

# 2018 2019 ANNUAL REPORT



# FROM THE CHAIR



As chair of the Michigan Civil Rights Commission, I am pleased to share with you this report highlighting the work of the Commission and the Michigan Department of Civil Rights, the agency that serves as the investigative arm of the Commission, for the years 2018-2019.

The Commission has worked diligently to advance the mission of protecting the civil rights of all Michiganders and visitors to Michigan. We took actions and made decisions on issues of great importance to thousands of people throughout Michigan.

In May of 2018, we issued a landmark interpretive statement on the meaning of the word "sex" in the Elliott-Larsen Civil Rights Act. That action provided an avenue for the first time for individuals in Michigan to file complaints of discrimination on the basis of gender identity and sexual orientation. In 2018 and 2019, we held hearings throughout Michigan on inequities in K-12 education. Our report, when completed, will be shared with the public and decision makers. Finally, in 2019 we overcame a challenging period of transition in the leadership of the Department and ended the year with a clear vision of the Director we are seeking to head the Department in 2020 and beyond.

The work of the past two years built on the incredible history and depth of work of our predecessors. For more than 30 years, the Commission has argued for including protection for Michigan's LGBTQ residents in civil rights law. The interpretive statement grew out of that long-term commitment. As with previous Commissions, we, too, decided to explore the working and living conditions of migrant and seasonal farmworkers in Michigan - work that has continued every year since 2009. These hearings on disparities in K-12 education complemented the Commission's seminal work in the aftermath of the Flint water crisis.

Most importantly, the staff of the Michigan Department of Civil Rights commendably continues their excellent work of investigating and resolving complaints of unlawful discrimination and finding ways to prevent discrimination before it occurs through training, education and collaboration.

Stacie Clayton, Commission Chair

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## CREATED BY CONSTITUTION

In 1964, Michigan became the first state in the nation to include civil rights protections in its constitution.

Article 5, Section 29 calls on the Michigan Civil Rights Commission to “...investigate alleged discrimination against any person because of race, religion, color or national origin in the enjoyment of the civil rights guaranteed by law...”

The Michigan Department of Civil Rights was created in 1965 to carry out the work of the Commission. Passage of the Elliott-Larsen Civil Rights Act and the Persons with Disabilities Civil Rights Act in 1976 further clarified the specific protections guaranteed under Michigan law.



## WHO WE ARE

The Michigan Civil Rights Commission (MCRC) has one of the most important roles in state government – so important that it is enshrined in the Michigan Constitution: to investigate alleged discrimination and to secure the equal protection of civil rights.

The Michigan Department of Civil Rights (MDCR) serves as the investigative arm of MCRC. MDCR is also home to the Division on Deaf, DeafBlind and Hard of Hearing, the Michigan Women’s Commission, the Michigan Indian Tuition Waiver Program, the Americans with Disabilities Act (ADA) Compliance Office for the State of Michigan and a number of strategic civil rights initiatives.

## WHAT WE DO

### ENFORCE CIVIL RIGHTS LAWS

The primary mission of the MCRC and MDCR is to investigate complaints of discrimination in employment, education, housing, public accommodation, law enforcement and public service.

The alleged discrimination must have taken place in the last 180 days and must be based on religion, race, color, national origin, arrest record, genetic information, sex, age, height, weight, marital status or disability.

When conducting an investigation, MDCR is neutral. If the investigation shows that discrimination has occurred, we will attempt to reach a resolution between the parties. If they cannot agree on a resolution, MDCR will enforce civil rights law and may bring a charge before the Michigan Civil Rights Commission.

### PREVENT DISCRIMINATION

MDCR is committed to preventing discrimination and working to bridge gaps in understanding and trust. We engage with community and faith-based organizations, advocates and law enforcement agencies to address civil rights issues and build partnerships to promote voluntary compliance with civil rights laws.

MDCR offers training on a range of topics including cultural competency, disability, sexual harassment, housing discrimination, hate incidents and general civil rights law.

### PARTNERSHIPS AND INITIATIVES:

- Advocates and Leaders for Police and Community Trust (ALPACT) brings together law enforcement and community leaders to build trust and facilitate communication and cooperation.
- The Michigan Alliance Against Hate Crimes (MIAAHC) works to eliminate hate crimes and bias incidents in Michigan. Partners include state and federal law enforcement and criminal justice agencies, victim support professionals and anti-bias advocates from the U.S. Department of Justice, Michigan State Police, Michigan Prosecuting Attorneys Association and others.
- The Farmworker Policy, Advocacy, and Civil Rights Committee promotes, tracks and reports on recommendations to improve conditions for Michigan’s migrant and seasonal farmworkers and their families. Members are state and federal agencies that provides services to farmworkers, non-profits, educational institutions and representatives of grower interests.
- The West Michigan Leadership Collaborative brings organizations, education and government agencies together to address racial and ethnic disparities, advocate for equal opportunity and develop community resources.
- Michigan Service Animal Registry offers individuals with disabilities who use trained service animals the opportunity to register with the state and obtain an official identification card and patch. Registration is voluntary and designed to ensure the legal right to access businesses, schools and other public accommodations.

### SERVE COMMUNITIES

MDCR works to support diversity and inclusion, and to serve the needs of residents.

**The Division on Deaf, DeafBlind and Hard of Hearing** (the Division) affirms the indisputable rights of Michiganders who are deaf, deafblind and hard of hearing to secure effective communication. The Division receives input from a thirteen-member Advisory Council appointed by the Governor. The Division provides the following services:

- Educational Programs and Services – The Division provides Michiganders and visitors who are deaf, deafblind, and hard of hearing with assistance and educational programs about their rights to equal protection under the laws which prohibit discrimination. It also provides educational programs and services to Michigan entities (businesses, courts, hospitals, and other entities) who provide accommodations for deaf, deafblind and hard of hearing consumers. This includes information about what Michigan law requires and how to locate an appropriately qualified interpreter.
- Advice on Accessibility and Compliance with State and Federal Laws – The Division provides employers, educational institutions, service providers and businesses with recommendations on ways to ensure inclusive and accessible programs and services for persons who are deaf, deafblind and hard of hearing, and on compliance with state and federal laws. The Division assists other state government agencies and relevant stakeholders in addressing the needs of persons who are deaf, deafblind and hard of hearing by ensuring they are considered in policy development. It also assists persons who are deaf, deafblind and hard of hearing by providing referrals to appropriate public or private agencies that work with specific problems or concerns.
- Technical Support and Information on Assistive Technology – The Division provides technical support and information about the various assistive technologies currently available and used within the deaf, deafblind and hard of hearing communities.

