



Steven Rice, Culver Nichols (standing) and Ray Jackson of the Bureau of Indian Affairs select Rice's parcels. PHOTOS PROVIDED BY THE PALM SPRINGS HISTORICAL SOCIETY.

## How Prop. 14, 14th Amendment, Section 14 intersect

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"The atmosphere in which the campaigning for (California) Proposition 14 is being conducted has been so emotional as almost to preclude calm analysis by anyone" wrote the Desert Sun Editorial Board in October 1964.

Proposition 14 was a ballot initiative proposing a California Constitutional amendment to repeal the Rumford Act which called for an end to racial discrimination in all public and private housing in the state but exempted most single-family housing before being passed in September 1963. The Rumford Act made discrimination in public housing and in all residential properties with more than five units illegal.

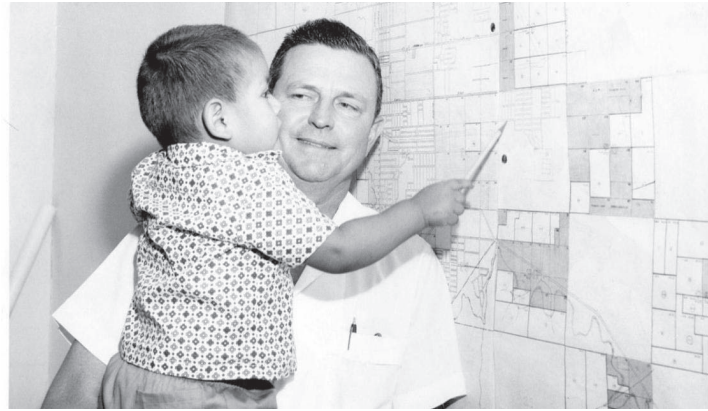
Proposition 14 was titled an innocuous, "Sales and Rentals of Residential Real Property." The ballot summary read, "Prohibits State, subdivision, or agency thereof from denying, limiting, or abridging right of any person to decline to sell, lease, or rent residential real property to any person as he chooses. Prohibition not applicable to property owned by State or its subdivisions; property acquired by eminent domain; or transient lodging accommodations by hotels, motels, and similar public places."

Locally in Palm Springs, there was heated debate. Those who recommended voting against noted that if Proposition 14 were to pass, California would be the only state in the Western world giving legal sanction to discrimination, and that not even Mississippi or Alabama had such a provision in their Constitution, but apartheid South Africa did.

The California Real Estate Association, promoting "property owner rights" was in favor of Proposition 14 and campaigned vigorously state-wide. However, prominent local realtor Culver Nichols was against the proposition and the racial discrimination it proposed to allow.

Nichols moved to Palm Springs in 1932 with his wife Salie Stevens, daughter of Prescott and Frances Stevens, and became involved in most aspect of civic and business life in the desert.

Nichols championed fair housing. He was close to the minority community and was their advocate. But instead of just labeling proponents of the proposition as bigots, he made calm arguments appealing to logic: why would realtors choose to limit the available number of potential buyers? Why would realtors advocate for discriminatory practices when they are in the business of making real estate sales? His calm and logic were persuasive locally.



Steven Rice, in the arms of Culver Nichols, points to his parcel of land.

The Desert Sun editorial board also weighed in, "The Desert Sun is against discrimination in housing, or in any other social area, on the basis of race, creed or color. We doubt strongly, however, whether social equality can be achieved at the expense of other rights which are equally basic."

Despite Nichols' nuanced arguments and laudable efforts, Proposition 14 passed with a 2-1 margin by California's voting public in November 1964, enshrining discriminatory housing practices into the state constitution. The Rumford Act was restored in 1966 by the California Supreme Court ruling that Proposition 14 was illegal and in 1967 by the U.S. Supreme Court holding that Proposition 14 violated the 14th Amendment to the Constitution.

And in an uncanny further numbering coincidence, lands held in common for the Agua Caliente people, most prominently on Section 14 in Palm Springs, were finally allotted to individual tribal members after the Supreme Court of the United States ordered it so in *Arenas v. United States* and decades of legal wrangling.

The newspaper reported the first sale of Section 14 allotted land in 1956 and that transaction was interestingly announced after having been negotiated by Nichols' firm. "Ten months of research and negotiation were necessary to overcome complications usually preventing title companies writing policies

on such transactions. The five-acre parcel at north-east corner of Ramon Road and Avenida Caballeros was sold by Mrs. Margaret Andreas..."

Nichols was highly respected. His expertise in real estate made him a logical choice as a conservator when the federal government dictated the appointment of conservators and guardians for tribal members. His conscientious administration of his duties and careful guidance and advice for the tribal members for whom he was responsible was evident.

As the allotment equalization process began in 1959, the Tribe decided to give the first choice of parcels to the youngest and poorest member, little Steven Rice, born in Banning, California on Aug. 13, 1958, to Arthur Rice and Dorothy Segundo Rice.

The picture of 2-year-old Rice selecting \$325,000 worth of Palm Springs real estate with the assistance of his guardian Nichols, seated with Ray Jackson, the director of the office of the Bureau of Indian Affairs, hit the AP wire and was printed around the country trumpeting the windfall of the tiny recipient.

"A real estate man—suddenly given the Midas touch—has selected more than \$300,000 in property in the nation's richest desert resort for a 2-year-old Indian boy."

"It was like a dream," said Culver Nichols, court-appointed guardian. Little Steven Alan Rice is a member of one

of the nation's richest Indian groups – the Agua Caliente tribe. It's ancestral lands cover much of this glittering Southern California spa, much of it held as communal property. The tribe decided to equalize the wealth among its 104 members, Steven was poorest – he was worth only \$10,000.

"So, with court approval, realtor Nichols was appointed to select for Steven enough tribal property to bring his holdings up to \$325,000. 'One of the parcels was a six-acre plot in the heart of Palm Springs' hotel belt,' said Nichols. Altogether, he chose 500 acres of land for the boy."

The plots selected included hundreds of acres of land six miles east of Palm Springs, a smaller plot half a mile from the famed Racquet Club, the six-acre downtown Section 14 parcel and overlooking a new golf course, "40 acres of the most beautiful hill slope land" that Nichols had ever seen.

"I can't begin to tell what the responsibility was," Nichols added. "It's a dream of doing something for someone else...he's just 2, you know, and I was wondering what it would mean to him when he grows up. He was low...so he got first choice."

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