



## MDCR/MCRC Enews for January, 31 2012

The MDCR library now has a copy of *That Used To Be Us: How America Fell Behind In the World It Invented and How We Come Back* by Thomas L. Friedman and Michael Mandelbaum. Please contact Rebecca Powell for more information.

### **Guide Dogs Frequently Forced out of private establishments, advocacy group says**

From the Grand Rapids Press/MLive, 1/28/12

[http://www.mlive.com/news/grand-rapids/index.ssf/2012/01/guide\\_dogs\\_frequently\\_forced\\_o.html](http://www.mlive.com/news/grand-rapids/index.ssf/2012/01/guide_dogs_frequently_forced_o.html)

CASCADE TOWNSHIP - Frank Eckl was sitting down to an ordinary dinner with his family when he was asked to leave the restaurant.

### **Expelled EMU counseling student wins OK to sue after refusal to advise gays, lesbians**

From the Detroit Free Press, 1/27/12

<http://www.freep.com/article/20120127/NEWS06/120127022/EMU-counselor-gays-lesbian-lifestyles?odyssey=tab|topnews|text|FRONTPAGE>

An Eastern Michigan University student who was expelled from a counseling program because she refused to counsel gays and lesbians about their lifestyles won a key victory today in the U.S. 6th Circuit Court of Appeals.

### **New Federal Rule Proposed to Boost Employment of Individuals with Disabilities**

From The Evolved Employer, 1/26/12

<http://www.evolvedemployer.com/2012/01/26/new-federal-rule-proposed-to-boost-employment-of-individuals-with-disabilities/>

According to a new US Labor Department proposal, companies with federal contracts will have to have 7% of their workforces made up of people with disabilities. With roughly 200,000 federal contractors, the Associated Press reported, that means a quarter of the nation's companies would be affected by the rule – federal contractors take in about \$700 billion annually.

### **Anti-Bullying Author and Creekside Elementary School Team Up to Send a Direct Message to Ellen DeGeneres**

From Vocus, 1/26/12

<http://www.prweb.com/releases/2012/1/prweb9139925.htm>

Michigan author, Kristy Short, Ed.D is teaming up with Creekside Elementary School in Hartland Michigan to film a short video directed at getting the attention of anti-bullying crusader, Ellen DeGeneres. The author will be filming segments at Creekside on February 3 at 9 am, which include hundreds of Operation Nice student ambassadors and teachers showing their support and high level of enthusiasm for the program. Students will also be individually interviewed.

## **Feds end oversight of Detroit Housing Commission**

From the Detroit News, 1/25/12

<http://www.detroitnews.com/article/20120125/METRO/201250422/1361/Feds-end-oversight-of-Detroit-Housing-Commission>

Detroit — U.S. Housing and Urban Development officials Wednesday announced a transition plan to return the Detroit Housing Commission to maintain the local control of public housing.

## **Keith Collection announces donation of the Honorable John Feikens' papers and records**

From the Honorable Damon J. Keith Center, 1/24/12

<http://keithcenter.wayne.edu/news.php?id=7991>

DETROIT (Jan. 24, 2012) — The Damon J. Keith Law Collection of African American Legal History has announced the donation of the papers and records of the late Honorable John Feikens, former judge of the U.S. District Court for the Eastern District of Michigan. Judges Damon J. Keith and John Feikens served as the inaugural co-chairmen of the Michigan Civil Rights Commission from 1963 to 1966, demonstrating a shared commitment to civil rights and equal justice.

## **Ann Arbor officials voice opposition to deportation of undocumented immigrants with ties to community**

From Ann Arbor.com/MLive, 1/24/12

<http://www.annarbor.com/news/ann-arbor-city-council-voices-opposition-to-deportation-of-immigrants-with-long-standing-ties-to-com/>

The Ann Arbor City Council weighed in on the national debate over immigration policy Monday night, passing a resolution opposing increased federal enforcement.

