

**CITY OF LINCOLN, NEBRASKA
COMMISSION ON HUMAN RIGHTS
MINUTES**

Thursday, February 23, 2023
555 S 10th Street, 1st Floor
City County Building, Council Chambers

CALL TO ORDER:

The February 23, 2023, meeting of the Lincoln Commission on Human Rights (LCHR) was called to order at 4:07 p.m. by Emira Ibrahimpasic, Chair.

ROLL CALL:

The roll was called.

MEMBERS PRESENT:

Commissioners: Emira Ibrahimpasic (Chair), Sheri Blok (Vice Chair), Sarah Cohen Walker, Ryan Kelly and Alyssa Martin.

MEMBERS ABSENT:

Commissioners: Haroon Al Hayder, Rose Godinez, John Goldrich and Davetta Nelson.

STAFF PRESENT:

Sara Houston, Rob Rowan, Chassidy Jackson-Goodwin, Marna Munn, Haefaa Hasan, Francisca Beltran, Thuyhong Le and Shanna Eckman.

APPROVAL OF February 23, 2023, MINUTES:

A motion was made by Martin and seconded by Blok to approve the minutes of the February 23, 2023, meeting. Hearing no discussion, Ibrahimpasic asked for the roll call. Voting "aye" were Ibrahimpasic, Martin, Al Hayder, Blok, Walker, Godinez, Goldrich, Kelly and Nelson. Motion carried.

APPROVAL OF December 9, 2022, AGENDA:

Ibrahimpasic noted that a case was removed from the agenda, LCHR No.: 22-1115-027-H. A motion was made by Cohen Walker and seconded by Martin to approve the agenda. Hearing no discussion, Ibrahimpasic asked for the roll call. Voting "aye" were Ibrahimpasic, Martin, Al Hayder, Blok, Walker, Godinez, Goldrich, Kelly and Nelson. Motion carried.

CASE DISPOSITIONS:

LCHR No.: 22-0127-001-E

A motion was made by Ibrahimasic and seconded by Cohen Walker to recommend a finding of **no reasonable cause** on all allegations.

Martin requested clarification regarding the evidence showing unsatisfactory performance. Investigator Rowan noted that the only evidence provided was what the Respondent stated in the Position Statement, and that there wasn't anything in writing.

Cohen Walker asked what amount the Respondent paid the Complainant, as two amounts were listed in the report. Investigator Rowan explained that the Complainant said they were paid \$60, the Respondent said they were paid \$100.

Ibrahimasic asked about the complaint regarding the Complainant not having a food handler's permit. Investigator Rowan clarified that the complaint came from an unnamed customer and no information was provided regarding that customer.

Hearing no further discussion, Ibrahimasic asked for the roll call. Voting "aye" were Ibrahimasic, Blok, Cohen Walker, Kelly and Martin. Motion carried.

LCHR No.: 22-0407-012-H

A motion was made by Blok and seconded by Kelly to recommend a finding of **no reasonable cause** on all allegations.

Ibrahimasic stated that the evidence submitted by the Respondent made the case clear and that there was an excessive amount of animals present. Cohen Walker noted that the Respondent seemed reasonable, didn't question the documentation provided regarding the need for the assistance animals but the issue was the documentation didn't cover all the animals.

Blok questioned how many animals the city allowed a household; Investigator Rowan said the city allowed up to five cats and two dogs without a permit, but that a landlord didn't necessarily have to allow that many animals. Munn added that if there was a need for more than seven assistance animals, a person would have to make a reasonable accommodation request from the city to exceed the limit.

Hearing no further discussion, Ibrahimasic asked for the roll call. Voting "aye" were Ibrahimasic, Blok, Cohen Walker, Kelly and Martin. Motion carried.

LCHR No.: 22-0526-014-H

A motion was made by Martin and seconded by Cohen Walker to recommend a finding of **no reasonable cause** on all allegations.

Ibrahimpasic pointed out that first floor apartments are difficult to come by and that the only one available was one that the Complainant could not move into.

Cohen Walker asked if the Complainant acknowledged that they had gotten a response at all, Investigator Rowan said that yes, the Complainant eventually acknowledged that they had gotten a response from the Respondent.

Hearing no further discussion, Ibrahimpasic asked for the roll call. Voting “aye” were Ibrahimpasic, Blok, Cohen Walker, Kelly and Martin. Motion carried.

LCHR No.: 22-0722-018-H

A motion was made by Cohen Walker and seconded by Blok to recommend a finding of **no reasonable cause** on all allegations.

Cohen Walker noted that there was a lot of evidence provided and that the issues weren’t with the service animal but with the Complainant not picking up after the service animal.

Kelly asked what the standards were for waving terms and conditions; Munn explained that the terms and conditions are looked at, and exceptions to those are examined in the comparator information provided by the Respondent to see if they are consistently being waived for one group over another.

Hearing no further discussion, Ibrahimpasic asked for the roll call. Voting “aye” were Ibrahimpasic, Blok, Cohen Walker, Kelly and Martin. Motion carried.

LCHR No.: 22-0804-005-PA

A motion was made by Blok and seconded by Martin to recommend a finding of **no reasonable cause** on all allegations.

Investigator Jackson-Goodwin explained that the Respondent said they fell behind on repairs because they only have one mechanic on staff. There was discussion about how there were several other vehicles in the same position as Complainant’s and that there were vehicles that had been on the lot longer than the Complainant’s.

Hearing no further discussion, Ibrahimpasic asked for the roll call. Voting “aye” were Ibrahimpasic, Blok, Cohen Walker, Kelly and Martin. Motion carried.

LCHR No.: 22-0804-002-H

A motion was made by Cohen Walker and seconded by Ibrahimasic to recommend a finding of **no reasonable cause** on all allegations.

