

# **MINUTES OF THE COMMISSION FOR HUMAN RIGHTS**

**OCTOBER 18, 2013**

**An Informational Only meeting of the Commission for Human Rights was held on Friday, October 18, 2013 in the agency conference room. Present at the meeting were Commissioners John B. Susa, Chair and Camille Vella-Wilkinson. Commissioners Alberto Aponte Cardona, Alton W. Wiley, Jr., Iraida Williams, Nancy Kolman Ventrone and Rochelle Bates Lee were not present. The meeting commenced at 10:02 a.m.**

**A motion to approve the minutes of September 27, 2013 was not made because we did not have a quorum.**

## **Status Report of Michael D. Évora, Executive Director**

**A written report was handed out. All new information is in bold print.**

**Case Production Report – Attached**

**Aged Case Report – No aged cases to report.**

**Outreach Report – Attached - The Executive Director reported that Jason Flanders drafted a Power Point presentation for the Commissions Outreach activities.**

## **STATUS REPORT – COMMISSIONERS**

**GENERAL STATUS:** The Commissioners are continuing to operate. They are still waiting on information on Commissioner re-appointments.

**OUTREACH:** Commissioner Vella-Wilkinson reported that she had a successful meeting with the New PR Director of the City of Warwick, Jane Jordan. Ms. Jordan gave permission to have the Commission conduct sexual harassment training for the City of Warwick. The Commissioner also requested more sexual harassment posters. Commissioner Vella-Wilkinson reported that she instituted a Warwick chapter of AARP to be held at the Pilgrim Senior Center. This chapter will help deal with all issues for senior citizens 50 and older.

**Commissioner Meeting -2- October 18, 2013**

**STATUS REPORT – LEGAL COUNSEL :** Cynthia Hiatt and Francis Gaschen. Attorney Gaschen reported that he has been working on the Commission's Face Book page and would like the Commissioners and staff to visit the Face Book. He will be adding pictures and other important information and is looking forward to working with and incorporating HUD and EEOC information.

**LITIGATION: Report Attached. Counsel and the Commissioners discussed pending litigation in which the Commission has a role.**

**LEGISLATION: No report at this time.**

**REGULATIONS: Legal Counsel Gaschen reported on the previously approved proposed changes to the housing regulations and recommended January 15, 2014 date for a Public Hearing. He will update everyone at the next meeting.**

**STATUS OF HEARING CASES/HEARING SCHEDULE: Discussed**

**The meeting adjourned at 10:50 a.m. The next regular meeting will be on  
Friday, November 22, 2013 at 9:30 a.m.**

**Respectfully Submitted,**

**Michael D. Évora**

# Executive Director

Notes taken by B. Ross

## EXECUTIVE DIRECTOR'S REPORT TO COMMISSIONERS

18 October 2013

### I. BUDGET

**S = State/General Revenue; F = Federal (EEOC/HUD); T = Total**

	<b>FY 2014</b>	<b>FY 2014</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2015</b>
	<b>(Recomm.)</b>	<b>(Enacted)</b>	<b>(Rev.Req.)</b>	<b>(Unconstr.)</b>	<b>(Constr.)</b>
<b>S</b>	<b>1,150,785</b>	<b>1,150,785</b>	<b>1,150,785</b>	<b>1,184,229</b>	<b>1,095,286</b>
<b>F</b>	<b>308,638</b>	<b>308,638</b>	<b>318,987</b>	<b>303,788</b>	<b>318,035</b>
<b>T</b>	<b>1,459,423</b>	<b>1,459,423</b>	<b>1,469,772</b>	<b>1,488,017</b>	<b>1,413,321</b>

The Commission's FY 14 (Revised) and FY 15 (Proposed) Budgets were submitted to the Governor on September 11. The submission included a Budget Impact Statement detailing the consequences to be realized should the seven percent general revenue decrease requested of all state agencies be implemented for the Commission [see Constrained Budget above].

