

IN THE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DOROTHY GAUTREAUX, et al.,)

Plaintiffs,)

-vs-)

CHICAGO HOUSING AUTHORITY, et al.,)
and GEORGE W. ROMNEY,)

Defendants.)

No. 66 C 1459

No. 66 C 1460

(Consolidated)

RECEIVED

MAR 3 1972

H. STUART CLEMENTS, CLERK
UNITED STATES DISTRICT COURT

A N S W E R

Now come defendants, (WILSON FROST, WILLIAM H. SHANNON, TYRONE T. KENNER, EUGENE SAWYER, CLIFFORD P. KELLEY, and BENNETT M. STEWART), by their attorney, CLAUDE W.B. HOLMAN, and for Answer to the Supplemental Complaint filed in the above cause, state:

1. Defendants admit the allegations set forth in Paragraph One of Plaintiffs' Supplemental Complaint.
2. Defendants admit the allegations set forth in Paragraph Two of Plaintiffs' Supplemental Complaint.
3. Defendants admit the allegations set forth in Paragraph Three of Plaintiffs' Supplemental Complaint.
4. Defendants admit the allegations set forth in Paragraph Four of Plaintiffs' Supplemental Complaint.
5. Defendants admit the allegations set forth in Paragraph Five of Plaintiffs' Supplemental Complaint.

6. Defendants admit that on September 10, 1971, the Court of Appeals for the Circuit Court issued its opinion (448 F 2nd 731), but further answering, Defendants deny each and every other allegation set forth in Paragraph Six of Plaintiffs' Supplemental Complaint.
7. Defendants move the Court to Strike the allegations set forth in Paragraph Seven of Plaintiffs' Supplemental Complaint on the ground that said allegations are a portion of a judicial order and distorts the context thereon, thus is not appropriately presented.
8. Defendants deny the allegations set forth in Paragraph Eight of Plaintiffs' Supplemental Complaint for the reason that said allegations are improper conclusions of law.
9. Defendants admit pursuant to Chapter 67-1/2 Ill. Rev. Stats. Sec. 9, it is mandatory for the legislative body of the City of Chicago, namely, the City Council, to approve the acquisition of any real property to be acquired by the Chicago Housing Authority. And further answering, the Defendants neither admit nor deny the remaining allegations set forth in said Paragraph Nine on the grounds that it has no knowledge as to the truth or falsity of the said allegations.

10. Defendants admit that the Chicago Housing Authority did not advise the City Council of any real property that it proposed to acquire in accordance with the provisions of Ch. 67-1/2 Ill. Rev. Stats. Sec. 9, But further answering, moves the Court to Strike the remaining allegations of said Paragraph Ten in that they are conclusions of law.
11. The Defendants admit that on March 1, 1971, an Order was entered directing the Chicago Housing Authority to advise the City Council on or about March 5, 1971 of real property proposed to be acquired by it for the purpose of providing sites for 1500 dwelling units and that on March 5, 1971 the Chicago Housing Authority did so advise the City Council.
12. To the best information and belief of the Defendants, this Court on January 3, 1972 entered an Order directing the Chicago Housing Authority to file certain plans with the Court on or before January 18, 1972, February 2, 1972 and February 17, 1972, and further, that the response of the Chicago Housing Authority is filed in this Court. Therefore, the defendants need not answer. The defendants do not, however, admit the truth of the statements contained in the response of the Chicago Housing Authority.
13. That Defendants deny the allegations set forth in Paragraph Thirteen of the Plaintiffs' Supplemental Complaint, and further answering, directs the Court to

Defendants' Exhibit which is more explicit in this regard.

