

# **Kansas Human Rights Commission**



**Annual Report  
Fiscal Year 2010  
July 1, 2009 - June 30, 2010**

# KANSAS HUMAN RIGHTS COMMISSION

## 2010 ANNUAL REPORT

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### OUR MISSION AND PHILOSOPHY

*The mission of the Kansas Human Rights Commission is to prevent and eliminate discrimination and assure equal opportunities in all employment relations, to eliminate profiling in conjunction with traffic stops, to eliminate and prevent discrimination, segregation or separation, and assure equal opportunities in all places of public accommodations and in housing.*

*The agency philosophy in accomplishing its mission is to act in accordance with the highest standards of professional conduct, ethics, efficiency, and accountability. Realizing that the principles of equality and the protection of basic human rights are the most noble of human efforts, we dedicate our activities toward that purpose, believing that eternal vigilance is the price of freedom.*

***Eternal vigilance is the price of freedom.***

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### Statistical Data

<b>Complaints Filed</b>	<b>12</b>
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## THE COMMISSIONERS

**Lou Ann Thoms**  
**Chair**

*Real Estate, Topeka*

**David A. Hanson**

*Law, Topeka*

**Terry Crowder**

*Labor, Topeka*

**Clyde Howard**

*At Large, Manhattan*

**Vacant\***

*Industry, Topeka*

**Anthony Villegas, Sr.**

*Labor, Kansas City*

**Jerome Williams**

*Industry, Wichita*

The Kansas Human Rights Commission enforces both the Kansas Act Against Discrimination and the Kansas Age Discrimination in Employment Act. The Kansas Act Against Discrimination provides for a seven member Commission to be appointed by the Governor subject to approval of the Senate; two representing industry, two representing labor, one who is authorized to practice law in this state, one representing real estate, and one appointed at large. The Governor designates one Commissioner to serve as Chairperson. The term of office of each member of the Commission shall be four years or until a successor is confirmed. Commissioners may, at the will of the Governor and Senate's discretion, be appointed for an additional term(s) upon completion of the initial term. The Act also requires that no more than four of the Commissioners are from the same political party.

Effective July 1, 2005, the Commission also accepts, reviews, and, if necessary, investigates complaints from any person who believes they have been subjected to racial or other profiling by a law enforcement officer or law enforcement agency in conjunction with traffic stops, as provided by K.S.A. 22-4606 et seq.

\* Commissioner Jeffrey E. Lewis resigned from the Commission in August 2009.

## **Contact Information**

### **Topeka-Main Office**

Landon State Office Building  
900 SW Jackson - 568 South  
Topeka KS 66612  
(785) 296-3206  
Fax: (785) 296-0589  
Toll Free (888) 793-6874  
TDD (785) 296-0245

### **Wichita**

130 S Market, Suite 7050  
Wichita, KS 67202  
(316) 337-6270  
Fax: (316) 337-7376

### **Dodge City**

Military Plaza Offices, Suite 220  
100 Military Plaza  
Dodge City, KS 67801  
(620) 225-4804  
Fax: (620) 225-4986

### **Independence**

Independence Corporate Offices  
200 Arco Place, Suite 311  
Independence, KS 67301  
(620) 331-7083  
Fax: (620) 331-7135

### **The Internet**

<http://www.khrc.net>

## KHRC STAFF

William V. Minner	Executive Director
Ruth Glover	Assistant Director
Joseph P. Mastrosimone	Chief Legal Counsel
Orie Kirksey	Topeka Investigative Administrator
Bill Wright	Topeka Investigative Administrator
Jane Neave	Wichita Investigative Administrator
Rick Fischli	Racial and Other Profiling Administrator
Beth Montgomery	Office Manager
Roma Meraz Valencia	Investigator-Dodge City
Lin Gillen	Investigator- Independence
Paul Forese	Investigator - Topeka
Barbara Girard	Investigator-Topeka
Holly King	Investigator- Topeka
Vamba Nzwilli	Investigator - Topeka
Dan Wentling	Investigator- Topeka
Marvin McCurtis	Investigator-Wichita
Cindy Nelson	Investigator - Wichita
Robert Easterling	Intake Supervisor
Laura Gomez	Intake Specialist
Caryl Hines	Secretary - Topeka
Etta James	Office Specialist -Topeka
Yona Johnson	Receptionist - Wichita

## HISTORY OF THE KHRC

The Kansas Act Against Discrimination was passed in 1953 making Kansas the twelfth state in the U.S. to have a law against discrimination. At that time the agency was called the Kansas Anti-Discrimination Commission. The Act was limited to employment practices and had no enforcement provisions.

The Act was amended in 1961 to become an enforceable law prohibiting discriminatory employment practices because of race, religion, color, national origin, or ancestry and the name of the agency was changed to the Kansas Commission on Civil Rights.

In 1963 the Act was amended to prohibit discrimination by hotels, motels, cabin camps and restaurants. In 1965 the legislature broadened the Act's coverage of employment practices and places of public accommodations. In 1967 the Commission was given the power to initiate complaints of discrimination and the power of subpoena.

Housing discrimination was prohibited by an act of the 1970 Kansas Legislature, which also increased the size of the Commission to its present seven members and gave it power to conduct investigations without the filing of a formal complaint.

The 1972 Kansas Legislature further amended the Act in three ways. The Commission was given authority to investigate complaints of sex discrimination, initiate a contract

compliance program, and use hearing examiners for public hearings.

