

When Hamden woman found racist covenant in her property deed, rooting them out became a mission



June Gold, right, with Susie and Doug Hawthorne, in front of the Hawthornes's home on Carmalt Road in Hamden.

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Arnold Gold / Hearst Connecticut Media

<https://www.ctinsider.com/news/article/hamden-racist-property-deeds-spring-glen-18481356.php>

HAMDEN — Buried in the deed for Susie and Doug Hawthorne's property on Carmalt Road is an overtly racist clause that has been overlooked for decades.

"That no persons of any race other than the white race shall use or occupy any building on any lot except that this covenant shall not prevent the occupancy by domestic servants of a different race domiciled with an owner or tenant," the document states.

After discovering the restrictive covenant, the Hawthornes,

who live in the town's mostly-white Spring Glen neighborhood, divulged their finding to June Gold, the mother of the Hawthornes' daughter-in-law and a retired math teacher whose curiosity led her to investigate the issue further.

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Driven by a desire for social justice, Gold is helping the Hawthornes and other Spring Glen homeowners confront a troubling past by renouncing the offensive language in their deeds.

Susie Hawthorne said she consulted the deed for her home about 10 years ago because she needed to determine the property lines after removing a hedge in the front yard. While sifting through the documents, Susie Hawthorne came across the startling passage.

"I read through everything, and that's when I found it," she said. "I was shocked."

The Hawthornes bought their home in 1985, but it was built in 1949, the post-World War II period when many white people moved from racially diverse urban areas such as [Hartford](#) and New Haven and into the surrounding suburbs — a phenomenon known as "white flight." The

migration of white people into suburban areas like Spring Glen can be seen earlier, according to Paul Saubestre, a Spring Glen resident and member of the Hamden Historical Society.

"One particular development in Spring Glen in the 1920s was aimed at business executives in New Haven who wanted to move out of the city and have more space, and perhaps away from racial minorities," Saubestre said.

As Spring Glen's population began to swell, so did the demand for property upon which to build. The deeds for some of these properties included racially restrictive covenants similar to the one in the Hawthornes' document. A restrictive covenant is a provision in real property conveyance that limits or restricts the actions of the person being granted the property, according to the Legal Information Institute at Cornell Law School.

Gold said her deed project partially was spurred by an interest in affordable housing and her experience with struggling to secure a place to live after retirement. "Housing is safety. Housing is security," she said. "Housing is the start that everybody needs to get to the point of success."

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Through her research, Gold said, she learned that the properties whose deeds have the offensive language likely were part of a larger parcel of land that was subdivided into smaller plots around the mid-20th century. The original land owner likely inserted the racist covenant into each of the documents, according to Gold.

Racially restrictive covenants were deemed unenforceable by the [1948 Supreme Court case Shelley v. Kraemer](#) and made unconstitutional by the passage of the [Fair Housing Act in 1968](#). But after the [revelation of a racist property restriction in Manchester](#), Connecticut lawmakers unanimously [approved a bill in 2021](#) that prohibited deed covenants based on race and allowed property owners to have the language voided from their land records by filing an affidavit free of charge.

Only a handful of Connecticut municipalities have unlawful restrictive covenant forms available for residents, Gold said, and that short list does not include Hamden.

Gold, a member of the Connecticut Bar, said she is creating the legal form that the Hawthornes will sign and submit to the Hamden town clerk. The Hawthornes, she added, will be the first Hamden property owners to renounce their racist deed covenants. They were expected to ink their names on the document during an upcoming Sunday worship at Spring Glen Church.

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"It's too easy to say, 'Oh, it's unenforceable. We'll just ignore it,' and then we pass that same paper on to the next people when we sell the house," Susie Hawthorne said. "I think it needs to be acknowledged and brought out in the light. Acknowledge that at one time, people thought this was acceptable language."

Doug Hawthorne likened the gesture to institutions owning up to past transgressions.

"We also see this on a national level when a country will acknowledge a wrong that they did," Doug Hawthorne said. "It's all over and done with, but history is never all over and done with, and there's a value in acknowledging the wrongs that have been done."

The trio also said the process would safeguard against the possibility of the racist covenants being reinstated by way of [landmark laws being struck down](#).

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"This has been a year where laws have gotten chipped away

at," Gold said.

"We can't really rely on federal laws anymore," Susie Hawthorne added.

Gold said she has identified three deeds with offensive language that she and the property owners were planning to invalidate, and she is searching for more.

Conducting deed research comes with barriers, according to Steve Menendian, assistant director of the Othering and Belonging Institute at the University of California, Berkeley.

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"In addition to the enormous volume of records that must be reviewed, it is incredibly challenging to track down the proper files," Menendian wrote in a [2022 article](#) published in response to California enacting its restrictive covenant law.

"Researchers must often visit county recorders offices, and then trace property transactions over decades to try to determine the source of the restriction. For a single property sold in the 1920s or 1930s, this could entail a dozen transactions."

In addition to raising awareness for residents, Gold said, she hopes her documentation project will enlighten real estate

attorneys who are involved in the closing process but might also overlook the racist provisions.

"It's a shameful part of our background, but we can fix that," Gold said. "It's wisdom."

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Those interested in having their racially restrictive covenants voided should contact June Gold at JuneGoldDeed@gmail.com.

Correction: This article was updated to reflect that Gold is a member of the Connecticut Bar.

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