**The Michigan Women’s Commission** (MWC) addresses issues of concern to Michigan’s women. Current MWC priorities are women in business, women veterans and human trafficking. MWC also acts as a referral agency to help women access federal, state and local resources.

**The Relentless Tour with Anthony Ianni** reaches students and adults throughout Michigan and beyond to fight bullying, to inspire individuals to overcome disabilities, and to empower everyone to “Live Your Dream.” Since 2017, the Relentless Tour has reached more than 120,000 people at 340 schools, conferences and events with Anthony’s inspirational message.

**The State of Michigan Office of ADA Compliance** works to ensure all aspects of Michigan government are in compliance with the Americans with Disabilities Act and other state and federal disability-related laws.

**The Michigan Indian Tuition Waiver** program waives tuition costs for eligible Native Americans in Michigan’s public colleges and universities.

# THE COMMISSION 2019



## **Alma Wheeler Smith (D) / Commission Chair**

Term Expires: 12/31/19

Alma Wheeler Smith served in the Michigan Legislature for 14 years, eight in the Senate and six in the House. She served on the Appropriations Committee in both chambers. In 2001, Smith became the first African American to mount a campaign for governor on Michigan's Democratic ticket and initiated a second run in 2010.



## **Stacie Clayton (I) / Commission Vice-Chair**

Term Expires: 12/31/21

Stacie Clayton is the Director of Administration and Public Projects for the Office of the President of the Detroit City Council. Clayton previously served as the Assistant Director of the Governor's Office of Urban Initiatives in which she managed office operations and advised decision-makers and stakeholders on policy and other matters to strengthen the safety and economic well-being of Michigan's urban centers. She has over 25 years working in Michigan government, corporate and nonprofit sectors. Clayton, who is a resident of Detroit, received a BA in political science and a Master of Business Administration from Wayne State University.



## **Laura Reyes Kopack (R) / Commission Secretary**

Term Expires: 12/31/20

Laura Reyes Kopack, JD, is the Director of Government Affairs and Community Relations for the Mechanical Contractors Association of Detroit. She serves as a trustee on numerous business trusts and Boards of Directors not only in the construction/business industry but the community as well. She has practiced law for over thirty years, both in the corporate sector and at Creighton, McLean and Shea PLC, her own law firm.



## **Bishop Ira Combs, Jr. (R)**

Term Expires: 12/31/21

Bishop Ira Combs, Jr., D.D. is the founder of Greater Bible Way Temple and has served as the senior pastor for over 38 years. He was elevated to the office of Bishop with the Pentecostal Assemblies of the World, Inc., (P.A.W.) in 2010, has served as a member of the Northern District Council for over 30 years, and currently serves as Diocesan Bishop for the 5th Episcopal District - Michigan/Canada. He serves on the Spring Arbor University Board of Trustees, and is a member of both the International Association of Emergency Managers (IAEM) and the National Homeland Security Association Conference.



## **Rasha S. Demashkieh (I)**

Term Expires: 12/31/19

Rasha Demashkieh is a graduate of Wayne State University School of Pharmacy and Allied Health. She is currently a practicing pharmacist at CVS pharmacy in Port Huron, Michigan.



## **Regina Gasco-Bentley (I)**

Term Expires: 12/31/22

Regina Gasco-Bentley of Petoskey is the chairperson of the Little Traverse Bay Bands of Odawa Indians.



## **Denise Yee Grim (R)**

Term Expires: 12/31/22

Denise Grim is the owner of DYG Public Relations, Marketing & Special Events LLC and is currently contracted with the State of Michigan as the Outreach Coordinator for the Michigan Asian Pacific American Affairs Commission (MAPAAC).



## **Jeffrey Sakwa (R)**

Term Expires: 12/31/20

Jeff Sakwa is the President of Noble Realty, Inc. He is also the President and founder of Defeat the Label, an advocacy organization dedicated to raising awareness of bullying and people with autism.

# THE COMMISSION 2018



## **Mumtaz Haque (I) / Commission Co-Chair**

Term Expires: 12/31/18

Mumtaz Haque has served the Michigan community for more than 20 years. A Detroit Public School Administrator and a cultural consultant, she is also the producer and host of the Manoranjan Radio Show. The show began airing in 1995 and focuses on cultural awareness and community service.



## **Laura Reyes Kopack (R) / Commission Co-Chair**

Term expires 12/31/2020

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## **Ricardo Resio (R)**

Term Expires: 12/31/18

Ricardo Resio is the Director of Human Resources at Merrill Technologies Group. Previously, he was the Principal in Charge for Human Resources at the Rehmann Group LLC. He also worked as the Employee Relations Manager for Michigan Sugar.



## **Jeffrey Sakwa (R)**

Term Expires: 12/31/20

Jeff Sakwa is the President of Noble Realty, Inc. He is also the President and founder of Defeat the Label, an advocacy organization dedicated to raising awareness of bullying and people with autism.



## **Alma Wheeler Smith (D)**

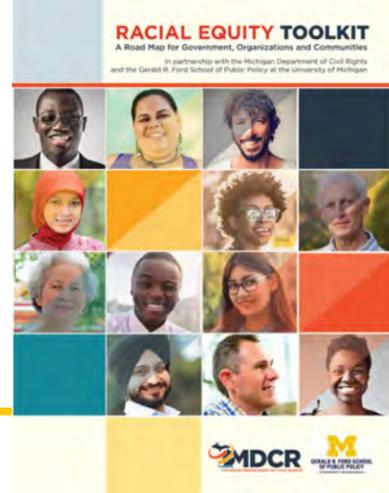
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# MDCR LEADS ON RACIAL EQUITY

## Alfredo Hernandez Becomes First Equity Officer in Michigan Government



In 2017, the Michigan Civil Rights Commission released their *Flint Water Crisis Report: Systemic Racism Through the Lens of Flint*, with key recommendations for rebuilding trust and credibility in Flint by focusing not just on the intention behind a particular policy or decision but on an analysis of its likely impact on all members of the community. As a result, the Department began a close examination of its own work, viewing all initiatives, internal practices and collaborative efforts through a racial equity lens.

