



Lincoln Commission on Human Rights

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ANNUAL REPORT

FY 2012

Let's pull together before we're torn apart.

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LCHR ANNUAL REPORT 2012

Mayor

March 2013

Dear Lincoln Residents:

As the Lincoln Commission on Human Rights (LCHR) begins its 44th year of promoting equal opportunity and combating discrimination, I am pleased to present this 2012 Annual Report.

In early February 2012, the Commission welcomed Ms. Kimberley Taylor-Riley as the City's new Director of Equity and Diversity. Ms. Taylor-Riley also serves as the City's Equal Employment Officer. Additionally during 2012, the Commission welcomed the addition of Loren Mestre'-Roberts as the City's Outreach Coordinator. Mrs. Mestre'-Roberts, who previously served as the Hispanic Liaison for the City, acts as an interpreter for the Commission and provides education and outreach services to agencies and in Lincoln schools. I also note that Ms. Taylor-Riley and Mrs. Mestre-Roberts have joined forces to develop a plan to ensure our City workforce better reflects the community as a whole. I thank them for their hard work and dedication to our citizens.

I also want to thank the volunteer LCHR Commissioners and our LCHR investigators for their continued commitment to investigating and eliminating discrimination. The Commission and its two investigators closed 29 housing cases, 44 employment cases, and 6 public accommodation cases during 2012. In addition, the LCHR reached approximately 4,100 residents during more than 98 sessions covering civil rights and responsibilities. I am also pleased to report that the 2012 annual Civil Rights Conference was again a great success. It included legal updates on employment and housing and addressed difficult issues, such as providing reasonable accommodations, as well.

I am excited about the work of the LCHR, and I look forward to great things from the Commission and its dedicated staff. While the battle continues to fight prejudice and to promote tolerance, we have, and will continue, to make great strides here in Lincoln. I am proud to live in a place where its citizens are not afraid to say that hate and discrimination will not be tolerated.

Sincerely,



Chris Beutler
Mayor, City of Lincoln

LCHR ANNUAL REPORT 2012

Executive Director

Dear Friends of the Commission:

It seems nearly impossible to believe, but nearly a year ago I assumed the Executive Director position at the Lincoln Commission on Human Rights. In my official capacity as the Director of Equity and Diversity, I also serve as the City's Equal Employment Officer. The tasks have been challenging and the road has been unfolding before me on nearly a daily basis. However, handling these roles coextensively has certainly kept me busy and ensured that my focus remains constantly on housing and employment equity in the City of Lincoln. It is truly an honor and a privilege to serve the citizens of Lincoln in this capacity.

My transition was made much smoother through the efforts of my dedicated and knowledgeable staff, Angela Lemke and Margie Nichols. We began our alliance by planning the 2012 Civil Rights conference. As time was of the essence, we settled quickly on dates and speakers. Thanks to Angie and Margie as well as our AmeriCorps volunteer, Nichole Hope, the conference was another huge success!

Additionally, our staff has expanded to include the Diversity Outreach Coordinator, Loren Mestre-Roberts. Loren was previously under contract with the City and has now joined our staff as an employee. Loren works with community organizations to 'get the word out' regarding City employment vacancies. We are thrilled to welcome her to our staff!

As the year progressed, the investigators continued to work diligently investigating housing, public accommodation, and employment discrimination cases. Both Angie and Margie have continued the community outreach efforts of our office through their association with the Realtor's Association, Lincoln Housing Authority, RentWise, Center Pointe and Community Action Partners. Loren has continued our tradition of advising Lincoln Public High School students about their rights related to housing and employment as they prepare to move into the workforce and out of the parental home.

Our nine unpaid LCHR Commissioners have demonstrated their commitment to equity and diversity through their efforts at each and every Commission hearing. One of our Commissioners, Jose Quintero, resigned his position this year. We realize that our office could not be a success without the efforts of our Commissioners and we appreciate Commissioner Quintero's dedicated service to the City of Lincoln.

As we enter 2013, we endeavor to move forward with initiatives that enhance and enrich our community by creating an environment that fosters diversity.

Very Truly Yours,



Kimberley Taylor-Riley
Director of Equity and Diversity

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Commission Chair

Dear Citizens and Friends of the Commission,

With this letter the Commissioners of the Lincoln Commission on Human Rights and I would like to update you on the status on the Commission during 2012. The staff and community volunteers that comprise the LCHR continue to work hard to investigate and issue findings in cases in a timely and just manner.

Our search for a full time Director was successful and has resulted in a professional trained in litigating and educating the public on employment and housing matters. This work experience suits her well in her leadership of the LCHR. Ms. Kimberley Taylor-Riley has the respect and confidence of the Staff and Commissioners.

Joining the Commission this past year were Elizabeth Kennedy-King and Micheal Thompson. Their enthusiasm, attention to detail, and compassion for the people of Lincoln and their rights has truly prepared them for their work on the Commission.

I will miss the advice and judgment of José Quintero who left LCHR recently to spend more time with his family. The Commissioners that served with José thank him for his service and wish him well in his endeavors.

I am proud to serve with Commissioners Hazell Rodriguez, Wendy Francis, Susan Oldfield, Takako Olson, Mary Reece, and Bennie Shobe Jr. Their civic service on the Commission shows that Lincoln is a place where people count.

The Civil Rights Conference hosted by the LCHR staff in April, 2012, was an educational and instructive “how to” comply with the housing and employment rights that affect all of us. Please consider coming to the 2013 Civil Rights Conference to be held April 23 and 24. You can find that information on the website at: lincoln.ne.gov/city/mayor/human.

While there is not a vacancy on the Commission at this time, if you or anyone you know is interested in serving the future, I would encourage you to submit your application of interest to the Mayor’s office.

Our work continues to strive for equality in a City that provides a local Civil Rights Agency to fight discrimination; how fortunate we are in Lincoln, Nebraska.

Sincerely,

Gene Crump
Chair, 2012

LCHR ANNUAL REPORT 2012

Commissioners

2012 Commissioners



2012 Lincoln Commission on Human Rights Commissioners: bottom row, left to right, Bennie Shobe, Chair Gene Crump, Mary Reece, and Susan Oldfield. Top row, left to right, Vice Chair Hazell Rodriguez, Elizabeth Kennedy-King, Micheal Thompson, and Wendy Francis. Not pictured, Takako Olson.

The LCHR Commission is a nine member board of diverse people who hear and decide the cases presented to them. They are volunteers who are appointed by the Mayor and approved by the City Council. An additional goal of the Commission is to continue educating the public on the discrimination laws in the hope of preventing and eventually eliminating unlawful discrimination. They meet on the last Thursday of each month at 4 p.m. in the City Council Chambers of the County/City Building.

Mission Statement

Mission

The administration of the Human Rights Division supports the enforcement of all provisions of Title 11 of the Lincoln Municipal Code. To receive, settle, conciliate, investigate, issue findings, and hold public hearings on complaints alleging discrimination based on race, color, religion, sex, disability, national origin, familial status, age, ancestry, marital status, and retaliation.

To perform functions and activities with community groups, businesses, schools, and governmental entities for the purpose of promoting understanding between races, cultures, and sexes, and to work to eliminate inequalities and sources of inter-racial friction.

Review all City of Lincoln procurement bids and awards in excess of \$10,000.00.

Review DBE (Disadvantaged Business Enterprises) program of minority and women-owned businesses and maintain directory.

Goals

To eliminate and prevent all forms of illegal discrimination, to assure and foster equal opportunity for all citizens of the City, and to act in all matters within its jurisdiction.

The Commission's Role

The Commission is a NEUTRAL agency. We do not serve as either side's lawyer, advocate, or advisor. We are not prosecutors. We do not take the side of either the complainant (the person who filed the complaint) or the respondent (the alleged discriminator).

The job of the Commission is:

- to *investigate* complaints of discrimination
- to *settle* complaints, if possible
- to *determine*, after investigation, whether there was discrimination in violation of the City of Lincoln Equal Opportunity Ordinance
- to *order remedies* if the complainant proves at a hearing that discrimination has occurred

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Agency Staff

KIMBERLEY TAYLOR-RILEY
DIRECTOR OF EQUITY &
DIVERSITY



Tel 402-441-8691

ktaylor-riley@lincoln.ne.gov

Hired: 2012

ANGELA LEMKE
SENIOR CIVIL RIGHTS
INVESTIGATOR



Tel 402-441-3870

alemke@lincoln.ne.gov

Hired: 1997

MARGIE NICHOLS
CIVIL RIGHTS INVESTIGATOR



Tel 402-441-8690

mnichols@lincoln.ne.gov

Hired: 2006

Kimberley Taylor-Riley joined the LCHR as the new Director of Equity and Diversity in February, 2012, filling the position which had been vacant since July 2010. Kim, a graduate of Omaha Benson High School, earned her undergraduate degree at the University of Nebraska - Omaha and her law degree at Creighton University.

