IOWA CIVIL RIGHTS COMMISSION

ANNUAL REPORT FY 2023

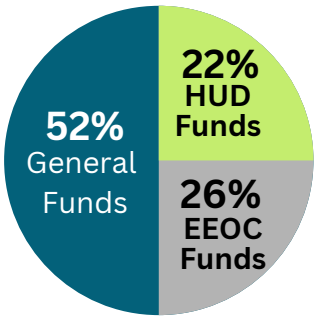
IOWA CIVIL RIGHTS COMMISSION

FY 2023 HIGHLIGHTS

ICRC APPROPRIATIONS

$2,612,279 TOTAL

STATE FUNDS	FEDERAL FUNDS
$1,343,051	$1,269,228



AGENCY DEMOGRAPHICS

27 FTEs

Executive Director

3 - Public Service Managers 1

4 - Attorneys 1

15 - Civil Rights Specialists

4 - Administrative Staff

8 - Temporary Part Time Staff

EMPLOYMENT+

825

Files submitted to EEOC for Reimbursement

HOUSING

129

Files submitted to HUD for Reimbursement

ADMINISTRATION

1,656

Jurisdictional Reviews Completed

EMPLOYMENT+

1,015 TOTAL

TIER 1 INVESTIGATIVE REPORTS FY23

HOUSING

52 AVERAGE HOURS SPENT PER REPORT

24 Educational & Outreach Events

CIVIL RIGHTS COMMISSION

7 LAY COMMISSIONERS

FY 23 COMMISSIONERS' ACCOMPLISHMENTS

13 MEETINGS
1 HEARING
0 REPORTS

EMPLOYMENT+

111 TOTAL

TIER 2 INVESTIGATIVE REPORTS FY23

EO 10

CH. 3		CH. 8
54%	% Reduction of Words	78%
59%	% of Eliminated Mandates	91%

3000 Iowans Reached Through Outreach Events

1 Right to Sue Letters Issued

7 Probable Cause Determinations

3

LITIGATION FY 23

5 CASES REFERRED FOR LITIGATION

7 CASES IN ACTIVE LITIGATION

8 ICRC Successful Mediations

6

OVER $750,000 Settlements Paid to Iowans

IOWA CIVIL RIGHTS COMMISSION

State of Iowa

OUR MISSION

TO PROVIDE IMPARTIAL, EFFICIENT, AND FACT-DRIVEN INVESTIGATIVE ANALYSIS OF DISCRIMINATION COMPLAINTS FILED IN IOWA AND PROMOTE CIVIL RIGHTS OUTREACH AND EDUCATION OPPORTUNITIES THROUGHOUT THE STATE.

OUR VISION

THE IOWA CIVIL RIGHTS COMMISSION SEEKS TO ELIMINATE ILLEGAL DISCRIMINATION WITHIN THE STATE OF IOWA.

CORE VALUES AND FOCUS

IMPARTIAL

WE WILL PROVIDE NEUTRAL, FACT-DRIVEN INVESTIGATIONS TO ENSURE IOWANS ARE TREATED JUSTLY UNDER THE LAW

EFFICIENT

WE WILL WORK TO ENSURE TAXPAYER DOLLARS ARE UTILIZED TO THEIR FULLEST EXTENT

PURPOSEFUL WORK ETHIC

WE NURTURE A CULTURE OF OUTSTANDING WORK ETHIC, TEAMWORK, AND DILIGENCE

CUSTOMER SERVICE FOCUS

WE ARE COURTEOUS, RESPONSIVE, AND RESPECTFUL

TRUSTED RESOURCE

WE ARE A RELIABLE CIVIL RIGHTS RESOURCE FOR IOWANS

MISSION ORIENTED

WE WILL KEEP A CONSTANT FOCUS ON ENSURING JUST OUTCOMES FOR IOWANS

KEY STRATEGIC INITIATIVES

REDUCING EMPLOYMENT+ INVESTIGATION TIMELINE

- Utilize federal fiscal resources to hire and train part-time interviewers to further reduce complaint processing times
- Analyze team data to support process improvements and eliminate unnecessary waste
- Assess team caseloads to assign senior staff to complex legal and fact analyses of civil rights complaints

