

Kansas Human Rights Commission



**Annual Report
Fiscal Year 2008
July 1, 2007 - June 30, 2008**

KANSAS HUMAN RIGHTS COMMISSION

2008 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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THE COMMISSIONERS

Lou Ann Thoms
Chairman
Real Estate, Topeka

David A. Hanson
Law, Topeka

Beth Bradrick, Ph.D.
Labor, Pittsburg

Clyde Howard
At Large, Manhattan

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.

Contact Information

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Topeka KS 66612
(785) 296-3206
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TTY: (785) 296-0245
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Wichita

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Wichita, KS 67202
(316) 337-6270
Fax: (316) 337-7376
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Dodge City

Military Plaza Offices, Suite 220
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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
Brandon L. Myers	Chief Legal Counsel
Judy Fowler	Senior Legal Counsel - Wichita
Catherine Walter	Senior Legal Counsel-Topeka
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
Jeremy Deckard	Public Information Officer
Paul Forese	Investigator - Topeka
Barbara Girard	Investigator-Topeka
Holly King	Investigator- Topeka
Vamba Nzwilli	Investigator - Topeka
Kathy Prochazka	Investigator - Topeka
Dan Wentling	Investigator- Topeka
Barbara Combs	Investigator - Wichita
Marvin McCurtis	Investigator-Wichita
Cindy Nelson	Investigator - Wichita
Donna Wood	Investigator - Wichita
Lin Gillen	Investigator- Independence
Roma Meraz Valencia	Investigator-Dodge City
Robert Easterling	Intake Supervisor
Laura Gomez	Intake Specialist
Jenny McCaslin	Intake Specialist
Caryl Hines	Secretary - Topeka
Carol Radcliffe	Secretary - Wichita
Linda Wenger	Secretary - Topeka
Etta James	Office Specialist -Topeka
Yona Johnson	Receptionist - Wichita
Sabrina Thompson	Receptionist -Topeka

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, 12 investigators, three investigative supervisors, a racial and other profiling supervisor, one public information officer, three attorneys, one intake supervisor, two intake specialists, an office manager, and six 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 2008 total budget was \$2,204,583 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:

General Funds	\$ 1,791,729
Fee Funds	\$ 27,399
Federal Funds	\$ 385,455
Totals	\$ 2,204,583

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 in the past decade, which has expanded the role of the Kansas Human Rights Commission and other human rights agencies.

In FY 2008, race was the number one basis of complaints filed. Sex, retaliation, age, and disability continued as the basis given for most complaints filed with this agency.

During FY 2008, KHRC closed 820 cases and recovered \$685,601 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 eight 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.

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, and is staffed by an intake supervisor and two intake specialists. 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 5,800 contacts through KHRC's intake department during FY 2008. 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, 625 cases were referred to mediation. Of that number, 128 mediations were completed, with another 38 under consideration by the parties involved or pending. At the end of FY 2008 21 mediations were scheduled, but not completed. A total of 71 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. In FY 2008, the Kansas Department of Administration's Office of Administrative Hearings presided over public hearing proceedings.

At the beginning of FY 2008, three cases were pending in the Office of Administrative Hearings. There were seven new public hearing cases for FY 2008. One public hearing was held in FY 2008. There was one administrative closure.

In FY 2008, the Office of Administrative Hearings conducted a pre-hearing conference in eight cases.

There were two settlements completed in FY 2008.

In summary, action was completed on three of the cases, and at the end of FY 2008, seven cases were still pending.

PUBLIC INFORMATION PROGRAM

In addition to its enforcement and compliance activities, the Commission is also required by law (KAAD) to 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, teleconferences and the constant development of its web site.

During FY 2008, the agency conducted seminar and training sessions throughout the State, training public and private organizations, civic groups, neighborhood organizations, realtors, landlords and schools. In FY 2008, the public information program provided 162 training sessions and trained 7,423 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 3, 2008. There were more than 240 attendees at this seminar.

In addition to information and training, the agency creates and maintains Commission publications. During FY 2008, 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*.