In 1974, the Legislature prohibited discrimination in employment and public accommodations because of physical handicap but limited remedies for discrimination. The law has been changed since that time to include persons with physical and mental disabilities.

In 1983 age discrimination in employment was prohibited, which made it illegal to discriminate against persons between the ages of 40-70. The Kansas Age Discrimination in Employment Act was amended in 1988 to protect persons of the age of 18 or more years against age discrimination. In 2008, the definition of age was changed to 40 or more years.

The Act was amended in 1991 so as to prohibit discrimination in employment, public accommodations and housing on the basis of disability, and to also prohibit housing discrimination on the basis of familial status. The Act was also amended to change the name of the Kansas Commission on Civil Rights to the Kansas Human Rights Commission.

In 1995 two separate legislative bills amended the Act. The changes removed the statutory requirement that the Commission employ at least one full-time hearing examiner. Instead, the legislature authorized the Commission to employ or contract for the services of hearing examiners or pro tem hearing examiners to preside over public hearings, and amended the provisions of the statute regarding the terms, appointments and confirmation of

Commissioners.

In 1995, the Kansas Legislature further amended the Act to provide that a complaint may be dismissed, under certain circumstances, after pending before the Commission for at least 300 days without a finding or disposition by the Commission. That dismissal would constitute an exhaustion of administrative remedies sufficient to allow a complainant to file the matter in court.

In 1999, the Kansas Legislature amended the act to prohibit the use of genetic testing and genetic information in employment decisions.

In 2005, the Kansas Legislature passed K.S.A. 22-4406 et seq which states, "It shall be unlawful for any law enforcement officer or law enforcement agency to engage in racial profiling." Individuals with allegations of racial and other profiling in conjunction with traffic stops can file complaints with the Commission. The Commission shall review and, if necessary, investigate such complaints. K.S.A. 22-4406 et seq is a stand alone statute and does not amend the Kansas Act Against Discrimination or the Kansas Age Discrimination in Employment Act.

## **INTRODUCTION**

A professional staff under the supervision of the Executive Director conducts the daily operations of the Kansas Human Rights Commission. Staff includes an Assistant Director, Chief Legal Counsel, investigative supervisors, a racial and other profiling supervisor, investigators, an intake supervisor, an intake specialist, an office

manager, and administrative support staff.

The Commission is mandated by the Kansas Legislature to prevent and eliminate unlawful discrimination, and is responsible for enforcing both the Kansas Act Against Discrimination (KAAD) and the Kansas Age Discrimination in Employment Act (KADEA). The KAAD protects persons from discrimination in employment, housing and public accommodations. Charges of alleged discrimination may be filed on the basis of race, religion, color, sex, disability, national origin, ancestry or use of genetic information in employment decisions. In addition, charges of discrimination on the basis of familial status may be filed in housing cases. The KADEA protects any individual from discrimination in employment on the basis of age. Effective July 1, 2008 the definition of age is 40 or more years. Both laws protect those who have filed a complaint, participated in the investigation of a complaint, or opposed actions believed to be in violation of the Act(s) from retaliation for such actions. Anyone claiming to be aggrieved by an alleged unlawful practice, and who can articulate a prima facie case pursuant to a recognized legal theory of discrimination, has the right to file a complaint charging discrimination under the laws of Kansas with the KHRC.



## FISCAL ALLOCATIONS

The Commission's Fiscal Year 2010 total expenditure budget was \$1,878,608 with funds coming from the Kansas general fund, as appropriated by the Legislature, various fee funds, and from contracts with the EEOC. The comparative portions and dollar appropriations are as follows:

<b>General Funds</b>	<b>\$ 1,522,580</b>
<b>Fee Funds</b>	<b>\$ 26,012</b>
<b>Federal Funds</b>	<b>\$ 330,016</b>
<b>Totals</b>	<b>\$ 1,878,608</b>

## COMPLIANCE AND ENFORCEMENT ACTIVITIES

Civil rights law, at both the state and federal level, has become increasingly complex in its nature and application. This increased complexity is principally due to the enactment of major state and federal legislation, which has expanded the role of the Kansas Human Rights Commission and other human rights agencies.

In FY 2010, retaliation was the number one basis of complaints filed. Race, sex, disability and age continued as the basis given for most complaints filed with this agency.

The KHRC closed 853 cases and recovered \$1,035,314 for complainants. This figure does not include the value of positions or jobs, which may have been obtained by the Commission for complainants, nor does it include other non-monetary remedies.

During the fiscal year the agency also reduced the average processing time for cases filed with the Commission from approximately 22 months in FY 1995 to approximately nine months currently.

## MONITORING COMPLIANCE

The Commission is a party to written agreements, which resolve complaints of alleged discrimination filed with the agency. A Commission representative is assigned to monitor the terms and conditions of these agreements, as well as Commission orders.

## CONTRACT COMPLIANCE

The Commission is empowered to review equal employment opportunity data of companies throughout the state who have entered into a contract with the State of Kansas, a Kansas municipality or other political subdivision in the state. A contractor and its subcontractors are obligated to observe the provisions of the Kansas Act Against Discrimination and the Kansas Age Discrimination in Employment Act.

The Commission is empowered to investigate these state contractors to insure that entities receiving money from contracts with the state have equitable work forces and employment practices.

## THE COMPLAINT PROCESS

Kansas law provides that any person who claims to be aggrieved by an unlawful practice in the areas of employment, housing, or public accommodations, and can articulate a prima facie case pursuant to a recognized legal theory of discrimination (based on race, religion, color, sex, disability, ancestry, national origin, age and use of genetic information in the area of employment only, familial status in the area of housing only, and retaliation) may file a complaint with the KHRC.

