



Montgomery County Government

MEMORANDUM

July 21, 1987

TO: County Council

FROM: Andrew Mansinne, Jr., Director
Office of Legislative Oversight

Andrew Mansinne, Jr.

SUBJECT: Report of Special Investigation Into the Facts and Circumstances Concerning an Allegation that Mr. John P. Hewitt, While Serving as the Director of Parks and Later as the Executive Director of the Maryland-National Capital Park and Planning Commission, Knew of, and Condoned, the Existence of a Segregated Facility at the Meadowbrook Yard.

I. AUTHORITY

1. This investigation was conducted during the period July 7, 1987 and July 21, 1987, by Mr. Andrew Mansinne and Ms. Karen Orlansky of the County Council's Office of Legislative Oversight (OLO), under the authority of Chapter 29A, Montgomery County Code.
2. The specific directive to conduct the inquiry was Council Resolution No. 11-381, adopted July 7, 1987 (EXHIBIT 1).

II. METHODOLOGY

1. The investigation was conducted primarily through personal interviews with over 30 witnesses, most of whom gave testimony under oath (see EXHIBIT 2). Those not interviewed under oath were either out of the area and could only be reached by phone, or would only consent to be interviewed by phone and not under oath. The Office of Legislative Oversight also received a number of unsolicited letters, some notarized, expressing personal opinions and recollections relating to the investigation.

Office of Legislative Oversight

100 Maryland Avenue, Rockville, Maryland 20850, 301/251-7990

2. In addition, a detailed examination and review of relevant documents was conducted. However, besides being constrained by the short time available to conduct the investigation, a complete document review was prevented by the absence of official M-NCPPC files (see EXHIBIT 3), and the unavailability of pertinent EEOC files (see EXHIBIT 4).
3. Finally, a visit was made to the Meadowbrook site to examine the area and compare landmarks with blueprints and photographs of the yard which were produced prior to the extensive refurbishing of the installation in the 1980's.

III. ALLEGATION AND MATTERS TO BE INVESTIGATED

1. Allegation: The specific allegation to be investigated was:

MR. JOHN P. HEWITT, WHILE SERVING AS THE DIRECTOR OF PARKS AND LATER AS THE EXECUTIVE DIRECTOR OF THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION, KNEW OF, AND CONDONED, THE EXISTENCE OF A SEGREGATED FACILITY AT THE MEADOWBROOK YARD.

2. Matters Investigated: The investigation specifically addressed two matters:

MATTER A:

WHETHER SEGREGATED FACILITIES EXISTED AT THE MEADOWBROOK YARD AT ANY TIME WHEN MR. HEWITT WAS EMPLOYED AS THE DIRECTOR OF PARKS AND/OR THE EXECUTIVE DIRECTOR OF THE M-NCPPC.

MATTER B:

IF SEGREGATED FACILITIES ARE DETERMINED TO HAVE EXISTED AT MEADOWBROOK YARD DURING THE PERIOD OF MR. HEWITT'S EMPLOYMENT AT M-NCPPC AS DIRECTOR OF PARKS AND/OR EXECUTIVE DIRECTOR, WHETHER MR. HEWITT KNEW OF, AND CONDONED, SUCH SEGREGATED FACILITIES.

IV. Background of the Investigation

1. Meadowbrook Yard, an M-NCPPC facility, is located in Rock Creek Park, southeast of the intersection of East-West Highway and Beach Drive. The official name of the installation is the M-NCPPC Meadowbrook Maintenance Facility. However, because it is more commonly referred to as the Meadowbrook Yard, that term is used in this report. At EXHIBIT 5 is a composite diagram of the Meadowbrook Yard developed through testimony and an old blueprint of the yard. At EXHIBIT 6 is a photograph taken in the early 1980's prior to renovation of the yard; the renovation included the razing of several buildings including a long shed.

2. Meadowbrook Yard served as the only park maintenance installation for M-NCPPC facilities in Montgomery County (except for Regional Parks) until the early 1980's, when a new facility was completed at Shady Grove. Today, Meadowbrook Yard continues to be used as the major maintenance installation for M-NCPPC properties located down-County.
3. As the park system in the County grew during the 1960's and 1970's, the number of employees and activities based at Meadowbrook Yard grew along with it. Located at Meadowbrook Yard were two operational divisions, Maintenance and Development (M&D), with responsibility for roads, grounds, fences, and buildings, and the development of new facilities; and Horticulture and Forestry (H&F), with responsibility for landscaping and tree maintenance.
4. Although specific data were unavailable, the consensus is that, by the early 1970's, approximately 150 to 200 employees reported to Meadowbrook on a daily basis. Of these, it is estimated that two-thirds worked in M&D and one-third in H&F. Almost everyone interviewed agreed that approximately 60 percent of the employees were white and 40 percent were black. At that time, blacks held no management positions and there were no other minorities employed at Meadowbrook Yard. The only women employed at Meadowbrook Yard worked in clerical positions in the administrative positions.
5. During that period of growth of the park system and until his retirement in 1974, Mr. Hewitt held two top management positions: Director of Parks (1957 - 1971) and Executive Director (1971 - March 1, 1974). The relationship of Mr. Hewitt in those two positions to the overall M-NCPPC organizational structure is shown at EXHIBIT 7.

V. Matter A: Discussion of Evidence and Conclusions

MATTER A: WHETHER SEGREGATED FACILITIES EXISTED AT THE MEADOWBROOK YARD AT ANY TIME WHEN MR. HEWITT WAS EMPLOYED AS THE DIRECTOR OF PARKS AND/OR THE EXECUTIVE DIRECTOR OF THE M-NCPPC.

1. Discussion of Evidence

- a. Testimony and documentary evidence indicate that during the time period in which Mr. Hewitt was Parks Director and Executive Director, the various buildings within Meadowbrook Yard were used primarily as the morning assembly point and the afternoon check-out point for all employees, for storage of park materials and equipment, and

as a service area for park vehicles, and equipment. Many witnesses reported that during this time period, a number of the buildings at Meadowbrook Yard were in poor condition and subject to flooding after heavy rains.

- b. The majority of employees clocked-in and -out of Meadowbrook Yard and spent most of the workday at different park sites throughout the County. A small staff remained at Meadowbrook Yard throughout the day, working in the administrative office, and various repair and maintenance shops. When inclement weather limited outside work, the employees generally remained at Meadowbrook Yard to wait until it was possible to return to job assignments in the parks.
- c. During these periods when weather conditions restricted outside work at the park sites, the employees repaired, cleaned, and maintained their equipment, and also played cards, checkers, and generally "sat around" waiting for the weather to improve or the workday to end.
- d. Testimony indicates that all hourly (non-salaried) employees based at Meadowbrook reported into and out of work in a single room located in the long shed (see EXHIBITS 5 and 6). At one time, supervisors manually checked their employees in and out; however, as the work force grew in the early 1960's, a time-clock was installed and the room became known as the "time-clock room." Witnesses stated that this room was also known to many employees as the "change room," although, testimony reveals very few employees actually changed clothes in the long shed.
- e. Testimony confirms that employees were at Meadowbrook Yard for brief periods in the mornings (after clocking-in and before going out to work sites in the parks), and in the evenings (after returning from the work sites to clock-out). On days when inclement weather prohibited outside work, their stay in the yard was usually longer. Employees in the H&F Division would generally congregate in the head room of the greenhouse and the seed room, while employees in the M&D Division could be found in the long shed (see EXHIBIT 5). Although both black and white H&F employees mingled in the same area, witnesses reported that most white M&D employees congregated in the time-clock room while black M&D employees congregated in a different room, also located in the long shed. The predominant use of one room in the long shed by whites and another room by blacks appears to date from the mid-to-late 1960's as the work force stationed at Meadowbrook Yard expanded. Witnesses reported a variety of names for the room in the long shed

used predominantly by black employees, ("Sugar Shack," storage room, mower shed, tool shed). This report will refer to the room in the long shed where blacks congregated as the "other room."

- f. Although memories of the working conditions vary, witnesses who worked at Meadowbrook Yard generally describe both the time-clock room and the "other room" as plain and undecorated. Prior to renovations that began in late 1974, the time-clock room was larger, contained such amenities as vending machines, and was generally in better physical condition than the "other room." Specifically, the floor of the time-clock room was concrete while the floor in the "other room" was part concrete and part gravel. In addition to containing the only time-clock in the yard, the time-clock room had at least one oil heater while the "other room" had a wood burning stove. Furniture in the time-clock room consisted of benches, chairs, and tables, while in the "other room," there were fewer and cruder pieces of furniture. The time-clock room also had a small bathroom with at least one commode and urinal, while the "other room" had no bathroom. In addition, the time-clock room contained the only bulletin board for employee notices and job announcements that witnesses describe as a cork-type, uncovered board.

