

CIVIL RIGHTS COMMISSION MEETING

CITY OF DAVENPORT, IOWA

TUESDAY, JANUARY 10, 2017; 12:00 PM

CITY HALL CIVIL RIGHTS CONFERENCE ROOM

I. Roll Call

- A. Roll Call for the January 10, 2017 meeting

II. Approval of Agenda

- A. Approval of the Agenda for January 2017

III. Approval of Minutes

- A. Approval of the Minutes of the December 2016 meeting.

IV. Director's Report

- A. Director's report for December 2016

V. New Business

- A. New Business to be determined

VI. Old Business

- A. Old Business to be Determined

VII. Public Comment and Presentation

- A. Public may make a short comment at this time.

VIII. Adjourn

- A. Meeting Adjourned

IX. Next Meeting

- A. **The next regularly scheduled Civil Rights Commission meeting will be held February 14, 2017 at 12:00 p.m., First Floor Conference Room – Davenport City Hall 226 West 4th Street Davenport, Iowa 52801**

DAVENPORT CIVIL RIGHTS COMMISSION
Minutes of Regular Meeting
December 13, 2016

The Davenport Civil Rights Commission (DCRC) met at 12:01 p.m. Tuesday, December 13, 2016, in the first floor conference room at the Davenport City Hall. Commission President, Tim Hart presided.

COMMISSIONERS PRESENT:

Tim Hart
Judy Shawver
Helen Roberson
Susie Greenwalt

COMMISSIONERS ABSENT:

Clyde Mayfield
Nora Dvorak
Nicole Bribriesco Ledger

OTHER PERSONS PRESENT:

Jason Gordon

APPROVAL OF AGENDA:

On motion by Helen Roberson, seconded by Susie Greenwalt, the agenda was approved, by all commissioners present.

APPROVAL OF MINUTES:

On motion by Judy Shawver, seconded by Helen Roberson, the minutes of the regular meeting of November 8, 2016, as amended were approved. All commissioners voted yes.

PUBLIC COMMENT

None

REPORT OF THE DIRECTOR:

Director reported that through collaboration between DCRC, the Davenport Library and St. Ambrose University, there will be an opening event of the Smithsonian African American Museum Poster Exhibition at the main Davenport Library on January 18 at 6:30 pm. The speaker for this event will be retired Drake University Law School Professor and Civil Rights attorney, Russell Lovell. There will be four weekend events around the exhibit between January 18 – March 4, 2017 to celebrate Black History Month and Iowa's Civil Rights History, the planning group is still preparing the final details, updates will be provided at the next meeting.

Public hearing in case E-0065-0032-14 is set for February 21-24, 2017

Motion to accept the Director's report was made by Susie Greenwalt and seconded by Helen Roberson. Motion passed with all commissioners voting yes.

NEW BUSINESS:

Director reported conciliation failure in case E-0059-0029-15. After discussion, Judy Shawver moved that the Commission NOT take the matter to public hearing, seconded by Helen Roberson, the motion passed.

After discussion Judy Shawver moved that Tim Hart be elected Chairperson, seconded by Susie Greenwalt. Motion passed. Judy Shawver moved that Helen Roberson be elected Secretary, seconded by Susie Greenwalt. Motion passed.

OLD BUSINESS:

None

At 12:32 pm after motion by Judy Shawver the meeting was adjourned.

Submitted by Judy Shawver, Secretary.

**DIRECTOR REPORT FOR THE DAVENPORT CIVIL RIGHTS COMMISSION FOR
December 2016**

I. CASE STATUS

1. No “right to sue” letters were issued in December.
2. Four employment cases settled in mediation during the month of December. One case settled for \$3,000 and relief in the public interest, the Respondent agreed to receive provided by DCRC staff. The other cases settled for relief in the public interest.
3. Two cases were transferred

II. OTHER ACTIVITY

1. Director submitted a post hearing brief for E-0036-0019-14.
2. Director attended meeting on Smithsonian African American Museum Poster exhibition.
3. Director conducted an employment training for a respondent pursuant to a mediated settlement agreement.
4. Director attended a meeting held by Davenport Community School District on efforts to address potential inequities and implicit bias within the school system.
5. Director attended the Our Kids presentation by Robert Putnam in preparation for a community discussion on housing discrimination hosted by the Davenport Library on March 11, 2017 at 9:00 a.m.
6. Director attended Civil Service Commission meeting.
7. Director drafted MLK Jr. presentation for community presentation on January 16, 2017.
8. Housing Analyst provided fair housing information to a landlord.
9. Housing Analyst gave informal fair housing presentation to domestic violence survivors and Family Resources staff persons.
10. Investigative Paralegal conducted ADA plan reviews.
11. Investigative Paralegal met with builders regarding ADA plan reviews.