K.S.A. 22-4606 et seq, which became effective July 1, 2005, allows any person who believes they have been subjected to racial and other profiling by a law enforcement officer or agency to file a complaint with the Kansas Human Rights Commission. The law prohibits relying, as the sole factor, on race, ethnicity, national origin, gender, or religious dress. The Commission shall review and, if necessary, investigate the complaint.

Pursuant to guidelines adopted by the Commission, a complaint filed with the Commission alleging profiling must be filed within six months after the alleged act of profiling, unless the act complained of constitutes a continuing pattern or practice of profiling, in which event it will be from the last date of profiling.

Employment and public accommodation complaints must be filed within six months from the last alleged discriminatory act. Housing complaints must be filed within one year of the last date of incident.

KHRC's intake department is located

in the Topeka office and is responsible for drafting complaints filed with the agency. The intake department also provides inquirers with referrals to other agencies (for issues outside of KHRC's jurisdiction), and answers questions regarding KHRC's compliance and enforcement policies.

A complaint may be filed personally, by an attorney, or with the assistance of the KHRC Intake Unit. An individual may write, e-mail, telephone or come in to one of the Kansas Human Rights Commission's offices to begin the filing process. If the complaint falls within the Commission's jurisdiction, a formal complaint may be submitted. The intake workers are available to assist in drafting a complaint based on information provided by the complainant. An employment, housing, or public accommodation complaint must be signed, verified and notarized before it can be officially filed with the Commission. A complaint alleging racial and other profiling is not required to be verified or notarized. Forms and information about filing a complaint of discrimination may be obtained at any area office or the Commission web page.

There were over 6,171 contacts through KHRC's intake department during FY 2010. Some inquiries were outside of KHRC's jurisdiction or beyond the timely filing limit and were referred to the Equal Employment Opportunity Commission or other agencies.

The Commission offers a voluntary third-party mediation program statewide through Kansas Legal Services. Mediation services offer a possible alternative to complete investigation.

When mediation services are not selected by one of the parties, or when mediation services fail, a complaint may be sent for full investigation.

The Commission is responsible for investigating all complaints filed. It is also responsible for conciliation of cases where the investigating commissioner has indicated there is probable cause to credit allegations of the complaints.

During a full investigation a field investigator will interview the complainant, review relevant documents, conduct interviews with witnesses, and summarize the case for the investigating commissioner. The investigator's role is that of a neutral fact finder. The investigator does not determine the outcome of the case, but rather gathers and presents the facts to a commissioner for determination. All information discovered throughout the course of the investigation is gathered in an objective and impartial manner.

Depending upon the information obtained during the investigative process, the investigating commissioner makes a determination of either "Probable Cause" or "No Probable Cause".

In an employment, housing, or public accommodation case, an attempt will be made to reach a written settlement between complainant and respondent if the Commission finds "Probable Cause." If conciliation efforts fail, the case may be scheduled for a public hearing.

In a profiling case, the Commission will consult with the respondent in an effort to resolve and settle the complaint if the

Commission finds "Probable Cause."

### **THIRD-PARTY MEDIATION PROGRAM**

Under this program KHRC contracts with Kansas Legal Services to offer a voluntary procedure in which the parties to discrimination complaints filed with KHRC may attempt to mediate and resolve their controversies short of having KHRC investigate and process the complaint.

This program was begun on a limited basis in FY 1996. Beginning FY 1997, the program was expanded to offer mediation services statewide. Twenty-five percent of the program costs are funded with private funds.

KHRC's third-party mediation procedure has been an effective means of resolving complaints, 762 cases were referred to mediation. Of that number, 163 mediations were completed, with another 57 under consideration by the parties involved or pending. At the end of FY 2010 13 mediations were scheduled, but not completed. A total of 90 mediations resulted in case resolution.

### **OFFICE OF ADMINISTRATIVE HEARINGS**

The Office of Administrative Hearings (formerly Office of Administrative Law Judge) performs the adjudicatory functions of the KHRC. By statute, public hearing proceedings (administrative trial proceedings) are commenced pursuant to the provisions of the Kansas Administrative Procedure Act.

The Kansas Department of Administration's Office of Administrative Hearings presides over any public hearing proceedings.

At the beginning of FY 2010, two cases were pending in the Office of Administrative Hearings. There were zero new public hearing cases for FY 2010. No public hearings were held in FY 2010. There were two closures, which included one administrative closure and one settlement.

In summary, action was completed on two cases, and at the end of the fiscal year, zero cases were pending.

## **PUBLIC INFORMATION PROGRAM**

The Kansas Act Against Discrimination provides for programs of formal and informal education. Commission programs inform the public about civil rights laws, what constitutes discrimination and how acts of discrimination can be avoided.

The Kansas Human Rights Commission's public information program sponsors, develops, and conducts a vast amount of training across the State. This task is accomplished through seminars and conferences that are open to the public, on-site training and presentations for private businesses, municipalities, college-level classes, high school classes, tele-conferences and the constant development of its web site.

During FY 2010, the agency conducted seminar and training sessions throughout the State, training public and

private organizations, civic groups, neighborhood organizations, realtors, landlords and schools. The public information program trained 6,036 individuals.

The Commission's information services are provided free of charge to individuals across the state. Civil rights topics most often requested included issues relating to sexual harassment, fair housing, diversity training and the investigative process.

