

ANNUAL REPORT

2022 FISCAL YEAR

JULY 1, 2021 THROUGH JUNE 30, 2022



RHODE ISLAND COMMISSION FOR HUMAN RIGHTS

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“The practice or policy of discrimination against individuals ... is a matter of state concern. Such discrimination foments domestic strife and unrest, threatens the rights and privileges of the inhabitants of the state, and undermines the foundations of a free democratic state. The denial of equal employment opportunities because of such discrimination and the consequent failure to utilize the productive capacities of individuals to their fullest extent deprive large segments of the population of the state of earnings necessary to maintain decent standards of living, necessitates their resort to public relief, and intensifies group conflicts, thereby resulting in grave injury to the public safety, health, and welfare.

It is hereby declared to be the public policy of this state to foster the employment of all individuals in this state in accordance with their fullest capacities ... and to safeguard their right to obtain and hold employment without such discrimination.

The right of all individuals in this state to equal employment opportunities ... is hereby recognized as, and declared to be a civil right.”

– From R.I. Public Laws 1949, Ch. 2181, by which the Commission for Human Rights was created and empowered

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COMMISSIONERS AND STAFF MEMBERS

COMMISSIONERS

Chairperson: John B. Susa, Ph.D.
Angelyne E. Cooper, Esq.
Cynthia M. Hiatt, Esq.
Rochelle Bates Lee
Marcus P. Mitchell
Tolulope Kevin Olasanoye, Esq.
Iraida Diaz Williams

STAFF

Executive Director: Michael D. Évora, Esq.

Staff Attorney IV: Kate C. Brody, Esq.

Staff Attorney III: John C. Bogue, Jr., Esq.

HUD Project Director: Jason Flanders

EEOC Project Director: Marlene Colón Toribio

Sr. Compliance Officer: Tina M. Christy

Sr. Compliance Officer: Allison G. Coté

Sr. Compliance Officer: Carluis Mercedes

Sr. Compliance Officer: Adriana Vargas

Investigator: Amy Hogue

Investigator: Randi Snead

Chief Clerk: Zaida Rivera

Administrative Aide: Lynn Cimaglia

Administrative Aide: Ginny Deaza

FY 2022 HIGHLIGHTS

INTAKE

The Commission took in **300 charges of discrimination**, representing a 29% increase from FY 2021. Of the new charges, 78% were in the area of employment, 17.7% in housing and 1.7% in public accommodations. Charges of disability discrimination in delivery of services (unrelated to employment, housing or public accommodations) accounted for 2.7% of intake.

Claims of disability discrimination predominated, with **44.3%** of cases taken in (133 cases), containing an allegation of disability discrimination. **Retaliation-based claims** followed in number, with **30.7%** of cases (92 cases), containing an allegation of retaliation for protected activity such as having opposed unlawful practices. **Sex-based claims** (including pregnancy and sexual harassment claims) and **race-based claims** followed at **19.7%** (59 cases) and **19%** (57 cases), respectively. An allegation of **color and religion** discrimination was raised in **13.7%** (41 cases each) of total cases.

INVESTIGATIONS/DISPOSITIONS

- **Probable Cause** was found in approximately **11.5%** of total cases processed, representing an increase from FY 2021 (9.3%);
- **No Probable Cause** was found in approximately **30.3%** of total cases processed, representing a decrease from FY 2021 (37.3%); a substantial number of these cases resulted from a complainant's failure to pursue their charge;
- Approximately **17.8%** of cases taken in **settled prior to a determination of Probable Cause or No Probable Cause**, representing a decrease from FY 2021 (18.3%).

DECREASED CASE PROCESSING TIME

The Commission has realized a steady and significant decrease in the time taken to process cases. While the average age of a case at closure in FY 2003 was over three years, the average age of cases closed in FY 2022 was 439 days.

ADMINISTRATIVE HEARINGS

The Commission issued three Decision and Orders during the fiscal year:

- The Commission found that the evidence did not establish by a preponderance of the evidence that the respondent discriminated against the complainant with respect to discriminatory terms and conditions of employment on the basis of race and color as alleged where the complainant failed to appear at the administrative hearing and failed to subsequently justify her absence,
- The Commission found that a complainant proved by a preponderance of the evidence that respondents subjected her to harassment, retaliation and constructive termination because she requested a reasonable accommodation and medical leave for a work-related disability.
- The Commission found that the evidence did not establish by a preponderance of the evidence that a respondent fellow tenant subjected a complainant to harassment on the basis of her familial status where, although the respondent was found in default for failing to file a timely answer to the complaint, the complainant died before the commencement of the hearing and no evidence/witnesses were presented on her behalf.

LEGISLATIVE UPDATE

The Commission presented testimony supporting bills seeking to expand protections in the laws it enforces, as well as bills related to issues such as expansion of protections under the state fair employment law, repeal of the payday lender law, voter access, police officer training, creation of assessment and training programs for incarcerated individuals and expungement of criminal records.

OUTREACH

Commission staff members conducted **49 outreach/education sessions** in the community, reaching **thousands employers, housing providers and individuals** and educating them about their rights and responsibilities pursuant to state and federal antidiscrimination laws.

AGENCY OVERVIEW

The Rhode Island Commission for Human Rights (Commission) was created by the Rhode Island General Assembly in 1949 and is one of the oldest state anti-discrimination agencies in the country. In establishing the Commission, the General Assembly declared that “[t]he practice or policy of discrimination against individuals ... is a matter of state concern” and observed that “... discrimination foments domestic strife and unrest, threatens the rights and privileges of the inhabitants of the state, and undermines the foundations of a free democratic state”. R.I.G.L. § 28-5-2. Through impartial investigation, formal and informal resolution efforts, predetermination conferences and administrative hearings, the Commission seeks to ensure due process for both complainants (charging parties) and respondents (those against whom charges are filed), to provide redress for victims of discrimination and to properly dismiss cases in those instances in which charges of discrimination lack evidentiary support.

The Commission enforces Rhode Island anti-discrimination laws in the areas of employment, housing, public accommodations, credit and delivery of services. The employment and public accommodations statutes prohibit discrimination based on race, color, sex, disability, ancestral origin, religion, sexual orientation, gender identity/expression and age. The housing statute, in addition to prohibiting discrimination on these bases, also prohibits discrimination based on marital status, familial status, status as a victim of domestic abuse, housing status, military status and association

with members of a protected class. The credit statute, in addition to prohibiting discrimination on the bases covered by the employment law, also prohibits discrimination based on marital status, familial status and military status. Discrimination in the delivery of services on the basis of disability is prohibited. All of the laws enforced by the Commission also prohibit retaliation against an individual for protected activity such as having opposed unlawful practices.

The Commission’s major program activities include intake, investigation, conciliation, administrative hearings, enforcement, outreach and education.

