

REMEMBER, REFLECT
& CELEBRATE.



*50 years of the
Tennessee Human Rights Commission*

50th Anniversary Commemorative Celebration

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 Representative Joe Armstrong
 Representative Larry Miller

Co-Chairs

Commissioners Ruby Miller, Patricia Pierce & Jocelyn Wurzburg

April 11, 2013
Memphis City Hall
Memphis, TN

Program

Welcome

Beverly L. Watts, Executive Director

Remarks from 50th Anniversary Committee Co-Chairs

Commissioners Ruby Miller & Jocelyn Wurzburg

Honoring of *Human Rights Advocates*

Beverly L. Watts, Executive Director

Commissioners Ruby Miller & Jocelyn Wurzburg

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Human Rights Advocates

Honorable D'Army Bailey - The civil rights movement has been a steady current running through Judge Bailey's life. From growing up in South Memphis and attending a segregated high school, he went on to actively engage in a wide array of civil rights activities. While practicing law, he became part of a group of attorneys and activists in 1982 who raised \$144,000 to buy the Lorraine Motel. His focus soon turned to establishing the National Civil Rights Museum at the Lorraine Motel, serving as board president from 1983 until the museum opened in 1991. Bailey, by then an elected circuit court judge, envisioned the museum serving as a catalyst for activities aimed at what he said would "carry out the unfinished business of the civil rights movement," inspiring youth and taking stands on minority-rights issues. He wrote two books, *Mine Eyes Have Seen: Dr. Martin Luther King's Final Journey* in 1993, and *The Education of a Black Radical*, published in October 2009 about his own history in the civil rights movement.

Honorable Walter Bailey - Commissioner Bailey, currently the longest serving member of the Shelby County Commission, served as legal counsel in several landmark civil rights litigation cases, including the case which desegregated Shelby County public schools and the legal defense of Martin Luther King, Jr., during the 1968 sanitation workers' strike in Memphis. While on the County Commission where he was first elected in 1971, he has fought to rename city parks that had been named after various members of the Confederacy. Commissioner Bailey has served as President of the local A.C.L.U. and as Chairman of the Advisory Board to the Tennessee Supreme Court on criminal procedure. In 1985, he served as lead counsel on the favorably decided Supreme Court case, *Tennessee vs. Garner*, which forbid police officers' use of deadly force to make an arrest unless they had probable cause to believe that the fugitive posed a deadly threat to them or bystanders.

Deborah Cunningham – Deborah Cunningham has been involved in the field of Independent Living – and civil rights for persons with disabilities for the past 28 years. She has many accomplishments in her advocacy efforts including her labors to have wheelchair accessibility on public buses that now serve over 1,000 individuals with disabilities monthly. In 1990, Deborah introduced Memphians to ADAPT, a national grassroots organization dedicated to the advancement of the civil rights of persons with disabilities by arranging for 400 members of national ADAPT to participate in a week of non-violent civil rights demonstrations in downtown Memphis. She has served on the Tennessee Independent Living Council and the Tennessee Commission on Aging and Disability. After almost 20 years of legislative and community based advocacy, Deborah, along with Memphis Center for Independent Living, have secured home and community-based long-term care options for senior and those with disabilities in Tennessee. Currently, she is the Executive Director for the Memphis Center for Independent Living.

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Honorable Lois M. DeBerry – Since her election in 1972, Rep. DeBerry has a history of “firsts.” She was the first black woman from Memphis to be elected to the state House and the second statewide, the first black woman to serve on the Tennessee Law Enforcement Commission and to be elected “speaker pro tempore” of the House, and the first woman to chair the Shelby County Delegation. She was the founder and chairperson of the Annual Legislative Retreat of Tennessee Black Caucus of State Legislators and is president emeritus of the National Black Caucus of State Legislators. As of 2011, she is the longest serving member of the House. Rep. DeBerry has been a force dealing with racism and sexism in the General Assembly and a model legislator for her effectiveness in promoting social justice and equality for all. Rep. DeBerry also advocated for enforcement powers for the THRC in the ‘70s.