## **DCR Says All Immigrants Fit Into State's Economic Future**

From MIRS, 1/24/12 (no link available)

The Department of Civil Rights (DCR) applauded Gov. Rick SNYDER's continued embrace of highly educated immigrants in his State of the State address, with one caveat: why not expand that to migrant workers and other immigrants.

DCR Legislative Liaison Daniel LEVY said that the department had been forwarding the argument that it wasn't enough to just accommodate entrepreneurial immigrants with higher degrees. Part of attracting those people was treating all immigrants with respect.

"How we treat other immigrants, even if they don't have those resources, is what sets the stage and creates this welcoming view of Michigan," said Levy.

The goal, DCR officials argue, is to stimulate the economy. The Governor's been talking about doing that by keeping highly educated people in the state. But there's other people to consider, said John GOLASZEWSKI, Business and Community Affairs director.

"When we talk about the PhDs or the Masters Degree's program, when you talk about professors at universities, equally important in the scheme of things is the migrant seasonal farm worker who pays taxes, who contributes to society in a lot of ways, the same as anybody else does," said Golaszewski.

Which isn't to say wanting millionaire investors is wrong. It just isn't the whole picture.

"We're not a voice in the wilderness on this. All states want millionaires to come to their states, to their industry," said Golaszewski.

Commissioner Rasha DEMASHKIEH asked what the commission was doing, considering that immigration was largely under federal control.

DCR Director Daniel KRICHBAUM said that the state was talking about more in-kind support in assisting immigrants in finding a way to stay here or get drivers licenses. He said that the Migrant Seasonal Farmworker Collaborative and an upcoming Global Michigan immigration initiative program based on Ann Arbor SPARK's Cultural Ambassadors were a good start to this plan.

"We're kind of modeling the statewide effort through the Ann Arbor SPARK method," he said.

One thing that applies to immigrants across the economic and education spectrums is the availability of English as a Second Language (ESL) classes.

"Regardless of what their background is or from where they come, we need to have more ESL classes to support all the immigrants," said Krichbaum.

But the department may be getting some help from other state departments. With the Governor talking about immigration, more arms of the administration are getting on board with initiatives the DCR has been interested in or working on in some capacity.

The Secretary of State may provide an official to meet with an arm of the department aiming to educate immigrants on whether they're eligible for a driver license. The Department of Agriculture and five other agencies have been actively partnering with the DCR on migrant labor issues.

#### *A Public Safety Plus*

One thing the DCR will be encouraging Gov. Rick SNYDER to include in his public safety message this spring is Advocates and Leaders for Police and Community Trust (ALPACTs), a public safety initiative supported by the department.

The initiative, which encourages better relationships between police and communities, started in the Detroit area. When it was successful, a similar program was started in Flint.

"I think it's done a lot in Southeast Michigan, and it's starting to do a lot in Flint," said DCR Director Daniel KRICHBAUM.

And

#### **Religious Entities Free From ADA Implications**

The American With Disabilities Act (ADA) doesn't apply to the hiring or firing of religious entities, the U.S. Supreme Court ruled earlier this month, something civil rights and religious leaders are glad to have clarified.

"It really is a matter of the court clearly affirming what we believed up until now," said Department of Civil Rights (DCR) Legislative Liaison Daniel LEVY.

The court's decision confirmed the concept of ministerial exception by determining that certain jobs at religious schools and organizations were exempt from discrimination lawsuits, thanks to a case out of Redford.

"I fall with the constitution, freedom of religion. And also the civil rights statutes, which protect religion," said MDCR Director Daniel KRICHBAUM.

The Hosanna-Tabor Evangelical Lutheran Church and School in Redford hired Cheryl PERICH in 1999. In 2004, she began experiencing narcolepsy and started the 2005 school year on disability leave. When she notified the school that she was able to return from disability leave, they told her they'd already filled her position and she couldn't come back.

Perich filed a charge with the Equal Employment Opportunity Commission, saying that her termination violated ADA.

Hosanna-Tabor claimed they were protected under a "ministerial exception" by the first amendment. Perich had been a "called" teacher, meaning her appointment was religious. They said that by threatening suit, Perich had violated a Christian principle of resolving disputes internally, so she was fired.

