

# Michigan Department of Civil Rights Annual Report 2010



MICHIGAN DEPARTMENT OF  
**CIVIL**  **RIGHTS**



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF CIVIL RIGHTS  
EXECUTIVE

DANIEL H.  
KRICHBAUM, PhD  
DIRECTOR

May, 2011

The Honorable Rick Snyder  
Members of the Michigan Legislature  
People of the State of Michigan

On behalf of the Michigan Civil Rights Commission and the Michigan Department of Civil Rights, I present to you our Annual Report for Fiscal Year 2010.

The Department's last year has been bittersweet. I joined MDCR as its Interim Director in March 2010, after the unfortunate death of Director Kelvin W. Scott, in February. His commitment to justice was well known in the civil rights community and he is greatly missed by friends, family and colleagues.

I am pleased to report, though, that the Commission and Departmental colleagues were able to advance many initiatives begun by Kelvin, including the Migrant and Seasonal Farmworker Report and subsequent interagency work groups; a webinar-based training initiative, so we can reach people in greater numbers where they work; and the Equal Opportunity Diversity Council's release of its statewide plan to provide leadership on diversity and inclusion in state government.

In addition, the Department and Commission under my leadership revised the Strategic Plan and increased our community education focus on issues such as bullying and immigration.

The Enforcement Division also had another successful year. More than \$3.2 million was awarded to claimants in civil rights discrimination cases, including cash settlements and annual salaries from claimants being returned to work.

Our Department and Commission retain our commitment to enforcing the state's civil rights laws, along with additional efforts to prevent discrimination from occurring.

Sincerely,

A handwritten signature in cursive script that reads "Daniel H. Krichbaum".

Daniel H. Krichbaum  
Director

## **In Memoriam: Kelvin W. Scott, Director of the Michigan Department of Civil Rights**

Kelvin W. Scott died on February 20, 2010 after a battle with colon cancer. He was 48 years old.

Governor Jennifer Granholm appointed him to the Michigan Civil Rights Commission in 2004, where he served until 2009. He was then appointed by the Commission to become Director of the Department of Civil Rights.



He was a native of Saginaw, where he ran on the Arthur Hill High School track team and played varsity basketball. He attended Michigan State University, and as a member of the track team, achieved All-American status in 1983 for the 4 x 400 meter relay and in the mile relay, and was a Big Ten champion in 1982 and 1983 in both the mile relay and the 1600-meter relay. He graduated from MSU in 1984, and then attended Georgetown University Law Center, graduating in 1987.

He practiced law at Dickinson Wright, PLLC before becoming an Assistant US Attorney. He was also a litigator with Kienbaum Opperwall Hardy and Pelton, PLC, and counsel for Masco Corporation and Plastech Engineered Products, Inc.

Kelvin was Chairman of the Board of Legal Aid and Defender of Detroit, Past President of the Wolverine Bar Association, former Chairman of the Board of the Eastside Emergency Center in Detroit, served on the Board of Directors for the Barristers of the Detroit Metropolitan Bar Association, and was the State Representative of the National Black Prosecutors' Association. He enjoyed playing golf, running, music and traveling.

Kelvin was a resident of Grosse Pointe Park. He is survived by his wife, Ursula Henry; his mother, Helen A. Scott of Spaulding Township; father, Herman Scott of Saginaw Township and a sister, Stephanie W. Scott of Georgia. He was preceded in death by his brother, Michael Scott.

## **The Michigan Civil Rights Commission**

The Commission (MCRC), created by the 1963 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.

The Michigan Department of Civil Rights (MDCR) was established by the state legislature in 1965, as a staff compliment to implement the Commission's policies. The Department enforces state civil rights laws through complaint investigation, mediation, outreach and 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.

### **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.

### **Vision**

The Michigan Department of Civil Rights (MDCR) 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.

The Department is comprised of six program areas: Office of the Director, Michigan Women's Commission, Civil Rights Operations, Law & Policy, Office of Public Affairs and the Office of Management Services.