Don Donati, Esq. - Mr. Donati has been recognized in every edition of *The Best Lawyers in America* since 1989 in Labor and Employment Law; among the Top 100 lawyers in Tennessee in the 2011 and 2012 editions of *Mid-South Super Lawyers* in Employment Litigation – Plaintiff; and he was included in *BusinessTN Magazine's* "150 Best Lawyers in Tennessee," a one-of-a-kind peer review list in the magazine's January 2009 edition. As a result of the firm's success with a unanimous decision at the U.S. Supreme Court in *Burlington Northern & Santa Fe Ry. Co. v. White* about retaliation against employees, Mr. Donati was selected by *Lawyers USA* as one of its top six lawyers in the country for 2006.

Frances Dancy Hooks – Mrs. Hooks has had a front row seat watching history unfold in the 20th and 21st Centuries in race relations. When their friend, Dr. Martin Luther King, Jr., was assassinated in Memphis in 1968, she and her husband, Rev. Benjamin Hooks, worked through their pain to continue his message of nonviolence and racial understanding. During her 28 years in the Memphis City Schools system as a guidance counselor and teacher, she mobilized hundreds of volunteers in an effort called Memphis Volunteer Placement to provide opportunities to help black students apply for financial aid for college, complete a college application, and explore career options. An original member of the Panel of American Women, she has worked tirelessly in numerous organizations to improve race relations. She is a founding member of the Women's Foundation for a Greater Memphis and a member of the Memphis Race Relations Institute.

Dorothy “Happy” Jones – Her involvement in the civil rights movement began after Martin Luther King, Jr., was killed in 1968 while visiting Memphis. One day, she invited herself to lunch with someone who was meeting Jocelyn Wurzburg, a Jewish woman trying to establish a local chapter of the Panel of American Women. Jones joined the effort. Integrated panels of women – Jewish, Catholic, black and white Protestants – spoke at PTAs, churches and civic groups. She was involved with the women who helped avert a second strike in 1969.

Human Rights Advocates

Dorothy “Happy” Jones (Continued) – In 1971, she founded the Memphis Community Relations Commission, whose immediate goal was to help the city through yet another period of heightened racial tensions following the death of a black man in Memphis police custody. The commission eliminated the pro-segregation practice of “blockbusting” and helped slow down white flight by changing the way the city annexed surrounding areas.

Bruce Kramer, Esq. – Since becoming a lawyer in 1969, Mr. Kramer has had an outstanding legal career as an advocate for justice as a high-profile civil liberties attorney, who is unafraid of taking unpopular stands. He served as the former Director of the American Civil Liberties Union in Tennessee. In 2011, he was the ACLU cooperating attorney in a case against the City of Memphis involving a labor blogger. “The local government’s persecution of political speech they do not like is reprehensible and will not be tolerated,” Kramer said. He is the Recipient of the Frank Carrington Champion of Civil Justice Award, 2002, and has been listed in the Tennessee Business Journal, 101 Best Lawyers. He is active in the Tennessee Association for Justice and National Conference for Community and Justice. In 2005, he was named in Best Lawyers for Civil Rights. He also represented Rural West Tennessee African-American Affairs Council against Ned McWherter.

Johnson Saulsberry - Founder of the April 4th Commemorative Celebration Foundation which provides services to promote a national agenda of programs specifically focusing on the standards and principles of the late Dr. Martin Luther King, Jr., with an emphasis on civil rights for all. For several years, he served as Director of the American Federation of State, County and Municipal Employees (AFSCME) and also as an International Representative for the national union. He serves as Executive Assistant to Shelby County Mayor Mark Luttrell, Jr., and is also a visiting professor at Webster University and adjunct professor at LeMoyne-Owen College.

Anne Shafer - When Anne Shafer chaired the Memphis City Beautiful Commission from 1964-66, she integrated it and it was the first city agency to do so. She persuaded the city to upgrade the infrastructure of black neighborhoods. She became active in Memphis politics following the death of political leader E. H. Crump, and the struggle to challenge the political machine that survived him. She was elected as a delegate from Shelby County to the State Limited Constitutional Convention in 1964. She went on to become a leader in the United Nations Association, the League of Women Voters, Church Women United, the Panel of American Women, and the Catholic Human Relations Council. She has just published a book, Memphis Instruments of Peace: How Volunteers and Visionaries Challenged Racism, Reactionary Politicians and the Catholic Hierarchy.