- g. The roof of the long shed was constructed of tin and extended over both rooms. One witness stated that the portion over the "other room" leaked during heavy rains. In addition, although both rooms had fluorescent ceiling fixtures, several witnesses testified that the lighting was better in the time-clock room than in the "other room." At EXHIBIT 8 is the sworn statement of Mr. Francis Matthews which describes the condition of the "other room." While his statement is considerably more graphic than descriptions received from other witnesses, it is, with the exception that the roof over the "other room" leaked, essentially corroborated by the testimony of others.

- h. None of the witnesses testified that there was any M-NCPPC written or oral policy or directive ordering white employees to congregate in the time-clock room and black employees in the "other room." Some witnesses testified that they believe the use of separate rooms in the long shed was the result of individual choice. However, several witnesses testified that, except to clock-in and clock-out, black employees felt unwelcome in the time-clock room, especially to use the bathroom. Testimony also indicates that no action was taken by on-site managers to discourage or change the separate use of facilities at Meadowbrook Yard prior to the Spring of 1974.

- i. A number of witnesses, including Parks Department managers, testified that the bathroom facilities located inside the Maintenance Building in the area of the mechanic's shop (see EXHIBITS 5 and 6) were not equally available to all employees. Reports of several incidents support the perception that the mechanics (all of whom were white during the time period in question) did not allow non-mechanics other than management to use their bathroom, which contained the only shower in the yard. Moreover, testimony of several employees indicates that this restricted use of the bathroom was not consistently enforced for white non-mechanic employees.
- j. Evidence reveals that the above described conditions, in part, motivated an Equal Employment Opportunity Commission (EEOC) employment discrimination complaint filed in the Spring of 1974 against M-NCPPC by eight Meadowbrook Yard employees. An exact date of the filing could not be determined because of conflicting testimony and the lack of documentary evidence as to when the eight Meadowbrook employees actually went to Baltimore and filed their complaints with EEOC. Based upon an internal M-NCPPC memo, it appears that on May 6, 1974, M-NCPPC received its first official notice that complaints had been filed. Six out of the initial eight complaints were eventually dropped, but two continued until a compliance agreement was reached between EEOC and M-NCPPC in 1977.
- k. Documentary evidence, corroborated by testimony, substantiates that the Meadowbrook employees alleged that M-NCPPC discriminated on the basis of race with regard to training, promotions, transfers, wages, and terms and conditions of employment. The parties further alleged that M-NCPPC discriminated against blacks as a class, with regard to hiring, discharge, wages, terms and conditions of employment (harsher discipline), training, seniority, job classifications (no blacks in supervisory positions), segregated facilities (change rooms), and announcements of promotional vacancies.
- l. Documentary evidence substantiates that the EEOC's official determination, which was issued on July 30, 1976, dismissed many of the charges made against M-NCPPC. However, with respect to the specific charge of segregated facilities, the EEOC's determination contained the following finding:

Investigation disclosed that in 1974, Respondent [M-NCPPC] maintained segregated change rooms and the promotional announcements were posted on the Caucasian change area side. However, due to the

hiring of an Affirmative Action Officer in 1975, Respondent has desegregated the change rooms and notices of employment vacancies are posted in areas accessible to all employees.

The concluding section of the EEOC determination stated that:

The Commission finds cause to believe that Respondent discriminated against blacks as a class because of their race with regard to hiring, announcement of promotional vacancies (promotion), and segregated facilities (change rooms) in violation of Title VII of the Civil Rights Act of 1964, as amended.

At EXHIBIT 9 is an extract from the EEOC determination.

- m. Testimony reveals that shortly after the notice of charges from EEOC were received by M-NCPPC, on-site managers at Meadowbrook Yard announced to their employees that the time-clock room was available for use by everyone. Several internal M-NCPPC documents also indicate that a series of physical improvements were made to the time-clock room beginning in the Fall of 1974.
- n. On June 20, 1974, the Montgomery County Planning Board heard testimony from employees regarding a proposed Affirmative Action Plan. A local newspaper article and minutes of the meeting indicate that several black employees from Meadowbrook Yard testified to discriminatory treatment in their jobs and working conditions. Although one witness specifically remembers discussing the problem of segregated facilities, the term "segregated facilities" does not appear in the Planning Board minutes.
- o. Testimony and documentary evidence indicates, however, that the common practice of whites congregating in the time-clock room and blacks congregating in the "other room" continued at least until the end of 1974. On December 20, 1974, at an employee forum sponsored by M-NCPPC's Merit System Board and conducted at a park building adjacent to Meadowbrook Yard, employees voiced a number of complaints including the existence of "segregated facilities" at Meadowbrook Yard (see EXHIBIT 10).

- p. Testimony shows that after adjourning the December 20, 1974 meeting, members of the Merit System Board and several staff members from the M-NCPPC Personnel Office conducted an on-site inspection of Meadowbrook Yard. Witnesses reported that they saw two separate rooms in the long shed, the time-clock room and the "other room", and that the "other room" was markedly inferior to the time-clock room (see EXHIBIT 11).
- q. Testimony also indicates that a short time after the Merit System Board's site visit to Meadowbrook Yard, the use of the "other room" ended altogether.
- r. Witnesses testified that there were additional renovations of the time-clock room in early 1975. The changes reportedly included enlarging the room, insulating and installing paneling on the walls, renovating the bathroom, and installing additional amenities such as an ice machine. Although there is conjecture as to the exact date it was installed, a glass-doored bulletin board was added at some point during this period.
- s. Conflicting testimony was received as to exactly how the time-clock room was enlarged. Some witnesses state that a wall (or walls) were taken down, while other witnesses testified that a partition (or partitions) within the room were disassembled. Despite the uncertainty as to exactly how the time-clock room was eventually modified, and how the "other room" stopped being used, the weight of evidence establishes that two separate rooms in the long shed were in fact used by M&D employees for a long time.

2. Conclusions

- a. The weight of evidence, written and oral, substantiates that during at least part of the time when Mr. Hewitt was employed as the Director of Parks and the Executive Director of the M-NCPPC, two separate rooms in the long shed at Meadowbrook Yard were used in a segregated manner, in that one room was used predominantly by white employees and another room was used predominantly by black employees.
- b. The room used predominantly by white employees was larger, contained amenities, and was in better physical condition than the room used predominantly by black employees. In addition, the room used predominantly by white employees contained the only bulletin board used for posting employee notices and job announcements.

- c. Although, the separate use of rooms in the long shed was not the result of any official M-NCPPC policy or directive, the practice was known to many employees who worked at Meadowbrook Yard, including on-site managers.
- d. Considering the testimony of witnesses and the inferior condition of the room used predominantly by black employees, it is reasonable to conclude that not all of the black employees who used that room did so by choice.
- e. As a result of complaints filed by black Meadowbrook Yard employees, the Equal Employment Opportunity Commission determined there was "reasonable cause to believe" that, in 1974, the Maryland-National Capital Park and Planning Commission maintained segregated facilities, as defined in the Civil Rights Act of 1964, as amended.

VI. Matter B: Discussion of Evidence and Conclusions

MATTER B: IF SEGREGATED FACILITIES ARE DETERMINED TO HAVE EXISTED AT MEADOWBROOK YARD DURING THE PERIOD OF MR. HEWITT'S EMPLOYMENT AT M-NCPPC AS PARKS DIRECTOR AND EXECUTIVE DIRECTOR, WHETHER MR. HEWITT KNEW OF, AND CONDONED, SUCH SEGREGATED FACILITIES.

1. Discussion of Evidence

- a. Mr. John Hewitt first joined the M-NCPPC in 1945. After occupying a variety of positions, he became Director of Parks in 1957, a position he occupied until 1971. As Director of Parks, he was responsible for the parks system in both Montgomery and Prince George's Counties. From 1971 to March 1974, he was Executive Director of the M-NCPPC. As EXHIBIT 7 depicts, a number of key personnel in the M-NCPPC chain of command who would have been in a position to have knowledge of events at Meadowbrook Yard are deceased.
- b. When Mr. Hewitt was Parks Director, Mr. Frank Rubini, Associate Director of Parks, had responsibility for all Montgomery County park facilities including Meadowbrook Yard. Mr. Rubini retired in April 1976 and is now deceased. At Meadowbrook Yard were two divisions: Maintenance and Development (M&D) and Horticulture and Forestry (H&F). The M&D Division Chief was Mr. Ed Beall, with two Assistant Chiefs, Mr. Glenn Lokey and Mr. Earl Arnold. Mr. Beall retired in April 1976 and is now deceased. Mr. Lokey retired in July 1979 and is also deceased. Mr. Arnold retired in August 1979. When Mr. Hewitt became Executive Director of M-NCPPC, he was replaced as Director of Parks by Mr. Frank Rubini who

in turn was replaced as Associate Director of Parks for Montgomery County by Mr. Stanton Ernst. During the period Mr. Hewitt served as Executive Director, on-site management at Meadowbrook Yard remained unchanged.