### **Staffing (FTEs)**

- The Department of Civil Rights position authorization for fiscal year 2009-2010 was 114 FTEs.

## **Budget**

- The overall budget appropriation for fiscal year 2009-2010 was \$12,778,700. The budget is comprised of 86% general and 14% (\$1,803,000) federal funds.

## **Office of Civil Rights Operations**

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. Complaints must be based on race, color, national origin, disability, religion, age (over 40 in employment), sex, and familial status (in housing). Where there is a state agency with equivalent jurisdiction, the federal agency defers to the state agency for investigation. Thus, the MDCR has work sharing agreements with HUD and EEOC to investigate such complaints.

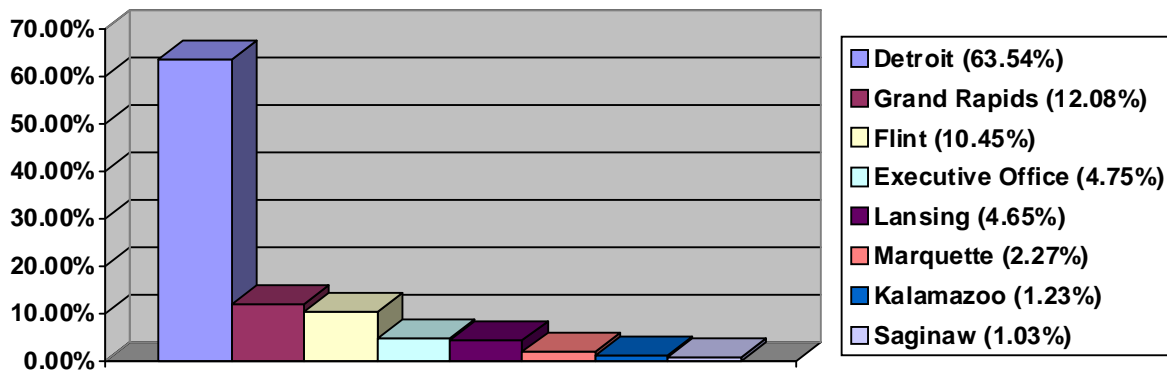
The MDCR is recognized by the EEOC as the Fair Employment Practice Agency for Michigan. This program permits the EEOC to authorize state and/or local governmental units to assist it in meeting its statutory mandate. The EEOC funds MDCR's enforcement of Title VII of the Civil Rights Act of 1964, as amended (Title VII); 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 cognizable under the Fair Housing Act, training under the Fair Housing Act and state or local fair housing law, administrative costs associated with complaint processing, creation and maintenance of data and information systems, and the development and maintenance of fair housing education and outreach projects.

The Office of Civil Rights Operations is responsible for programs and services related to the Enforcement Division. Staff are housed in Detroit, Lansing, Flint and Grand Rapids. MDCR also has a one-person office in Marquette.