The Commission was created and empowered by Title 28, Chapter 5 of the General Laws of Rhode Island (the Fair Employment Practices Act) and has statutory responsibility to enforce the following laws:

- **Fair Employment Practices Act**
(R.I.G.L. § 28-5-1, *et seq.*)
- **Fair Housing Practices Act**
(R.I.G.L. § 34-37-1, *et seq.*)
- **Hotels and Public Places Act**
(R.I.G.L. § 11-24-1, *et seq.*)
- **Prevention and Suppression of Contagious Diseases — HIV/AIDS Act**
(R.I.G.L. §§ 23-6.3-11 and 23-6.3-12)
- **Civil Rights of People with Disabilities Act**
(R.I.G.L. § 42-87-1, *et seq.*)
- **Equal Rights to Public Facilities Act**
(R.I.G.L. § 40-9.1-1, *et seq.*)

The Commission is overseen by seven Commissioners who are appointed by the Governor with the advice and con-

AGENCY OVERVIEW

sent of the Senate. The Commissioners are not compensated for the services they render to the agency.

In addition to enforcing state laws, the Commission has contractual agreements with the **Equal Employment Opportunity Commission (EEOC)** and the **U.S. Department of Housing and Urban Development (HUD)** to assist in the enforcement of the following federal laws: **Title VII of the Civil Rights Act of 1964**; the **Age Discrimination in Employment Act of 1967**; the **Americans with Disabilities Act**; and **Title VIII of the Civil Rights Act of 1968**.

COMMISSION WORKFORCE PROFILE

	Number of Employees	Percent of Total
Total Staff	14	100%
Identify as Female	10	71.4%
Racial/Ethnic Minorities	7	50%

EQUAL OPPORTUNITY COMMITMENT

The Commission's commitment to equal opportunity remains constant. In addition to promoting its internal affirmative action plan, the Commission routinely engages in endeavors geared to enrich and diversify the Rhode Island community. Staff members are available to participate in seminars and conferences that address equal opportunity as it relates to the Commission's work.

PROTECTED CATEGORIES UNDER STATE AND FEDERAL LAW

	Employment		Housing		Public Accommodations	Credit
	State	Federal	State	Federal	State	State
Race	√	√	√	√	√	√
Color	√	√	√	√	√	√
Religion	√	√	√	√	√	√
Ancestral Origin	√	√	√	√	√	√
Sex[1]	√	√	√	√	√	√
Disability[2]	√	√	√	√	√	√
Age[3]	√	√	√		√	√
Sexual Orientation[4]	√	√	√	√	√	√
Gender Identity or Expression[5]	√	√	√	√	√	√
Familial Status			√	√		√
Marital Status			√	*		√
Status as a Victim of Domestic Abuse			√	*		
Housing Status[6]			√			
Conviction Status[7]	√					
Military Status[8]			√			√
Lawful Source of Income[9]			√			
Retaliation	√	√	√	√	√	√

1 Includes sexual harassment and discrimination on the basis of pregnancy status.

2 Includes physical and mental disabilities.

3 Protects individuals 40+ years of age in Employment; protects individuals 18+ years of age in Housing, Public Accommodations and Credit.

4 Protects individuals who are heterosexual, homosexual or bisexual.

5 Includes an individual's actual or perceived gender, as well as an individual's gender identity, gender-related self-image, gender-related appearance, or gender-related expression, whether or not that gender identity, gender-related self-image, appearance or expression is different from that traditionally associated with that individual's sex at birth.

,6 “Housing Status” means the status of having or not having a fixed or regular residence, including the status of living on the streets or in a homeless shelter or similar temporary residence.

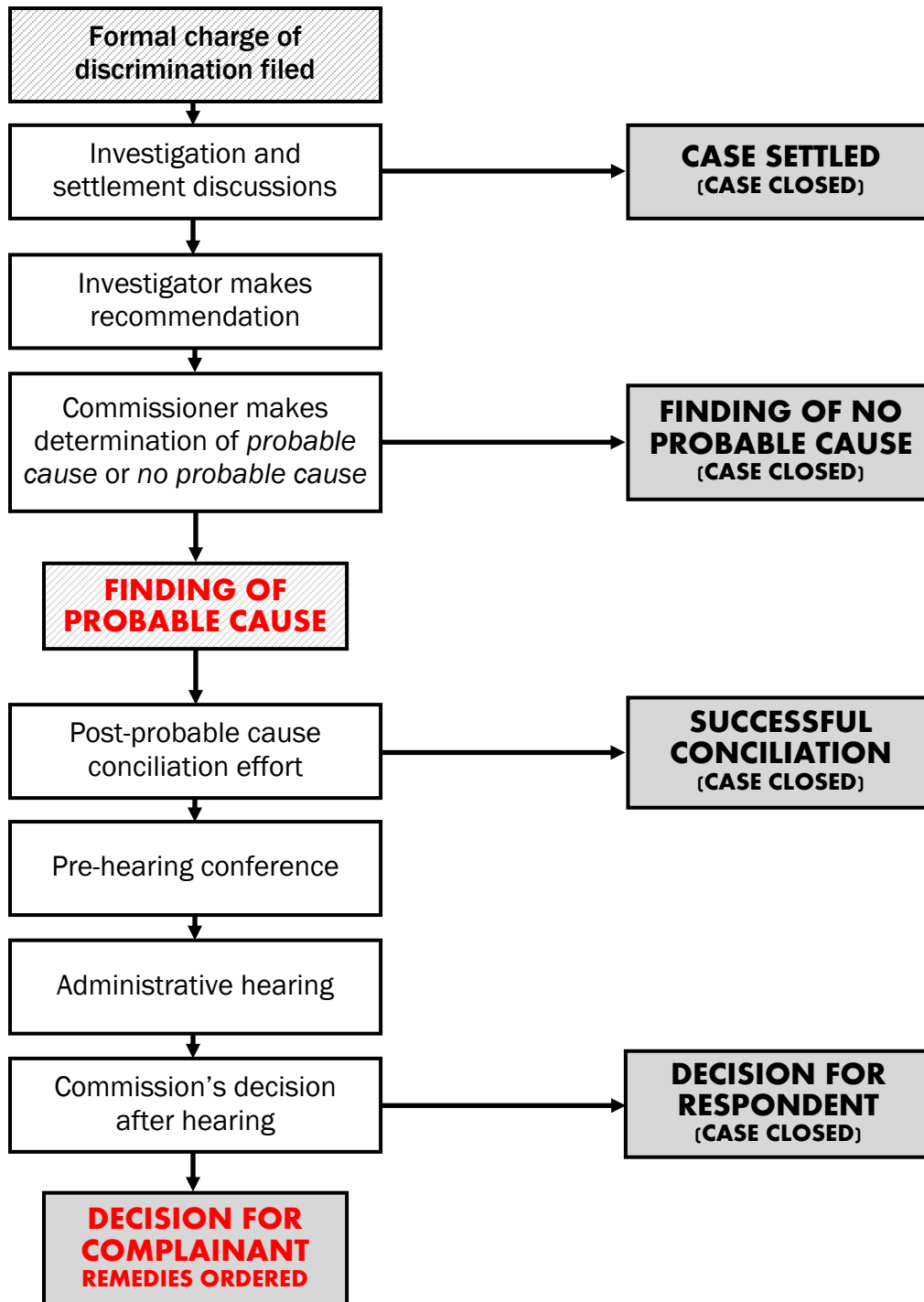
7 Prohibits employers from inquiring before a first interview, either via an employment application or otherwise, whether an applicant has been convicted of a crime. Certain exceptions apply.

