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Lawyers: Morgenthau Has 'Known Distaste' For Mayor

NEW YORK (CBS) — Former Manhattan district attorney Robert Morgenthau faces a new challenge at age 90. He's been appointed by a judge to speed up hiring of blacks and Hispanics in New York City's mostly white fire department, but lawyers for the City were trying to get him off the case.

They filed court papers Friday saying the longtime prosecutor's "known distaste" for Mayor Michael Bloomberg might prevent him from being fair.

The relationship between Morgenthau, a giant of New York law, and Bloomberg, a giant in business and politics, has been tense recently. The two have squabbled over issues including how funds were handled in the DA's office.

Morgenthau said he wouldn't have accepted the position if he didn't think he could be impartial.

Judge Nicholas Garaufis in Brooklyn appointed Morgenthau as a special master to help force the City to improve the hiring the black firefighters. He ruled in January that the City must revamp its hiring practices to end the discrimination. He found the city had intentionally discriminated against blacks. The New York Fire Department has about 350 black firefighters out of 11,500 total.

On January 13, Garaufis said the FDNY's written exams were part of a pattern of intentional discrimination against blacks and Hispanics in violation of the Civil Rights Act And have been going on since the 1960s.

Garaufis called the practices "a persistent stain on the Fire Department's record."

According to the Center for Constitutional Rights, as of October 2007, black and Hispanic firefighters comprised only 3.4 and 6.7 percent of the FDNY, respectively. The combined black and Hispanic population of <u>New York City</u> comprises over half its total population.

The judge ruled in July that the written exams used to screen and rank applicants were discriminatory. The department has about 350 black firefighters out of 11.500.

The City Law Department disagreed with the judge's ruling. A spokesman for the organization that represents black firefighters said he was hopeful a remedy was near





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