



Iowa Civil Rights Commission Annual Reports

FY's 2004, 2005 and 2006

40+ years of

Enforcing civil rights through

Compliance, Mediation, Education, and Advocacy





THOMAS J. VILSACK, GOVERNOR
SALLY J. PEDERSON, LT. GOVERNOR

IOWA CIVIL RIGHTS COMMISSION
RALPH ROSENBERG
EXECUTIVE DIRECTOR

The Honorable Thomas J. Vilsack
Governor of the State of Iowa
The State Capitol
Des Moines, Iowa 50319

Dear Governor Vilsack:

In accordance with the Code of Iowa, I hereby transmit to you and the General Assembly, the Annual Report of the Iowa Civil Rights Commission for Fiscal Years 2004, 2005, and 2006. During these three fiscal years, the Iowa Civil Rights Commission sought to eliminate discrimination by enforcing civil rights through compliance, mediation, education and advocacy.

Our vision is a state where all people are free from discrimination. Last year, on July 21, 2005, the Iowa Civil Rights Commission celebrated its 40th anniversary with a commemorative march and inspiring speeches and presentations. Throughout this past year, we have dedicated ourselves to our legacy and our mission to serve the people of Iowa. As we look forward to the future, the Iowa Civil Rights Commission is fortunate to have the dedication of the staff, the commissioners, and the public in working together to eliminate discrimination.

Your continued support of the commission and its ongoing efforts to carry out the mandates of the Legislature and the Act are earnestly solicited and appreciated.

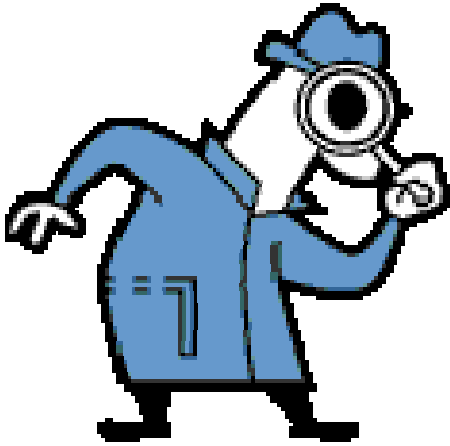
Respectfully submitted,

Ralph Rosenberg, Executive Director

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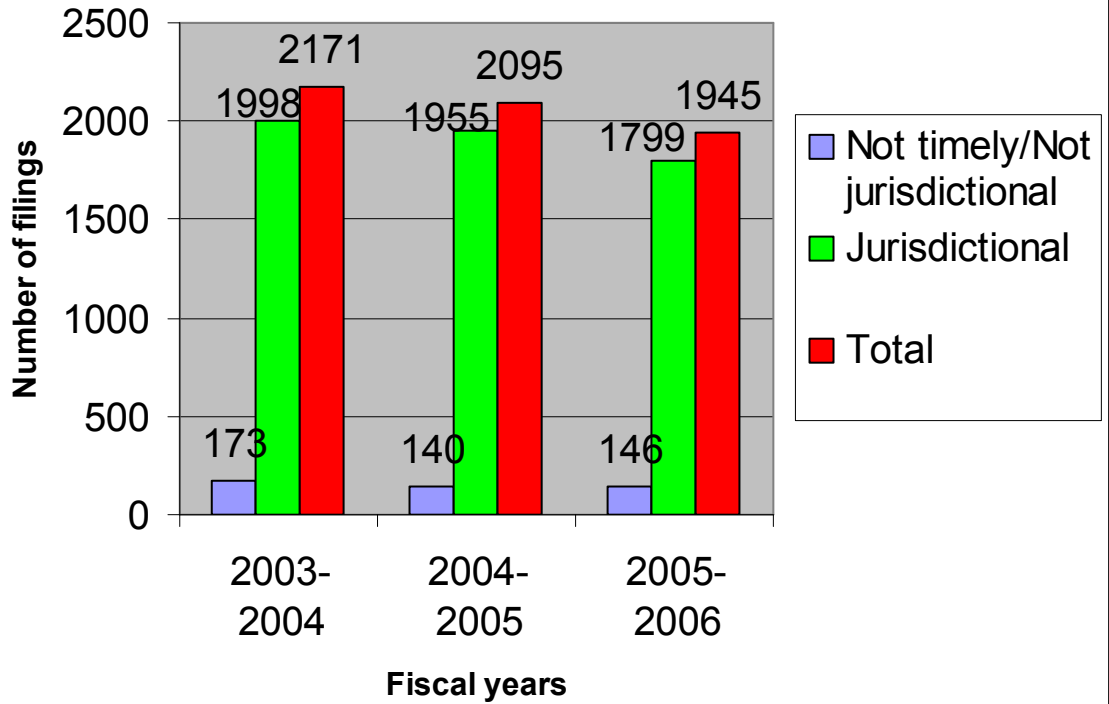
Case Processing



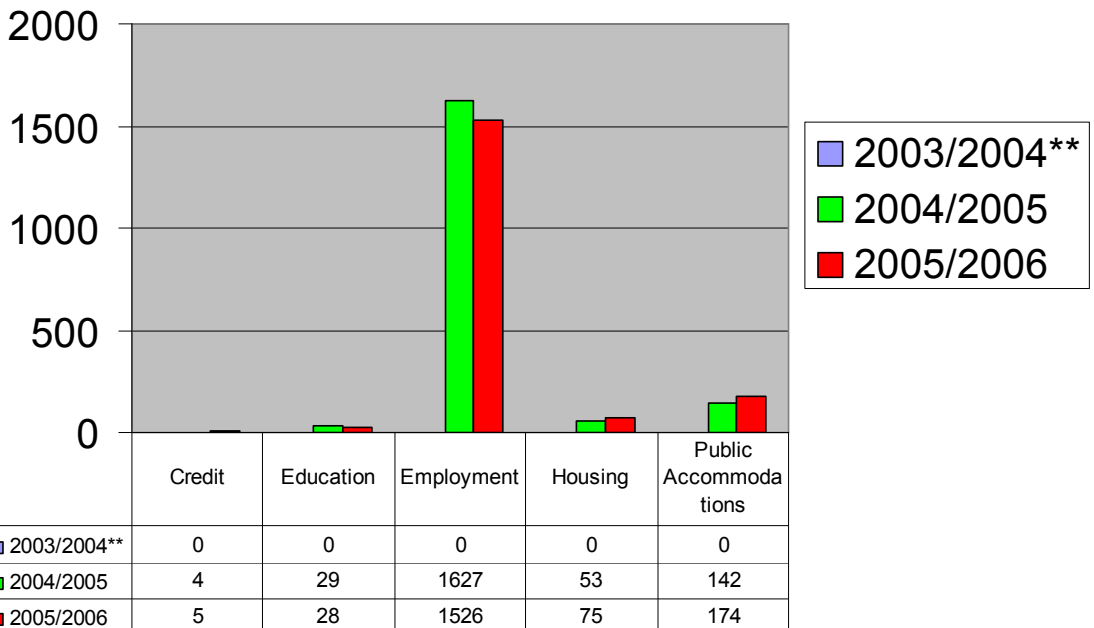
During these past three fiscal years, **6211 complaints (FY04-2171, FY05-2097, and FY06-1945 respectively)** were **filed** with the Iowa Civil Rights Commission. Of those complaints, **459 (173, 140, and 146)** were judged to be non-jurisdictional or untimely filed prior to being assigned a case number. Therefore, the number of complaints **docketed for processing** was **5752 (1998, 1955, and 1799)**. **Resolutions** numbered **6329 (FY04- 2000, FY05-1998, and FY06-2331 respectively)**.

