

BLOOMINGTON HUMAN RIGHTS COMMISSION

Director's quarterly report

July - September 2022

I. Discrimination complaints

A. Pending from previous quarters

1. Commissioner McAlister's case
 - a. Woman filed complaint alleging discrimination in housing on the basis of disability in April, 2022
 - b. Landlord said issues were resolved; complainant never rebutted
 - c. No probable cause decision issued in July, 2022; not appealed
2. Commissioner Calloway-Thomas's case
 - a. Man filed complaint alleging discrimination in housing on the basis of disability in May, 2022
 - b. Landlord agreed to install access aisle adjacent to complainant's accessible parking space
 - c. BHRC approved settlement agreement in August, 2022

B. New cases

1. Commissioner Bangert's case
 - a. Woman filed complaint alleging discrimination in housing on the basis of disability in August, 2022
 - b. Investigation nearly complete
2. Commissioner Haughton-Motley's case
 - a. Woman filed complaint alleging discrimination in employment on the basis of sex in August, 2022
 - b. Investigation pending
3. Commissioner Jackson's case
 - a. Woman filed complaint alleging discrimination in housing on the basis of disability in August, 2022
 - b. Mediation discussion pending
4. Commissioner McAlister's case

- a. Woman filed complaint alleging discrimination in public accommodations on the basis of disability
- b. Investigation pending

II. Miscellaneous inquiries

- A. Caller said he had been a temp at a facility that produced medical equipment and supplies. After going through orientation for a new job for two weeks, he was told he had to switch back to his previous job because he has psoriasis and it could contaminate the product. He was willing to wear different protective garments if necessary. Not in city limits; referred to MCHRC.
- B. Caller told a long story about years of mistreatment by her supervisor, a podiatrist. Caller lives and works in Bloomington, MN; referred to appropriate agency. She said they refused to talk to her again and said the Bloomington, IN BHRC was her last chance. Explained we have no jurisdiction and referred to private attorney.
- C. Email writer said that state governmental entity lost or stole his green card and office is not helping him replace it. He had to cancel an overseas trip. Made referrals.
- D. Caller said he was in jail, not in Monroe County, and that he believed that the jail was keeping people imprisoned without intending to ever let anyone out. He said he wanted us to know his name if he were killed in jail. He left his name but it was inaudible on the voicemail message.
- E. Caller said employer was requiring her to get counseling because they said she had been rude and harassing to staff. She said she has tapes proving she had been polite, but they would not listen to the tapes. She believed she was being mistreated because her employer regarded her as having a disability. Suggested she talked to employer's HR department; she said HR department was requiring her to get counseling. Employer not subject to BHRC's jurisdiction; referred her to ICRC and/or EEOC.
- F. Caller, same called as in D, left seven messages over a weekend, complaining about neighbors, area police and his father who was not giving him his social security money. Not in Monroe County.

He never left his telephone number so we could not return the call and make referrals.

- G. Caller said she was having custody issues in another county. Explained that BHRC does not have jurisdiction over custody issues and made referrals. She asked what we do; we explained. She said she was experiencing discrimination in employment, but her employer is in another county. Made referrals.
- H. Visitor to office said he had been mistreated by medical personnel. Referred to Indiana office that investigates such complaints.
- I. Person completing online initial intake form said his landlord was discriminating against him on the basis of his disability. Not within BHRC jurisdiction; made referral.
- J. Person completing online initial intake form said her landlord had cut off utilities. Not within BHRC jurisdiction; made referral.
- K. Caller said that he believed he filed the first complaint alleging discrimination on the basis of sexual orientation in the country when he filed a complaint against a bar with the BHRC in 1975. He said he was writing his memoir and he wanted the date he filed his complaint. After some digging, let him know the date: March 5, 1976. Also found him several articles about the case from BHRC scrapbook records. He promised to thank McKinney in his book.
- L. Caller said that patron brought in service dog; asked what documentation she could require. People with disabilities are not required to provide documentation for service dog; caller could ask patron only two questions if need for accommodation was not obvious: Is the dog required because of a disability, and what work or task has the dog been trained to perform.
- M. Caller said that she complained about landlord not repairing washer and dryer to HAND and then landlord refused to renew her lease. When she was upset about this at work the next day, employer cut back her hours; employer is friends with landlord. No evidence of race, sex, etc. discrimination; referred to HAND, private attorney and/or small claims court.