MDCR defines racial equity as the systemic fair treatment of all races that produces equitable opportunities and outcomes for all people.

In 2018 and 2019, MDCR took significant steps to expand its commitment to advancing racial equity throughout the state, becoming the first agency in Michigan government to create a position dedicated to ensuring that the department examines every initiative from a racial equity perspective, and launching a multi-organizational, statewide collaborative to help local governments and educational institutions put racial equity at the center of their planning and decision-making.

**Equity Officer:** On January 16, 2018, Alfredo Hernandez began his duties as MDCR's Equity Officer. He oversees and facilitates all internal and external work on equity, including coordinating the Council of Local Governments and Education on Equity and Inclusion.

Alfredo comes to MDCR with a deep knowledge and understanding of racial equity. Previously, Hernandez served as the program director for the Lakeshore Ethnic Diversity Alliance in Holland, Michigan, which led him to develop and present training programs and consulting strategies to thousands of participants across the state and nationally. In 2016, Hernandez was part of the W.K. Kellogg Foundation-led Truth, Racial Healing and Transformation (TRHT) enterprise, a multi-year national and community-based effort to engage multiple sectors across the United States in racial healing and in addressing present-day inequities. Originally from Panama, Alfredo is a naturalized citizen and is fluent in Spanish.

### Council of Local Governments and Education on Equity and Inclusion:

In October of 2018, MDCR launched the Council of Local Governments and Education on Equity and Inclusion, a statewide network of governments and school districts working together to develop and implement in-depth strategies to address the root causes of racial inequity within communities. The goal of the Council is to remove barriers to achieving equitable outcomes for all within a community. MDCR's specific roles, along with establishing and convening the Council, include:

- To support jurisdictions and school districts that are at the forefront of work to achieve racial equity.
- To develop a "pathway for entry" into racial equity work for other governmental jurisdictions and school districts to engage.
- To support and build collaborations that are broadly inclusive and focused on achieving racial equity.

Ten Michigan city and county governments and eight public school districts took part in the initial convening, including several of the most populous in the state.

**Racial Equity Tool Kit:** In August of 2018, MDCR published and began distributing the Racial Equity Tool Kit, a step-by-step manual designed to guide communities, government agencies and organizations in building racial equity into their policy development and decision-making processes. The tool kit is available free of charge on the MDCR website. To access the tool kit online or download a printable version, go to [michigan.gov/mdcr](http://michigan.gov/mdcr) and click on the button that says "Racial Equity: Tools, Strategies and Solutions".

**Racial Equity in Kalamazoo:** In February of 2018, the Government Alliance on Race and Equity (GARE) awarded MDCR a \$20,000 grant to advance racial equity in the city of Kalamazoo. MDCR partnered with the city to strengthen community partnerships and develop a racial equity lens to better analyze and address the issue of fair housing in the city.

The grant will support the work of MDCR to:

- Build and deepen partnerships between the City of Kalamazoo, MDCR and community-based organizations focused on advancing racial equity;
- Connect government entities to the community-based process and emerging infrastructure of the Truth, Racial Healing and Transformation (TRHT) process in Kalamazoo and nationally;
- Assist the City of Kalamazoo to adopt a racial equity framework in both its internal and external operations.

Other partners in the effort include the Fair Housing Center of Southwest Michigan, the Interfaith Strategy for Advocacy and Action in the Community (ISAAC), the Kalamazoo Community Foundation, and Eliminating Racism and Claiming/Celebrating Equity (ERACCE).



## Internal Racial Equity Initiative

### A Framework for Increasing Cultural Competence and Racial Consciousness

In August 2018, the Department, as part of its ongoing commitment to racial equity, initiated an internal training program to support the work of the agency. The work of promoting equity requires intentional strategies that are supported by leadership and create access and opportunities for courageous conversations, trust building and collaboration. These efforts demand active participation from leaders and members of the organization to help build the internal capacity that sustains equity long-term.

Discussions and training sessions on equity were led by experts such as Joyce James, LMSW; Hunter Genia, Anishinaabe and council member for the Saginaw, Swan Creek, and Black River Bands of Chippewa; Dr. Peggy McIntosh, author the groundbreaking essay "White Privilege: Unpacking the Invisible Knapsack" and Dr. Calvin Harvell.

The internal equity training engaged 35 percent of the department's employees, representing all units and divisions. Over the course of several months, this core group participated in over 60 hours of discussions exploring implicit bias and racialized thinking. The core team recently completed the Intercultural Development Inventory and working through the confidential personal scores to create equity, inclusion and diversity goals.

The Internal Racial Equity Initiative will continue for the next year and expand to include more employees.

One Year Later:

# COMMISSION ISSUES UPDATE ON GROUNDBREAKING FLINT WATER CRISIS REPORT

The Michigan Civil Rights Commission released a one-year update in spring of 2018 on their year-long investigation into the civil rights implications of the Flint water crisis.

The Commission's original report, *The Flint Water Crisis: Systemic Racism Through the Lens of Flint*, included seven recommendations for action in responding to the crisis and the abridgement of the civil rights of Flint residents. In the report update, the Department outlines progress made toward achieving each of the report's recommendations, with a specific focus on actions taken by MDCR and the Commission in response.

The full update, available on the MDCR website at [michigan.gov/mdcr](http://michigan.gov/mdcr), describes some specific steps MDCR has taken toward achieving these recommended goals, including:

- Integrating a racial equity framework into all MDCR internal processes and public initiatives.
- Hiring the first Equity Officer within Michigan state government.
- Building the Department's capacity and knowledge base in the areas of implicit bias and structural racialization, with a special focus on educating local units of government.
- Adopting the Truth, Racial Healing and Transformation (TRHT) process and committing resources to TRHT initiatives in four Michigan cities - Flint, Lansing, Battle Creek and Kalamazoo.

- Assigning MDCR staff to community liaison positions in vulnerable communities throughout Michigan.
- Placing civil rights investigators on-site at organizations in various Michigan communities to provide education on civil rights issues and take complaints.
- Leveraging a \$20K grant from the Government Alliance on Race and Equity (GARE) to strengthen community partnerships and develop a racial equity lens to address the issue of fair housing in the city of Kalamazoo.