III. OLD BUSINESS

1. Opening Night for the Smithsonian Poster Exhibition is January 18, 2017 at 6:30 at the Main Library, our guest speaker is Professor Emeritus Russell.

IV. NEW BUSINESS

1. Public Hearing on E-0065-0032-14, scheduled February 21-24, 2017.



CASE STATUS REPORT

Monthly Summary

December 01 , 2016 THRU December 31 , 2016

Informal Case Information

Monthly		
Area	Filed	Closed
Housing	3	2
Total	3	2

Year to Date		
Area	Filed	Closed
Housing	46	45
Total	46	45

Overall total active informal complaints: 1

Formal Case Information Identified this Month

Areas Filed	
Area	Count
Credit	0
Employment	4
Education	0
Housing	1
NJ EEOC Referral	1
Public Accommodation	0
Transit Title VI	0
Total	6

Areas Closed	
Area	Count
Credit	0
Employment	7
Education	0
Housing	1
NJ EEOC Referral	0
Public Accommodation	0
Transit Title VI	0
Total	8

Basis Filed (Monthly)					
Basis	Cnt	Basis	Cnt	Basis	Cnt
Age	0	Pregnancy	0	Creed	0
Retaliation	2	Gender Identity	0	Mental Disability	1
Religion	0	Age under 40	0	Physical Disability	4
Sex	1	Retaliation-ADA	0	Familial Status	1
Sex Orientation	1	Color	0	Marital Status	1
				National Origin	0
				Race	2

Trigger Events Filed (Monthly)							
Trigger	Cnt	Trigger	Cnt	Trigger	Cnt	Trigger	Cnt
Demotion	0	Terms	1	Advertising	0	Fail To Hire	0
Negative Treatment	1	Accessibility	0	Harassment	1	Fail To Promote	0
Racial Harassment	0	Fail to Lend/Appraise	0	Eviction	0	Fail To Rent	1
Sexual Harassment	1	Steering/Redlining	0	Equal Pay	1	Fail To Serve	0
Termination	2	Discipline	1	Fail to Accom/Mod	0		



CASE STATUS REPORT

Monthly Summary

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CLOSED - Disposition of formal complaints

Disposition of formal complaints (Monthly)	
Disposition	Count
Lack of Interest	
Interrogatories not Returned	0
Did not respond/attend appointment	0
No Jurisdiction	
Statute of limitations	0
Prima Facia not met	0
Outside geographical jurisdiction	0
NJ Referred to EEOC	0
Insufficient # employees	0
No Basis	0
No Area	0
Dismiss lack of subject matter	0
Satisfactorily Adjusted	0
Settlement	1
Right to sue letter issued	0
No Probable Cause	0
Mediation Settlement	3
Jurisdiction waived	3
Fact do not support claim	0
Does not warrant further actions	0
Conciliation	0
Complaint Withdrawn/Duplicate	0
Commission Final Decision	1
Conciliation Failed	0
Total Dispositions	8

Disposition of formal complaints (Annual)	
Disposition	Count
Lack of Interest	
Interrogatories not Returned	0
Did not respond/attend appointment	6
No Jurisdiction	
Statute of limitations	0
Prima Facia not met	0
Outside geographical jurisdiction	0
NJ Referred to EEOC	30
Insufficient # employees	0
No Basis	0
No Area	1
Dismiss lack of subject matter	0
Satisfactorily Adjusted	1
Settlement	6
Right to sue letter issued	1
No Probable Cause	32
Mediation Settlement	28
Jurisdiction waived	7
Fact do not support claim	12
Does not warrant further actions	0
Conciliation	4
Complaint Withdrawn/Duplicate	10
Commission Final Decision	7
Conciliation Failed	0
Total Dispositions	145