- N. Email writer said he was banned from a trailer park outside of the city limits for no reason and it was “embarrassing.” Referred to MCHRC.
- O. Woman upset that judge found against her when she missed an appointment because of COVID. Became irate when we could not help her and said she would go to media. Called again a few days later; asked how to fill out an intake form; talked over DeCriscio Bowe when she tried to explain how to fill out an intake form; complained that no one would help her and hung up.
- P. Woman upset with police in another county; referred to ACLU of Indiana.
- Q. Email writer said he called a potential landlord on behalf of some recent arrivals to the area. Landlord expressed reluctance to rent to people who are not fluent in English and seemed to assume tenants would not be good tenants. Not in BHRC jurisdiction; made referrals.
- R. Woman submitted initial intake form saying that she had been the victim of various crimes in the 1980s, including human trafficking, terrorism, rape, theft and lynching. Explained that the BHRC had no jurisdiction over crimes and referred to law enforcement.
- S. Caller said that employer, not in Bloomington or Monroe County, was not allowing her to return to her job after she was injured because of her requested accommodations, and was not letting her work remotely, either. Explained the concept of reasonable accommodations and referred her to the EEOC.
- T. Email writer said that she had provided documentation for an emotional support animal but landlord said it was not sufficient. Therapist told her landlord was wrong and she should sue. Explained that HUD does allow landlords to ask for additional information when it’s reasonable and recommended providing the requested information before filing a complaint.
- U. Email writer asked if Monroe County Public Library was covered by the Living Wage Ordinance; no.

- V. Email writer sent multiple messages, saying things such as “Black kill a Spaniard they kill a porta rican in florida. Now they are killing families and they want to investigate a hate letter. Whites flood there they going to kill like here and Missouri with the riots. These blacks are being allow by judges. These blacks are paying to kill us.” (Sic.) He was from another Indiana city; referred him to the HRC in his community.
- W. Man left a rambling message calling his apparent employers serial killers; talked about conspiracies, working employees too hard and not letting him go home to get his prescription. Did not leave a name or a number.
- X. Caller said that she had rented commercial space and then found out it was full of mold. She said landlord locked her out of premises and she could not retrieve her possessions. BHRC does not have jurisdiction over commercial rentals; referred to private attorney and/or small claims court.
- Y. Caller left message saying she needed information for a friend who is being subjected to harassment by neighbors. In turn, we left a message for her; she has not called back.
- Z. Attorney said she had a client who had already filed a complaint with the Indiana Civil Rights Commission. She had questions about their process; answered questions. She asked if client could also file with the BHRC; would have to withdraw his complaint with the ICRC first.
- AA. Caller, in jail, said his civil rights were being violated. Referred to American Civil Liberties Union of Indiana.
- BB. Caller said he was calling on behalf of friends who had rented an apartment in Bloomington and paid the security deposit. Caller said that when they arrived in Bloomington, they learned that the current tenants had signed a new lease for the same apartment. Landlord apologized and offered to refund their deposit and help them find a new apartment. Caller thought the landlord was not doing enough to help his friends because of their accent, but it wasn’t clear what else the landlord could do in late August in Bloomington when rentals are scarce.

III. Publicity

- A. Emailed monthly newsletter, Rights Stuff, to 100+ individuals and organizations and distributed copies in City Hall, Monroe County Public Library and other locations in the downtown area
- B. Updated BHRC Facebook page
- C. Updated BHRC web page
- D. Distributed BHRC materials at CCA celebration of the anniversary of the ADA and at Mayor at the Market table

IV. Networking/education

- A. Marched in the 4th of July parade with the Monroe County Human Rights Commission
- B. McKinney spoke with Mandala Fellows about BHRC
- C. McKinney attended webinar on cases pending before U.S. Supreme Court
- D. McKinney attended webinar on discrimination in housing on the basis of sexual orientation or gender identity
- E. McKinney attended webinar on ADA and communication issues
- F. McKinney met with FBI representatives to discuss hate crimes
- G. McKinney attended webinar on government employees and social media
- H. McKinney attended EEOC training on administrative law judges' perspective in discrimination complaints
- I. McKinney attended mayor's conference on anti-Semitism

V. Affirmative action, common wages/living wages/drug testing policies

- A. McKinney reviewed and approved approximately 40 affirmative action plans

- B. DeCriscio Bowe reviewed contractors' wage payments for Davis Bacon compliance
- C. McKinney reviewed two drug testing policies

VI. ADA Issues

- A. McKinney answered questions about accessibility issues at private properties and followed up when appropriate
- B. McKinney and Michael Shermis revisited city properties with accessibility issues as part of updating the City's ADA Transition Plan
- C. McKinney attended meetings of a coalition for service providers to people with disabilities
- D. McKinney attended CCA meetings