LOREN MESTRE'-ROBERTS
HISPANIC-LATINO LIAISON
& OUTREACH COORDINATOR



Tel 402-441-7625

lroberts@lincoln.ne.gov

Hired: 2012

NICHOLE HOPE BAUMAN
AMERICORPS VOLUNTEER

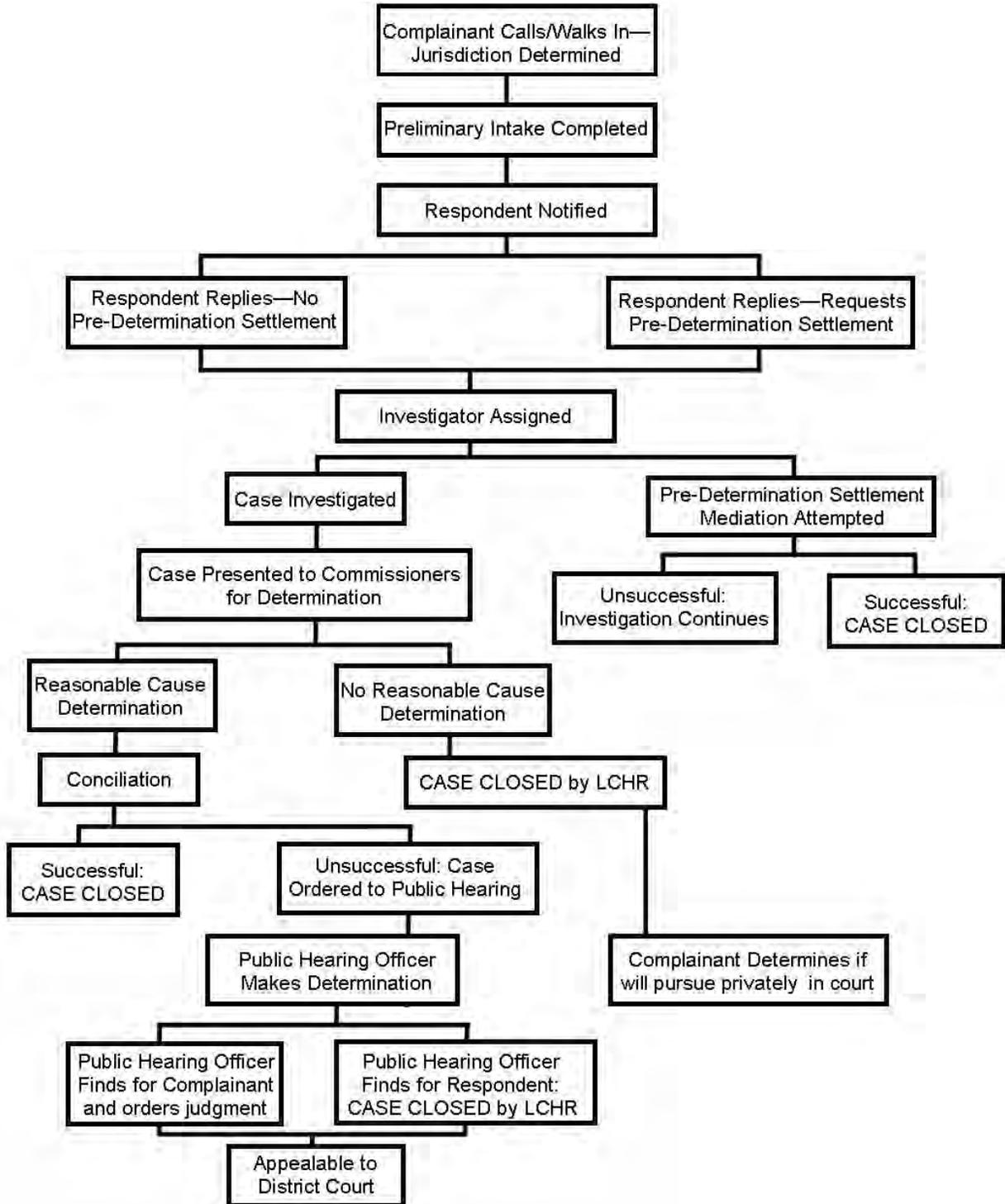


Provided outreach and education to the Lincoln Public School's Career Education classes during 2012 through AmeriCorps.

Loren Mestre'-Roberts first served as the Hispanic-Latino Liaison through the Human Services Commission providing translation services and outreach to the Hispanic-Latino community. In October, 2012, she was hired as the Outreach Coordinator, providing education to agencies, schools, and the community at large on civil rights issues as well as continuing outreach and work in diversifying the workforce. Loren is also the Civil Rights Conference coordinator.

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Complaint Process*

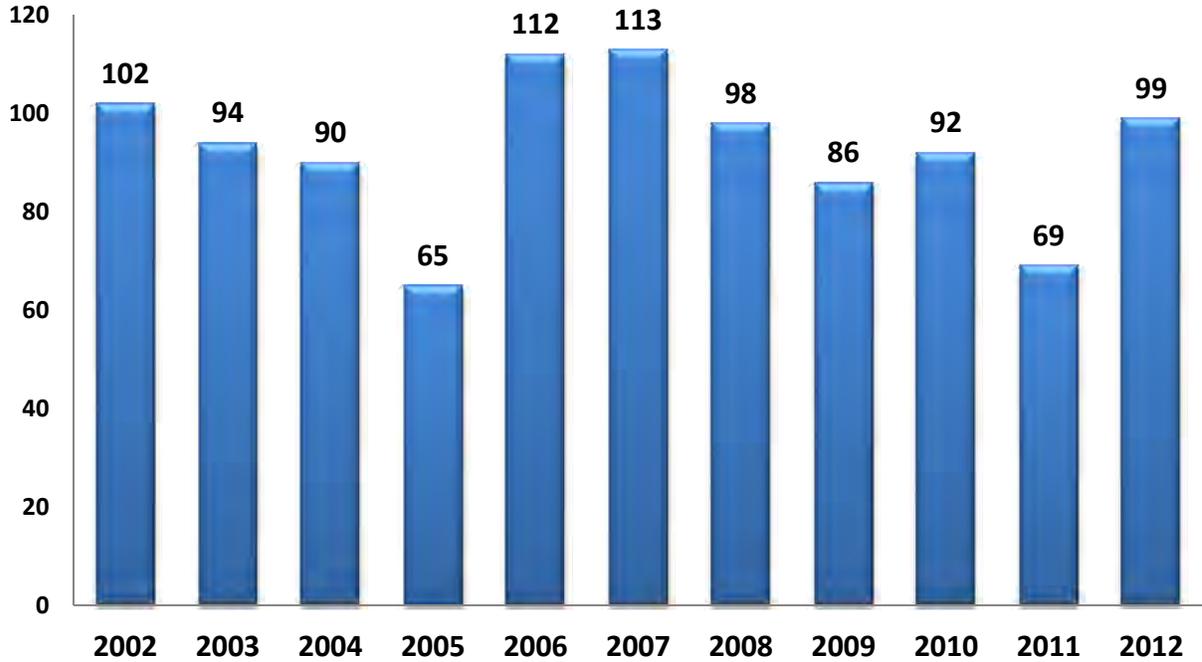


*Complainant always has the option throughout the process of pursuing his or her case privately in court.