- Employment continues to be the largest area of complaints filed, followed by public accommodations, and housing.
- Sex and disability were the most frequently named bases (personal characteristics) for discrimination in non-housing cases. These two leading bases of discrimination were followed by retaliation and race.
- In housing complaints, race was the most frequently named basis for discrimination; this was followed by disability and sex. Because of a switch in computer case management systems limited information was available during this time period regarding familial status. The agency's new case management system will be able to track this basis more accurately in future fiscal years.
- Of the 6329 case resolutions during this three-year period, the largest category was "does not warrant further investigation/administrative closures." This was followed by rights-to-sue, satisfactory adjustments/mediated settlements, withdrawal with settlements, and no probable causes.

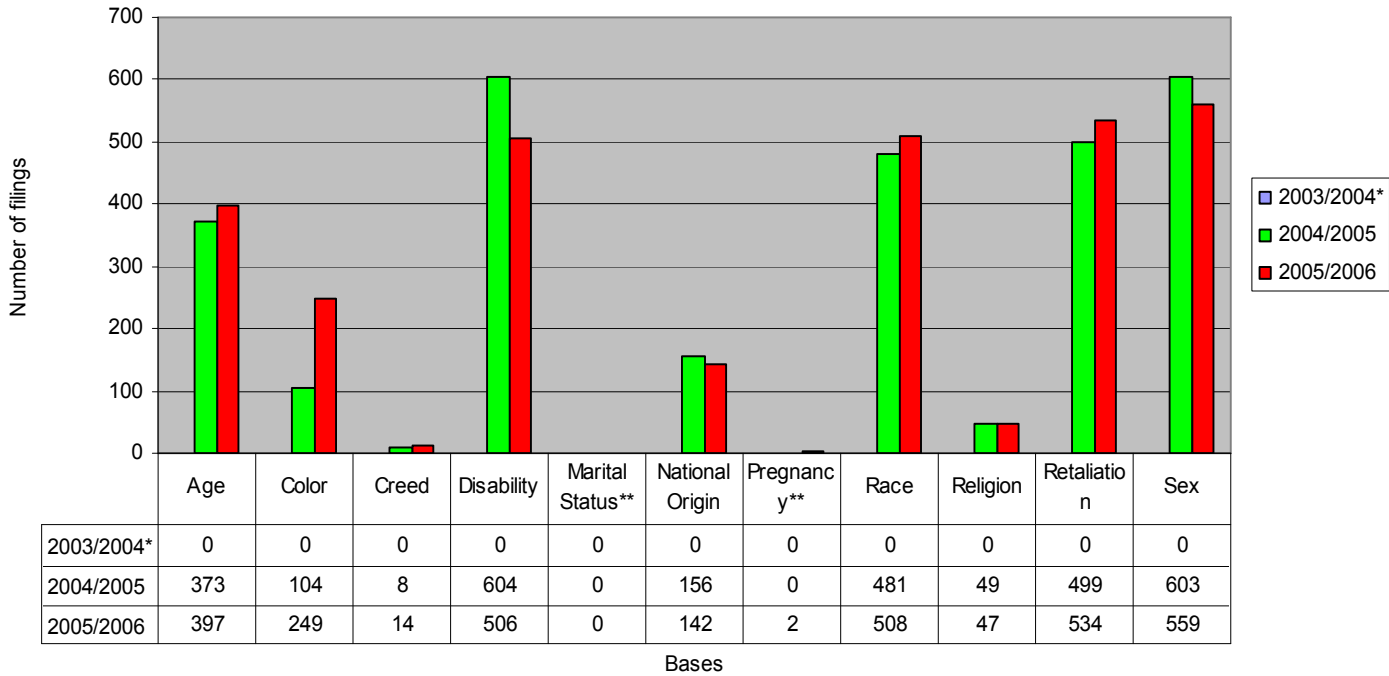
Total Case Filings 2003-2006



Case Filings* by Area 2003 - 2006



Filings in Non-Housing Cases by Basis 2003-2006

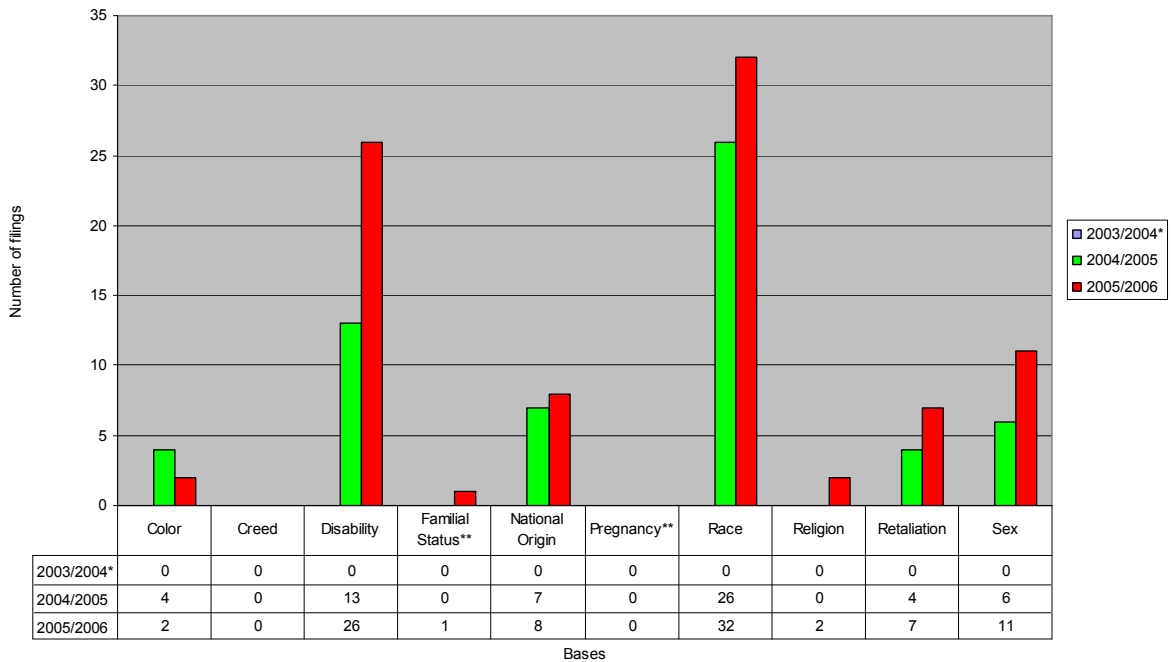


*2003/2004 data was not available by basis.

** Limited information was available on marital status and pregnancy from 2004-2006.

A new case management system will allow more information on these two bases in the future.

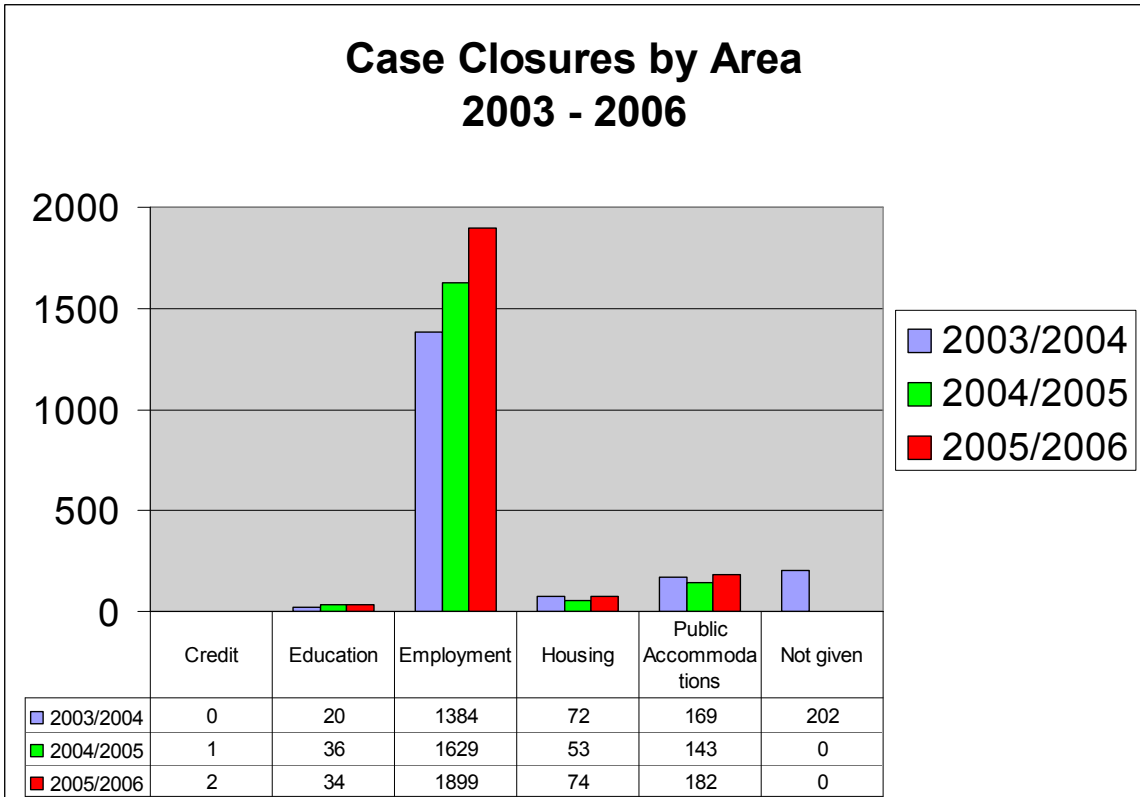
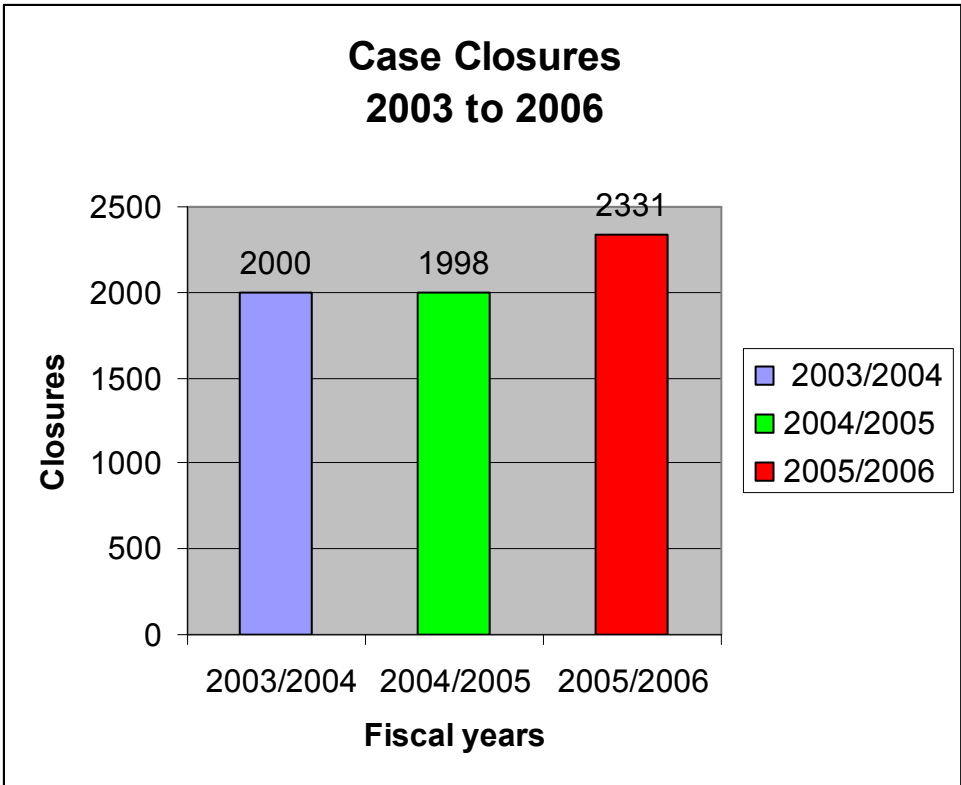
Filings in Housing Cases by Basis 2003-2006



