

**Rapid City Human Relations Commission
Semi-Annual Report
January 14, 2015**

Complaints Filed July-December 2014:

Since the last reporting period, two (2) verified complaints of discrimination have been filed with the Rapid City Human Relations Commission. A “verified complaint” is defined as one in which it has been established that the individual alleging unlawful discrimination is: (1) a member of a protected class and (2) has sworn or affirmed in an affidavit that to the best of his or her knowledge and belief that the information they have supplied during the intake process is true and correct.

The first complaint was filed on September 11, 2014 and at the request of the Respondent, the file was transferred on September 26, 2014 to the State Division of Human Rights. The second complaint was filed on December 30, 2014. The Respondent was notified by registered mail that a complaint of discrimination was filed with the Rapid City Human Relations Commission and we are now awaiting the response, which is due thirty (30) days from the date of receipt of the notice.

It should be noted that in addition to the two verified complaints prepared during this time period, that Assistant City Attorney, Wade Nyberg, met with or provided information to other potential Complainants. In one instance, the party requesting information and advice decided to postpone filing and in another, the individual wishing to file a complaint was referred to the State Division of Human Rights. The referral was made due to the fact that the alleged discrimination involved another governmental agency and under the ordinance governing the Rapid City Human Relations Commission, those cases are outside our jurisdiction.

Not reflected in our case statistics are contacts regarding complaints of unfair treatment that could not be handled by the Human Relations Commission because the Complainant’s issue did not involve a protected category as defined under federal or state civil rights law. Those individuals, however, were assisted and if possible, referred to an appropriate department or agency for help.

Commission Membership:

We have welcomed two new members to the Commission following the departure of Wayne Gilbert and Michael Goodroad at the end of their terms. Merton Tice, Jr. and Andy Ainslie were sworn into office at the November meeting. We are grateful to Wayne and Michael for their service and I want to acknowledge them for their commitment to equal opportunity for all citizens and visitors to Rapid City and for the time that they gave to the Commission.

New officers were elected in November:

Chair:	Sue Timmons
Vice Chair:	Andy Ainslie
Administrative Officer:	Jamie Al-Haj

Commission Handbook/Policy Manual:

As a result of the changes in how complaints are handled by the HRC, a handbook, amounting to over 75 pages was developed for members to use as a guide and a reference tool. It was drafted by a sub-committee of the Commission in collaboration with Wade Nyberg, Assistant City Attorney, and distributed in September. The handbook contains a detailed description of the roles and responsibilities of

members and officers. The By-laws were revised in accordance with the ordinance changes and are included in the handbook. A Confidentiality and Conflict of Interest Policy was drafted to cover the specific responsibilities of the Human Relations Commission under the revised ordinance. The procedures and processes of handling a case from intake to conclusion are delineated in the handbook. The rest of the handbook is devoted to covering applicable law.

Commissioners recently requested guidance on how to handle various interactions that they may have with members of the public and news media. Commission members, Assistant City Attorney, Wade Nyberg, and the City's Communications Coordinator, Darrell Shoemaker, developed and drafted a policy for inclusion in the handbook.

The intention behind the development of the Rapid City Human Relations Handbook was to provide a training and reference tool for current and future members and to assure a smooth transition when, over the years, members leave and new commissioners are appointed.

Commissioner Training and In-service:

Since July, training has been provided during meetings by Assistant City Attorney, Wade Nyberg, in the following areas:

- The procedures for handling a discrimination complaint from beginning to conclusion,
- The Screening Standard for potential complaints,
- Confidentiality, Conflict of Interest and Ex Parte Communications,
- The Due Process Standard, and
- Communications Policy.

In addition to these topics, Attorney Jane Pfeifle conducted a workshop in September for the Commission on Employment Discrimination law. The workshop was recorded and video copies were given to members not able to attend and to new members joining the Commission.

It is the intention of the Commission to continue to schedule training sessions for members.

Public Education and Outreach:

Interviews have recently been given to KOTA TV and Native Sun News about the work of the Commission. Members are being requested to develop a plan for public outreach and education in 2015. We will also be consulting with Tim Reilly at Midcontinent Communications regarding our public service announcement. In addition, we are looking at ways that we can make our page on the city website more informative, and user friendly. We are hoping it can be updated early this year.

Respectfully submitted,

Sue Timmons, Chair
Rapid City Human Relations Commission