

The Iowa City Human Rights Commission is represented by nine residents of Iowa City each of who are appointed by the Council for three year terms. The Commissioners, all committed to civil rights, reflect a broad cross section of the community, thus ensuring diversity of ideas and interests. In the appointment process consideration is given to men and women of various racial, religious, cultural, social and economic groups within the City.

The Commission has the following powers:

- Make recommendations to the Council for such further legislation concerning discrimination as it may deem necessary and desirable.
- Educate the public on human rights and illegal discrimination, such as organizing and facilitating educational public forums that address one or more of the broad range of topics included within the rubric of human rights.
- Provide the enforcement necessary to further the goals of the Human Rights Ordinance.
- Cooperate, within the limits of any appropriations made for its operation, with other agencies or organizations, both public and private, whose purposes are not inconsistent with those of the Human Rights Ordinance.
- Coordinate programs designed to eliminate racial, religious, cultural and other intergroup tensions.

The Commission annually elects a Chairperson and a Vice-Chairperson and holds monthly meetings in the Helling Conference Room at City Hall on the third Tuesday of each month at 6:00 p.m.

FY 14 Human Rights Commission Members

Harry Olmstead, Chair
Andrea Cohen, Vice-Chair
Ali Ahmed
Joe Coulter
Shams Ghoneim
Kim Hanrahan
Stella Hart
Paul Retish
Orville Townsend, Sr.

There are two full-time staff of the Commission, a Human Rights Coordinator and a Human Rights Investigator.

FY 14 Recommendations by the Commission to Council

September 2013

The Commission supports Council member Jim Throgmorton's recommendations and the amendments to the *Storage of Property in the Downtown City Code §8-5-14*. The Commission also recommends for the City to partner with the Johnson County Local Homeless Coordinating Council to develop a more comprehensive, better coordination, and better staffed approach to the problem of homelessness and associated challenges in our City.

November 2013

The Commission finds the *City of Iowa City Citizen's Survey 2013* to be of questionable validity and in need of inclusion of all community constituents. The Commission recommends the Council not use it all. If used, it should not be used as the sole input for guiding strategic planning. The Commission encourages the Council to rely upon other types of documents that members of the community have brought forth such as the Ad Hoc Diversity Recommendations, the Racial Equity in Iowa City and Johnson County Report of the Iowa City Coalition for Racial Justice and materials of The Immigrant Voices Project.

December 2013

The Commission requests the Council to provide in writing a description of when and at what cost and the procedure to come into full compliance with the American with Disabilities Act (Ramp Inventory). The response should include the findings, its intended actions, and how the findings will be prioritized in the FY15 budget, with target dates for implementation and completion.

January 2014

The Commission requests the Council to reconsider its decision to discontinue the half-fares for SEATS riders at the end of FY14 and to continue to offer half-fares in light of the fact that according to SEATS Director Tom Brase:

- 1) More than 51% of SEATS riders are eligible for half-fares;
- 2) Over 91% of the rides SEATS provides are made by half-fare riders.

The elimination of the half-fares impacts businesses and has a very tangible effect on the human rights of persons who reside in this community.

March 2014

The Commission requests the City to support the adoption and implementation of the Municipal Identification Card (referred to as the Community Identification Card) by

Johnson County and upon adoption of the Community Identification Card for the City to formally recognize the validity of the card.

FY 14 Mayor's Proclamations Submitted by the Commission

Martin Luther King, Jr. Day (January)

African American History Month (February)

Fair Housing Month (April)

Juneteenth National Freedom Day (June)

National Native American Heritage Month (November)