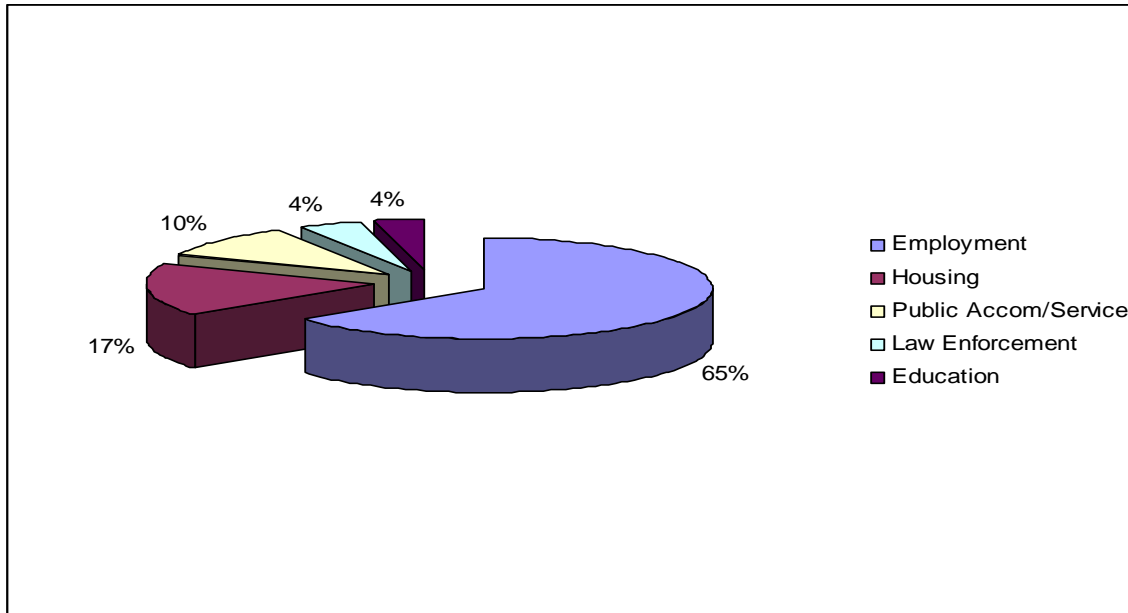
Division colleagues investigate and resolve complaints of discrimination in employment, education, housing, public accommodation and public service (including law enforcement). The complaints must be based on race, color, national origin, disability, religion, age, sex, marital status, height and weight (in employment), arrest record (in employment) and familial status (in housing). Other services provided by Enforcement include outreach and education, and referrals to other organizations when appropriate.

## CONTACTS CLOSED BY OFFICE LOCATION – FY 2010



- A contact is a customer request for service.
- The percentages shown reflect all requests for service recorded in the Department's Contact Management System and closed during FY 2010. Services include Outreach and Education, Complaint Issue, Contract Compliance, Referral and Information (including FOIA). Contract Compliance and FOIA contacts are processed in the Detroit Office.
- MDCR's Kalamazoo and Saginaw offices closed on June 25, 2009; however, the contacts recorded above originated in these offices.