8 “Military Status” means status as a service member in the Armed Forces, or status as a veteran with an honorable discharge or an honorable or general administrative discharge.

9 “Lawful Source of Income” means and includes any income, benefit or subsidy derived from: child support; alimony; Social Security; Supplemental Security Income; any other federal, state or local public assistance program, including, but not limited to: medical or veterans assistance; any federal, state or local rental assistance or housing subsidy program, including Section 8 Housing Choice Vouchers as authorized by 42 U.S.C. § 1437; and any requirement associated with such public assistance, rental assistance or housing subsidy program.

* Federal law prohibits discrimination on this basis in certain instances.

CHARGE PROCESS SUMMARY



NOTE: Rhode Island law expressly provides that, under certain circumstances, complainants and/or respondents may elect to terminate proceedings before the Commission and have the case heard in Superior Court.

FEDERAL AGREEMENTS

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

The Commission has been certified by the U.S. Equal Employment Opportunity Commission (EEOC) as a Fair Employment Practices Agency since 1968. As such, the Commission is authorized to process charges of employment discrimination which fall under federal as well as state jurisdiction (co-filed). Each year, the Commission enters into a work-sharing agreement with EEOC under which the Commission is expected to investigate a predetermined number of cases. EEOC reimburses the Commission at a fixed rate for each case closed in compliance with EEOC guidelines.

This year, the Commission met its revised contractual obligation by closing 150 co-filed cases.

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

The Commission has been certified by the U.S. Department of Housing and Urban Development (HUD) as a “substantially equivalent” agency pursuant to the federal Fair Housing Act. The Commission enters into an annual contract with HUD for fixed-rate reimbursement for the processing of housing cases filed under both state and federal law.

This year, the Commission took in 53 charges of alleged housing discrimination, 45 of which were co-filed with HUD, and processed 59 charges, 55 of which were co-filed with HUD.

FEDERAL FUNDING FY 2022*		
EEOC	Case Processing	\$124,500
	Training/Transportation	\$0
	FEPA Engagement Funds	\$1,250
	TOTAL:	\$125,750
HUD	Case Processing	\$173,200
	Administrative Costs	\$38,691
	Training/Transportation	\$18,700
	Partnership Grant	\$25,000
	Special Enforcement Efforts (SEE) Grant	\$20,000
	TOTAL:	\$275,591
TOTAL FEDERAL FUNDS:		\$401,341
<small>* EEOC’s contract year was October 1, 2021 to September 30, 2022. HUD’s contract year was July 1, 2021 to June 30, 2022.</small>		

INTAKE

Inquiries are received and evaluated. If jurisdictional requirements are met, a formal charge of discrimination is filed and forwarded to the respondent.

The intake process usually begins with a telephone call or visit to the Commission, or to the agency website. Each year the agency receives thousands of inquiries from individuals requesting information or wanting to pursue a charge of discrimination. The majority of these inquiries do not come within the jurisdiction of the Commission and these are referred to other agencies or organizations. In those cases in which the inquiry presents a claim within the Commission’s jurisdiction, an intake officer assists the individual in filing a formal charge of discrimination.

CASES TAKEN IN

The Commission took in a total of **300 cases** in the fiscal year, representing a 29 percent increase from FY 2021 (233 cases).

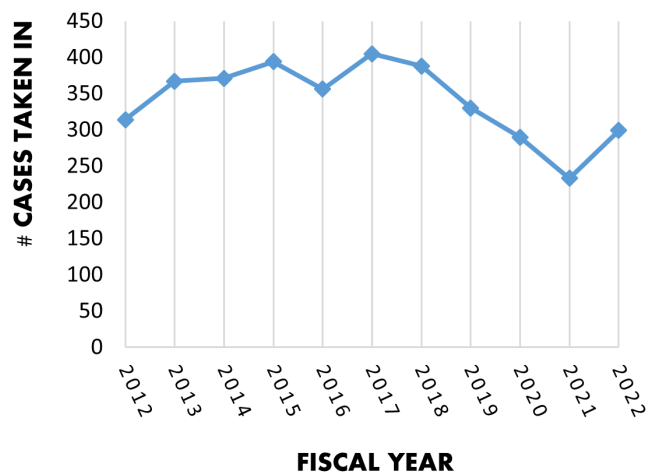
- **Disability claims predominated**, with a total of 133 new cases (44.3% of total cases) containing an allegation of disability discrimination.
- **Retaliation-based claims** followed, with 92 cases (30.7% of total cases) containing an allegation of retaliation for having engaged in protected activity.
- **Sex-based claims** (including pregnancy and sexual harassment claims) were made in 59 cases (19.7% of total cases).
- **Race-based claims** were raised in 57 cases (19% of total cases).
- **Color- and Religion-based claims** were raised in 41 cases each (13.7% of total cases).

FY 2022 INTAKE BY AREA

	Number of Cases	Percent of Total
Employment	234	78%
Housing	53	17.7%
Public Accommodations	5	1.7%
Delivery of Services*	8	2.7%
Credit	0	0%
TOTALS:	300	100

* Figures reflect charges of disability discrimination in delivery of services (unrelated to employment, housing, public accommodations or credit).

INTAKE BY FISCAL YEAR



INTAKE

FY 2022 INTAKE BY BASIS AND AREA^[1]

	Employ.	Housing	Public Accom.	Delivery of Service ^[2]	Credit	TOTALS:
Age	39	1	0	N/A	0	40
Ancestral Origin	24	7	2	N/A	0	33
Color	31	8	2	N/A	0	41
Disability	90	34	1	8	0	133
Familial Status	N/A	3	N/A	N/A	0	3
Gender Identity or Expression	2	0	0	N/A	0	2
Housing Status	N/A	0	N/A	N/A	N/A	0
Lawful Source of Income	N/A	15	N/A	N/A	N/A	15
Marital Status	N/A	3	N/A	N/A	0	3
Military Status	N/A	0	N/A	N/A	0	0
Race	46	8	3	N/A	0	57
Religion	40	1	0	N/A	0	41
Retaliation	83	9	0	0	0	92
Sex^[3]	53	4	2	N/A	0	59
Sexual Orientation	4	0	0	N/A	0	4
Status as Victim of Domestic Abuse	N/A	0	N/A	N/A	N/A	0
Unlawful Questioning	0	N/A	N/A	N/A	N/A	0