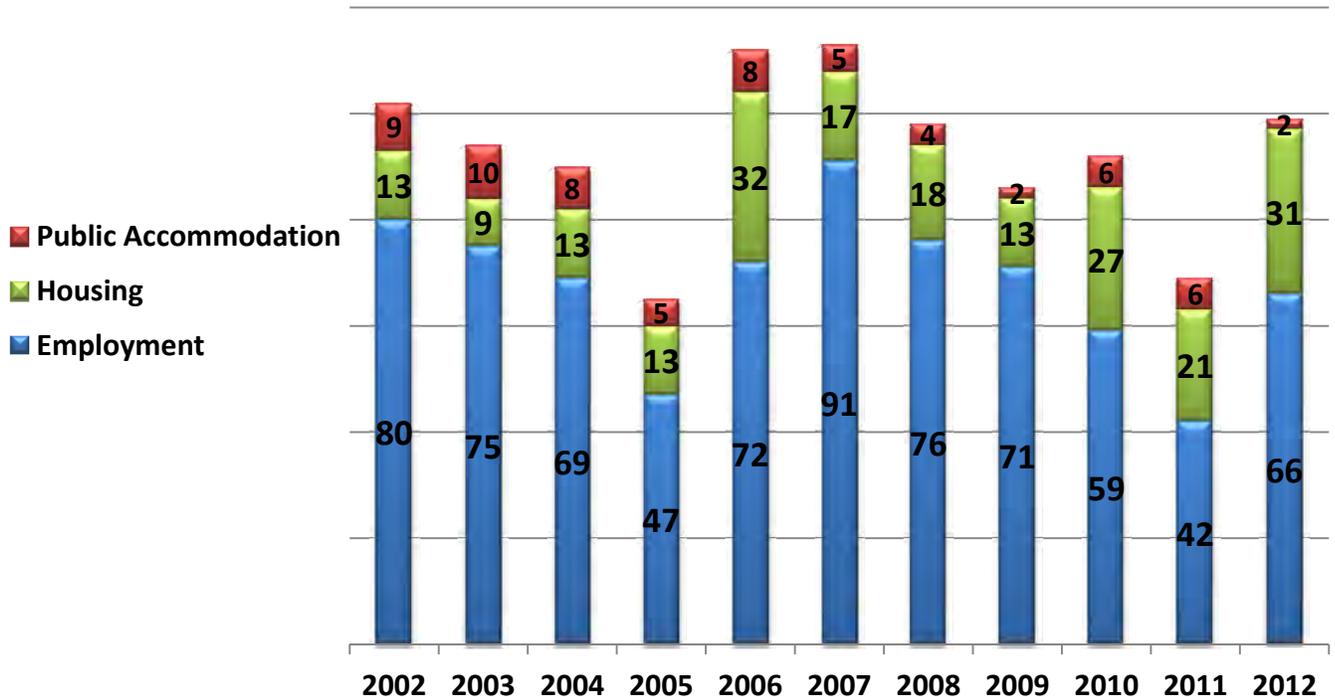
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Complaint Statistics

Cases Filed 2002-2012



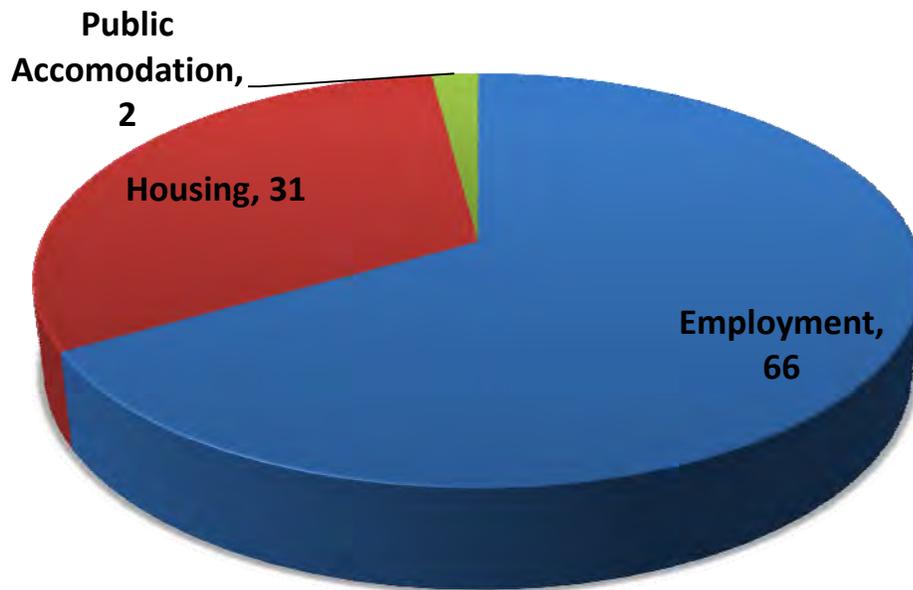
Cases Filed by Type 2002-2012



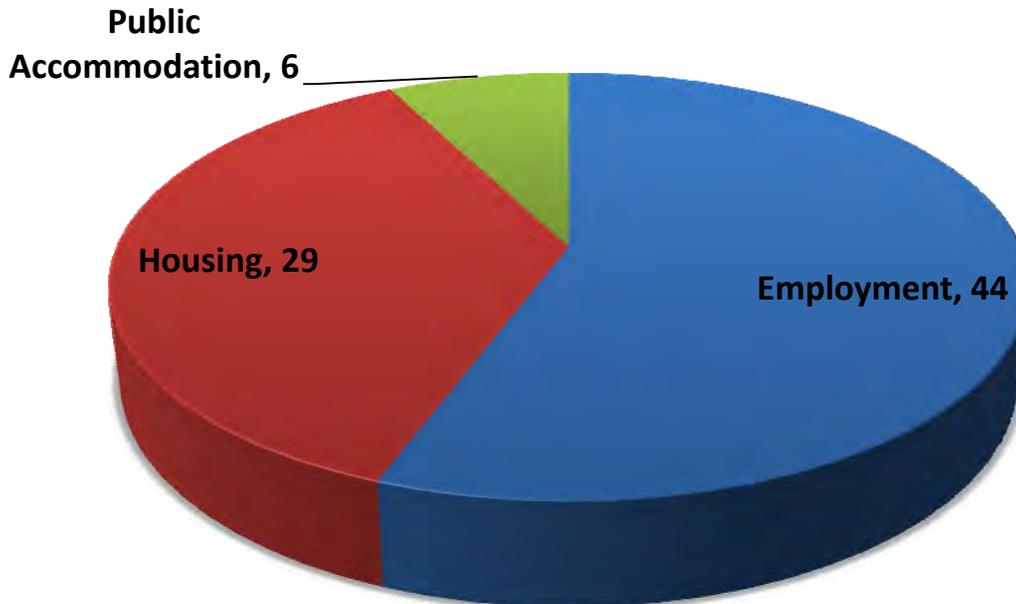
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Case Statistics

Cases Filed - 99 Breakdown by Type



Cases Closed* - 79 Breakdown by Type

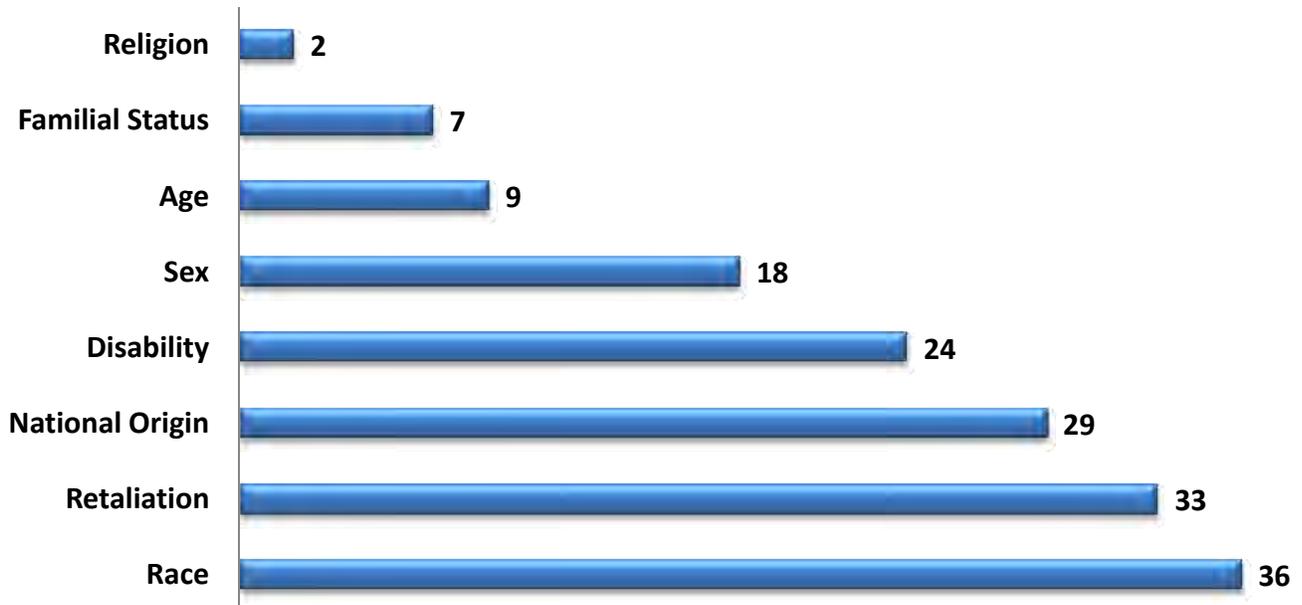


*Cases closed include cases filed from 2010-2012 but closed in 2012.

