



CITY OF BLOOMINGTON HUMAN RIGHTS COMMISSION 2020 ANNUAL REPORT





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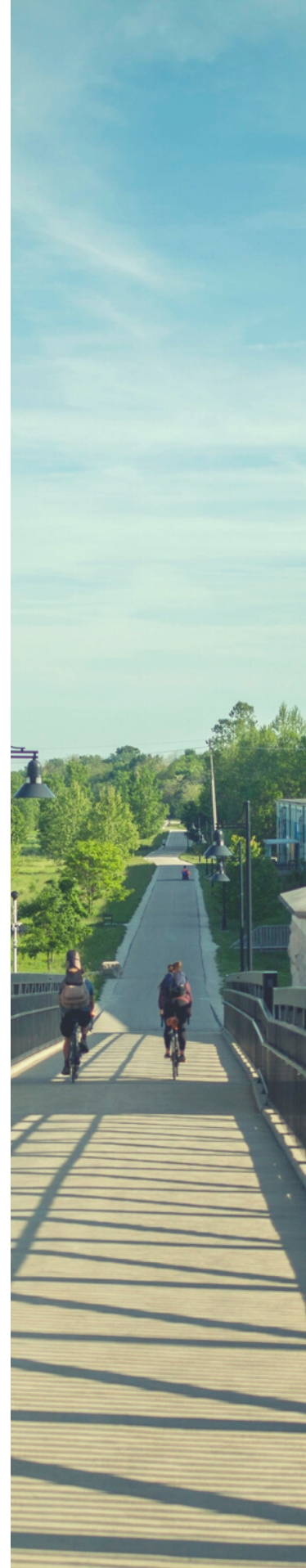
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POLICY OF THE CITY OF BLOOMINGTON

It is the public policy of the City of Bloomington to provide all citizens equal opportunity for education, employment, access to public accommodations and acquisition through the purchase or rental of real property including, but not limited to, housing, and to eliminate segregation or separation based on race, religion, color, sexual orientation, sex, disability, national origin, gender identity, ancestry, veteran status or housing status, since such segregation is an impediment to equal opportunity. It is also the policy of the City of Bloomington to prohibit discrimination in housing based on the basis of familial status. Equal education and employment opportunities, equal access to and use of public accommodations and equal opportunities for acquisition of real property are hereby declared to be civil rights.

The practice of denying these rights to persons because of race, religion, color, sexual orientation, sex, disability, national origin, gender identity, ancestry, familial status, veteran status or housing status is contrary to the principles of freedom and equality of the City, and shall be considered a discriminatory practice. The promotion of equal opportunity without regard to race, religion, color, sexual orientation, sex, disability, gender identity, national origin, familial status, ancestry, veteran status or housing status is the purpose of the section.

It is also the public policy of the City to protect employers, labor organizations, employment agencies, property owners, real estate brokers, builders and lending institutions from unfounded charges of discrimination.

CITY OF BLOOMINGTON HUMAN RIGHTS ORDINANCE Bloomington
Municipal Code §2.21.020, as amended

BLOOMINGTON HUMAN RIGHTS COMMISSION

2020 OFFICERS

CHAIR

Ryne Shadday

VICE CHAIR

Jacob Simpson

SECRETARY

Carolyn Calloway-Thomas

COMMISSIONERS

TERM EXPIRES

APPOINTED BY

| | | |
|-------------------------|------|---------|
| Byron Bangert | 1/22 | Council |
| Carolyn Calloway-Thomas | 1/21 | Mayor |
| Pam Jackson | 1/21 | Council |
| Valeri Haughton-Motley | 1/22 | Council |
| Ryne Shadday | 1/22 | Mayor |
| Jacob Simpson | 1/21 | Mayor |
| Latosha Williams | 1/22 | Mayor |

2020 STAFF

DIRECTOR/ATTORNEY: Barbara E. McKinney

ASSISTANT: Nicole DeCriscio Bowe



ANNUAL REPORT OF THE CHAIR, 2020

The Bloomington Human Rights Commission, established by ordinance enacted by the Bloomington Common Council, exercises jurisdiction within the City of Bloomington only. The BHRC promotes equal opportunity in employment, housing, education, and access to public accommodations, regardless of race, sex, religion, color, sexual orientation, gender identity, national origin, ancestry, housing status, status as a veteran, disability, or familial status (in the case of housing only).

The Commission's Director and members investigate complaints of discrimination filed by residents of Bloomington, issue findings, and pursue negotiated or imposed settlements in those instances where violations are found.

The BHRC also promotes greater community awareness of human rights issues by engaging in public education, various civic activities, advocacy efforts, and diversity and multi-cultural events.

The BHRC collaborates with other City commissions that share overlapping missions, including the Commission on the Status of Women, the Dr. Martin Luther King, Jr., Birthday Commission, the Commission on the Status of Black Males, and the Council for Community Accessibility.

The Commission began the year in January by electing new officers. 2020 officers are as follows: Chair: Ryne Shadday, Vice-chair: Irena Micajkova-Otten, Secretary: Carolyn Calloway-Thomas. A request to review the budget for the Human Rights Department was made by the commission at the end of 2019 which was presented during the January meeting. Commissioners discussed what changes they could recommend for 2020, for example by budgeting for the VITAL quiz bowl instead of telephone costs. Before the onset of COVID-19 put an end to most planning for the remainder of the year,

the commission began initial conversations about having a large event/banquet to celebrate the 50th Anniversary of the BHRC which was to be in August. Cedric Harris, director of bias response and senior student case manager at IU, also attended the meeting and began to reinstate the connections between his office and the BHRC.

In February, the Commission welcomed a new commissioner Latosha Williams, and new Human Rights Commission Assistant Nicole DeCriscio Bowe. The Commission then unanimously approved Cindy Stone as the 2020 recipient of the Bloomington Human Rights Award. Due to the ongoing COVID-19 pandemic, this will be awarded to Ms. Stone in 2021 during an in-person meeting of the Bloomington Common Council. Because of a change in commissioners, there was a vacancy at vice-chair. Commission members unanimously selected Commissioner Simpson to serve in the role. Vice-chair Simpson began a discussion about what the Commission believed it needed to accomplish to be at the forefront of its field. While many commission members believe the commission and the city are doing a great job, Shadday mentioned his belief that the Commission was not catching all incidents of discrimination. Williams agreed and said that we could do more to publicize ourselves through social media and elsewhere. Simpson believes that investigating complaints is a retroactive approach to justice, and asked what policies we could advocate to make us more proactive. During this meeting, Simpson suggested that an assessment of the community was needed in order to have better data and suggested listening sessions. Calloway-Thomas suggested that we do on-street interviews, asking people what crucial problems they are aware of with human rights implications. Simpson concluded with examining how the Commission could network with other diversity-related commissions. Human Rights Commission Director Barbara McKinney suggested having those representatives attend BHRC meetings.

In March, the COVID-19 pandemic brought some of the work of the BHRC to a standstill. However, commissioners judged the annual Arts and Essay contest, and notified the winners.

Although we were unable to celebrate them in person this past year, we certainly appreciate the submissions of the students with the theme of "Were We Born Free and Equal?" They were also celebrated during a late April press release, and the teachers of the winners were sent letters announcing them,

along with the prizes and certificates for the winners.

During the April meeting, Michael Shermis was the first guest of another commission to present what their role is within the City to the BHRC. Shermis primarily works with the Council for Community Accessibility and the King Birthday Celebration Commission. A discussion on the merits of the creation of a Facebook page ensued, and McKinney and DeCriscio Bowe proceeded with the creation of the Commission's social media account. Commissioner Simpson brought up that the COVID-19 pandemic has shown how pervasive inequalities are in the U.S., and that we should focus on what can be changed before the next pandemic.

While the May meeting was cancelled, the Commission still discussed the merits of signing onto a petition for IU to recognize anti-Japanese racism. Though the Commission did not vote in favor of signing the petition before the deadline, the majority of us agreed with the merits. The tragic murder of George Floyd on May 25th, and the subsequent social unrest brought forth a renewed interest in what the Commission could be doing in order to make Bloomington more racially just.

