



MEMORANDUM

LEGISLATIVE REFERENCE BUREAU

WWW.MILWAUKEE.GOV/LRB

To: Chez Ordonez, Chair Equal Rights Commission

From: Dana J. Zelazny, Legislative Reference Bureau

Date: August 26, 2020

Subject: PEER CITY COMPARISON OF EQUAL RIGHTS COMMISSIONS

This memo is in response to your request of July 16, 2020, regarding an update to a 2017 Legislative Reference Bureau report on budget, caseload and staffing data for municipal equal rights agencies in peer cities. The following cities were selected by the Legislative Reference Bureau Library as Milwaukee “peers” on the basis of comparable total population, population density, age of housing stock, poverty rate and percent of population that is non-white:

Boston	Columbus	Detroit	Indianapolis	Kansas City
Minneapolis	Omaha	Pittsburgh	St. Louis	St. Paul

This report also includes an analysis of Madison, WI; while not a peer city to Milwaukee strictly in relation to the demographics discussed above, Madison shares geography and other commonalities with Milwaukee.

Boston, MA

Activities

Boston's Human Rights Commission (HRC) was reactivated in late 2019 after having been dormant since 1996. An executive director and seven commissioners were appointed, and the commission has met several times in 2020.

Under Boston's HRC ordinance, the Commission is intended to receive complaints of discrimination relating to the workplace, housing, credit, education, public accommodations and other areas. The Commission has the authority to investigate complaints, resolve cases through mediation and adjudicatory hearings, and advocate in support of human rights issues in partnership with state and federal agencies. In the absence of an active HRC, complaints had been received by the city's Fair Housing and Equity Department and referred elsewhere as appropriate.

Administration

The Human Rights Commission is administered by the city's Health and Human Services Department, and has an executive director.

Budget – Human Rights Commission (2021 – Proposed)

Personnel	\$228,346
Contractual Services	10,400
Supplies/Materials	1,000
Current Charges and Obligations	11,000
Total	\$250,746

Staffing – Human Rights Commission (FTE)

Executive Director	1
Human Rights Commissioners (unpaid)	7

Caseload

No information is available at this time about the number, if any, of complaints or cases investigated, heard or decided by the Boston Human Rights Commission.

Columbus, OH

Activities

The Columbus Community Relations Commission (CRC) holds hearings to determine if probable cause exists for violations of the Columbus civil rights ordinance. If so, complaints are referred to the City Attorney for criminal prosecution as a misdemeanor. Investigations and informal mediation prior to a formal hearing is carried out by administrative staff. The CRC also mediates issues of tension between community groups and provides support and sponsorship of local civil rights tours, educational programs and neighborhood “best practices” conferences. The CRC is working with legislators to shift from a misdemeanor civil rights ordinance to a civil-penalty structure in an effort to reduce the City’s burden of proof in prosecuting violations.

Administration

In July 2016, the CRC, previously an independent office under the mayor, was merged with the newly-created Department of Neighborhoods (DON). A DON staff member supports the CRC and conducts investigations into discrimination complaints. The DON also implements a “New Americans” initiative for integrating immigrant families, operates the city’s 311 complaint line and supports a number of neighborhood pride-building initiatives and services.

Budget and Staffing

The 2020 DON budget and staffing is as follows:

Program	Budget	FTE
Administration	\$842,831	6
Other	371,989	3
New American Initiative	242,012	2
Community Relations Office (CRC support)	186,830	1
311 Call Center	2,082,113	24
Neighborhood Pride	1,319,149	10
Neighborhood, Agency Services and Community Planning	1,023,625	2
Total	\$6,068,550	48

CRC Commissioners (unpaid)	23
----------------------------	----

Caseload

The DON typically receives 35 verifiable complaints annually (excluding complaints over which the CRC has no jurisdiction or the complainant is unwilling to follow-up with). Of those 35 complaints, approximately 10 receive a formal investigation to determine if there is probable cause for a violation of the Columbus civil rights ordinances. In the last year, no complaint has come to an administrative hearing before the CRC or been referred to the Columbus City Attorney. A number of complaints have been resolved through an informal mediation process prior to a hearing before the CRC.