- c. Mr. Hewitt testifies that while he was employed at M-NCPPC from 1957 until March 1, 1974, he did not have any personal knowledge of the existence of separate facilities for black employees and white employees at Meadowbrook Yard (see EXHIBIT 12).
- d. Mr. Hewitt also testifies that while he was Director of Parks and Executive Director, no manager subordinate to him, no one in the M-NCPPC Personnel Office, or any other employee ever informed him, orally or in writing, of the existence of separate facilities for black and white employees at Meadowbrook Yard.
- e. Mr. Hewitt further testifies that, as Director of Parks, he visited the Meadowbrook Yard about once a week, or at least two to three times a month. The usual purpose for these visits was to gas up his Parks vehicle, for morale reasons to talk to the employees, and, on occasion, to make announcements. The announcements were made either outside the Maintenance Building or inside the mechanics' bays (see EXHIBIT 5). He further testifies that he visited a Park facility near Meadowbrook to attend Christmas parties and retirement functions. Finally, Mr. Hewitt testifies that visits to Meadowbrook Yard were less frequent after he was appointed Executive Director.
- f. Mr. Hewitt testifies that he probably had been inside every building in Meadowbrook Yard except for the residence where the Park employee family lived. However, he could not recall specifics of any of the buildings, or any specific time he was in any of the rooms. He recalls the long shed but cannot recall where the time-clock was located, or of ever being in the time-clock room or the "other room." (As described above in Matter A, it cannot be established precisely when black employees started using the "other room." Testimony strongly indicates that it was during the period of growth in the park system in the mid-to-late 1960's.)
- g. Testimony by other witnesses confirms that Mr. Hewitt was often seen in the parks, especially when he was the Director of Parks, greeting employees, and talking to them about their work.

- h. Testimony also confirms that Mr. Hewitt was seen at Meadowbrook Yard gassing up his Park vehicle, talking to on-site managers, and making announcements to employees. Testimony further confirms that the frequency of these visits was about once a week.
- i. There is testimony that specifically places Mr. Hewitt in the time-clock room, and Mr. Hewitt does not deny that he could have been in that room. Included in those who testified that Mr. Hewitt visited the time-clock room on at least one occasion was a Parks Department manager.
- j. Written testimony from Mr. Francis Matthews, an M&D employee stationed at Meadowbrook Yard from July 1968 until the early 1980's, states that Mr. Hewitt visited Meadowbrook Yard on many occasions and that he visited the time-clock room (see EXHIBIT 8). Oral testimony by Mr. Matthews states that Mr. Hewitt also visited the "other room."
- k. In a written statement (see EXHIBIT 13), Mr. Frank Welter, a former M&D supervisor at Meadowbrook Yard until July 1978, states that he saw Mr. Hewitt at Meadowbrook Yard on many occasions. In written testimony, Mr. Welter lists Mr. Hewitt among Parks Department managers as having visited the change room (time-clock room). In oral testimony, Mr. Welter states that he could not recall ever seeing Mr. Hewitt in the "other room."
- l. In written testimony, Mr. Welter specifically names Executive Director Hewitt in a list of Parks Department managers whom he states he personally went to see about working conditions at Meadowbrook Yard, (see EXHIBIT 13). However, in oral testimony, Mr. Welter corrected his written statement and testified that he did not personally talk to Mr. Hewitt about working conditions at Meadowbrook. Mr. Welter states that he personally spoke to several Parks Department managers who he claims to have had direct knowledge of working conditions at Meadowbrook Yard. Testimony from two of the Parks managers named by Welter indicates no recall of Mr. Welter specifically telling them anything about a problem of segregated facilities.
- m. Testimony from on-site managers at the Meadowbrook Yard indicates that they were aware that some white and black employees were assembling in separate rooms to play cards and checkers. They further testified that they did not perceive this arrangement as a problem until the EEOC complaint was received in the Spring of 1974.

- n. A former Chairman, M-NCPPC, during the time Mr. Hewitt was Executive Director states that no one ever informed him of separate facilities for blacks and whites being used at Meadowbrook Yard until the EEOC complaint was received in the Spring of 1974.
- o. There was no oral testimony presented, or written document located, which would establish whether Mr. Hewitt was informed of the existence of two separate facilities at the Meadowbrook Yard.

2. Conclusions

- a. The weight of available evidence, written and oral, does not substantiate the allegation that Mr. Hewitt, during his employment at M-NCPPC as Director of Parks and Executive Director, knew of, and condoned, the existence of a segregated facility at the Meadowbrook Yard.
- b. At the time Mr. Hewitt was Parks Director and Executive Director of M-NCPPC, many employees and on-site managers at the Meadowbrook Yard were aware that two separate facilities existed in the long shed, and that it was the common practice for the time-clock room to be used predominantly by white employees and another room to be used predominantly by black employees.
- c. There is no evidence, written or oral, to support a finding that Mr. Hewitt was told of, or evidenced an awareness of, the segregated use of facilities at Meadowbrook Yard.

VII. Summary Conclusions

- 1. The weight of evidence, written and oral, substantiates that during at least part of the time when Mr. Hewitt was employed as the Director of Parks and the Executive Director of the M-NCPPC, two separate rooms in the long shed at Meadowbrook Yard were used in a segregated manner, in that one room was used predominantly by white employees and another room was used predominantly by black employees.
 - The room used predominantly by white employees was larger, contained amenities, and was in better physical condition than the room used predominantly by black employees. In addition, the room used predominantly by white employees contained the only bulletin board used for posting employee notices and job announcements.

- Although, the separate use of rooms in the long shed was not the result of any official M-NCPPC policy or directive, the practice was known to many employees who worked at Meadowbrook Yard, including on-site managers.
 - Considering the testimony of witnesses and the inferior condition of the room used predominantly by black employees, it is reasonable to conclude that not all of the black employees who used that room did so by choice.
 - As a result of complaints filed by black Meadowbrook Yard employees, the Equal Employment Opportunity Commission determined there was "reasonable cause to believe" that, in 1974, the Maryland-National Capital Park and Planning Commission maintained segregated facilities, as defined in the Civil Rights Act of 1964, as amended.
2. The weight of available evidence, written and oral, does not substantiate the allegation that Mr. Hewitt, during his employment at M-NCPPC as Director of Parks and Executive Director, knew of, and condoned, the existence of a segregated facility at the Meadowbrook Yard.
- At the time Mr. Hewitt was Parks Director and Executive Director of M-NCPPC, many employees and on-site managers at the Meadowbrook Yard were aware that two separate facilities existed in the long shed, and that it was the common practice for the time-clock room to be used predominantly by white employees and another room to be used predominantly by black employees.
 - There is no evidence, written or oral, to support a finding that Mr. Hewitt was told of, or evidenced an awareness of, the segregated use of facilities at Meadowbrook Yard.

AM/KO:jm

Attachments: Exhibits 1 thru 13 (see List of Exhibits)

cc: Council Staff Director

List of Exhibits

1. Council Resolution No. 11-381, adopted July 7, 1987
2. Witness List
3. M-NCPPC memorandum re: Commission Files
4. Memorandum to the File re: Unavailability of Relevant
Equal Employment Opportunity Commission Files
5. Diagram of Meadowbrook Yard
6. Photograph of Meadowbrook Yard
7. M-NCPPC Chain of Command, Late 1960's - March 1974
8. Letter from Mr. Francis Matthews, July 2, 1987
9. Extract, EEOC Determination re: M-NCPPC Employee
Complaint, dated July 30, 1976
10. Notes of Merit System Board Employee Forum of December 20, 1974
11. Letter from Mr. Anthony Hudson, June 26, 1987
12. Letter from Mr. John P. Hewitt, June 21, 1987
13. Letter from Mr. Frank Welter, July 3, 1987

Resolution No. 11-381
Introduced: July 7, 1987
Adopted: July 7, 1987

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: County Council

Subject: Amendment to the CY1987 Work Program of the
Office of Legislative Oversight

Background

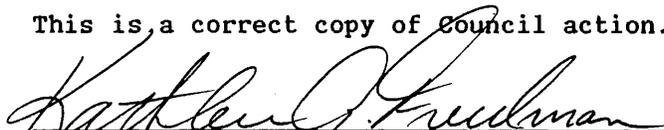
1. On February 24, 1987, the Council adopted Resolution No. 11-97, Subject: CY1987 Work Program of the Office of Legislative Oversight, which includes a provision that the Office of Legislative Oversight will be responsive to requests by the County Council for projects in addition to those listed in the Work Program.
2. It has been alleged that Mr. John P. Hewitt, while serving as the Director of Parks and later as the Executive Director of the Maryland-National Capital Park and Planning Commission, knew of, and condoned, the existence of a segregated facility at the Meadowbrook Yard.