A statement on racial injustice was released in early June by the Commission denouncing police brutality and its relationship to systemic racism in the U.S. The Commission also released a letter to the Indiana University Board of Trustees, President Michael McRobbie, and Provost Lauren Robel regarding IU's treatment of Japanese Americans during World War II. The Commission wished to support the effort to "seek official acknowledgement that Indiana University wrongfully banned Japanese American student applicants during the period 1942-1945." In late July, the University subsequently took action on the matter. During the June meeting, Commissioner Simpson inquired about police policy and BPD's compliance with recommendations that have been made at the national level. This brought up an overall discussion about police brutality and led to inviting Police Chief Mike Diekhoff to a future meeting to discuss how grievances are handled and BPD's compliance with progressive recommendations.

In July, City of Bloomington Chief of Police Mike Diekhoff was the guest of the Commission. The chief spoke about BPD's adoption of 21st century policing standards several years ago, how downtown resource officers and social workers are being hired by the department, and about how his

officers have dealt with both the houseless population and general civil unrest. The chief also discussed the history of the department's Bearcat, and subsequently invited members of the Commission to tour the unit. The Commission also approved a donation to the CCA's annual Gather 'Round the Table event.

The August meeting featured BPD Social Worker Melissa Stone as the Commission's guest. The discussion focused on how she worked within the department and within the community. The Commission also discussed how she believed she fits within the department, and whether or not she believed the department could use more social workers. Commissioners also toured the Bearcat in August and had a brief discussion on how they fit within the BPD.

The September meeting brought an update on the Commission's annual essay and arts contest. While McKinney had reached out about the contest, only one teacher responded. The Commission decided to table the discussion until January to see if there were any further advances with the COVID-19 vaccine that could help with response rates to the inquiry. A decision was made in the Indiana Family Institute lawsuit against the BHRC and three other HRC's in the state. The lawsuit was found in favor of the human rights commissions. Commissioners then turned their focus on to an agreement with the Monroe County HRC. The two commissions want to have an agreement to have both agencies work together on educational activities and make sure that individuals are referred to the right agency.

In October, the Commission's guest was Shatoyia Moss with the City's Safe and Civil City Program, along with the staff liaison to the Commission on the Status of Black Males and the Commission on the Status of Children and Youth. The wide ranging discussion focused on what the department and commissions did, and how we could work together further. A discussion then commenced about whether to broadcast via Facebook Live, as other commissions have been doing. While no decision was made, discussion continues.

While there was no meeting in November, Shadday, Simpson, and Williams participated in the Chamber of Commerce's Young Professionals of Bloomington's Anti-Racism Lunch & Learn, where Shadday was the guest

speaker. Shadday informed the group about the work of the BHRC and provided ways the group could help continue making Bloomington a better place to live and work for everyone.

December brought news that the City earned a perfect score on the Human Rights Campaign Index for the sixth consecutive year. While the Commission acknowledges the recognition, it also realizes that there is always room for the City to improve. The December 14th meeting of the Commission brought forth a discussion on goals and objectives for 2021. Vauhxx Booker also joined the meeting and proposed a Houseless Bill of Rights that he wanted to see the Commission help endorse at a future common council meeting. The Commission also donated \$200 to the City's annual MLK event. Further discussion revolved around entering into an agreement with the Monroe County HRC that seeks to collaborate efforts regarding community outreach, education, advocacy and promotion of human rights laws and issues. The resolution passed unanimously.

This report is not exhaustive. BHRC discussions are often wide-ranging. Conversations about how to continue to make Bloomington a more welcoming and inclusive place to live and work for everyone are typical. We are committed to making Bloomington the beacon of Indiana, with our work as commissioners, both within our commission, and in our personal lives.

Respectfully submitted,

Ryne Shadday, Chair

DIRECTOR'S REPORT 2020

As we all know, 2020 was not a normal year. The BHRC, like everyone else, had to adapt to meet the new reality. We began doing intakes and investigations only by phone or email. BHRC meetings were held by Zoom instead of in the McCloskey conference room beginning in March. Losing face-to-face contact made all of our jobs harder. But we persevered, as we must, doing important work as best we could. We all truly hope to return to normal by the spring of 2021.

In 2020, the Bloomington Human Rights Commission continued its long-established efforts to meet its two central, and related, objectives: to investigate complaints in a fair and timely manner and to undertake a variety of educational efforts. Our top priority is always to investigate complaints as promptly and thoroughly as possible to protect the rights of all involved. At the same time, we continue to believe that the more educational efforts we organize, co-sponsor or support, the fewer complaints we will have to investigate.

DISCRIMINATION COMPLAINTS: In 2020, we had four new complaints filed with us. Each case is investigated by one of the commissioners and me, and together we decide if there is probable cause to believe that discrimination occurred. I truly appreciate the work and dedication of the commissioners.

We had two cases alleging discrimination in public accommodation filed with us in 2020. One alleged race discrimination and one alleged race and/or disability discrimination. We found no probable



cause in the latter case and our decision was not appealed. In the former case, our investigation is still pending, and may become an employment case.

We also had two cases alleging discrimination in employment on the basis of race filed with us in 2020. In one case, we found no probable cause, and our decision was not appealed. We transferred the second case to the EEOC when the complainant said she felt we were treating her unfairly by asking her to rebut the employer's statement. We can't do our job if even the appearance of bias exists, and so we had no choice to transfer the case.

We had one case filed with us in 2019 that was not resolved until 2020, a case alleging discrimination in public accommodations on the basis of race and/or national origin. We found no probable cause in that case. The complainant appealed our finding unsuccessfully.

2020 was the fifth full year to include veteran status and housing status as protected categories in our ordinance. Thus far, we have had no complaints filed under these protections.

The Human Rights Campaign, a national LGBTQ advocacy group, once again included Bloomington in its annual Municipal Equality Index and once again gave our city a perfect score. This was the sixth year in a row for the City, and for the sixth year in a row, Bloomington was the only community in Indiana to achieve this score. I believe people who live in Bloomington know we are a welcoming and inclusive city, and it's nice to get continued national recognition of our efforts.

The litigation against the BHRC and three other local Indiana Human Rights Commission finally came to an end in 2020. Plaintiffs argued that local ordinances prohibiting discrimination on the basis of

sexual orientation keep them from offering programs in Bloomington and three other cities, in alleged violation of their First Amendment rights. The BHRC and other defendants won at both the trial level, and in the fall of 2020, at the Indiana Court of Appeals level. The plaintiffs did not appeal the decision in our favor. Our thanks to Larry Allen and Mike Rouker, who ably represented the BHRC in this matter.

AFFIRMATIVE ACTION, PREVAILING WAGE AND LIVING WAGE:

The Bloomington Human Rights Ordinance requires all City bidders with bids of \$10,000 or more to submit affirmative action plans to me for approval before the bid deadline. In 2020, I reviewed and approved approximately 150 affirmative action plans. If I find a plan to be unacceptable, the bidder is not eligible to bid unless he or she successfully appeals to the Contract Compliance Committee of the CCC. I didn't find any plans to be unacceptable in 2020.

The Bloomington Common Council amended the affirmative action requirements in 2019 to require bidders to include a harassment policy in their plan. We continued to enforce this new requirement, which we hope will protect people who work for City contractors from workplace harassment. The ordinance also requires contracts to make it clear that if a contractor, or any of its employees, feel harassed or discriminated against by a City employee, they have the right to file a complaint with the appropriate department head, human resources department or the BHRC. It's always been true that the City does not tolerate such conduct on the part of its employees, but we wanted to make this clear to our contractors. In 2020, we continued to educate bidders on this new requirement.

The BHRC staff is also responsible for making sure City contractors pay their employees at least the required prevailing wages for work done in whole or in part with federal funds, as required by the Davis-Bacon law. In 2020, I attended three pre-bid or pre-construction

conferences to remind contractors about their responsibilities under Davis-Bacon.

This year was the fifteenth year that the Bloomington Living Wage (LWO) was in effect, and one of my duties is to monitor compliance with this law. We obtained required documentation from covered contractors, updated the web site and answered questions as to whether the LWO applies to specific situations. The amount of the living wage is adjusted each year to correspond to changes in the cost of living. In 2006, when the LWO was first passed, the amount of the living wage was \$10 an hour. In 2021, the amount is \$13.29 an hour. Up to 15% of this amount may be in the form of the employer's contribution to health insurance for which the covered employee is eligible.

