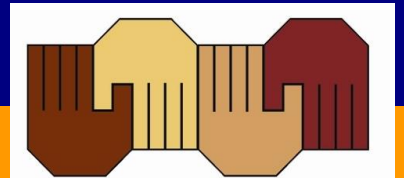


ACCESSIBLE ACCOUNTABLE EQUITABLE
FAIR INDEPENDENT LOCAL
OPEN ACCESSIBLE ACCOUNTABLE

Fiscal Year 2018 Annual Report



Sioux City Human Rights Commission

EQUITABLE FAIR INDEPENDENT LOCAL
LOCAL PROFESSIONAL OPEN ACCE
SSIBLE ACCOUNTABLE EQUITABLE
FAIR INDEPENDENT LOCAL PROF
ESSIONAL OPEN ACCESSIBLE ACC
OUNTABLE EQUITABLE FAIR IND

Honorable Mayor and City Council:

I am pleased to present you with this year's annual report.

We are a neutral investigatory agency, whose goal is to prevent, eradicate or reduce discrimination.

Education is vital to our work. A populace that is educated in their rights and responsibilities is less likely to be victimized or to discriminate against another person. Whenever possible we partner with local organizations in our outreach efforts to spread our message. We also educate local landlords, employers and business owners to assist them in ensuring that they protect their organizations and the rights of their employees, customers and tenants.

In FY2018 forty-six new cases were filed, which is a significant increase over FY2017 when twenty-seven new cases were filed. We issued findings or closed thirty-nine cases in the same time frame. We ended the year with only eighteen open cases and four cases pending further action (district court or public hearing).

Under the City of Sioux City's Title VI Plan, our Executive Director reviews and investigates complaints under Title VI of the Civil Rights Act of 1964. We have received no such complaints this year.

As in past years, we continue to see diversity in the complaints filed with our office in both terms of who files complaints, the area (e.g. employment) cases are filed in and the reason for the complaint (e.g. disability).

The Commission continues to have cooperative agreements with the Department of Housing and Urban Development and the Iowa Civil Rights Commission. These agreements help us to further the Commission's mission to ensure a fair and equitable community for all.

I cannot thank you enough for your commitment to our mission of eliminating discrimination. Your support of our work improves the quality of life in Sioux City.

Sincerely,

Karen L Mackey

Karen L. Mackey
Executive Director

SIoux CITY HUMAN RIGHTS COMMISSION

The Commission is an administrative agency created in compliance with the Chapter 216.19 of the Code of Iowa which mandates that cities with populations of 29,000 or greater maintain a local civil rights agency or commission.

The Commission consists of eleven members who are to be broadly representative of the community at large, including groups and classes protected our local civil rights law. Our staff investigates discrimination complaints, provides education and outreach services to the community and serves as a liaison with other local, state, regional, and federal civil and human rights agencies. The Commission can also hold hearings and study the existence, causes and extent of discrimination in public accommodations, employment, apprenticeship or on-the-job training programs, vocational schools, credit practices, and housing.

STAFF

Karen Mackey, Executive Director
Sharon Holder, Human Rights Investigator
Jessica Ryan, Administrative Secretary (part time)
Paul Flemming, Clerical Assistant-Outreach (part time HUD-funded position)
Lynn Zerschling, Clerical Assistant-Investigations (part time HUD-funded position)
Izamar Carrillo, Clerical Assistant (part time HUD-funded position)

COMMISSIONERS

Tracy Everett, Chair	Property manager and business owner
Julie Berens, Vice Chair	Speech/language pathologist
Sr. Mary Day	Retired music professor
Jim Anderson	Retired mental health professional
Jean Graham	Call center management
Patricia Hartwell	Property manager
Nia Key	Social worker
Richard Moore	Minister
Scott Raasch	Reception and medical records
Steele Welcher	Residence life manager
Tracy Winters	Audiology Technician

FY2017 GOALS

1. The Human Rights Commission will sponsor (or co-sponsor) at least 6 community events to raise awareness of civil and human rights issues. **(Met—9 events)** [See below]

2. The Human Rights Commission will issue a finding within 180 days of 60% of cases.
(Met)

A total of 39 cases were closed in FY2018. Of that number 6 cases either settled or a “right to sue” letter was issued. Another 19 cases were either administratively closed or were transferred to the Iowa Civil Rights Commission for investigation.) Of the remaining 14 cases, 11 (78.6%) were closed in 180 days or less.