Action

The County Council for Montgomery County, Maryland approves the following resolution:

The Office of Legislative Oversight will, as an additional project in its CY1987 Work Program and under the authority of Chapter 29A of the Montgomery County Code, investigate the facts and circumstances of the above allegation and report its findings to the County Council not later than July 21, 1987.

This is a correct copy of Council action.


Kathleen A. Freedman, Secretary
County Council

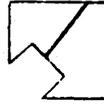
WITNESS LIST

1. Earl Arnold*
Retired; former Assistant Division Chief, M&D Division, M-NCPPC
2. William L. Colpitts**
Retired; former Chief of Parks Services, M-NCPPC
3. James H. Cowling
M&D Division, M-NCPPC
4. Alison Bartlett Davis
Employee Relations and Development Office, M-NCPPC
5. John Downs*
Former Acting Executive Director, M-NCPPC
6. Stanton G. Ernst
Retired, former Director of Parks, M-NCPPC
7. Patricia D. Fenn
Employee Relations and Development Office, M-NCPPC
8. James B. Fields
M&D Division, M-NCPPC
9. Robert R. Fredlund
Former Chairman, Merit System Board, M-NCPPC
10. Dr. Royce Hanson*
Former Chairman, M-NCPPC
11. Leroy J. Hedgepeth
Personnel Manager, Employee Relations
and Development Office, M-NCPPC
12. Joseph L. Herbert
H&F Division, M-NCPPC
13. John P. Hewitt
Executive's Appointee to the Planning Board
14. Anthony W. Hudson
Former Chairman, Merit System Board, M-NCPPC
15. Henry T. Jacobs
H&F Division, M-NCPPC
16. Robert H. Levan*
Former General Counsel, M-NCPPC

17. James E. Lutz
M&D Division, M-NCPPC
18. Francis G. Matthews
M&D Division, M-NCPPC
19. Paul A. McGuckian
County Attorney, Montgomery County
20. David K. Metzger
Manager, Personnel Services Office, M-NCPPC
21. Henry Monroe
M&D Division, M-NCPPC
22. Clyde E. Poole
M&D Division, M-NCPPC
23. Helen Reed-Rowe*
Former M-NCPPC employee responsible for
equal employment opportunity issues
24. William F. Rosenberger
Assistant Division Chief, H&F Division, M-NCPPC
25. Bruce E. Sanders
M&D Division, M-NCPPC
26. D. S. Sastri
Associate General Counsel, M-NCPPC
27. Carl E. Schoening
Associate Director, Department of Parks, M-NCPPC
28. Donald Spicer*
Former Executive Director, M-NCPPC
29. Frank Welter
Former Supervisor, M&D Division, M-NCPPC
30. Mary J. Welter*
H&F Division, M-NCPPC
31. Alan J. Williams
M&D Division, M-NCPPC

* Testimony not recorded or given under oath
** Testimony recorded but not given under oath

MEMO



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

July 15, 1987

TO: Andrew Mansinne, Jr., Director
Montgomery County Council, Office of Legislative Oversight

FROM: LeRoy J. Hedgepeth, Manager, Employee Relations and Development
Office *LJH*

SUBJECT: Request for Information

This is in response to your request for information concerning your investigation about an alleged segregated change room at the Montgomery County Park Department Meadowbrook Maintenance Yard Facility during the 1970's.

My research of the Commission's archive files revealed that:

1. There was no correspondence or reading files in archives dated earlier than 1977 for the Office of the Executive Director.
2. There were no legal files in storage that addressed the 1974 issue of alleged segregation facilities at Meadowbrook.

Additionally, I searched for, but did not find, orders dated 1974 or 1975 requesting or authorizing renovation of the change room facility at the Meadowbrook Maintenance Yard.

I am available at your convenience, if you desire any further assistance in this matter.

LJH6:cr/dd

M E M O R A N D U M

July 19, 1987

TO: File

FROM: Karen Orlansky ^{ko}

SUBJECT: Unavailability of Relevant Equal Employment
Opportunity Commission Files

1. On July 8, 1987, I called the Baltimore District Office of the Equal Employment Opportunity Commission (EEOC) to ask how OLO could obtain access to the files concerning the employment discrimination complaints filed against M-NCPPC by eight Meadowbrook Yard employees.

At that time, I knew from internal M-NCPPC documents that the filing had occurred sometime in 1974, an official determination had been written in 1976, and a conciliation agreement signed in August 1977. I also knew that by 1976, six of the eight complaints had been administratively settled and officially dropped.

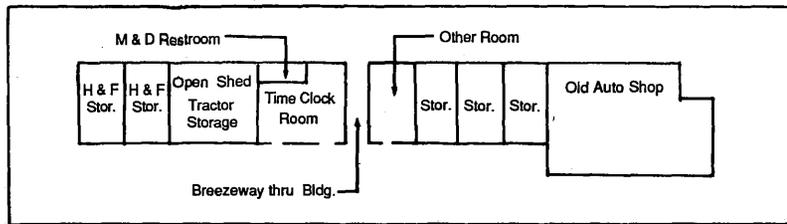
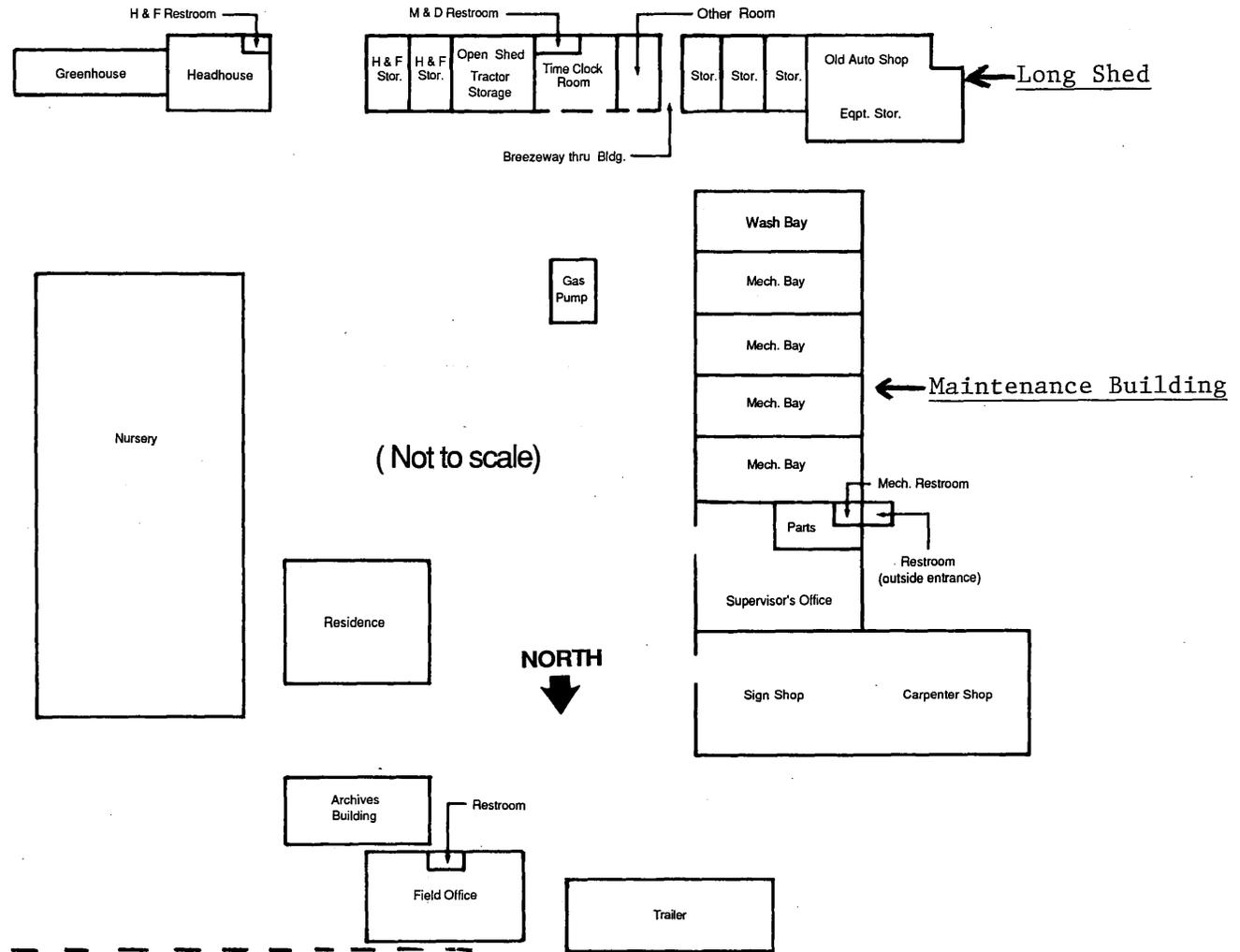
2. On July 8, 1987, I spoke with the Officer-of-the-Day in EEOC's legal department, Mr. Fred Charleston, Supervisory Attorney. Mr. Charleston informed me that EEOC's statute governing disclosure of information requires files to remain confidential; that is, only the charging party and respondent have absolute rights to see files pertaining to their case. He explained that OLO could obtain access to EEOC documents if we obtained Letters from M-NCPPC and the charging party that stated they had no objection to providing OLO with access to the files.