ACCESSIBILITY ISSUES/TITLE VI: I serve as the City's Americans with Disabilities Act compliance officer, and in that capacity, I work to make sure the City, both as an employer and as a governmental entity, is meeting its obligations under the ADA. I also try to help local businesses become more aware of their obligations under the ADA, and I try to help resolve complaints from citizens about businesses not being accessible. I work closely with the City's Council for Community Accessibility, following up on their surveys of local businesses and helping to decide which businesses should receive the CCA's accessibility decals. The CCA is tireless in its efforts to make sure that Bloomington is as accessible as a city with hills and historic buildings can be.

I also serve as the City's Title VI compliance officer. Title VI requires entities that receive federal funds for any of their programs to not discriminate in any of their programs.

EDUCATIONAL PROGRAMS: In 2020, we completed our twenty-first year of publishing our monthly newsletter, Rights Stuff. The newsletter is distributed via email and via copies distributed around town. We use the newsletter to keep the community informed about recent trends in civil rights and to let them know what we do.

We had to forgo our annual participation in the Fourth of July parade, but hope to be able to march once again in 2021.

We continued to sponsor our annual essay/arts contest for area school children in 2020. The theme this year was "Were we born free and equal?" You can see some of the award-winning children's work on page 37 and page 43.

We are always glad to talk with groups, individuals and the media about what we do. This year, I gave talks to fewer groups than usual because of COVID19. I often talk to IU students who are thinking about pursuing a career in local government and/or human rights. I also answered questions from elected officials, the media, students and many others about human rights issues. You can see some of those questions beginning on page 22.

The BHRC works closely with other groups to achieve our shared goals. In 2020, we sponsored the CCA's annual Gather 'Round the Table event and the King Day events, among others. We continue to work with Bloomington United to prepare for possible hate activities in our community.

CHANGE IN STAFF: Nicole DeCriscio Bowe joined the Legal Department staff in February, 2020, bringing energy and enthusiasm to her job and improving the look of our newsletter and brochures. She helped us join the 21st century by getting our Facebook page off the ground. We are glad she's on our team.

Respectfully submitted,

Barbara E. McKinney
Director, BHRC/Assistant City Attorney

CITY OF BLOOMINGTON HUMAN RIGHTS COMMISSION 2014-2020 COMPARATIVE DATA

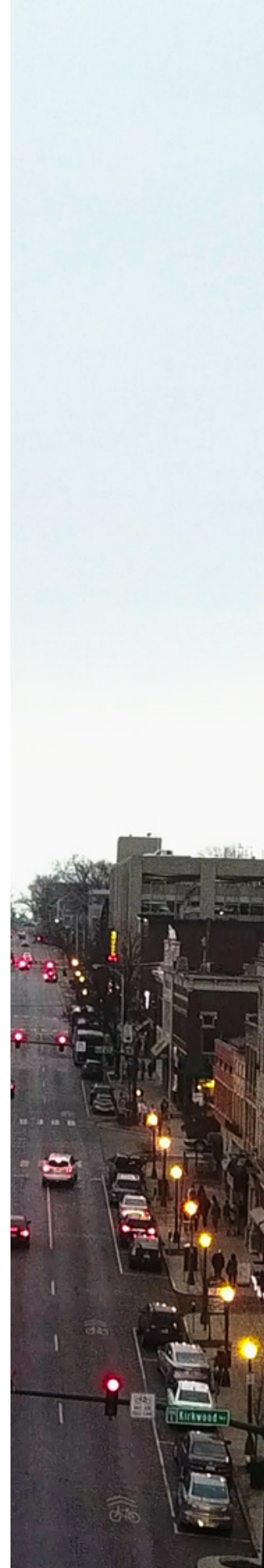
CITY OF BLOOMINGTON HUMAN RIGHTS COMMISSION

2014-2020 COMPARATIVE DATA

| | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 |
|---|------|------|------|------|------|------|------|
| <i>New complaints within BHRC jurisdiction</i> | 3 | 4 | 3 | 6 | 3 | 6 | 4 |
| <i>No probable cause findings issued</i> | 3 | 2 | 2 | 2 | 1 | 1 | 4 |
| <i>Settlement agreements reached</i> | 1 | 0 | 3 | 0 | 0 | 1 | 0 |
| <i>Cases still pending</i> | 0 | 2 | 0 | 2 | 2 | 2 | 1 |
| <i>Complaints drafted and forwarded to EEOC</i> | 2 | 3 | 3 | 4 | 5 | 4 | 0 |
| <i>Complaints drafted and forwarded to ICRC</i> | 0 | 0 | 0 | 0 | 1 | 0 | 0 |
| <i>Complaints drafted and forwarded to HUD</i> | 0 | 2 | 0 | 0 | 0 | 0 | 0 |
| <i>Complaints transferred to appropriate federal agency after partial investigation</i> | 1 | 0 | 0 | 0 | 1 | 2 | 1 |
| <i>Complaints dismissed for failure to cooperate</i> | 0 | 0 | 0 | 2 | 0 | 0 | 0 |
| <i>Complaints drafted but never signed</i> | 5 | 1 | 3 | 1 | 4 | 5 | 1 |
| <i>AA plans review</i> | 80 | 79 | 100 | 103 | 124 | 170 | 150 |
| <i>Pre-construction/pre-bid conferences attended</i> | 10 | 6 | 6 | 7 | 6 | 7 | 3 |
| <i>Employer seminars and community speeches</i> | 5 | 3 | 4 | 4 | 6 | 6 | 1 |

| | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 |
|--|------|------|------|------|------|------|------|
| Employment | 1 | 2 | 2 | 2 | 2 | 3 | 2 |
| Disability discrimination | 1 | 1 | 0 | 0 | 0 | 1 | 0 |
| Sex discrimination (including sexual harassment) | 2 | 1 | 1 | 0 | 0 | 0 | 0 |
| Sex/retaliation | 0 | 0 | 1 | 0 | 0 | 0 | 0 |
| Sexual orientation | 0 | 0 | 0 | 1 | 0 | 0 | 0 |
| Sex and/or disability | 0 | 0 | 1 | 0 | 0 | 0 | 0 |
| National origin | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Race discrimination | 0 | 0 | 0 | 1 | 0 | 1 | 2 |

| | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 |
|--------------------|------|------|------|------|------|------|------|
| Housing | 1 | 2 | 1 | 1 | 0 | 1 | 0 |
| Disability | 0 | 1 | 1 | 0 | 0 | 1 | 0 |
| Familial Status | 0 | 0 | 0 | 1 | 0 | 0 | 0 |
| Sexual orientation | 0 | 1 | 0 | 0 | 0 | 0 | 0 |
| Racial association | 1 | 0 | 0 | 0 | 0 | 0 | 0 |



| | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 |
|---------------------------------|------|------|------|------|------|------|------|
| Public Accommodations | 1 | 0 | 0 | 2 | 1 | 2 | 2 |
| Race | 0 | 0 | 0 | 1 | 1 | 1 | 1 |
| Gender identity | 1 | 0 | 0 | 1 | 0 | 0 | 0 |
| Sex/race and/or national origin | 0 | 0 | 0 | 0 | 0 | 1 | 0 |
| Disability | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| Race and/or disability | 0 | 0 | 0 | 0 | 0 | 0 | 1 |

| | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 |
|---------------------|------|------|------|------|------|------|------|
| Education | 0 | 0 | 0 | 1 | 0 | 0 | 0 |
| Race discrimination | 0 | 0 | 0 | 1 | 0 | 0 | 0 |

BLOOMINGTON HUMAN RIGHTS COMMISSION SUMMARY OF 2020 CASES

BHRC Docket 0676: Black woman alleged that she had been mistreated by a beauty salon that she had frequented many times before without incident. She said she was required to leave the facility during the middle of services for no reason. She filed a complaint alleging discrimination in public accommodations on the basis of race. Beauty salon denied the allegations, saying that the woman had been disruptive and critical of its employees. One person involved in decision to ask the woman to leave was Black. Investigation provided insufficient evidence to believe that that salon treated woman differently because of her race in violation of the human rights ordinance. Complaint filed in July, 2019; no probable cause decision issued in May, 2020; not appealed; investigated by Commissioner Haughton-Motley.