Detroit, MI

Activities

Detroit's Human Rights Commission (HRC) establishes policies governing the City's Department of Civil Rights, Inclusion and Opportunity (CRIO) and consents to rules and procedures adopted by CRIO. Each year, the HRC typically focuses on one or two human rights issues of city-wide importance and works with City departments and community stakeholders to resolve problems or improve conditions. In a recent example, the HRC worked with local business owners to bring city gas stations into compliance with ADA standards. The HRC also requests reports from CRIO and other City agencies to monitor compliance with local-hire programs and other City initiatives. The HRC has four standing sub-committees: bylaws, minority business development, human trafficking and housing.

Administration

Detroit's Human Rights Commission is administered and staffed by the City's CRIO department. A Civil Rights team within the department investigates complaints of discrimination within Detroit, investigates, makes findings and leads trainings on violence, sexual harassment and discrimination for City employees, maintains Detroit's Limited English Proficiency plan and enforces the ADA in City programs. CRIO also administers and certifies local, small, women-owned and minority-owned businesses and monitors Detroit's residents preference and skilled trades employment programs.

Budget and Staffing (FTE) (2021)

Personnel	\$906,916
Professional and contractual services	723,434
Other expenditures	1,748,382
Total	\$3,378,732

Civil Rights team	4
Business Opportunity team	3
Construction Outreach team	2
Incentives Compliance program	3
HRC Commissioners (compensation data unavailable)	11

Caseload (2019)

Complaint Type	
Discrimination	56
Workplace violence	41
Sexual harassment	13
Retaliation	7
Americans with Disabilities Act cases	6
Total	125

Indianapolis, IN

Activities

The Indianapolis Equal Opportunity Advisory Board (EOAB) investigates claims of discrimination within Indianapolis and surrounding Marion County, and carries out public policy as stated in the Indiana Civil Rights Law and the Indiana Fair Housing Law. A three-member panel determines whether reasonable cause exists to believe that a discrimination violation has occurred. If conciliation cannot resolve the issue, a three-member adjudication committee holds a hearing, issues findings of fact and conclusions, and, if necessary, issues an order to end discriminatory practices and restore a complainant's losses. The EOAB consists of 14 members; 8 are appointed by the mayor and 6 by the city-county counsel.

Administration

The EOAB oversees the Office of Equal Opportunity within the Office of Corporation Counsel (office of the city/county attorney) and the Office of Minority and Women Business Development. The EOAB has three standing committees – Contract Compliance Committee, Investigation Panel and Complaint Adjudication Committee.

Budget

Indianapolis functions in a unified government arrangement with surrounding Marion County. Annual budget data is published for the City-County Office of Corporation Counsel as a whole, but there is no break-down indicating the resources specifically appropriated for supporting the EOAB or for investigating discrimination complaints. The 2020 Budget for the Office of Corporation Counsel is \$5.5 million.

Staffing

A review of EOAB meeting videos indicates that a part-time staff attorney is responsible for investigating complaints and preparing reports. This position appears to be the only Office of Corporation Counsel personnel assigned to the EOAB.

EOAB members (compensation data unavailable)

14

Caseload (2017-2019)

	2017	2018	2019
Holdover cases from prior years	23	4	6
New employment cases filed	8	16	19
New housing cases filed	2	3	4
New public accommodation cases filed	5	2	5
Cases resolved	34	23	30

Kansas City, MO

Activities

The Human Rights Commission (HRC) hears complaints about violations of the City's anti-discrimination ordinances in relation to employment, housing and public accommodations. The HRC has created task force sub-committees on business/labor, gay and lesbian issues, law enforcement, communications and media relations, religion and youth/education, and prepares an annual report on the conditions of minority groups in the city.