Finally, he informed me that, even if we obtain permission from M-NCPPC and the charging party, the file may no longer exist because the events took place so long ago. Mr. Charleston said he would look into the availability of the file and get back to me.

3. On July 13, 1987, OLO obtained a notarized statement from Mr. Francis Matthews (one of the charging parties who did not drop his complaint) attesting that he had no objection to letting OLO review any EEOC files that pertained to his employment discrimination complaint against M-NCPPC.
4. On July 14, 1987, OLO obtained a parallel statement from Mr. Thomas H. Countee, Executive Director of M-NCPPC.
5. On July 15, 1987, Mr. Charleston informed me that the Baltimore District Office could not locate the pertinent files. Mr. Charleston stated his belief that the files had probably not been destroyed, but that perhaps they were "in limbo" between offices and archives. I asked Mr. Charleston whom I should contact to increase the search effort, and he transferred me to his superior, Mr. Gerald S. Kiel, Regional Attorney.

6. Mr. Kiel informed me that the next step would have to be a formal Freedom Of Information (FOI) request. Because OLO is not a direct party, this request would have to come from either the charging parties (Matthews, Sanders) or the respondent (M-NCPPC). In accordance with EEOC regulations, this FOI request must be in writing; the set cost is a \$17 search fee plus 15¢ per page for every page copied. EEOC has 10 days in which to respond to the FOI request.

7. On July 15, 1987, Mr. Mansinne and I discussed whether or not to pursue obtaining the EEOC files by asking M-NCPPC to submit a formal FOI request. Given our July 21, 1987 deadline for this investigation, the 10-day response period, and the documents we had, in the interim, obtained from M-NCPPC, we made a mutual decision that we could not pursue obtaining access to EEOC files at this time.



An Alternate Room Layout in Long Shed

MEADOWBROOK MAINTENANCE FACILITY (YARD)

(mid-to-late 1960's - 1974)

Note: Because conflicting testimony was received on the actual arrangement of rooms in the long shed, this diagram offers two possible layouts.

PHOTOGRAPH TAKEN AT
MEADOWBROOK MAINTENANCE FACILITY

Gas Pumps

Central
Portion
of Long
Shed



Maintenance
Building

Photo taken at Meadowbrook Maintenance Facility in
the early 1980's. The position of the camera was near
the Archives Building, with the camera pointing south.

PHOTOGRAPH TAKEN AT
MEADOWBROOK MAINTENANCE FACILITY

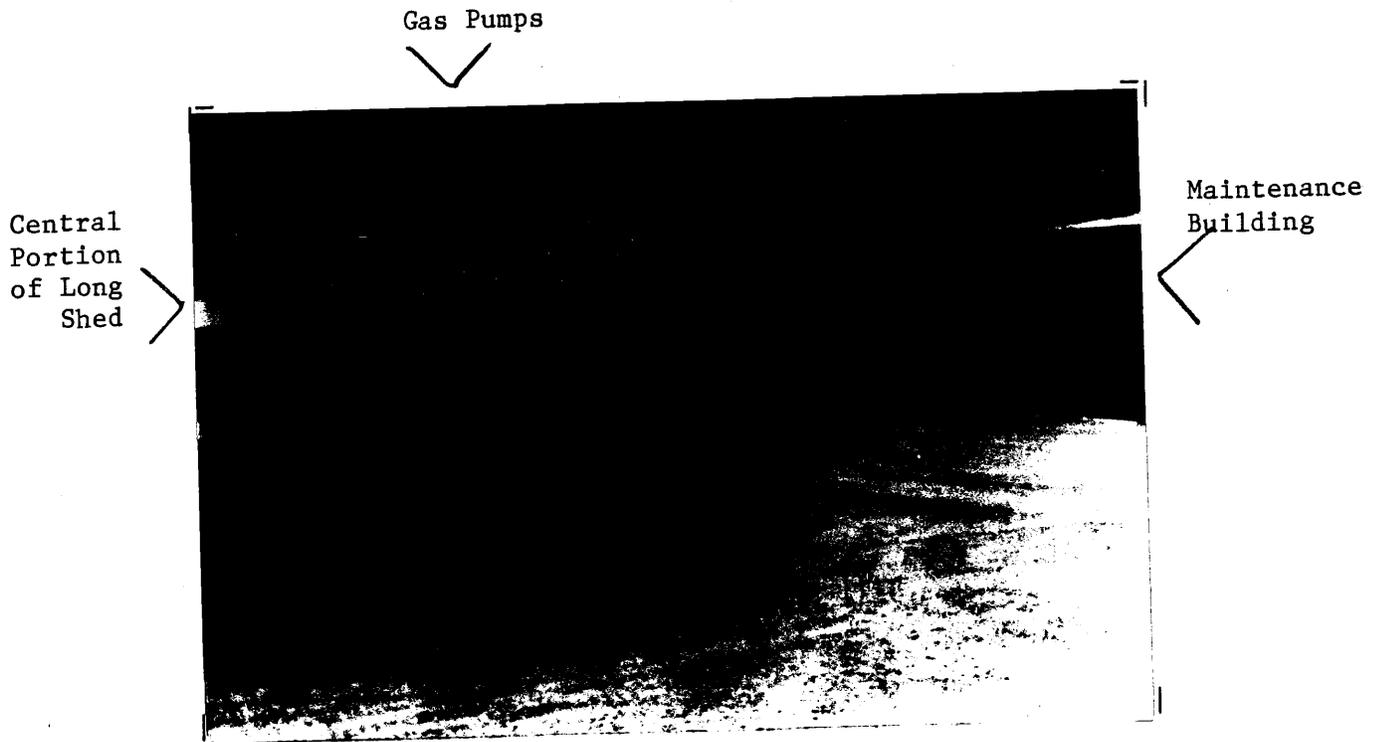
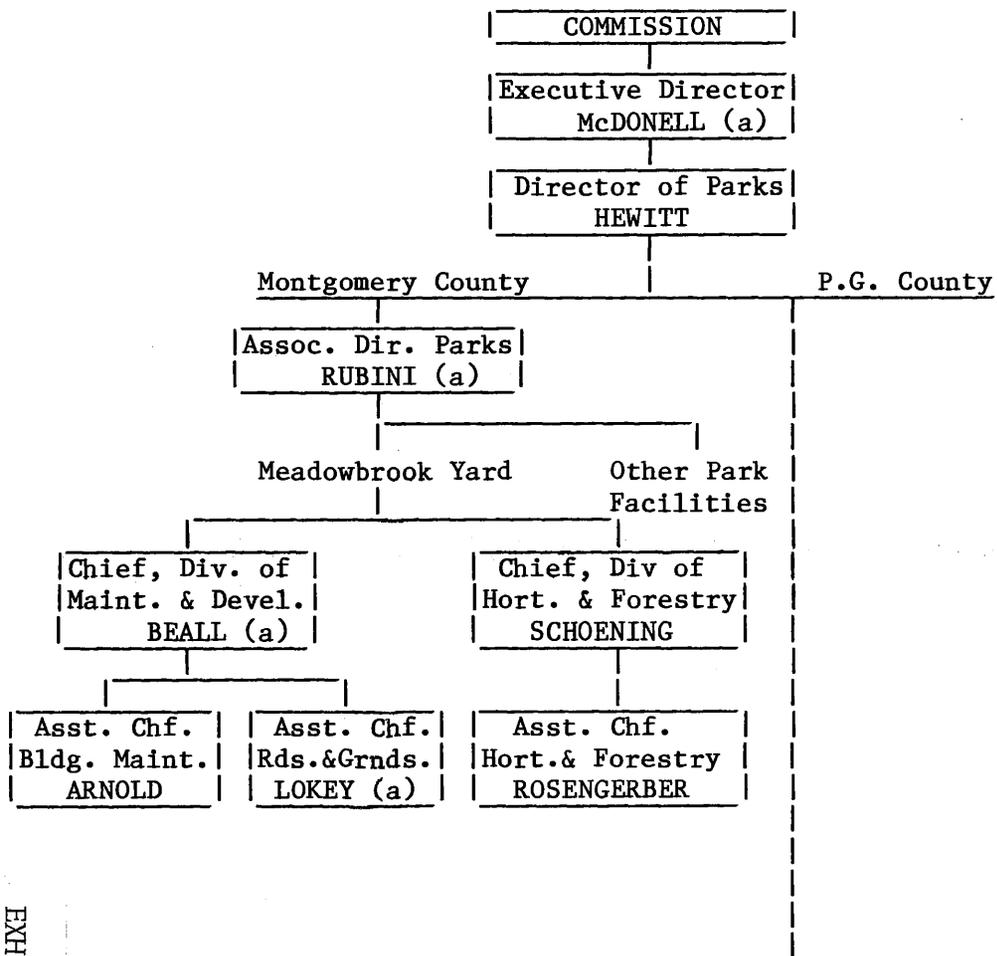