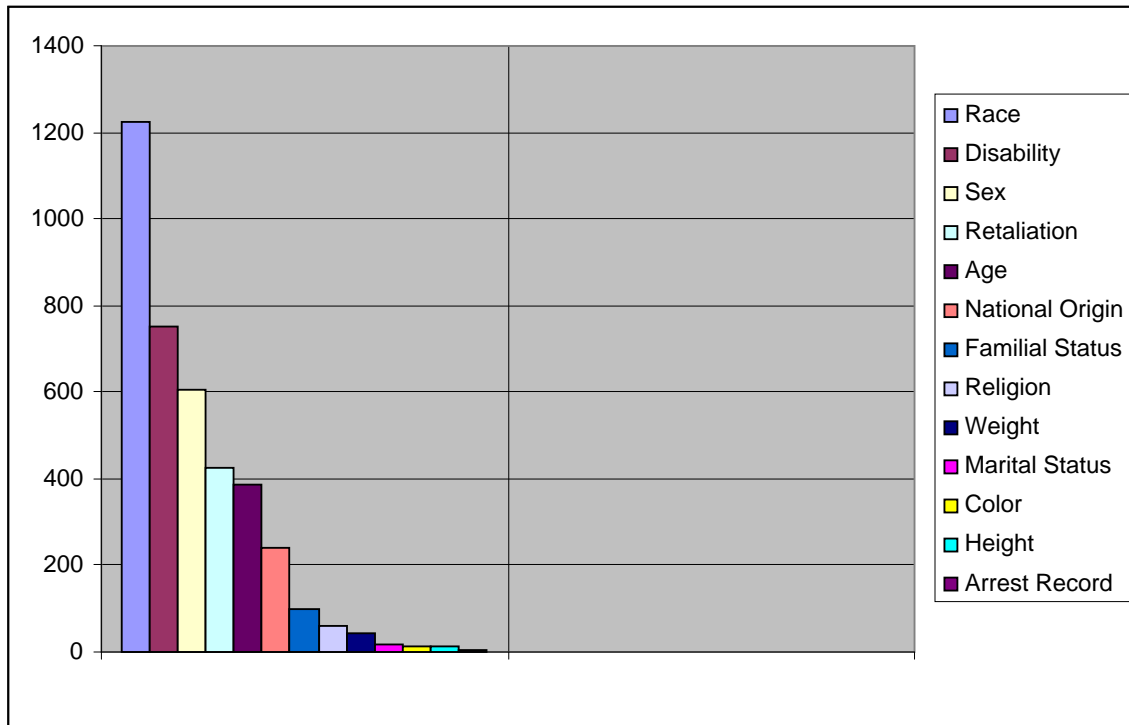
## FORMAL COMPLAINT ISSUE CONTACTS RECORDED BY AREA OF DISCRIMINATION



- A Complaint Issue contact is a customer request for service specifically regarding allegations of unlawful discrimination.
- The numbers/percentages shown reflect all requests for Complaint Issue services recorded in the Department's Contact Management System.

During FY 2010, MDCR responded to 12,253 customer contacts for assistance. From these contacts, MDCR opened 2,516 discrimination complaints and closed 2,657. More than \$3.2 million was awarded to claimants, including cash settlements and annual salaries from claimants being returned to work.

## BASES OF DISCRIMINATION RECORDED IN COMPLAINTS



Race	1223	32.12%
Disability	751	19.72%
Sex	607	15.96%
Retaliation	424	11.15%
Age	387	10.14%
National Origin	239	6.28%
Familial Status	99	2.60%
Religion	58	1.52%
Weight	43	1.13%
Marital Status	17	.45%
Color	12	.32%
Height	12	.32%
Arrest Record	4	.11%

Complaints may include more than one issue and/or multiple bases.

A number of public interest settlements were made this year, including:

- A claimant, who is disabled, believed he was discharged due to his disabilities. He received a \$75,000 monetary settlement.



- An African American claimant alleged he complained of discrimination to the respondent and was subsequently disciplined in retaliation. The complaint was resolved when the claimant accepted a buy-out offer from the respondent for a settlement of \$67,873.
- A claimant, aged 77 and disabled, alleged she was terminated due to her age and disability. The case was resolved with a cash settlement of \$12,750.
- A Cuban claimant believed he was discharged because of his national origin. The respondent agreed to reinstate the claimant at an annualized award of \$21,840.
- This African American claimant believed she was laid off because of her race and sex. After negotiating, the claimant was returned to work with back pay totaling \$57,500.
- The claimant, a woman, alleged the respondent told her that she had to use vacation time if she wanted to attend a supervisory leadership series and that the respondent subsequently denied her tuition reimbursement request because of her sex. Both parties agreed to a monetary settlement and the claimant received \$50,000.
- During testing by a private fair housing group on a real estate office and a rental unit advertisement, settlements were reached with respondents paying \$1,500 each and having to attend fair housing training.
- The claimant, 55 years old and disabled, alleged he was unfairly discharged by the respondent because of his age and disability status. The complaint was resolved when the respondent agreed to pay the claimant a \$50,000 cash settlement and return the claimant to work at an annual salary of \$63,000.
- A claimant alleged she was unfairly discharged due to a perceived disability. The complaint was resolved when the respondent agreed to reinstate the claimant, representing a monetary settlement of \$21,300.
- This African American claimant alleged she was subjected to other terms and conditions of employment due to her race and that she was discharged in retaliation for voicing a civil rights concern. The claimant was reinstated and transferred to a new location with an annualized salary of \$54,080.
- An African American claimant alleged he was denied a loan modification because of his race. The case was settled and the claimant signed a withdrawal form/adjustment when the loan was modified, which will save him \$268,677 over the life of the loan.
- A claimant is 5'3" and weighs 267 pounds. She alleged she was unfairly denied a promotion because of her height and weight. The complaint was resolved when the respondent agreed to pay the claimant \$5,000 to settle the complaint.
- This claimant, a woman with a disability who is also pregnant, alleged she was discharged because of her disability, sex and pregnancy. The complaint was resolved when the respondent agreed to return her to work at an annualized salary of \$17,680.

