



## **Michigan Department of Civil Rights Annual Report – 2014**



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## The Michigan Civil Rights Commission

The Michigan Civil Rights Commission (MCRC), created by the 1964 Michigan Constitution, is comprised of eight leaders from across the state. Commissioners are appointed to four-year, staggered terms by the Governor, with no more than four members representing any one political party.

In FY 2014, Governor Snyder appointed Linda Lee Tarver of Lansing and Bradley Voss of Vicksburg to the Civil Rights Commission.

At its March 2014 meeting, the Commission heard oral arguments in the case of Smith v. Countryside Townhouses and rendered an opinion finding for the claimant and ordering changes to the respondent's rental policies and damages in the amount of \$5,000. The opinion is here: <http://tinyurl.com/lkz3g53>.

In June, the Oakland County Circuit Court upheld the ruling of the MCRC in the case of Barash v. Suburban Mobility Authority for Regional Transportation (SMART). The original order in this case was issued by the MCRC in May, 2012 and it is here: [Barash v. SMART](#).



*The 2014 Commission - pictured L to R: Rasha Demashkieh, Deloris Hunt, Matt Wesaw (Director, MDCR), Linda Gobler, Arthur Horwitz, Brad Voss, Linda Lee Tarver, Jared Rodriguez, Agustin Arbulu*



## The Michigan Department of Civil Rights

The Michigan Department of Civil Rights (MDCR) was established by the state legislature in 1965 as a staff complement to implement the Commission's policies. The Department enforces state civil rights laws through complaint investigation, mediation, outreach/education, and information/referral. Michigan's civil rights laws extend protections against unlawful discrimination to everyone living in or visiting Michigan in the following categories: religion, race, color, national origin, sex, age, marital status, and disability, in the areas of education, employment, housing, public accommodation and public service. Also included under the areas of protection are height, weight, genetic information and misdemeanor arrest record in employment, and familial status in housing.

### Our Mission

To secure the full and equal enjoyment of civil rights in Michigan by eliminating discrimination, assuring equal protection, and effectively managing and embracing diversity.



*(left, audience members at the MDCR 50<sup>th</sup> anniversary event in Ann Arbor)*

*(below: audience members at the MDCR 50<sup>th</sup> anniversary event in Pontiac)*



## Our Vision

The Michigan Department of Civil Rights envisions Michigan as a state where residents and visitors:

- Live, work, learn, and play without encountering unlawful discrimination;
- Enjoy the constitutional and statutory guarantees of equal opportunity;
- Fully understand all civil rights and responsibilities guaranteed by the Constitution and statutes, including how to effectively protect these rights and carry out these responsibilities;
- Fully understand the economic, social, and personal benefits of effectively managing and embracing diversity;
- Have equal access to quality education, employment, housing, public accommodations and public services; and
- Are equally respected and collectively reap the benefits of our great diversity.



*At the 50 Years of Justice-Celebrating Civil Rights in Michigan symposium, MDCR welcomed an outstanding panel to discuss civil rights issues. Pictured left to right are panelists:*

*Peter Hammer, Director of the Damon Keith Center for Civil Rights, Wayne State University Law School*

*Hasan Jaber, Executive Director, ACCESS*

*Kamilia Landrum, Chair, Young Adult Committee, Detroit Branch NAACP*

*Todd Morrison, President, Michigan Deaf Association*

*Steve Tobocman, Director, Global Detroit*

## Organizational Structure

The Department is comprised of five program areas: Office of the Director, Civil Rights Operations, Law & Policy, Public Affairs and Administrative Services. The Department is also home to the Division on Deaf, DeafBlind and Hard of Hearing; the Hispanic/Latino Commission of Michigan, the Michigan Asian Pacific American Affairs Commission and the Michigan Women's Commission.

### Staffing

MDCR was authorized for a total of 128 Full Time Equivalent (FTE) positions for Fiscal Year 2014.

### Budget

MDCR's total budget appropriation for FY 14 was \$15,198,300, including \$12.3 million in state general fund/general purpose (GF/GP) and \$2.6 million in federal funds.

## Civil Rights Operations

The Office of Civil Rights Operations investigates and enforces civil rights laws. Investigative teams are located in Detroit, Lansing, Flint, Grand Rapids and Marquette.