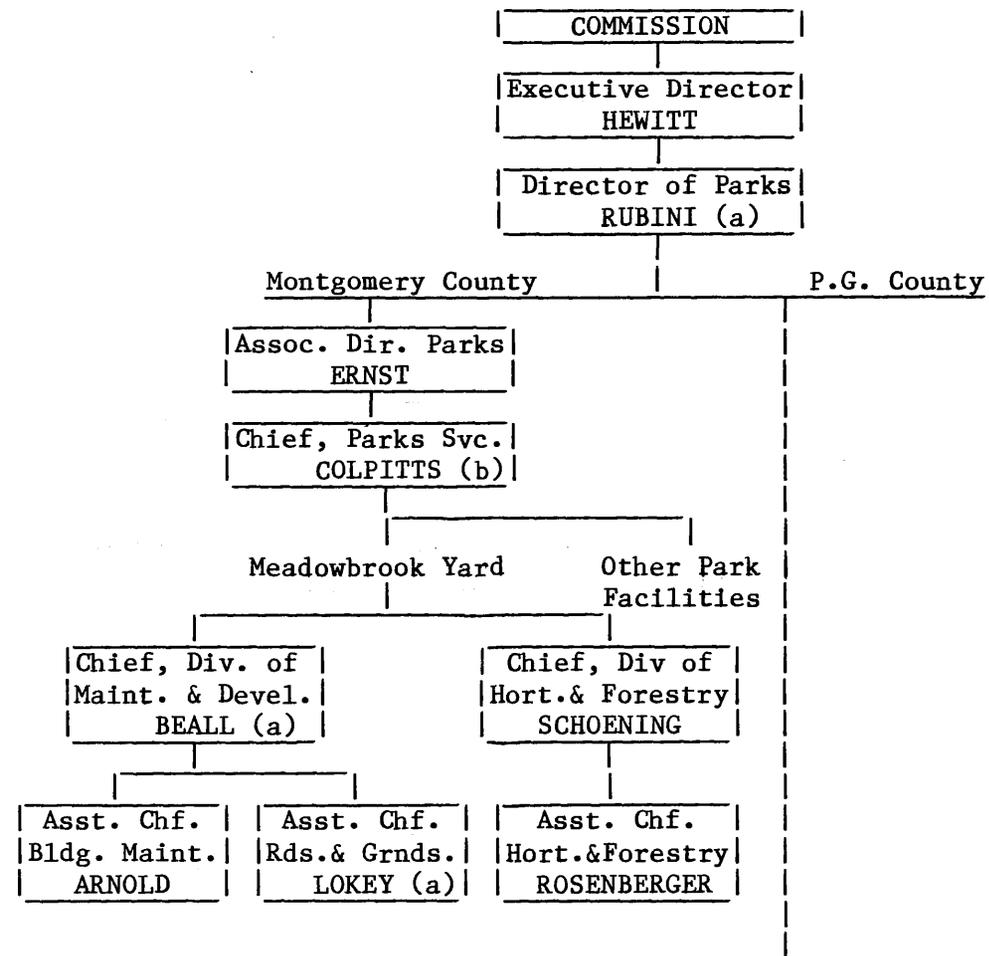
Photo taken at Meadowbrook Maintenance Facility in the early 1980's. The position of the camera was near the Archives Building, with the camera pointing south.

M-NCPPC CHAIN-OF-COMMAND

Late-1960's to 1971



1971 to March 1974



Notes:

(a) Deceased

(b) Hired March 1974

17627 Norwood Road
Rockville, MD 20806
July 2, 1987

Honorable Rose Crenca, President
Montgomery County Council
100 Maryland Avenue
Rockville, MD 20850

Dear President Crenca and Council Members:

I am writing as an individual to you out of my first-hand experiences about the working conditions in Meadowbrook Yard at M-NCPPC; and out of my first-hand participation as a plaintiff in the EEOC suit against M-NCPPC for discrimination in employment on the basis of race. I have been employed at the Commission since July 1968.

The change-room in Meadowbrook Yard was segregated. Jack Hewitt had been the Director of the Parks Department when I was first employed and later became the Executive Director. He had the administrative authority to make changes in our working conditions as well as to assure equal opportunity in promotional opportunities. He did not. On many occasions, Mr. Hewitt made regular visits to Meadowbrook for various purposes but primarily for group meetings to discuss and inform our Division about cost-of-living increases, performance evaluations and to gas-up his agency vehicle. It would have been impossible for him not to have known about the disparate changing facilities (which I will describe later) because I personally saw him in the change-room exchanging "how-do-you-do's", many times. Mr. Hewitt's general habit of greeting people is well known.

Eventually, I complained to my supervisor, Frank Welter, about the conditions in the change-room and accompanied him to the site. Frank subsequently went to our Yard Supervisor, Ed Beall, who told him, "not to meddle". Shortly thereafter, Frank went directly to Park Director Stan Ernst and advised him of the disparate working conditions. Subsequently, Frank was summoned to the EOB in Silver Spring by Frank Rubini, Assistant to Executive Director Hewitt. Frank was advised by Assistant Rubini that he had to stop or he would be in trouble; and that he would get no sympathy from that office.

With this turn of events, as a group, we were left no alternative but to file an EEOC suit. Before we could file, Executive Director Hewitt resigned.

Nothing ever happened; and no changes were made until Executive Director Don Spicer ordered the rooms de-segregated, immediately after he made an on-site visit.

Additionally, Frank Welter, a co-worker named Rivers, and myself appeared before the Commission to testify to them personally of the serious problems in race-relations arising out of Meadowbrook Yard.

The impression you have of the change-room may not be complete. This was a large room which now could be understood in terms of an employee

Honorable Rose Crenca
July 2, 1987
Page 2

lounge which also permitted a place to change into park uniforms; and a general place of information and eating lunch: employees bulletin board, job announcements, notices about various regulations, advertisements, etc.; the time clock; the vending machine, the drinking fountain; the lavatories; and tables and chairs. And in the mechanics section, a separate facility, was a shower.

The section of the change-room allotted to black personnel was separated by a partition which contained a long, narrow bench bolted to the wall. Our floor was a broken concrete and dirt floor, seldom cleaned, initially accommodating a wood-burning stove and a ceiling which ALWAYS leaked in rainy weather. The bathroom we used was outside the building. In bad weather using the white bathroom was a constant hassle and was uniformly met with the following harrassment: the toilet is broken and not useable; someone's in there; or the bathroom was deliberately locked so we could not use it. It was literally easier to avoid the mental abuse by finding a discrete place in the bushes. And many did.

Except for the narrow bench, ALL the other amenities were on the white side, including the conditions that it was painted, had oil burning heat, was decidedly cleaner and had a paved floor.