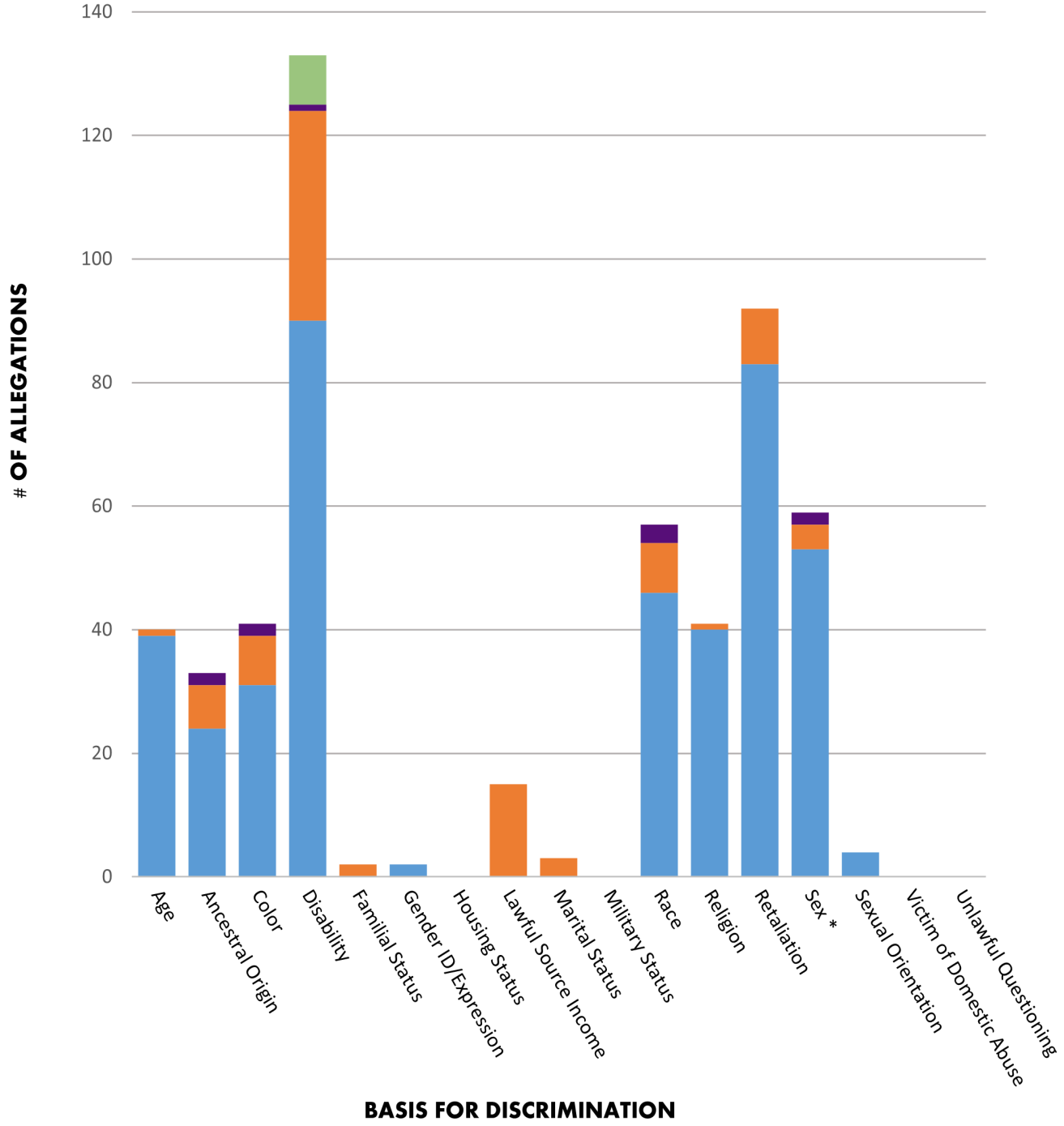
[1] Figures reflect the fact that most charges filed allege more than one basis of discrimination. Example: if a given charge alleged discrimination on the bases of age, race and color, it is reflected in the figures for all three categories.

[2] Figures reflect charges of disability discrimination in delivery of services (unrelated to employment, housing, public accommodations or credit).

[3] Includes allegations of pregnancy discrimination and sexual harassment.

INTAKE

FY 2022 INTAKE BY BASIS



* Includes allegations of pregnancy and sexual harassment.

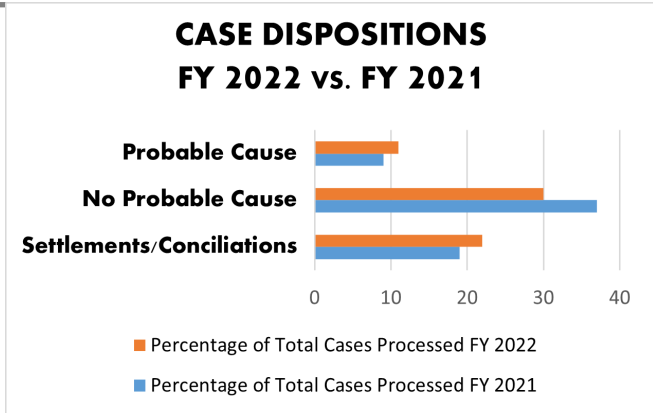
INVESTIGATIONS/DISPOSITIONS

Upon assignment, an investigator conducts an impartial investigation of the allegations and, after analyzing all elements of the case, makes a recommendation to a Preliminary Investigating Commissioner.

After the intake phase is completed and a formal charge of discrimination is filed, each case is assigned to an investigator. The average time from the filing of a charge to assignment to an investigator was six weeks or less. Most of the Commission's personnel resources are devoted to the investigation process. **Approximately 22% of case closures in FY 2022 resulted from settlements or conciliations**, representing an increase from FY 2021 (19.4%).

For those cases which do not settle, investigators use a variety of techniques to investigate the case. Often the investigators hold Predetermination Conferences where both complainants and respondents can present evidence to support or refute the allegations. The conferences are held before a Preliminary Investigating Commissioner. A case may involve the collection and analysis of comparative, statistical and/or direct evidence. Investigators may need to travel on-site to collect information and testimony pertinent to the charge. Not all investigations are alike. The individual characteristics of each case will influence an investigator's approach. In furtherance of the investigative process, the Commission issued multiple subpoenas in the fiscal year to compel the production of documents and witness testimony.

