

MEMORANDUM

THE WHITE HOUSE
WASHINGTON

~~FBI~~
~~Subj~~
~~Reagan~~

February 23, 1970

MEMORANDUM FOR: MR. HARLOW

The attached memorandum for the President from Bud Krogh is, I believe, at least somewhat self-explanatory.

As I think you know, the President talked with Governor Reagan, and during the call Reagan made the point that the problem with the L. A. school case was a decision by a Federal court (obviously, subtly trying to shift the blame from the State to the President).

You can see from Krogh's memo that the basis of the problem is a ruling of the State Board of Education and then a judgment by a Los Angeles Superior Court.

The President would like you to write a letter, over your signature, to Governor Reagan saying that the President asked you to get the facts on this matter and they are as follows. . . and then give him the factual stuff contained in Krogh's memo, not the opinion stuff from the L. A. County Counsel. The President said that you would know what you ought to say on this.

H. R. HALDEMAN

Attachment

THE WHITE HOUSE
WASHINGTON
February 21, 1970

R.
Herlow letter to
Reagan -
INFORMATION
P. asked me to get facts
point out not Fed. Court.

MEMORANDUM FOR THE PRESIDENT

The California State Board of Education issued a rule requiring all school districts in the state to have an approximate racial balance in their schools. A school would be considered to be racially imbalanced if the minority group children in any school were in percentage more than 15 per cent greater than the ratio of that minority race to the general population within the school district.

The rule was challenged in Los Angeles Superior Court. The court found that in Los Angeles schools there was discrimination in pupil assignment. The judge issued a memorandum decision and intended findings of fact and conclusions of law, directing a writ of mandamus to the Los Angeles Board of Education requiring the Board to prepare a master plan to desegregate the schools by June 1, 1970 and to have the plan effectuated in all schools by September 1, 1971.

John Maharg, Los Angeles County Counsel (who represents the School Board) estimates that there will be an appealable judgment in about six weeks. At present, they have only intended findings of fact and conclusions of law.

Maharg's personal opinion is that the plan for desegregation of Los Angeles schools would be impossible. The City would have to acquire about four times as many buses for school desegregation as the Los Angeles Transit Authority employs at its peak period with a cost for bus acquisition probably in the hundreds of millions.

Maharg has been working on a confidential basis with Governor Reagan to try to have the State Board's rule rescinded. The judge relied on the 14th amendment for his finding that there was discrimination in the schools. He relied on the State Board's rule for requiring racial balance in the order he issued. Thus, if the State Board rule is rescinded prior to the appeal to the California Supreme Court, only the naked Constitutional question will be before the court which probably would improve the chances for reversal. Maharg reported that there is terrific heat coming from the parents of elementary school children.

Bud Krogh
Bud Krogh