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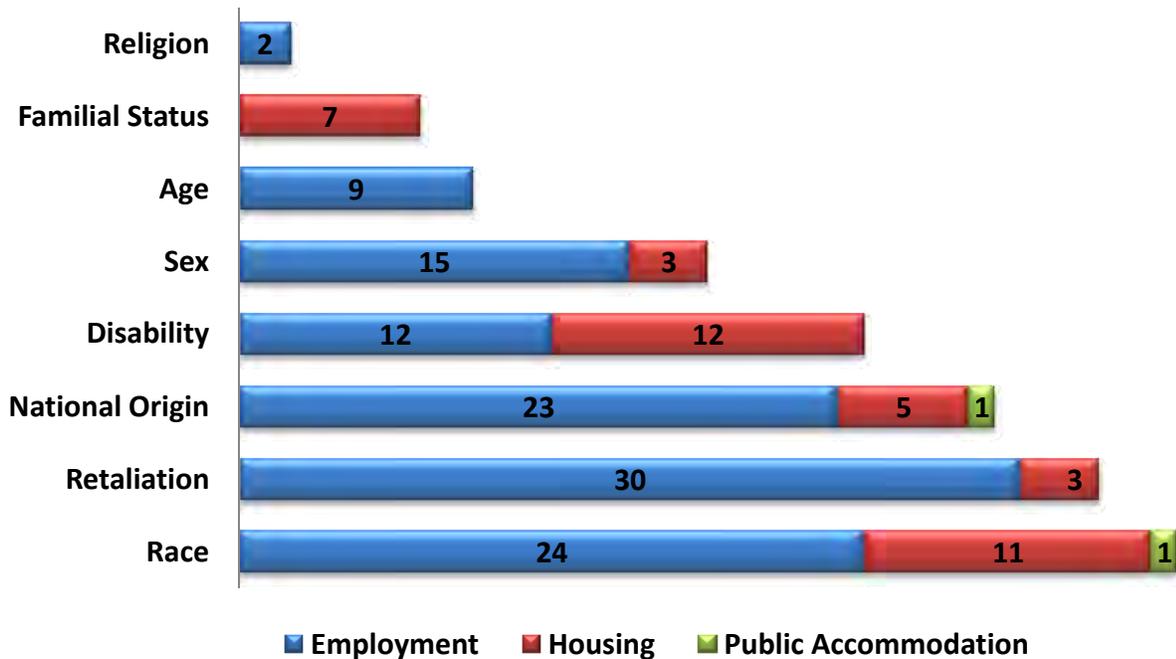
Case Statistics

Breakdown of Cases Filed by Basis*



*Cases are often filed under more than one basis, which could include a case filed, for example, on the basis of both sex and disability, or race and retaliation.

Breakdown of Cases Filed by Basis and Type*

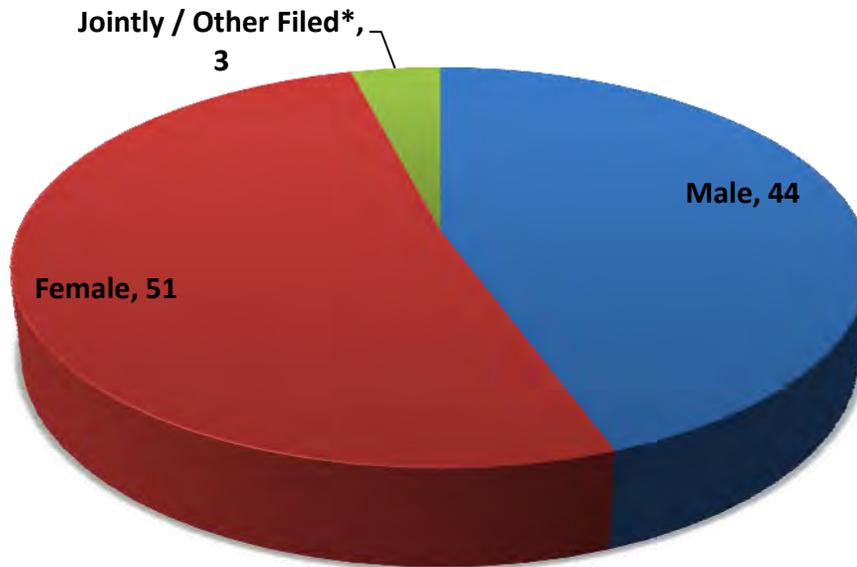


*Marital Status and ancestry are not listed because there were no complaints filed under these bases in 2012. The basis of age is only covered in employment, while familial status is only covered in housing.

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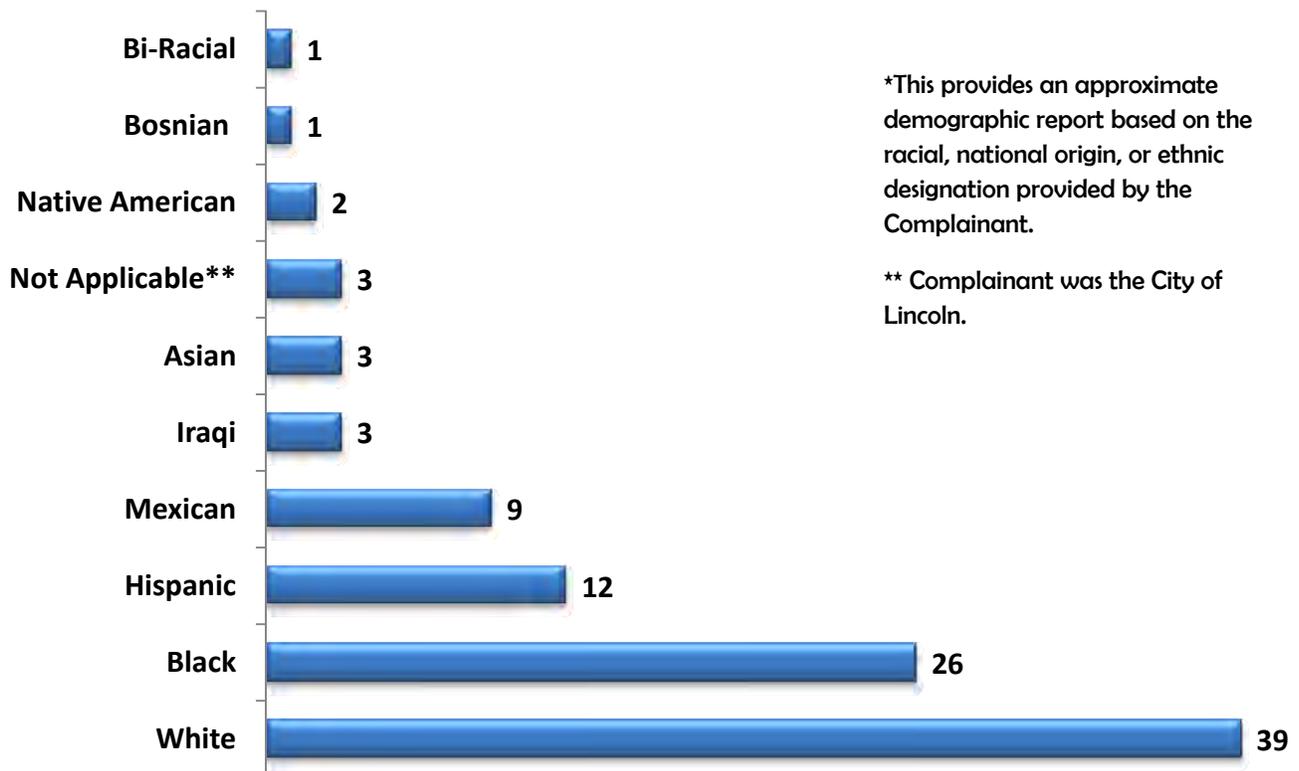
Case Statistics

Breakdown of Cases Filed by Gender



*Housing complaints filed jointly by husband and wife (1) and by the Commission on Human Rights Director (3).

Breakdown of Cases Filed by Race / National Origin / Ethnicity* of Complainant

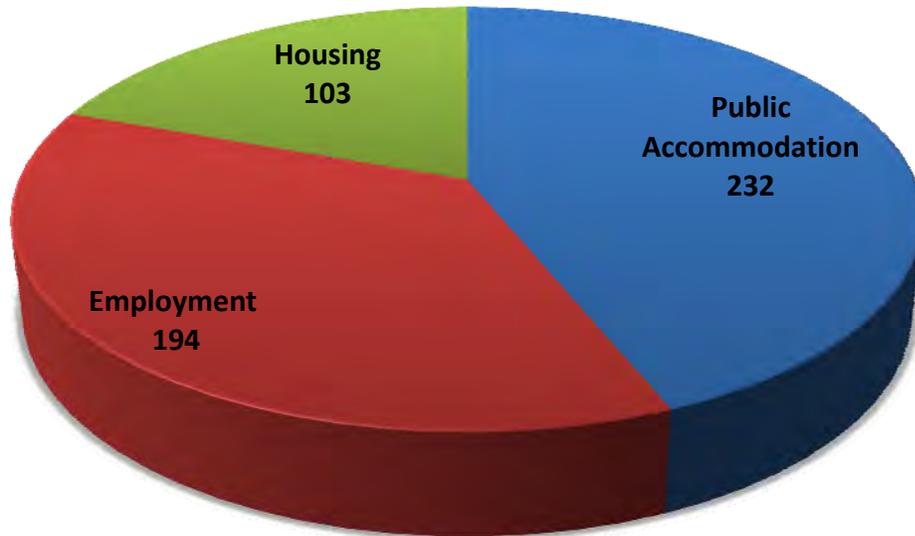


*This provides an approximate demographic report based on the racial, national origin, or ethnic designation provided by the Complainant.