Finally, you could forget about using the showers, they were completely off-limits to blacks. I remember most vividly that a co-worker had gotten covered in mud. And by this extreme situation used the shower only because his white, immediate supervisor directly preceeded him into the mechanics shop and stood by the shower door to ward off any orders to prevent his finishing the shower.

These working conditions were like this for YEARS.

As a man, these working conditions were deeply humiliating and patently offensive to my sense of dignity as a human being. As parents we are responsible for making sure that none of our children become the victims of this generation's more subtle forms of discrimination by policy-makers who claim not to have been informed.

Even after all these years, I find it unbelievable that this man, Jack Hewitt, who presided over many unfair working conditions, might possibly again share the helm of administration and policy at M-NCPPC.

Please do not confirm Jack Hewitt. His confirmation would be a black eye to the conciliation agreements our agency has struggled to achieve in race and gender balance; and a historical insult to us as black men and women.

Sincerely,



Francis G. Matthews

cc: County Executive Sidney Kramer
Montgomery County

STATE OF MARYLAND)
) ss:
COUNTY OF MONTGOMERY)

I hereby certify that on this 13th day of July,
1987, Francis Matthews personally appeared before me
and acknowledged the foregoing Statement as her act and deed.

Subscribed and sworn to before me.

AS WITNESSETH, my hand and notarial seal this 13th day of July, 1987.

Nina Zazulka
Notary Public

My Commission Expires: July 1, 1990

Excerpt from Determination by the Equal Employment Opportunity Commission,
Baltimore District Office.

Charge Numbers: 033-50154
033-50162

Francis Matthews
Nolwood Road
Sandy Spring, Maryland 20860

Bruce Sanders
1612 Savannah Street, S.E.
Apartment #A103
Washington, D. C. 20907

Charging Parties

Maryland National Capital Park &
Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20907

Respondent

DETERMINATION

* * * * *

Charging Parties allege that Respondent discriminates against blacks as a class with regard to hiring, discharge, wages, terms and conditions of employment (harsher discipline), training, seniority, job classifications (no blacks in supervisory position), segregated facilities (change rooms) and announcements of promotional vacancies.

Records show that Respondent is a State and Bi-County Agency for Prince George's County and Montgomery County. Respondent is located in Silver Spring, Maryland. The 1970 Census Statistics for Maryland, Virginia, and Washington, D. C. Standard Metropolitan Statistical Area in which Respondent is located shows that blacks account for approximately 24% of the population. Records show that in 1974 Blacks accounted for 13% of 1,114 employees in Respondent's workforce. Investigation disclosed that in 1974, Respondent maintained segregated change rooms and the promotional announcements were posted on the Caucasian change area side. However, due to the hiring of an Affirmative Action Officer in 1975, Respondent has desegregated the change rooms and notices of employment vacancies are posted in areas accessible to all employees.

Title VII permit the use of statistical probability to infer the evidence of patterns or practice of discrimination. In the instant case, statistics show that Respondent has maintained discriminatory hiring policy against blacks. There is also evidence to indicate that due to Respondent's past discriminatory practices, (segregated change rooms and posting of employment vacancies) blacks as a class have been discriminated against with regard to promotional vacancy announcements (promotions). Accordingly, the Commission finds cause to believe that Respondent has discriminated against blacks as a class with regard to hiring, promotional vacancy announcements (promotions) and segregated facilities (change rooms). However, evidence shows that there is no merit to the other parts of the class issues raised by Charging Parties.

Based on the foregoing, the Commission finds no reasonable cause to believe that Respondent discriminated against Charging Party Matthews because of his race with regard to training, promotion, transfers, wages, and terms and conditions of employment (leasing of park houses).

The Commission finds no cause to believe that Charging Party Sanders has been discriminated against by Respondent because of his race with regard to wages, and seniority.

The Commission finds no cause to believe that blacks as a class have been discriminated against because of their race with regard to discharge, wages, terms and conditions of employment, training, seniority and job classifications (blacks in supervisory positions).

The Commission finds cause to believe that Respondent discriminated against blacks as a class because of their race with regard to hiring, announcement of promotional vacancies (promotion), and segregated facilities (change rooms) in violation of Title VII of the Civil Rights Act of 1964, as amended.

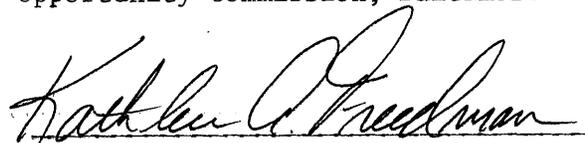
Having determined that there is reasonable cause to believe the charge is true, in part, the Commission now invites the parties to join with it in a collective effort toward a just resolution of the matter. The parties may indicate their willingness to enter into settlement discussion by completing the enclosed invitation and returning it to this office in the self-addressed envelope within 10 days of the receipt of this letter.

On Behalf of the Commission:

JUL 30 1976
Date

(Signed)
Walter M. Dickerson
District Director

I hereby certify that the foregoing is an accurate copy of an excerpt from the "Determination by the Equal Employment Opportunity Commission, Baltimore District Office."


Kathleen A. Freedman, Notary Public

Forum II--Rock Creek Recreation Center

Notes

Employee Forum

December 20, 1974

The Employee Forum of December 20, 1974 commenced at 2:15 p.m. with the opening remarks of Mr. Robert R. Fredlund, Chairman of the Merit System Board. All members of the Board were present, and approximately 96 employees were in attendance.

The first speaker was Mr. Robert W. King, Office of Information and Management Services, a copy of Mr. King's remarks is attached and made a part of these notes (designated as F-3). Mr. King spoke on behalf of the Acting Executive Director, John F. Downs, who requested a change in the Merit System Rules and Regulations to incorporate a provision for a bonus award for outstanding service without involving a promotion or meritorious increase. Mr. Downs also requested that the section dealing with Special Leave, particularly in reference to religious holidays, be reviewed. Mr. King also indicated the request of Mrs. Loretta Rohr to review Chapter 17A(2)c and 17A(3)c dealing with the number of days in a month that an employee must be in pay status in order to earn annual and sick leave for that month.

Mr. Terry Brooks, Montgomery County Department of Planning, made a presentation dealing with suggested revisions to the Merit System Rules and Regulations, a copy of the recommendations is attached and made a part of these notes (designated as F-4).

The Board heard comments, suggestions, and questions from the employee in attendance. The following is a recap of the suggestions, questions and comments: (1) Question on how the Commission budgets for equipment; (2) What are the powers of supervisors, especially in relation to docking pay and assignment of duties; (3) Pre-selection for vacancies both newly created vacancies and vacancies created by turnover; (4) Question of the weight standards used by the Commission in relation to equipment; (5) The Commission currently has no training in which an electrician could become a journeyman; (6) What is the recourse for an employee who is being harrassed for speaking out; (7) Need for training for advancement; (8) Insufficient advertising of Promotional Opportunity Bulletins - it was suggested that better methods be used for advertising and response to these bulletins; (9) Existance of segregated facilities; (10) Employees do not have opportunity to look at class specs; (11) Employees are unfamiliar with pay scale, promotional opportunity system, and appeal/grievance procedures; and (12) Questions on salary discrepancies.

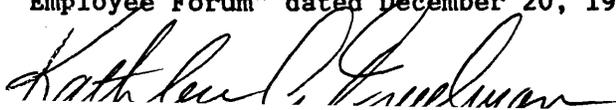
Ms. Katherine Patton made a presentation regarding meritorious increases, a copy of her remarks is attached a made a part of these notes (designated as F-5).

The was forum adjourned at 4:45 p.m.

Submitted by,

original signed by Alison Bartlett
Alison Bartlett, Personnel Analyst

I hereby certify that the foregoing is an accurate copy of the signed "Notes, Employee Forum" dated December 20, 1974.



RECEIVED COUNCIL

7309 Pinehurst Parkway
Chevy Chase, MD 20815
June 26, 1987
652-3958 (H)
274-6025 (W)

MK
CC

87 JUN 29 A 8:43



007825

Honorable Rose Crenca, President
Montgomery County Council
101 Rockville Street
Rockville, MD 20850

Dear President Crenca and Council Members:

I am writing to ask you not to confirm John "Jack" Hewitt as a member of the Montgomery County Planning Board.

Let me take a moment to advise you of my firsthand observations with respect to the allegations made about long-standing working conditions in Meadowbrook Yard at the Maryland-National Capital Park and Planning Commission and responsibilities of then Executive Director Jack Hewitt.