Summary: Previous Open: 109 (+) New Open 6 (-) Closed 8 (=) Total Open 107

Probable Cause (Monthly) = 0 (Annual) = 5

Pending Complaints

Open Complaints By Year	
Description	Count
Total number for year 2014	7
Total number for year 2015	33
Total number for year 2016	67
Total	107

Complaint By Status	
Status	Count
Elected District Court	0
Court on Appeal	1
Commission Review	0
Public Hearing Decision Pending	1
Public Hearing Pending	1
PC/Conciliation	0
Final Review	9
Final Investigation	4
Intermediate Investigation	12
Mediation	1
Mediation/Intermediate Invest.	0
Initial Investigation (2)	50
Initial Investigation	23
Initial Review / Screening	5
Opened	0
Total	107



CASE STATUS REPORT

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December 01 , 2016 THRU December 31 , 2016

Staff Presentation Information

Monthly Presentations			
Presentation type	Count	Hours	People
Respondent Training	1	2	2
Community	1	2	5
Total	2	4	7

Year to Date Presentations			
Presentation type	Count	Hours	People
Respondent Training	8	30	135
GenAge	5	6	39
Community	30	85	3716
Total	43	121	3890

Mediation and Settlement Information

Mediation & Settlement		
	Month	YTD
Held with no resolution	1	18
Closed with resolution	3	35

Monthly	
Resolution	Count
Monetary Settlement	2
No Resolution	1
Reinstatement	0
Specific Performance	1
Policy Change	0
Training	0
Total	4

Year to Date	
Resolution	Count
Monetary Settlement	17
No Resolution	18
Reinstatement	0
Specific Performance	13
Policy Change	4
Training	1
Total	53

Total monthly settlement amount: \$3,000.00

Total yearly settlement amount: \$169,126.00

Referrals

Referral Distribution					
	Month	YTD		Month	YTD
ICRC	0	9	IDHR	0	5
Other	0	8	HUD	0	3
Help Legal	0	9	NAACP	0	0
ADA project	0	0	IA Citizen's Aid	1	9
Other City Departments	2	26	Bettendorf Human	0	0
DPD Internal Affairs	0	1	US Dept of Labor	0	6
Attorney Disciplinary Office	0	0	Attorney Referral	0	18
Scott Cty & Cthouse	1	8	Landlord Association	0	0
			Total	4	102



CASE STATUS REPORT

Monthly Summary

December 01 , 2016 THRU December 31 , 2016



Status of Complaints by Number and Year

Case Listing for 2014

E-0036-0019-14	Public Hearing Decision Pending
E-0065-0032-14	Public Hearing Pending
H-0089-0017-14	Final Review
PA-0100-0008-14	Final Review
ED-0109-0002-14	Final Review
H-0123-0026-14	Court on Appeal
PA-0132-0011-14	Final Review

Case Listing for 2015

E-0002-0001-15	Final Review
E-0017-0005-15	Final Review
E-0030-0014-15	Intermediate Investigation
E-0038-0017-15	Initial Investigation (2)
E-0051-0024-15	Intermediate Investigation
E-0054-0026-15	Initial Investigation (2)
E-0065-0033-15	Final Investigation
PA-0067-0011-15	Initial Investigation (2)
H-0069-0009-15	Final Investigation
E-0076-0037-15	Initial Investigation (2)
E-0077-0038-15	Initial Investigation (2)
E-0078-0039-15	Initial Investigation
H-0079-0010-15	Final Investigation
PA-0082-0015-15	Initial Investigation
E-0087-0043-15	Initial Investigation (2)
PA-0088-0016-15	Initial Investigation
H-0092-0013-15	Final Investigation
H-0095-0015-15	Mediation
E-0096-0045-15	Intermediate Investigation
E-0100-0047-15	Intermediate Investigation
E-0101-0048-15	Initial Investigation (2)
E-0102-0049-15	Initial Investigation (2)
E-0103-0050-15	Initial Investigation (2)
E-0106-0053-15	Initial Investigation (2)
E-0110-0054-15	Intermediate Investigation
E-0111-0055-15	Initial Investigation (2)
E-0115-0058-15	Final Review
ED-0118-0002-15	Initial Investigation (2)