## THE FLINT WATER CRISIS:

Systemic Racism  
Through the  
Lens of Flint

### ONE YEAR LATER

An update on the  
recommendations of  
the Michigan Civil  
Rights Commission

MARCH 26, 2018



## Study Guide Enables Educators to Teach the Lessons of Flint

In April of 2019, the Michigan Department of Civil Rights released a study guide designed to help educators teach the lessons of the Flint water crisis. The study guide is free and available online at [michigan.gov/mdcr](http://michigan.gov/mdcr).

The Michigan Civil Rights Commission report on the Flint water crisis, released in February 2017, found that systemic racism lay below the surface of that crisis influencing and informing the actions, the responses and ultimately the crisis itself. *The Flint Water Crisis: Systemic Racism Through the Lens of Flint*, details the legacy and impact of a century of racial animus and segregation in Flint that led to the crisis.

The study guide provides a glossary of terms as well as questions to assist citizens - young and old - in creating dialogs connecting the past and the present.

“Our hope is that this study guide, used in conjunction with the Commission's Flint water crisis report, will help to promote reflection and introspection on the ways history and culture shape policies, practices and procedures,” said MDCR Equity Officer Alfredo Hernandez. “This study guide is part history lesson, part civic lesson, but primarily a critical thinking tool designed to guide deeper exploration on how the past continues to impact the present and the future.”



# COMMISSION ISSUES INTERPRETIVE STATEMENT on MEANING OF "SEX" IN ELCRA

On May 21, 2018, after months of citizen input and deliberation, the Michigan Civil Rights Commission issued an interpretive statement clarifying that under the Elliott-Larsen Civil Rights Act (ELCRA), discrimination on the basis of sex includes protection against discrimination on the basis of gender identity and sexual orientation.

Commissioner Alma Wheeler Smith introduced the motion to issue the interpretive statement. The six Commissioners in attendance voted five in favor with one abstention from Commissioner Combs.

The following day, MDCR began accepting and investigating complaints of discrimination on the basis of gender identity and sexual orientation.

The move comes after the July 2017 request from Equality Michigan that the Commission issue an interpretive statement on the meaning of "sex" in ELCRA. The Commission tabled a decision at previous meetings in 2017 and 2018.

After the Commission's action, Attorney General Bill Schuette issued an opinion stating the Commission did not have the right to interpret ELCRA. The Department responded in a public statement, saying:



"The Michigan Civil Rights Commission is an independent, constitutionally created and established body. The Commission is not bound by the opinion of the Attorney General. The only recourse is for the courts to determine if issuing the interpretive statement was within the scope of the Commission's authority, and that is the appropriate venue for resolving this issue. Until that time, the Department will continue to carry out the directive of the Commission."

At their July meeting near Traverse City the Commission reiterated their support for the interpretive statement and directed the Department to continue investigating complaints of discrimination based on sexual orientation and gender identity. From the time of the Commission's vote through the end of 2019, MDCR has taken 73 complaints on the basis of sexual orientation and gender identity.



## Court Ruling Re-Opens the Door to Discrimination Complaints from Prisoners

In March of 2018, the Michigan Court of Appeals ruled that an amendment to a state law passed in 1999 determining that prisoners were not covered by the Elliott-Larsen Civil Rights Act (ELCRA) was unconstitutional. The court's majority opinion further found that the state is not immune from liability in lawsuits filed by prisoners alleging violations of their civil rights. As a result, MDCR began accepting and investigating complaints of unlawful discrimination filed by prisoners. Through the end of 2019, the Department has received 76 complaints of discrimination from prisoners in Michigan.

## Discrimination in K-12 Education

# COMMISSION HOLDS PUBLIC HEARINGS ACROSS THE STATE



In May of 2018, the Commission voted to hold a series of public hearings throughout the state to examine the issue of discrimination in Michigan's K-12 education.

In the resolution calling for the hearings, the Commission pointed to the inspiration for the inquiry and their plan of action.

"Based on the opinion of multiple experts across the State of Michigan who unanimously assert that Michigan's educational system is in crisis, and based on reports that show that minority and special needs students are the most vulnerable based on inequities documented in the MCRC Flint Water Crisis Report . . . The Michigan Civil Rights Commission shall convene public hearings to accept and/or compel testimony to address the question of whether the Civil Rights of underserved students in Michigan have been violated or abridged."

The Commission held hearings in four communities in 2018 - Ypsilanti, Warren, Grand Rapids and Traverse City. In Traverse City, the Commission held two separate hearings, with one focused on issues affecting Michigan's Native American students and families.

At each hearing, in addition to taking comments from members of the public, Commissioners heard testimony from a broad group of education experts, community and business stakeholders, and students. In November 2019, the Commission passed a resolution based on a portion of their draft report that found that education was a civil right.



The resolution reads, in part, "The question of whether education should be considered a civil right is hotly contested, so much so that it is at the root of present appellate litigation arising from a case involving the Detroit Public Schools. We believe this issue is of enormous importance, and one on which we need to be heard now, rather than in two to four months when the full report will be final and available to the public.

"We therefore resolve that the Michigan Civil Rights Commission finds public education to be a civil rights issue, and a minimally effective education to be a civil right."

The Commission expects to release a final report in 2020.





# MDCR

## RESPONDS TO COMMUNITY CONCERNS

### The Michigan Department of Civil Rights Holds Listening Sessions, Investigates 23 Complaints of Discrimination against the Grand Rapids Police Department

On Tuesday, May 7, 2019, the Michigan Department of Civil Rights announced that MDCR is reviewing and/or investigating 23 complaints of discrimination against the Grand Rapids Police Department (GRPD).

The announcement followed two listening sessions the Department held in Grand Rapids on March 28 to hear from residents about their interactions with and concerns related to the GRPD. At the hearings, the Department heard from more than 80 individuals and a number of others submitted comments in writing.

The listening sessions and the Department's investigation were sparked by a number of reports of discriminatory actions by officers of the GRPD, and the release of citizen-shot videos showing troubling interactions between police and residents of color.

MDCR stated that the Department has an obligation under law to neutrally investigate all complaints of discrimination that fall under the Department's jurisdiction. In addition to investigating each complaint on its individual merits, the Department will review the complaints from a broader perspective to see if there is evidence of a pattern and practice of systemic discrimination.



### Michigan Department of Civil Rights Holds Listening Sessions on Reconfiguration of Grosse Pointe Public Schools, Recommends District Restart Process

At the request of the Superintendent of Grosse Pointe Public Schools, in June 2019 the Department held four community listening sessions to hear from residents on the planned reconfiguration of the Grosse Pointe Public Schools System (GPPSS). At the sessions, individuals were asked to share their perspective on the reconfiguration process. The Department also took written comments from residents concerned about the reconfiguration.