BHRC Docket 0678: Man from India complained that he was mistreated by a store when its cashier continued to talk to a white customer in front of him after that customer had paid for his purchases, making the Indian man wait for more than a minute. The cashier pointed him to another line instead of providing him with services and checked him out only once he complained. Later, in the parking lot, the customer who had been in front of the complainant yelled at the complainant, calling him rude. He filed a complaint alleging discrimination in public accommodations on the basis of race. Investigation found insufficient evidence to conclude that the cashier's behavior was motivated by racism, and that store had no responsibility over customer's conduct in parking lot. Complaint filed in November, 2019; no probable cause decision issued in April,

2020; appealed unsuccessfully; investigated by Commissioner Jackson.

HRC Docket 0679: Black woman alleged that she had been mistreated by her former employer. She said she had complained internally about racial discrimination and then had been suspended with pay pending an investigation, but they did not pay her and did not allow her to return to work. Employer said they had investigated her internal complaint and had not been able to substantiate it. Employer said her suspension was not paid. Employer said that they had substantiated the allegations against her and terminated her. She filed a complaint alleging discrimination in employment on the basis of race. During investigation, when complainant was asked about specifics in the employer's response, complainant said it was clear BHRC was on her employer's side and did not believe her. She didn't accept that BHRC was asking questions of both sides. Complaint transferred to EEOC to avoid an appearance of bias. Complaint filed in March, 2020; transferred to EEOC in July, 2020; investigated by Commissioner Williams.

BHRC Docket 0680: Black woman said when she asked her employer, a restaurant owner, for a raise, he said he couldn't afford it because of COVID. But shortly thereafter, he gave raises to several white employees and told co-workers he had not given the complainant a raise because she was a bad employee. She filed a complaint alleging discrimination in employment on the basis of race. Investigation showed that Black woman had received two raises during her time with employer, that some white employees went longer than that without a raise, and that one of the people who got a raise when complainant did not was Black. Complaint filed in June, 2020; no probable cause decision issued in November 2020; not appealed; investigated by Commissioner Calloway-Thomas.



HRC Docket 0681: Black woman with a disability alleged that she had been mistreated by a grocery store: when she shopped there, several times her cart locked and/or an alarm sounded, and she was frequently asked if she needed help, which made her feel she was being watched. She filed a complaint alleging discrimination in public accommodations on the basis of race and/or disability. Investigation showed that the store uses security measures not controlled by humans to lock the carts and/or sound alarms, and we could not find that asking a customer if she needed help was sufficient action to be a violation of the human rights ordinance. Complaint filed in July, 2020; no probable cause decision issued in October, 2020; not appealed; investigated by Commissioner Simpson.

BHRC Docket 0682: Black man said he want to restaurant with his family to eat. He works at this restaurant but was off duty. He said the manager refused to seat him and his family because of his race. He quit his job, saying he didn't want to work for a racist organization, and filed a complaint alleging race discrimination in public accommodations. Restaurant denied allegations, saying they had told complainant that he had to wait for a clean table, and told him and some of his children to put on masks. Complainant then alleged that restaurant also discriminated against him in employment and is considering amending his complaint. Complaint filed in September, 2020; investigation pending; being investigated by Commissioner Williams.

CATEGORICAL BREAKDOWN

Sexual Orientation/Gender Identity: Callers often had questions or concerns about sexual orientation and/or gender identity discrimination. These callers included students wanting the definition of “sexual orientation” or “gender identity” and gays, lesbians, transgender individuals and employers wanting to know their rights and responsibilities under our ordinance. Again this year, we had several calls from communities around the country considering their own sexual orientation and/or gender identity ordinance, and were glad to provide assistance in this area.

Americans with Disabilities Act: We receive many calls about the Americans with Disabilities Act. Most of the calls are from employers or employees wanting to know their rights and responsibilities under this federal law or from contractors wanting information on ADA regulations. The BHRC director, as the ADA compliance officer for the City, is quite familiar with the ADA and is able to give informed general advice and to make referrals when necessary. The City’s Accessible Bloomington web page helps answer questions as well.

Housing Code Violations/Landlord Tenant Disputes: Many callers mistakenly believe we have jurisdiction over housing code problems or landlord/tenant disputes that don’t involve discrimination. We refer such calls to the City’s housing code enforcement office and/or to a private attorney.

Wage Disputes: Employees who cannot obtain their last paycheck or pension benefits often call us. These cases do not usually have a discrimination element and so we refer the callers to the State Labor Board or private attorney.

FMLA: People often call us to learn their rights under the federal Family and Medical Leave Act. We answer general questions when we are able and refer callers to the federal Wage and Hour Division of the Department of Labor for additional information.

Workers' Compensation: We received many calls about workers' compensation in 2020. Our staff lacks expertise in this area and refers all such calls to private attorneys and/or the state Workers' Comp Board.

Unemployment Benefits: People fighting for unemployment benefits often call us, wanting us to represent them in an upcoming unemployment hearing. This is not a BHRC issue and so we make referrals.

Other: Many of our calls do not fall under any of the categories. Some of those calls are described on the next page.

MISCELLANEOUS CALLS

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.

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.

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.

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.

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.

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.

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.

Visitor to office had questions about ADA rules for ramps, sidewalks and handrails; answered questions.

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.

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.

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.

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.

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.

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.

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.

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.

Email writer asked the City to support President Trump in his efforts to build a wall at the southern border.

Email writer asked the City to stop adding fluoride to its water system.

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.

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.

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.

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 requiring yoga, by itself, to be teaching religion. Made referrals.

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.)

Email writer said his daughter's landlord was not letting her out of her lease, when it was letting other tenants who contracted through IU out of their leases. He called this housing status discrimination, but this does not meet the BHRC's definition of housing status. Referred student to Indiana Legal Services.

Girl Scout interested in obtaining a Citizenship in the Community badge interviewed McKinney about the BHRC.

Caller said her employer had shut down at least temporarily because of COVID-19, and she wanted to file a discrimination complaint. She felt she had been laid off due to her race and sex, but employer, a restaurant, had laid off all of its employees. Explained that didn't sound like basis for discrimination lawsuit, but she had a right to file for unemployment and that additional benefits are available if she lost her job due to COVID-19. She said she knew she could not receive unemployment because she had not been fired; assured her she could, and she should do so soon.

Caller, who helped present a webinar on Asians and COVID-19, asked about hate crimes in urban and rural answers. Answered best we could and made referrals.

Caller said that landlord was threatening to evict her from her commercial rental and was demanding extra charges for not presenting him with a copy of her bank statements. Explained that she needed to consult a private lawyer.

Caller said her place of employment had been closed since the shutdown, but is re-opening soon. She thinks she could do her job from home but they seem unwilling to make that work. She is over 70 and has an underlying condition. Advised she try to work with employer, and if she can't, to apply for unemployment and to call back if she thinks they are not providing her with reasonable accommodations. She respects her employer and would prefer not to file a formal complaint, but may be interested in mediation.

Caller said her Bloomington United sign was battered and asked for a new one; delivered to her house given COVID-19 and her reluctance to leave the house.

Email writer said her employer had closed because of COVID-19 and she can't pay rent. Not a BHRC matter; referred to workforce development and township trustee.

Caller said she worked at a restaurant not in Bloomington. She quit recently because the owner's wife treated everyone badly, calling them stupid, saying she wished someone would kill herself, etc. No evidence of illegal discrimination because she treated everyone badly without regard to protected classification. Referred to workforce development to apply for unemployment.

Email writer urged City to petition state to join lawsuit against China for spreading COVID-19.

Caller said that she was trying to get an apartment. Landlord wanted her to sign a release letting them check her references for 15 years. She said she knew that was illegal and thought they were discriminating against her on the basis of her age and/or disability. Explained we knew of no law prohibiting such a long-term release. She said she had no reason to think that they were requiring only her to sign the release. Agreed to sign release and to call back if she encountered any problems.

Caller, a city attorney, had questions about how Bloomington handles bias incidents and hate crimes. Discussed Bloomington's history and local ordinance and referred him to city's web page for ordinance language and bias incident reports.