Colleagues investigate and resolve complaints of discrimination in employment, education, housing, public accommodation and public service, including law enforcement. Complaints must be based on race, color, national origin, disability, religion, age, sex, marital status; height, weight, arrest record (in employment), or familial status (in housing). Civil Rights Operations staff members also support the department's outreach and education efforts.

The US Department of Housing and Urban Development (HUD) and the US Equal Employment Opportunity Commission (EEOC) are federal agencies with jurisdiction over allegations of housing and employment discrimination, respectively, when complaints are based on race, color, national origin, disability, religion, age (over 40 in employment), genetic information (in employment), sex, and familial status (in housing). MDCR has work-sharing agreements with HUD and EEOC to investigate complaints where state and federal jurisdiction overlap.

MDCR is recognized by EEOC as the Fair Employment Practice Agency for Michigan. This permits EEOC to authorize state and/or local government to assist it in meeting its statutory mandate. EEOC supports MDCR's enforcement of Title VII of the Civil Rights Act of 1964, as amended; the Age Discrimination in Employment Act (ADEA) of 1967, as amended; the Americans with Disabilities Act (ADA) of 1990, as amended; and the Genetic Information Nondiscrimination Act of 2008.

MDCR is also a HUD-designated Fair Housing Assistance Program Agency. Under 24 CFR 85, HUD provides funds to MDCR to process complaints under the Fair Housing Act, provide training under the Fair Housing Act about state or local fair housing laws and cover administrative costs associated with complaint processing, creation and maintenance of data and information systems, and fair housing education and outreach.

MDCR has an online portal through which customers may request service, including investigations and training. Customers can also request information, report a bias-related or hate crime incident and learn more about contractor review services. In 2014, these requests were received through the portal:

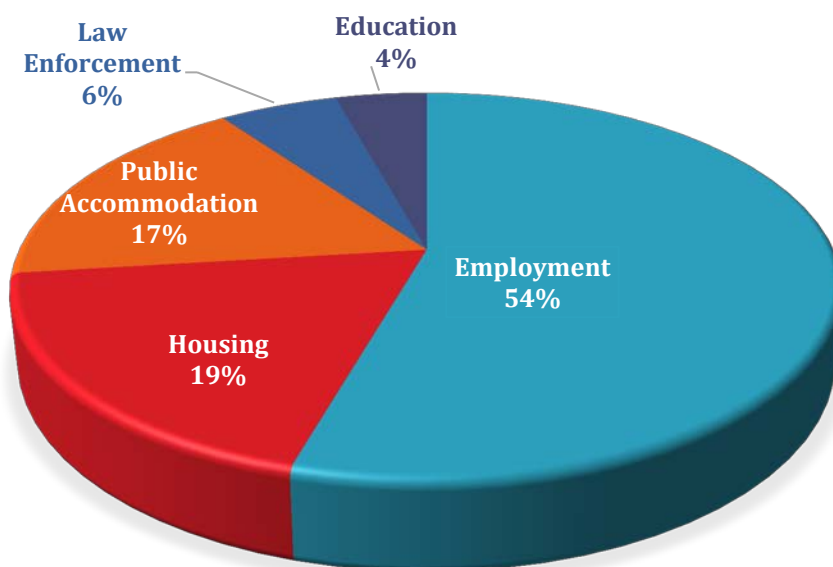
Request Type	Count
Complaint Issue	455
Contractor Review	9
Information	21
Information – FOIA	1
Outreach and Education	3
Referral	1
Total	490

