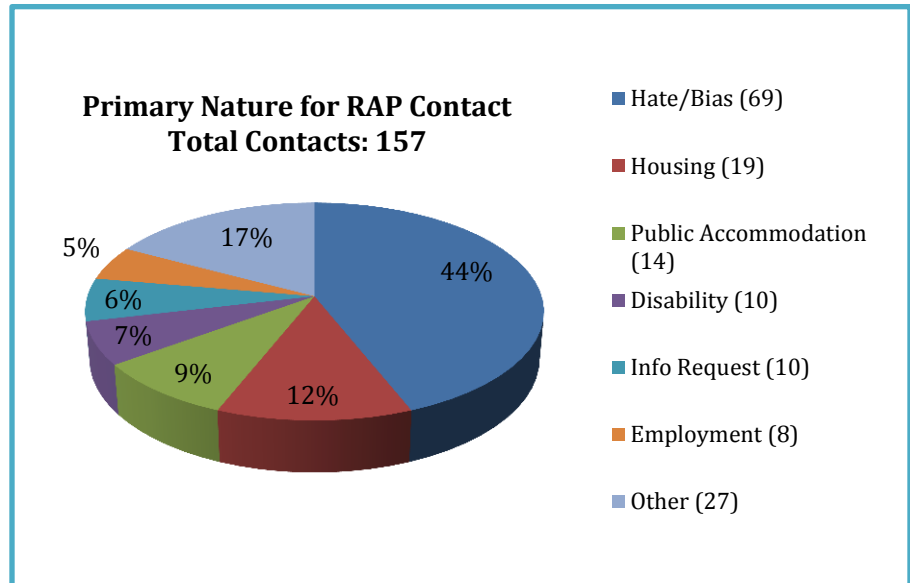


## 2014 Rights Assistance Program (R.A.P.) Report

### Context

The work of the Rights Assistance Program (RAP) within the office of Human Rights and Neighborhood Involvement (HRNI) provides a venue for community to report acts of discrimination, per Eugene Code 4.613, tracks and responds to criminal and non-criminal hate and bias incidents, and assists with Americans with Disabilities Act (ADA) accommodations and grievances. Our role is not to investigate the veracity or to determine strength of a case or claims, nor to adjudicate or provide enforcement. Staff also provides information and periodic trainings on these and a variety of social equity and human rights related topics. The City’s Human Rights code specifically states it is against the law to discriminate in the areas of housing, employment, public access and City contracts simply based on one’s Age, Color, Disability, Ethnicity, Familial Status, Gender, Martial or Domestic Partner Status, National Origin, Race, Religion, Sexual Orientation, or Source of Income. The focus of this report is on discrimination related complaints per the City’s human rights code. A separate Hate and Bias Report is produced annually.



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### Rights Assistance Program

Between 2012 and 2014, a number of steps were taken to improve the services offered through the RAP program. New staff were hired, clear procedures and protocols were established for intake and record keeping, a service agreement developed, and an online reporting system implemented. Examples of services offered through the RAP include assisting community members to access services, events, and facilities in the City of Eugene, referrals to appropriate service providers, access to and utilization of appeal and grievance processes of local service providers and informal conflict resolution where appropriate through mediations or facilitated conversations between parties. By tracking the variety of community experiences dealing with discrimination each year, HRNI can report on trends and themes to improve our