"We agree that there is such a ministerial exception," read the court's opinion. "The members of a religious group put their faith in the hands of their ministers. Requiring a church to accept or retain an unwanted minister, or punishing a church for failing to do so, intrudes upon more than a mere employment decision."

That was the right answer for Michigan State Board of Education member Richard ZEILE, himself the Pastor and Headmaster of a former Lutheran school in Taylor.

"To have a unanimous opinion by the court is a very strong defense of religious institutions ordering things by their own rules, rather than having to conform them to government standards," said Zeile.

He said in the 30 years he's worked in Lutheran education, there's been an effort to not distinguish as much between "lay" teachers of secular subject and "called" teachers of religious ones. For legal reasons, this may mean some schools make the distinctions a little more distinct, as the ruling so far only applies to "called" teachers.

The court, in response to Perich's allegation that this exemption could have far-reaching implications, said that their opinion applied only to this type of case; an employment discrimination suit brought on behalf of a minister, challenging her church's decision to fire her. They did not opine on other uses.

"The interface between church and state is a big area, and this is only one aspect of it, a church's right to govern itself and have the last word," said Zeile.

Krichbaum, a faith leader himself, did say that any potentially far-reaching implications could go either way.

"I think you have to be careful of giving religion too much control. Because many difficulties with freedoms can also come from certain religion groups at times in our history," he said.

The Supremes overturned a Court of Appeals decision in Perich's favor to rule this way. Concurring opinions that differed on several points were filed by Justices Clarence THOMAS, Samuel ALITO and Elena KAGAN. But overall, Kirchbaum (sic) said that it was interesting that the opinion was unanimous.

"The church must be free to choose who will guide it on its way," concluded the opinion from Justice John ROBERTS.

And

### **Civil Rights Officers Elected**

J. Michael ZELLEY will serve as chair of the Michigan Civil Rights Commission after the body unanimously elected him today.

Lisa PEEPLES-HURST will serve as vice chair, Jared RODRIGUEZ will serve as secretary and Stephanie COMAI will serve as treasurer.

This was the first meeting of new commissioners Deloris HUNT and Rasha DEMASHKIEH.

### **Law Talk: Will recent anti-bullying legislation make difference?**

From the Grand Rapids Press/MLive, 1/24/12

[http://www.mlive.com/news/grand-rapids/index.ssf/2012/01/law\\_talk\\_will\\_recent\\_anti-bull.html](http://www.mlive.com/news/grand-rapids/index.ssf/2012/01/law_talk_will_recent_anti-bull.html)

Michigan's anti-bullying law took effect this month, but what does this mean for students, parents and schools?

### **Lesbian couple fight Michigan law that prohibits adoptions by unmarried couples**

From the Detroit Free Press, 1/23/12

<http://www.freep.com/article/20120123/NEWS06/120123010/Michigan-law-same-sex-couple-adoptions?odyssey=tab|topnews|text|FRONTPAGE>

A lesbian couple from Oakland County filed a federal lawsuit today to overturn a state law that prevents unmarried couples in gay, lesbian and heterosexual relationships from jointly adopting children.

### **Michigan Gov. Rick Snyder: Immigration reform a federal issue worth talking about**

From MLive, 1/22/12

[http://www.mlive.com/politics/index.ssf/2012/01/gov\\_rick\\_snyder\\_willing\\_to\\_be.html](http://www.mlive.com/politics/index.ssf/2012/01/gov_rick_snyder_willing_to_be.html)

Gov. Rick Snyder says he won't endorse a candidate for the upcoming presidential election because Michigan voters did not hire him to meddle in federal politics.

But as he suggested in [last week's State of the State address](#), there's at least one federal issue he is willing to get involved with: Immigration.

### **Human trafficking is growing almost as fast as drug trade, officials say**

From the Detroit Free Press, 1/22/12

<http://www.freep.com/article/20120122/NEWS05/201220472/Human-trafficking-is-growing-almost-as-fast-as-drug-trade-officials-say>

Her hands trembled as she picked up her passport.

