



Caring People ♦ Quality Programs ♦ Exceptional Service

MEMO

To: Mayor and City Council
From: Brian Phillips, Assistant City Manager
Date: August 21, 2018
Subject: Joint Meeting with Ames Human Relations Commission

On May 8, 2018, the City Council met in joint session with the Ames Human Relations Commission. The Commission delivered its annual report, and a discussion ensued regarding the Commission's activities. **In the interest of having a dedicated time to speak with the Commission, the Council resolved to hold this joint workshop with the Commission.** The Council further directed that representatives from the Ames Community School District and ISU be invited to attend the workshop. Those invitations have been sent.

The specific objective of this workshop is to discuss the Commission's purpose and topics to pursue. The Commission's currently adopted strategic plan includes four main areas of focus, which are defined below:

Watchdog – Undertake activities to discover conduct or circumstances that may lead to prohibited discrimination so the community can be warned and assisted in preventing it.

Information and Analysis – Study the existence, character, causes and extent of discriminatory practices in the community.

Public Awareness and Effective Communication – Work to improve the Commission's profile and effectiveness in communicating with the general public.

Management Excellence – Strive to keep the strategic plan at the forefront of all its decisions and activities.

The Council may provide specific direction regarding the types of issues to address, educational activities to undertake, or other areas of focus for the Commission.

One aspect of the Commission's current work that may benefit from more specific direction from the City Council is in regards to discrimination investigations. The ordinance establishing the Commission outlines unlawful discrimination activities that mirror the protections in state law. However, no investigations have been conducted locally in several years and there are no current investigators or hearing officers who have experience conducting these investigations. Staff's experience with investigations of this nature is limited,

and so there is minimal ability to advise the investigators and the parties involved in an investigation regarding the process. Additionally, investigations that might originate as a local investigation have occasionally turned out to have occurred in another jurisdiction (e.g., rural Story County or Boone). This has been frustrating to complainants when they learn their complaint cannot be investigated locally by our office.

The City has an agreement with the Iowa Civil Rights Commission (ICRC), which is renewed annually. Through this agreement, the City agrees to act as an intake office for discrimination complaints, which are then forwarded to ICRC for investigation and resolution by its professional staff. There are several communities in Iowa which follow this model for handling discrimination complaints, rather than investigating the complaints using local resources. ICRC will pay the City for its participation in this process. **In the opinion of staff, this ICRC arrangement has been a more efficient and effective method to address these complaints compared to investigating them locally.**

The City is required by state law to have a human relations commission, but is not required to conduct investigations. Therefore, it is possible for the City to forego local investigations in order to focus on educational and training efforts. A trade-off to this approach is that ICRC will only investigate alleged discrimination under state law, not our local ordinances. Therefore, if the City ever adopted local discrimination protections greater than state law, there would need to be some local mechanism to enforce them. **If the City Council believes investigations are an important aspect of the Commission's work that should be retained locally, an effort would need to be made to appoint volunteer investigators and hearing officers, and then invest resources in training them to handle investigations.**