Kelly asked about the timeline; Investigator Rowan clarified that the notice about the dogs barking were fixed right away, the non-renewal came in July (no reason cited), the Complainant replied to that non-renewal with a reasonable accommodation request, then the notice about smoking came in August.

Hearing no further discussion, Ibrahimasic asked for the roll call. Voting “aye” were Ibrahimasic, Blok, Cohen Walker, Kelly and Martin. Motion carried.

LCHR No.: 22-0912-006-E-R

A motion was made by Ibrahimasic and seconded by Blok to recommend a finding of **no reasonable cause** on all allegations.

Ibrahimasic asked for clarification about the Complainant alleging that they reported the incident to the general manager, and nothing was done; Investigatory Jackson-Goodwin explained that a meeting between the Complainant and their supervisor was scheduled, but before the meeting could happen the altercation took place.

Kelly asked if the Respondent setting up a meeting was considered reasonable care to prevent or correct the behavior. Munn noted that it was a good beginning to address the issue.

Hearing no further discussion, Ibrahimasic asked for the roll call. Voting “aye” were Ibrahimasic, Blok, Cohen Walker, Kelly and Martin. Motion carried.

LCHR No.: 22-1022-006-PA

A motion was made by Blok and seconded by Kelly to recommend a finding of **no reasonable cause** on all allegations.

Martin stated that the Respondent choosing not to service a vehicle based off a YouTube video was fair. Ibrahimasic noted that there was no evidence that discrimination occurred.

Hearing no further discussion, Ibrahimasic asked for the roll call. Voting “aye” were Ibrahimasic, Blok, Cohen Walker, Kelly and Martin. Motion carried.

LCHR No.: 22-1212-028-H

A motion was made by Blok and seconded by Ibrahimasic to recommend a finding of **no reasonable cause** on the first allegation and **reasonable cause** on the second allegation.

Martin questioned whether Terms and Conditions were directed to the maintenance and repairs or towards the Respondent's requirement for the online portal animal registration. Investigator Rowan clarified that it was written to apply towards the maintenance and repairs.

Munn clarified that landlords and employers can use a form for reasonable accommodation requests, they just can't mandate that it the only way to submit it.

Hearing no further discussion, Ibrahimasic asked for the roll call. Voting "aye" were Ibrahimasic, Blok, Cohen Walker, Kelly and Martin. Motion carried.

LCHR No.: 23-0104-001-PA

A motion was made by Ibrahimasic and seconded by Martin to recommend a finding of **no reasonable cause** on all allegations.

The Commissioners didn't have any questions regarding the case.

Hearing no further discussion, Ibrahimasic asked for the roll call. Voting "aye" were Ibrahimasic, Blok, Cohen Walker, Kelly and Martin. Motion carried.

CHARGE TO PUBLIC HEARING:**LCHR No.: 22-0617-017-H**

A motion was made by Blok and seconded by Cohen Walker to move this case to a public hearing.

Hearing no discussion, Ibrahimasic asked for the roll call. Voting "aye" were Ibrahimasic, Blok, Cohen Walker, Kelly and Martin. Motion carried.

SUCCESSFUL CONCILIATION:**LCHR No.: 21-1203-014-E-R**

A motion was made by Kelly and seconded by Cohen Walker to approve the successful conciliation agreement.

Hearing no discussion, Ibrahimasic asked for the roll call. Voting "aye" were Ibrahimasic, Blok, Cohen Walker, Kelly and Martin. Motion carried.

OLD BUSINESS:

Outreach:

MCA is in week 3 of 7. The Civil Rights Conference is on April 19th, there is a Pre-Conference from 3 p.m. to 7 p.m. at the Cornhusker Hotel. The ACLU will be present to collaborate on a Name Change Clinic. The Connectors program is looking for volunteers; it partners New Americans with practicing professionals in similar fields to mentor them.

Gerald Henderson Award:

The Commissioners noted how all the applicants were equally deserving of the award and that they all had an impressive history of contributing to human rights.

A motion was made by Cohen Walker and seconded by Martin to accept Kevin Abourezk as the recipient of the Gerald Henderson Award.

Hearing no further discussion, Ibrahimasic asked for the roll call. Voting “aye” were Ibrahimasic, Blok, Cohen Walker, Kelly and Martin. Motion carried.

NEW BUSINESS:

Director Report:

Public Hearing Update: Raley v. Moseman hearing concluded, there are just a couple of answers the Hearing Officer is waiting on before making their determination.

There are two new externs who have joined LCHR for the summer; both are working on undergraduate law degrees.

Ombudsman Lin Quenzer has joined LCHR part time.

Elections: Ibrahimasic was nominated for Chair by Blok.

A motion was made by Blok and seconded by Cohen Walker to approve Ibrahimasic for Chair. Ibrahimasic noted she has enjoyed her time and experience previously as Chair.

Hearing no further discussion, Ibrahimasic asked for the roll call. Voting “aye” were Ibrahimasic, Blok, Cohen Walker, Kelly and Martin. Motion carried.

Martin was nominated for Vice Chair by Ibrahimasic. Martin expressed her willingness to help support the Chair and the Commission in any way she can.

A motion was made by Blok and seconded by Cohen Walker to approve Ibrahimasic for Chair.

Hearing no further discussion, Ibrahimasic asked for the roll call. Voting “aye” were Ibrahimasic, Blok, Cohen Walker, Kelly and Martin. Motion carried.

PUBLIC COMMENT:

There was no public comment.

The meeting was adjourned at 5:24 p.m.

Next Meeting:

Thursday, March 30, 2023, at 4:00 p.m.
555 S. 10th Street, 1st Floor, Council Chambers