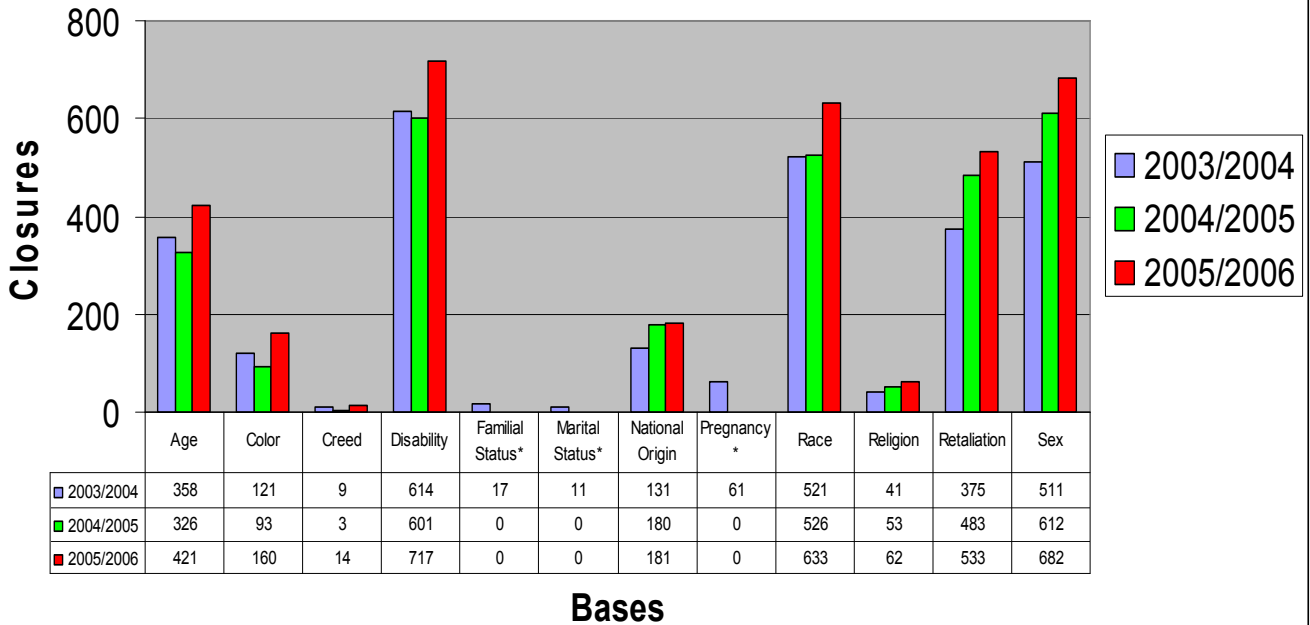
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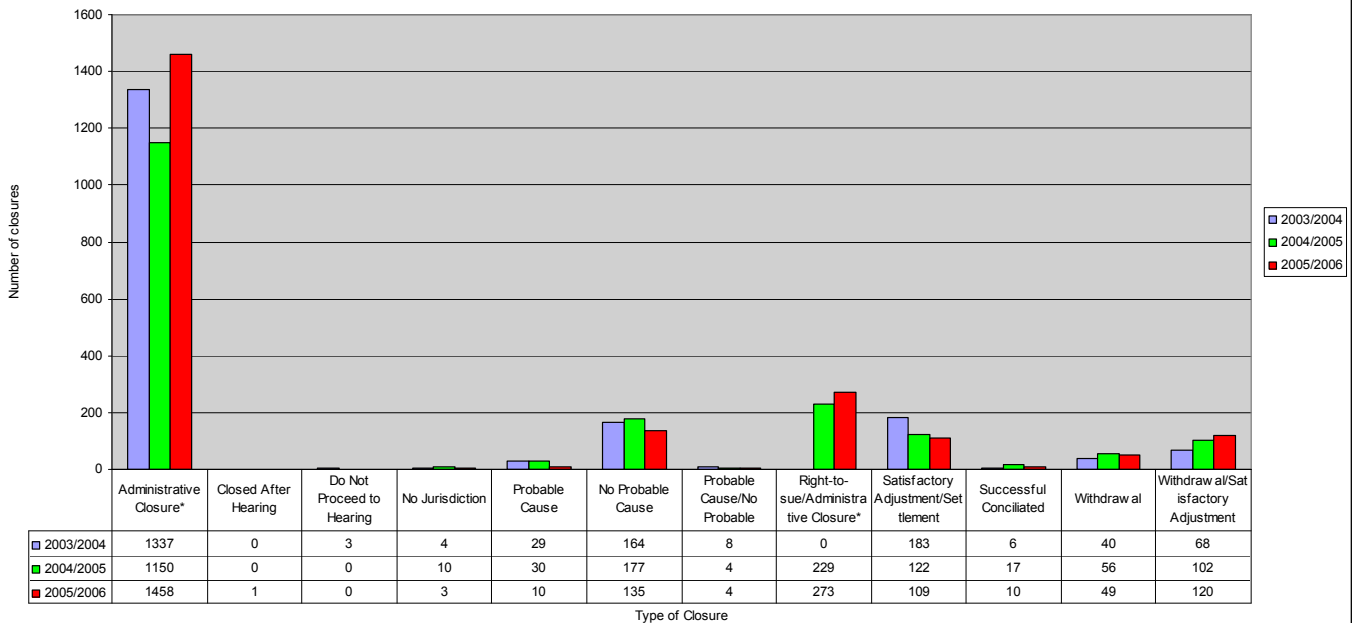


Case Closures by Basis



From 2004-2006, the case management system was not able to track information on familial status, marital status, or pregnancy. The new case management system can track this information.

Case Closures by Type 2003-2006



*Administrative Closures for FY 2003/2004 include Rights-to-Sue.