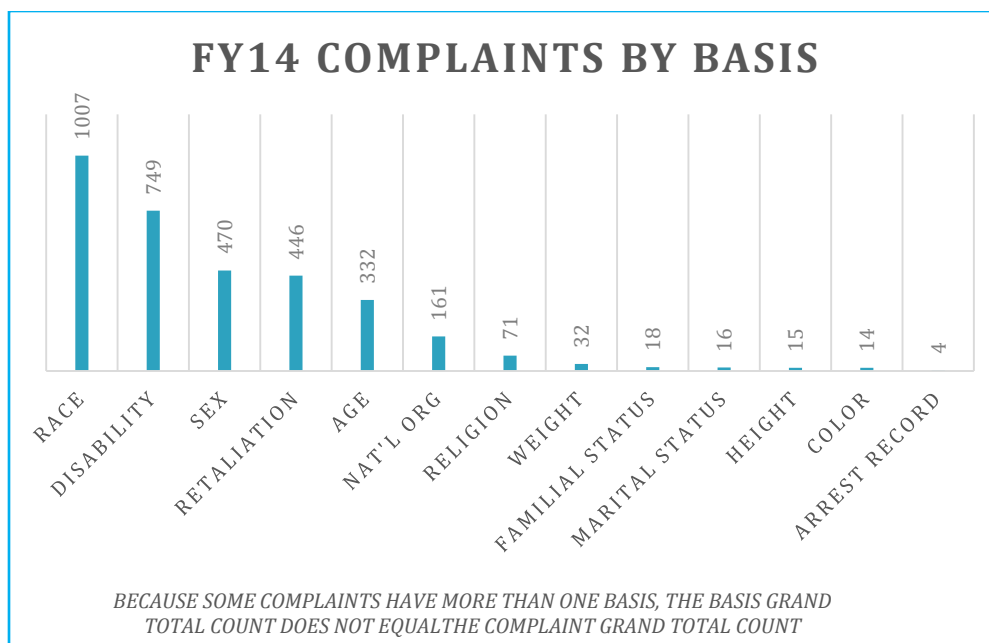
In 2014, MDCR was awarded \$102,500 in grants from HUD to support a variety of initiatives, including:

- \$20,000 to fund a Disability Housing Conference in southwest Michigan on preventing discriminatory housing against persons with disabilities;
- \$22,500 for fair housing testing in West Michigan to address housing practices that create unlawful barriers to housing choice;
- \$10,000 for testing to identify and remove barriers to housing choice in southwest Michigan;
- \$25,000 for fair housing training to educate property management companies, landlords, mortgage lenders, realtors and others about fair housing laws;
- \$25,000 to study disparities in access to critical resources and services, including education, health care, housing, employment and government services for minority communities in west Michigan.

In FY 14, 1,910 complaints were opened and 2,172 complaints were closed. Monetary settlements totaling \$1,513,247 were provided to claimants.

### FY14 COMPLAINTS BY AREA





## Law and Policy

The Office of Law and Policy works with the Director and MCRC to determine the Department's positions and priorities on civil rights and social justice issues. This includes coordinating amicus briefs and serving as the Department's Legislative Liaison.

*Legal Affairs* staff provides: legal advice on elements required to establish unlawful discrimination; legal information to other colleagues; updates on issues that impact Department actions; conducts conciliations on case investigations; determines whether to issue a charge or to seek additional information; litigates Rule 12 hearings; helps the Research/Library Unit with analysis; responds to legal inquiries and requests on civil rights issues; manages subpoenas and related documentation requirements; and training, outreach and education assistance.

*Research/Library* staff performs analyses of current court cases, legislation, regulations and guidelines as they apply to Michigan civil rights laws; researches issues pertaining to pending Department cases; provides technical assistance for policy development and speeches; tracks and reports on cases impacting civil rights issues and litigation; and maintains a library of resources, census and statistical data.

*Hearings and Mediation* staff collaborate with the MCRC in holding administrative hearings as outlined in the Rules of the Michigan Civil Rights Commission. Hearings and Mediation also works with Enforcement colleagues to ensure mediation is offered to customers as a resolution service option on all formal complaints. In addition, the unit mediates federal jurisdiction-only complaints under a separate contract with the EEOC.



*The Freedom of Information Act (FOIA) Coordinator* reviews and complies with requests to provide information and records within statutorily-established time frames.

*Reconsideration:* This is the appeal process for MDCR. A claimant who is unsatisfied with their result can ask for reconsideration of the outcome of their complaint. Colleagues ensure that reconsideration requests for both statements of concern and docketed complaints are appropriately processed within specified time frames.

## Public Affairs

### Community Relations

Community Relations colleagues provide training, outreach, and community response. They also offer guidance to human relations commissions, state and local government and business on raising awareness about discrimination, inclusion and diversity. Customized and standard training is available on several topics, including Building Cultural Competence, Hate Crimes 101 and Discriminatory Harassment.

Staff trained 2,000 people during FY14 on civil rights-related laws and diversity issues.