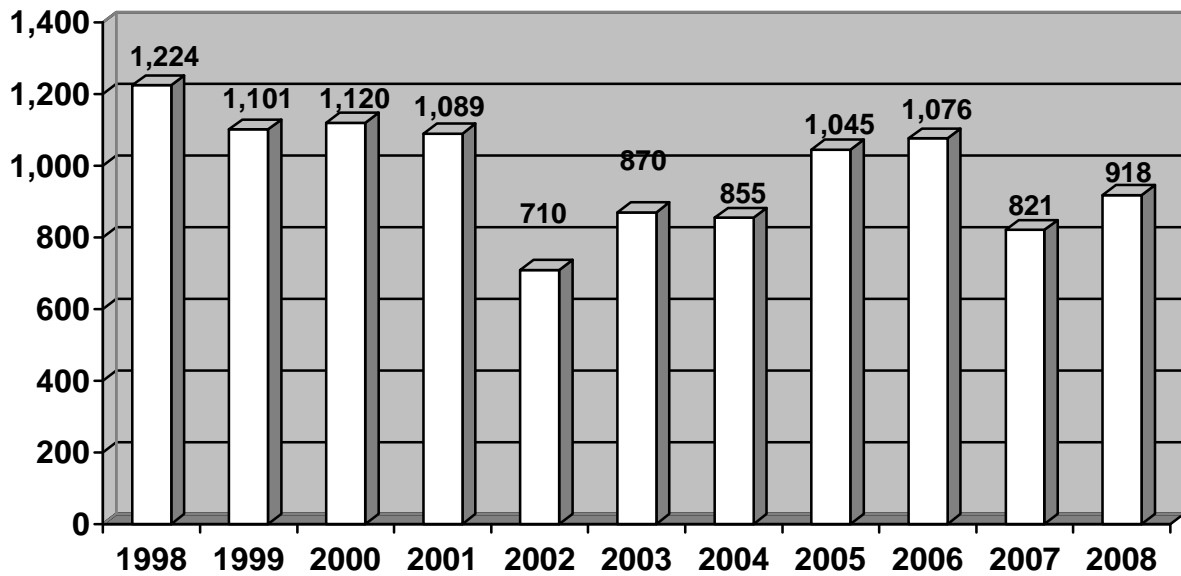
During FY 2008, the Commission continued to update and improve its informational web site. The site not only provides information on the Kansas Human Rights Commission, its Commissioners and the law it is empowered to enforce, but it has links to other state human rights organizations and various civil rights related web sites. The web page address is www.khrc.net.

STATISTICAL DATA

COMPLAINTS FILED FY 2008

AREA	COMPLAINTS	PERCENTAGE OF COMPLAINTS
Employment	860	94 %
Housing	14	1 %
Public Accommodation	26	3 %
Racial & Other Profiling	18	2 %
Total Charges Filed	918	100 %

COMPLAINTS FILED FY 1998 – FY 2008



BASES FILED FY 2008

CATEGORY	NUMBER
Employment	1,375
Housing	17
Public Accommodation	27
Racial & Other Profiling	21
Total Bases Filed	1,440