The woman of the house, who often called her "donkey," had warned her bad things would happen if she tried to escape.

But she had reached a breaking point.

After months of being held captive as a housekeeper in the Mideast and then metro Detroit, Nade -- her name has been changed to protect her identity -- had become so ill she could barely move. She pleaded to go to the hospital, but her captors refused. On a July day in 2009, Nade did the unthinkable.

### **Editorial: A tiny box can unfairly slam doors on ex-offenders**

From the Detroit Free Press, 1/20/12

<http://www.freep.com/article/20120120/OPINION01/201200347/Editorial-A-tiny-box-can-unfairly-slam-doors-on-ex-offenders?odyssey=mod|newswell|text|FRONTPAGE|p>

Nearly 1.3 million people in Michigan -- one in six adults -- have felony convictions that leave them at a lifelong disadvantage when it comes to finding jobs and housing or getting an education.

### **After Melvindale stunt, teachers should probably ease up on the whole slave-as-a-metaphor thing**

From MLive, 1/19/12

[http://www.mlive.com/news/detroit/index.ssf/2012/01/after\\_melvindale\\_stunt\\_teacher.html](http://www.mlive.com/news/detroit/index.ssf/2012/01/after_melvindale_stunt_teacher.html)

Earlier this week, news surfaced that a teacher at a Melvindale middle school asked her students to picture their lives as slaves and keep a journal about plantation life.

### **Dream Nite Club owners file \$3 million lawsuit against City of Ann Arbor**

From Ann Arbor.com/MLive, 1/19/12

<http://www.annarbor.com/news/dream-nite-club-owners-file-3-million-lawsuit-against-city-of-ann-arbor/>

The owners of Dream Nite Club in downtown Ann Arbor have filed a \$3 million lawsuit against the city, alleging that officials have made false allegations of illegal activity at the business, subjected it to heightened scrutiny by police and harassed it because its owners and customers are racially diverse.

### **Affirmative-Action Foe Is Facing Allegations of Financial Misdeeds**

From the New York Times, 1/18/12

[http://www.nytimes.com/2012/01/18/us/ward-connerly-faces-allegations-of-fiscal-misdoing.html?\\_r=1](http://www.nytimes.com/2012/01/18/us/ward-connerly-faces-allegations-of-fiscal-misdoing.html?_r=1)

WASHINGTON — Ward Connerly, the black businessman who has been the face of the movement to end affirmative action for nearly two decades, is facing accusations from a prominent former ally that he has mismanaged — and exploited for his own benefit — donations to that cause made by fellow conservatives.

### **Ron Dzwonkowski: Ohio State president's Polish joke not funny, not acceptable**

From the Detroit Free Press, 1/17/12

<http://www.freep.com/article/20120116/COL32/120116045/Ron-Dzwonkowski-Ohio-State-president-s-Polish-joke-not-funny-not-acceptable?odyssey=mod|newswell|text|FRONTPAGE|p>

Ignorance is so unbecoming in a university president. So is the unthinking prejudice that springs from it.

### **Guest commentary: Goal of true equality still challenges us all**

From the Detroit Free Press (Guest Commentary), 1/12/12

<http://www.freep.com/article/20120112/OPINION05/201120425/Guest-commentary-Goal-of-true-equality-still-challenges-us-all?odyssey=mod|newswell|text|FRONT>

Forty-nine years ago, on June 23, 1963, tens of thousands of people gathered here in Detroit, only weeks before hundreds of thousands went to Washington to march for jobs and freedom.

### **Workplace HIV story takes a twist**

From MetroTimes, 1/11/12

<http://metrotimes.com/news/workplace-hiv-story-takes-a-twist-1.1255816>

News Hits has seen its share of odd lawsuits over the years, but one filed in federal court in Detroit just before Christmas strikes us as particularly topsy-turvy.

### **Supreme Court: Woman can't sue over firing from Redford church**

From the Detroit Free Press, 1/11/12

<http://www.freep.com/article/20120111/NEWS02/120111034/Supreme-Court-Woman-can-t-sue-over-firing-from-Redford-church?odyssey=tab|topnews|text|FRONTPAGE>

WASHINGTON — In a groundbreaking case, the Supreme Court today held for the first time that religious employees of a church cannot sue for employment discrimination.

