Minnesota Department of
HUMAN RIGHTS

Elizabeth Lincoln, Acting Director
Minnesota Legislative Reference Library
645 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155-1050

Dear Elizabeth Lincoln:

The Minnesota Department of Human Rights (MDHR) submits its semi-annual report to the Legislature summarizing the results of its investigation and resolution of human rights complaints.

MDHR continues its commitment to conduct more investigations and to reduce the backlog of older cases. Consistent with this commitment, the Department has increased the number of investigation memoranda issued, closed more than 175 of its oldest cases, and closed an average of over 60 cases each month.

- In the past six months, MDHR issued 405 investigation memoranda, an increase of 17% over the previous reporting period and a 63% increase compared to the first six months of 2012.

- Over the past six months, 367 charges were filed with MDHR and 381 cases were closed. This reflects that more investigation memoranda were issued than charges filed and it is the first time in two years that determinations are outpacing new filings.

- The average case load per investigator is currently 74 cases.

- As of June 30, 2013, 808 cases were pending determination. This 5% decrease from the previous reporting period is indicative of increased efficiency that is reducing the number of Minnesotans waiting for a resolution to their discrimination claims.

- The first half of 2013 saw a 6% reduction in the number of pending cases more than a year old. Of cases pending determination, 80% were less than one year old.
    - 220 were less than 90 days old; 131 cases were 91-180 days old; 141 were 181-270 days old; 157 were 271-365 days old; and 159 were older than 365 days.

- This period saw 14% of determinations result in a favorable outcome for the claimant. The determinations of cases closed reached the following results: In 15 cases (4%), parties were able to reach a settlement agreement. 15 cases (4%) were closed with a probable cause determination and 24 cases (6%) were resolved before a determination was made. 20 cases (5%) were dismissed, 21 cases (6%) were withdrawn, and in 286 cases (75%) it was determined there was no probable cause.

- The average time to determination for all cases was 426 days. For probable cause determinations it was 492 days. For no probable cause determinations it was 431 days. For dismissals it was 354 days. This reflects the priority the Department has placed on clearing the oldest cases and reducing the agency's backlog, as the majority of cases closed during this period were those that had been pending the longest.

- Nearly twice as many cases were referred to mediation.
    - MDHR referred 29 cases to mediation (8% of all new charges filed), compared to only 15 in the final six months of 2012.
    - 30 mediations were scheduled, of which 13 settled.
    - The average time for a mediated case to reach a settlement was 99 days.
    - There were 24 cases referred back to the department from mediation.

- At the end of June, 94% of the charges filed in the past six months remained open. Attached please find a breakdown of these charges by area and basis.

In the last six months, MDHR has reduced the number of pending cases that are more than a year old and closed cases at a greater rate than are being filed, without a significant reduction in investigators' average caseloads. This dedication to efficiency will ensure that the Department continues reducing the backlog of older cases and shortens the timeframe to determination moving forward.

Sincerely,

Kevin M. Lindsey
Commissioner

Enclosure

c: Senator Ron Latz
Senator Warren Limmer
Representative Michael Paymar
Representative Tony Cornish
Representative John Lesch
Representative Peggy Scott
Erin Campbell, Office of the Governor Mark Dayton

Minnesota Department of Human Rights

BASIS - AREA - FILING

File Date Range: January 1, 2013 to June 30, 2013

Total Charges Filed for Date Range: 367

| | BASIS | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **AREA** | Age | Color | Disability | Familial Status | Marital Status | National Origin | Public Assistance Status | Race | Religion | Sex | Sexual Orientation | TOTAL | Percentage |
| Aiding, Abetting, or Obstructing (Employment) | | | | | | | | | | 1 | | 1 | 0.2% |
| Aiding, Abetting, or Obstructing (Public Accommodations) | | | 1 | | | | | | | | | 1 | 0.2% |
| Business/Contract | | | 1 | | | | | 1 | | | 1 | 3 | 0.5% |
| Education | | 1 | 7 | | | 3 | | 10 | 2 | 4 | | 27 | 4.3% |
| Employment - Employer | 68 | 3 | 104 | | 3 | 44 | 1 | 82 | 7 | 50 | 6 | 368 | 58.7% |
| Employment - Employment Agency | | | 1 | | | 2 | | 2 | 1 | 1 | | 7 | 1.1% |
| Employment - Union | 1 | | 1 | | | | | | | 1 | | 3 | 0.5% |
| Housing/Real Property | | | 6 | 2 | | 3 | 7 | 8 | | 3 | 1 | 30 | 4.8% |
| Public Accommodations | | | 15 | | 1 | 1 | | 17 | 1 | 1 | 1 | 37 | 5.9% |
| Public Services | | | 6 | | | 1 | | 4 | 2 | | | 13 | 2.1% |
| Reprisal | 1 | | | | | | | 2 | | 3 | | 6 | 1.0% |
| Reprisal (Education) | | 1 | | | | 1 | | 1 | 1 | 1 | | 5 | 0.8% |
| Reprisal (Employment) | 5 | | 28 | | | 21 | | 39 | 2 | 15 | 7 | 117 | 18.7% |
| Reprisal (Employment - Agency) | | | 1 | | | | | | | | | 1 | 0.2% |
| Reprisal (Housing/Real Property) | | | 2 | | | | | 2 | | 1 | | 5 | 0.8% |
| Reprisal (Public Accommodations) | | | | | | | | 1 | | | 1 | 2 | 0.3% |
| Reprisal (Union) | | | | | | | | | | 1 | | 1 | 0.2% |
| Percentage | 12% | 1% | 28% | 0% | 1% | 12% | 1% | 27% | 3% | 13% | 3% | | |

Note: Because there can be more than one Area and/or Basis per charge filed, counts of Area and Basis combinations will not reconcile with number of charges filed.