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REMARKS

I believe this letter now (1) focuses on housing discrimination that is linked to school discrimination and (2) adequately limits the burden placed on the State by our request

ACR
11/4/82

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Morton Friedman, Esq.
Assistant Attorney General
State of Illinois
160 North LaSalle Street
9th Floor
Chicago, Illinois 60601

Re: United States v. Board of Education of the
City of Chicago, C.A. No. 80-C5124 (N.D. Ill.)

Dear Mr. Friedman:

As part of our State liability investigation in this case, we would like to explore the involvement of State agencies in the development of racial residential patterns in Chicago, to the extent that such activities may have been directly related to racial discrimination by local school officials. The agencies in which we are interested are the Department of Registration and Education and the Department of Commerce and Community Affairs (and its predecessors, the Department of Local Government Affairs and the State Housing Board).

To begin these inquiries, we would like to examine some of the records of these agencies. At a later time, we will probably wish to interview agency personnel. Since the following list of documents covers a number of years, we do not expect the State to produce copies of all of the records we are requesting. Rather, we would like the opportunity to inspect these documents and to copy those that we select.

The Department of Registration and Education (D.R.E.) has had the authority to regulate real estate brokers and agents from 1922 to the present. We would like to have access to the following records concerning real estate brokers and agents for those years.

A. Rules, procedural standards and personnel (These records are likely to be stored in a public place, in which case your informing us of the records' location would be adequate response to this aspect of our request.)

1. All editions of the D.R.E.'s rules and regulations regarding the granting of licenses to real estate brokers and salesmen, the suspension or revocation of such licenses, and the censure or reprimand of real estate brokers and salesmen. See Ch. 111 Ill. Rev. Stat. §5732).

2. Any documents published by the D.R.E. which set forth standards of conduct for real estate brokers and salesmen.

3. Records showing the names of all members of the Real Estate Examining Committee (or any predecessor bodies which served the same or similar functions) and of all Commissioners of Real Estate (or incumbents of predecessor positions with the same or similar duties).

B. Records relating to racial discrimination in housing.

Records of all complaints, investigations, or hearings (including all proceedings of and reports by the Real Estate Examining Committee) which relate in any way to racial discrimination, segregation, or integration, regarding the activities of real estate brokers or agents in Chicago. Once any such materials have been located, we would like to inspect them to determine whether any actions taken by the D.R.E. were directly related to racial segregation or discrimination in the public schools.

The Department of Commerce and Community Affairs (and its predecessors) has certain supervisory authority over housing

authorities, and land clearance commissions throughout Illinois, 1/ as well as the Department of Urban Renewal in Chicago. In addition, the Department (and its predecessors) administers grants to such local agencies. The Department's supervisory powers of relevance to our investigation are set out in Ch. 67 1/2 Ill. Rev. Stat., §§ 3, 4, 9, 13, 14, 66, 69, 75, 76, 80, 81a, 82 and 88. Its grant-making functions of interest to us are set out in C. 67 1/2 Ill. Rev. Stat. §§ 8.18, 54, 83 and 93.

We would like to inspect the following documents as they relate to the exercise of the Department's (or its predecessor's) functions within Chicago ~~metropolitan area~~ since 1950:

A. Rules, procedural standards and personnel (These records are likely to be stored in a public place, in which case your informing us of the records' location would be adequate response to this aspect of our request.)

1. Annual reports by the Department to the Governor (Ch. 67 1/2 §§ 59, 88).

2. Periodic reports by local Housing Authorities and Land Clearance Commissions to the Department (Ch. 67 1/2 §§ 13, 88).

B. Records relating to racial discrimination in housing and public schools.

In each of the four categories of records listed below, our focus will be on: the construction, demolition, placement, capacity, and use of public school buildings associated with land clearance (or acquisition) and the provision of publicly assisted housing.

1/ I understand that there were changes made this summer in the Department's authority over the Chicago Housing Authority.

1. All documents relating to investigations of Housing Authorities and Land Clearance Commissions by the Department. (Ch. 67 1/2 §§ 13, 88).

2. All correspondence between the Department and State or local school officials and all other correspondence, reports or memoranda concerning the construction, demolition, placement, capacity and use of public schools in Chicago.

3. All documents relating to financial grants to Housing Clearance Commissions pursuant to Ch. 67 1/2 §§ 8.18, 54, 83 and 93.

4. All documents relating to the exercise, of the Department's powers to hold hearings and remove Housing Authority Commissioners (Ch. 67 1/2 § 69).

We will be willing to provide for and do our own copying of the records which we select from those that we inspect. I hope that we can expect your cooperation in this matter.

Sincerely,

Wm. Bradford Reynolds
Assistant Attorney General
Civil Rights Division

By:
Alexander C. Ross
Special Counsel for Litigation