

SEP 10 1970

Honorable William G. Milliken
Governor
State of Michigan
Lansing, Michigan

Dear Governor Milliken:

Title VII of the Civil Rights Act of 1964 terms refusal to hire an individual because of his national origin an unlawful employment practice. One of the discriminatory practices based on national origin, as specified in the enclosed guidelines, is as follows: "the denial of equal opportunity to persons who as a class of persons tend to fall outside national norms for height and weight where such height and weight specifications are not necessary for the performance of the work involved."

The rules of the Michigan Civil Service Commission establish five feet nine inches as the height requirement for state police. This height requirement has a disparaging effect on Mexican Americans and persons of oriental descent since they are on the average two to three inches shorter than anglos. (This information is taken from the American Journal of Physical Anthropology.) The average height of Mexican American males is five feet six inches, while that of Chinese American males is five feet five and one half inches, as compared to the average height of Anglo males which is five feet eight and one half inches.

While the height requirement for state policemen is within reasonable attainability to Anglos the same cannot be said for members of the minority groups mentioned. The height requirement operates to eliminate most of these minority applicants.

Further height requirements for police agents are not considered bona fide occupational requirements. A policeman who is five feet six inches can carry out his duties as adequately as one who is five feet nine inches. His height does not affect his ability to perform.

Honorable William G. Milliken

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Complaints have reached my office from Mexican American persons and organizations. I hope you can remove this obvious inequity placed on a class of people.

Sincerely,

Vicente T. Ximenes
Commissioner

Enclosure

cc: Joe Benavidez
American G I Form State
and Local Officers for the
State of Michigan

VTXimenes/vmp