The KHRC also hosted its Annual Employment Law Seminar on September 9, 2009. There were more than 320 registrants at this seminar.

In addition to information and training, the agency creates and maintains Commission publications. The agency distributed thousands of posters and fielded hundreds of telephone inquiries. Publications of the Kansas Human Rights Commission include its Annual Report, its Rules & Regulations, the Kansas Act Against Discrimination and Kansas Age Discrimination in Employment Act (KAAD/KADEA) booklet, and brochures on Employment, Discrimination in Hiring, Fair Housing, and the publication of the Commission's newsletter, *Spectrum*.

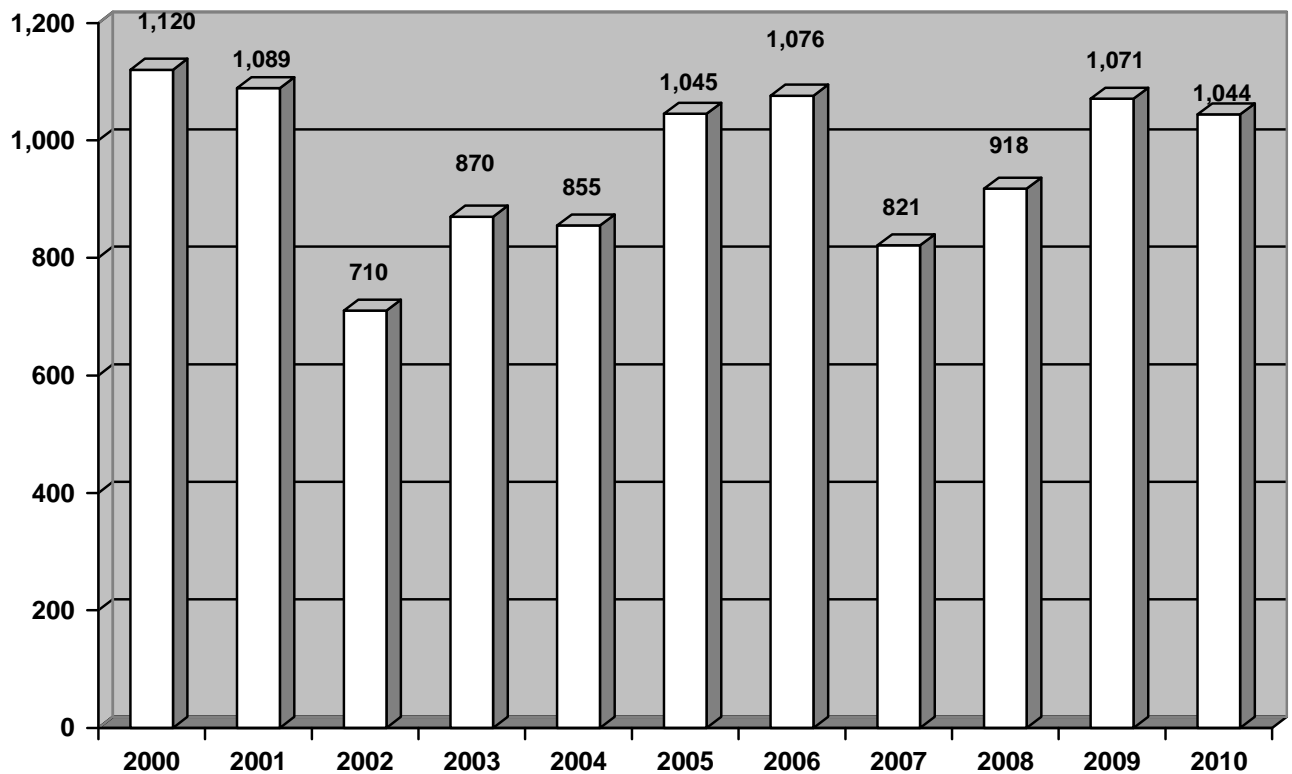
The Commission continued to update and improve its informational web site. The site not only provides information on the Kansas Human Rights Commission, its Commissioners and the law it is empowered to enforce, but it has links to other state human rights organizations and various civil rights related web sites. The web page address is [www.khrc.net](http://www.khrc.net).

# STATISTICAL DATA

## COMPLAINTS FILED FY 2010

AREA	COMPLAINTS	PERCENTAGE OF COMPLAINTS
Employment	988	95 %
Housing	12	1 %
Public Accommodation	31	3 %
Racial & Other Profiling	13	1 %
Total Charges Filed	1,044	100 %

## COMPLAINTS FILED FY 2000 – FY 2010



## BASES FILED FY 2010

CATEGORY	NUMBER
Employment	1,818
Housing	15
Public Accommodation	40
Racial & Other Profiling	14
Total Bases Filed	1,887

\*Total exceeds the actual number of complaint documents filed since many complaints contain multiple bases.

## BASIS OF COMPLAINT *versus* AREA IN WHICH COMPLAINT WAS ALLEGED FY 2010

BASIS	EMPLOYMENT	HOUSING	PUBLIC ACCOM.	PROFILING	TOTAL
Retaliation	460	1	2		463
Race	337	4	18	11	370
Sex	304	1	4		309
Disability	260	5	9		274
*Age	259				259
National Origin	116	2	6	1	125
Color	43		1		44
Religion/Religious Dress	39	1			40
#Ethnicity				2	2
%Familial Status		1			1
Ancestry					0
*Genetic Testing					0
**Total	1,818	15	40	14	1,887

# Ethnicity is a basis only in racial and other profiling complaints.

% Familial Status is a basis only in housing complaints.