On June 24, citing findings from the listening sessions and written comments received from parents and community members, the Department recommended that GPPSS and the Grosse Pointe School Board restart their decision-making process on reconfiguring the school district.

In announcing the recommendation, the Department pointed to public perception that the process for deciding the fate of neighborhood schools lacked transparency and the effective

involvement of the people most impacted by the reconfiguration. The Department also cited the Board's failure to adequately take into consideration issues of racial equity and disparate impacts on children and communities of color.

The Department offered seven key recommendations for improving the process and insuring the Board is taking into consideration the concerns of all stakeholders:

- Extending or restarting the deliberation period with an eye to creating a more inclusive and transparent process.
- Tightening the in-district transfer policy that has disadvantaged the school with the most students of color.
- Developing a marketing plan aimed at increasing enrollment.
- Providing additional resources to the district's only Title 1 school.
- Closing a middle school in lieu of closing one or more elementary schools and retaining the current grade configuration.
- Implementing training for the school board and staff on racial equity, implicit bias and structural racism, and holding community forums on equity and inclusion.
- Adopting a racial equity lens to guide the decision-making process on reconfiguration.

The Department presented the full report to the Grosse Pointe School Board at their June 24 meeting, stating that the Department believes the recommendations would allow the district to regain a measure of public trust in their decision making and result in a more equitable outcome for all the families of Grosse Pointe. The Board ultimately voted against restarting the reconfiguration process. While the Board did not support MDCR's recommendations, the Department's involvement led to a number of positive actions. Most significantly, the school district engaged the Department to provide a series of 4-hour workshops on Diversity, Equity and Inclusion attended by school principals, administration and staff. These sessions were followed with additional training in cultural competency by School Culture and Equity Consultant Virginia Winters..

The Michigan Civil Rights Commission took a number of actions in 2018 and 2019 in support of migrant and seasonal farmworkers (MSFW) and their families in Michigan.

The Commission has long been a leading voice for protecting the rights of MSFW in Michigan. In 2009, the Commission launched an extensive investigation into the working and living conditions of migrant farmworkers in the state. In March of 2010, the Commission released *A Report on the Conditions of Migrant and Seasonal Farmworkers in Michigan* with a list of 15 key recommendations, including:

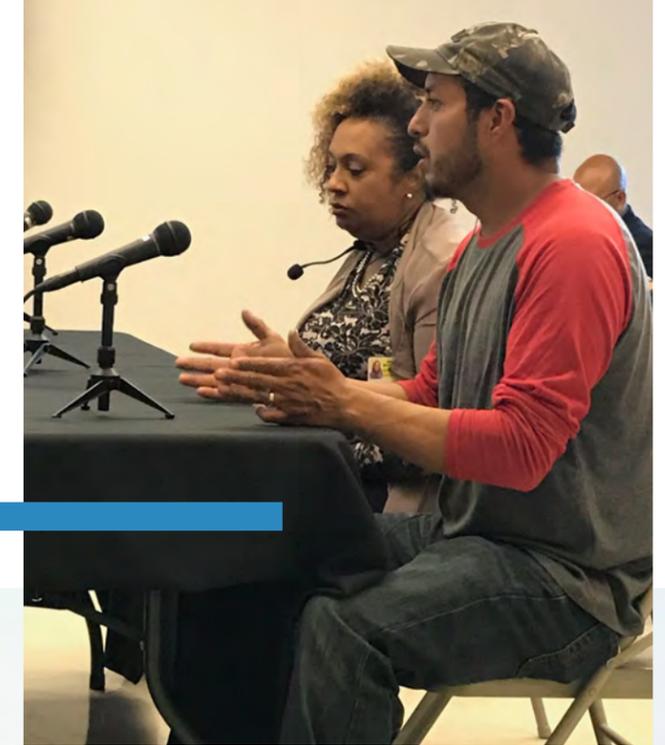
- Providing a minimum wage for migrant and seasonal farmworkers in Michigan,
- Improving the living and working conditions of migrant farmworkers, and
- Eliminating illegal use of child labor in agriculture.

The Commission receives annual updates on progress toward achieving the goals set out in the original 15 recommendations.

In 2018-2019, the Commission took the following actions in support of MSFW:

- In March of 2019, the Commission reconfirmed their commitment to fair housing opportunities for MSFW in Michigan with a focus on preventing restrictive zoning ordinances and laws, which could violate Michigan's Elliott-Larsen Civil Rights Act by discriminating based on marital status, gender and age.
- In the same month, the Commission approved updating the state's 2013 enumeration study of MSFW and committed \$75,000 to this study, with a request that other state agencies contribute a similar amount for updating the study. An enumeration study will help the state understand the trends in agriculture, populations and concentrations of MSFW in the state, and the needs of MSFW families. In turn, the results will help direct resources to supporting this community and Michigan's agricultural sector.
- The Commission approved a request to Attorney General Dana Nessel to reconsider Attorney General Opinion 7301. This opinion, issued by former Attorney General Bill Schuette, ruled that certain MSFWs are not entitled to minimum wage under the state's laws. The MCRC recognized that some migrant workers, paid on a per piece structure, could be negatively impacted and ultimately may not see any remuneration from an agricultural employer if the opinion stands. The Commission contends that this opinion could hurt both MSFW families and Michigan's agricultural economy, if MSFW choose to work in other states for higher wages.
- The Commission sent a request to Gov. Gretchen Whitmer to move the State Monitor Advocate (SMA) from the Talent and Investment Agency to MDCR. Commissioners expressed concern over the effectiveness and efficiency in monitoring concerns and complaints raised by MSFWs and noted that the continued diminished role of the SMA was not acceptable.
- In March of 2019, the Commission voted to hold a series of public hearings to evaluate living and working conditions for MSFW in the state. Through the end of 2019, the Commission had held hearings in several Michigan communities, where Commissioners heard from local growers and distributors, advocates, educators and state government agency representatives whose responsibilities include services for MSFW, and farmworkers themselves. Commissioners also visited MSFW housing where they had the opportunity to communicate directly with MSFW families.

The Commission expects to issue an update to the 2010 MSFW report in 2020.