## **Office of Law and Policy**

The Office of Law and Policy Administrator works with the Director and Commission 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 Departmental programs; legal 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:* The 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 that affect civil rights issues and litigation; and maintains a library of resources, census and statistical data.

*Contract Compliance:* The Contract Compliance Unit (CCU) establishes standards and procedures for ensuring non-discrimination in the provision of programs, services, and funds that are available through the State of Michigan. In addition, the CCU evaluates the applications of companies seeking certification as persons with disabilities enterprises. Certificates of Awardability are processed on behalf of companies wishing to do business with the state, ensuring that they are compliant with state and federal nondiscrimination law.

*Hearings and Mediation:* The Director of Hearings and Mediation collaborates with the Commission 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.

*Reconsideration:* This Unit represents the appeal process for MDCR. Colleagues ensure that reconsideration requests for both statements of concern and docketed complaints are appropriately processed within specified time frames.

## **Amicus Brief**

In January 2010, the Commission and the Department filed an amicus brief with the Supreme Court in a case involving the fees of Michael J. Atchinson and Daniel J. Hartman. The brief discussed a criminal defendant's right to counsel, including the right of indigent defendants to competent appointed counsel. A key concern is that if competent counsel believe they will not be adequately compensated for representing indigents accused of serious and complex crimes, many will become unwilling to provide representation in the future. This matter came to light in Charlevoix County, where in 2008, attorneys in a complicated and atypical case were actually paid less than the minimum wage to represent a defendant. This is a simplified explanation of the brief filed. Additional concern arises regarding the disparity between the prosecutor's and

the defense's resources. The motion for leave to file brief amicus curiae was granted and remanded to the Court of Appeals.

### **Office of Public Affairs**

This office includes Community Relations, Public Affairs/Communication and Learning and Development.

Community Relations colleagues provide training, outreach, and community response. They also respond to outreach and education requests received in the Enforcement Division. Staff are resources to human relations commissions, state government and private business to raise awareness about discrimination, inclusion and diversity. Customized and standard training is provided on a variety of topics, including Building Cultural Competence, Hate Crimes 101 and Discriminatory Harassment.

Public Affairs colleagues respond to media requests, maintain the Department's electronic presence (at [www.michigan.gov/mdcr](http://www.michigan.gov/mdcr) and on Facebook), write opinion pieces and develop speeches, reports (such as collaborating on the Environmental Justice project and the Migrant and Seasonal Farmworker project), and publicize Departmental and Commission events. This fiscal year, staff have also been engaged in the branding project to be unveiled in 2011.

Staff trained 3,440 people during this fiscal year on civil rights-related laws and diversity issues. Key among them:

A series of Root Beer Summits were convened around the state on November 17, 2009. These were modeled after the Beer Summit President Obama hosted at the White House. Community Relations spearheaded this effort and helped local residents lead summits in eleven locations, including Kalamazoo, Flint, Traverse City, Mt. Pleasant and Detroit. More than 100 local leaders were trained as facilitators, so the events can be replicated in future years. Nearly 500 individuals participated in these events.

MI Responses to Hate – The fourth annual conference was held in Lansing in September, 2010. A lively, engaging keynote presentation was made by Thomas Perez, Assistant Attorney General for the Civil Rights Division of the United States Department of Justice. Frank Meeink, author of *Diary of a Skinhead*, gave a moving, thought-provoking talk on his indoctrination and eventual rejection of the white supremacist lifestyle.

