's deal constructively with these problems. I have never seen a time when men

of reason could not sit down across the table and solve their problems. I hope we will solve these problems before they get too great. Let's solve them now. Had this resolution gone to Clark County at the time it was proposed, it would have caused trouble. I respectfully urge you to consider the amendment that has been suggested.

SENATOR FRANSWAY: I feel as strongly as you do about your side of the problem, but the reason we had this problem in all these cities is because of the same lack of action that you are proposing. This has to be stopped at its inception or it will go on and on. If this committee does not have the nerve to take action on this now you are going to live to regret it.

MR. WILSON: I appreciate your stand and your position. I really do. Every man has a right to stand up for the things in which he believes. But may I say to Senator Fransway that he does not have the knowledge with regard to this problem because he has never been aware. He can't possibly understand what I am trying to convey to the people of this committee and this legislative body. He doesn't understand that denial and betrayal of a black legislator, even though I am a part of the Legislature that denies to the black man and woman the rights that are given to others.

SENATOR FRANSWAY: I think you are missing the boat in this area. This legislation is not directed toward the black people. If they happen to be the majority of those that are causing this problem, then it says it does mean them.

MR. WILSON: I think you miss my point. For the sake of the state and county in which we live, and I mean all the people, I do not think we should pass this resolution. I mentioned black people because of the problem that has been created. An explosive situation in Clark county would not only affect the black people. It would affect the white people also. They have more to lose than the negro. The black people do not have too much to lose.

I am telling you what will be a situation if we continue in pushing this thing the way we are going. We have got to lay these problems out on the table.

MR. TORVINEN: Question: You mentioned that persons of good will can sit down and work things out and I agree with that. But the hole in that argument is that anyone who is going to violate this with disruption and destruction to any of our institutions are not people of good will. I do not think we could sit down and negotiate or talk with them.

MR. WILSON: One of the speakers mentioned that the problems that were developed in Clark County were brought out to the forefront and remedies and considerations in this area were asked for. Many people wanted to get together and work things out but it was not done. I have never seen in the State of Nevada a thing blown so out of proportion in many areas. There was never a time when it was at the point where people couldn't talk about it. We still have time but we should do it now. Destroying what? There has not been \$200 worth of damage. What are you talking about? A few glasses were knocked out, that's all.

MRS. BROOKMAN: You may not have the same problem or situation that we have in the southern part of the state, but we have many, many people that do sit down and many committees but after nailing the youth down they have been denied many of the areas that they wished to see cleared up. I still think conferences would be better. We are sitting on a powder keg.

I would like to ask Senator Fransway: Do you feel that the law was not fast enough in these disturbances?

SENATOR FRANSWAY: As Senator Lamb told you, we started out with 8 militants and now we have 138. I do not really know what you are talking about.

MR. BROOKMAN: Don't you feel the law was called in fast enough?

SENATOR FRANSWAY: They came in fast enough but they did not act forceful enough.

SENATOR GIBSON: I think the problem in trying to make a comment is that we are far away from the resolution so no one understands what we are talking about.

The resolution has to do with maintaining order in the school system to avoid interruptions in our school functions. This occurred in Clark County and out of it came several things that caused me to join in sponsoring this resolution. Number one is that I have had several calls from lady schoolteachers. They feared for their physical well-being because there seemed to be no attempt to enforce order. The principal told them to stay in their rooms and stay out of sight, so they appealed to me to see if we could do something. I told them I thought it was a job for the local school board.

When I was there I was a little dissatisfied with the administration in the matter of protecting the existing situation in the school. They admitted that half the school was disrupted by one half of one percent of the membership in the school.

A great deal of agitation was brought about by outside agitators. These outsiders had a lot of influence with people who were non-students. These were those who had dropped out of school for one reason or another or were over-age. One of these agitators was a Mr. Edmiston who has been identified by the Los Angeles police as being known to them by another name. He is advocating a separate black nation and it is a part of their plan to destroy the public school system.