Caller said that she had been bullied while staying at a shelter. She believes she is eligible for an apartment for homeless people and believes people who are getting apartments are less qualified than she is. Not a BHRC matter; referred to Indiana Legal Services.

Caller said she had worked for employer for more than a year. She took medical leave when she tested positive for COVID-19. She said she has been cleared to return to work, but her employer has not yet called her back to work. At the same time, they are hiring new people. Employer is in Tippecanoe County; referred to local human rights commission.

Caller said her daughter, a person with disabilities, wants to move to Bloomington. She has a housing assistance voucher but so far has not been able to find an apartment. Prospective landlords did not typically know the daughter has disabilities. Her voucher is about to run out. Explained how to get an extension and gave her the number of a contact at the housing office.

Email writer said she knew of a tenant who is being threatened with eviction for making negative comments about landlord online. Explained not a BHRC matter and referred to private attorney.

Caller thought titles of upcoming presentations, Do Black Lives Matter and Black Skin and a Blue Uniform, were racially and culturally inappropriate. By the time BHRC returned call, titles had been changed to Yes, Black Lives Matter and Brown/Black Skin and Blue Uniform. Explained BHRC did not regulate content or title of presentations. Referred to people at entity providing presentations and to ACLU of Indiana.

Caller left a message saying that he had applied for an apartment but didn't hear back. When he called asking if he had been approved, he was told he had been denied, but didn't say on what basis. We in turn left a message saying that if he felt he had been denied because of his membership in a protected class, he should call BHRC back or send an email. No reply.

Caller left a message saying her employer is requiring her to wear a mask, which she says she can't, as she has asthma. Employer is also requiring gloves; employee says she "can't function" with gloves on. In turn, left her a message. No reply.

Caller said that she had a client with a disability. Landlord was remodeling client's apartment to have a roll-in shower. Client had to move out during remodeling and landlord said client could not move back in. By the time BHRC returned call, caller had talked to upper management and resolved the issue.

Caller said she had been off work for more than three months under doctor's orders because of COVID-19 and an underlying health condition. She returned to work for less than a week and was fired without explanation. She called EEOC, which told her that the BHRC was the closest human rights commission and to call the BHRC. Caller had worked in another county that has a human rights commission; referred to that commission for possible discrimination in employment case on the basis of disability or perceived disability.

Caller said that he had applied for an apartment and paid the application fee. When he went to sign the lease, they told him the apartment was no longer available, as the current tenant decided to stay. They said they could find another place for him, but never got back to him, and now he has to move out of his current apartment. Tried six times to return call, but voicemail box full.

Caller had questions about HUD rules and service animals; answered questions and send HUD memo.

Numerous email correspondents urged BHRC to take action against alleged offenders at Lake Monroe incident on July 4. The allegations are criminal in nature, and occurred outside of the City of Bloomington limits, and thus not within BHRC's jurisdiction.

Email writer said she had been racially profiled when she was stopped by a Bloomington officer with an expired plate; she was in Bloomington, Illinois; referred to appropriate office.

Email writer, a frequent commenter, complained that city workers hired by another organization had again destroyed her flowers. She said that they destroy the flowers because she has a disability and they do not see her as human. Explained once again that these are not city workers, that the BHRC can't investigate the agency that hires these workers because of a potential conflict and that she could file a complaint with the ICRC. Writer responded that McKinney was a "liar" and should know that more than 25% of City residents work for the City. She followed up with numerous emails giving her opinion on a number of topics, none of which concern the BHRC.

Caller, from West Lafayette, had questions about hate crime laws in Indiana. Answered questions.

Caller said she was being denied equal service in stores because of what she was wearing or not wearing. She said she wanted to file a complaint, but would not leave a number; said she would call back. Has not.

Caller said, in understandable English, that he did not speak English and asked if McKinney spoke French. McKinney said no and asked him if he knew someone who could translate. Caller said no and hung up.

Email writer, a law student, said she was researching whether Bloomington could do what another city had done, pass an ordinance telling courts to expunge eviction records after a certain length of time. Suggested some additional avenues of research and offered to meet with student after she had completed her research.

Caller said her apartment is getting flooded, and she is concerned if she complains to HAND, she will get evicted. Not a BHRC matter; explained city code prohibits retaliation for filing a complaint with HAND and made referrals.

Email writer said that he filed a complaint of housing discrimination with the ICRC, and now his landlord is refusing to renew his lease. He believes it is retaliation. Explained that he needs to let ICRC know and amend his complaint. He said that legal services had denied him representation because of an alleged conflict and that he was tired of not getting help. Referred him to Pro Bono Project and again urged him to call ICRC as soon as possible, as they can help since they are already investigating his original complaint.

Caller wanted to file a discrimination complaint against a business in Ft. Wayne: referred to Ft. Wayne HRC.

Caller asked HAND representative if people who run homeowner associations have to abide by a code of ethics; she said a board member of her HOA is racist and hates women. Left a message saying fair housing laws might apply and asked her to return call or email; no return call.

Caller, from another county, said her service animal had been stolen or killed and she thought the police were ignoring her concern because of her disability. Explained that we had no jurisdiction; she said someone told her we did. Explained that we did not and referred her to the chief of police and/or mayor and/or ICRC.

Caller, a developer; had questions about ADA requirements for landings at the top of ramps. Sent diagrams from the ADA Accessibility Guidelines.

Caller said he and his wife had been camping at a campground outside of Monroe County. People near him were flying a confederate flag. He did not discuss this with the neighboring campers or the local management, but reported it to regional management and wanted to report it to the BHRC as well.

Email writer said her landlord, not subject to BHRC's jurisdiction, was refusing to allow her to have an emotional support animal, despite her providing him with medical documentation. Wrote landlord letter explaining fair housing laws and enclosed HUD information about service animals and emotional support animals. Email writer wrote BHRC again three weeks later; landlord at first told her that he had received the letter but wanted to see the law, not HUD information, and later denied he had received the letter. Emailed him a copy of the letter, HUD information, and a federal court case confirming that it can be a violation of the fair housing act to not allow tenants with disabilities to have emotional support animals.

AIM (Accelerate Indiana Municipalities) asked for permission to use article from Rights Stuff in a future newsletter; granted permission.

Email writer, a union leader, had questions about his employer not letting all employees continue to work from home, including some whom he said could continue to do their work without burdening the employer. Explained that if the employee has a disability that makes it problematic to return to work, employer might have to accommodate employee by letting him or her work from home, if that is reasonable under the circumstances.

Email writer said shelter, not in the BHRC jurisdiction, was discriminating against her daughter by allowing criminal behavior. Made referrals.

Caller left a voice mail saying she was being denied her constitutional right to sunlight because of the increase of chemtrails (condensation trails behind jets). She asked that someone call her back as soon as possible, but did not leave a name or telephone number.

Woman who provides home health care had questions about the ADA, the Fair Housing Act, the BHRC and the CCA. Answered questions.

Caller said he worked for an entity outside of Monroe County. He has a disability and felt his job assignment was particularly dangerous for him because of his disability. He requested transfers but they were denied. His contract was not renewed and he has not been able to get another job; his thinks his previous employer may be giving him poor references. Referred to EEOC because of time constraints; he said EEOC had referred him to BHRC; explained we had no jurisdiction and we did not have time to do an intake and prepare a complaint to be filed with the EEOC at this time. Explained on-line intake process EEOC has.

Caller left messages saying that he could no longer live with a relative because he is not on the lease. He said he can't find a job anywhere because of his criminal history. He feels the county is trying to get him to move out. In turn, left him a message explaining what the BHRC does, asking him to call back if he feels he being discriminated against on the basis of a protected category, and making referrals to social services agencies that help with housing and people who have recently been released from jail.

Caller said that her nephew was in jail. She said he had been attacked and hospitalized, and now is back in jail. She fears for his safety and believes he has mental health issues. Made referrals.

Visitor to office said she believes her rights as a citizen have been denied because she is being denied medical rights and has been denied treatment by her insurance company. Explained that BHRC has no jurisdiction over complaints like this; suggested she appeal the denial as provided for by her insurance policy and referred to the state agency that regulates insurance companies and to Legal Services.