\*Age and Genetic Testing are bases only in employment complaints

\*\*Total exceeds the actual number of complaint documents filed since many complaints contain multiple charges.

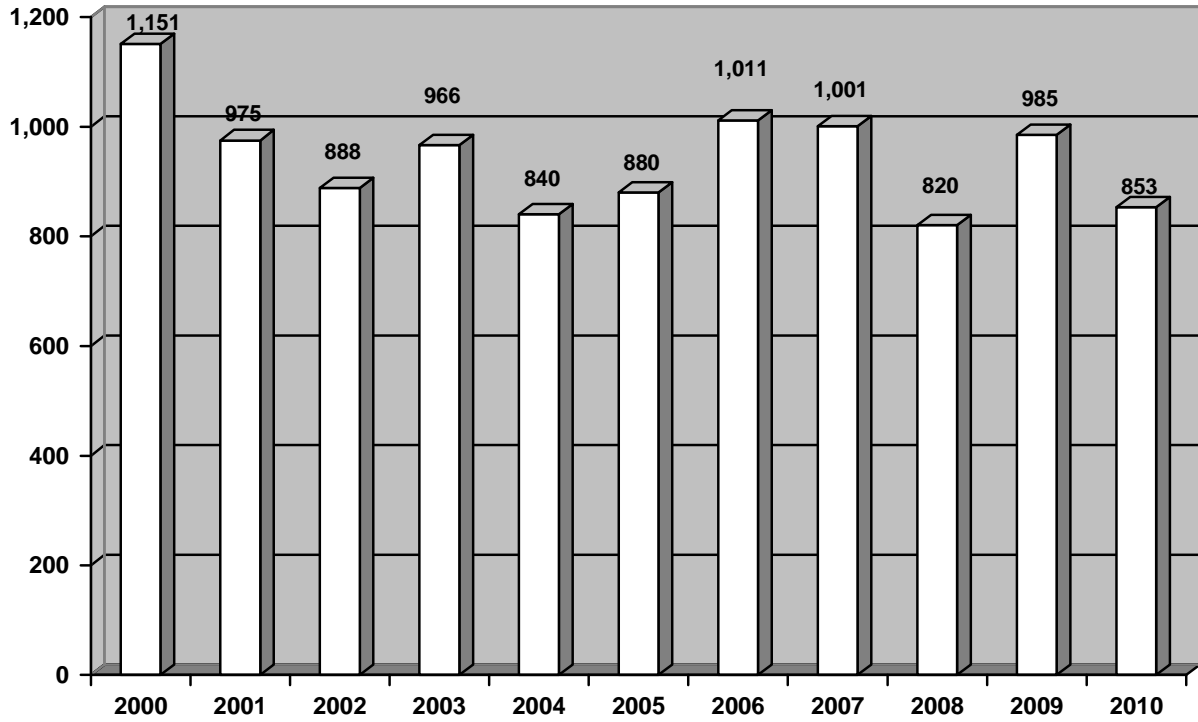
## CASES RESOLVED FY 2010

CASES	NUMBER
Employment	796
Public Accommodation	29
Racial & Other Profiling	21
Housing	7
<b>Total Cases Closed</b>	<b>853</b>

The Commission resolved 853 cases and recovered a total of \$1,035,314, for complainants. This figure does not include the value of positions or jobs that may have been obtained by the Commission for complainants, nor does it include other non-monetary remedies.

RESOLVED CASES FY 2010	TOTALS
<b>RESOLVED CASES WITH RECOVERY:</b>	
Satisfactory adjustment-settlement	60
Satisfactory adjustment-conciliation	20
Settlements at the hearing level	1
<b>CASES WITHDRAWN BY COMPLAINANT WITH BENEFITS</b>	<b>140</b>
<b>CASES CLOSED WITHOUT RECOVERY:</b>	
Unsuccessful Conciliation	0
No probable cause determined by KHRC	517
<b>ADMINISTRATIVE CLOSURES AND WITHDRAWALS</b>	<b>115</b>
<b>TOTAL CASES RESOLVED</b>	<b>853</b>