In FY 2022, a determination of Probable Cause was rendered in approximately 11.5% of total processed cases, reflecting an increase from FY 2021 (9.3%). While the percentage of Probable Cause cases may seem low, it should be noted that many potential Probable Cause cases settle prior to a formal



determination as to Cause and some cases in which the complainant requests a right to sue may be Probable Cause cases. **During the fiscal year, the Commission settled 54 cases (17.8% of total cases processed) prior to a determination as to whether Probable Cause existed.**

A No Probable Cause determination was rendered in approximately 30.3% of total processed cases, reflecting a decrease from FY 2021 (37.3%). A significant number of these No Cause findings resulted from a complainant's failure to pursue their charge by failing to respond to requests for information.

For the twenty-fourth consecutive year, the Commission processed more cases than it took in (304 vs. 299), resulting in a continued decrease in the number of cases carried forward to the next fiscal year. "Processed" cases include cases in which a determination of Probable Cause is rendered. Although such cases are not yet closed, they are included in the list of case dispositions to provide an accurate view of the Commission's work.

INVESTIGATIONS/DISPOSITIONS

TERMS AND DEFINITIONS

Administrative Closures	Includes cases closed for failure to locate a complainant, complainant's failure to cooperate, no jurisdiction, charges withdrawn without benefits, receiverships, and bankruptcies.
Conciliation	Case settled after a finding of probable cause.
Decision and Order	Commission makes a finding after a hearing before the agency. If the decision is for the complainant, remedies are ordered. If it is for the respondent, the case is dismissed.
Negotiated Settlement	Case formally settled prior to a finding of Probable Cause or No Probable Cause.
No Probable Cause	Insufficient evidence exists to support the probability that the complainant was a victim of discrimination.
Probable Cause	Sufficient evidence exists to support the probability that the complainant was a victim of discrimination.
Right to Sue	Complainant is issued a Notice enabling her/him to take the case to court, and the Commission closes the case internally.
Withdrawal with Settlement	Complainant withdraws the case upon receiving a settlement from the respondent.

CASE DISPOSITIONS FY 2022

TYPE OF DISPOSITION	# OF CASES
Probable Cause	35
No Probable Cause	92
Conciliation*	13
Negotiated Settlement	12
Withdrawal with Settlement	42
Right to Sue	89
Decision and Order	3
Administrative Closure	18
TOTAL:	304

* Includes conciliation of cases in which probable cause was found in a prior fiscal year.

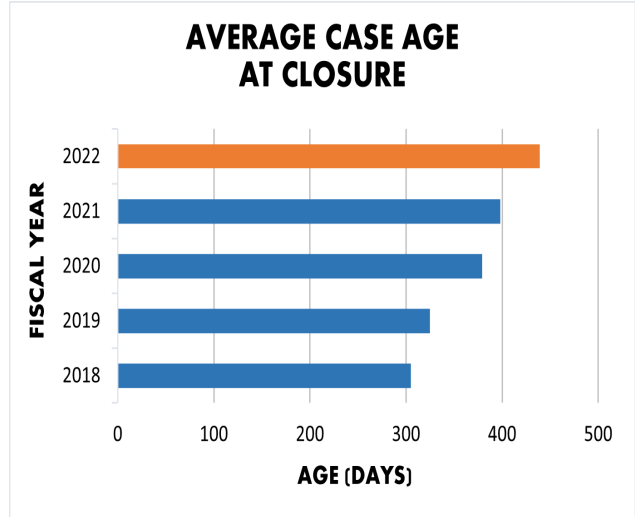
STATUS OF FY 2022 PROBABLE CAUSE CASES

Probable Cause Rulings (includes mixed rulings)	35
Respondent's Election to Superior Court for Trial	20
Complainant's Election	0
Joint Election	0
Conciliation	3
Open as of 6/30/22 [pending right to sue, administrative hearing, conciliation or other action]	12

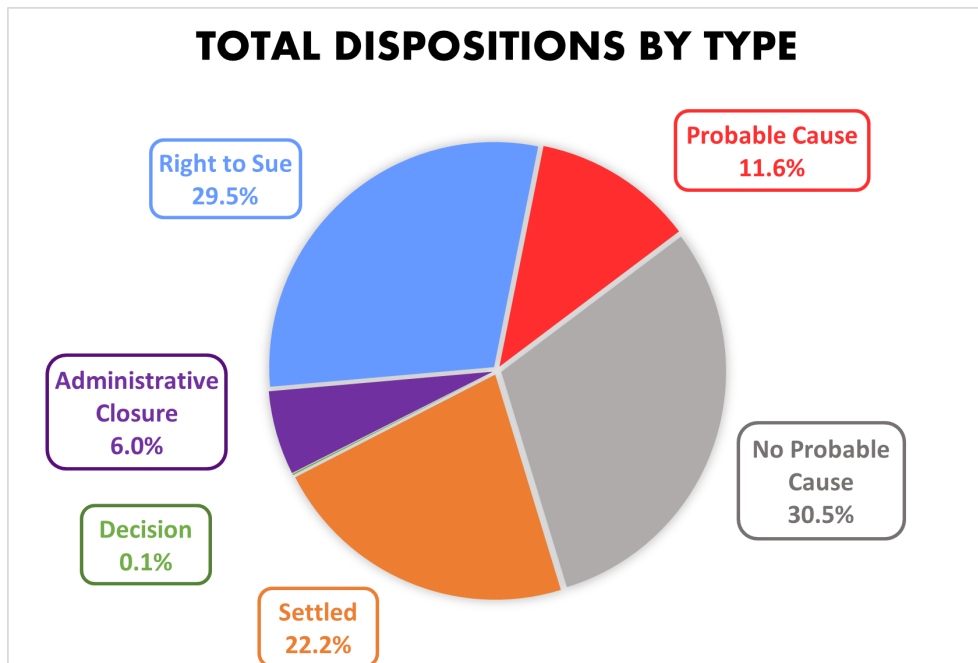
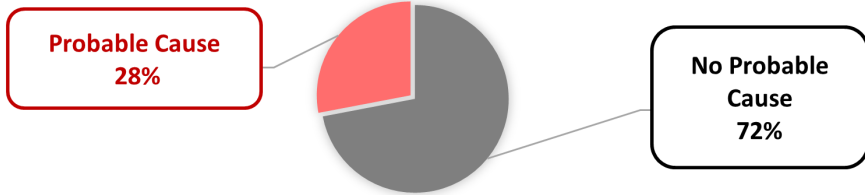
CASELOAD STATISTICS

CASE PROCESSING TIME

In recent years, the Commission has labored to ensure more expeditious processing of cases. The “hands on” approach in caseload management taken by Director Évora, concerted staff efforts and the use of the Commission’s subpoena power to expedite stalled investigations are among the tools used to achieve success in this area. The average age of cases closed in FY 2003 exceeded three years. By FY 2006, that time had been decreased to 423 days. **For FY 2022, the average age of a case at closure was 439 days.**



INVESTIGATIVE RULINGS 2022



ADMINISTRATIVE HEARINGS

After a Probable Cause ruling, a Commissioner may conduct an administrative hearing during which sworn testimony is taken before a stenographer. A Decision and Order is rendered thereafter.