FY 14 Programs & Activities of the Commission

1. July 23, 2013 Participant, *Creating Self-Aware & Welcoming Communities Workshop* sponsored by Diversity Focus, Iowa City Area Development Group & Culture Friendly Consulting, LLC.
2. July 23, 2013 Attendee, Coalition for Racial Justice Press Conference/Report Release.
3. August 2, 2013 Participant, Coalition for Racial Justice Planning Meeting.
4. August 2, 2013 Participant, Continuing Legal Education on *Human Trafficking*.
5. August 6, 2013 Sponsor, *The Americans with Disabilities Act: Amendments Act Training on Title 1*.
6. August 15, 2013 Participant, *Best Practices with Interpreters at Hearings*.
7. August 20, 2013 Participant, *Iowa Civil Rights Act & The Irresistible Dental Assistant*.
8. August 20, 2013 Participant, *Creative Corridor*, sponsored by Diversity Focus.
9. August 21, 2013 Participant, *Connecting Across Differences: Customer Service for Diverse Consumers* sponsored by the Iowa City Chamber of Commerce.
10. August 26, 2013 Fair Housing Advertisement placed in the University of Iowa Daily Iowan University Edition for incoming students.
11. August 27, 2013 Hosted Student Legal Intern from the University of Iowa College of Law for fall semester.
12. August 29, 2013 Advertised in Key Ad Clubs & Organizations Press Citizen for Outreach and Education.
13. September 13, 2013 Presenter, *Iowa's Civil Rights Legacy: Justice Under the Law for All*, Community Leadership Program sponsored by the Iowa City Chamber of Commerce.
14. September 11, 2013 Presenter, *My Professional Identity: A Dialogue with Alumni*, at the University of Iowa College of Law.
15. September 27, 2013 Co-Sponsor, Iowa Women's Music Festival.
16. October 1, 2013 Co-Sponsor, *The Henrietta Lacks Story: A Discussion on Gender, Race & Medical Ethics*.
17. October 2, 2013, Participant, *Fire Department Diversity: How to Create an Inclusive Culture*.
18. October 8, 2013 Updated Human Rights Commission information located in United Way 2-1-1 Database.
19. October 17, 2013 Sponsor, *Conference on Racial Justice & Disproportionate Minority Incarceration*.

20. October 18, 2013 Participant, *Iowa Department of Human Rights: What it Does to Help Underrepresented Iowans*.
21. October 18, 2013 Attendee, *Annual Awards Ceremony of The ARC of Southeast Iowa*. Commissioner Olmstead Received Recognition at the event.
22. October 24, 2013 Sponsor, *30th Annual Human Rights Awards Breakfast*.
23. October 24, 2013 Attendee, *United Nations Day Luncheon*, Presenter Former U.S. Representative Jim Leach.
24. November 1, 2013 Co-Sponsor, *Resume & Job Application Workshop: Building Blocks to Employment Job Fair*.
25. November 4, 2013 (Week Of) Participant, International Visitor Leadership Program on *Disability Rights in America: Municipal Challenges and Responses*.
26. November 5, 2013 Participant, *Post 2015 Development Agenda* sponsored by the United Nations Association (Iowa Chapter).
27. December 10, 2013 Participant, Public Reading of the *Universal Declaration of Human Rights* sponsored by United Nations Association (Iowa Chapter).
28. December 20, 2013 Attendee, University of Iowa Public Policy Center Housing & Land Use Program Presentation on *Increasing Affordable Housing in Iowa City*.
29. January 13, 2014 Hosted Two Student Legal Interns from the University of Iowa College of Law for the spring of 2014.
30. January 22, 2014 Participant, *5th Annual University of Iowa Off Campus Housing Fair*.
31. January 24, 2014 Participant, *Overview of the Iowa Civil Rights Commission*.
32. January 28, 2014 Fair Housing Advertisement placed in Daily Iowan's University of Iowa Rental Guide.
33. January 28, 2014 Presenter, *Iowa's Civil Rights Legacy* to University of Iowa Introduction to Human Rights Class.
34. March 4, 2014 Participant, *Racial Equity in Our Cities: A Webinar on Strategies & Opportunities for Sustainable Institutional Change*.
35. March 17, 2014 (Week Of) Commissioner Andrea Cohen met with New York City Human Rights Commissioner Patricia Gatling.
36. March 26, 2014 Presenter, University of Iowa College of Law Legal Exploration: Living, Learning, Community class.
37. March 27, 2014 Advertisement placed in Iowa City 24/7 as Outreach & Education on the Human Rights Commission.
38. April 1, 2014 Participant, *Civil Rights Conference* in Lincoln, Nebraska.
39. April 7, 2014 Brochures, Flyers and Outreach materials explaining the work of the Human Rights Commission sent out to area social service agencies/providers in both Spanish and English.
40. April 11, 2014 News Release to Iowa City Landlords to Stream or Download Fair Housing Training Session via Cable Channel 4 in recognition of Fair Housing Month.
41. April 18, 2014 Participant, *Open Meetings & Public Records Update From A-Z*.
42. April 23, 2014 Attendee, *Building an Inclusive Community, One Neighborhood at a Time* sponsored by the Cedar Rapids Civil Rights Commission. Commissioner Joe D. Coulter was a Presenter at the event.
43. April 25, 2014 Participant, *Ethics, You and the Iowa Civil Rights Commission*.