IMPROVING THE CIVIL RIGHTS COMPLAINT PROCESS

- Identify opportunities to streamline processes to provide timely investigative analyses to Iowans
- Complete transition to move ICRC to new case management system
- Assess paper process to optimize digital platforms

PREVENTION EDUCATION

- Identify partnerships with key employment and housing entities for supportive education and outreach opportunities
- Promote civil rights compliance advice hotline for small businesses
- Increase civil rights education and training opportunities throughout the state

DATA DRIVEN OUTCOMES

- Identify improvement opportunities for data integrity through implementation of new case management system
- Promote improvements on investigative processes identified through data
- Increase awareness of productivity opportunities to improve timeliness

THE REPORT FOR FISCAL YEAR 2023 SUMMARIZES ICRC'S MANY ACCOMPLISHMENTS, AS WELL AS OUR VISION, CORE VALUES, AND OBJECTIVE FOR THE COMING YEARS. FY23 BROUGHT PROCESS IMPROVEMENTS, STRATEGIC PLANNING OPPORTUNITIES, AND SUCCESSFULLY OVERSEEING THE COMMISSION'S ROLE TO THE STATE REALIGNMENT PROCESS."

– KRISTEN STIFFLER, DIRECTOR



MESSAGE FROM EXECUTIVE DIRECTOR KRISTEN STIFFLER

The Iowa Civil Rights Commission (ICRC) continues to enforce Iowa's Civil Rights Act of 1965 by investigating allegations of illegal discrimination and providing education and outreach opportunities throughout the state.

Another successful year was completed with over 1,250 complaints investigated by agency staff. Both the Employment+ and Housing Teams have initiated process improvements to complete investigations of aging complaints. Agency staff completed 24 high-quality educational programs and outreach events; reaching over 3,000 Iowans.

This report marks the 58th year that the Commission has been enforcing Iowa's Civil Rights Act of 1965 and covers agency results from July 1, 2022 – June 30, 2023. This report includes descriptions of the civil rights proceedings, investigations, hearings conducted, outcomes of hearings, and decisions rendered. Also contained within this report is data on the function of the agency and processing of complaints.

As the ICRC moves forward into its 60th year of existence, the agency will be working to improve accessibility for Iowans who interact with the office. The two investigative units (Employment+ and Housing) will further work to complete investigations of aging complaints and improve timeliness.

The Commission is a small state agency (27 full-time employees and a budget of $2.6 million). The ICRC's success would not be possible without the support of the dedicated employees of the Commission, the Commissioners, and those we serve. It has truly been an honor to serve as the Director for the Iowa Civil Rights Commission, and I humbly present the FY23 Annual Report in accordance with Iowa Code section 216.5(7).

Warm regards,



Kristen Stiffler, Director

IOWA CIVIL RIGHTS COMMISSION

The Iowa Civil Rights Commission is created under Iowa Code section 216.3 and is comprised of seven members appointed by the Governor and subject to confirmation by the Iowa Senate. The seven commissioners have rulemaking authority under the Iowa Civil Rights Act and also sits as the final decision-makers on contested case proceedings brought by the Agency.



MARCELENA ORDAZ
CHAIRPERSON **ELDRIDGE, IA**

Marcelena Ordaz began her first term on the Iowa Civil Rights Commission on May 1, 2017. She was reappointed to a second term by Governor Kim Reynolds that began May 1, 2021. Commissioner Ordaz is an executive director for a non-profit that supports women-owned businesses. She enjoys serving on the Commission to ensure Iowa can continue to be a desired state to live in by protecting the rights of all citizens. Commissioner Ordaz's current term ends on April 30, 2025.



HOLLY WHITE
VICE CHAIRPERSON **POLK CITY, IA**

Holly White began her term on the Iowa Civil Rights Commission on May 1, 2021. Commissioner White came to serve on the Commission because she felt called to protect Iowans' fundamental civil rights, civil liberties, and opportunities. She currently works as a technology consultant. Commissioner White's current term ends on April 30, 2025.