The administrative hearing process begins after the Preliminary Investigating Commissioner finds probable cause and the parties are unable to conciliate. (The parties have the statutory right, after a finding of probable cause, to elect to have the matter heard and decided in the Superior Court; in cases in which no such election is made, the agency's administrative hearing process commences.) One Commissioner conducts the hearing with the assistance of a Staff Attorney. At the hearing, which is less formal than a court trial, witnesses present sworn testimony and relevant exhibits are accepted. A stenographer makes a record of the entire proceeding. After the parties present all their evidence, three Commissioners decide the case and issue a Decision and Order.

A typical hearing lasts from one to three days. For all parties involved, including the Commission, the administrative hearing can be a costly and time-consuming activity. Despite receiving no reimbursement for services rendered, Commissioners routinely hold hearings.

In FY 2022, the Commission issued the following Decision and Orders:

• **Jerei Braxton v. Archetype, LLC d/b/a Fete Music Hall** (November 12, 2021)

The complainant alleged that the respondent subjected her to discriminatory terms and conditions of employment because of her race and color, in violation of the Rhode Island Fair Employment Practices Act. (An investigatory ruling of no probable cause issued with respect to other allegations made by the complainant, i.e., discriminatory terms and conditions of employment and termination based on national origin and retaliation, and discriminatory termination based on race and color.) Specifically, the complainant, an African-American bartender, alleged that respondent management staff subjected her to discriminatory treatment, including referring to her using racial slurs, and that respondent took no prompt, remedial corrective action when she reported the discrimination.

The complainant failed to appear at the administrative hearing. The respondent appeared at the hearing and presented evidence. The complainant subsequently failed to respond to a letter offering her an opportunity to write to the Commission with a justification for her absence at the hearing.

The Commission, concluding that the evidence did not establish by a preponderance of the evidence that the Re-

ADMINISTRATIVE HEARINGS

spondent discriminated against the Complainant as alleged in the Complaint, found that the complainant failed to prove the allegations of the Complaint and dismissed the Complaint.

• **Melissa Jobe v. Seidi Transportation and Mutaro Seidi, alias** (February 11, 2022)

The complainant alleged that respondents discriminated against her with respect to terms and conditions of employment, harassment, denial of reasonable accommodation and termination of employment because of her disability and in retaliation for protected conduct, in violation of the Fair Employment Practices Act and the Civil Rights of People with Disabilities Act. Specifically, the complainant, who worked for the respondent company as a Non-Emergency Medical Transporter, alleged that she was refused a reasonable accommodation by respondent owner Mutaro Seidi with respect to a medical leave in response to a work-related disability. She further alleged that respondent Mutaro Seidi interfered with and delayed her receipt of Temporary Disability Insurance (TDI), subjected her to insults and name calling in front of clients and subjected her to harassment and threats.

The Commission found that: Respondent Seidi yelled and swore at the complainant when she presented a doctor's note placing her out of work for several weeks due to work-related severe left tennis elbow; Respondent Seidi delayed the complainant's receipt of

TDI for several months by refusing to complete the required paperwork; respondent withheld the complainant's last paycheck and she was not paid until after she filed a complaint with the Department of Labor and Training.

The Commission further found that: Respondent Seidi yelled at the complainant and told her to "back off" on several occasions following the commencement of her medical leave and application for disability benefits; Respondent Seidi showed up at the facility where the complainant received physical therapy and behaved in a threatening manner, shouting at the facility staff saying that the complainant was a liar and that he would not pay for her treatment; one day, the complainant was driving on Route 295 and Respondent Seidi followed her, pulled up next to her, pulled in front of her and then fell back for about 20 minutes; for two months, Respondent Sedi appeared at the complainant's daughter's bus stop three to four times a week as the daughter was going to school, leading the complainant to experience anxiety and stress and report the incidents to the police. The treatment the complainant endured led to her to believe she could not return to work for Respondent Seidi.

The Commission concluded that the complainant proved by a preponderance of the evidence that she had a disability, that she requested a reasonable accommodation and that respondents subjected her to harassment and retaliation

ADMINISTRATIVE HEARINGS

because she requested an accommodation and went on medical leave. The Commission also concluded that the complainant proved that she was constructively discharged from employment because she requested a reasonable accommodation.

The Commission ordered the Respondents to cease and desist their unlawful employment practices, to post the Commission's anti-discrimination poster prominently in their facilities, to train their staff on anti-discrimination laws and provide certification of said training to the Commission, and to develop a policy on reporting and remedying discrimination and submit said policy to the Commission for approval. The Commission also ordered that a hearing be held on the issue of back pay, front pay and compensatory damages for pain and suffering.

• **Denise Christian v. Charlotte Marshall (April 22, 2022)**

The complainant alleged that the respondent discriminated against her with respect to harassment based on her familial status, in violation of the Fair Housing Practices Act. Following a finding of probable cause, a formal Complaint issued. The Complaint alleged that: the complainant, who lived on the second floor of the subject unit with one of her three minor children, was harassed by Respondent Marshall, the first-floor tenant; the respondent was verbally abusive toward the complainant and the minor child who resided with her,

even using vulgar language at times; the respondent entered the complainant's unit without permission while the complainant was outside and yelled at the complainant's minor child for allegedly making noise; the respondent called the local police reporting that the complainant was sleeping in her parked vehicle when she was actually having a cigarette since smoking was not allowed in the unit; the respondent called the police at least five times to complain about the complainant; the respondent's constant complaints to the landlord about the complainant and her minor child resulted in the landlord notifying the complainant that her tenancy was going to be terminated; the respondent called the local police and falsely claimed that the complainant was leaving her minor children unattended.

The Commission found the respondent to be in default for failing to submit a timely answer to the Complaint and, as a result, considered the factual allegations of the Complaint to be admitted.

The complainant passed away before the commencement of the administrative hearing on liability. No other witnesses appeared on behalf of the complainant at the hearing. Because the complainant failed to prove her case against the respondent, and because the respondent was not offered a meaningful opportunity to cross-examine the complainant with respect to the issue of liability, the Commission dismissed the Complaint with prejudice.