EDUCATION AND OUTREACH

Our executive director regularly participates in community meetings to ensure that diversity and equity issues are appropriately addressed. These include, but are not limited to the Bullying Prevention Community Coalition, the Civil Service Commission, the Community Initiative for Native Children and Families, Comprehensive Strategy, Disabilities Resource Center of Siouxland, the Sioux City Community School District’s Equity Committee, the Iowa Commission on Native American Affairs, the Iowa Department of Human Rights, PFLAG of Siouxland, the Siouxland Coalition to End Homelessness, the Siouxland Street Project, and the Woodbury County Child Welfare Community Collaboration Team.

We provide educational opportunities within our community. Training provided this year included individual landlords, real estate agents and Center for Siouxland staff.

We placed a special emphasis on community outreach this year. In addition to the work of Commissioners and staff, a Tyson Foods Summer Community Intern was placed in our office specifically to assist with outreach.

Outreach Activities

Dale Street Block Party	July 22, 2018
National Night Out (Riverside Lutheran Church, Youth for Christ and Cook Park).	August 1, 2018
Into the Streets (Floyd Blvd. Wal-Mart and Save-A-Lot)	October 4, 2017
World AIDS Day	December 1, 2017
Sobriety Pow Wow	December 31, 2017
Dakota 38 + 2 Memorial	December 26, 2017
Family Fun Night	January 11, 2018
West High Community Resource Fair	March 1, 2018
APUSH Naturalization (at West High School)	March 22, 2018
Women’s Night Out at Girls Inc.	May 18, 2018
Asian Festival (at Riverside Park)	June 16, 2018
“Pop-Up” Outreach Event (at Girls Inc.)	June 19, 2018
Outreach to Immigrants at Mary Treglia Community House	June 26, 2018

Sponsored/Co-sponsored Events

“CinemAbility” Viewing and Discussion

October 11, 2017

This 2018 documentary examines the ever-changing portrayal of disability story lines in film and television. (Partnered with Disabilities Resource Center of Siouxland.)

Memorial March to Honor Lost Children 2017

November 20-11,

This annual event addresses issues about children in the foster care system and other matters of importance to the Native American community. On Monday, the training “Race: The Power of an Illusion” was held as well as a town hall that evening with local government officials. On Tuesday, a day-long educational event was held to examine the legal and social challenges facing Native American children. The march and memorial dinner took place on Wednesday. (Partners included the Iowa Department of Human Services, Briar Cliff University, Jackson Recovery and Community Initiative for Native Children and Families.)

Bypassing the Patriarchy: The Impact of Female Only Spaces December 6, 2017

A discussion on the influence and effect of women-only spaces where girls and women can thrive, connect, communicate and confide. (Partnership with Sioux City Area NOW.)

Universal Human Rights Day

December 8, 2017

The United Nations set aside this day to bring attention to the Universal Declaration of Human Rights as the common standard for all people. On this day each year we present the War Eagle Human Rights Award to community members or organizations who have positively impacted our local civil rights climate. This year’s recipients were:

Dr. Richard Owens because of his has a long and distinguished career as an educator and his work on behalf of the intellectually disabled community. In 2007, Dr. Owens was bestowed the Iowa Governor’s Volunteer Award.

A Frank Baron due to his work to better our community. He founded the Prejudice Elimination Workshop for high school juniors. He provides pro bono legal representation and mediation services. Frank is a past chair of the Human Rights Commission and the Foodbank of Siouxland. He is currently active on the Celebrating Community board, Soup Kitchen board, the NAACP and the Warming Shelter board.

Four Directions Community Center with few paid staff, the center improves the lives of local Native people. Four Directions partners with the Department of Human Services and Juvenile Court Services to offer parenting classes and a batterer’s support group. They work with Native Youth Standing Strong to teach urban Native youth about their indigenous culture. They also provide space for AA meetings, Dakota language classes, and numerous community events. The Annie E. Casey Foundation recognized Four Directions as one of the best models for reducing minority contact with the juvenile justice/welfare system.

Race, Privilege and Our Community

February 27, 2018

Nearly 200 people attended this facilitated discussion on race and privilege.