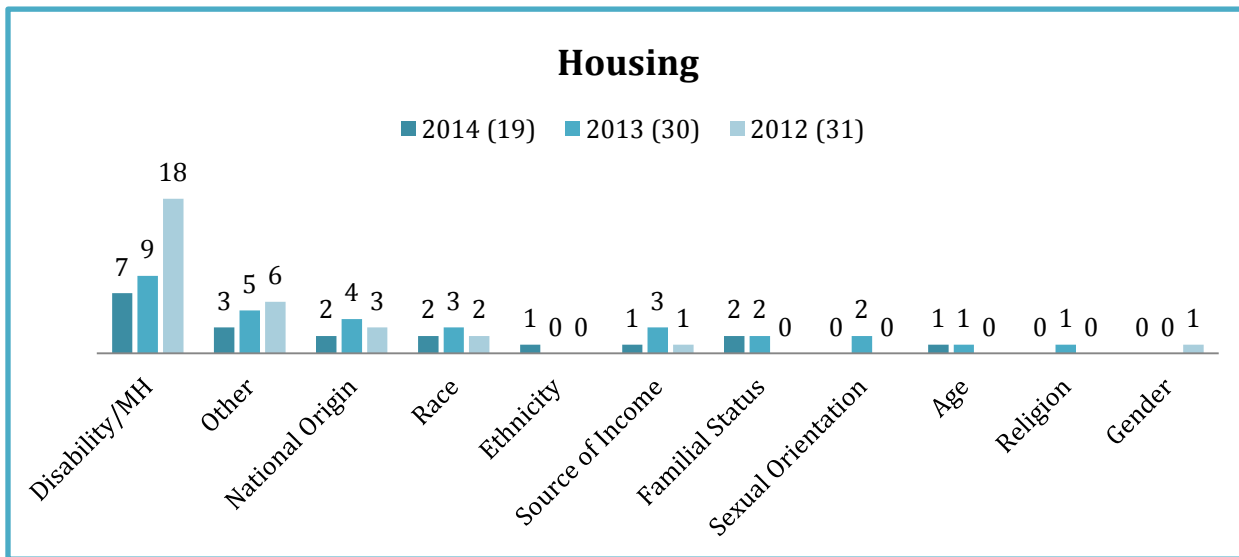
internal processes and our service delivery as an organization committed to promoting human rights and improving our social equity impact.

### The Year in Review

During 2014 there were 157 community reported instances of perceived discrimination as defined by the City of Eugene’s Human Rights Code. This year’s contacts represent a modest increase from 2013 when 152 incidents were reported. For the second year in a row the most prevalent type of cases reported, at 44%, were related to hate and bias totaling 69 contacts. This is an increase of 8 over 2013 figures. It is worth noting the Department of Justice’s most recent Hate Crime Victimization Report it was estimates that between 25-42% of hate crimes are reported to police nationally. Given this information, it is probable that the reported incidents represent only a small percentage of the actual activity occurring in Eugene. Of the 69 total cases, the Eugene Police Department reported that 47 of them involved an actual crime. More details pertaining to these matters regarding the nature of incidents, response, and next steps are available in the [2014 Hate and Bias Report](#).

Consistent with 2013, housing related discrimination accounted for the second most prevalent type of complaint and totaled 19 contacts or 12% of the total. The third most prevalent type of case was Public Accommodation (9% or 14 contacts) followed by Disability and Information Requests at 6% or 10 contacts in each type. The final category of contacts is regarding Employment matters with 5% and 8 contacts. There were 27 cases designated as “other” in this category, which involve matters that fall outside the scope of our services.

### Housing

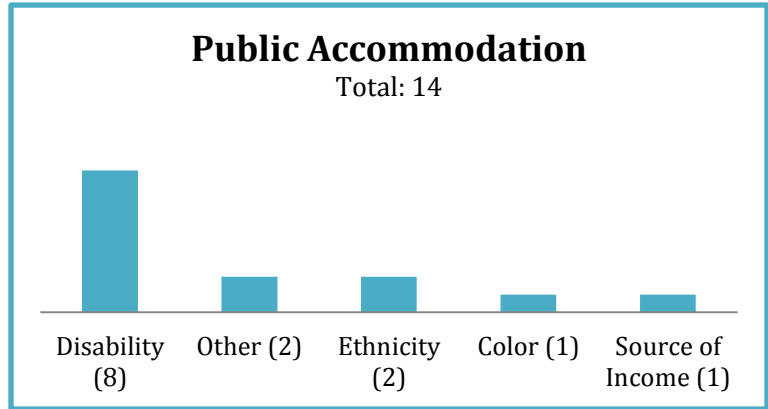


The chart above cross references housing complaints with the various protected classes. Typically a housing matter can be discrimination of some nature experienced by a tenant due to a protected class issue, but can also involve exclusion from a rental due to protected class status. Some housing calls received by staff are not related to discrimination based on protected class but are other types of landlord tenant issues; examples include complaints about habitability or disputes about security deposits, neighbor to neighbor conflicts, and other such matters. These issues are referred on to the appropriate agency but are still tracked in our system and appear below as “Other.”

The City of Eugene has a contract with the Fair Housing Council of Oregon as an investigatory and enforcement resource for housing discrimination complaints. Staff also helps to connect complainants with appropriate resources such as the City of Eugene’s Rental Housing Code Office, Lane County Landlord/Tenant Court, Legal Aid, the Center for Dialogue and Resolution, or the Oregon State Bar Attorney Referral service.