MDCR is the administrative home of the Michigan Alliance Against Hate Crimes (MIAAHC). The seventh annual MI Response to Hate conference was held in November 2013. A highlight of the event was the afternoon plenary by Not In Our Town (NIOT) staff. NIOT is a movement to stop hate, address bullying, and build safe, inclusive communities for all.

MDCR's Crisis Response Team (CRT) initiates proactive measures and intervenes as needed to diffuse situations involving community tension and unrest, while also ensuring all people enjoy equal rights under the law.

Community Relations colleagues also provide liaison assistance to the Boards and Commissions housed in MDCR: the Hispanic/Latino Commission (HLC) and the Asian Pacific American Affairs Commission (MAPAAC). The former Michigan Council on Arab and Chaldean American Affairs was replaced by the Commission on Middle Eastern American Affairs. The appointment of members to this new commission is expected in 2015.

Two staff have been assigned to work with the Michigan Department of Education on a project to improve our state's civil rights curriculum. In 2014, the Southern Poverty Center graded all fifty states on their curricula and Michigan received an "F".

MDCR is responsible for the Michigan Indian Tuition Waiver (MITW) application process. Michigan Public Act 174 of 1976 provides that Michigan's public colleges and universities "shall waive tuition for any North American Indian who qualifies for admission...and is a legal resident of the state for not less than 12 months." The Specialist in charge of MITW has processed more than 5,000 applications since the department took over this responsibility in 2011.

## **Business and Community Affairs**

MDCR works to help communities and businesses become more proactive, moving past merely tolerating differences to embracing diversity so Michigan can maximize its potential in the global economy. The Contractor Review Unit and the Mediation Unit were moved to the Office of Public Affairs, Business and Community Affairs Division in 2011. Contractor Review expanded its outreach to business and the Mediation Unit now includes both community-based and complaint mediation.

The Elliott-Larsen Civil Rights Act directs that state contracts contain a non-discrimination clause indicating that the contractor and any subcontractors do not discriminate against employees or applicants for employment with respect to hire, tenure, terms, conditions, or privileges of employment. The State's obligation is to assure that tax monies are not used to perpetuate unlawful discrimination in public contracting and related employment. MDCR and the Department of Technology, Management and Budget have a Memorandum of Understanding prohibiting the award of state contracts over \$250,000 to companies that are in violation of the Act.

The Contractor Review Unit has established standards and procedures for ensuring non-discrimination in the provision of programs, services, and funds that are available through the State. Contractor Review colleagues also evaluate applications of companies seeking certification as persons with disabilities enterprises. Certificates of Awardability are issued to companies seeking to do business with the State. Such certification assures that companies have demonstrated compliance with the non-discrimination requirements of state and federal law.

## **Mediation**

Mediation is an option offered by MDCR in the complaint resolution process. It is a voluntary process in which opposing parties are guided to negotiate a mutually-acceptable solution of their dispute with the help of a trained, neutral party (mediator). Mediation is an alternative to costly and time-consuming litigation. In 2014, 96 complaints were mediated. Of these, 57 were resolved successfully. Some mediations are conducted internally, while external mediations are provided by regional mediation centers affiliated with the Community Dispute Resolution Program administered by the State Court Administrative Office.

## **Communications**

Communications colleagues respond to media requests, maintain the Department's electronic presence (at [www.michigan.gov/mdcr](http://www.michigan.gov/mdcr)), on Facebook, Twitter and the Internet, collaborate with other state departments in conveying key messages, write opinion pieces, speeches and reports, talking points for media events, and help develop grant applications.

These colleagues also develop marketing tools, brochures and other publications, and publicize Departmental, advisory board and Commission events.

## Office of Administrative Services (OAS)

OAS provides many services for the Civil Rights Commission and MDCR colleagues. Among these are financial management, budget development and administration, procurement, telecommunications and oversight of automated systems, including:

*Accounting:* Financial control, analysis and reporting; payment and payroll processing; pre-audit functions; budget/expenditure analysis and status reports; and actual and proposed program expenditure forecasting.

*Office Services:* Office space, supplies, furniture and equipment procurement and management; messenger services; telecommunications; and forms administration.

*Contact Management System (CMS) Specialist:* This colleague supports CMS, a repository and reporting tool for information about customer contacts. The Specialist provides project management, help desk support to other colleagues, develops and delivers CMS training and provides database administration.