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The Hon. Maxine Smith – When Maxine Smith applied to Memphis State University in 1957, she was rejected because of her race despite having degrees from Spelman College and Middlebury College. This brought her to the attention of the local NAACP chapter, which she joined and became executive secretary of in 1962. Having helped to organize the desegregation of Memphis public schools beginning in 1960, Smith escorted the first 13 black first-graders who desegregated four white public schools in 1961. She continued to fight for civil rights and school integration throughout her career, organizing lawsuits, sit-ins, and marches, including the “Black Monday” student boycotts that lasted from 1969-1972. She served on the coordinating committee for the 1968 Memphis sanitation workers’ strike that brought Dr. King to Memphis. In 1971, Smith won election to the Memphis Board of Education, was elected president in 1991, and served until her retirement in 1995. She has also been appointed and served on the Tennessee Board of Regents.

The Hon. Russell B. Sugarmon, Jr. - Judge Sugarmon helped reverse the tide of racism in Tennessee during his legal and political career. Working with the NAACP and using the courts, he helped win desegregation of public transportation, of restaurants and public facilities. He worked on *Brown v. Board of Education* which started the long, frustrating path toward integrating public schools. He ran for public works commissioner in 1959 in a racially charged race. As the first black to make a serious bid for a major city office in Memphis, Sugarmon lost when whites united in opposition to his candidacy. He later became a founding partner in the first integrated law firm in the South. In 1966, Sugarmon ran successfully for the State Senate. From 1976-1987, he served as a referee in Memphis Juvenile Court system, but stepped down from that post in May 1987 when he was appointed to the General Sessions bench. He won election to the seat in 1988 and remained on the bench until 2006.

Hon. Gloria Jean Sweet-Love – Ms. Sweet-Love, a staunch advocate for education, civil rights and social justice, has been President of the Tennessee State Conference NAACP since January 1996. She has chartered and reactivated branches, youth councils and college chapters and made it a force to be reckoned with in the civil rights advocacy and policy arena. She opened the state conference headquarters in Jackson and fulfills the duties of the State Executive Director along with her role as State President. During her tenure, she has established an Annual Legislative Day on the Hill and Race Relations Summit. She is establishing the first Excellence & Equity in Education (EXCEL) program for at-risk students. She is the first black woman elected to the Haywood County School Board, first black woman elected as President of Tennessee School Board Association, and first black woman to be appointed by the Governor as Commissioner of Peace Officers Standards & Training Commission.

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Memphis Area Legal Services, Founders - Over 40 years ago in the wake of Dr. Martin Luther King's death, 30 members of the legal profession in Memphis/Shelby County created the Neighborhood Legal Service Project. Two years later, in 1970, the NLSP led to the chartering of Memphis Area Legal Services, Inc. Today MALS is the principal provider of civil legal assistance to low-income individuals and the elderly in Southwestern Tennessee – Shelby, Tipton, Fayette, and Lauderdale counties. The case acceptance priorities include issues relating to Family and Children; Housing and Real Property; Consumer Issues; Individual and Civil Rights; Health and Income Maintenance and Seniors. With more than 200,000 of the most vulnerable residents in their four-county service area eligible for assistance, MALS is dedicated to helping those who cannot afford legal counsel navigate the legal system in order to safeguard their rights under the law.

Memphis Panel of American Women - In 1968, in response to the assassination of Dr. Martin Luther King, a group of women gathered together to address how they had learned prejudices toward other races and religions. Memphis was divided racially and, to a large extent, religiously. For over nine months, they studied the dynamics of prejudice. The outcome was the creation of a human relations program suitable for PTA's, service organizations, churches, and classrooms – The Panel of American Women. The format was a panel of women – a Catholic, a Jew, a black woman, and a white woman. None was a professional speaker. Each spoke about how it felt to be considered a member of a group instead of as an individual and how prejudice affected their lives. The Panel spoke to thousands of people over a decade. They were well received with their thought-provoking program because not one woman ever pointed a finger at anyone but herself.