If the negroes are ever to be assisted, one of the most important elements is education and one of the most important parts of education is our public school system. It makes no sense to me to see all these riots. Just watch on TV when a fine institution is being destroyed, as they would be as a result of letting these things get out of hand. They come about with strife and riot as the beginnings.

All this resolution is intended to do is to give reinforcement to the administration so they would know we were behind them. The part of this that is being developed by outsiders: I feel that if we do



move in and stop this thing before it gets too strong a start, they will not have the means and the strength to go on with it. /- 95

I have been reading recent letters to the editors and the effect is that I find that many of them are students who want to go on with their schooling but are being intimidated by others who keep them out of school and make them take part in the disturbances. This is an important factor. In this context is why I signed the resolution. I still feel the same way after two trips to Las Vegas and having talked with many of the schoolteachers and read letters to the editors and so on.

I feel it would be a grave mistake, at this point, to fail to pass this resolution.

MR. EDDIE SCOTT: I would have to think that the purpose of the legislators could have no more concern about this situation than I do, and I would have to agree with Mr. Wilson. This resolution is part of the things that are being complained of in Clark County. Down there some teachers still call black students "niggers". Also they say that in the high schools there are so few negro teachers. Books are not directed to emphasize the image that students may see of themselves in the books.

We agree that we must have law and order. But the cause of these things is what we are talking about. To really crack down on the students would not accomplish anything. I would have to support Mr. Wilson's position on this legislation. We are being taken down with this resolution. We will not be effective from now on if you pass this resolution. As to law and order, we do support that.

SENATOR WHITE: There are other things that go beyond this proposed legislation. Rancho High School has used a Modular Scheduling System. This last week they had an average daily attendance of about 83%. At any given time, about four to five hundred students are cutting classes. The Senior Class is involved in class work slightly more than 3 hours a day. The campus consists of over 40 acres and at any given time you can pass and it looks like school is out.

We agree that about 20% can proceed under this Modular System but we think it penalizes about 70-80% who are not capable of doing it this way. They can get together anytime with nothing to do. We have a school administration that is not willing to take any action. We want them to know that we are concerned. The whole system and structure needs to be revitalized. If it takes getting the kids back in the classroom, we think this should be done. There were over 5,000 failing grades issued in just two semesters at Rancho High School. All they are concerned about is money. They are not concerned with the quality of education. We should let them know that if their new systems don't work they should go back to the old. These are our problems.

Not only are we incapacitated with the riots but we are also incapacitated with other things. We would like them to go back to a learning situation at Rancho High School.

MR. TORVINEN: Are there any further comments? We have Assemblymen who need to leave to go to another important hearing, another important matter.

MRS. NICHOLSON: I suggest you look at the Las Vegas Sun for Feb. 9 on page 11, where it tells of the in-service training which involved 1100 students. It was on race relations. At the close of it, the teachers gave 250 recommendations to the school.

The six points that Dr. Mason proposes now, the steps that he would have us take to ease racial relations and bring peace to the schools, were all detailed in that report made two years ago. This is one reason why the students feel that the power structure does not respond.

MR. TORVINEN EXCUSED ALL VISITORS AT THIS POINT. 3:10 P.M.

The League of Women Voters nationally and in Nevada supports programs and projects to provide equality of opportunity in education, employment and housing. We are aware that equality of opportunity in education for all citizens - white and black, rich and poor, urban and rural - can be achieved only in an atmosphere of calm and respect - for property, for individuals, for the rights of all concerned.

We are deeply troubled, as we realize are the members of the legislature, about the growing unrest and disruption on the campuses and in the secondary schools of our nation. Nevada has been fortunate so far in remaining almost free from open racial disturbances. We are not, however, and cannot be free from the aftermath of centuries of enslavement, oppression and discrimination which have marked our nation. Only in the last decade has the negro in Nevada (or elsewhere) been accepted on equal terms in places of public accommodation, restaurants, hotels and motels and places of amusement. Equality of opportunity in employment is still a long way from achievement. Equality of opportunity in housing is even farther from a reality. This legislature will be grappling with that problem when it considers the two or more state Fair Housing bills expected to come before it this session.