Faces of Siouxland

April 8, 2018

Approximately 3,000 people attended this free event celebrating our community's diversity.

Beyond Marriage—Civil Rights and the LGBT Community

May 30, 2018

The Commission held a panel discussion on civil rights and the LGBT community.

Landlord/Property Manager Workshop

June 11, 2018

Participants were trained in Fair Housing issues as well as a variety of best practices for landlords/property managers.

Pride Picnic

June 9, 2018

Approximately 400 people attended this day-long event. A Proclamation from the City Council was presented by Rhonda Capron.

OVERVIEW OF THE COMPLAINT PROCESS

From the receipt of a complaint to when the investigation is completed and a finding has been made, the Commission is a neutral fact-finder and represents neither party.

1. **FILING:** A person (the Complainant) submits a signed complaint to the Human Rights Commission alleging that they were discriminated against.
2. **JURISDICTIONAL REVIEW:** The complaint is reviewed to determine whether it meets legal requirements of the Sioux City Human Rights Ordinance (Chapter 4.04 of the Municipal Code). A complaint must be filed with the Commission within 300 days (365 days for housing complaints) of the last alleged discriminatory incident and must have occurred in Sioux City.
 - a.) If the complaint does not meet the statutory requirements, the Complainant is notified that the Commission does not have jurisdiction and the complaint is closed. Where possible, the Complainant is referred to another agency.
 - b.) If the complaint meets the statutory requirements, the complaint is filed with our office (and cross filed with the appropriate agencies).
3. **NOTICE:** Copies of the complaint are mailed to the Complainant and the Respondent(s)
(the person(s) or organization(s) alleged to have discriminated against the Complainant).

4. **CROSS-FILING:** The complaint (except for housing cases) is cross-filed with the Iowa Civil Rights Commission (ICRC). In an employment case when the employer has fifteen or more employees, the ICRC cross files the case with the Equal Employment Opportunity Commission (EEOC). We cross-file housing complaints with the Department of Housing and Urban Development (HUD). The ICRC, the EEOC and HUD defer investigation to our office unless the Complainant specifically requests that the state or federal agency investigate the case.
5. **ANSWER:** The Respondent is requested to answer the complaint and to submit any requested records or relevant documents. Should the Respondent opt not to respond to the charges, there is an assumption that the charges are true and correct.
6. **REBUTTAL:** The Complainant is given an opportunity to refute the statements made by the Respondent and/or submit additional information.
7. **SCREENING:** The information is reviewed to determine whether further investigation is warranted. If further investigation is not warranted, the complaint is closed.
8. **MEDIATION:** If both parties agree to this option, a trained mediator is used to attempt to resolve the complaint. Mediation is available at any time throughout the investigative process.

RIGHT TO SUE: After the complaint has been on file for sixty (60) days, the Complainant can choose to proceed to district or federal court on their own, without having the Commission continue to investigate the case. If the Complainant requests a "Right To Sue" letter, the closes its file and takes no further action. Complainants request a "Right-to-Sue" letter from the ICRC.

9. **INVESTIGATION:** During the investigation, each party is usually interviewed and additional records are collected. Witnesses may also be contacted and interviewed. If needed, the Commission can subpoena documents or compel individuals to provide testimony to the Commission. When the investigation is complete, the investigator will analyze all the information and write an investigative report.
10. **FINDING:** The investigative report is submitted to the Executive Director for review. The Director issues a recommendation as to whether or not the evidence indicates that discrimination occurred. Three Commissioners also review the case and make their own recommendations. The case is then presented to the entire Commission in closed session for review and the issuance of a finding ("probable cause" or "no probable cause").
 - a.) If the Commission finds No Probable Cause (the evidence does not indicate that discrimination occurred), the complaint is closed and the parties are notified of the finding.
 - b.) If the Commission finds Probable Cause (the evidence indicates that discrimination occurred), the complaint will move to conciliation.
11. **CONCILIATION:** After a "probable cause" finding, mandatory conciliation is required.

12. **PUBLIC HEARING:** If conciliation fails, the Commission reviews the matter to determine whether the case should proceed to public hearing. If selected for public hearing, an Administrative Law Judge (ALJ) will hear the case. If not selected for public hearing, the complaint is administratively closed and the Complainant may request a “right-to-sue” letter from the ICRC.