DONALD DEKOCK
COMMISSIONER **PELLA, IA**

Donald Dekock was appointed on May 1, 2023, to the Iowa Civil Rights Commission. Commissioner DeKock is a veteran of the United States Navy and a retired law enforcement officer. He decided to serve on the Commission because he believes that everyone should be treated in a fair and respectful manner. Commissioner DeKock's current term ends on April 30, 2027.



DANIEL KENNEDY
COMMISSIONER **WEST DES MOINES, IA**

Daniel Kennedy was appointed on May 1, 2023. Commissioner Kennedy is a technical accountant at Sammons Financial Group. Commissioner Kennedy joined the Commission to make a positive impact on the state that he grew up in and where his daughter is growing up. Commissioner Kennedy's current term ends on April 30, 2027.



SAM KOOIKER
COMMISSIONER **SHELDON, IA**

Sam Kooiker began his first term on the Iowa Civil Rights Commission on May 1, 2017. He was reappointed to a second term by Governor Kim Reynolds that began May 1, 2021. Commissioner Kooiker is the City Manager in Sheldon. He was born with cerebral palsy and has a special civil rights interest in disability and race-based discrimination. Commissioner Kooiker's current term ends on April 30, 2025.



DENNIS MANDSAGER
COMMISSIONER **CLIVE, IA**

Dennis Mandsager was appointed on May 1, 2021. Commissioner Mandsager is a retired U.S. Navy Surface Warfare Officer and Judge Advocate. Commissioner Mandsager's current term ends on April 30, 2025.

IOWA CIVIL RIGHTS COMMISSION – FINANCIAL MANAGEMENT



“THE AGENCY CONTRACTS WITH THE FEDERAL GOVERNMENT TO WORK COLLABORATIVELY TO INVESTIGATE ALLEGATIONS OF ILLEGAL DISCRIMINATION. THESE DOLLARS, ALONG WITH THE GENERAL FUND APPROPRIATION, ALLOWED FOR AGENCY STAFF TO COMPLETE OVER 1,200 INVESTIGATIONS IN FY23.”

– DIRECTOR STIFFLER ON FISCAL YEAR APPROPRIATIONS

FISCAL OUTLOOK

The ICRC receives 50% of its operating budget from the General Fund, and 50% from the Federal Government. Due to joint jurisdiction between the Equal Employment Opportunity Commission (EEOC) and the Department Housing and Urban Development (HUD), the ICRC is able to contract for complaint investigations to support operating expenses. The EEOC and HUD annual contract amounts change from year to year and are based on federal appropriations. ICRC’s FY23 revenue and expenses were $2,531,485.

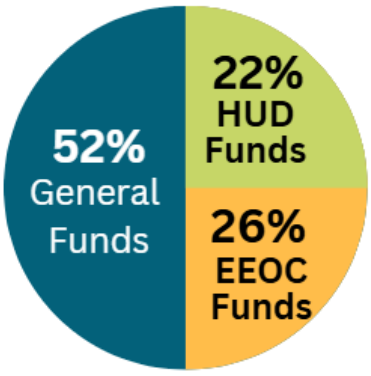
Over the last 10 years, ICRC’s General Fund appropriation has remained relatively stable, allowing the agency the opportunity to identify efficiencies within the current investigative process.

In FY23, the ICRC completed 809 joint employment investigations resulting in $671,470. The ICRC completed 131 joint housing investigations resulting in $584,478.00.

HUD also offers opportunities to receive partnership funds which are used to support the education and outreach activities by commission staff.

ICRC APPROPRIATIONS
$2,612,279 TOTAL

STATE FUNDS	FEDERAL FUNDS
$1,343,051	$1,269,228



REGULATORY COMPLIANCE & ADMINISTRATIVE PROCESS TEAM

“THIS YEAR WAS ABOUT IDENTIFYING PROCESS IMPROVEMENTS FOR OUR TEAM TO ENSURE STATUTORY AND FEDERAL CONTRACT COMPLIANCE. THESE IMPROVED PROCESSES WILL HELP IOWANS RECEIVE TIMELY NOTIFICATIONS OF THE CIVIL RIGHTS PROCESS.”