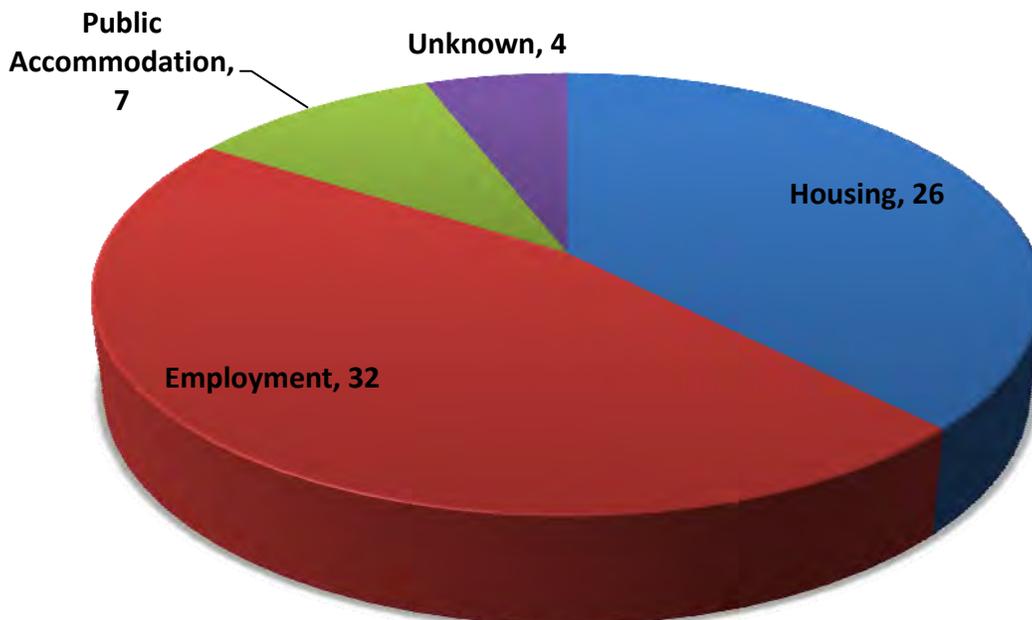
** Complainant was the City of Lincoln.

Case Statistics

Average Number of Days from Filing to Closure



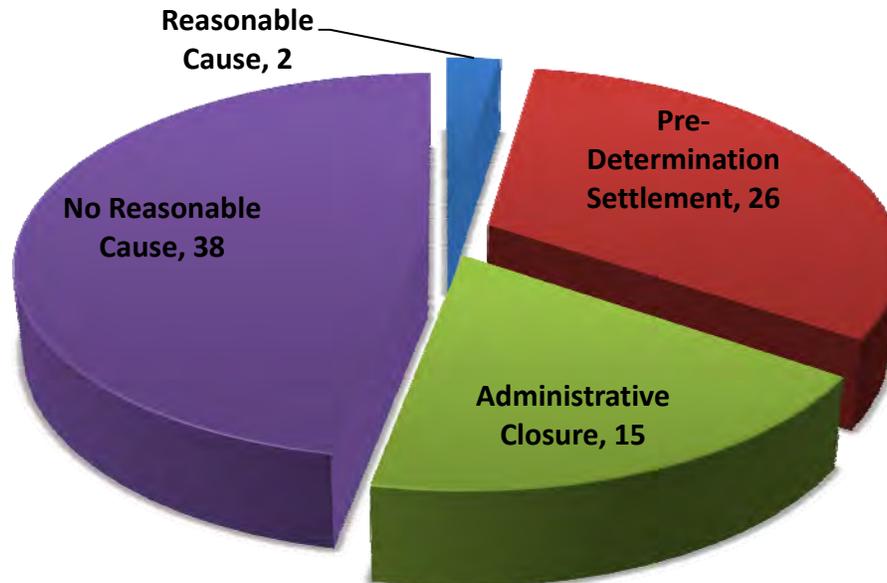
Inquiries Not Resulting in a Complaint*



*There are various reasons why inquiries do not result in the filing of a complaint. They include, but are not limited to, the Commission not having subject matter jurisdiction, the individual not wanting to file a complaint or the individual failing to follow-through with the filing of a complaint.

Case Statistics

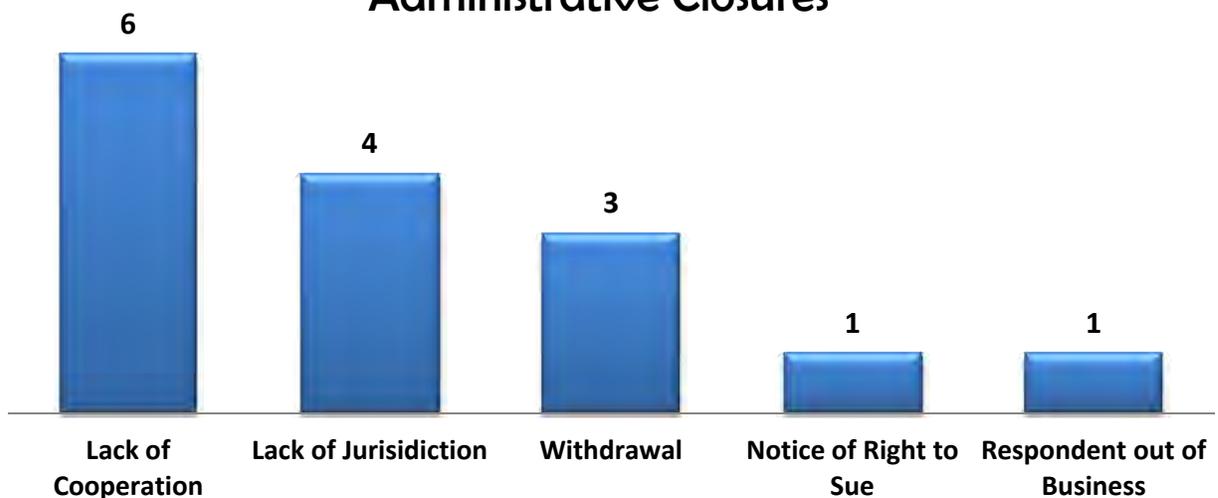
Breakdown of Commission Decisions



What do the numbers mean? No Reasonable Cause are those cases in which the Commissioners determined there was little or no evidence to believe discrimination occurred. In Reasonable Cause determinations, Commissioners believe there is evidence showing discrimination occurred. Administrative Closures are cases closed for a variety of reasons—see the chart below. Pre-Determination Settlements are cases closed due to a settlement agreement prior to a Commission decision.

Sometimes the Commissioners make more than one decision in a single case. Commissioners may determine that Reasonable Cause exists and those cases may later be closed in the same year by the Commission due to successful conciliation, public hearing determination, or issuance of a notice of right to sue. Because of this, the total number of Commission decisions may be greater than the number of cases closed.

