

THANKS FOR THE MEMORIES



Aerial of section 14's first post-cleanup development of the Spa Hotel circa 1962. PALM SPRINGS LIFE/PHOTOS PROVIDED BY THE PALM SPRINGS HISTORICAL SOCIETY

Section 14, civil rights attorney Loren Miller and his son

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Special to The Desert Sun

Up the avenue from Sugar Hill, the West Adams Heights neighborhood named for the more famous spot in Harlem, was Silver Lake where Loren Miller would eventually settle after moving to Los Angeles. The house, at 647 Micheltorena Street, has been designated a historic-cultural monument because of its occupant. Miller has been vastly underappreciated despite his protean accomplishments.

As described in "Silver Lake Bohemia" by Michael Locke and Vincent Brook, Miller was "born in 1903 in Pender, Nebraska, his father John Byrd Miller, was a former slave and his mother, Nora Magdalena Herbaugh, a white Midwesterner whose love of her husband—as Loren (Miller) artfully describes in the dedication to his classic book on the Supreme Court, "The Petitioners" (1966) —led her to cross the color line and to my birth."

Miller championed Louise Beavers, Ethel Waters and Oscar-winning actress Hattie McDaniel, the doyenne of the neighborhood, when their ownership of Sugar Hill homes was threatened due to racial covenants, resulting in Superior Court judge Thurmond Clark declaring in summary judgment, "It is time that members of the Negro race are accorded, without reservations or evasions, the full rights guaranteed them under the 14th Amendment to the Federal Constitution. Judges have been avoiding the real issue for too long a time."

Miller was a talented journalist and a particularly clever writer. He was numbered among the most prominent civil rights attorneys in the country; he wrote most of the briefs in the case of Brown v. Board of Education and protested the internment of Japanese Americans during World War II. He successfully challenged, through multiple lawsuits, the redlining and racial profiling of Los Angeles neighborhoods arguing with future justice Thurgood Marshall to the Supreme Court in *Shelley v. Kraemer* that racial covenants in real estate were unconstitutional.

"At his death in 1967, Loren Miller was considered one of the nation's greatest civil rights attorneys, barely second in importance to his friend and colleague and sometime co-counsel Thurgood Marshall," wrote Dr. Amina Hassan in



Debris and remains of abandoned building in Section 14 circa 1955.

her 2015 biography of Miller.

Understanding his father's righteous struggles and wanting to follow in his considerable footsteps, Loren Miller Jr. went into the practice of law. In that capacity and on investigative assignment, he visited Palm Springs in the spring of 1968.

The managing editor of *The Desert Sun*, Al Tostado, wrote about his brief visit. "It is now November, 1968, nearly six months since May 31 when Loren Miller, Jr. submitted his report to Charles A. O'Brien, Chief Deputy Attorney General, and since June 4, 1968 when the contents of that report were released to the press."

"Six months plus is marked contrast to the length of time Miller spent gathering the material upon which he based his report. (City Manager) Aleshire's best recollection credits Miller with only a one-day visit here. Though acknowledging the attorney general's investigator for the benefit of the doubt, Miller could have spent three or four days here, but no city official can, in good faith, credit him with as much as a week. So, it's no wonder Miller's findings do not include some of the very pertinent public records in the city's files."

Miller Jr.'s report begins with its conclusion, "There is no evidence that any crimes were committed in the removal of residents from Section 14 and the destruction of their homes."

The report summarized that "for about 35 years, the main available living area for working people of Palm Springs was Indian land adjacent to the down-

town business are of the city... this resulted from two main factors: -the average minority person could not afford to live in any other area of Palm Springs; -de facto racial residential segregation was prevalent in Palm Springs, as in other parts of California."

"Under the tenancy created on the reservation land and approved by the Bureau of Indian Affairs, the tenant leased the land from the Bureau for a stated price and was then permitted to build or relocate a dwelling place upon that piece of land. The lease further provided that the tenant owned the dwelling place in which he resided and was free at any time to remove the dwelling place from the land."

The extremely complicated and nuanced situation existed for decades before the Agua Caliente Band of Cahuilla Indians successfully obtained permission from the federal government for longer term leases on their land and began the process of evicting tenants in earnest.

The city itself had no jurisdiction over tribal or allottee lands. The checkered nature of the reservation interspersed within the city forced the city to contend with the issues of Section 14 in concert with the tribe.

Despite the determination no crimes were committed, the report also opined, "When a natural holocaust devastated sections of the wealthy Los Angeles suburb called Bel Air, it was declared a disaster area and received special federal benefits. The minority residents of Section 14 did not receive such aid when

their homes were destroyed by a city-engineered holocaust. Such inequities give rise to antagonisms."

The Attorney General of the State of California took no action beyond releasing the report publicly.

The *Desert Sun's* Managing Editor Tostado protested the report in a series of articles. "Even the briefest and barest of chronologies one would think should include that in April 1951, the City of Palm Springs was instructed by the California Housing Authority and the County Department of Health that the dwelling units in Section 14 were substandard and should be abated. That same year, eviction notices were issued to Section 14 residents of dwellings which had been built originally for Indians prior to 1951."

Tostado went on to recount the numerous meetings "to try to solve the problem of housing for colored people on Section 14," efforts to secure deferments of eviction notices, the convening of a housing committee, enactment of moratoriums on enforcement of City Housing Code regulations, abatement hearings, and a request of the Federal Housing Administration to issue certificates "which would make the people of Section 14 eligible for relocation assistance under Section 221 of the Housing Code," and an appointment of a "Citizen Committee for Section 14 to work on the housing problems. One of the members was Rev. Jeff Rollins."

The prodigious, decades-long efforts preceded the abatement of abandoned buildings. At the behest of the tribe and Bureau of Indian Affairs, the Fire Department was finally authorized to burn debris, as was common practice at the time.

Sixty years later, the Palm Springs City Council is still discussing blighted buildings and their deleterious effect on economic development and tourism. Grappling with the same concerns of more than half a century ago, a subcommittee of the city council this week was reported in the *Palm Springs Post* to have "mentioned some of the strategies for addressing the vacant buildings, including a vacancy tax, adaptive reuse, demolition, and the city taking legal action on the properties."

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