

CIVIL RIGHTS COMMISSION MEETING

CITY OF DAVENPORT, IOWA

Tuesday, September 10, 2024; 12:00 PM

City Hall | 226 West 4th Street | Civil Rights Commission Conference Room

- I. Roll Call
- II. Approval of Agenda
- III. Approval of Minutes
 - A. August 2024 Meeting Minutes
- IV. Director's Report
 - A. August 2024 Director's Report
 - B. August Case Status Report
- V. New Business
 - A. October Meeting Location-Finance Presentation
- VI. Old Business
- VII. Public Comment and Presentation
- VIII. Adjourn
- IX. Next Meeting

City of Davenport
Civil Rights Commission

Department: Civil Rights
Contact Info: |
Subject:
August 2024 Meeting Minutes

Action / Date
9/10/2024

Attachments:

1. DCRC August 2024 Minutes

DAVENPORT CIVIL RIGHTS COMMISSION
Minutes of Regular Meeting
Tuesday, August 13, 2024; 12:00 PM

The Davenport Civil Rights Commission (DCRC) met at 12:00 p.m. Tuesday, July 9, 2024, online using Zoom. Commission Chair Michael Guster, presided.

COMMISSIONERS PRESENT:

Ethelene Boyd
Michael Guster
Frank Holley
Charlene Upchurch-Taylor
Jeff Transou

COMMISSIONERS ABSENT

Glenn Peterson
Angela Reyes

OTHER PERSONS PRESENT:

Director Lacey
Others from the community

AGENDA

Commissioner Guster called for the approval of the agenda. All Commissioners voted to approve the agenda by unanimous consent.

APPROVAL OF MINUTES

A. June 2024

A motion was made by Commissioner Boyd to approve the June 2024 minutes, it was seconded by Commissioner Holley. All Commissioners approved the minutes.

B. July 2024

A motion was made by Commissioner Boyd to approve the July 2024 minutes, it was seconded by Commissioner Holley. All Commissioners approved the minutes.

REPORT OF THE DIRECTOR

Director Lacey stated there was no right to sue letters for the month of July. Two housing cases and one employment case settled in mediation in the month of July. The housing cases were companion cases filed by unmarried partners; this case involved allegations of disability discrimination involving a failure to accommodate. The case settled for specific action and relief in the public interest. The employment case involved allegations of race discrimination and settled for monetary damages in the amount of \$6,150.00 and relief in the public interest.

In other activity, the Director stated she is still waiting on FOIA results. Director Lacey had stated last month as well that the results for PRR-52-2024, were received, however the results for PRR-149-2024 & PRR-171-2024 were incomplete. We are currently awaiting further Iowa Public Information Board's (IPIB) update regarding 24FC0017. This complaint, involving the City of Davenport's refusal to produce records pursuant to Iowa Code 22.2 (1) in PRR-52-2024, was accepted by the IPIB on March 21, 2024. The subsequently denied FOIA's (PRR-149-2024 & PRR-171-2024) were added to this complaint. The documents received did not match the request and the W2's was all unlawfully redacted. We had not received an updated version as of 7-31-2024.

The Director continued to monitor COVID-19 rates and its impact on office functions. Director Lacey also met with City staff and contractors to review office update options.

Director Lacey is working with DOJ CRS, Commissioners and members of the League of Iowa Civil and Human Rights Agencies, the training is currently scheduled for September 24-25, 2024. The link to register was emailed to the Commission and League members. The Director is working with DOJ CRS and Commissioners to set up a training for Commissioners during the training session. The times of those sessions would be 8 a.m. to 5 p.m. both days.

The Director, Chair, Vice Chair, and Secretary met with Mayor Matson, Mallory Merritt, Jim Odean, Jazmin Newton, and Basia Gerlach regarding the ongoing issue with the FY 24 budget correction.

The Housing Analyst and Director finalized closures for HUD cases.

The Director's newest business was the upcoming Council meeting with the Commission today at the police station conference room at 4 p.m. Commissioner Holley suggested a couple topics at that meeting should be the amount of authority the Commission has, and our decision-making abilities.

NEW BUSINESS

A. Davenport Civil Rights Commission and Davenport Public Library MOU

The Davenport Public Library asked that the Commission sign an MOU for shared events we have. They have been great partners, and we would have shared responsibilities going forward. The Commission then took a roll call vote.

Boyd	Yea
Guster	Yea
Holley	Yea
Upchurch-Taylor	Yea
Transou	Yea

Commissioners Peterson and Reyes were not present.