13. **DECISION:** The Commission reviews the ALJ’s finding. The Commission can adopt the ALJ’s findings, reject said findings, or remand the case to the ALJ for further review.

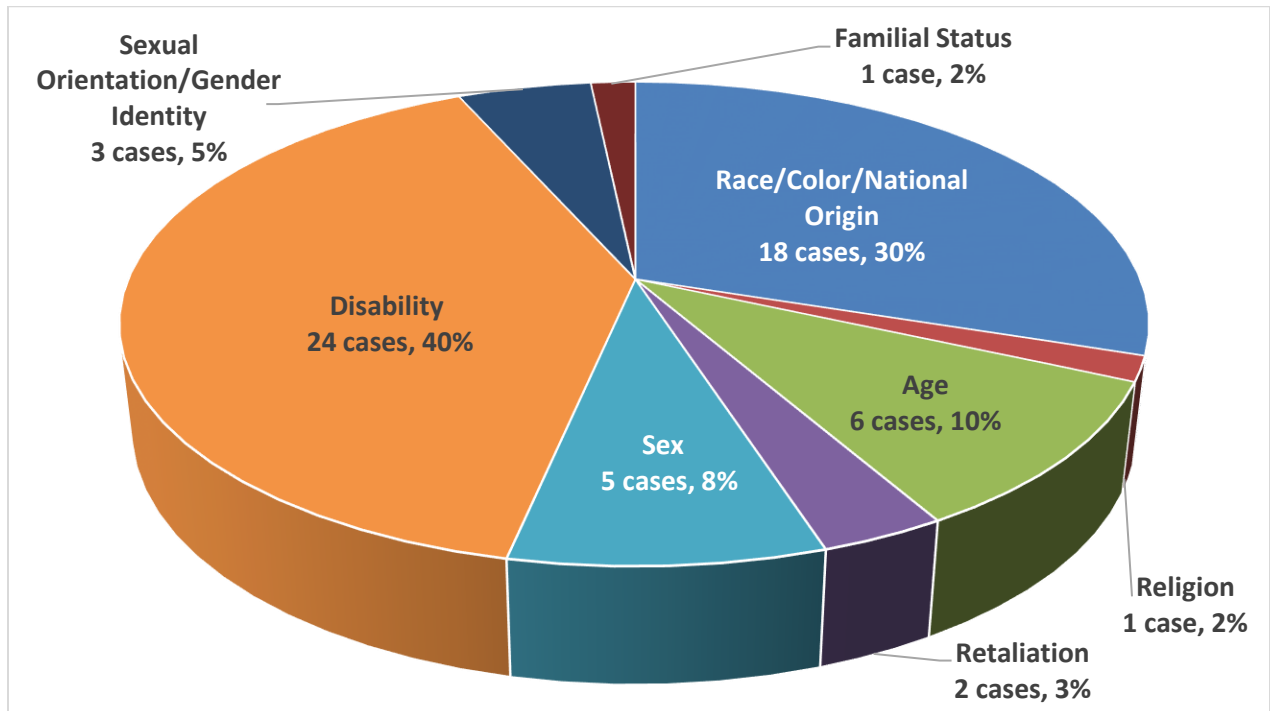
CASES FILED IN FY2017

<u>Case No.</u>	<u>Area</u>	<u>Basis</u>	<u>Status</u>
1. 11-1415	Housing	Sex, Race	AC
2. 11-1416	Employment	National Origin, Sex, Sexual Orientation, Retaliation	Open
3. 11-1417	Housing	Disability	NPC
4. 11-1418	Employment	Disability	ICRC/Conflict
5. 11-1419	Employment	Sex, Disability	Open
6. 11-1420	Employment	Race, Color, National Origin, Disability	ICRC/Conflict
7. 11-1421	Housing	Disability	Open
8. 11-1422	Employment	Disability	AC
9. 11-1423	Employment	Disability	Open
10. 11-1424	Housing	Race, National Origin	NPC
11. 11-1425	Employment	Disability	ICRC/Conflict
12. 11-1426	Employment	Age, Sexual Orientation, Gender Identity, Religion	Withdrawal
13. 11-1427	Employment	Disability	Open
14. 11-1428	Employment	Disability	
	ICRC/Jurisdiction		
15. 11-1429	Employment	Race, National Origin	RTS
16. 11-1430	Employment	Sex	Open
17. 11-1431	Employment	Race, National Origin	Open
18. 11-1432	Employment	Age	
	ICRC/Jurisdiction		
19. 11-1433	Employment	Age	
	ICRC/Jurisdiction		
20. 11-1434	Employment	Age	
	ICRC/Jurisdiction		
21. 11-1435	Employment	Disability/Age	ICRC/Conflict
