

MINUTES OF THE COMMISSION FOR HUMAN RIGHTS

November 21, 2014

A regular meeting of the Commission for Human Rights was held on Friday, November 21, 2014. Present at the meeting were Commissioners John B. Susa, Chair, Iraida Williams, Camille Vella-Wilkinson and Tolulope Kevin Olasanoye, Esq. Commissioner Rochelle Bates Lee arrived at 10:10 am. Absent were Commissioners Angelyne E. Cooper, Esq. and Alberto Aponte Cardona, Esq. The meeting commenced at 9:35 a.m.

Commissioner Williams moved to approve the minutes of September 26, 2014. Commissioner Vella-Wilkinson seconded and the motion carried unanimously.

**Status Report of Michael D. Évora, Executive Director reported by
Legal Counsel Cynthia Hiatt**

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

STATUS REPORT – COMMISSIONERS

OUTREACH: Commissioner Williams attended a Transitional Fair in Central Falls involving getting more visual materials in Spanish. She also met with Representative Jacquard on increased coverage of hearing aid costs.

Commissioner Vella-Wilkinson reported that she works at the Compassion Center with a group of veterans regarding not being able to smoke medical marijuana in public housing. They are exploring alternatives.

Commissioner Meeting -2- November 26, 2014

She also worked with the AARP Senior Community group regarding drug abuse, home safety issues and accommodations in housing.

Commissioners Olasanoye and Cooper attended a workshop at Roger Williams Law School on legal opportunities.

GENERAL STATUS: Legal Counsel Cynthia Hiatt reported that the

holiday party will be after the next Commissioner meeting on December 12, 2014 at 12 noon.

STATUS REPORT – LEGAL COUNSEL: by Cynthia M. Hiatt and Francis Gaschen

LITIGATION: Counsel and the Commissioners reviewed pending litigation in which the Commission has a role. Report attached.

LEGISLATION: Counsel and the Commissioners reviewed the final report on legislation enacted in the last General Assembly session relating to the Commission and civil rights. The Commissioners agreed that legislation related to clarification of the rights of tenants with service animals would be the top priority for the 2015 General Assembly session. The secondary priority will be bills relating to uniform procedures and standards and a bill protecting open discussion by parties of their charges.

The Commissioners discussed the marriage rights of incarcerated persons serving life without parole. No action was taken.

HEARING SCHEDULE/STATUS OF HEARING CASES: Commission Counsel discussed with the Commissioners the hearing schedule.

Commissioner Meeting -3- November 26, 2014

The meeting adjourned at 11:00 a.m. The next regular meeting of the Commission is December 12, 2014 at 10:30 a.m.

Respectfully Submitted,

Cynthia M. Hiatt

Legal Counsel

Notes taken by B. Ross

EXECUTIVE DIRECTOR'S

REPORT TO COMMISSIONERS

21 November 2014

I. BUDGET

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

	FY 2014	FY 2015	FY 2015	FY 2015	FY 2016
	(Rev.)	(Gov. Rec..)	(Enacted)	(Rev. Req)	(Req.)
S	1,146,066	1,193,083	1,193,083	1,206,185	1,231,273
F	317,367	287,096	287,096	332,950	319,355
T	1,463,433	1,480,179	1,480,179	1,539,135	1,550,628

On June 13, the House passed a budget which included funding for the Commission consistent with the Governor's recommendations for FY14 and FY15 (see above). The Senate passed the budget on June 16 and it was signed by the Governor on June 19.

The Commission's FY15 (Revised) and FY16 (Requested) budget requests were submitted to the Governor, House/Senate Fiscal Advisors and Budget Office officials on September 12. (Submission was due on September 18.) See above for details.

On October 28, I submitted the Commission's FY15 First Quarter Report to the State Budget Office. The Commission projects a deficit of approximately \$13,100 in General Revenue at the close of FY15, attributable to the recently implemented (and unanticipated) two percent salary increases for staff, and over-budget expenses for leasing of office equipment. The Commission also projects a deficit of approximately \$45,800 in Federal Revenue at the close of FY15, attributable in large part to the two percent salary increases as well as expenses for the Community Liaison Specialist, funded out of the

HUD Special Projects Grant (which was not included in the FY15 enacted budget).