B. E-0018-0009-21

Director Lacey stated this was a race and disability discrimination case. The plaintiff was accused of leaving the work building without a badge. The plaintiff stated they had notified the supervisor, and it was okay to do so. The plaintiff was then accused of falsifying the timecard. A white employee had done the same thing, they were looked into and were also fired. ADA confidentiality violations were discovered, (masking involved). The medical records and employment files were together. Director Lacey suggested to the Commission not to take the case as we don't have the resources currently. Commissioner Guster then made a motion to not take the case to public hearing. A vote was then taken by the Commission.

Boyd	Nay
Guster	Nay
Holley	Nay
Upchurch-Taylor	Nay
Transou	Nay

Commissioners Peterson and Reyes were not present.

OLD BUSINESS

None

PUBLIC COMMENT AND PRESENTATION

Commissioner Holley Mentioned Commissioner Reyes and her ongoing situation with a Brenda Drew-Peebles memorial, etc.

Commissioner Boyd reminded everyone of the Council Meeting today with the Commission at the police station conference room at 4 p.m.

ADJOURN

Commissioner Boyd made a motion to adjourn the meeting, Commissioner Holley second the motion. All Commissioners approved the motion to adjourn the meeting.

NEXT MEETING

The next regular meeting of the Commission is September 10, 2024, at 12 noon.

Submitted by Jeff Transou, Secretary

City of Davenport
Civil Rights Commission

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August 2024 Director's Report

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1. August 2024 Directors Report

DIRECTOR'S REPORT FOR THE DAVENPORT CIVIL RIGHTS COMMISSION FOR August 2024

I. CASE STATUS

1. No "right to sue" letters were issued in the month of August.
2. One housing case settled in mediation in the month of August. The housing case involved allegations of disability discrimination involving a failure to accommodate. The case settled for specific action and relief in the public interest.

II. OTHER ACTIVITY

1. Director completed case processing documentation.
2. Director still awaiting the results for PRR-149-2024 & PRR-171-2024 which were incomplete. We are currently awaiting further Iowa Public Information Board's (IPIB) action regarding 24FC0017. This complaint, involving the City of Davenport's refusal to produce records pursuant to Iowa Code §22.2(1) in PRR-52-2024, was accepted by the IPIB on March 21, 2024. The subsequently denied FOIAs (PRR-149-2024 & PRR-171-2024) were added to this complaint. The documents received did not match the request and the W2s were all unlawfully redacted. We have not received an updated version as of 08/31/2024.
3. Director worked on pre-hearing preparation.
4. Director worked on post-hearing preparation.
5. Director continued to monitor COVID-19 rates and its impact on office functions.
6. Director worked on case resolution documents.
7. Director worked on litigation.
8. Director continues to monitor a possible issue involving DCRC witness intimidation and retaliation.
9. Director attended a League of Civil and Human Rights Agencies meeting.
10. Director met with city staff and contractors to review office update options.
11. Director is working with DOJ CRS, Commissioners and members of the League of Iowa Civil and Human Rights Agencies to plan and schedule an upcoming training with the League of Iowa Civil and Human Rights Agencies, the training is currently scheduled for September 24-25, 2024. The link to register was emailed to the Commission and League members.
12. Director continues to work on training related to the staffing realignment due to the forced departure of the Asst. Director/Housing Programs Manager.
13. Director and Commissioners Guster, Holley, Upchurch-Taylor and Boyd attended a joint DCRC and City Council meeting.
14. Housing Analyst worked on housing investigations.
15. Housing Analyst worked on housing inquiries.
16. Housing Analyst worked on case resolutions.

III. OLD BUSINESS

1. Ongoing discrimination, harassment and bullying of Commission staff.
 1. Retaliatory actions against Commission staff and further examples of different treatment.
2. Legal Department refusal to accept Commission referral.
3. Use of racial slurs in City Hall. City's failure to initiate complaint investigation.

4. Investigation of hostile working environment.
5. New refusal to fulfill records requests, continuing the pattern and practice of harassment from the city's legal department.
6. Continued refusal to process vacation correction, despite receiving their legal opinion which clearly indicates that the Commission's procedure for processing the correction was appropriate.
7. Constructive discharge of Commission employees.

IV. NEW BUSINESS

1. Commission Training - 9/24-9/25.
2. Public Hearing Decision.

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October Meeting Location-Finance Presentation

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None