Administrative Closures



Settlement Summaries

Pre-Determination Settlement* Summaries and Withdrawals with Settlements

Employment

\$500; Neutral Reference
\$1000
\$1000
\$9,200; Neutral Reference
\$32,500; Reinstatement; Policy Change
\$2900; Neutral Reference
\$989 in lost wages and reinstatement
\$40,000

Housing

\$750; Fair Housing training
\$500; display of Fair Housing Poster
\$2,000; six months free rent; Fair Housing training
\$200, Fair Housing training
Removal of 14/30 Day Notice; display of Fair Housing poster
Weld hitch, forgive \$990.46 in past due rent, Fair Housing training
Weld hitch, forgive \$990.46 in past due rent, Fair Housing training
Testing twice during year; training for all leasing agents and new leasing agents; public Fair
Housing language in every tenant newsletter for a year
\$200; Fair Housing training
New Lease; \$100 late fee forgiveness; Fair Housing training
Fair Housing Training; neutral reference; mutual termination of lease; forgiveness of past
due charges; Respondent retains security deposit.
Fair Housing training; display posters in apartment buildings
Fair Housing training
Fair Housing training; neutral reference; additional time to move; dismiss pending court filing
\$400; Lease Extension; Fair Housing Training; neutral reference; reasonable
accommodation
\$625; Fair Housing training
Fair Housing training; reasonable accommodation of companion animal
Fair Housing training; \$300

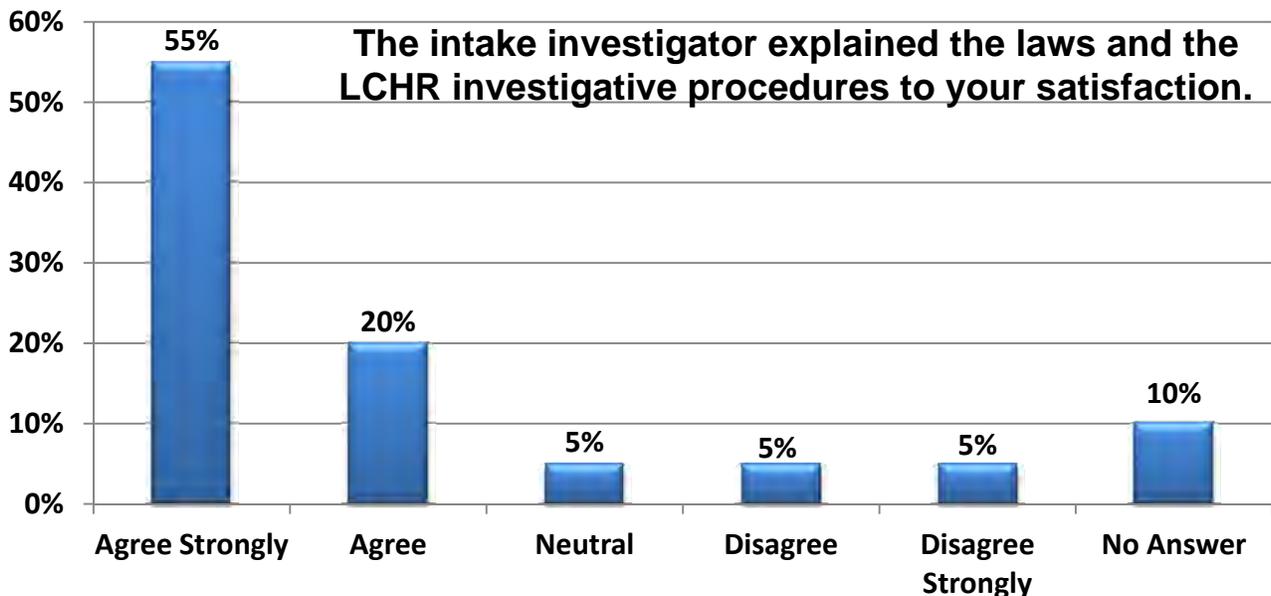
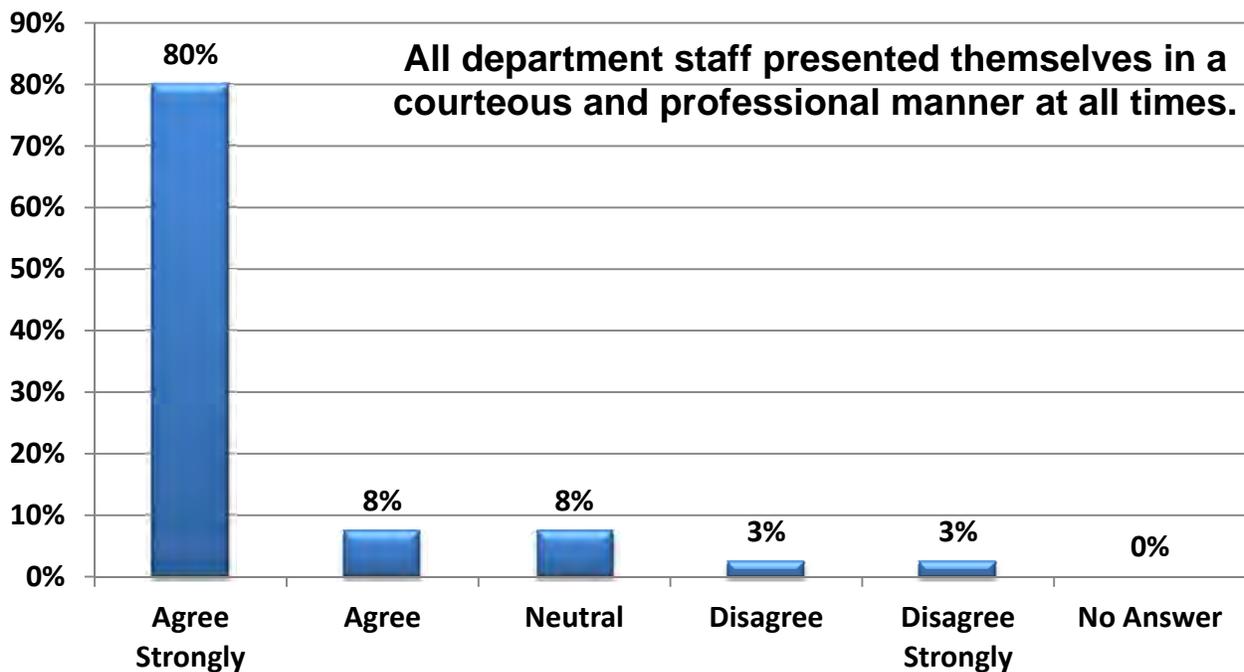
*A Pre-Determination Settlement (PDS) is a no-fault settlement agreement voluntarily entered into by both parties prior to the Commission making a determination in the case.

