

BLOOMINGTON HUMAN RIGHTS COMMISSION

Director's Quarterly Report

January-March 2020

I. Discrimination complaints

A. Pending from previous quarters

1. Commissioner Haughton-Motley's case
 - a. Case alleging discrimination in public accommodations on basis of race filed in July, 2019
 - b. Investigation nearly complete
2. Commissioner Jackson's case
 - a. Case alleging discrimination in public accommodations on basis of race filed in December, 2020
 - b. Investigation nearly complete

B. New case -- unassigned

1. Case alleging discrimination in employment on basis of race filed in March, 2020
2. Investigation pending

C. Intakes/discussions that have not yet led to formal complaint being filed – none

D. Complaints files with another agency when BHRC did not have jurisdiction or had a conflict; none

II. Miscellaneous inquires

- A. Caller said his wife was being discriminated against on the basis of religion at work, and possibly being retaliated against as well. Caller is from Lafayette, Indiana; referred to Lafayette Human Relations Commission.

- B. Caller wanted to sue his former landlord. He said he signed a lease for a year. The next week, the landlord brought him a month-to-month lease to replace the year-long lease. He signed that as well, not knowing he didn't have to. He wanted to rescind the month-to-month lease. He had other problems with the landlord, including maintenance. Not a discrimination matter; advised he talk to his attorney at Indiana Legal Services and/or HAND.
- C. Caller said that two young children had been taken away from her because of her age, 87. She had letters from her doctor and nurse saying she was capable of taking care of them. Explained not within our jurisdiction and referred to Indiana Legal Services and/or District 10 Pro Bono Project.
- D. Caller wanted to know the difference between human rights and civil rights. Answered questions. Then she wanted to know what to do about her daughter's public defender. Her daughter is a minor, is in the juvenile justice system and has a public defender. She said the public defender won't talk to her (the mother) and is negotiating a deal with the prosecutor without talking to her. She said that was a violation of her daughter's Sixth Amendment rights. Explained that we have no expertise in the area and suggested she call the head of the public defender office to voice her concerns. She said this was age discrimination; again referred her to public defender's office, as not an issue we can help with.
- E. Email writer asked if Bloomington had a company that would review a site for ADA concerns; referred to Council for Community Accessibility, which did a survey.
- F. Email writer, a student at Jefferson High School in Bloomington, MN, asked BHRC to sponsor a cultural event concerning helping to set the record straight about stereotypes. Referred her to Bloomington, MN HRC.
- G. Caller said that landlord had evicted her daughter, who uses a wheelchair. Landlord gave her 45 days to move out, but so far they have not been able to find another accessible apartment.

Landlord not subject to BHRC jurisdiction. Referred to Indiana Legal Services and/or HUD or ICRC.

- H. Visitor to office had questions about ADA rules for ramps, sidewalks and handrails; answered questions.
- I. Letter writer sent long letter to BHRC, Department of Justice and FBI, complaining about treatment in a jail and hospital in Northern Indiana. Referred to Indiana Civil Rights Commission and ACLU of Indiana.
- J. Caller, from San Francisco, said her mother lives in Bloomington. Mother's landlord allows only dogs on the first floor and only cats on the second floor. Mother lives on second floor and wants a dog, but does not want to move. Caller said she manages property in California and there, if landlords allow one type of pet they can't discriminate against other pets. Left her a message saying that if mother has a disability and the animal is an emotional support or service animal, she may have a case, but otherwise, nothing we know in Indiana or Bloomington law prohibits landlords from discriminating on the basis of the species of the pet.
- K. Caller, who was preparing to give a talk on fair employment laws, had questions about current status of gender identity and sexual orientation discrimination protections. Answered questions, explaining evolution of law and cases pending before the US Supreme Court this term.
- L. Caller said she called a landlord who advertised as accepting Section 8. When she asked if they accepted Section 8, he said no. She said she thought this might be race discrimination, but she agreed the landlord did not likely know her race. Agreed to have a white friend call and ask the same question. Also described in detail racism she had encountered 15 years ago in a different city.
- M. Caller said he was late with rent. His landlord changed his locks and told him he didn't want the caller living there anymore; he was not formally evicted. He didn't think his treatment was

based on a protected classification, so referred him to Indiana Legal Services.

- N. Caller asked if private landlord could prohibit him from posting a political sign in his yard. Told him we know of no law that would prohibit the landlord from doing this.
- O. Caller said that he had been mistreated by police, not in Bloomington or Monroe County. He said that the three officers were all wearing body cams, but the police department had lost all three videos of his arrest. He wanted to file a complaint with the BHRC. Explained BHRC did not have jurisdiction and referred to American Civil Liberties Union of Indiana.
- P. Caller left message asking how she could file an age discrimination complaint. Left her a message in turn offering to help her file a complaint with the EEOC.
- Q. Email writer asked the City to support President Trump in his efforts to build a wall the southern border.
- R. Email writer asked the City to stop adding fluoride to its water system.
- S. Caller said landlord was making him tear down his fence, which would be a hardship for him because he has a disability and service animals. He can't walk the animals and so needs a fenced enclosure. Not in city limits; referred to MCHRC.
- T. Caller said that landlord was citing him for playing music too loudly, but he does not think it's that loud. He said the neighbors complain just because they are old and cranky. Explained not an issue under the BHRC's jurisdiction and referred to Student Legal Services.
- U. Caller left an anonymous complaint on voicemail. Her landlord won't allow her to keep a bicycle on the property, despite her "federally protected right to own a bicycle." She did not leave her name or number, but did leave contact information for her

landlord, and asked the City to advocate for her rights. Referred to Bicycle and Pedestrian Commission.

- V. Visitor to office said she needed housing shelter, but objected to being required to do yoga at a shelter that will put her up. She sees that as false religious teachings since yoga is based on Eastern religious teachings. She asked if she could sue the shelter; told her that courts have not found yoga, by itself, to be teaching religion. Made referrals.
- W. Caller asked if the City was planning to prohibit evictions and mortgage foreclosures given the COVID-19 crisis. Left message letting her know that these issues were not under the City's control, but that all non-emergency court proceedings had been suspended. (Governor & HUD later took similar measures.)

III. Publicity

- A. Emailed monthly newsletter, Rights Stuff, to 100+ individuals, organizations and businesses and distributed copies at library and coffee houses, along with fair housing brochure

IV. Networking/education

- A. Participated in webinar with Human Rights Campaign's Municipal Equality Index requirements
- B. Participated in four webinars on dealing with COVID-19 in the workplace
- C. Attended Bloomington United meeting
- D. Attended meetings to organize Women's History Month Lunch (event postponed)
- E. McKinney met with IU journalism student working on a diversity-related project
- F. McKinney spoke at Broadening Inclusion meeting

G. McKinney spoke at City intern networking event

H. McKinney had telephone meeting with Kathy Riester and Cedric Harris about responding to bias incidents.

V. Affirmative action/common wage/drug testing policies/living wage

A. McKinney reviewed and approved 38 affirmative action plans

B. McKinney updated living wage files

C. DeCriscio Bowe and McKinney worked on Davis Bacon training

D. McKinney reviewed one contractor's drug testing policy

E. McKinney reviewed request for waiver from living wage ordinance; employer withdrew request

VI. ADA issues

A. McKinney attended CCA meetings

B. McKinney worked with Michael Shermis, CCA liaison, on letters to local businesses with accessibility issues