Administration

The Human Relations Department (HRD) provides service, compliance and enforcement in the areas of affirmative action, civil rights, contract compliance, construction workforce, minority, women or disadvantaged business enterprises, small local business enterprise, and housing. The HRD Civil Rights Division staffs the HRC, enforces the City's anti-discrimination ordinance and carries out all investigations. The Civil Rights Division refers a case to the Human Rights Commission for an administrative hearing only after determining that there is probable cause to believe discrimination occurred and failing to facilitate an agreement between the parties.

Budget – Human Relations Department (2020)

Personnel	\$2,225,356
Contracted Services	305,301
Other Expenses	14,815
Total	\$2,545,472

The HRC receives free parking and a budget of \$20,000 - \$30,000 annually to attend public outreach events, distribute outreach materials and cater meetings.

Staffing – Human Relations Department (FTE)

Administration	4
Civil Rights Division	5
MBE/WBE monitoring	10
Total	19

HRC Commissioners (unpaid)	7
----------------------------	---

Caseload

As of 2018, employment investigators carry an inventory of 30-40 monthly and close 70-100 cases per year. Housing investigators carry an inventory of 5-10 cases monthly and close 20-30 cases per year. No information is available as to public accommodation complaints or the number of cases that are reviewed by the HRC.

Madison, WI

Activities

The Equal Opportunities Commission (EOC) studies the existence, character, causes and extent of the denial of equal opportunity in violation of City ordinances and formulates policy regarding processing of complaints of discrimination in employment, housing, public accommodations, City facilities and credit. The EOC also reviews cases on appeal from decisions issued by the EOC Hearing Examiner and appeals of administrative dismissals issued by the Equal Opportunities Division Manager on complaints filed under the City's Equal Opportunities Ordinance.

Administration

Madison's Department of Civil Rights manages and coordinates the City's responsibilities on affirmative action, disability rights and equal opportunity, and provides staff and support for the City's Equal Opportunities Commission, Affirmative Action Commission and Commission on People with Disabilities. The Department of Civil Rights has three divisions: Affirmative Action, Equal Opportunities, and the Disability Rights and Services Program. The Equal Opportunities Division is responsible for investigating discrimination complaints and making jurisdictional determinations, deciding appeals on findings of no probable cause, holding hearings on claims of discrimination following findings of probable cause, and rendering preliminary decisions after a hearing.

Budget – Department of Civil Rights (2020)

Personnel Budget	\$1,831,216
Other	23,098
Purchased Services	256,086
Total	\$2,110,400

Staffing – Department of Civil Rights (FTE)

Director	1
Equal Opportunities Division	8
Affirmative Action Division	7
Disability Rights and Services Program	1
Racial Equity and Social Justice Initiative	1
<i>EOC Commissioners (unpaid)</i>	<i>13</i>
Total Budgeted FTEs	18

Caseload

	Cases Filed	Employment	Housing	Public Accomodat.	Appealed
2016	118	68%	19%	14%	2
2015	100	68%	15%	17%	0
2014	112	74%	13%	13%	4

Minneapolis, MN

Activities

The Commission on Civil Rights (CCR) implements the City's civil rights policies through public information, education, mediation, conciliation and enforcement. Administrative hearing panels decide discrimination cases investigated by the Department of Civil Rights Complaint Investigations Division. A panel of three commissioners hears each case as an administrative trial, makes written findings, and has the ability to award damages, punitive damages, attorney fees and other relief. The CCR has standing committees for public relations/education, standards/procedures and contract compliance.

Administration

The Minneapolis Department of Civil Rights investigates and resolves discrimination complaints, monitors compliance with the City's local, women and minority workforce and enterprise requirements, processes police conduct complaints, improves the City's equitable service delivery and organizational culture through the use of an equity lens, and oversees compliance with the City's Sick and Safe Time ordinance.