44. May 2014 Information on the Role and Function of the Human Rights Commission sent to Marcia Bollinger, Neighborhood Services Coordinator, to place in Neighborhood Newsletters.
45. May 2014 Joined National Fair Housing Alliance.
46. May 2014 Started Online Advertising on *Discrimination and Your Rights* in Iowa City Press Citizen.
47. May 7, 2014 Participant, *Advanced Title VII Issues: Current Trends in Disparate Impact Claims*.
48. May 8, 2014 Submitted Fair Housing Ordinance to Housing & Urban Development (HUD) to become substantially equivalent to the Federal Fair Housing Act.
49. May 13, 2014 Attendee, *Citizens Police Review Board Annual Community Forum*.
50. May 14, 2014 Sponsor, *11th Annual Youth Human Rights Awards*.
51. May 15, 2014 Participant, *My Brother's Keeper* sponsored by the International City/County Management Association and The National League of Cities.
52. May 20, 2014 Participant, *Self-Employment/Business Startups for Low Income Persons*.
53. May 29, 2014 Attendee, *Resolving Racial Disparities in Johnson County's Youth-Serving Systems Community Forum*.
54. May 29, 2014 Advertisement on Human Rights Commission as part of Education and Outreach in Iowa City Press Citizen Clubs & Organizations.
55. June 2014 Outreach and Education on Human Rights Commission placed as a water bill insert to Iowa City residents.
56. June 2, 2014 Fair Housing Advertisement that runs on City Channel 4 translated into Arabic & Mandarin.
57. June 2014 *Know Your Rights* Brochures translated into Arabic and Mandarin available online as well as in print.
58. June 6, 2014 Participant, Latino Professional Development Institute Planning Committee.
59. June 12, 2014 Sponsor, *Diversity & Inclusion Training* by Culture Friendly Consulting, LLC.
60. June 14, 2014 Co-Sponsor, *Johnson County Juneteenth Celebration*.
61. June 16, 2014 Hosted Student Legal Intern from the University of Iowa College of Law for the summer of 2014.
62. June 17, 2014 Fair Housing Advertisement placed in the Daily Iowan's University Edition for incoming students.
63. June 17, 2014 Co-Sponsor, *Before You Know It* screened at FilmScene.
64. June 21, 2014 Co-Sponsor & Participant, Iowa City Pride.
65. June 23, 2014, Participant, Civic Council for International Visitors to Iowa Cities- *Human & Civil Rights for All: A Sub-Regional Project for the Western Hemisphere*.

Overview of the Complaint Process

Title Two of the City Code (Human Rights Ordinance) prohibits discrimination in the areas of education, housing, employment, public accommodation and credit. The characteristics covered are: age, color, creed, disability, familial status*, gender identity, marital status, national origin, presence/absence of dependents*, public assistance source of income*, race, religion, retaliation, sex, and sexual orientation.

*Housing only. A person claiming to be aggrieved by a discriminatory practice or act must file a complaint within three-hundred days of the alleged discrimination.

Staff of the Human Rights Commission investigate complaints alleging discrimination. Staff serve as neutral fact finders and do not represent either party in the complaint process.

1. Filing: The complainant (the person who alleges the discrimination) fills out, signs and dates a complaint form.
2. Jurisdictional Review: A dated and signed complaint is reviewed by staff to determine whether it meets the legal requirements.
 - a. If the complaint does not meet jurisdictional requirements, the complainant is notified and the complaint is administratively closed.
3. Notice: Within twenty days of the file date a copy of the complaint is sent certified mail to the respondent (individual/business/organization accused of discrimination) along with a questionnaire and document request.
4. Answer: The respondent is required to provide an answer to the allegation of discrimination and submit any requested records or relevant documents within thirty days of receipt.
5. Right to sue: After the complaint has been on file for sixty days, the complainant has the option of pursuing the matter in a state district court. If this option is taken, and all requirements have been fulfilled staff close the complaint and issue a right to sue to the complainant. No further action is taken on the complaint by staff. The issuance of a right to sue has no bearing on the merits of the allegations contained in the complaint. It simply is an option the law grants to complainants.
6. Screening: All information is reviewed to determine whether further investigation is warranted. If staff finds that there is a reasonable possibility of a probable cause determination or the legal issues present in the complaint need further development, staff promptly resume the investigation of the complaint. A complaint determined by staff not to warrant further processing is administratively closed. The complainant and respondent are promptly notified of the administrative closure via certified mail. A complainant may object to the administrative closure within ten (10) days of service by filing a written request for review that states the basis for the objection. If, after review it is determined

that the complaint does not warrant further processing, staff will close the file and notify the complainant and respondent via certified mail. No further action is taken on the complaint.