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Service Satisfaction Survey

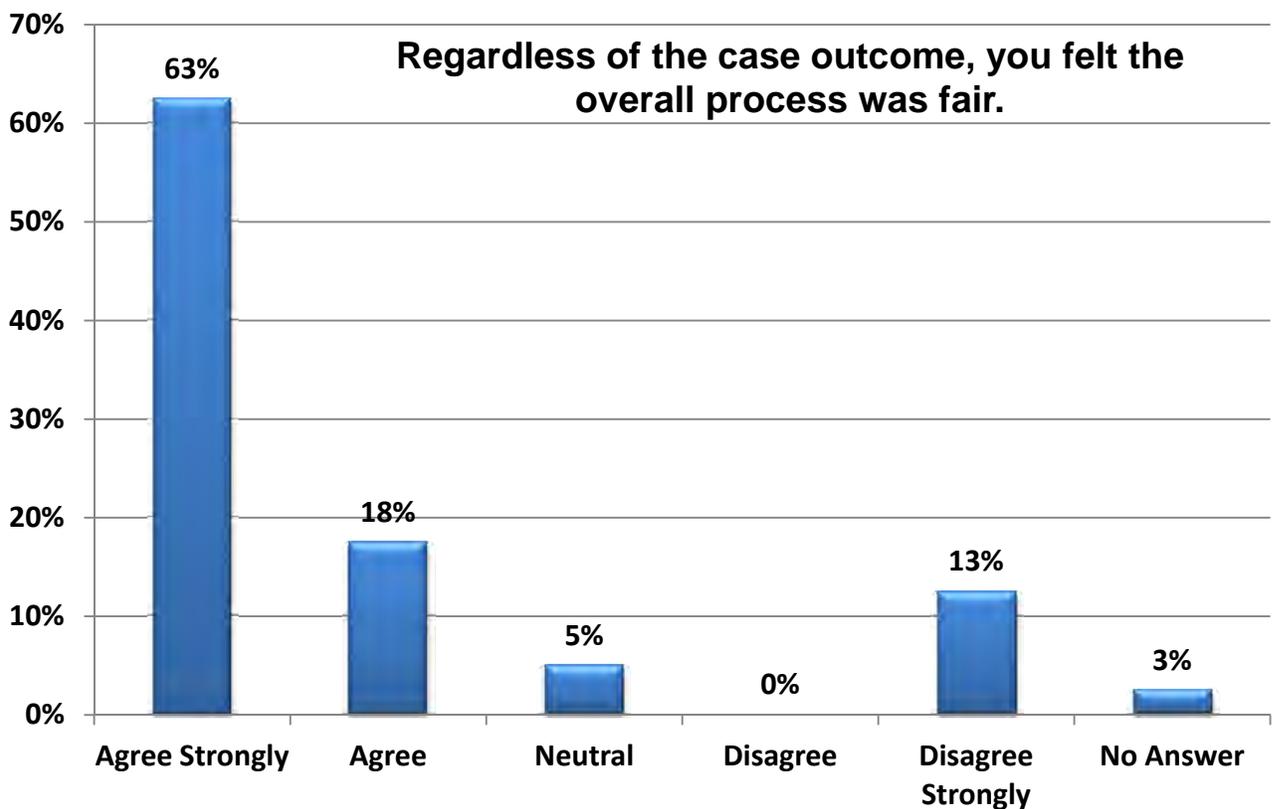
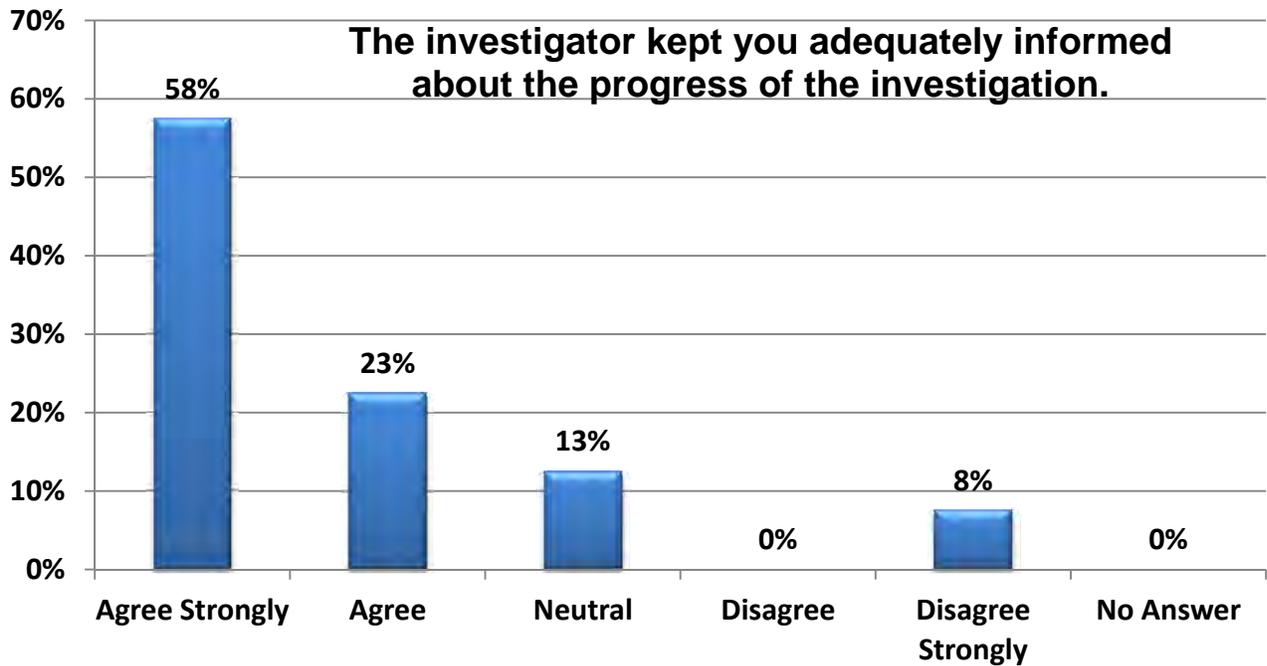
In an effort to gauge how complainants and respondents felt about their contact with our staff, determine how they felt about the process, whether they understood the process, to look for areas in which we could provide better service and/or a clearer explanation of what we do, surveys were mailed to all complainants and respondents following their case closure, regardless of the outcome. We asked them to rank us in several areas.

Both Complainants and Respondents were asked to rank our office with 1 being “Disagree Strongly” and 5 being “Agree strongly”.



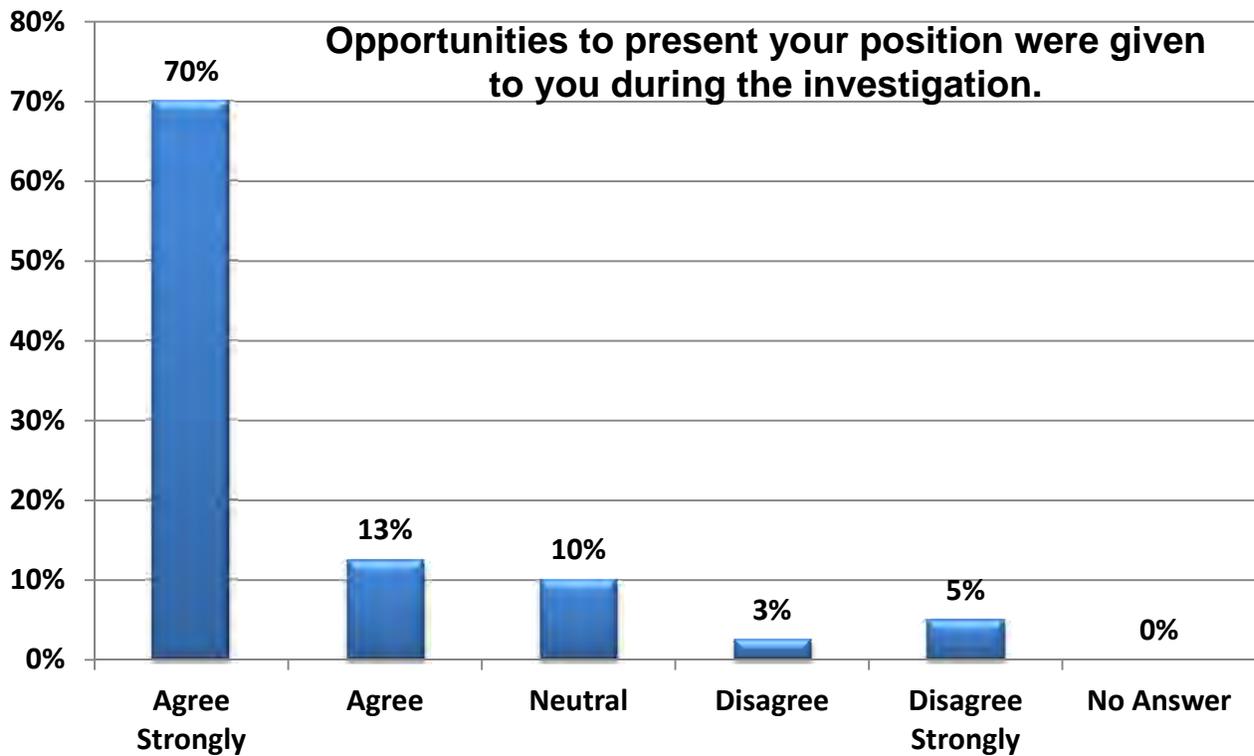
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Service Satisfaction Survey

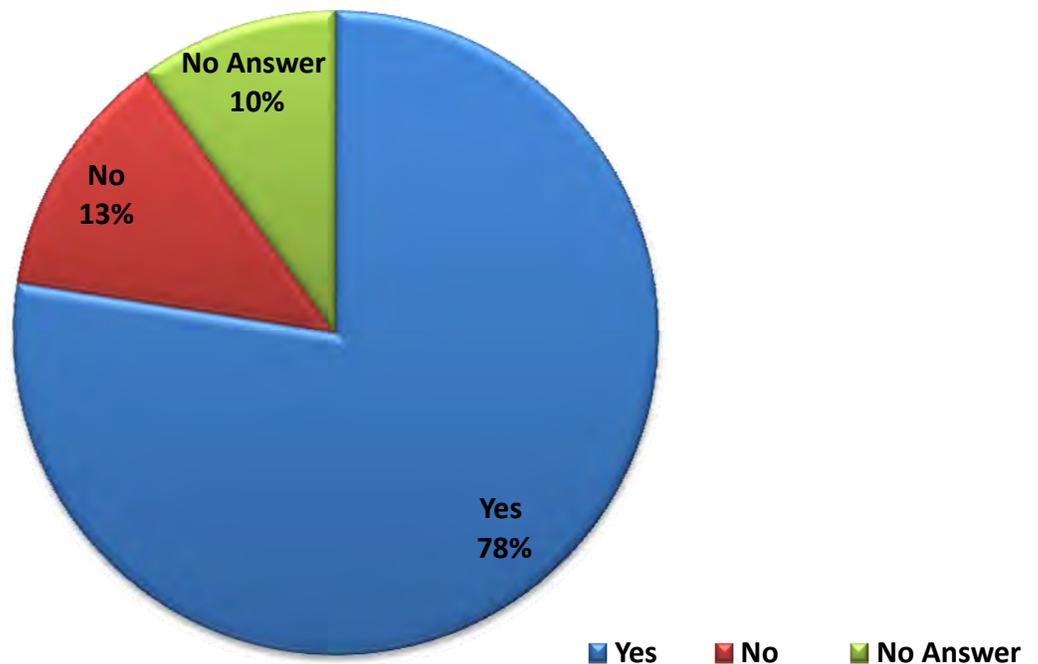


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Service Satisfaction Survey



Would you refer someone experiencing discrimination to the LCHR?