### **Summit Township man involved in discrimination lawsuit against Dahlem Center also arrested at Jackson Community College poetry reading**

From the Jackson Citizen Patriot/MLive, 1/11/12

[http://www.mlive.com/news/jackson/index.ssf/2012/01/summit\\_township\\_man\\_involved\\_i.html](http://www.mlive.com/news/jackson/index.ssf/2012/01/summit_township_man_involved_i.html)

A Summit Township man who is suing the Dahlem Conservancy also was arrested at a Jackson Community College-sponsored poetry reading, leading those events to be canceled.

### **Ministers sue to stop hate-crime law**

From Click on 4 Detroit, 1/11/12

<http://www.clickondetroit.com/news/news/Ministers-sue-to-stop-hate-crime-law/-/4714498/7766824/-/qb74ivz/-/index.html>

CINCINNATI - A three-judge panel of the 6th Circuit U.S. Court of Appeals in Cincinnati is taking up the claim of three Michigan ministers that a federal hate crime law infringes on their First Amendment rights and should be declared unconstitutional.

### **Mom can stay in U.S. while deportation case is reviewed**

From the Detroit Free Press, 1/10/12

<http://www.freep.com/article/20120110/NEWS06/201100423/Mom-can-stay-in-U-S-while-deportation-case-is-reviewed?odyssey=tab|topnews|text|FRONTPAGE>

A woman who was scheduled to be deported to Mexico today after living illegally in metro Detroit since she was 11 will instead be free to go home while her case is under review.

### **Troy Mayor Said 'Disturbing Things' in Meeting, Gay-Straight Alliance Leader Says**

From the Troy Patch, 1/10/12

<http://troy.patch.com/articles/troy-high-gsa-26264a86#video-8863234>

Janice Daniels' reference to homosexuality being dangerous to mental health disturbed leaders of the Troy High School Gay-Straight Alliance, whom the mayor met with on Monday.

### **Limits to domestic partner benefits protested at Bronson Park**

From the Kalamazoo Gazette/MLive, 1/9/12

[http://www.mlive.com/news/kalamazoo/index.ssf/2012/01/limits\\_to\\_domestic\\_partner\\_ben.html](http://www.mlive.com/news/kalamazoo/index.ssf/2012/01/limits_to_domestic_partner_ben.html)

KALAMAZOO — About 140 people, holding rainbow-colored cloth in a show of unity, gathered in Kalamazoo on Sunday to protest a new state law that limits access to domestic partner benefits for government employees.

### **Report: Man with service dog to sue after Harrison Township restaurant refused entry**

From the Detroit Free Press, 1/9/12

<http://www.freep.com/article/20120108/NEWS04/120108016/Service-dog-lawsuit-Harrison-Township-restaurant>

A man who uses a service dog because of spinal problems says a suburban Detroit restaurant barred him entry despite a federal law allowing him to use the animal.

### **Editorial: Drug-testing proposal discriminates against poor**

From the Detroit Free Press, 1/9/12

<http://www.freep.com/article/20120109/OPINION01/201090310/Editorial-Drug-testing-proposal-discriminates-against-poor?odyssey=mod|newswell|text|FRONTPAGE|p>

More than a decade after courts wisely rejected Michigan's efforts to drug-test welfare recipients, state legislators are considering a new version of this discriminatory practice.

### **Ex-HR director wins \$1.2M in sexual harassment suit against Bobby Ferguson**

From the Detroit Free Press, 1/6/12

<http://www.freep.com/article/20120106/NEWS01/120106017/-1-2M-judgment-Bobby-Ferguson-sexual-harassment?odyssey=tab|topnews|text|FRONTPAGE>

The former human resource director for Ferguson Enterprises won a \$1.2 million judgment this morning against the company and its owner, Bobby Ferguson, who she accused of groping her and making lewd comments.