## Key Initiatives

In addition to our ongoing work, MDCR works to advance the causes of fairness and justice through several initiatives:

***Bullying*** – Michigan’s Anti-Bullying Law (Matt’s Safe School Act) was passed in December 2011. MDCR concluded its partnership with the Michigan Department of Education and the Office of State Court Administrator in 2014, finalizing its work with school districts in developing, implementing and evaluating anti-bullying policies and programs. Schools in Allendale, Ann Arbor, Detroit, Flint, Muskegon Heights and Vandercook Lake participated in the project. MDCR works with the Relentless Tour staff and local school administrators to schedule presentations and present at local resource fairs. At these events, motivational speaker Anthony Ianni presents his message about overcoming challenges, bullying prevention and treating others with respect.

***ALPACT*** (Advocates and Leaders for Police and Community Trust) — Building on a program in existence for 15 years in Southeast Michigan, MDCR replicated this successful model in Grand Rapids, Southwest Michigan, Flint and Saginaw. This group of law enforcement and community leaders works to build relationships, increase trust and decrease racial profiling. MDCR has identified additional locations and more ALPACTs are expected to launch in 2015.

***The West Michigan Leadership Collaborative for Civil and Human Rights*** – This collaborative brings local leaders together to concentrate on three key areas: education, immigration and inclusion. This year, the West Michigan Collaborative concentrated on evaluating disparities in health care and education using grant funds from the Department of Housing and Urban Development. A report of their findings will be released in 2015.

***Migrant and Seasonal Farmworker Implementation Work Group*** – As a result of the Migrant and Seasonal Farmworker report developed by the Commission and staff in 2010, a cabinet-level workgroup

was formed. This body continued to address recommendations aimed at improving farmworkers' living and working conditions. A portion of the HUD funding mentioned earlier enabled an enumeration study, previously done in 2006, to be repeated. The update provides a more accurate count of the migrant and accompanying family member population to service providers.

## 2014 Highlights

During 2013-2014, the Department conducted a 50 city tour in honor of the 50<sup>th</sup> Anniversary of the Civil Rights Commission and its subsequent staff complement, MDCR. Public Affairs staff worked with local partners on developing events and hosting forums on a variety of civil rights-related topics.

The effort began with events in Detroit and East Lansing. Tour stops included Adrian, Big Rapids, Grand Rapids, Hart, Cadillac, Holland, Muskegon, Marquette, Petoskey, Dearborn, Sparta, Greenville and Pontiac.

A visit to Southgate included a screening of "Cesar Chavez: History is Made One Step at a Time" and a guided discussion with Latino youth. The Commission held a special meeting and community forum with



Native American people in Mt. Pleasant where findings of a study on microaggression was shared with attendees.

A special week-long tour of the Upper Peninsula enabled staff to visit community-based partners in several cities. A highlight of that week was the presentation of a civil rights award to the Dompierre family and Ishpeming Public Schools for their success in making high school sports more accessible to students with disabilities.

*Dearborn Police Chief Ron Haddad, Director of the National Network for Arab American Communities Nadia Tordova, UM Dearborn Associate Provost Ismael Ahmed and Dearborn Mayor Jack O'Reilly speak during a panel discussion at the Dearborn 50 cities event*

Teachers were on hand at an event held in Grand Haven during the summer while they were out of the classroom; a discussion of stereotypes and communication styles took place. Many new partnerships were developed and the historical milestones of the Department and the Commission were highlighted during these events.

A two-day event bringing the 50<sup>th</sup> anniversary celebration to a close was held in partnership with the Damon J. Keith Center for Civil Rights at Wayne State University Law School and the Charles H. Wright Museum of African American History. These events enabled many former commissioners to reunite, and



paid tribute to Judge Keith, Daisy Elliott and Mel Larson. Chris King, Editor of the multi-award winning St. Louis American, shared his experience on covering Ferguson, Missouri and presided over a media roundtable.

In October 2013, Director Matt Wesaw joined MDCR as its Executive Director. In addition to his 26-year service to the Michigan State Police, his leadership roles with the Pokagon Band of Potawatomi Indians, and the United Tribes of Michigan, Matt had served on the Civil Rights Commission from 2004-2012.