Conciliation

Conciliation occurs after a finding of probable cause has been made. It is the first point in the process at which the Commission becomes an advocate. Until this point, the Iowa Civil Rights Commission is a neutral investigatory agency. The Commission does not become an advocate, however, on the Complainant's behalf, but rather on behalf of the Probable Cause finding. During this three year period of time there have been 68 cases resolved at the conciliation stage. In 16 cases, rights-to-sue have been issued; in 52 cases settlements have been reached. Some of the more remarkable successful conciliations are listed below:

FY 2003/2004:

Area: Employment

Basis: Sex

Incidents: Sexual harassment and unequal terms and conditions

Resolution: \$15,000 for Complainant and training policy distributed

Area: Employment

Basis: Race and disability

Incident: Failure to hire

Resolution: \$9500 for Complainant

Area: Employment

Basis: Retaliation

Incident: Termination

Resolution: \$25,000 for Complainant

Area: Employment

Basis: Race and sex

Incidents: Harassment, unequal terms and conditions, unequal training, termination

Resolution: \$70,000 for Complainant and training for Respondent

Area: Employment

Basis: Age

Incident: Termination

Resolution: \$12,400 for Complainant

Conciliations – continued

Area: Public Accommodations

Basis: Disability

Incident: Inaccessibility

Resolution: \$5000 for Complainant and a 10-year plan to renovate Respondent's facilities and make them accessible

FY 2004/2005:

Area: Employment

Basis: Race

Incidents: Harassment, unequal terms and conditions, termination/constructive discharge

Resolution: \$10,000 for Complainant and training for Respondent

Area: Employment

Basis: Retaliation

Incidents: Harassment, failure to recall, and unequal terms and conditions

Resolution: \$10,000 (\$4500 back pay and \$5500 emotional distress) for Complainant and \$5000 to Complainant's attorney for attorney fees

Area: Employment

Basis: Sex

Incidents: Harassment and termination/constructive discharge

Resolution: \$9790 for Complainant and training for Respondent

Area: Employment

Basis: Sex and retaliation

Incidents: Unequal terms and conditions, demotion, sexual harassment, and termination

Resolution: \$15,000 for Complainant for emotional distress and training for Respondent

Area: 2 Public Accommodations cases

Basis: Race

Incidents: Harassment and unequal terms and conditions

Resolution: \$6000 for each of the 2 Complainants and training for Respondent

Conciliations - continued

Area: Public Accommodation
Basis: Disability
Incidents: Unequal terms and conditions
Resolution: \$10,000 for Complainant

Area: Employment
Basis: Disability
Incidents: Failure to accommodate, unequal terms and conditions, and termination
Resolution: \$28,000 (\$9326.66 back pay and the remainder in emotional distress) for Complainant

FY 2005/2006

Area: Employment
Basis: Sex
Incidents: Termination and unequal terms and conditions
Resolution: \$11,250 for Complainant

Area: Employment
Basis: Disability
Incidents: Termination, failure to accommodate, and unequal terms and conditions
Resolution: \$85,000 for Complainant and changes in personnel file

Area: Employment
Basis: Disability
Incidents: Failure to hire and unequal terms and conditions
Resolution: \$20,000 for Complainant

Area: Employment
Basis: Sex
Incidents: Sexual harassment, unequal terms and conditions, and constructive discharge
Resolution: \$32,500 for Complainant and Complainant's attorney

Cases Referred to or Heard at Public Hearing Fiscal Years 2003-2006

During this three-year period of time 9 cases were referred to Public Hearing. In two of the cases (*Dobbs v. Burche, et al* and *Halligan v. Burche, et al*) alleging sexual harassment discrimination in housing and originally filed with the Davenport Civil Rights Commission, elections were made to have the cases heard in District Court. After further investigation, more victims of sexual harassment at the hands of the property owner were discovered and the Attorney General was requested to add a claim of pattern or practice of discrimination. The cases were resolved in the Commission's and Complainants' favor, awarding \$10,000 in compensatory damages and \$25,000 in punitive damages for each of the Complainants and a \$50,000 civil penalty to the State. In addition, the owners of the property were permanently enjoined from managing residential real estate in Iowa, or having any contact with female tenants within their properties. Ultimately, a settlement was approved before the Bankruptcy Court which also awarded \$25,000 to each of the additional identified victims of the pattern or practice of sexual harassment. One case (*Simmons v. Hall*), which alleged familial status discrimination in housing, was heard at Public Hearing in 2004, with a determination in the Commission's and Complainants' favor in 2005. In this case, Respondent did not want to rent to Complainant and her sixteen-year old daughter. The judgment in the case resulted in \$1200 in actual damages (the difference between what Complainant could have rented the apartment for and the higher rental cost for the housing that she had to find as a consequence of the discrimination) and \$3500 in emotional damages for the Complainant-mother and \$1500 in emotional damages for the Complainant-daughter. A civil penalty of \$1000 was ordered against one of the Respondents and civil penalties of \$500 each were ordered against two other Respondents. One additional housing case was referred to Public Hearing, but Complainant defaulted by not appearing at hearing.

During this same time period 5 additional housing cases had probable cause findings recommended, resulting in the parties ability to opt for Public Hearing or to go to State District Court. In all five of these cases, the parties will be pursuing in District Court.