Budget – Department of Civil Rights (2020)

Complaint Investigations	\$721,000
Equity Division	630,000
Contract Compliance	2,190,000
Office of Police Conduct Review	1,036,000
Labor Standards Enforcement	860,000
Total	\$5,437,000

Staffing – Department of Civil Rights (FTE)

Complaint Investigations	6.63
Equity Division	3.33
Contract Compliance	10.96
Office of Police Conduct Review	8.75
Labor Standards Enforcement	5.33
Total	35

CCR Commissioners (compensated \$35 per monthly meeting)	21
--	----

Caseload (2018)

Discrimination cases filed	124
Alternative dispute resolution mediations	21
Reviews of appealed cases	5
Discrimination cases closed (66% no probable cause or dismissed)	126

Omaha, NE

Activities

The Omaha Civil Rights Hearing (CRH) Board receives, initiates, investigates, determines the merits of, attempts to settle, settles, dismisses and petitions for hearing charges alleging unlawful practices under the City's civil rights ordinance. The Omaha Human Rights and Relations (HRR) Board investigates and studies complaints and situations arising between groups of individuals which result or may result in tensions, unlawful discrimination or prejudice. The HRR Board also works to promote understanding and respect between racial, religious and nationality groups, and make recommendations to the City for the development of policies that will aid in eliminating unlawful discrimination.

Administration

The Omaha Human Rights and Relations Department oversees the HRR Board, the CRH Board and the Economic Inclusion Council. The Human Rights and Relations Department is also responsible for contract compliance and economic inclusion administration, civil rights investigations and enforcement support services, and promoting human rights and community relations. The Department receives some HUD and EEOC contract funding for investigating federal housing and employment law violations.

Budget – Human Rights and Relations Department (2020)

Human Relations/Economic Inclusion	\$924,816
Civil Rights Investigations and Enforcement Support Services	333,204
Community Relations and Contract Compliance	322,358
Total	\$1,258,020

Staffing - Human Rights and Relations Department (FTE)

Director, assistant director, secretary,	3
Support staff	2
Civil rights investigators	3
Economic Equity and Inclusion Program Administrator	1
Small and Emerging Small Business Program Administrator	1
Human Rights and Relations Board members (unpaid)	9
Civil Rights Hearing Board members (compensation data unavailable)	11

Caseload - Human Rights and Relations Department (2018)

Cases resolved	64
Charges taken	76
Intake contacts	1,300
Outreach initiatives	80
Small businesses certified	70

Pittsburgh, PA

Activities

The Commission on Human Relations (CHR) studies and investigates complaints of alleged discrimination in employment, housing, public accommodations, and civil rights practices involving City employees as well as any conditions having adverse effects on intergroup relations in the City. The Commission on Human Relations has three program areas: Unlawful Practices Administration and Enforcement, Inter-Group/Police Community Relations and Education and Outreach. In addition to reviewing the findings of staff, the CCR may hold public hearings, make findings of fact and issue orders.

Administration

The CHR is an independently-run and budgeted City department, which receives some HUD and EEOC funding. While the Mayor appoints the commissioners, the commissioners are responsible for selecting and hiring a director and staff, including an attorney. The CHR is divided into two sections – the Compliance Review Section and the Public Hearing Section. The Compliance Review Section reviews case determinations by the CHR staff with regard to whether probable cause exists for unlawful discriminatory practice complaints and approves or disapproves findings by majority vote. The Public Hearing Section conducts public hearings upon a majority vote of the Compliance Review Section and renders the Commission's final decisions regarding cases.