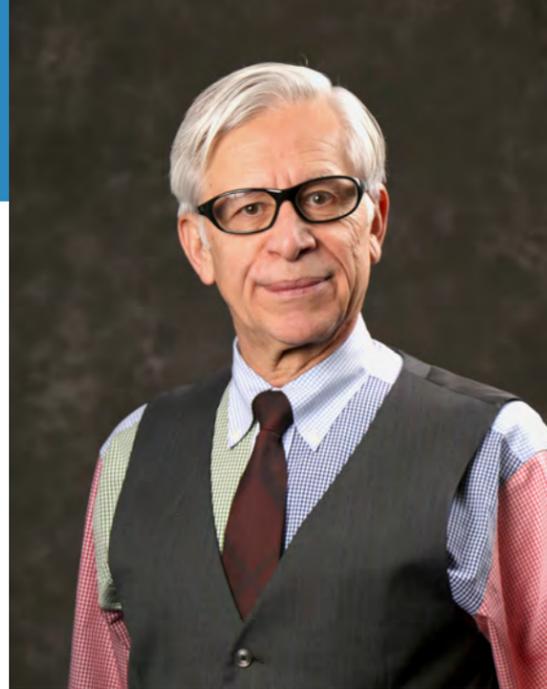
# COMMISSION TAKES ACTION TO SUPPORT MIGRANT WORKERS IN MICHIGAN

## Mary Engelman Appointed Deputy Director and Chief Financial Officer

In February of 2018, Mary Engelman, Executive Director of the Michigan Women's Commission (MWC), was named Deputy Director of MDCR. She replaces former Deputy Director Carol Viventi and began her duties on February 5, 2018.

Before she was appointed to lead the MWC by Governor Snyder in November 2016, Engelman served as the director of government affairs and public relations for OpTech LLC. She was previously the executive director for the Greater Farmington Area Chamber of Commerce and president and CEO of the Farmington/Farmington Hills Chamber of Commerce.

Engelman holds a bachelor of science in English from Evangel University.



## Lee Gonzales Appointed Deputy Director for Legislative and External Affairs

In January of 2019, former State Rep. Lee Gonzales was appointed as the Deputy Director for Legislative and External Affairs for the Department. Prior to this appointment, he served as Legislative Liaison/Policy Advisor for the Department and previously as Senior Executive of Initiatives.

Gonzales served in the Michigan House of Representatives from 2005-2010 representing House District 49 for the Flint area. During his tenure in the legislature, he served on the House Appropriations Committee, and chaired the House Appropriations Subcommittee on Transportation. Prior to his work in the legislature and at MDCR, Gonzales worked for the Michigan Department of Agriculture as well as serving as an employee of Genesee County as development director, then as assistant county treasurer. He played a key role in creating the Genesee County Land Bank.

Gonzales holds Master of Public Administration and Bachelor of Arts degrees, both from the University of Michigan - Flint.



## NWU & DODDBHH:

# NOT WITHOUT US CENSUS AND NEEDS ASSESSMENT of the DEAF, DEAFBLIND and HARD of HEARING COMMUNITIES

In 2018, the Division on Deaf, DeafBlind and Hard of Hearing (DODDBHH) launched the most comprehensive needs assessment and census of Michiganders who are deaf, deafblind and hard of hearing in decades. This was the first time in nearly 30 years the state of Michigan committed to identifying the community and its needs. The *Not Without Us* survey was designed through a partnership between the Michigan Department of Civil Rights Division on Deaf, DeafBlind and Hard of Hearing, a steering team of members of the deaf, deafblind and hard of hearing communities, Madonna University's Sign Language Department and Public Sector Consultants.

The *Not Without Us* initiative was conducted in two distinct stages. Stage one was a census conducted by phone and representative of the population of Michigan across nine regions. The census estimate was created through a telephone survey of 3,600 Michigan residents and included cell phones. The estimate also looked at past estimates and population data, and identified where larger populations of individuals who are deaf, deafblind and hard of hearing live. The census revealed that individuals who are deaf, deafblind or hard of hearing had been severely undercounted in the past. Previous census results had placed the population of Michiganders who identified as deaf, deafblind or hard of hearing at about 4 percent. The *Not Without Us* census found the population was nearly double at 7.4 percent.

During the second stage of the census and needs assessment, Michiganders who are deaf, deafblind or hard of hearing were asked to complete an in-depth questionnaire about their experiences navigating businesses, medical care, employment and government services. The DODDBHH team held community forums, coffee chats and attended events across the state to assist people in filing out the needs assessment. In the end, nearly 900 Michiganders completed the online needs assessment survey.



## Introducing the New Executive Director of the Michigan Women's Commission

In September of 2019, Gov. Gretchen Whitmer appointed Cheryl Bergman of East Lansing to the position of executive director of the Michigan Women's Commission. She replaced Mary Engelman, who was appointed interim director of MDCR.

Before her appointment to the MWC, Bergman ran her own fundraising firm, Bergman, Inc. She was also a senior advisor for the Whitmer for Governor campaign. Her clients have included Governor Jennifer Granholm, Senator Debbie Stabenow, The White House Project, Communities in Schools of Michigan, Michigan's Children, and Children's Trust Fund. Prior to starting her own consulting business, Bergman served as the agency relations director for the St. Vincent and Sarah Fisher Center and as the program administrator for the Michigan Political Leadership Program at Michigan State University.



## NEW LAW MAKES EMERGENCY SERVICES MORE ACCESSIBLE FOR ALL

In March of 2018, Governor Snyder signed into law a bill to upgrade Michigan's 9-1-1 systems statewide, making emergency services more accessible for all, including for individuals who are deaf, deafblind or hard of hearing. MDCR supported and promoted the legislation, and on hand for the bill signing were Annie Urasky, Director of the Division on Deaf, DeafBlind and Hard of Hearing, and Lee Gonzales, MDCR's Legislative Liaison. Urasky issued the following statement in response to the legislation.

"The new law to upgrade Michigan's outdated 9-1-1 system will have a direct impact on the lives of Michiganders who are deaf, deafblind or hard of hearing. As a deaf person, I have often had to rely on someone else to communicate with first responders in an emergency situation. This technology breaks down that barrier and enables individuals who are deaf, deafblind or hard of hearing to quickly communicate directly with the people who can help. I applaud the legislature and the Governor for making comprehensive access to statewide 9-1-1 services a priority."