MDCR's Crisis Response Team (CRT) helps communities facing hate crimes and bias-motivated incidents. During this year, events included responding to a gay man beaten at a gas station, vandalism in a city park which included obscene and racist graffiti, racist Easter eggs found on lawns in suburban Detroit, racist graffiti in Jackson, a swastika painted on the driveway of a family, a Mosque vandalism, an altercation between Arab and African American students in a school, letters containing threatening, ethnically intimidating messages to 18 African American families, and a noose found in a manufacturing facility. There were a total of 38 events responded to by the CRT in FY 2010.

During July 2010, The Michigan Indian Tuition Waiver application process was moved administratively into MDCR/Community Relations. 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."

### **Office of Management Services (OMS)**

This office provides a range of support services for the Civil Rights Commission and MDCR. Among these are financial management, budget development and oversight, procurement, telecommunications and oversight of automated systems.

OMS includes:

*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.

*Records Center:* Maintenance and security of filing systems, including federal system interface; mail management; basic copier maintenance; training and assistance with case notification requirements; data quality monitoring and correction; and processing employment-related complaints related to federal contract compliance.

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

*Contact Management System (CMS) Specialist:* This colleague supports a relational database and Oracle-based application. CMS is 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 programs; and provides database administration.

### **Special Projects**

The Civil Rights Commission held public forums on disability awareness and health disparities during the year.

The report *Conditions of Migrant and Seasonal Farmworkers in Michigan* was released in March 2010. A work group was subsequently formed to address the 15 recommendations in this report, including the Directors and representatives from the state Departments of Agriculture, State Police, Human Services, and Energy, Labor and Economic Growth, staffed by MDCR.

A group of MDCR colleagues were appointed by Director Krichbaum to research and then apply for grant funding, aimed toward advancing the Department's key goals.

During 2010, Director Krichbaum also spearheaded the Michigan Leadership Conference for Human and Civil Rights.

Colleagues participated in a variety of events with:

- the Alliance of State Employees with Disabilities,
- the Equal Opportunity Diversity Council,
- BRIDGES (Building Respect in Diverse Groups to Enhance Sensitivity),
- UAW National Civil Rights Conference and other events,
- the Council of Islamic Organizations of Michigan,
- the Asian Pacific American Labor Alliance,
- the Michigan Alliance Against Hate Crimes (MIAAHC),
- the US Civil Rights Conference Michigan Advisory Commission,
- a cross-cultural civil rights visit including persons from the Ukraine,
- the Department of Natural Resources and Environment on its Environmental Justice Plan.

### **Commission Actions and Resolutions**

During January 2010, the Commission supported House Bill 5515, amending the Elliott-Larsen Civil Rights Act to include breastfeeding. Michigan is one of eight states that does not specifically give protection or legal provision for women to breastfeed as a public accommodation.

The Commission offered resolutions on indigent defense, hate crime laws and the matter of Assistant Attorney General Andrew Shirvell. These resolutions follow.

## Resolution on right to adequate Indigent Defense Counsel

AS the Michigan Civil Rights Commission ("Commission") was created under the Michigan Constitution of 1963 for the purpose of protecting the civil rights of all persons equally, and works to prevent discrimination through both enforcement of, and educational programs that promote voluntary compliance with, civil rights laws;

AND AS the right of a person accused of a crime to be represented by counsel is explicitly enshrined in both the Sixth Amendment to the U. S. Constitution<sup>1</sup> and Article I, Section 20 of the Michigan Constitution;<sup>2</sup>

AND AS the U.S. Supreme Court has stated that, "in our adversary system of criminal justice, any person hauled into court, who is too poor to hire a lawyer, cannot be assured a fair trial unless counsel is provided for him,"<sup>3</sup> and further that "it has long been recognized that the right to counsel is the *right to the effective assistance of counsel*;"<sup>4</sup>

AND AS the Michigan Supreme Court has stated "guaranteeing counsel without in turn assuring adequate performance would defeat the ultimate purpose of appointing counsel in the first place, that of giving defendant a fair trial," and therefore that "[t]he right to counsel means *at least* the right to effective assistance of counsel;"<sup>5</sup>