14. Defendants deny the allegations set forth in Paragraph Fourteen of Plaintiffs' Supplemental Complaint and state that said allegations are conclusion of law and should be stricken.
15. To Defendants best information and belief, this Court entered on Order, the contents of which are a part of this record and, accordingly, the Defendants need not answer.
16. That various defendants, and other interested parties, filed a Petition to Intervene in this lawsuit with supporting Affidavits, on or about June 26, 1970 and said Petition was neither granted nor denied according to information afforded these defendants; and no notice of denial has been brought to their attention, so that said Petition is still pending and undisposed of; and a full evidentiary hearing on said Petition to intervene is hereby requested.
17. That the defendants herein further allege that the Central City, a Western part of the City, and the near South Side, can no longer await the day when other parts of the City have achieved a goal or quota of intergration before they can receive adequate housing.

18. That there is desperate need for rebuilding entire communities of Woodlawn, Lawndale, Garfield Park and Englewood, Grand Boulevard, and other near South areas.
19. That the failure to rebuild certain communities cause said communities to suffer loss of elected representative strenght.
20. That the defendants reallege and adopt and incorporate by reference herein the Motion to Amend the Judgment Order of July 1, 1969, as amended by its second Order of September 15, 1969, filed in this Court on June 26, 1970 with supporting Affidavits. The same is expressly made a part hereof by reference the same as though repeated verbatim herein.
21. That defendants herein are well aware of the need for elimination in all forms, including--but not limited to --housing; and have the utmost praise and admiration for the decision of this Court, and its trial judge, who ruled that segregation must be eliminated from public housing; nevertheless, The Black Citizens served by these defendants should not be deprived of new and adequate housing in the meantime.
22. That since the entry of the Decree herein many areas are no longer eligible to receive public housing due to population shifts and racially changing neighborhoods; all through no fault of said Black Citizens.

23. Further answering, these defendants state that the Citizens whom they represent, and the majority of whom are Black, are desirous of having a decent home in which to live; that a decent home for every Citizen is a national goal, and this goal can not be obtained nor reached, as long as Black Citizens in black Communities must await the building of homes in White Communities; that is to say, that the Black Citizens represented by these defendants surely want and wish for the end of segregation in housing; and at the same time, they urgently need, today, decent housing for themselves; and therefore, these defendants assert that the pursuit of the National goal decent housing for every family, should co-exist with the aim and the desire for the end of segregation in housing.
24. Defendants further state, by way of answer, that many of the Citizens whom they represent, and who need housing right now, have expressed a desire to remain in the neighborhood and in the area where they were born and raised; and to that end, many Citizens who want decent housing, do not want to move to other areas; because, they recognize that to be uprooted and moved from locations where they have lived all their lives, is a hardship. Many of said Citizens are at a point in life where they do not wish to move into all white areas or majority- white areas and have to make new friends; become customers

of new and strange and maybe hostile merchants. These Citizens want to remain in the neighborhood in which their roots are grounded, and they feel that they should not be punished by being deprived of decent housing, merely because of the fact that other areas do not want them and this factor emphasizes their hesitancy in moving to strange locations.

25. Defendants further answer by saying that there are many vacant lots in the areas which they represent where low, and middle, and upper middle housing, by way of income, could be built; and they state further that it is unfair to their constituents to permit lots to remain vacant while there is a desperate need for housing right now; and to deprive the Citizens of the right and opportunity to decent housing is a denial of due process of law; and it is a denial of the equal protection of the law; and this is so, particularly so, because these constituents represented by these defendants did not create the segregation problem-yet they are being punished as it were because of segregation and racism created, not by them, but by the very people in white areas who are now to be the beneficiaries of their segregation and racism by having three houses built in the white areas to every one house built in the Black areas. Defendants repeat, this is a denial of due process of law and a denial of the equal protection of the law; and it is also a denial of the Constitutional Rights to the pursuit

of happiness in their own locations and areas and places of residence of their choice.

WHEREFORE, defendants pray that the Court amend its Judgment Order permitting areas that are in need of housing to be deleted from said Judgment Order; and that permission be given to start construction of housing therein immediately; and for such other relief the Court deems proper under the circumstances.

WILSON FROST
WILLIAM H. SHANNON
TYRONE T. KENNER
EUGENE SAWYER
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By: 

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