



CaliforniaCivilLiberties.org

California Civil Liberties Advocacy  
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Monday, June 26, 2017

*Emailed to brandon.gaytan@asm.ca.gov*

Assemblymember Miguel Santiago  
State Capitol  
Room 6027  
Sacramento, CA 94249-0013

RE: Assembly Bill 686

Dear Assemblymember Santiago,

The California Civil Liberties Advocacy (CCLA) is writing to express its **SUPPORT** for AB 686.

The CCLA strongly feels that AB 686 is necessary for California to continue the work of the Affirmatively Furthering Fair Housing regulation established in 2015, which we strongly believe will become defunct due to the negative views espoused by the current presidential administration and the newly appointed director, Ben Carson, of Housing and Urban Development.

Since its adoption by Congress in 1968, the Fair Housing Act has rarely been enforced. Nonetheless, one of the most notable instances was in the case of *United States v. Fred C. Trump, Donald Trump and Trump Management, Inc.* (E.D.N.Y. 1973) 73-1529. In the complaint, the United States alleged that the Defendant “discriminated against persons because of race in the operation of their apartment buildings.” Some of the acts alleged were “[r]efusing to rent dwellings . . . because of race and color,” “[r]equring different terms and conditions with respect to the rental of dwellings because of race and color,” and “[r]epresenting to persons because of race and color that dwellings are not available for inspection and rental when such dwellings [were] in fact so available.” Each of those acts were clearly in violation of the Fair Housing Act. The fact these acts were committed by a company under the direct control of the current President of the United States is alarming and gives cause to believe that Mr. Trump will relax enforcement of the Fair Housing Act.

*“Indifference to personal liberty is but the precursor of the state’s hostility to it.”  
— Justice Kennedy, U.S. Supreme Court*

In an op-ed in the Washington Times, HUD Director Ben Carson referred to the Fair Housing Act as a “failed attempt at social engineering” and stated that “entrusting the government to get it right can prove downright dangerous.” (Carson, *Experimenting with failed socialism again*, Washington Times (Jul. 23, 2015). Unfortunately, Mr. Carson’s ironic criticisms of the Fair Housing Act fail to present an alternative solution. Since the government seems to be the primary culprit in Mr. Carson’s assessment, it is thus inferable that Mr. Carson would rather leave it to the private sector to present a workable solution. But since the private sector is profit-driven, it makes little sense for the government to rest on its laurels and wait for a magical solution to appear out of thin air.

Seeing as how the current president of the United States and director of HUD both have a conflict of interest when it comes to enforcing federal laws relating to racial discrimination and disparity, it only makes sense that California should again lead the way by codifying such protections into our state’s law code. AB 686 will serve as a stop-gap measure as the enforcement of the Fair Housing Act and the AFFH regulation are relaxed under the current administration by introducing a state version of the AFFH and codifying it into California’s Fair Employment and Housing Act.

Due to all of the foregoing reasons, the CCLA strongly **SUPPORTS** AB 686.

Respectfully,



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Cc:

Senate Transportation and Housing Committee  
State Capitol  
Rm 2209  
Sacramento, CA 95814

Senator Jim Beall  
Senator Anthony Canella, Jr.  
Senator Ben Allen  
Senator Toni Atkins

Senator Patricia Bates  
Senator Ted Gaines  
Senator Mike McGuire  
Senator Tony Mendoza  
Senator Mike Morrell  
Senator Richard D. Roth  
Senator Nancy Skinner  
Senator Bob Wieckowski  
Senator Scott Wiener