22. 11-1436	Housing	Familial Status	NPC
23. 11-1437	Employment	Race, Color, Age	PDS
24. 11-1438	Housing	Disability	NPC
25. 11-1439	Employment	Race	Open
26. 11-1440	Employment	Race, Color, National	Open
27. 11-1441	Employment	Disability, Retaliation	AC
28. 11-1442	Employment	Disability	ICRC/Conflict
29. 11-1443	Education	Disability	ICRC/Conflict
30. 11-1444	Housing	Disability	PDS
31. 11-1445	Employment	Race, Color	Open
32. 11-1446	Public Acc.	Race, Color	ICRC/Conflict

33.	11-1447	Education	Race, Color, National	Open
34.	11-1448	Housing	Disability	NPC
35.	11-1449	Housing	Race	Open
36.	11-1450	Public Acc.	Disability	ICRC/Conflict
37.	11-1451	Public Acc.	Disability	ICRC/Conflict
38.	11-1452	Housing	Race, Disability	Open
39.	11-1453	Public Acc.	Race, Disability	AC
40.	11-1454	Public Acc.	Disability	ICRC/Conflict
41.	11-1455	Employment	Race	Open
42.	11-1456	Employment	Race	Open
43.	11-1457	Public Acc.	Disability	ICRC/Conflict
44.	11-1458	Employment	Sex, Sexual Orientation	Open
45.	11-1459	Housing	Disability	Open
46.	11-1460	Public Acc.	Race, Color, National Origin	Open

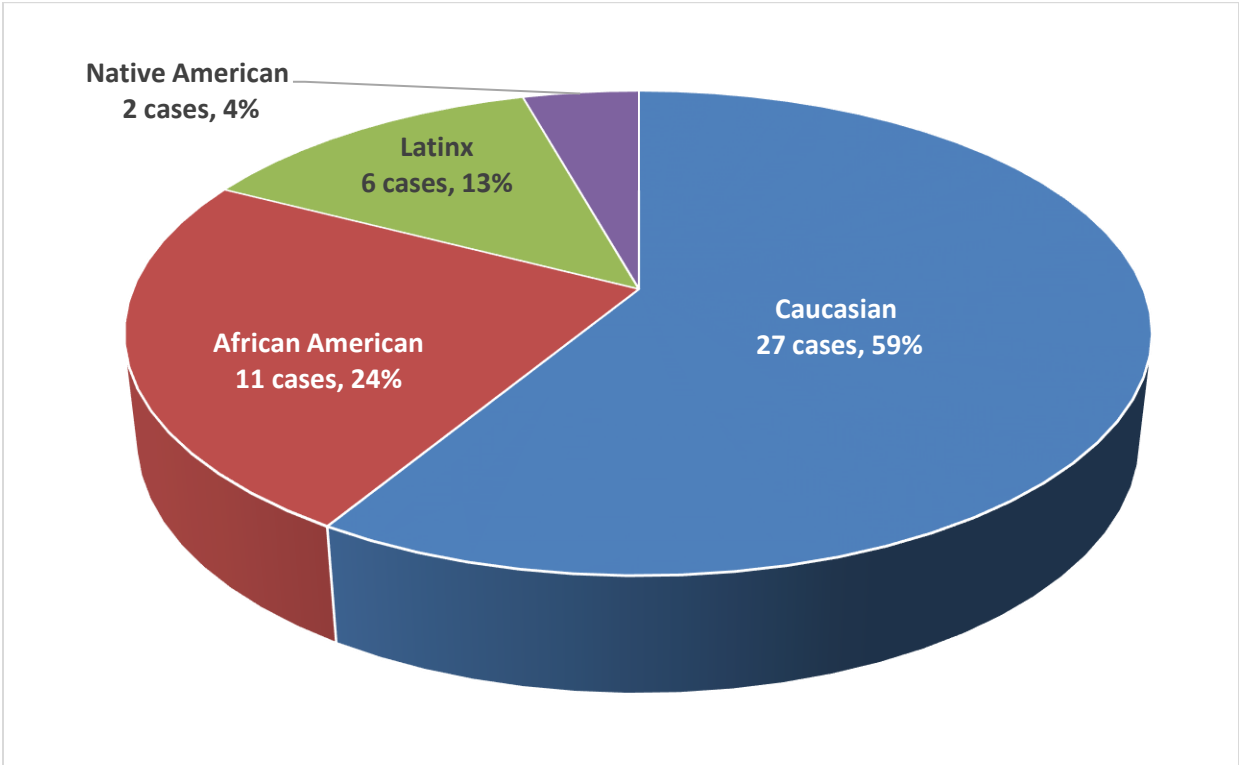
AC – Administrative Closure	PC – Probable Cause
NPC – No Probable Cause	PDS – Pre-Determination Settlement
Open – Case is pending a determination	RTS – “Right To Sue” letter issued