### **Domestic partners sue Snyder, state over law prohibiting providing health insurance**

From the Detroit Free Press, 1/6/12

<http://www.freep.com/article/20120106/NEWS06/201060372/Domestic-partners-sue-Snyder-state-over-law-prohibiting-providing-health-insurance?odyssey=mod|newswell|text|FRONTPAGE|s>

Gerardo Ascheri says he thought he had escaped repression when he emigrated from Argentina to the U.S. in 1987 and eventually became an American citizen.

### **TC adopts resolution against state bill**

From the Traverse City Record Eagle, 1/5/12

<http://record-eagle.com/local/x1120122778/TC-adopts-resolution-against-state-bill>

TRAVERSE CITY — Traverse City commissioners sent a message to Lansing: Mind your own business.

### **Against All Logic: What LGBT and Allies Do Now**

From the Huffington Post, 1/3/12

[http://www.huffingtonpost.com/emily-dievendorf/michigan-health-care-ban\\_b\\_1181847.html?ref=detroit](http://www.huffingtonpost.com/emily-dievendorf/michigan-health-care-ban_b_1181847.html?ref=detroit)

Oh, what a year it has been. I think we all expected life to get harder when the state turned bright red as a result of the 2010 election. We expected difficult and slow, if any, progress to be made for equality in Michigan. Few of us expected the "Whoa, what is THAT? Is that coming for US? Is ALL of

that coming for US?" type of onslaught the gay and transgender community was greeted with this past year.

### **Blocking partner benefits hurts state**

From the Lansing State Journal, 12/31/11

<http://www.lansingstatejournal.com/article/20120103/OPINION01/201030301/Blocking-partner-benefits-hurts-state>

Michigan's new law that prohibits municipal governments and public school districts from offering domestic partner benefits to their employees is a misstep.

### **Domestic partner benefits ban: Can Michigan experience economic recovery when we enshrine discrimination? (guest commentary)**

From MLive/Rapid Growth Media, 12/30/11

[http://www.mlive.com/business/index.ssf/2011/12/domestic\\_partner\\_benefits\\_ban.html](http://www.mlive.com/business/index.ssf/2011/12/domestic_partner_benefits_ban.html)

How can we take Governor Snyder seriously regarding his economic recovery plans after he recently sent such a strong anti-innovation message to the citizens of our state?

### **Snyder right to welcome immigrants**

From the Port Huron Times Herald, 12/28/11

<http://www.thetimesherald.com/article/20111229/OPINION01/112290324/Snyder-right-welcome-immigrants>

With the exception of his fight for a second bridge between Detroit and Windsor, Gov. Rick Snyder has won his political battles.

### **Brian Dickerson: In Troy, an all-too-familiar fear of the other**

From the Detroit Free Press, 12/22/11

<http://www.freep.com/article/20111222/COL04/112220528/Brian-Dickerson-Troy-an-all-too-familiar-fear-other?odyssey=mod|newswell|text|FRONTPAGE|s>

Hicks!

Until a few weeks ago, it wouldn't have occurred to me or anyone else to describe the denizens of Troy that way. On its face, after all, the largest city in Michigan's richest county is a pretty sophisticated place

### **EMT sues Detroit, Fire Department over alleged harassment**

From the Detroit Free Press, 12/22/11

<http://www.freep.com/article/20111222/NEWS01/112220467/EMT-sues-Detroit-Fire-Department-over-alleged-harassment>

An emergency medical technician with the Detroit Fire Department is suing the city and members of the department, saying she was sexually harassed and that the city violated the Americans with Disabilities Act by not accommodating her medical condition.

### **Disability Network president calls restricting power wheelchair access a 'direct attack'**

From the Flint Journal/MLive, 12/21/11

[http://www.mlive.com/news/flint/index.ssf/2011/12/disability\\_network\\_president\\_c.html](http://www.mlive.com/news/flint/index.ssf/2011/12/disability_network_president_c.html)

FLINT -- The president of The Disability Network says a Medicare change that would restrict Michigan beneficiaries from receiving power wheelchairs is a "direct attack on some of the most vulnerable people in our society."