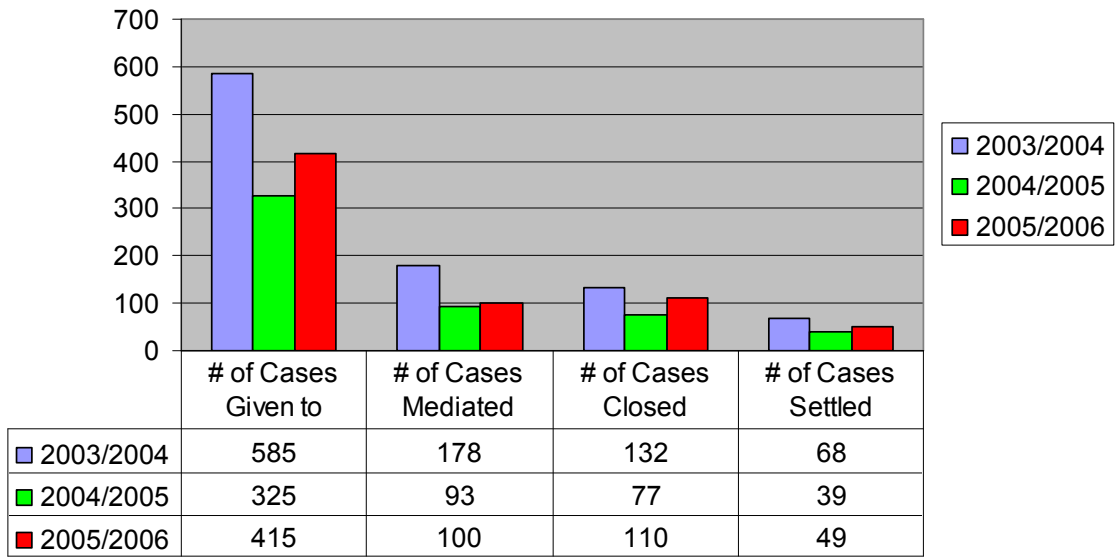
Mediation



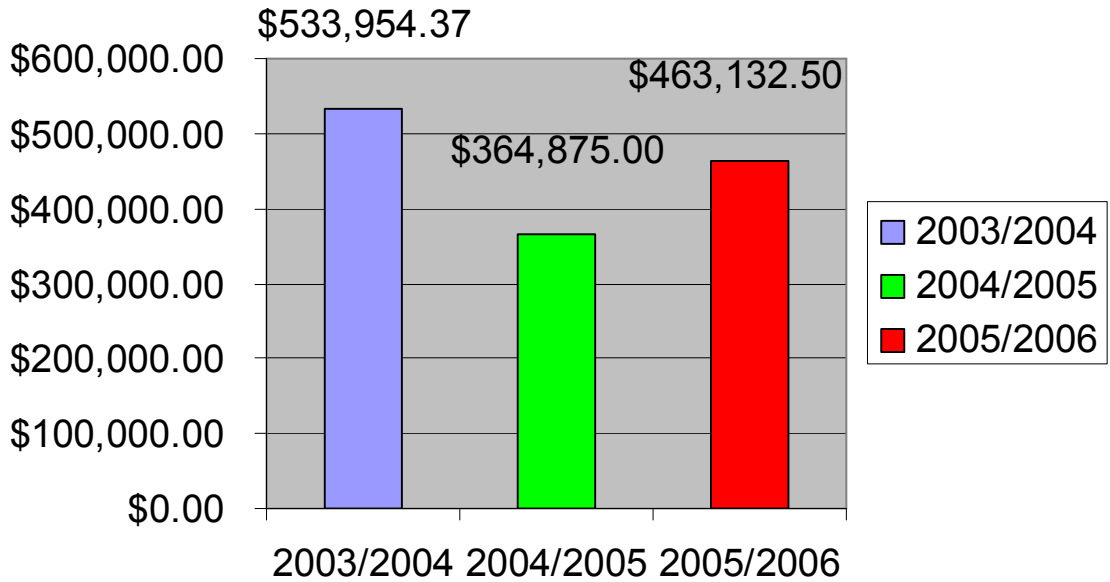
•The *Mediation Team* was created to provide efficient and effective customer service for Iowans. Mediations are conducted throughout the state of Iowa. Onsite mediations encourage Complainants and Respondents to resolve disputes in one meeting, which decreases timeframes significantly in case resolution.

- The mediator's role is as a neutral third party who facilitates the discussions between the Complainant and the Respondent. The purpose is to assist the parties to reach a compromise.
- Fortunately, as the result of the more recent trend towards alternative dispute resolution (ADR), more and more disputes are resolved by mediation, even before the parties file suit in court. Mediation reduces litigation and costs associated with court. There are two requirements that must be met at the Iowa Civil Rights Commission before mediation takes place: first, both parties must be willing to resolve the dispute and second the process must remain confidential.
- The partnership with the Local Commissions and the Iowa Civil Rights Commission to utilize space at the locals to conduct mediations throughout the state of Iowa has been continued. This partnership allows the team to travel and reduce any hardship on Complainants and Respondents.