### Public Accommodation

The City of Eugene Code §4.615 and §4.635 describe in detail unlawful practices related to public accommodation. The code defines a place of Public Accommodation as: “Except for an institution, bona fide club, or place of accommodation which is in its nature distinctively private, any place or service offering to the public



accommodation, advantages, facilities, or privileges whether in the nature of goods, services, lodgings, amusements, or otherwise.” This year, eight of the fourteen reported public accommodation cases involved discrimination related to either disability or mental health. The remaining six cases were either uncategorized or related to ethnicity, color, or source of income.

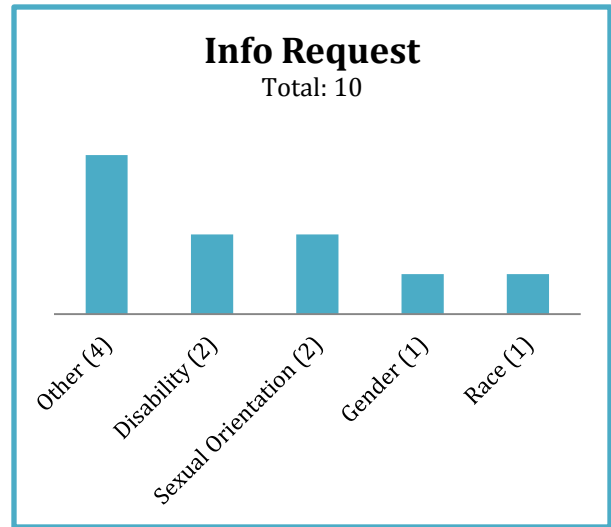
### Accessibility

Accessibility in this section refers to the ability of persons with disabilities in our community to be included and able to access services, programs, and facilities of the City of Eugene with or without reasonable accommodations. Of the seven matters reported in 2014 with disability as their primary identifying characteristic, the majority of cases were related to mental health issues. This is a departure from the past two years’ data where mobility and “visible” disability issues were the most common case disposition. The second most prevalent case type involved service animal issues – both within City facilities or programs and out in the community. In cases involving access to City programs or services, staff seek to have reasonable accommodation provided, assist the community member and the internal department in question with informal mediation, if needed, and for physical barriers in the right of way, clarifies the prioritization timeline for modification or removal.

An example of a case involved a gap in parking violation enforcement for off street disabled parking spots. A community member’s complaint initiated a collaborate effort between HRNI, Parking Services, Police, and Municipal Court to update the City’s code and enforcement for abuse of disability designated parking. For external access matters, the RAP program connects individuals with resources at organizations such as Disability Rights Oregon, the Equal Opportunity Commission, Northwest ADA Center, and Lane Independent Living Alliance.

## Information Requests

At times we receive complaints for issues that are not clear acts of discrimination as defined by Eugene Code 4.615. We have regular contact with individuals that have been unable to find assistance elsewhere and do not know where else to go. These contacts present with complicated issues and would often be better served in an intensive case management setting with support of a qualified mental health professional or legal resource. This year there were ten “Information Request” categorized contacts from community. These included mental health and disability cases,