– KAITLIN SMITH, REGULATORY COMPLIANCE & ADMINISTRATIVE PROCESS MANAGER

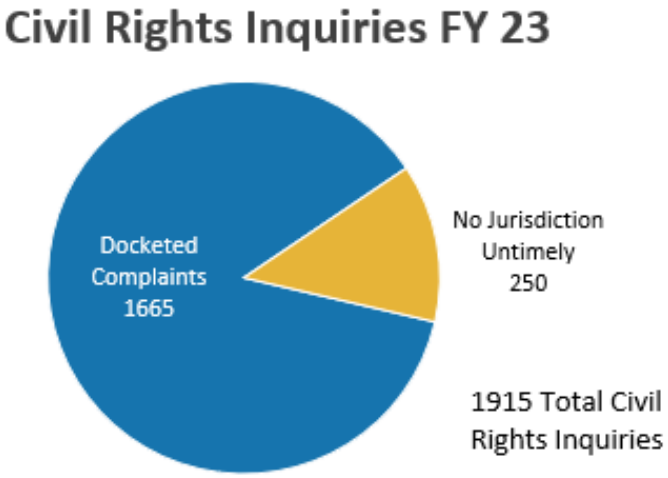


TEAM PERFORMANCE SUMMARY

The purpose of the Regulatory Compliance and Administrative Process Team is to assist Iowans at the initial stage of the civil rights complaint process and provide answers to questions throughout the administrative civil rights process. The Team ensures all operations comply with state and federal laws and regulations and ensure federal contract provisions are met.

In FY23, the Commission received almost 2,000 alleged illegal discrimination inquiries, which is an increase of 16% since FY21. Over 250 inquiries were determined to be non-jurisdictional or not timely filed. The Administrative Process Team also completed 173 administrative releases (issuance of a “Right-to-Sue Letter”), allowing complainants to file a lawsuit in district court.

Executive Order 10 went into effect on January 10, 2023, which requires a thorough review of state agencies’ administrative rules. The Commission was responsible for completing reviews of Chapters 3 and 8 during FY23. A comprehensive review of these chapters had not occurred since the 1970’s. Chapter 3 saw a 54% reduction in words and 59% elimination of mandates. Chapter 8 saw a reduction of 78% of words and 91% elimination of mandates. These updated rules allow for the Commission to remove unnecessary administrative burden on parties that appear before the Commission. Chapter 3 and Chapter 8 went into effect on September 25, 2024.







EMPLOYMENT+ INVESTIGATIONS

“THE EMPLOYMENT+ TEAM INVESTIGATED OVER 1,000 TIER ONE INVESTIGATIONS AND 111 TIER TWO INVESTIGATIONS IN FY23. THE TEAM’S DEDICATION TO JUST AND FAIR OUTCOMES FOR IOWANS IS EVIDENT IN THEIR CONTINUED WORK ETHIC.”

– CHARLES HILL, LEGAL MANAGER – EMPLOYMENT+



TEAM PERFORMANCE SUMMARY

The Employment+ Team processes and investigates complaints under the Iowa Civil Rights Act and equivalent sections of Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act, and the Age Discrimination in Employment Act. The areas of investigation include employment, public accommodation, education and credit.

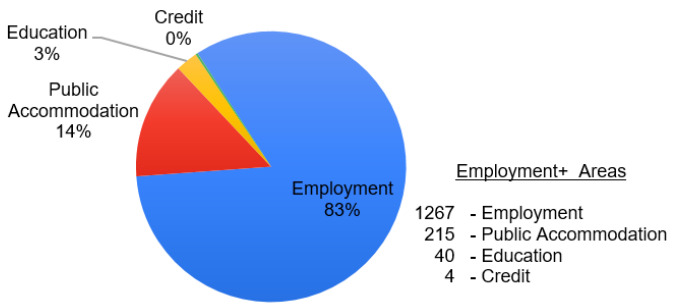
For employment complaints that are jointly jurisdictional with the federal laws enforced by the EEOC, the Commission enters into an annual workshare agreement to complete those investigations.

In FY23, Employment+ completed 1,112 Tier One investigations (the initial legal review of the complainant’s case to determine if additional investigation should be completed or if the file should be administratively closed because no future action is warranted). Over 100 Tier Two investigations were completed on the files identified for additional investigation. This includes interviewing of witnesses and collection of additional documents and evidence.