AND AS the Michigan Supreme Court has recognized that when "the system of reimbursement of assigned counsel . . . creates a conflict between the attorney's need to be paid fully for his services and obtaining the full panoply of rights for the client. Only the very conscientious will do the latter against his or her own interests;"<sup>6</sup>

AND AS the Commission finds that effective assistance cannot be provided when counsel lacks the investigators, expert witnesses, training and/or experience, that a case requires;

AND AS the Commission finds that effective assistance of counsel cannot be provided to all clients when counsel's case load prevents devoting adequate time and attention to each case; IT IS RESOLVED that in order to protect the civil and constitutional rights of all, Michigan must maintain a public defense delivery system that meets national standards and provides the effective assistance of counsel;

IT IS FURTHER RESOLVED that the *Eleven Principles of a Public Defense Delivery System* adopted by the State Bar of Michigan's Representative Assembly in 2002, serve as the fundamental standards for a public defense delivery system to provide effective, efficient, quality, and ethical representation to those in criminal proceedings who cannot afford to hire an attorney.

Adopted on the 24th day of May, 2010, by the  
MICHIGAN CIVIL RIGHTS COMMISSION

<sup>1</sup> "In all criminal proceedings, the accused shall enjoy the right to . . . have the Assistance of Counsel for his defense." *US Const Amend VI*.

<sup>2</sup> "In every criminal prosecution, the accused shall have the right to . . . have the assistance of counsel for his or her defense. . ." Const 1963, art 1, §20.

<sup>3</sup> *Gideon* 372 US at 344.

<sup>4</sup> *United States v. Cronin*, 466 US 648, 654-655, 104 S Ct 2039, 80 L Ed 2d 657 (1984), quoting *United States v. Ash*, 413 US 300, 309 (1973), and *McMann v. Richardson*, 397 US 759, 771, n. 14 (1970), emphasis added.

<sup>5</sup> *People v. Strodger*, 394 Mich 193, 211-212, 229 N.W.2d 318, emphasis added (1975)

<sup>6</sup> *RCBA*, 443 Mich at 115.

Matthew Wesaw, Chair  
J. Michael Zelle, Vice Chair  
Lisa Peoples-Hurst, Secretary  
Nabih H. Ayad, Treasurer  
Mark Bernstein  
Bertram L. Marks  
Jared Rodriguez

## Eleven Principles of a Public Defense Delivery System

The *Eleven Principles of a Public Defense Delivery System* were formally adopted as State Bar of Michigan policy by the Bar's Representative Assembly in 2002, and serve as the fundamental standards for a public defense delivery system to provide effective, efficient, quality, and ethical representation to those in criminal proceedings who cannot afford to hire an attorney.

1. The public defense function, including the selection, funding, and payment of defense counsel, is independent.
2. Where the caseload is sufficiently high, the public defense delivery system consists of both a defender office and the active participation of the private bar.
3. Clients are screened for eligibility, and defense counsel is assigned and notified of appointment, as soon as feasible after clients' arrest, detention, or request for counsel.
4. Defense counsel is provided sufficient time and a confidential space with which to meet with the client.
5. Defense counsel's workload is controlled to permit the rendering of quality representation.
6. Defense counsel's ability, training, and experience match the complexity of the case.
7. The same attorney continuously represents the client until completion of the case.
8. There is parity between defense counsel and the prosecution with respect to resources and defense counsel is included as an equal partner in the justice system.
9. Defense counsel is provided with and required to attend continuing legal education.
10. Defense counsel is supervised and systematically reviewed for quality and efficiency according to nationally and locally adopted standards.
11. When there is a defender office, one function of the office will be to explore and advocate for programs that improve the system and reduce recidivism.

## **RESOLUTION OF THE MICHIGAN CIVIL RIGHTS COMMISSION ADOPTED OCTOBER 8, 2010**

WHEREAS, the Michigan Civil Rights Commission is committed to building One Michigan; a state that embraces the value of diversity and honors the identity of all people.

AND WHEREAS, the Commission condemns all acts of hatred and intolerance that threaten this ideal to which we are committed.