Director of another human rights commission forwarded email to BHRC about an issue that was under the BHRC's jurisdiction, not the other HRC's. Email writer said an employee was implementing its return-to-work policy in a way that disproportionately affected minority employees. Other director suggested the writer contact BHRC, as did McKinney; but writer has not followed up.

Email writer forwarded a voice mail message from a woman who felt her daughter and son-in-law had been mistreated by government authorities investigating child abuse. Made referrals.

Caller said that she was a client of a non-profit agency and the agency had some sort of security breach. The agency offered her credit monitoring and reimbursement if her identity or accounts were compromised. She asked the BHRC what her legal rights are. We explained that we are part of the city's legal department and tried to make referrals, but she said we were favoring the nonprofit agency and hung up.

Caller said she had dated and then married her boss; they have been married for four years. Now, he wants a divorce, in part because she became pregnant with another man's child and had an abortion. She wanted to file a sexual harassment complaint against him, saying he never should have dated an employee, and wants to sue him because she had an abortion to save her marriage and thinks she now can't get pregnant again. Explained that "unwelcome" is part of the definition of sexual harassment and that she arguably seemed to have welcomed his behavior at one point; talked about the benefits of counseling; referred to family lawyer.

Email writer asked why agendas for city meetings offer to provide accommodations to people with disabilities upon request; explained ADA requirements. She asked if the language made sense in a time of virtual meetings; explained that we should keep the language, just in case there was something we could do to make virtual meetings more accessible to people with disabilities.

Caller complained about a disturbing Halloween display, including a dark figure hanging from a tree that seemed to represent a Black person as well as a KKK figure. Incident happened in county; referred to county HRC and discussed with MCHRC attorney; no known legal remedy. Suggested talking to neighbor if comfortable to do so and/or displaying more welcoming decorations.

Email writer asked what could be done about a racist sign in a neighbor's yard; no known legal remedy. Suggested talking to neighbor if comfortable to do so and/or displaying a more welcoming sign.

Caller asked for Bloomington United yard signs; provided.

Local attorney asked for copies of last 12 issues of Rights Stuff; provided.

Caller complained about being told that she had to remove her service animal from a public accommodation because it was too large. She didn't want to file a complaint, but just wanted public accommodation to change its policy. Talked to public accommodation about issue; they gave a different version of what had happened. Shared information with public accommodation about law and best practices.

Caller said his town had just created a human relations commission and asked for McKinney to talk to new commissioners and to share BHRC publications. Agreed to do so. Caller has not yet followed up.

Caller said he was arrested several years ago; charges dropped and he got the record expunged. His coworkers found out and began harassing him; he thinks he lost a promotion opportunity because of this. Employer not subject to BHRC's jurisdiction. Made referrals.

Email writer says she lives in an apartment advertised as no-smoking. Her neighbor smokes and the second-hand smoke causes her problems because of her disability. Discussed options; she will talk to landlord about accommodating her disability by paying for her air cleaners or other options and will contact BHRC if not successful.

Caller said she was on the 11th year of a 15-year mortgage in a program that was facilitated by the City's HAND department. She asked what to expect as she completed the payments. Referred to HAND.

Caller said his landlord is trying to evict him based on the weight of his service animal. Sent landlord a copy of HUD's rules which prohibit banning service animals merely because of their size.

Caller said she had been withholding rent because of problems with her apartment, and now landlord is threatening eviction. Advised tenants not usually permitted to withhold rent; referred to HAND and private attorney.

BLOOMINGTON HUMAN RIGHTS COMMISSION HATE INCIDENTS REPORT

January 1, 2020 - December 31, 2020

****Warning: this report includes offensive language to provide an accurate portrayal of these incidents.****

In August, 1990, the Bloomington Common Council unanimously approved an amendment to the Bloomington Human Rights Ordinance which gave the Bloomington Human Rights Commission the explicit authority to collect data and issue reports on hate incidents within our community. We accept reports from police departments, individuals, groups and the media. We also accept anonymous reports. Our goal is not to investigate these incidents, as we do not have the authority, training or resources to conduct that type of investigation. Rather, our goals are to serve as a referral resource and sounding board for victims, to work with community groups to coordinate responses to hate incidents when appropriate and to make our community more aware of the prevalence of hate incidents by issuing these periodic reports.

Please note, not all of these incidents constitute crimes, but all do indicate apparent bias.

- In February, 2020, we received a report from BPD and other sources concerning an encounter between an African American man riding a scooter and a white man driving a car. The scooter rider said a white man driving a car closely followed him while he was riding his scooter on the road. The white man was yelling at him, so he stopped riding, leaving the scooter in the road. He and the white man argued a bit. Then the driver started to drive away, but the scooter was caught under this car. He backed up, removed the scooter and tossed it in the grass. The two argued some more. As the driver drove away, the African American man said that the driver called him a "dumb nigger." BPD investigated.

- In February, 2020, we received reports of an argument on an IU bus. The driver, a white woman, repeatedly told an African American male passenger to go to the back of the bus. When he did not, she called the police. An African American female passenger tried to talk to the driver; the driver yelled at her in turn. The driver was suspended.
- In February, 2020, we saw a report in the Indiana Daily Student about two African American students at the Intramural Center allegedly repeatedly being asked by staff to show their student ids. They said white students were not asked to do the same. One of the students said the staff person was very aggressive and gave contradictory reasons for the request.
- In February, 2020, we received an email about hateful, anti-Chinese messages being posted on a subReddit that has since been quarantined. The message claimed that many of the Chinese students at IU come from the Wuhan province and that "many of them eat diseased animals like bats, monkeys and rats and that's how scientists say the virus [coronavirus] originated." The message urged people "to keep an eye out on Chinese who appear infected. Do not approach them do not go near them. Call the cops as soon as you see them and make sure you spread the word. The Chinese are very dirty and sick people. People watch out. God bless."
- In February, 2020, we received a report from BPD about a dispute between several men. A Black man had told people nearby that he was not feeling well and asked them to be quiet. One of the people nearby told the Black man to shut up and called him obscene names, including "nigger." He tried to tackle the Black man and others piled on. Another witness said the Black man had started the incident and had been calling another Black man "nigger." When others tried to intervene, the Black man struck them. Other witnesses concurred with the witness's account. The Black man was charged with disorderly conduct and battery.
- In February, 2020, we received a report about an alleged battery. Because juveniles were involved, we will not give details, but the allegations included the use of the term "Asian bitch" and questions about whether the Asian person had COVID-19.
- In May, 2020, we received a report from BPD about an incident in a park involving several juveniles. Because juveniles were involved, we will not give details. The juveniles had had conflicts in the past, and the incident reported to BPD involved some of the juveniles calling the other juveniles "African girls," "niggers" and "bitch." The incident escalated to include shoving and slapping. BPD investigated.

- In August 2020, we received a report from an individual that her Muslim neighbor's windows had been broken. They reported the incident to the police.
- In October, 2020, we received a report from the media about a person who drove by an outdoor Yom Kippur service and yelled anti-Semitic statements. The incident was reported to IUPD.

STEPS IN PROCESSING A FORMAL COMPLAINT

1. Complainant who believes he/she/they have been discriminated against makes an appointment with a BHRC staff member.
2. The director or assistant interviews the complainant to determine if the BHRC has jurisdiction. If we do, the complaint is written, signed and notarized. If not, the complainant is referred to the appropriate agency.
3. The respondent is notified of the complaint by certified mail and has 20 days to respond.
4. The case is assigned to a commissioner, who will investigate the complaint along with the director.
5. The director and investigating commissioner collect and summarize the facts. They interview both parties and witnesses, do legal research and collect documentation to obtain the best evidence available for each side.
6. If the respondent wishes to settle the complaint before an investigation is completed, the director and investigating commissioner strive to mediate a settlement between the complainant and respondent. This agreement must then be approved by the BHRC.
7. If the case is not settled, the director and investigating commissioner issue a finding after a complete investigation.
8. Both parties are notified of the finding.
9. If the finding was no probable cause, the complainant has 10 days in which to file a written appeal with the chair of the BHRC. A hearing is then held and the chair has 20 days to either uphold the finding or overturn the finding. If the finding is overturned, then the case proceeds to negotiations as if probable cause had been found originally.
10. If the finding is probable cause, the director and investigating commissioner attempt to negotiate a settlement that is agreeable to both parties and approved by the BHRC. If the attempt is unsuccessful, the BHRC will hold a formal public hearing. The BHRC's decision after the hearing may be appealed to the court by either party.