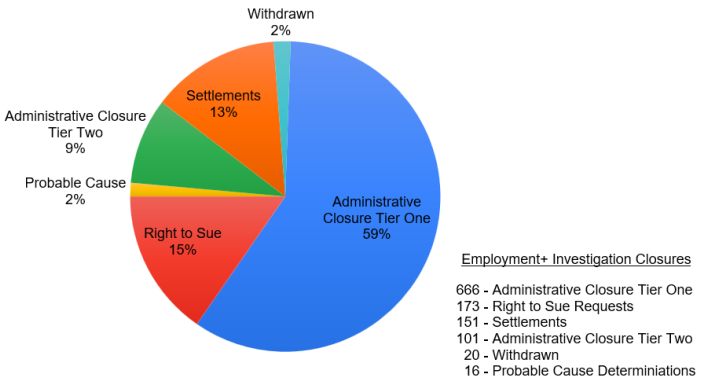
Of the 111 Tier Two investigations completed, 16 complaints were found to have probable cause that illegal discrimination occurred. Five complaints involved employment discrimination, nine involved public accommodation, and two were education complaints.

The ICRC offers free mediation to parties, regardless of representation by an attorney. In FY23, the commission staff and volunteers successfully mediated 88 cases.

Complaints Filed by Discrimination Area FY 23



Employment+ Investigations FY 23



FAIR HOUSING ENFORCEMENT



“THE GOAL OF THE HOUSING TEAM WAS TO IDENTIFY CREATIVE SOLUTIONS TO COMPLETE TIMELY HOUSING INVESTIGATIONS AND RESOLVE CIVIL RIGHTS COMPLAINTS THAT WERE TAKING OVER A YEAR TO INVESTIGATE.”

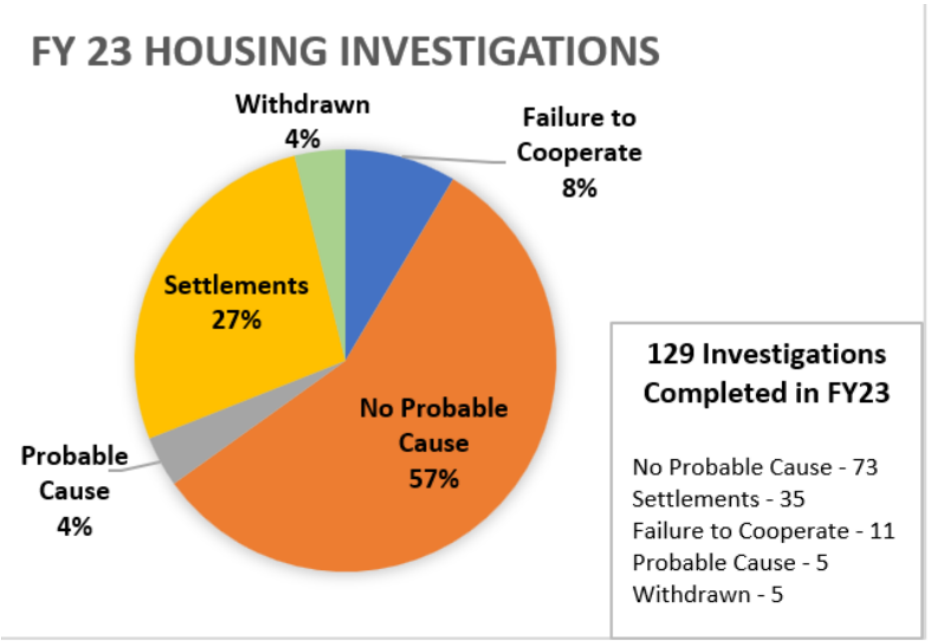
– DIRECTOR STIFFLER ON HOUSING TEAM PERFORMANCE

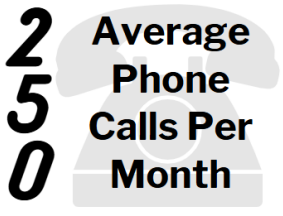
TEAM PERFORMANCE SUMMARY

The Housing Team processes and investigates complaints under the Iowa Civil Rights Act and the Fair Housing Amendments Act of 1988. The Commission enters into an annual workshare agreement with the Department of Housing and Urban Development (HUD) to complete investigations. In FY23, the Housing Team completed 129 investigations. Five of those investigations resulted in probable cause findings.