As you know, Mr Hewitt served as Montgomery County Parks Director from 1957 - 1971, and as Executive Director, 1971 - 1974. I was a member of the Merit System Board, serving from November 1, 1974, to June 30, 1986; and as its Chair from July 1, 1978, to July 1, 1984. Beginning in 1974, the Merit Board conducted a series of employee forums to discuss working conditions and exchange information about needed changes in M-NCPPC's Merit regulations. It was at one of these meeting sites, Candy Cane Recreation Center in Rock Creek Park, that the Merit Board first learned that employees at Meadowbrook Yard were receiving general personnel information and being treated in disparate ways, apparently based on race. Meadowbrook Yard was a major down-County park facility, employing a significant number of park maintenance workers.

The Merit Board adjourned its meeting and paid an impromptu visit to the employees' facilities, changerooms, and lavatories at Meadowbrook Yard. There was no doubt in my mind that the facilities we observed, were in fact, segregated.

Subsequently in 1975, there was a class action suit filed charging discrimination in employment on the basis of race. Forms used by the regional Equal Employment Opportunity Commission (EEOC) office in Baltimore did not provide for the individual identification of offending parties, as they do now; but only provided for the naming of an agency charged with the racial discrimination.

As a County resident for 20 years, I urge you not to confirm this nominee. There is no place in Montgomery County public life for those whose public records reflect such racial insensitivity. Working conditions at Meadowbrook Yard represented a behaviorism deeply and fundamentally at odds with basic human rights and equal employment opportunity. These are issues about which you can not compromise.

Sincerely,

Anthony W Hudson

Anthony W. Hudson

BCC

This is an attachment to the letter dated June 26, 1987, to The Honorable Rose Crenca, President, Montgomery County Council, 101 Rockville Street, Rockville, MD 20850, from Anthony W. Hudson, 7309 Pinehurst Parkway, Chevy Chase, MD, 20815:

Date: July 15, 1987

Anthony W. Hudson

Subscribed and sworn to before me.

AS WITNESSETH, my hand and notarial seal this 15~~th~~ day of July, 1987.

Nina Zazulica
Notary Public

My Commission Expires: July 1, 1990

S T A T E M E N T

I was the Director of Parks for the Montgomery County-National Capital Park and Planning Commission (M-NCPPC) from 1957 until 1971. I was the Executive Director of the M-NCPPC from 1971 until I retired in March 1974.

When serving as the Director of Parks and Executive Director, M-NCPPC, I visited the Meadowbrook Maintenance Facility to secure gas for my vehicle, for morale reasons to talk to the employees, and, on occasion, to make announcements. These announcements were either made outside the maintenance building or, a new maintenance building was constructed, inside the maintenance bays.

As Director of Parks, I probably visited Meadowbrook Yard ^{about} once a week, ~~and~~ ^{as} at least two or three time a month. After I became Executive Director in 1971, my visits were less frequent because the additional duties as Executive Director did not permit me to follow the same course of daily activities.

I recall that there was a long shed at the Meadowbrook Yard in addition to other buildings. I probably was in every one of the buildings at the yard, with the exception of the residence of the Parks employee. I do not recall any specifics about them or any specific time I was in any of the rooms. I do not specifically recall ever visiting a room in the long shed with a time clock or any other rooms in the long shed. I do recall a time clock at Meadowbrook Yard as being located outside the maintenance garage, but the time clock could have been in the long shed prior to construction of the new auto maintenance building.

I do not recall ever visiting any room in the long shed at Meadowbrook Yard in which the occupants were either predominantly white employees or predominantly black employees.

While serving as the Director of Parks and Executive Director, M-NCPPC, I did not have any personal knowledge of the existence of any separate facilities for black employees and for white employees at Meadowbrook Yard.

Also, while serving as the Director of Parks and Executive Director, M-NCPPC, I was never informed by any employee, orally or in writing, of the existence of separate facilities for black employees and for white employees at Meadowbrook Yard.

JWA ^{TO MY KNOWLEDGE} Further, while serving as the Director of Parks and Executive Director, M-NCPPC, I was never informed by managers who were subordinate to me, specifically, Frank Rubini, Stan Ernst, Ed Beall, Carl Schoening, Earl Arnold, or Sam Mumford, either orally or in writing, of the existence of separate facilities for black employees and for white employees at Meadowbrook Yard.

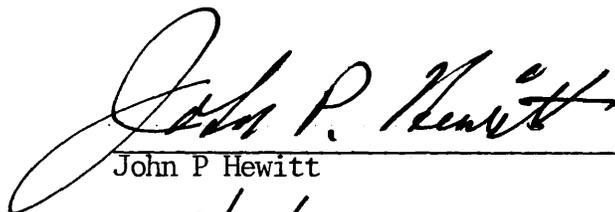
Further, while serving as the Director of Parks and Executive Director, M-NCPPC, I was never informed by Mr. David Metzger or any of the Personnel staff, either orally or in writing, of the existence of separate facilities for black employees and for white employees at Meadowbrook Yard.

Finally, I cannot recall during my entire tenure at the Commission, anyone writing or saying anything to me about separate facilities for black and white employees at Meadowbrook Yard,

The first time I personally became aware that there may have existed two separate facilities in the long shed at Meadowbrook Yard was when Stan Ernst called me about eight weeks ago.

Finally, while with M-NCPPC as Director of Parks or Executive Director, I do not recall a complaint being filed with the Equal Employment Opportunity Commission by employees at Meadowbrook Yard.

In summary, I can recall that employees went before the Merit Board with charges concerning theft and misuse of equipment, but do not recall any any complaints on racial issues. I feel the allegation is not true.



John P Hewitt
7/21/87

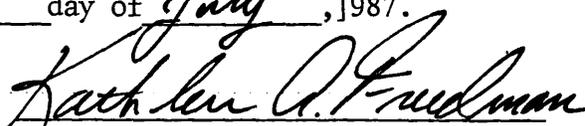
Date

Date: 7/21/87

Subscribed and sworn to before me.

As WITNESSETH, my hand and notarial seal

this 21st day of July, 1987.



Kathleen A. Friedman
Notary Public

My Commission Expires: 7/1/90

10 Melmark Court
Gaithersburg, MD. 20878
July 3, 1987

Honorable Rose Crenca, President
Montgomery County Council
100 Maryland Avenue
Rockville, MD 20850

Dear President Crenca and Council Members,

I have been reading about the continuing developments concerning statements by elected officials, relative staff and civic organizations concerning the appointment of Jack Hewitt to the Montgomery County Planning Board of MNCPPC.

I was directly involved in the events leading to the EEOC suit against MNCPPC arising out of the race-segregated working conditions at Meadowbrook Yard; and have direct knowledge of the failure of nearly every administrator and manager in the chain of command at the Montgomery County Parks Department & Office of the Executive Director to rectify these conditions.

I want you to know, lest there be any question of the culpability and direct responsibility of those in authority that I personally went to see. The following park managers had direct knowledge of our working conditions and did nothing to change them:

- Assistant Yard Supervisor Glen Lockey
- Yard Supervisor Ed Beall
- Division Chief Carl Schoening (on site)
- Park Director Stan Ernst
- Assistant to the Executive Director Frank Rubini
- Executive Director Jack Hewitt

ALL of these people had been inside the change-room at Meadowbrook Yard and had by virtue of their eyesight seen the division of accommodations between black and white park maintenance workers.

For any of them now to dare state that they were unaware of the situation is a gross exaggeration of the highest order, a flat-out lie and the supreme insult to my intelligence and that of my former co-workers who had to endure these working conditions. The situation involving the change-room was only one of many demonstrations of racist behavior involving these same administrators of which I have direct knowledge.

I was employed in four different positions at MNCPPC between mid-1962 and July 1978; and in my last assignment beginning in late 1971 as supervisor of Roads and Grounds which was headquartered out of Meadowbrook Yard. There were many men under my supervision, including Francis G. Matthews, one of the remaining two plaintiffs on the EEOC suit against MNCPPC.

When I became aware of the race-segregated facilities in the change-room, I went to see a series of park managers to prompt their administrative action to change things. I was allowed to go as high as Frank Rubini. Each in turn advised the same four consistent themes:

- (1) I don't want to have anything to do with this.
- (2) Stop stirring up things. You'll arouse "them".
- (3) If you don't, you'll be in trouble.
- (4) You'll get no help from me or this office.

When it was clear to us that the Executive Director's office would not change our working conditions, eight of my co-workers filed an EEOC discrimination suit against MNCPPC in employment on the basis of race. Subsequently there was a group presentation, accompanied by some 80 personnel from Meadowbrook before the Montgomery County