Budget – Commission on Human Relations (2020)

Personnel	\$492,308
Other	44,488
Total	\$536,796

Staffing – Commission on Human Relations (FTE)

Director, deputy director, administrative assistant	2
Fiscal and contracting coordinator	1
Investigators	4
Total	8
CHR Commissioners (unpaid)	15

Caseload – Commission on Human Relations (2019)

New Cases		Cases Closed	
Employment adjudications	51	Lack of probable cause	44
Housing adjudications	23	Administrative closure	15
Public accommodations adjudications	4	Settlement	17
		Probable cause (referral)	4

St. Louis, MO

Activities

The St. Louis Civil Rights Enforcement Commission (CREC) advises the City of problems affecting human and inter-group relations, makes studies and provides data for community development, and recommends measures to further amicable relations among the various segments of the population. The CREC also reviews the record of contested discrimination cases and accepts or amends the recommended findings of fact and conclusions of law. Of the 10 current commissioners, 9 were appointed by the mayor and one is an alderperson appointed ex officio.

Administration

The CREC is staffed and administered by the St. Louis Civil Rights Enforcement Agency (CREA). CREA investigates violations of discrimination laws and works to eliminate discrimination in housing, employment, education, services, public accommodations, real estate transactions and uses. Previously, the CREA had HUD and other contracts to investigate housing discrimination. However, following changes in state law in 2017, CREA is no longer eligible to accept federal HUD fair housing enforcement contracts. CREA still has contracts to investigate EEOC violations, but the majority of the department's budget is focused on investigations and enforcement of the city's civil rights ordinances.

Budget – Civil Rights Enforcement Agency (2021)

Personnel services - general	\$335,314
Other - general	18,132
Personnel services – EEOC contract	25,883
Other – EEOC contract	7,500
Total	\$386,829

Staffing – Civil Rights Enforcement Agency (FTE)

Director, deputy, investigator, admin assistant	4
EEOC Contract (investigator)	0.5
Total	4.5
CREC Commissioners (unpaid)	10

Caseload – Civil Rights Enforcement Agency (2019)

Equal employment cases opened	19
Equal employment cases closed	8
Fair housing cases opened	49
Fair housing cases closed	27
Public accommodation cases opened	7
Public accommodation cases closed	2

St. Paul, MN

Activities

St. Paul's Human Rights and Equal Economic Opportunity (HREEO) Commission serves in an advisory capacity to the Director of the HREEO Department and reviews the performance of the HREEO Department. The HREEO Commission conducts studies, hearings, investigations, makes recommendations and determines discrimination complaints under St. Paul's human rights ordinances, and hears appeals under St Paul's public health, safety and welfare ordinances.

Administration

The HREEO Department administers four groups – the HREEO Commission, a civilian police internal affairs review commission, and advisory committees on aging and people with disabilities. The Human Rights Division of the HREEO Department is a neutral, fact-finding body, and investigates alleged acts of discrimination, determines findings of “cause” or “no cause” of discrimination, and mediates settlement discussions before and after findings of probable cause. The HREEO Department also provides procurement contract and analysis services, contract compliance and business development services, human rights and racial equity services, and implements the City's new Earned Sick and Safe Time program. The HREEO Department also runs a print/design/copy enterprise that provides services to the region.

Budget – Human Rights and Equal Economic Opportunity Department (2020)

HREEO Administration	\$142,729
Human Rights	764,232
Labor Standards	403,167
HREEO Special Projects	30,000
Contract Compliance and Business Development	496,793
Procurement Contract and Analysis Services	1,019,010
General Government Special Projects	177,267
River Print (print/design/copy enterprise)	1,182,108
Minority Business Development	750,438
Police Civilian Internal Affairs Review Commission	99,148
Total	\$5,064,892

Staffing – Human Rights and Equal Economic Opportunity Department (FTE)

Human Rights (Director, investigators)	9
Labor Standards	4
Contract Compliance	7.4
Contract Analysis Services	9
River Print (print/design/copy enterprise)	3
Total	32.4

HREEO Commissioners (compensated \$25 per meeting/max \$600/year)	21
---	----

Caseload – Human Rights (2018)

Complaints filed (65% employment discrimination cases)	104
Cases investigated or closed	92
Funds collected in probable cause settlements	\$83,260

If you have any other question related to this matter, please let me know.

LRB 176249-2