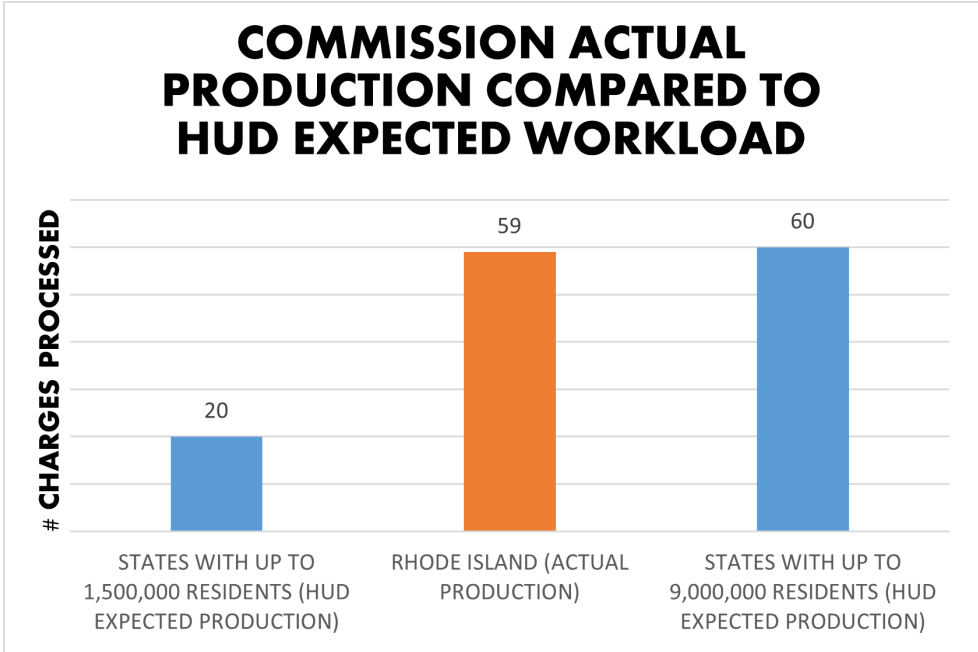
FAIR HOUSING OVERVIEW

HOUSING CASELOAD

Under guidelines established by the U.S. Department of Housing and Urban Development (HUD), a state having a population of between 600,001 and 1,500,000 residents should, on average, receive and process up to 20 fair housing charges per year. The U.S. Census Bureau estimated the population of Rhode Island in 2021 at 1,095,610 residents. **The Commission received 53 charges and processed 59 charges in FY 2022, which nearly equals HUD’s estimated average workload of a state having a population of between 4,500,001 and 9,000,000 residents.**

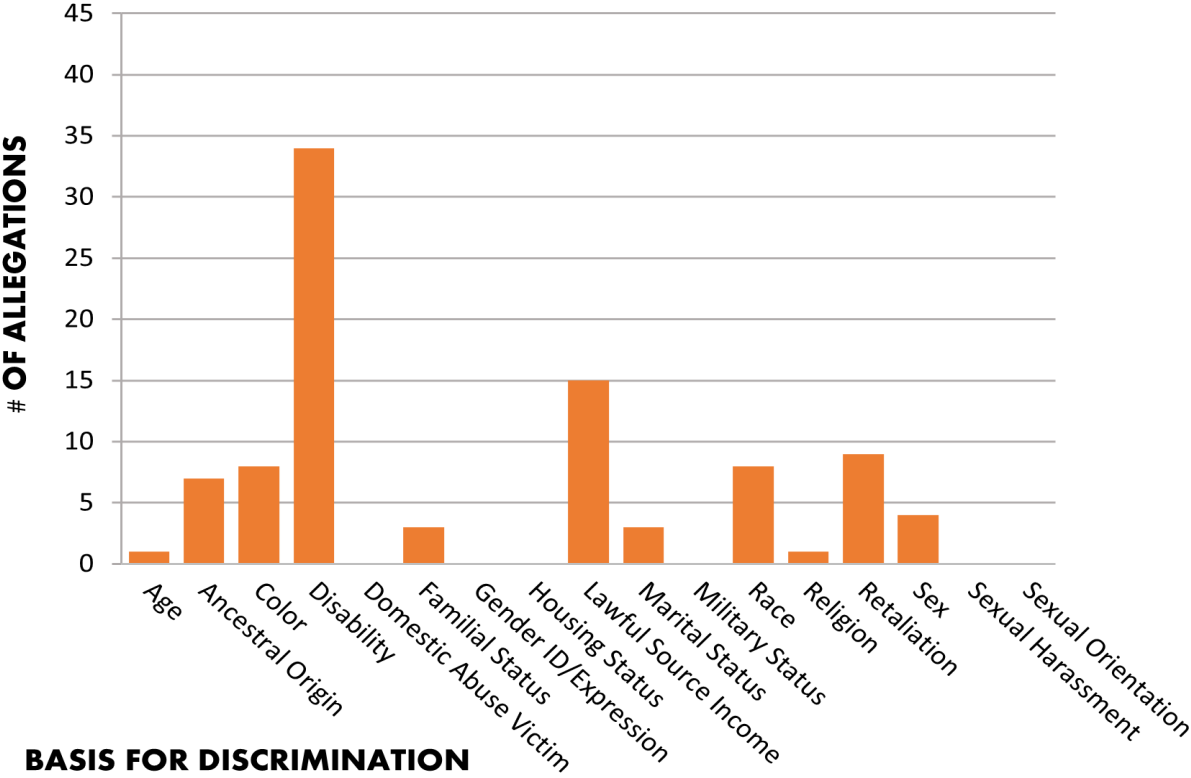
INTAKE AND DISPOSITIONS FIVE-YEAR VIEW		
FY	INTAKE	PROCESSED
2022	53	59
2021	53	52
2020	65	82
2019	74	66
2018	52	71

COMMISSION ACTUAL PRODUCTION COMPARED TO



FAIR HOUSING OVERVIEW

FY 2022 HOUSING INTAKE BY BASIS



LEGISLATIVE UPDATE

The Commission annually reviews all bills before the General Assembly and identifies and monitors those which either affect the agency directly or have an impact in the area of civil rights.

During the 2022 legislative session, Commission staff members presented oral and/or written testimony on numerous bills.

Among the bills which the Commission supported were bills seeking to:

- amend the state Fair Employment Practices Act (FEPA) to prohibit agreements requiring that alleged civil rights violations remain confidential and to prohibit non-disparagement agreements concerning alleged civil rights violations as a condition of employment.
- amend the FEPA to clarify that its provisions on individual liability include individual respondent employees
- amend the FEPA to protect domestic workers, volunteers and unpaid interns
- amend the FEPA to define “race” as including traits historically associated with race, including, but not limited to, hair texture and protective hairstyles such as braids, locks and twists.
- prohibit landlords from inquiring about the immigration or citizenship status of a tenant or prospective tenant of residential rental property
- repeal the state’s voter ID law
- amend state voting laws to: provide for streamlined voting procedures to make voting by mail easier; standardize the use of drop boxes; expand the time period in which people can request a special
- Braille ballot; establish a multilingual voter hotline
- provide for same-day voter registration
- amend various state laws to provide greater opportunities for expungement of criminal records
- create assessment and training programs for incarcerated individuals to improve reintegration into society upon release; allow earlier release and/or transfer to pre-release custody of elderly prisoners or prisoners with a terminal illness if they meet certain conditions; prohibit shackling of pregnant prisoners during pregnancy and for three months following the ending of the pregnancy; require providing female prisoners with the essential supplies of sanitary napkins and tampons at no cost
- prohibit employers from using credit reports or making credit-related inquiries with respect to job applicants
- repeal or amend the state’s Law Enforcement Officers’ Bill of Rights to promote greater accountability to community
- require police commission on standards to publish training standards for police officers in handling incidents involving persons with cognitive or communication-related disabilities
- repeal “payday lender” provisions in state law