AND WHEREAS, the Commission stands with all individuals, and particularly young individuals, as they face the trauma of bullying and other dangerous abuse.

AND WHEREAS, the Commission acknowledges the unnecessary tragedies that such harassment causes.

AND WHEREAS, the Commission condemns the conduct of Assistant Attorney General Andrew Shirvell targeting Christopher Armstrong, a University of Michigan student.

AND WHEREAS, such conduct should never be tolerated from anyone, let alone a public official responsible for representing all people equally.

AND WHEREAS, the Commission recognizes that the Attorney General is now taking disciplinary action, which the Commission hopes will result in the removal of this individual from an important public position.

AND WHEREAS, the Commission is aware that this conduct has caused the University of Michigan to ban Assistant Attorney General Shirvell from its campus.

AND WHEREAS, the Commission is concerned about the scope and nature of the involvement of Assistant Attorney General Shirvell in the execution of the work of the Office of the Attorney General.

BE IT RESOLVED THAT the Commission calls upon the Attorney General to make it clear that the Office of the Attorney General represents the interests of every Michigan resident equally, and to show that there is no room on his staff for an attorney who is unwilling to do so.

BE IT FURTHER RESOLVED THAT the Commission calls upon the Attorney General to investigate the potential use of taxpayer-funded resources in the conduct of Assistant Attorney General Shirvell related to his activities involving University of Michigan student Christopher Armstrong.

BE IT FURTHER RESOLVED THAT the Commission calls upon the Attorney General to immediately and publicly disclose the specific role(s) and responsibility(ies) of Assistant Attorney General Shirvell as it relates to the evaluation, execution and/or disposition of pending legislation, amicus briefs, and/or all other matters within the jurisdiction of the Office of the Attorney General, including but not limited to the issues of hate crime (bias motivated crime), bullying, and Elliott-Larsen civil rights protections.

BE IT FURTHER RESOLVED THAT, the Commission calls upon the Attorney General as Michigan's chief law enforcement officer to join with the Michigan Sheriffs Association, the Michigan Association of Chiefs of Police, the Michigan State Police and the Prosecuting Attorneys Association of Michigan in their support of the hate crime bill that has already been passed by the Michigan House of Representatives.

BE IT FURTHER RESOLVED THAT the Commission calls on the Michigan Legislature to put public safety first and pass the proposed comprehensive hate crime and school anti-bullying laws currently before the Michigan Senate.

Adopted the 8th day of October, 2010, by the MICHIGAN CIVIL RIGHTS COMMISSION



## To file a complaint:

The alleged act of discrimination must have occurred within the past 180 days. Contact the Department by phone, TTY, in person, or by email to discuss the concern with a Civil Rights Representative.

Lansing: Capitol Tower Building, 110 W. Michigan Avenue, Suite 800, Lansing, MI 48933 Phone: 517/335-3165

Detroit: Cadillac Place, 3054 W. Grand Boulevard, Suite 3-600, Detroit, MI 48202. Phone: 313/456-3700

Flint: State Office Building, 125 East Union, Flint, MI 48202. Phone: 810/760-2805

Grand Rapids: 350 W. Ottawa Ave., NW, 3<sup>rd</sup> Floor, Grand Rapids, MI 49503. Phone: 616/356-0380

Marquette: 1504 W. Washington St., Suite B, Marquette, MI 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)

To learn more about the complaint process and the variety of programs MDCR offers, please visit [www.michigan.gov/mdcr](http://www.michigan.gov/mdcr).

## MDCR at a glance

- In FY 2010, responded to 12,253 customer contacts for assistance
- Trained 3440 people during the year
- Responded to 38 instances of bias/hate crime
- Assisted in securing monetary awards of more than \$3.2 million for claimants
- Held public forums on disability awareness and health disparities
- In FY 2010, MDCR was authorized to have 114 FTEs (full-time equivalent employees)
- The budget/appropriation for the year was \$12,778,700.

No copies printed; this document is web-only.