## **II. FEDERAL CONTRACTS**

**EEOC – For federal FY 2012 (beginning October 1, 2011), according to EEOC Project Director Marlene Toribio, we closed 237 co-filed cases.**

**Our contract with EEOC for FY 2012 was for 235 cases. For federal FY 2013 (beginning October 1, 2012), we have closed 201 co-filed cases. Our contract with EEOC for FY13, received on May 13, is for 199 cases. EEOC Headquarters has explained that all FEPA contracts were unilaterally reduced by 16% this year. Two factors are cited for this reduction: 1) EEOC's FY13 budget started at 91%; 2) the federal sequestration caused another 7% reduction in EEOC funding. On August 1, I requested an upward modification of ten cases, which would bring our contract to 209 cases; the request was not approved by EEOC HQ due to EEOC funding. As of August 30, we met/exceeded our contract.**

**HUD – For FY12, according to HUD Project Director Angela Lovegrove, we took in 40 new housing charges, 37 of which were co-filed with HUD. Within this same time period, we processed 45 housing charges, 43 of which were co-filed with HUD. For FY13 (July 1, 2012 through June 30, 2013), we took in 51 new housing charges, all of which were co-filed with HUD. Within this same time period, we processed 50 cases, 47 of which were co-filed with HUD. For FY14 (beginning July 1, 2013), we have taken in 12 new housing charges, 11 of which are co-filed with HUD. Within this same time period, we have processed 13 cases, all of which were co-filed with HUD.**

### **III. PERSONNEL**

**No new information.**

**IV. OUTREACH – Refer to attached report.**

### **V. GENERAL STATUS**

**&#9679;Meetings with staff members – I continue to meet monthly with individual investigative staff members to monitor case production.**

**&#9679;Case Closures – Refer to attached report.**

**We ended FY 2012 slightly behind the prior fiscal year's case processing rate. In FY 2011, we processed 422 cases; in FY 2012, we processed 411 cases (approx. 3.5% decrease). For FY13, we processed 389 cases (approx. 5% decrease from FY12). For FY14 (beginning July 1, 2013), we have processed 89 cases (compare to 108 cases in this same time period in FY13).**

**&#9679;Aged Cases – There are no aged cases in the Commission's inventory for federal fiscal year 2013 (beginning October 1, 2012).**

**&#9679;Overall Case Inventory – The Commission had over 1000 cases in its inventory at the end of FY 1998. We ended FY11 with 323**

**cases in inventory, FY12 with 255 cases, and FY13 with 265 cases. As of 10/11/13, we had a total of 286 cases in inventory; 0 of these cases were pending assignment.**

**&#9679;Performance Management Initiative – On July 16, I met with the Governor’s Performance Management Team to discuss the Commission’s agreed-upon performance goals. The Team noted that the Commission is one of the only state agencies that consistently complies with the Performance Management Directive in a complete/timely manner. These meetings will occur quarterly.**

**&#9679;HUD Review – From Monday-Wednesday, August 26-28, John Geiss, an Equal Opportunity Specialist with HUD/Boston, conducted an on-site review/evaluation of the Commission’s fair housing unit’s work during FY13 to assess the Commission’s compliance with HUD’s rules and regulations. On September 30, the Commission received HUD’s report. The report concluded that the Commission had met all performance standards and qualified for continued certification as a substantially equivalent agency. The report also noted areas of “exemplary performance”: commencing case investigations in a timely manner; documenting “out-of-the-ordinary” interactions with parties; and settlement of cases (including post-Probable Cause). The only area of concern noted was the Commission’s ability to comply with HUD’s mandates regarding amendments to the Fair Housing Practices Act and our Housing Regulations (as discussed previously with Commissioners).**

**&#9679;Racial Profiling Prevention – Beginning on September 4, I have been meeting bi-weekly with a group of law enforcement and community representatives in an effort to review the Comprehensive Racial Profiling Prevention Act (tentatively renamed the Comprehensive Community-Police Relationship Act). Meetings will occur through the end of December with the goal of identifying language for a 2014 bill on which both sides can agree.**

**Respectfully submitted,**

**Michael D. Évora**

**Executive Director**

**Attachments**