7. Further Investigation: If the complaint is found to warrant further investigation both the complainant and respondent may be interviewed and additional documents/records requested. Witnesses and other persons with knowledge concerning the allegations in the complaint may also be contacted and interviewed. When the investigation is complete, staff analyze all the collected information and write a Data Analysis & Complaint Determination with a recommendation as to whether probable cause exists on the complaint.
8. Finding: The Human Rights Coordinator makes the final decision on whether probable cause exists on each complaint.
 - a. If probable cause is found, the complaint will move to conciliation.
 - b. If probable cause is not found, staff informs both the complainant and respondent of the decision.
9. Conciliation: The Human Rights Coordinator attempts to conciliate or resolve the complaint.
10. Public Hearing: When conciliation is unsuccessful, the complaint file will be reviewed by the City Attorney who shall form an opinion as to whether the complaint is litigation worthy and make a recommendation to two Commissioners. If both members of the Commission wish to proceed contrary to the recommendation of the City Attorney, the Commissioners may authorize the Human Rights Coordinator to proceed to a public hearing. A complaint found not to be litigation worthy is closed.

FY 14 Complaint Statistics

Please note some complaints filed in fiscal year 2013 were closed in fiscal year 2014. Some complaints which were filed in fiscal year 2014 had not been closed by the end of fiscal year 2014, creating the difference in numbers between those opened and closed. Most complaints filed cite more than one basis for discrimination and some more than one area for the discriminatory conduct so totals will equal more than 38.

Complaint Activity

COMPLAINTS FILED BY PROTECTED CHARACTERISTIC

	FY 2013	FY2014
Age	12	8
Color	11	5
Creed	1	3
Disability	15	18 ¹

¹ 9 cited mental disability, 2 physical disability, and 7 cited disability only.

Familial Status	2	5
Gender Identity	2	7
Marital Status	6	3
National Origin	6	6
Presence/Absence of Dependents	5	1
Public Assistance Source of Income	5	1
Race	21	17
Religion	4	4
Retaliation	20	11
Sex	14	12
Sexual Orientation	5	3
COMPLAINTS FILED BY AREA		
Credit	1	2
Education	0	2
Employment	27	16
Housing	4	5
Public Accommodation	20	16
Total Cases	52	37²
RESOLUTIONS		
Mediated	5	2
No Probable Cause	9	5
Administrative Closure	9	11
Right To Sue	0	1
Lack of Jurisdiction ³	3	0
Satisfactorily Adjusted	0	0
Withdrawn	0	1
Probable Cause	0	1
Total Number of Resolutions	29	21

² 37 complaints were filed in FY14. However, some complaints cite more than one area as the reason for the discriminatory action. 41 reflects the number of all areas cited in each complaint.

³ 'Lack of Jurisdiction' refers to complaints that allege discrimination on a basis or in an area not covered by local law. Lack of jurisdiction could also include complaints that allege conduct/activity that even if true would not violate local anti-discrimination law. When applicable such complaints are referred to appropriate agencies. Examples would include Wage & Hour violations or Family Medical Leave Act violations.

Summary

Employment and public accommodation are the areas in which the most complaints were filed (16 each), followed by housing (5) and credit & education (2 each). Disability (18) is the most common characteristic cited for the alleged discriminatory conduct. Race and sex follow with (17) and (12) respectively.

In FY13 (27) complaints were filed in the area of employment, (4) in housing and (20) in public accommodation. The characteristic cited the most for the reason for discrimination in FY13 was race (21), followed by disability (15), and then sex (14).

FY 15 Activities, Trainings & Initiatives

Outreach to community groups and organizations to assess level of need and areas of concern as it relates to discrimination.

Hold goal setting session for Commission.

Increase public awareness of the discrimination complaint process.

Hold fair housing training for applicable City Boards/Commissions.

Sponsor training on discrimination in places of public accommodation.

Sponsor fair housing training in recognition of fair housing month.

Participate in programs to educate the public on fair housing and illegal discrimination.

Outreach to area landlords and management companies on fair housing and illegal discrimination.

Collaborate with Community Development to identify impediments to fair housing.

Sponsor training on discriminatory lending for area banks.

Approved 7/15/14