

BLOOMINGTON HUMAN RIGHTS COMMISSION

DIRECTOR'S QUARTERLY REPORT

July – September 2020

I. Discrimination complaints

A. Pending from previous quarters – Calloway-Thomas's case

1. Case alleging race discrimination in employment filed in June, 2020
2. Investigation nearly complete

B. New cases

1. Commissioner Simpson's case

- a. Case alleging discrimination in public accommodations on the basis of race and or disability filed in July, 2020
- b. Investigation nearly complete

2. Commissioner Williams' case

- a. Case alleging discrimination in public accommodations on the basis of race filed in September, 2020
- b. Investigation pending

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

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

II. Miscellaneous inquiries

A. 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.

- B. Caller had questions about HUD rules and service animals; answered questions and send HUD memo.
- C. 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.
- D. 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.
- E. 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.
- F. Caller, from West Lafayette, had questions about hate crime laws in Indiana. Answered questions.
- G. 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.
- H. 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.
- I. 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.
- J. 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.

- K. 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.
- L. Caller wanted to file a discrimination complaint against a business in Ft. Wayne: referred to Ft. Wayne HRC.
- M. 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.
- N. 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.
- O. Caller, a developer; had questions about ADA requirements for landings at the top of ramps. Sent diagrams from the ADA Accessibility Guidelines.
- P. 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.
- Q. 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.

- R. AIM (Accelerate Indiana Municipalities) asked for permission to use article from Rights Stuff in a future newsletter; granted permission.
- S. 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.
- T. Email writer said shelter, not in the BHRC jurisdiction, was discriminating against her daughter by allowing criminal behavior. Made referrals.
- U. 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.
- V. Woman who provides home health care had questions about the ADA, the Fair Housing Act, the BHRC and the CCA. Answered questions.

III. **Publicity**

- A. Emailed monthly newsletter, Rights Stuff, to 100+ individuals and organizations.
- B. BHRC wrote letter to IU about its treatment of Japanese-American students during WWII; IU cited letter when it announced its decision to address its treatment.
- C. Began a BHRC Facebook page to increase outreach efforts.

IV. **Networking/education**

- A. McKinney attended webinars on issues surrounding COVID-19, including employment and housing issues as well as complying both with the ADA and face covering requirements
- B. McKinney attended community rally in response to George Floyd murder
- C. McKinney attended summit on LGTB issues

- D. Members of BHRC and McKinney toured the Bearcat vehicle
- E. McKinney attended Indiana consortium of state and local human rights commissions meeting
- F. McKinney met with member of the Monroe County HRC and the staff attorney to talk about potential MCHRC/BHRC joint efforts

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

- A. McKinney reviewed and approved 28 affirmative action plans
- B. McKinney updated living wage amount for 2021; McKinney and DeCriscio Bowe sent notices to contractors and agencies covered by the living wage ordinance about 2021 changes
- C. DeCriscio Bowe reviewed contractors' wage payments for Davis Bacon compliance
- D. McKinney reviewed one contractor's drug testing policies

VI. ADA issues

- A. McKinney answered questions about accessibility issues about accessibility at city structures, including parklets downtown and buildings under renovation
- B. McKinney answered several questions from tenants and landlords about emotional support and service animals in rental properties