## CASES RESOLVED YEAR-TO-YEAR FY 2000 – FY 2010

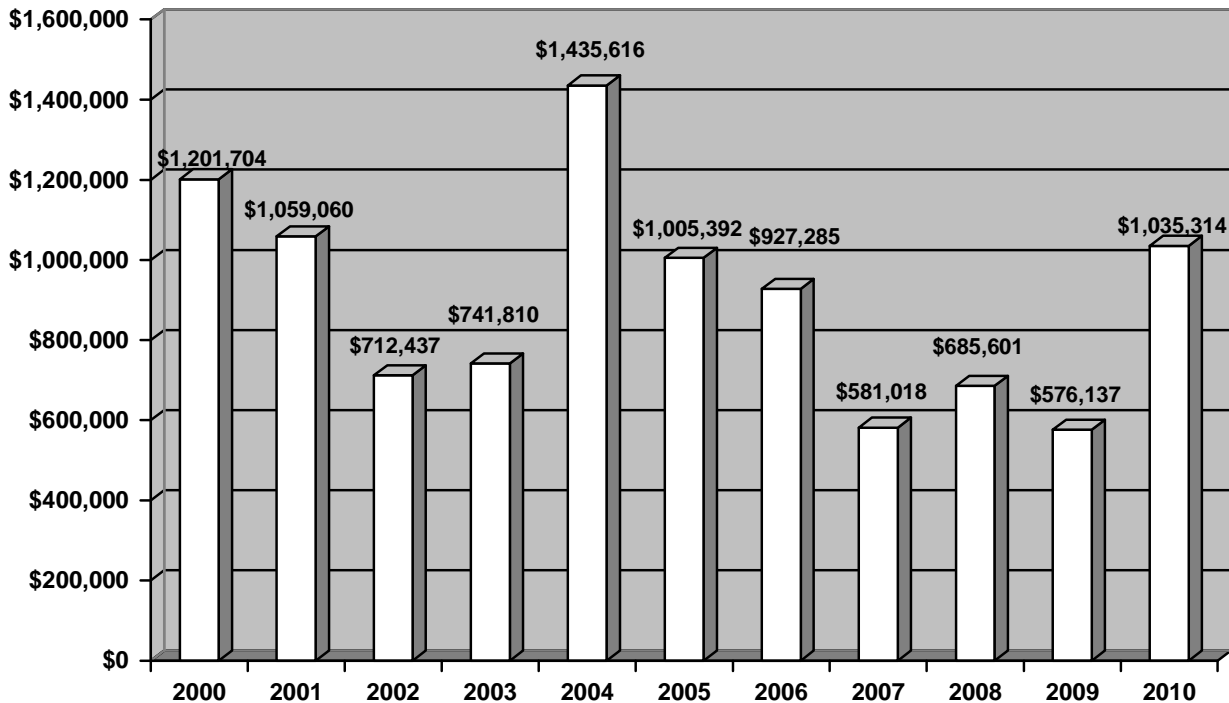




**RESOLVED CASES AND MONETARY RECOVERY  
FY 1982 – FY 2010**

<b>FISCAL YEAR</b>	<b>RESOLVED CASES</b>	<b>MONETARY RECOVERY AMOUNT</b>
2010	853	\$1,035,314.00
2009	985	\$ 576,137.00
2008	820	\$ 685,601.00
2007	1,001	\$ 581,018.00
2006	1,011	\$ 927,285.00
2005	880	\$ 1,005,392.00
2004	840	\$ 1,435,616.00
2003	966	\$ 741,810.00
2002	888	\$ 712,437.00
2001	975	\$ 1,059,066.00
2000	1,151	\$ 1,201,704.00
1999	1,356	\$ 620,103.00
1998	1,848	\$ 1,542,101.00
1997	1,583	\$ 773,824.00
1996	1,973	\$ 400,752.00
1995	1,370	\$ 358,556.00
1994	1,352	\$ 405,158.00
1993	1,418	\$ 490,183.00
1992	1,176	\$ 435,483.37
1991	1,115	\$ 307,900.00
1990	1,206	\$ 285,171.16
1989	1,107	\$ 199,014.18
1988	1,083	\$ 253,955.93
1987	1,367	\$ 171,549.16
1986	1,177	\$ 192,000.89
1985	1,119	\$ 303,383.00
1984	1,035	\$ 182,714.14
1983	1,278	\$ 86,969.67
1982	1,351	\$ 201,959.21

## RECOVERIES FROM FY 2000 – FY 2010



The figures above do not include the value of positions that may have been obtained by the Commission for complainants, nor does it include other non-monetary remedies.

## BASES OF ALLEGED UNLAWFUL EMPLOYMENT PRACTICES in FY 2010

*Employment discrimination complaints totaled 988, approximately 95% of all complaints filed with the agency.*

BASIS	NUMBER OF BASES
Retaliation	460
Sex	304
Race	337
Disability	260
Age	259
National Origin	116
Color	43
Religion	39
Ancestry	0
Genetic Testing	0
*Total	1,818

\*Total exceeds the actual number of complaint documents filed since many complaints contain multiple allegations.

## TYPES OF ALLEGATIONS OF UNLAWFUL EMPLOYMENT PRACTICES FY 2010

TYPE OF ALLEGATION	NUMBER FILED
Benefits	17
Constructive Discharge	79
Demotion	31
Discharge	565
Discipline	165
Harassment	134
Hiring	53
Layoff	48
Maternity	23
Promotion	43
Reasonable Accommodation	75
Reference Unfavorable	5
Reinstatement	11
Retirement- Involuntary	5
Severance Pay Denied	2
Sexual Harassment	104
Suspension	88
Terms & Conditions	641
Training	31
Wages	88
<b>*Total</b>	<b>2,208</b>

\*Total exceeds the actual number of complaint documents  
filed since many complaints contain multiple allegations.

## RESPONDENTS IN EMPLOYMENT CASES FY 2010

TYPE OF RESPONDENT	NUMBER
Private Employers	867
Governmental	68
Educational	52
Unions	1
<b>Total</b>	<b>988</b>