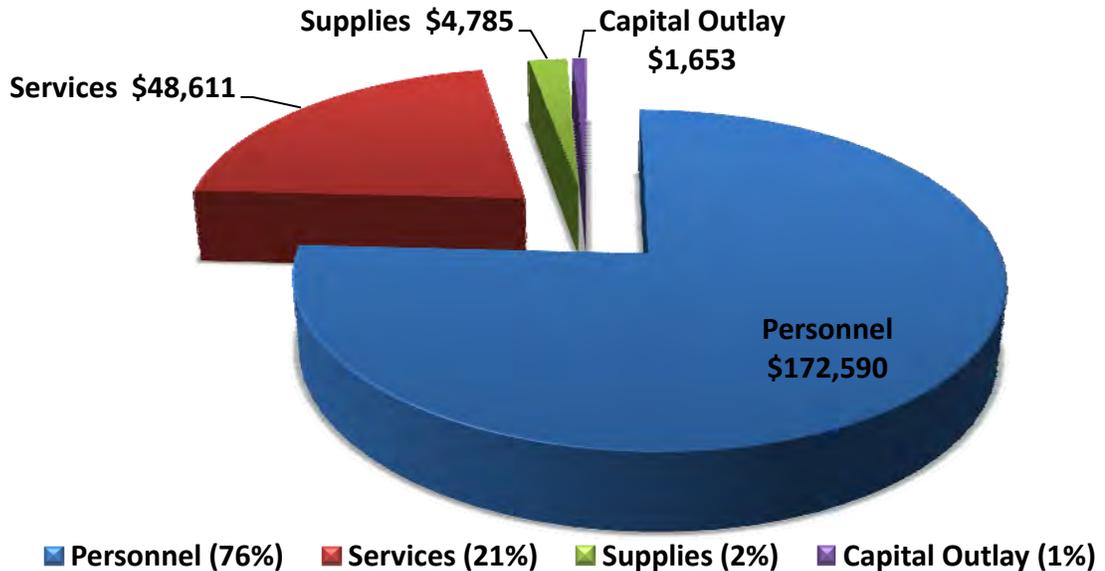
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Budget FY 2011-2012

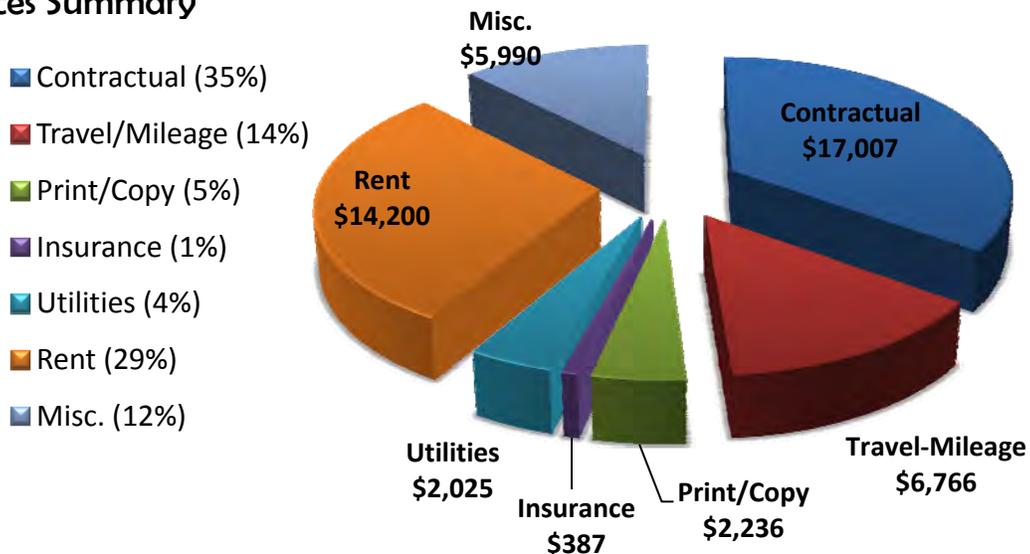
The Lincoln Commission on Human Rights' budget is comprised of funding from the City of Lincoln General Fund as well as two Federal grant funding sources—the U.S. Department of Housing and Urban Development and the Equal Employment Opportunity Commission. For Fiscal Year 2011-2012, the budget expenditures were supported by \$143,917 from the General Fund and \$83,722 from federal funding sources for total expenditures of \$227,639.

Where Did the Money Go?

Of the total, \$227,639, the largest percentage went to personnel for salaries and benefits, for a total of \$172,590 or 76%. Services*, which expenditures cover our insurance, travel, mileage, interpretation/translation costs, office rental, copying, printing and utilities account for \$48,611 or 21% of our budget, while office supplies account for \$4,785, or 2% of our total budget and capital outlay, \$1,653 equals 1% of our total budget.



*Services Summary



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Education and Outreach

The Lincoln Commission on Human Rights provides services to the community to ensure that individuals are aware of their rights and responsibilities under the Equal Opportunity and Fair Housing Laws. LCHR works to reach as many agencies, groups, community-based organizations, employers, property owners, civic groups and individuals as possible. These efforts include training programs which can be customized to meet the needs of the target audience. Topics include: racial and sexual harassment; fair employment practices; harassment free work environments; fair housing laws; public accommodation laws; Americans With Disabilities Act; and diversity training.

In 2012, the staff conducted training at a number of organizations for a total of 98 sessions reaching over 4,105 people. These organizations include the Lincoln Public School Career Education Classes; the Lincoln Housing Authority, Rentwise, various fairs and ethnic festivals, as well as training sessions held with several Respondents as a result of settlement agreements. In addition, the Civil Rights Conference was attended by over 145 individuals, and continued to be an unqualified success in 2012 providing the public with a forum and information on a wide range of civil rights topics.

Mayor Chris Beutler welcomes attendees to the 2012 LCHR Civil Rights Conference.



Participants listen as employment law updates are presented during the 2012 LCHR Civil Rights Conference.

LCHR ANNUAL REPORT 2012

Award Winners

Gerald Henderson Human Rights Award Recipient Linda Willard

The **Gerald Henderson Human Rights Award** recognizes outstanding achievements in furthering human relations in Lincoln, including a demonstrated commitment to improving cooperation and understanding among people of different racial, ethnic, religious and other backgrounds.

Former LCHR Commissioner (1997-2007) Linda Willard received the 2012 Gerald Henderson Human Rights Award during the Civil Rights Conference. In addition to noting her commitment to civil rights issues, Willard's nomination included her service on the Nebraska Minority Justice Committee, her work on the Nebraska Supreme Court's *Pro Se Litigation* Committee, and her work as a mentor as part of the Cather Circle.



From left: Linda Willard and LCHR Director Kimberley Taylor-Riley.

Fair Housing Award Recipient CenterPointe Housing

The **Fair Housing Award** recognizes outstanding achievements in improving housing opportunities including a demonstrated commitment to fair housing activities and the use of new and creative measures to fight housing discrimination, prejudice and the effects of past housing discrimination.

CenterPointe Housing received the award during the Civil Rights Conference, accepted by Director Topher Hansen, Housing and Supportive Services Director Dennis Hoffman, and Housing Program Director Denise Packard.

CenterPointe works with individuals facing numerous barriers that often prevent them from obtaining housing. Its staff helps these individuals to overcome those barriers and gain confidence.

Many individuals and families have been able to achieve permanent housing after living in one of CenterPointe's apartments.



From left, LCHR Director Kimberley Taylor Riley, CenterPointe Executive Director Topher Hansen, Housing Program Director Denise Packard and Housing and Supportive Services Director Dennis Hoffman

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In Memoriam

Colleen Atchley Floth 1949-2012



On November 18, 2012, we said a final goodbye to former Senior Civil Rights Investigator Colleen Floth. Colleen joined the Lincoln Commission on Human Rights in 1995 as the Senior Civil Rights Investigator until her retirement in 2008. She worked for more than 30 years in the Civil Rights arena, having previously worked as an affirmative action officer/investigator with the University of Nebraska at Lincoln and as an investigator at the Nebraska Equal Opportunity Commission before coming to the LCHR. Colleen will always be remembered as a passionate advocate of Civil Rights, and we will miss her.



Colleen Floth with former Director Larry Williams at her retirement party in 2008.

Staff members in 2008 including former Director Larry Williams, Margie Nichols, Colleen Floth, and Angela Lemke.



LCHR ANNUAL REPORT 2012

Contact Information

Lincoln Commission on Human Rights

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