Mediation Data 2003-2006



Total Dollars Achieved Through Mediated Settlements - 2003-2006

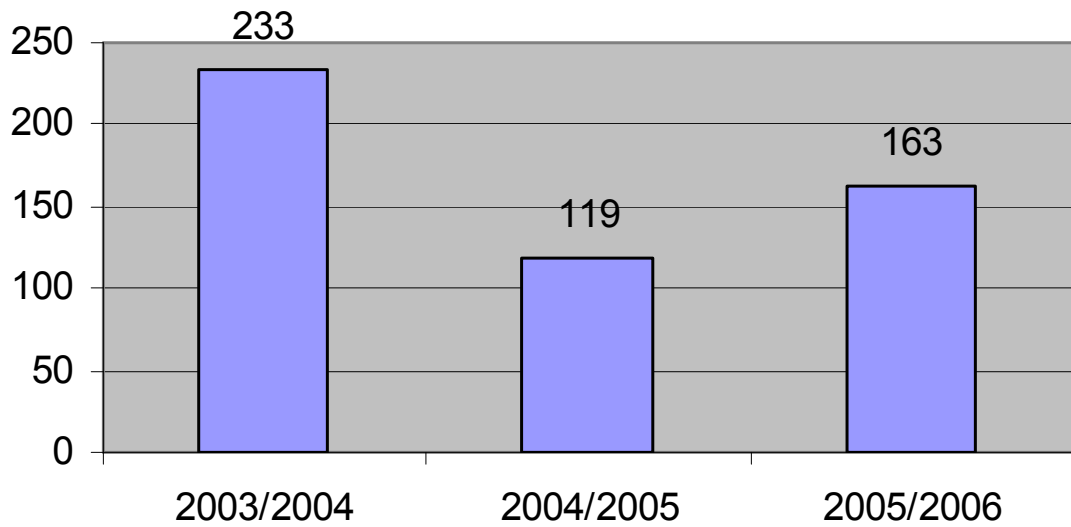


Educational Resources

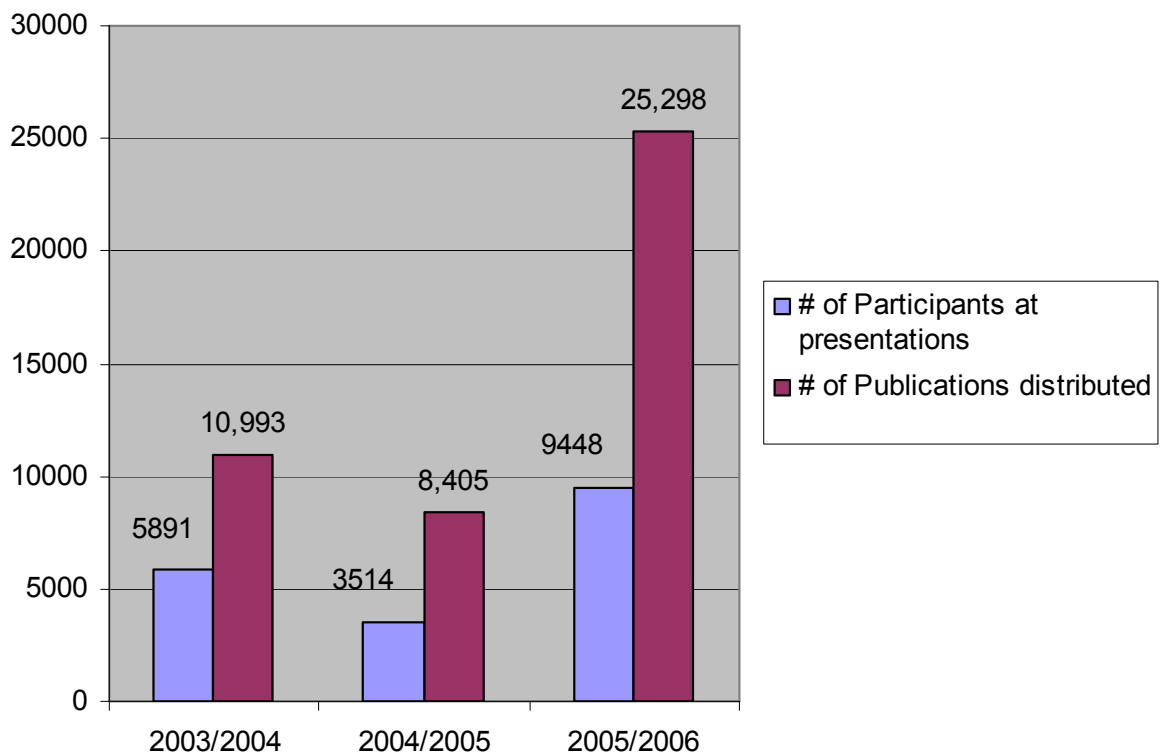


- The Educational Resources Team not only plans and implements the education and outreach activities of the Commission, it is also responsible for the coordination of Accountable Government requirements and agency evaluation processes; implementation of the Iowa Excellence Program; the writing and administration of grants; the coordination of special projects; the production, updating, and dissemination of educational materials; the administration of the internal and external educational materials lending libraries; and the scheduling of ICN (Iowa Communication Network) events.
- The Commission’s educational programs are designed to inform people about their rights under the law, and to inform businesses, landlords, and other organizations about how to conduct their operations in accordance with the law.
- Staff are available, upon request, to conduct public speaking engagements, workshops, classes, and other events. For fiscal years 2003-2006, staff participated in **515 events**, reaching **18,853 participants**. The most requested topics through the year were for programs on diversity issues and harassment.
- The citizens of Iowa continued to use the video lending library offered by the Commission. There were **203** uses of the videos by staff and by citizen requests.
- The public called the Commission for information **3,199** times during these three fiscal years. These non-complaint-related calls came from employers, employees, renters, attorneys and others who wanted to know about civil rights and discrimination. Over the years, the number of e-mails has surpassed the number of calls we receive for information. During these three fiscal years, **10,861 informational e-mails** were handled. Calls, e-mails, and presentations, resulted in **44,696 materials** being distributed. In addition an average of over 2000 individuals visit the Commission’s website, www.state.ia.us/government/crc monthly, with an average of more than **40,000 hits** per month.
- The Iowa Civil Rights Commission also continued to co-sponsor the I’ll Make Me a World in Iowa celebration, held at the end of January each year. Close to 10,000 people now attend the event, held over a two-day period. The Iowa Civil Rights Commission has also been actively involved in the planning of the statewide diversity conference held in the fall of each year since 2003, planned and coordinated the 40th anniversary celebration of the Iowa Civil Rights Act and the Iowa Civil Rights Commission in July 2005, and has been involved in the GLBT Youth in Iowa Schools Task Force since its inception.