A highlight of the year was finalization of new rules governing the certification and hiring of Sign Language Interpreters in Michigan. After seven years of negotiation and working through the administrative rules process, the rules now codify specific credentials and certifications required for interpreters to work in schools, medical settings, courtrooms and other places where information may be technical or complex, or where the level of harm caused by miscommunication is high.

*(Deputy Director Leslee Fritz responds to a reporter question during the press conference unveiling the interpreter rules)*

Director Wesaw noted, ““These rules required compromise from all sides to finally get over the finish line,” said Wesaw, “but these rules do not compromise the basic intent of the law or our mission at the Department of Civil Rights: assuring that every person, regardless of circumstance, is afforded an equal opportunity to work, live and learn in our state.”

With The Henry Ford in Dearborn, MDCR jointly held the Rosa Parks Day of Courage event. Jessica Buchanan, author of “Impossible Odds: The Kidnapping of Jessica Buchanan and Her Dramatic Rescue by Seal Team Six” spoke at the event about her experience of being held captive while on an aid mission to Somalia.

*Here, Director Wesaw, Ms. Buchanan, and Commissioners Arbulu and Horwitz chat before the event*



The Division on Deaf, DeafBlind and Hard of Hearing formally acknowledged and added services to people who are both Deaf and Blind. At their Advisory Council meeting in April 2014, the name was changed to include the DeafBlind community.

*Panelists at Flint 50<sup>th</sup> anniversary meeting; middle: Audience members at Port Huron Public Forum; bottom: Chris King speaks during the 50<sup>th</sup> anniversary symposium at Wayne State University*





*Above: Participants at Royal Oak 50<sup>th</sup> anniversary event include Commission Chair Arthur Horwitz;  
Below: Presentation of Microaggression study at Mt. Pleasant 50<sup>th</sup> anniversary event/Commission meeting*



## Metrics/Scorecards

Beginning in FY12, MDCR and all state agencies began issuing Departmental scorecards. These measure the link between strategy, budgets and metrics to help move Michigan forward. Agency scorecards provide transparency and accountability to Michigan taxpayers, and they are internal management tools for decision makers. The MDCR scorecards are posted beginning with January 1, 2012 at [http://www.michigan.gov/openmichigan/0,4648,7-266-60201\\_60931---,00.html](http://www.michigan.gov/openmichigan/0,4648,7-266-60201_60931---,00.html).

### Good Government

MDCR employees who embody and promote the values of Leadership, Teamwork and Excellence were honored this year. The Good Government Symbol of Leadership recognizes individuals who have made extraordinary contributions, embody relentless enthusiasm and commitment to the State that goes above and beyond expectations.

Recipients were: Marcelina Trevino-Savala (Leadership), Amy MacDonald (Leadership), Renard Morey-Greer (Excellence), Marlene Cain (Leadership), Sherry Bailey (Excellence), Levita Shackelford (Excellence), Ron Robinson (Excellence) and Gwen Moffitt (Leadership).

### To file a complaint

The alleged act of discrimination must have occurred within the past 180 days. Contact the Department at our online portal [www.michigan.gov/mdcr](http://www.michigan.gov/mdcr), by phone, TTY, or in person to discuss the concern with a Civil Rights Representative.

### Office Locations

Lansing: Capitol Tower, 110 W. Michigan Avenue, Suite 800, Lansing 48933 Phone: 517 335-3165  
Detroit: Cadillac Place, 3054 W. Grand Boulevard, Suite 3-600, Detroit 48202 Phone: 313 456-3700  
Flint: State Office Building, 125 East Union, Flint 48502 Phone: 810 760-2805  
Grand Rapids: 350 W. Ottawa Ave., NW, 4<sup>th</sup> Floor, Grand Rapids 49503 Phone: 616 356-0380  
Marquette: 234 W. Baraga Avenue, Marquette 49855 Phone: 906 226-6393

Toll-free number: 1-800-482-3604

TTY: 1-877-878-8464

Email address: [MDCR-INFO@michigan.gov](mailto:MDCR-INFO@michigan.gov)

From our website, you can learn about the complaint process, download and print our brochures and anti-discrimination posters, and request help through the variety of programs MDCR offers at [www.michigan.gov/mdcr](http://www.michigan.gov/mdcr).

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