National Civil Rights Museum - The museum was birthed out of the success of the civil rights movement and the tragedy that occurred at the Lorraine Motel, when Dr. Martin Luther King, Jr., was killed. The aftershock of the assassination on April 4, 1968 eventually plunged the Lorraine into a long and steep decline. The motel's owner, Walter Lane Bailey, realizing the symbolic significance of the Lorraine, reached out for help to maintain the property as a civil rights shrine. He contacted Chuck Scruggs, program director of radio station WDIA, and the "Save The Lorraine" campaign was born. A group of prominent Memphians, concerned that this historical site would be destroyed through continued neglect and indifference, formed the Martin Luther King Memorial Foundation and purchased the property on the courthouse steps at a public auction for \$144,000. Using a design report by former Smithsonian Institution curator, Benjamin Lawless, the Foundation moved forward to create the educational facility and memorial site that was dedicated on July 4, 1991 and officially opened to the public on Sept. 28, 1991. More than 3 million have visited since.



Tennessee Human Rights Commission History & Overview

On September 30, 1963, Governor Frank G. Clement signed Executive Order 18 creating the Tennessee Human Relations Commission. At that time, the Commission's purpose was to advise the public on their human rights, researching and making reports on human relations and reporting these findings to the Governor. The Commission accomplished this by working closely with other governmental agencies with similar duties. In 1967, legislation was passed creating the Tennessee Commission on Human Development which absorbed the duties of the previous Commission, adopted rules and regulations to govern its proceedings and added a prohibition against sex discrimination.

In 1978, the Tennessee Human Rights Act (THRA) became law transforming the Commission from an advisory agency to an enforcement agency. Current Commissioner Jocelyn Wurzburg of Memphis, TN was the author of this legislation and her leadership was critical to its passage. In 1979 and 1980, the law was amended to include disability and age as protected classes. In 1983, the Commission officially became the Tennessee Human Rights Commission (THRC). In 1984, the law was amended to prohibit discrimination in housing. In 1990, the expansion was extended to include familial status and disability as protected classes. Today, the THRA prohibits discrimination based on race, color, creed, religion, sex, age (employment only), disability, familial status (housing only) and national origin. In 2009, the THRA was expanded to give authority to verify that state governmental entities comply with requirements of Title VI of the Civil Rights Act of 1964 (Title VI). Title VI prohibits recipients of federal financial assistance from discriminating on the basis of race, color or national origin.

THRC has had collaborative partnerships with the federal government for more than 30 years. In 1979 the Commission partnered with the U.S. Equal Employment Opportunity Commission through an employer monitoring grant; now expanded into a Work Share agreement. In 1994, THRC partnered with the U.S. Department of Housing and Urban Development as a substantially equivalent agency. These relationships allow the Commission to enforce Title VII of the Civil Rights Acts, the Age Discrimination in Employment Act, the Americans with Disabilities Act, and Title VIII of the Fair Housing Act.

The mission of the THRC is to safeguard individuals from discrimination through enforcement and education. The THRA and Tennessee Disability Act are enforced through receiving, mediating, investigating, conciliating and, when necessary, litigating allegations of discrimination. Since 2009, the Commission has also coordinated the state of Tennessee's compliance with Title VI of the Civil Rights Act of 1964. The Commission uses a variety of public meetings, outreach events and resources to educate the public about their rights.

The Commission executes its mission through a 15 member Board of Commissioners and staff of 29 in four offices (Nashville, Memphis, Chattanooga and Knoxville). In the 2011-2012 fiscal year, the Commission received 1,118 inquiries, accepted 681 as complaints and closed 559 cases. Through 10 Rule 31 trained mediators, the Commission has operated a successful Mediation Program since its reactivation in 2008. During 2011-2012 fiscal year, the Commission had a 50% success rate in mediations, awarding nearly \$97,000 in monetary benefits and non-monetary benefits including letters of apology, policy changes, training, promotions and uncontested unemployment.