The ICRC settled 36 cases through alternative dispute resolution resulting in public interest relief including fair housing training, policy review, and policy changes, as well as complainant-specific relief such as monetary damages and modified lease terms. The Commission continues to monitor successfully conciliated cases for continued compliance with state and federal laws.

The Housing Team continues to provide free quarterly fair housing training to the public regarding fair housing laws.





IOWA CIVIL RIGHTS COMMISSION – LITIGATION

“THE CIVIL RIGHTS COMMISSION CONTINUES TO USE ALL OF ITS AVAILABLE METHODS OF CASE RESOLUTION TO RESOLVE COMPLAINTS OF ILLEGAL DISCRIMINATION. IT IS AN HONOR TO PARTICIPATE IN THEIR WORK WHEN LITIGATION IS REQUIRED.”

– KATIE FIALA, ASSISTANT ATTORNEY GENERAL







AAG Fiala providing oral arguments in *ICRC v. Rzonca* in front of the Commissioners in June 2023.

NOTABLE LITIGATION HIGHLIGHTS

The Commission referred five cases for litigation following a probable cause finding by the agency. The Commission engaged in successful settlement efforts to settle three of the five cases before a trial or administrative hearing. For the remaining two cases, the Commission continued litigation through the administrative hearing process. In both cases, the Commission obtained decisions in its favor, finding that the charged respondents violated the Iowa Civil Rights Act by engaging in housing discrimination on the basis of disability or sex, respectively.

In *Iowa Civil Rights Commission v. Rzonca*, DIA No. 23ICRC0003, the Commission proved the complainant had been denied a reasonable accommodation for her disability, harassed, and retaliated against by her landlord. Following hearing, the administrative law judge awarded the complainant $10,000, in additional to her moving expenses. Following the landlord’s appeal of that decision to the Iowa Civil Rights Commission, the Commission increased the damages award to $20,000.

In *Iowa Civil Rights Commission v. Brown*, DIA No. 23ICRC0005, the Commission proved the complainant had been subjected to sex-based name-calling and insults by her landlord. The complainant was repeatedly subjected to this conduct, which took place in front of her child and other neighbors. Following a hearing, the administrative law judge awarded $6,000 in emotional distress damages to the complainant and ordered her landlord to participate in anti-discrimination training.

CIVIL RIGHTS EDUCATION AND OUTREACH



“THIS YEAR BROUGHT NEW OPPORTUNITIES FOR COMMISSION STAFF TO ENGAGE WITH STAKEHOLDERS THROUGHOUT IOWA AND WITH INTERNATIONAL DELEGATIONS. WHEN SEEN THROUGH THE EYES OF HUMAN RIGHTS ADVOCATES, OUR STATE IS THE EXEMPLAR OF PRESERVING THE CIVIL RIGHTS OF IOWANS.”

– DIRECTOR STIFFLER ON INTERNATIONAL DELEGATION EXPERIENCE

NOTABLE EDUCATION AND OUTREACH OPPORTUNITIES FROM FY23

The ICRC continues to identify ways to reach Iowans to assist in a better understanding of the rights and responsibilities under the Iowa Civil Rights Act. Over 3,000 Iowans were reached through outreach efforts during the year.

The Housing Team provides free quarterly fair housing training specifically focused on compliance.

Two international delegations came to Iowa with a special focus on civil rights laws. Director Stiffler led a discussion on how civil rights state and federal laws protect Iowans. Staff listened to the delegations describe numerous challenges to civil rights protections within their countries.

The ICRC staff attended 24 education and outreach events throughout the year and enjoyed meeting and educating Iowans on their civil rights and responsibilities.



Agency staff meeting with Indo-Pacific and Central Asian Delegation on Human and Civil Rights for Marginalized Communities.



Agency leadership, members of the Iowa House of Representatives, and the Department of State’s International Visitor Leadership Program Delegation in June 2023.



Housing Lead Brenna Bormann discusses the investigative process for housing discrimination cases.

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