COMPLAINT BASIS OF CASES FILED IN FY2018



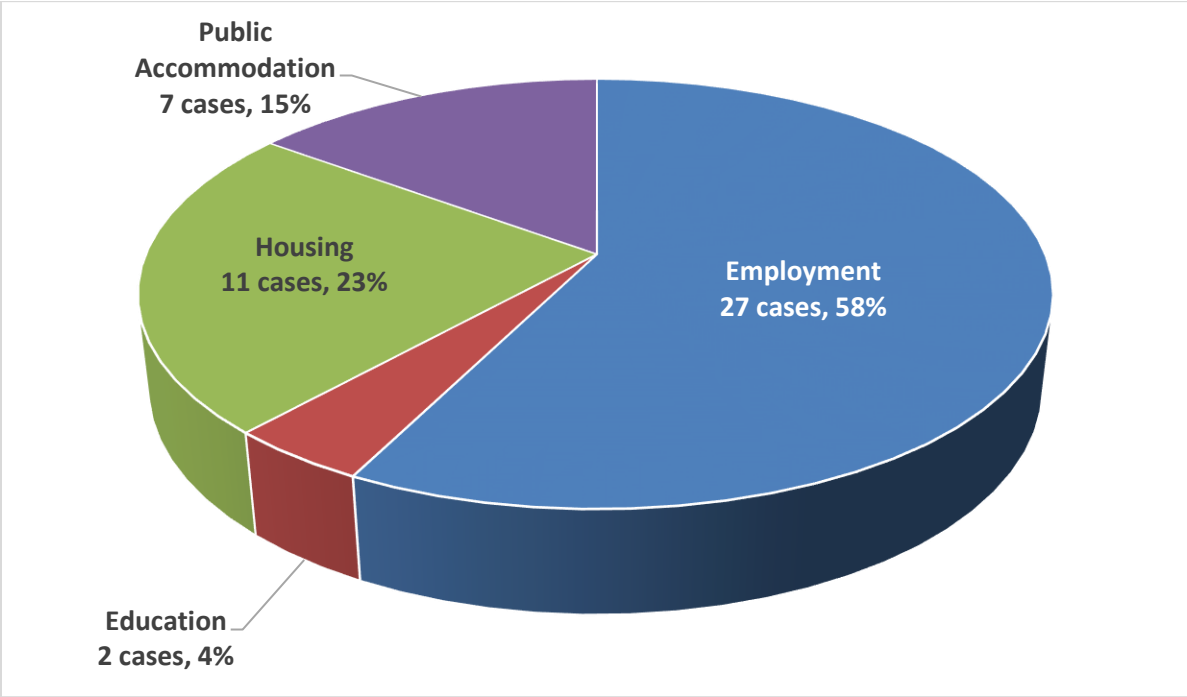
Complainants can allege more than one basis (reason) why they were discriminated against.

RACE/ETHNICITY OF COMPLAINANTS IN CASES FILED IN FY2018



There were no cases filed in this fiscal year by people of Asian/Pacific Islander descent.

AREA FOR DISCRIMINATION COMPLAINTS FILED IN FY2018



This fiscal year there were no cases filed alleging credit discrimination.

CASE FINDINGS/RESOLUTIONS