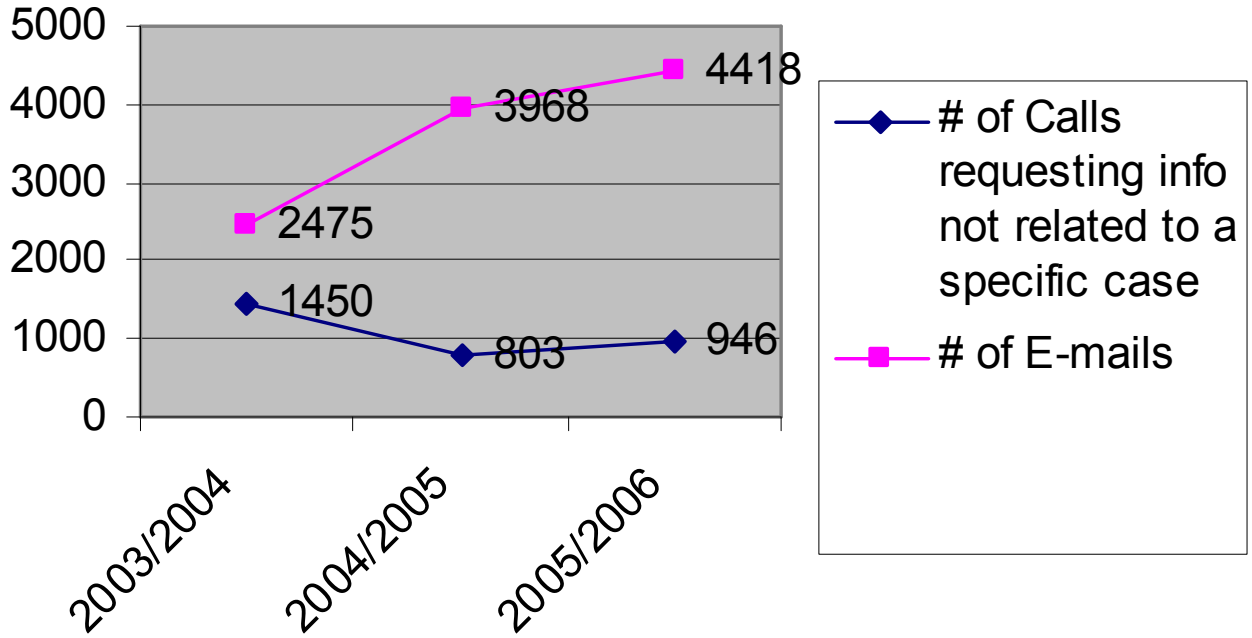
of ICRC Presentations 2003-2006



of Participants and Publications 2003-2006



Calls and E-mails Handled 2003-2006



Budget

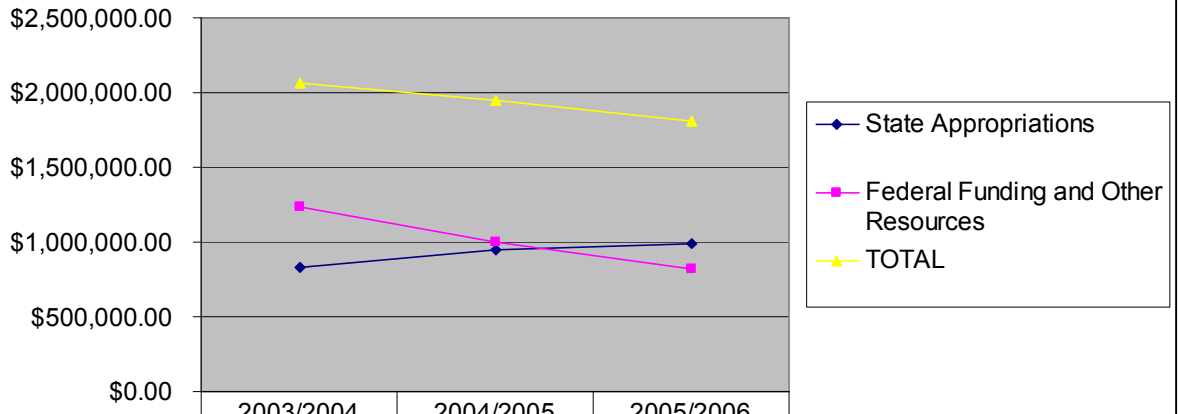
Agency Funding



The total funding for the Iowa Civil Rights Commission for FY 2004 was \$2,060,190; for FY 2005 - \$1,984,264; and for FY 2006 - \$1,808,066.

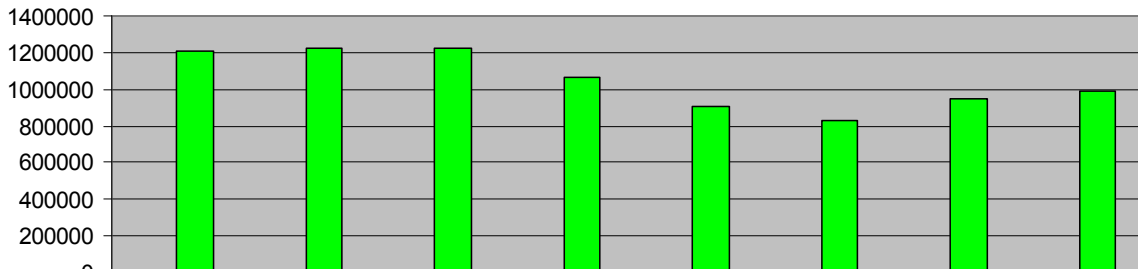
The sources of funding were the State General Fund, complaint processing contracts (EEOC and HUD), fair housing grants from the Fair Housing Initiatives Program of HUD, fair housing grants from Partnership monies through the Fair Housing Assistance Program of HUD, a fair housing contract with the Iowa Finance Authority, a fair housing contract with the Iowa Department of Economic Development, and from reimbursements for copying and civil rights complaint audits.

Iowa Civil Rights Commission Budget 2003-2006



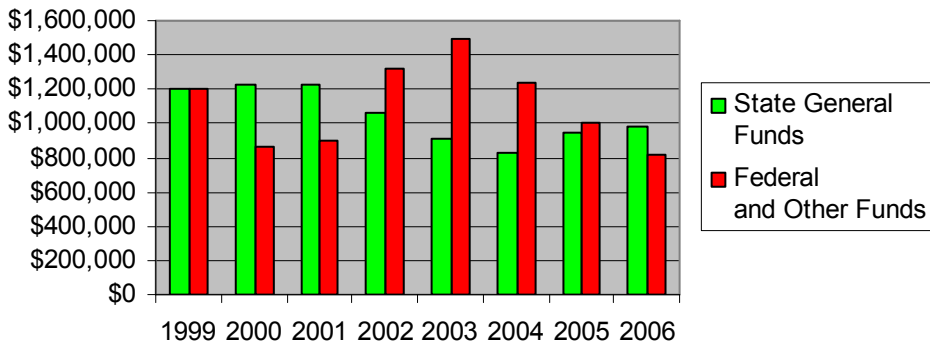
	2003/2004	2004/2005	2005/2006
State Appropriations	\$827,835.00	\$944,088.00	\$985,763.00
Federal Funding and Other Resources	\$1,232,355.00	\$1,004,176.00	\$822,303.00
TOTAL	\$2,060,190.00	\$1,948,264.00	\$1,808,066.00

State General Funding



	1	2	3	4	5	6	7	8
Series1	1999	2000	2001	2002	2003	2004	2005	2006
Series2	\$1,208,371	\$1,222,310	\$1,226,743	\$1,063,292	\$908,894	\$827,835	\$944,088	\$985,763

ICRC State General Funding vs. Federal and Other Funding 1999-2006



Commissioners



- **Alicia Claypool, chair**
Des Moines
Appointed May 1999
- **David Leshtz**
Iowa City
Appointed May 1999
- **Constance Gronstal**
Council Bluffs
Appointed April 2001
- **Din VanLo**
Des Moines
Appointed May 2002
- **Rick Morain**
Jefferson
Appointed May 2003
- **Timothy Tutt**
Des Moines
Appointed April 2001
- **Nancy Witt**
Reinbeck
Appointed April 2005
(Replaced Maria Waterman
2001-2005)

Iowa Civil Rights Commission Staff

July 1, 2003 to June 30, 2006

Ralph Rosenberg*, Executive Director

Calvin Baccam*

Teresa Baustian* - Assistant Attorney General assigned to ICRC

Norma Bosley

Natalie Burnham*

Marcia Coverdale*

Mary Cowdrey*

Vicki Douglas

Annette Flaherty*

L. B. Galbearth, Jr.*

Tom Good*

Sally Goode*

Don Grove*

Kerry Hainline*

Murlean Hall*

Roger Halleck*

Tina Hayes

Greg Klein*

Eric Lindstrom*

Larry Lockman*

Sylvia Owens*

George Peters

Dawn Peterson*

Ron Pothast

Lena Robison*

Pam Rose*

Linda Ross*

Karl Schilling*

Chris Silberhorn

Diana Sisler*

Sommay Soulinthavong*

Chad Timmons

Rachel Vos Carillo*

Sherry Williams*



* Denotes employed as of July 1, 2006