On November 13, I met with representatives of the state Budget Office and OMB to review the Budget Office's planned recommendation to the Governor in respect to our FY15 (revised) and FY16 budget requests. The OMB representative advised that the Commission is "the model small state government agency" with regard to our development of a cohesive strategic plan and performance measures, and our timely submission of monthly performance measure reports.

II. FEDERAL CONTRACTS

EEOC – For federal FY12 (ending September 30, 2012), according to EEOC Project Director Marlene Toribio, we closed 237 co-filed cases.

Our contract with EEOC for FY12 was for 235 cases. For federal FY13 (ending September 30, 2013), we closed 201 co-filed cases. Our contract with EEOC for FY13 was for 199 cases. For federal FY14 (ending September 30, 2014), we closed 232 co-filed cases. Our original contract for FY14 was for 244 cases; however, based on our assessment of case production, we requested a downward modification to 230 cases in early August. EEOC approved our request and revised our contract accordingly. For federal FY15 (beginning October 1, 2014), we have closed 22 co-filed cases. Our contract for federal FY15 (beginning October 1, 2014) is yet unknown.

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, and we processed 45 housing charges, 43 of which were co-filed with HUD. For FY13, we took in 51 new housing charges, all of which were co-filed with HUD, and we processed 50 cases, 47 of which were co-filed with HUD. For FY14, we took in 49 new housing charges, 47 of which are co-filed with HUD, and we processed 51 cases, 50 of which were co-filed with HUD (three of these processed cases were post-PC conciliations). For FY15 (beginning July 1, 2014), we have taken in 67 new housing charges, 52 of which are eligible to be co-filed with HUD. (13 were not eligible for co-filing and two were deferred to HUD for investigation due to internal conflicts.) Within this same time period, we have processed 15 cases, 14 of which were co-filed with HUD.

UPDATE ON HUD PARTNERSHIP GRANTS – The first grant, for approximately \$56,000, is for a targeted outreach (including development of training/education materials) to the LGBT community and victims of domestic violence. On March 17, former Investigator Susan Pracht began a nine-month position as Community Liaison Specialist overseeing the implementation of the LGBT/Domestic Violence grant. The LGBT portion of the project is complete; work on the domestic violence portion of the project is underway.

The second grant, for \$2,650.00, was used to plan and conduct a seminar on mortgage discrimination and predatory lending on April 7

at the Hyatt Regency Hotel in Newport; the event was attended by 32 individuals from RI and MA, including several representatives from HUD.

III. PERSONNEL

No new information.

IV. OUTREACH – Refer to attached report.

V. GENERAL STATUS

●Meetings with staff members – I continue to meet monthly with individual investigative staff members to monitor case production.

●Case Closures – Refer to attached report.

In FY11, we processed 422 cases; in FY12, 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 processed 376 cases (decrease of approx. 3% from FY13). For FY15 (beginning July 1, 2014), we have processed 126 cases (compare to 118 cases in this same time period in FY14).

●Aged Cases – (Report attached.) There are no aged cases in the Commission's inventory for federal FY15 (beginning October 1,

2014).

●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, FY13 with 265 cases, and FY14 with 290 cases. As of 11/14/14, we had a total of 324 cases in inventory; 37 of these cases were pending assignment.

●HUD Proposal: In response to a recent HUD Notice of Funding Availability (NOFA), the Commission submitted a proposal for HUD funding for a special one-year project to conduct fair housing education and outreach to immigrant (foreign-born) individuals in Rhode Island. Unfortunately, we recently learned that our proposal was not accepted for funding.

●Performance Management Initiative – The Governor’s Performance Management Team has noted that the Commission is one of the only state agencies that consistently complies with the Performance Management Directive in a complete/timely manner.

●Case File Review/Shredding – Staff recently assisted in the effort to review seven years’ worth of case files to determine which cases were eligible for shredding pursuant to the Commission’s Records Retention Schedule (filed with the Secretary of State). Approximately 350 boxes of cases were set aside for shredding. On November 13, the shredding company with whom the state has a

contract removed the boxes and brought them to their facility for shredding.

Respectfully submitted,

Michael D. Évora

Executive Director

Attachments