LEGISLATIVE UPDATE

- amend the state Comprehensive Community-Police Relationship Act (CCPRA) to: extend the collection and analysis of traffic stop and search data; empower certain organizations and governmental entities to file civil actions against any police department which fails to comply with the provisions of the CCPRA; standardize the reporting of traffic stop and search data and noted disparities by state and municipal law enforcement entities; establish a 12-member CCPRA Advisory Committee
- place restrictions on the ability of housing providers to use criminal records and credit histories of those seeking to rent dwelling units
- require that newly established public access websites of state departments, boards, divisions, bureaus and agencies be designed and coded in compliance with Web Contract Accessibility Guidelines (WCAG 2.1) for accessibility, to promote compliance with the Americans with Disabilities Act; requires that existing state agency websites achieve compliance with WCAG 2.1 no later than July 1, 2027
- prohibit automobile insurance companies from discriminating based on education level, race, ethnicity, occupation, income, gender, zip code or adjacent zip code or census tract and require such companies to rely solely on the driving record of the individual with respect to premiums, rates and eligibility for coverage

OUTREACH

Upon request, the Commission provides free outreach training to the public. In FY22 the Commission's efforts reached thousands of employers, housing providers and individuals, educating them about their rights and responsibilities under state and federal law.

DATE	TOPIC	LOCATION/GROUP
7/13/21	Fair Housing – Overview and Source of Income Housing Protection	Podcast – Bill Bartholomew
7/14/21	Fair Housing – Panel on new Source of Income Housing Protection	Virtual – sponsored by RI Association of Realtors
7/26/21	General Overview – Sexual Harassment	Various Theater Officials at RI Academy Players, Providence
8/31/21	General Overview – Sexual Harassment	Warwick City Hall, Warwick
10/12/21	Fair Housing	Mapleville residents
10/30/21	General – Information Table	LGBTQIA+ Resource Fair, Providence
11/1/21	General Overview and Sexual Harassment	Academy Players, Providence
11/1/21	Fair Housing – Source of Income Discrimination	Facebook – response to post on RICHR page
11/3/21	General – Information Table	RI Coalition for the Deaf & Hard of Hearing Coffee Hour/Exhibit, RI School for the Deaf, Providence
11/15/21	General Overview - Employment Discrimination	Roger Williams University Law School, Class on Employment Discrimination, Providence
12/10/21	Developments in Employment Discrimination	Virtual – RI Bar Association, Labor & Employment Law Committee
1/6/22	Fair Housing – Overview	Virtual – Webinar
1/13/22	Intro to Antidiscrimination Law	RI Bar Association, Government Lawyers Committee
2/10/22	Fair Housing – Overview	Webinar, RI Board of Realtors
2/14/22	Fair Housing – Source of Income Protection	Interview with NPR Reporter
3/10/22	General – LGBTQIA	RI Public Policy Advocates Roundtable Mtg.
3/16/22	Fair Housing – Overview	Virtual – SouthCoast Fair Housing Intern Training
3/23/22	Fair Housing – Overview	Virtual – Webinar
3/24/22	Service Animals in Public Accommodations	Virtual – U.S. Small Business Association – RI Chapter
4/5/22	Fair Housing – Overview	Webinar, RI Board of Realtors
4/14/22	Fair Housing – Source of Income	Webinar Panel, RI Board of Realtors
4/26/22	General Overview and Sexual Harassment	Town of Warren, Warren Town Hall
4/28/22	Fair Housing	Facebook Live Zoom Webinar

OUTREACH

5/3/22	General Overview and Sexual Harassment <i>TWO SESSIONS</i>	Warwick Fire Department, Warwick
5/5/22	General Overview and Sexual Harassment <i>TWO SESSIONS</i>	Warwick Fire Department, Warwick
5/6/22	General Overview and Sexual Harassment – ENGLISH <i>TWO SESSIONS</i>	Waterrowers, Warren
5/6/22	General Overview and Sexual Harassment – SPANISH <i>TWO SESSIONS</i>	Waterrowers, Warren
5/10/22	General Overview and Sexual Harassment <i>TWO SESSIONS</i>	Warwick Fire Department, Warwick
5/12/22	General Overview and Sexual Harassment <i>TWO SESSIONS</i>	Warwick Fire Department, Warwick
5/13/22	General Overview	RI Department of Health/CLAS
5/19/22	General Overview and Sexual Harassment <i>TWO SESSIONS</i>	Warwick Fire Dept., Warwick
5/24/22	General Overview and Sexual Harassment <i>TWO SESSIONS</i>	Warwick Fire Department, Warwick
5/24/22	General Overview	Sojourner House, Providence
5/25/22	General Overview and Sexual Harassment <i>TWO SESSIONS</i>	Warwick Fire Department, Warwick
5/26/22	General Overview and Sexual Harassment <i>TWO SESSIONS</i>	Warwick Fire Department, Warwick
6/1/22	General Overview and Sexual Harassment	Warwick Fire Department, Warwick
6/15/22	General Overview and Employment Dis- crimination	YearUp, Providence
6/18/22	General – Information Table	2022 LGBTQ+ PrideFest, Providence
6/22/22	Fair Housing - Overview	Virtual – Webinar

INTERNS

Each year, high school, undergraduate and graduate students, as well as recent graduates, receive first-hand experience in the Commission's primary functions through the agency's intern program.

Interns assist in investigations, conduct legal research, perform clerical duties and work independently through a structured program. For their work, interns may earn college/graduate school credits, stipends through work-study grants, and/or receive compensation from the state Government Internship Program.

FALL 2021

Rachel Barrows	Roger Williams University
Megan Busv=by	Salve Regina University
Dreydan Cianci	University of Rhode Island

SPRING 2022

Rachel Cook	University of Rhode Island
Christina Fernandes	University of Rhode Island
Jeidy Par	Rhode Island College

SUMMER 2022

Tunde Akinjobi	Rhode Island College
Crisbell Mojica Collado	Providence College
Kate Driscoll	Holy Cross College
Elizabeth Hien	Providence College
Victoria Travassos	Wake Forest University
Abigail Turano	Providence College
Erika Wheeler	Purdue University



Find current updates on work the Commission is doing, information on our public outreach sessions, and timely news postings of discrimination-related current events on our official Facebook page: www.facebook.com/RICHR.RI.GOV or our Instagram page: *humanrightsri*. Follow us to stay informed!



For general information on the Commission, as well as access to intake questionnaires, Rules and Regulations, and Decisions and Orders, visit our website:

WWW.RICHR.RI.GOV