## MICHIGAN WOMEN'S COMMISSION

# COMMISSION STANDS with WOMEN VETERANS, SURVIVORS of SEXUAL ASSAULT



The Michigan Women's Commission had a stellar year of working to support Michigan women.

The 15-member Commission co-hosted with the Michigan Veterans' Affairs Agency the inaugural Michigan Women Veterans 5K Run/Walk. The race route took participants along the Lansing Rivertrail in Downtown Lansing, on the banks of the Grand River. The run raised thousands of dollars for Michigan-based non-profit agencies that work with women veterans.



When a CNN investigation revealed that law enforcement agencies in 14 states, including Michigan, destroyed rape kits before case investigations were completed, the MWC Executive Director Mary Engelman called on Michigan law enforcement agencies to immediately review their policies and procedures related to the destruction of rape kits prior to final adjudication of an investigation.

In order to expand the voices of women represented on the Commission, in 2019 the MWC created a Millennial Advisory Committee. The MWC board sought out women from the Millennial generation to apply, then interviewed the applicants and appointed five women to the advisory board.



# MDCR BY THE NUMBERS 2018 & 2019

MICHIGAN DEPARTMENT OF CIVIL RIGHTS

At the core of MDCR's mission is investigating complaints of unlawful discrimination.

In FY 18, MDCR received 8,417 contacts and in FY 19, MDCR received 7,484 contacts. Contacts constitute requests for service by phone, through our online portal, in person, by US mail or email and include complaints of unlawful discrimination, training requests, information requests or referrals and Freedom of Information (FOIA) requests.

In FY 18, the Enforcement Division closed 1,627 formal complaints – a signed/notarized complaint initiating an investigation regarding an allegation of unlawful discrimination. In FY 19, the number of formal complaints closed was 1,626.

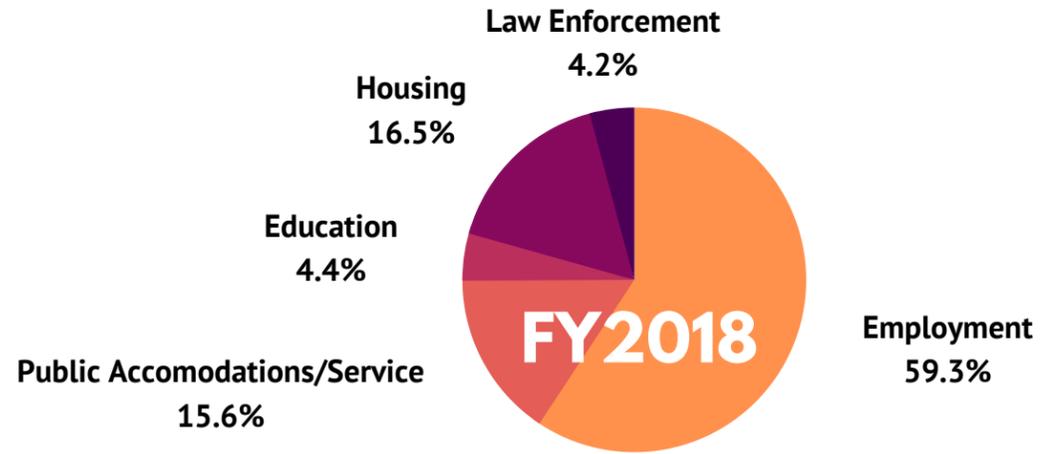
For FY 18, settlements totaling \$1,137,654 were provided to claimants; of this total, \$890,807 were cash awards. The remaining \$246,847 may include back pay, annualized salaries, 401K contributions and legal fees.

For FY 19, settlements totaling \$876,416 were provided to claimants; of this total, \$849,429 were cash awards. The remaining \$26,987 may include back pay, annualized salaries, 401K contributions and legal fees.

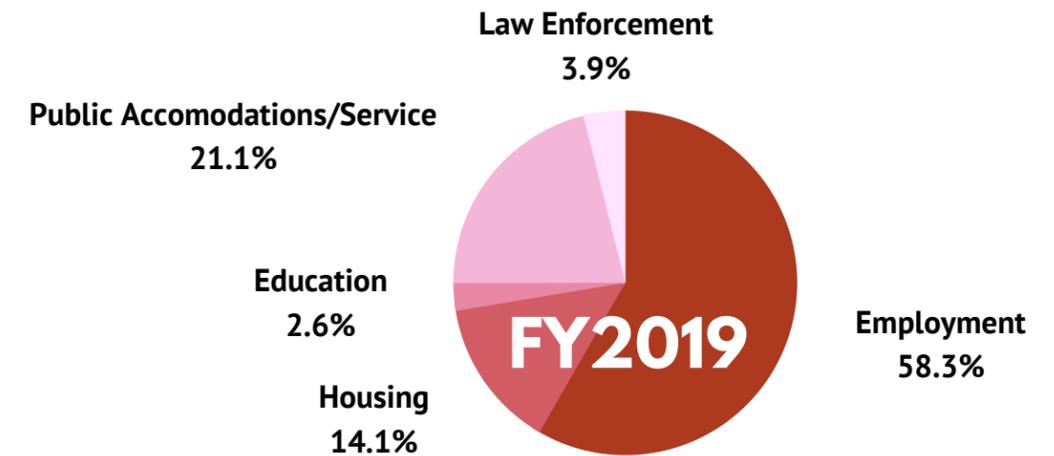
### Formal Complaints of Discrimination

During FY 18, the largest number of complaints were in the area of employment with 965, followed by housing at 268 complaints, public accommodation/public services at 254 complaints, education with 72 complaints and law enforcement with 68 complaints.