ESSAY QUOTES

Here are a few quotes selected from the essays submitted for the annual essay contest:

"I believe that in a place where we are free and equal we would all have good food and clean water. Women would be equal to men and would make the same amount of money as them, no matter what kind of job they work at."

-Yonan Schulz

"Something we should all strive to make better in this world are our rights as human beings."

-Teirnan Lidster

"Kids should be able to drive a car. Waiting until your older takes too long and you have to depend on your parents all the time. I would be more independent if I had my own car."

-Violet Tyron

"Freedom and equality are important because everyone deserves the same rights and opportunities. We can all stand up to help the people who don't get freedom and equality."

-Sophia Deno

"A really long time ago, and even now, there is racism in the world. We can't change everyone's opinion, but we can keep trying."

-Miko Pritchard

"Being free means you are like a bird; you can go wherever you want whenever you want. No one commands you to do anything you do not want to do. Being free means you can eat what you want, play how you want, you can travel, you can read, do math, or learn to write because your time is not being used up doing what other people want you to do. Being equal means you can think different things but you are still kind to one another. Being equal means you are not bullied and no one will hurt you."

-Isaac Maxwell

"Not all of us were born equal because of color, identity, and religion. I think what free and equal means is that all people have the same rights and freedom to get the things we need and to do the things we need to do."

-Amina Salazar Anasari

"Human rights are rights every person should be allowed to have the right to a home, food, clean water and love. Everybody should have these rights even if they're mean believe different things or love who they love."

-Alexander York

"Other people get treated differently because of their race. I know that a little bit ago, the farmers market got closed down for three weeks because people were judging each other by their skin color. This doesn't only affect those individuals, but it affects everyone else who goes to the farmers market. It affected those who sell things because they didn't get their money for three weeks. Also some people's only resource to get food was the farmers market, and since it was closed they didn't have food for three weeks."

-Annika Smith

"There's always somebody out there that will judge you, either because of your background, your appearance, or your beliefs. You need to stand up to them and know that they shouldn't judge you. You shouldn't judge your peers, either. There's just one simple rule you need to remember. Treat others the way you want to be treated."

-Xixi Qiu

"I think it is wrong not to treat people equally because everyone is trying to live for the same reasons."

-Daz Guardado

"Some of the things we can do to be a more free and equal world are: give everyone the same rights and give them the freedom to make their own choices."

-Johanna Savarese

"So freedom means having the ability to make choices like voting and to worship whatever you choose and love whomever you choose without laws telling you what to do. And equality means that all people have equal rights regardless of your religion, color, or mental and physical abilities. While we are working toward freedom and equality."

-Halloway Galvin

BLOOMINGTON HUMAN RIGHTS COMMISSION

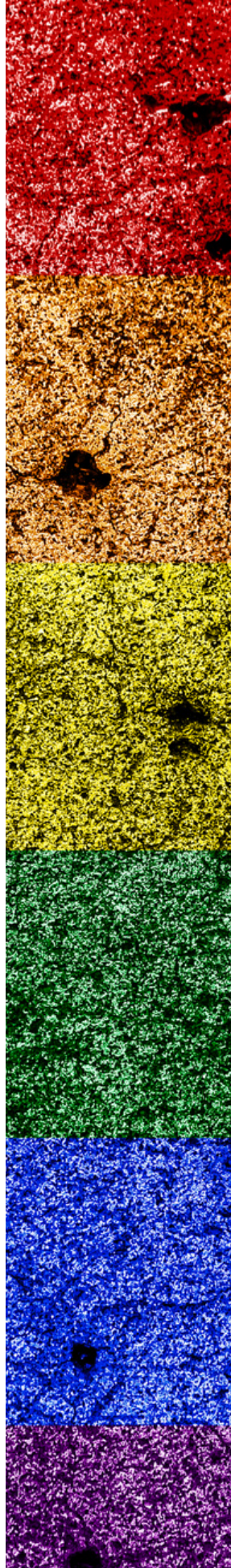
2021 MEETING DATES

The Bloomington Human Rights Commission typically meets on the fourth Monday of each month at 5:30 p.m. in the McCloskey Conference Room.

Please note that due to the COVID-19 public health emergency, meetings until additional notice is given will take place via Zoom. The link to those meetings will be posted both at City Hall and on the City's calendar event for the meeting.

Meetings are scheduled as follows:

January 25, 2021
February 22, 2021
March 22, 2021
April 26, 2021
May 24, 2021
June 28, 2021
July 26, 2021
August 23, 2021
September 27, 2021
October 25, 2021
November 22, 2021
December 27, 2021



HUMAN RIGHTS AWARD WINNERS

The BHRC began recognizing individuals and groups who have made specific, significant contribution to improving civil rights, human relations or civility in our community in 1997. Here is a current list of those who have been honored.

2019- Cindy Stone

2017- Bloomington PRIDE

2015- Bloomington Police Department Resource Officer Program

2014- Bill Breeden

2013- David Metheny

2012- Guy Loftman

2011- Virginia Hall and Father Charlie DuPree

2009- New Leaf / New Life

2008- Voices & Visions and Helen Harrell

2006- Lillian Casillas

2005- Roberta McCloskey

2004- WFHB and Doug Bauder

2003- Bill of Rights Defense Committee and Congressman Frank McCloskey

2002- Council for Community Accessibility and Rev. Ernest D. Butler

2001- Clarence and Frances Gilliam

2000- Daniel Soto and John Clower

1999- Study Circle Project and Dick McKaig

1998- Bloomington United on behalf of “all citizens of Bloomington who stood up for inclusion and against hatred”

1997- Bloomington High School North

FORMER COMMISSIONERS

1960's

Rev. E. Daniel Butler
Mrs. David Dansker
Jack N. Ray
Dr. Harry Yamaguchi
William H. Andrews
Rev. Robert Kirk, Sr.
Rev. A. Hardy Nall, Jr.

David S. McCrea
Dustin McDonald
Betty Rowan
Robert F. Terry
Regina Friedman
Irving Fell
Mrs. Russell DeMotte

Bill Hayes
Dr. Harry Day
Samuel M. Loescher
E.E. Bridgewaters
Rev. Joe Emerson
Brad Bayliss
Craig Tregilgas

1970's

Frank Thomas
Clarence Gilliam
Dr. Joseph Russell
Dr. Jerry Ruff
La Verta Terry
Father Robert Borchertmeyer
Joan Simkowitz
William Jairrels
William Smith
John Irvine
Tobiatha Eagleson
Viola Taliaferro

Howard Canada
Christine Lannucilli
Daniel Gad
Valerie Tarzian
Robert Tucker
Frederick LaCava
Christine Mitchell
Robert Epps
William Gephart
Mary Mitchell
Ronald Foley
Fran Koski

Jorge Oclander
Mary Foster
Tula Kavadias
Mark Schenk
Charles Webster
Quincy Erickson
Mary Hayes
Rev. Joseph Walker
Richard Randall
Rev. William Webster
David Jimenez
Robert Cole

1980's

Robert Cole
John Pickle
Quincy Erickson
Tobiatha Eagleson
Ron Foley
George Foster
Tula Kavadias
Christine Mitchell

Bob Tucker
Ben Waxler
Frona Powell
Nora People
Lorraine Rodts
Lorelei Meeker
Bridget McKinney
Chris Gardner

Roscoe Ellis
Bob Dunn
Edwin McClean
Rev. Charles Rogers
Mary Ellis
Wanda Reisz
Lauren Robel
Cassandra McConn

FORMER COMMISSIONERS

Jorge Oclander
Doris Sims

Jerry Vuke
Wilanna Smith

John Pickell

1990's

Harry Yamaguchi
Mary Ellis
George Foster
Henry Hofstetter
Steve Sanders
Dr. Michael Wenzler
Alan Yip