CASE STATUS REPORT

Monthly Summary

December 01 , 2016 THRU December 31 , 2016



Case Listing for 2015

PA-0119-0019-15	Initial Investigation (2)
E-0120-0060-15	Initial Investigation (2)
PA-0133-0025-15	Intermediate Investigation
E-0143-0067-15	Intermediate Investigation
E-0149-0070-15	Intermediate Investigation

Case Listing for 2016

H-0008-0003-16	Final Review
E-0015-0004-16	Final Review
PA-0018-0003-16	Initial Investigation (2)
E-0022-0008-16	Initial Investigation (2)
E-0024-0009-16	Initial Investigation (2)
E-0027-0010-16	Initial Investigation (2)
E-0031-0014-16	Initial Investigation (2)
E-0034-0016-16	Initial Investigation
E-0035-0017-16	Initial Investigation (2)
H-0037-0004-16	Initial Investigation (2)
H-0038-0005-16	Initial Investigation (2)
H-0039-0006-16	Initial Investigation
E-0040-0018-16	Initial Investigation (2)
E-0044-0019-16	Intermediate Investigation
H-0051-0007-16	Intermediate Investigation
E-0052-0023-16	Initial Investigation (2)
E-0053-0024-16	Initial Investigation (2)
PA-0054-0006-16	Initial Investigation
H-0059-0008-16	Initial Investigation
E-0060-0026-16	Initial Investigation (2)
E-0063-0027-16	Initial Investigation (2)
E-0064-0028-16	Initial Investigation (2)
E-0065-0029-16	Initial Investigation (2)
E-0072-0031-16	Initial Investigation (2)
E-0076-0035-16	Intermediate Investigation
H-0080-0009-16	Initial Investigation
H-0081-0010-16	Initial Investigation (2)
E-0084-0038-16	Intermediate Investigation
E-0085-0039-16	Initial Investigation (2)
E-0086-0040-16	Initial Investigation
E-0088-0042-16	Initial Investigation (2)



CASE STATUS REPORT

Monthly Summary

December 01 , 2016 THRU December 31 , 2016



Case Listing for 2016

PA-0089-0008-16	Initial Investigation (2)
H-0091-0011-16	Initial Investigation (2)
E-0092-0043-16	Initial Investigation (2)
NJR-0093-0027-16	Initial Review / Screening
E-0094-0044-16	Initial Investigation (2)
PA-0098-0009-16	Initial Investigation (2)
E-0100-0046-16	Initial Investigation
E-0101-0047-16	Initial Investigation (2)
E-0102-0048-16	Initial Investigation
H-0103-0012-16	Initial Investigation
E-0107-0050-16	Initial Investigation (2)
E-0110-0052-16	Initial Investigation (2)
H-0115-0013-16	Initial Investigation
H-0116-0014-16	Initial Investigation
PA-0117-0011-16	Initial Investigation (2)
PA-0118-0012-16	Initial Investigation (2)
E-0120-0056-16	Initial Investigation (2)
E-0121-0057-16	Initial Investigation (2)
NJR-0122-0034-16	Initial Review / Screening
E-0125-0059-16	Initial Investigation (2)
E-0127-0060-16	Initial Investigation (2)
E-0128-0061-16	Initial Investigation
E-0129-0062-16	Initial Investigation
E-0131-0063-16	Initial Investigation
PA-0132-0013-16	Initial Investigation (2)
E-0133-0064-16	Initial Investigation
E-0134-0065-16	Initial Investigation (2)
E-0135-0066-16	Initial Investigation (2)
E-0137-0068-16	Initial Investigation
E-0139-0069-16	Initial Investigation
NJR-0140-0037-16	Initial Review / Screening
E-0141-0070-16	Initial Investigation
H-0142-0016-16	Initial Investigation
E-0143-0071-16	Initial Investigation
E-0144-0072-16	Initial Review / Screening
E-0145-0073-16	Initial Review / Screening