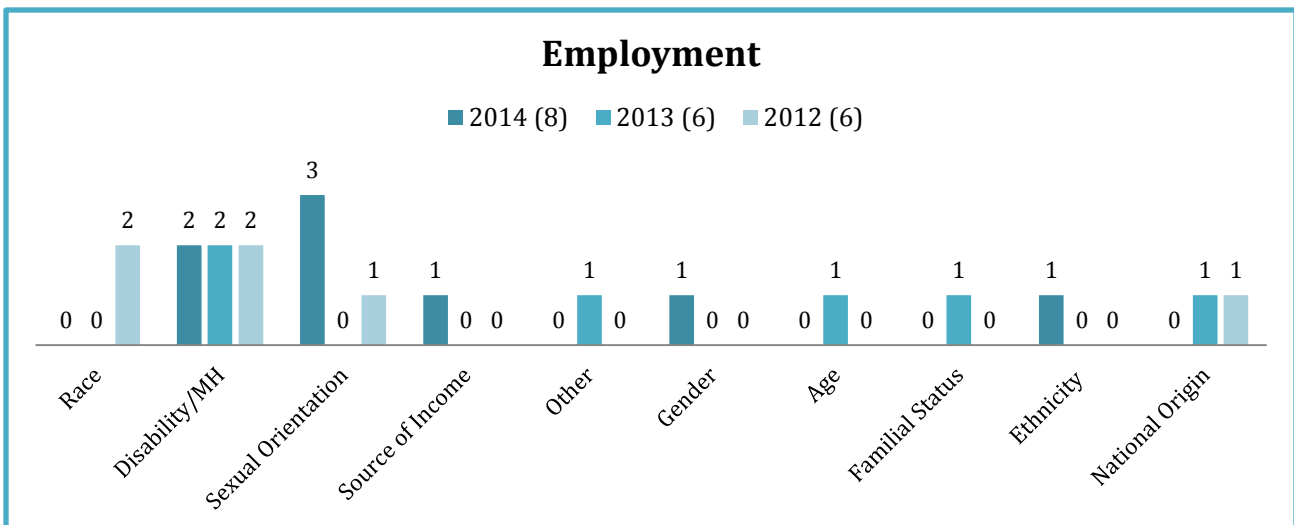


gender cases, race cases, sexual orientation, and uncategorized service needs. In these situations staff make every effort to connect such individuals with available resources and provide appropriate limited case management as feasible under the circumstances.

Examples of local providers include Mind Freedom, Lane Independent Living Alliance, Options Counselling, Lane County Mental Health, White Bird/CAHOOTS and Disability Rights Oregon, among others. It should also be noted that spanning all Human Rights matters we have a significant number of individuals with mental health (often untreated) challenges seeking assistance.

## Employment

While Employment was the least common reported type of discrimination, it is worth noting as we have seen a consistent increase in the number of cases over the last three years. This year, Sexual Orientation followed by Disability/Mental Health remained the second most prevalent categories. Also notable is the range of protected classes reporting discrimination – our most comprehensive to date in any RAP report (see graph next page). Staff refers community with these concerns to the Bureau of Labor and Industries for investigation and reporting. Additional commonly used resources are the Equal Opportunity Commission, the Department of Justice, and the traditional local court systems for both civil and criminal matters of discrimination.



## **Responding to Reports of Discrimination**

The City responds in a variety of ways to discrimination complaints. The response is victim directed and supported by various people depending on the circumstances. RAP staff give referrals to both internal City of Eugene offices, and external service providers and advocacy organizations, all of which play a significant role in resolving RAP matters. Internal resources we connect the community to include the Rental Housing Code Office, Office of the Police Auditor, the Library's Customer Experience Manager, and the Public Works Accessibility Grievance Process. As mentioned above, the City has a contract with BOLI and the Fair Housing Council of Oregon for employment and housing discrimination related matters respectively.

In addition to referrals, HRNI often helps community members seek resolution to their situations through informal conflict resolution processes. In some situations HRNI will engage in informal facilitated discussions or mediations to attempt to resolve disputes where appropriate. Examples included discussions with City of Eugene departments about how to enhance or further develop existing accommodation or ADA related procedures and processes to better serve community in the future. Another example is related to matters involving informal discussions in Landlord/Tenant issues where the community member did not wish to escalate a situation by going to the court or a regulatory or enforcement agency and instead preferred a facilitated conversation to quickly resolve the matters and preserve the relationship between the parties.

## **Summary and Next Steps**

As the 2013 RAP Report described, this year's information tracking through our complaints received continued to reveal cracks in other systems in the community where services or resources do not adequately meet the needs of community on single, or combined areas of concern. For example, a landlord/tenant case may also involve a mental health issue, or a discrimination matter involving a protected class, and these multi-faceted cases would benefit from additional assistance. We help to fill gaps of information and remove barriers to accessing systems that people have the right to use. We also help to educate people about their rights and how to pursue different types of complaints, because there is no "one size fits all" answer when working with discrimination related issues. We often serve the most vulnerable in our community, those whose needs are often not seen and who have little recourse when their rights are violated. We do receive a number of complaints that are outside of the City within Lane County, and less frequently from distant locations such as Coos County, Portland and Bend.

Over the course of the next year, the HRNI staff will continue to maintain and build relationships with local service providers and organizations to more effectively and efficiently assist the public experiencing human rights discrimination. HRNI staff are committed to projects internally to continue to achieve goals for equity, inclusion, and human rights matters through trainings, work plan based projects, and related initiatives. By tracking and responding to community concerns related to discrimination HRNI will help ensure Eugene is accessible, inclusive and respectful place to visit and call home.