**TYPES OF ALLEGATIONS OF UNLAWFUL EMPLOYMENT  
PRACTICES YEAR-TO-YEAR COMPARISON  
FY 2002 - FY 2010**

<b>TYPE OF ALLEGATION</b>	<b>2010</b>	<b>2009</b>	<b>2008</b>	<b>2007</b>	<b>2006</b>	<b>2005</b>	<b>2004</b>	<b>2003</b>	<b>2002</b>
Apprenticeship	0	0	0	0	0	0	0	0	0
Assignment	0	0	0	0	0	0	0	0	0
Benefits	17	19	11	7	5	10	5	17	7
Constructive Discharge	79	98	97	69	89	105	84	84	59
Demotion	31	33	42	21	29	41	27	37	20
Discharge	565	589	475	431	504	513	457	491	392
Discipline	165	204	135	126	123	134	103	91	90
Exclusion	0	0	0	0	0	0	0	0	0
Harassment	134	177	139	85	143	155	139	158	93
Hiring	53	59	62	60	121	58	51	36	29
Intimidation	0	0	0	0	0	0	0	0	0
Layoff	48	24	21	11	70	20	33	27	23
Maternity	23	20	9	1	3	10	12	22	29
Promotion	43	67	41	53	70	56	38	36	36
Reason Accommodation	75	90	60	67	64	32	33	35	27
Recall	0	0	0	0	2	7	2	1	3
Reference Unfavorable	5	2	4	3	10	5	4	6	4
Reinstatement	11	5	7	9	10	11	11	9	2
Retirement-Involuntary	5	1	2	0	5	3	1	2	0
Severance Pay Denied	2	1	2	1	5	0	0	0	0
Sexual Harassment	104	126	121	120	108	99	98	85	96
Suspension	88	87	62	51	68	32	29	22	33
Terms & Conditions	641	676	493	410	442	188	136	136	71
Testing	0	1	1	0	0	0	0	0	0
Training	31	28	24	25	19	4	8	4	3
Union Representation	0	3	1	4	6	1	2	5	1
Wages	88	89	78	66	86	34	16	28	27
Other	0	0	0	0	0	0	0	0	1
<b>Total</b>	<b>2,208</b>	<b>2,399</b>	<b>1,887</b>	<b>1,620</b>	<b>1,982</b>	<b>1,518</b>	<b>1,289</b>	<b>1,332</b>	<b>1,046</b>

\*Total exceeds the actual number of complaint documents filed since many complaints contain multiple allegations

## BASES OF ALLEGED UNLAWFUL HOUSING PRACTICES FY 2010

*Housing discrimination complaints totaled 12, approximately 1% of all complaints filed with the agency in FY 2010.*

BASIS OF COMPLAINT	NUMBER OF BASES
Disability	5
Race	4
National Origin	2
Familial Status	1
Religion	1
Retaliation	1
Sex	1
Ancestry	0
Color	0
<b>*Total</b>	<b>15</b>

## TYPES OF ALLEGATIONS OF UNLAWFUL HOUSING PRACTICES FY 2010

TYPE OF ALLEGATION	NUMBER OF ALLEGATIONS
Eviction	8
Terms & Conditions	5
Harassment	3
Refusal to Rent/Sell	3
Reasonable Accommodation	2
Denied Loan	0
Sexual Harassment	0
<b>*Total</b>	<b>21</b>

\*Total exceeds the actual number of complaint documents filed  
since many complaints contain multiple allegations.

**TYPES OF ALLEGATIONS OF UNLAWFUL HOUSING PRACTICES  
YEAR-TO-YEAR COMPARISON  
FY 2002 – FY 2010**

UNLAWFUL PRACTICES	2010	2009	2008	2007	2006	2005	2004	2003	2002
Accommodations	2	1	0	1	3	5	0	0	4
Brokerage/Finance	0	0	0	0	0	0	2	0	3
Eviction	8	2	7	3	8	7	2	1	1
Harassment	3	2	5	2	4	1	4	2	0
Other	0	0	0	0	0	0	0	0	3
Refusal to Rent or Sell	3	2	0	2	3	1	0	1	0
Retaliation/Coercion	0	0	0	0	0	0	0	1	4
Sexual Harassment	0	1	1	0	0	0	0	0	1
Terms & Conditions	5	5	9	3	1	1	2	1	0
*Total	21	13	22	11	19	16	10	6	16

\*Total exceeds the actual number of complaint documents filed  
since many complaints contain multiple allegations

**BASES OF ALLEGED UNLAWFUL DISCRIMINATION IN  
PUBLIC ACCOMMODATIONS  
FY 2010**

*Public accommodation complaints totaled 31, approximately 3%  
of all complaints filed with the agency during FY 2010.*

BASIS OF COMPLAINT	NUMBER OF BASES
Race	18
Disability	9
National Origin	6
Sex	4
Retaliation	2
Color	1
Ancestry	0
Religion	0
*Total	40

**TYPES OF ALLEGATIONS OF UNLAWFUL  
PUBLIC ACCOMMODATION CASES  
FY 2010**

CATEGORY	NUMBER
Denial of Service	21
Harassment	15
Unequal Service	7
Denied Accessible Parking	0
*Total	43

\*Total exceeds the actual number of complaint documents filed  
since many complaints contain multiple allegations.

**TYPES OF ALLEGATIONS OF UNLAWFUL  
PUBLIC ACCOMMODATION CASES  
YEAR-TO-YEAR COMPARISON  
FY 2002 – FY 2010**

CATEGORY	2010	2009	2008	2007	2006	2005	2004	2003	2002
Unequal Service	7	12	7	12	6	30	16	11	8
Denial of Service	21	12	16	18	14	16	18	15	23
Denied Accessible Parking	0	1	0	1	0	24	0	5	0
Harassment	15	8	8	13	4	15	12	14	19
*Total	43	33	31	44	24	85	46	45	50

\*Total exceeds the actual number of complaint documents filed  
since many complaints contain multiple allegations.

