



STATE OF IOWA

TERRY BRANSTAD, GOVERNOR
KIM REYNOLDS, LT. GOVERNOR

IOWA CIVIL RIGHTS COMMISSION
KRISTIN H. JOHNSON, EXECUTIVE DIRECTOR

Unapproved Minutes of the May 15, 2015 Meeting of the Iowa Civil Rights Commission

- I.** Roll Call: Williams, Hosford, Conley, Oelschlaeger, Lipski, Hou,
Staff: Grove, K. Smith, K. Johnson, L. Johnson, Humphrey
AG: Fiala, Buller
Public: none

- II.** Public hearing - ICRC v. Wal-Mart Stores, Inc., City of Davenport, and Davenport Police Department. Arguments were heard from the ICRC, represented by Ben Humphrey; Respondent Wal-Mart, represented by Heidi Guttaw-Fox, and the City of Davenport and Davenport Police Department, represented by Chris Jackson. Commissioners present asked questions and participated in active discussion around issue presented on appeal, i.e. whether the decision rendered by the ALJ should be affirmed, amended or rejected. The ICRC asked the Commission to reverse the ALJ and remand the case to the ALJ for full evidentiary hearing. Respondents asked the Commission to affirm the decision. For issues presented to the Commission, see briefs filed by all parties.

- III.** Minutes from April 24, 2015 meeting: distributed for review, correction from Cunningham in absentia noted, approval tabled until May 15, 2015 meeting.

- V.** Reports
Commissioner Williams – no report
Commissioner Hou – no report
Commissioner Hosford – no report
Commissioner Lipski – mentioned she has received comments from a local legislator she intends to pass on to Acting Director and possibly Assistant Attorney General.
Commissioner Oelschlaeger – Expressed his favorable impression of the thoroughness of ICRC counsel’s briefing in the appeal before the Commission today. Commissioner Lipski concurred.
Commissioner Conley – Commissioner Williams congratulated Commissioner Conley on his appointment as diplomat by American Board of Homeland Security. Commissioner Conley echoed Commissioner Oelschlaeger’s compliment to the ICRC staff and the thoroughness of the briefing in the matter. He also indicated how beneficial the meeting in Burlington was and suggested the Commission hold meetings outside the Des Moines metro area on a more frequent basis.
Acting Director – no report

- VI.** Discussion held about the next meeting after June and the possibility of holding it outside the Des Moines metro area. The next meeting tentatively scheduled for September 18 at 1:00 pm, possibly in Ames.

- VII.** At approximately 12:01 pm, a motion was made by Commissioner Conley and seconded by Commissioner Lipski to close for deliberations, amended to specify the closed session will be held

pursuant to Iowa Code § 21.5(1)(f). A roll call vote was held and all members of the Commission present voted to go to closed session deliberations.

At approximately 12:59 pm, the Commission left closed session and each member stated his or her vote on the issue for the record and agreed to sign the order. Voting to remand to ALJ for evidentiary hearing: Williams, Hosford, Lipski and Hou. Separate Dissents by Oelschlaeger and Conley. See signed order for the written record of the vote.

Next meeting June 12, 2015, at 10:00 am.

Meeting adjourned after motion and vote to adjourn.