Centuries of belief in white racial superiority cannot be erased in a decade. Neither can centuries of suffering degradation, resentment and outrage. The Report of the President's Commission on Civil Disorders, certainly not the work of left-wingers or starry-eyed idealists, should be required reading, we think, for every Congressman, legislator, city councilman, school administrator and police officer in the nation. The lesson it teaches is plain: This nation is drifting - perhaps rushing headlong is a more accurate description - into two societies, one white, one black, separate but unequal. If this movement is not checked, we bid fair to solidify into two armed camps, the white forces of fear, repression and massive armed force; the militant black forces of violence, retaliation and guerrilla tactics.

The League of Women Voters is convinced, as were the members of the President's Commission, that this racial division is not inevitable. We believe the majority of whites as well as the majority of blacks are moderates who sincerely want a peaceful but just resolution of our mutual problems. But we also believe that this will require great effort to understand and to communicate - primarily on the part of the white community because it controls the power, governmental machinery at all levels, the police, the National Guard, the purse strings.

Our local League in Las Vegas has been working on improved educational quality and integration and related problems there for a year and a half. They have done studies and made surveys. They have participated in inter group activities, with the Human Relations Council, The PTA, the churches, the NAACP, and others. They have made constructive suggestions to the school administration and offered their services in any community relations program or project the administration might consider helpful. As early as a year ago, they warned the State League Board that tensions were mounting and that unless positive steps were taken by the authorities to understand problems and to meet some of the legitimate demands, outbreaks would almost surely occur.

Now they have, And we feel such a resolution as SCRS in its present form will simply add fuel to the fire. Its thrust can only be interpreted in the Black Community as clearly one-sided and repressive in tone. We wish, therefore, to propose an amended wording. I should like to read it, but also we have reproduced it and have copies, I think, for all present. You will notice that all of the wording of the original Resolution has been retained but that certain new wording has been added. All new wording is in italics:

*(Read amended resolution proposed)*

We respectfully urge your consideration and favorable action in amending the original Resolution to conform to this new draft.

Mrs. Earl Nicholson  
League of Women Voters of Nevada  
Legislative Representative

February 10, 1969



WHEREAS, This legislature notes with grave concern the published reports of disorder in the Clark County public school system; and

WHEREAS, This legislature is also cognizant from the public press of the School District's policy, officially adopted in December 1966, to move toward total school integration in Clark County; and also of the District Court's mandate to submit an acceptable plan for such integration by April 10, 1969; and

WHEREAS, The system of free public education has been developed during more than a century of statehood, and is maintained, at great expense to the taxpayers of the state, for the good of the state as a whole and is not to be destroyed by a few violent individuals; and

WHEREAS, The experience of other states has shown the destruction which results from unrestrained student disorder; and

WHEREAS, This legislature cannot condone violence or destruction in the schools for whatever motive; now, therefore, be it

*Resolved by the Senate of the State of Nevada, the Assembly concurring,*  
That it is the sense of this legislature that local school and law enforcement authorities should act promptly and firmly, in these and any similar instances of civil disorder, to restore order and to deal with all offenders, regardless of race or color in a manner appropriate to each offense, as their disciplinary authority and the penal laws of this state provide; and  
it further

*Resolved, That the school administration is hereby encouraged to exercise the creative imagination so characteristic of its approach to many other educational problems in order to understand the deep-seated causes underlying the disturbances, to recognize legitimate grievances, and to arrive at mutually acceptable solutions, and be it further*

(continued)

C. R. 8 - Proposed amended draft (continued)

~~OUT~~  
Resolved, That local law enforcement authorities, while carrying out their necessary duties to quell disorder and protect persons and property do so with all possible restraint and propriety; and be it further

Resolved, That copies of this resolution be transmitted forthwith by the legislative counsel, to the governor of this state, to the sheriff of each county of this state, to the chief of police of each city of this state, and to the superintendent and board of school trustees of each school district of this state.

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