Marie Phillips
Charlie Laganza
Barbara Fawcett
Bob Dunn
Lauren Robel
Rev. Greg Wilson
Barbara Wolf

Patty Muller
Doug Bauder
Dr. Fritz Lieber
Gwen Jones
Rev. Michael Anderson
Jack Hopkins
David Reidy

2000's

Dr. Fritz Lieber
Steve Sanders
Vicki Pappas
Pam Huggins
Jeff Harlig
Luis Fuentes-Rohwer

David Reidy
Josh Cazares
Doug Bauder
Nancy Metz
Maria del Pilar File-Muriel
Dorothy Granger

Rev. Michael Anderson
Melanie Castillo-Cullather
Suzette Sims
Shaunica Pridgen
Emily Bowman
Beth Kreitl

2010's

Luis Fuentes-Rohwer
Amy Jackson
Teri Guhl
Drew Larabee
Beth Applegate
Rhonda Gambill

Beth Kreitl
Dorothy Granger
Alice Tischler
William Morris
Pete Giordano

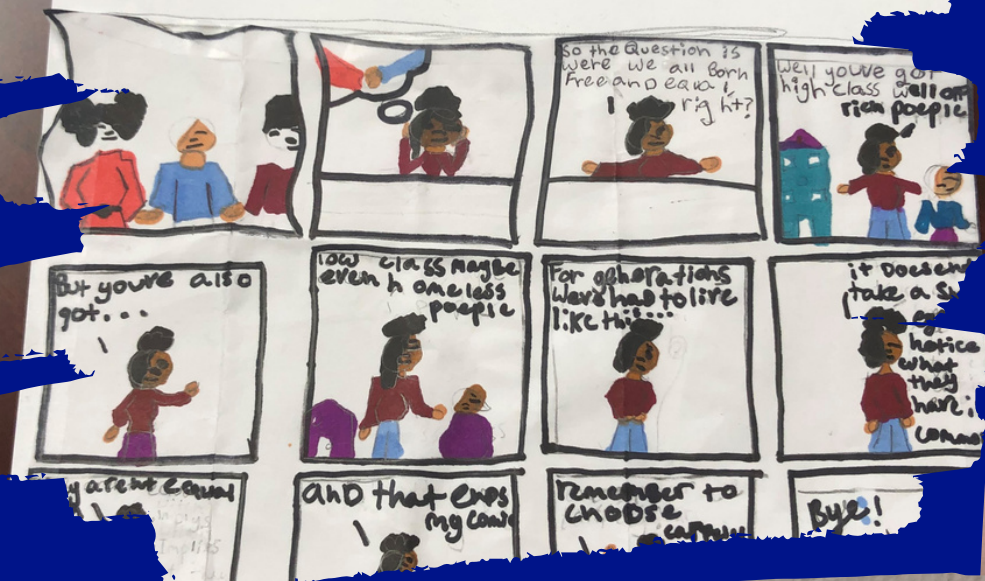
Emily Bowman
Alexa Lopez
Michael Molenda
Birk Billingsley
Jacob Snodgrass

2020s

Irena Micajkova-Otten

Rhonda Gambill

Jacob Simpson



Are we born free and equal?
 This is a hands-on sculpture. Pick up the model. Hold it and just think what it means to think people are born free and equal, but we think this dream can come true in the future.

We can make it where our children are born free and equal. Our model represents that you shouldn't be afraid to be who you are and you can show that you are different. You should not be judged for how you look, who you want to be, your gender or what you're trying to accomplish in life. You can be what you want to be and you should not let other people decide who you are.

Elijah Smith (6), Alexis Wiesenberg (6), Rhianna (6), LaShell Murphy (6) and Kendra Oliver-Reed (5)
 Templeton Elementary School
 Teachers: Glenn, Gallagher, Reiner



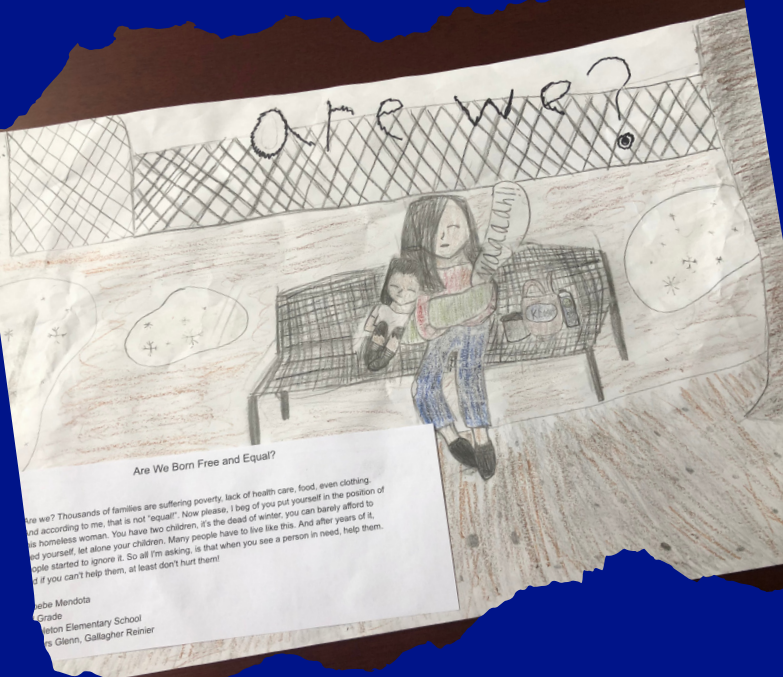
I don't know what Susan B. Anthony would say to answer this question, but I think she would most likely say, "No. But we can be, if we keep fighting."

Susan B. Anthony is an important person to think about when you think about this topic because she fought so hard for us to be equal. She is also important today in 2020. This year is not only the 200th birthday of Susan B. Anthony, but also the 100th anniversary of the 19th Amendment to the U.S. Constitution, which recognized women's right to vote.

Oh, if I could but live another century and see the fruition of all the work for women! There is so much yet to be done.
 — Susan B. Anthony

2020 Art Contest Entries

- Submitted by (from top left):
- Sophia Vanden Dries; Templeton Elementary
- Elijah Smith, Alexis Wiesenberg, Rhianna, LaShell Murphy and Kendra Oliver-Reed; Templeton Elementary
- Clara Tweedie; Childs Elementary
- Phoebe Mendota; Templeton Elementary
- Eloise Gjerdingen; Templeton Elementary



Are We Born Free and Equal?

Are we? Thousands of families are suffering poverty, lack of health care, food, even clothing, and according to me, that is not "equal". Now please, I beg of you put yourself in the position of this homeless woman. You have two children. It's the dead of winter, you can barely afford to feed yourself, let alone your children. Many people have to live like this. And after years of it, people started to ignore it. So all I'm asking, is that when you see a person in need, help them. If you can't help them, at least don't hurt them!

Phoebe Mendota
 Templeton Elementary School
 Teachers: Glenn, Gallagher, Reiner

Were we all born equal and free?
 No. If your parents are slaves, then you were born as a slave. You have no rights, you're not treated equal, and you are **Not free**. If you were born a princess, you have rights and are equal and free. **Social classes** have made it that way. **Social classes** have made it that way. Without social classes, everyone would be treated equally.



BLACK MARKET FIREBOMBING
(Continued from other side)
On December 26, 1968, a local man with Ku Klux Klan ties firebombed the Black Market, destroying the entire store. Though it never reopened, students, faculty, and the community raised funds to cover the store's inventory. In 1970, Indiana University students began developing the vacant lot into Peoples Park, a space for activism, recreation, and free expression.
INSTALLED 2020 INDIANA HISTORICAL BUREAU AND THE GREATER BLOOMINGTON CHAMBER OF COMMERCE



Photos from top left: From left, Mayor John Hamilton and BHRC Chair Ryne Shadday pose for a picture at the dedication for a historical marker at People's Park.; From left, BPD Chief Mike Diekhoff answers questions from BHRC members Carolyn Calloway-Thomas, and Jacob Simpson during a tour of the department's Bearcat.; From left, BPD Chief Mike Diekhoff, BHRC Chair Ryne Shadday, member Carolyn Calloway-Thomas, Director Barbara McKinney, and member Jacob Simpson pose for a photo.