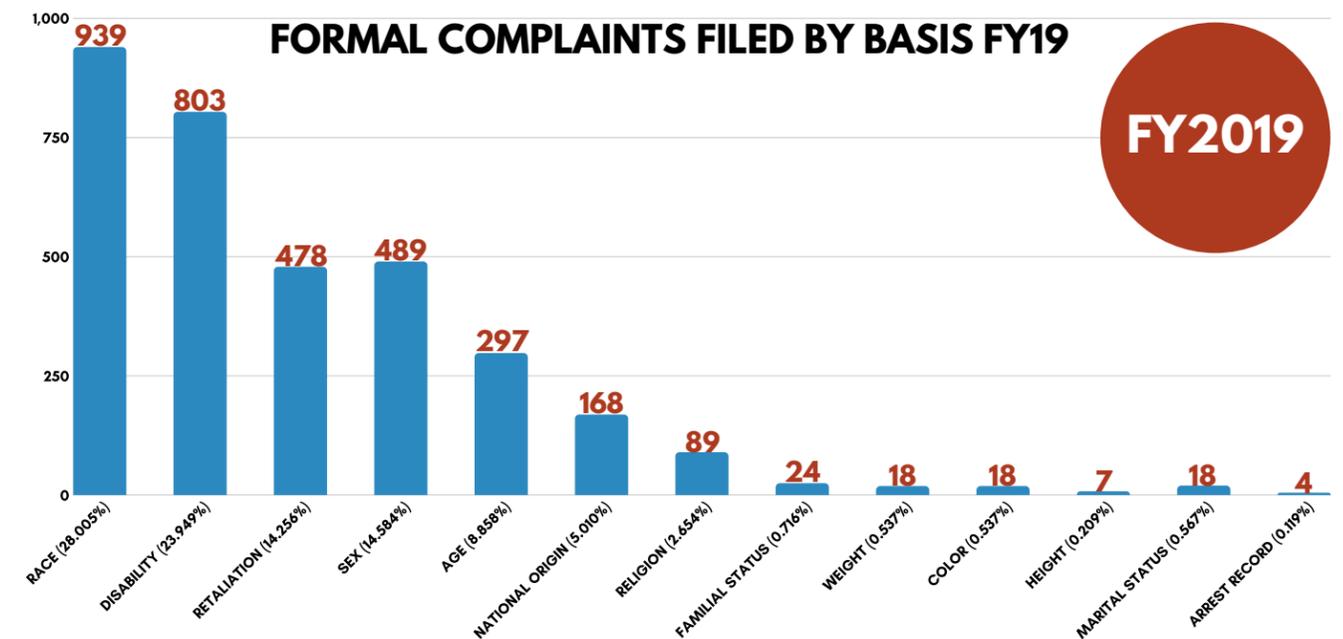
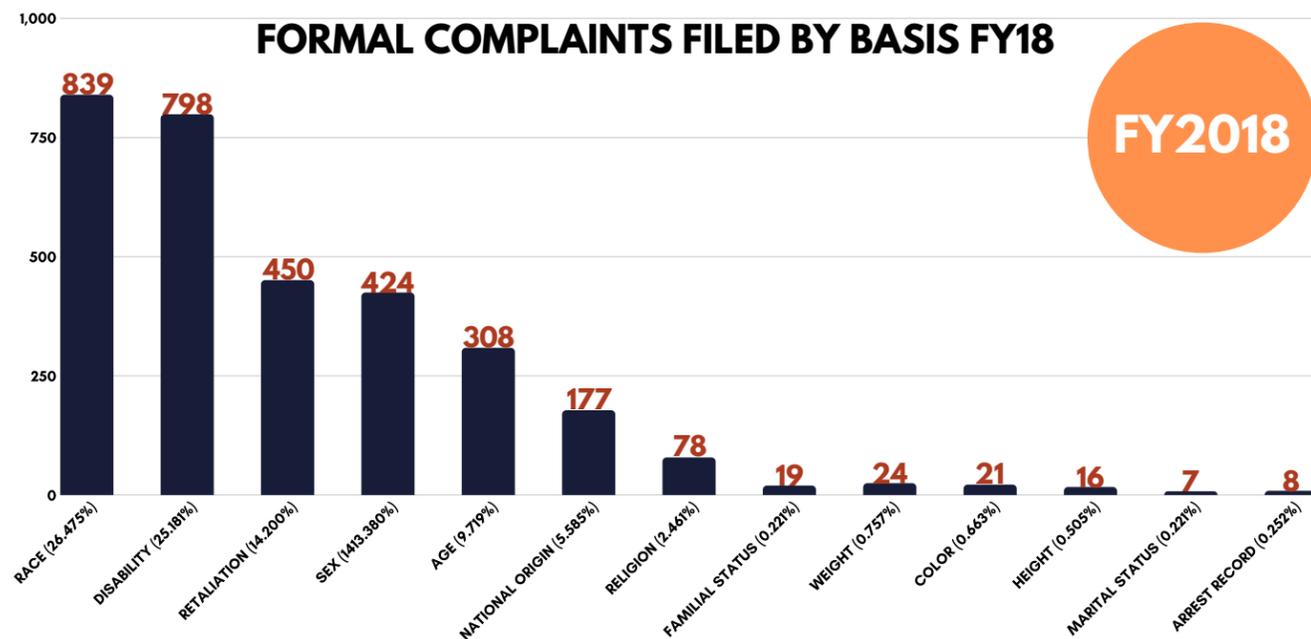
In FY 19, the largest number of complaints were in the area of employment with 948, follow by complaints related to public accommodations/public services at 343, housing complaints at 229, law enforcement complaints at 64 and education complaints at 42.



## FORMAL COMPLAINTS FILED BY AREA - FY18



## FORMAL COMPLAINTS FILED BY AREA - FY19





## MDCR EXECUTIVE TEAM

**Mary Engelman**  
Interim Director

**Lee Gonzales**  
Deputy Director of Legislative and External Affairs

**Patricia Barrera**  
Enforcement Division Director

**Cheryl Bergman**  
Director, Michigan Women's Commission

**Mark Bishop**  
Director of Strategic Operations and Community Engagement

**Sylvia Elliott**  
Special Advisor to the Commission

**Alfredo Hernandez**  
Equity Officer

**Renee Kenyon**  
Enforcement Division Director

**Stephanie Lenneman**  
Human Resources Director

**Vicki Levensgood**  
Communications Director

**Dan Levy**  
Director of Law and Policy

**Anthony Lewis**  
Director of Business and Community Affairs

**Shawn Sanford**  
Senior Executive Management Assistant to the Director

**Marcelina Treviño**  
Director and Managing Attorney, Office of Legal Affairs

**Annie Urasky**  
Director of the Division on Deaf, DeafBlind and Hard of Hearing

**Lori Vinson**  
Director of Civil Rights Operations

**Kim Woolridge**  
Director, State ADA Compliance Division



Individuals requiring this report in an alternative format should contact the Michigan Department of Civil Rights at 800-482-3604 or [MDCR-INFO@michigan.gov](mailto:MDCR-INFO@michigan.gov).



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