**TYPES OF RESPONDENTS IN PUBLIC  
ACCOMMODATION CASES  
FY 2010**

<b>TYPE OF RESPONDENT</b>	<b>NUMBER</b>
Retail	<b>19</b>
Services	<b>9</b>
Eating Establishment	<b>1</b>
Hotel Industry	<b>1</b>
Other	<b>1</b>
Amusement	<b>0</b>
Finance	<b>0</b>
Total	<b>31</b>



**BASES OF ALLEGED UNLAWFUL DISCRIMINATION IN  
RACIAL AND OTHER PROFILING  
FY 2010**

*Racial and other profiling complaints totaled 13, approximately 1% of all complaints filed with the agency in FY 2010.*

<b>BASIS OF COMPLAINT</b>	<b>NUMBER OF BASES</b>
Race	<b>11</b>
Ethnicity	<b>2</b>
National Origin	<b>1</b>
Sex	<b>0</b>
*Total	<b>14</b>

\*Total exceeds the actual number of complaint documents filed since many complaints contain multiple allegations.

**TYPES OF ALLEGATIONS OF UNLAWFUL  
RACIAL AND OTHER PROFILING CASES  
FY 2010**

<b>REASON FOR STOP/CONTACT</b>	<b>NUMBER</b>
Traffic Infraction	<b>8</b>
Other	<b>5</b>
Arrest	<b>2</b>
Search	<b>2</b>
Use of Drug Dog	<b>0</b>
Total	<b>17</b>

\*Total exceeds the actual number of complaint documents filed since many complaints contain multiple allegations.

**TYPES OF RESPONDENTS IN  
RACIAL AND OTHER PROFILING CASES  
FY 2010**

<b>TYPE OF RESPONDENT</b>	<b>NUMBER</b>
City or Municipality	<b>7</b>
County	<b>5</b>
State	<b>1</b>
Total	<b>13</b>

**DISTRIBUTION OF RACIAL AND OTHER PROFILING CASES RECEIVED  
BY COUNTY IN WHICH ALLEGATION OCCURED  
FY 2010**

COUNTY	NUMBER
Anderson	1
Butler	1
Chase	1
Douglas	1
Johnson	1
Marion	1
Montgomery	3
Osage	1
Sedgwick	3
Total	13

**DISTRIBUTION BY CITY OF EMPLOYMENT, HOUSING, & PUBLIC  
ACCOMMODATION CASES RECEIVED  
FY 2010**

City	No. of Employ. Complaints	No. of Housing Complaints	No. of Public Accom. Complaints
Abilene	8		
Andover	3		
Argonia	1		
Arkansas City	5		
Atchison	4		
Augusta	2		
Baldwin City	2		
Basehor	2		
Baxter Springs	1		
Bel Aire	1		
Belleville	1		
Beloit	1		
Blue Mound	1		
Bonner Springs	3		
Burlington	3		
Centralia	1		
Chanute	3		
Cheney	1		
Cherryvale	1		
Cimarron	1		
Clay Center	1		
Coffeyville	4		
Colby	2		
Concordia	1		
Cottonwood Falls	1		
Council Grove	1		
De Soto	2		
Derby	2	1	
Dodge City	10		
Edwardsville	1		
El Dorado	6		
Emporia	7		
Eudora	3	1	
Fairway	1		
Fort Scott	5		
Fredonia	3		
Garden City	14	1	1
Gardner	1		
Glasco	1		
Goodland	1		

City	No. of Employ. Complaints	No. of Housing Complaints	No. of Public Accom. Complaints
Great Bend	3		
Halstead	1		
Hays	8		
Haysville	2		
Herington	1		
Hesston	1		
Hiawatha	5		
Holcomb	4		
Hugoton	1		
Humboldt	1		
Hutchinson	19		
Independence	3		
Iola	3		
Johnson	1		
Junction City	13		
Kansas City	89		3
Kingman	1		
Lakin	2		
Lansing	5		
Larned	2		
Lawrence	31	1	
Leavenworth	6		
Leawood	8		
Lecompton	1		
Lenexa	49		1
Leoti	2		
Liberal	8		
Linn	1		
Long Island	1		
Louisburg	3		
Manhattan	15		
Marienthal	1		
Mc Louth	1		
Mc Pherson	1		
Meade	1		
Medicine Lodge	2		
Merriam	8		
Minneapolis	1		
Mission	2		
Mound City	2		

<b>City</b>	<b>No. of Employ. Complaints</b>	<b>No. of Housing Complaints</b>	<b>No. of Public Accom. Complaints</b>
Moundridge	1		
New Century	2		
Newton	4		
North Newton	2		
Oakley	2		
Olathe	40	2	1
Osawatomie	1		
Ottawa	2		
Overland Park	80		3
Paola	3	1	
Parsons	8		
Pauline	1		
Pittsburg	7		
Pleasanton	1		
Prairie Village	1		
Pratt	1		
Roeland Park	2		
Rolla	1		
Russell	1		
Sabetha	1		
Saint George	1		
Saint Mary's	1		
Saint Paul	1		
Salina	18		
Satanta	3		
Scott City			1
Seneca	1		
Shawnee	17		1
Shawnee Mission	8		1
Solomon	1		
South Hutchinson	3		
Sterling	1		
Syracuse	1		
Tecumseh	1		
Tonganoxie	3		
Topeka	128	5	7
Toronto	2		
Ulysses	1		
Vassar	1		
Washington	2		
Wellington	3		
Westwood	1		
Wichita	204		12
Winfield	4		
<b>Total</b>	<b>988</b>	<b>12</b>	<b>31</b>

<b>City</b>	<b>No. of Employ. Complaints</b>	<b>No. of Housing Complaints</b>	<b>No. of Public Accom. Complaints</b>
Grand Total Cities for Employment, Housing, and Public Accommodation Complaints			1,044