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

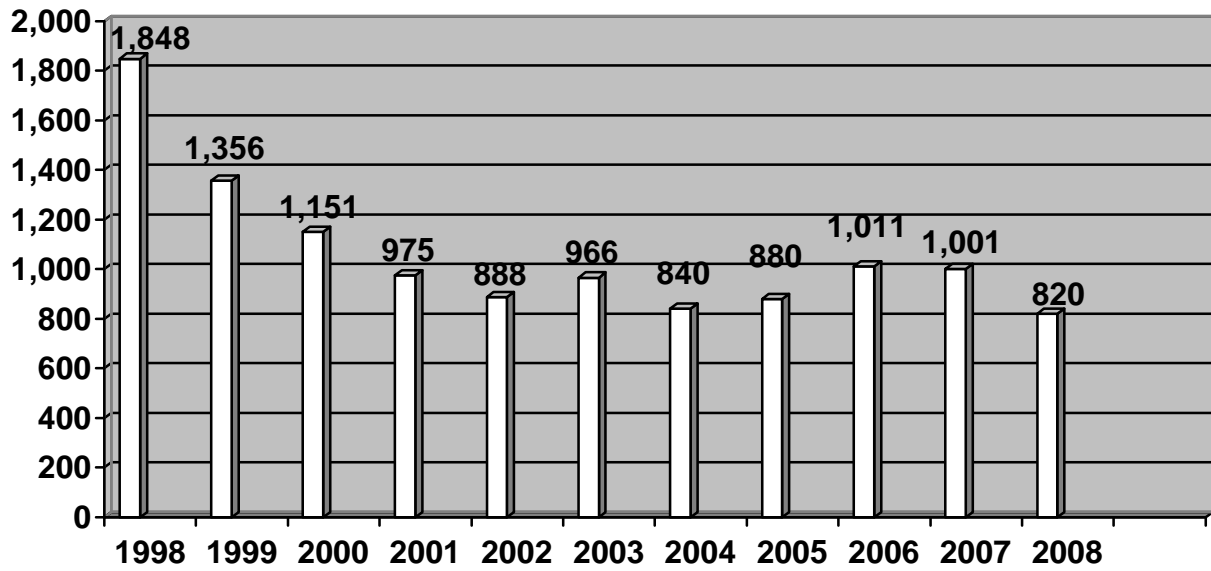
CASES RESOLVED FY 2008

CASES	NUMBER
Employment	774
Public Accommodation	24
Racial & Other Profiling	14
Housing	8
Total Cases Closed	820

In FY 2008, the Commission resolved 820 cases and recovered a total of \$685,601, 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 2008	TOTALS
RESOLVED CASES WITH RECOVERY:	
Satisfactory adjustment-settlement	70
Satisfactory adjustment-conciliation	13
Settlements at the hearing level	2
CASES WITHDRAWN BY COMPLAINANT WITH BENEFITS	76
CASES CLOSED WITHOUT RECOVERY:	
Unsuccessful Conciliation	0
No probable cause determined by KHRC	567
ADMINISTRATIVE CLOSURES AND WITHDRAWALS	92
TOTAL CASES RESOLVED	820

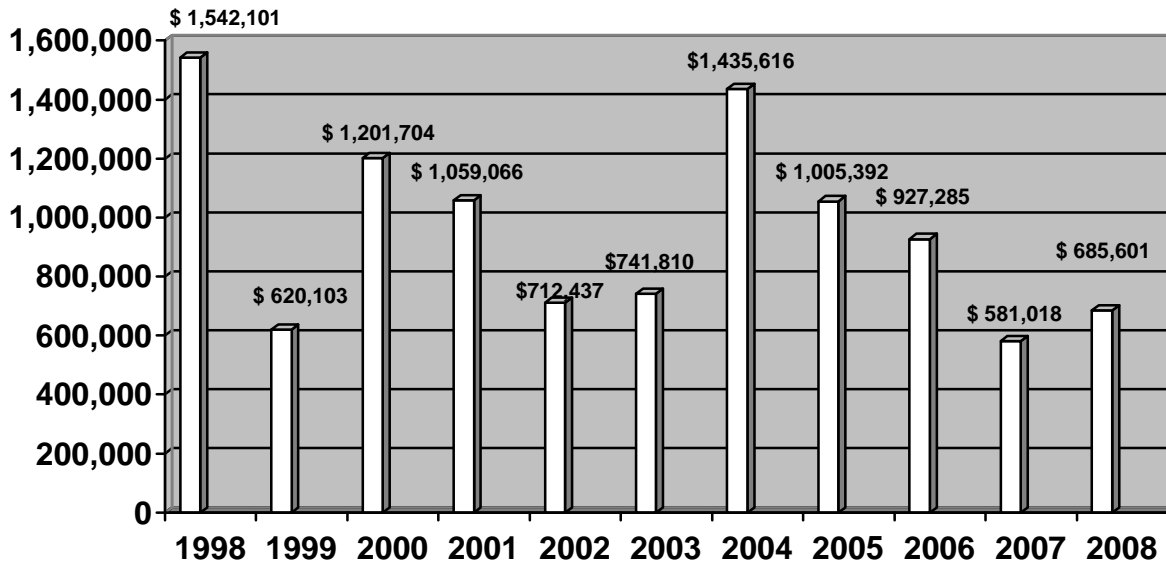
CASES RESOLVED YEAR-TO-YEAR FY 1998 – FY 2008



**RESOLVED CASES AND MONETARY RECOVERY
FY 1980 – FY 2008**

FISCAL YEAR	RESOLVED CASES	MONETARY RECOVERY AMOUNT
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
1981	849	\$ 160,715.62
1980	570	\$ 67,588.00

RECOVERIES FROM FY 1998 – FY 2008



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 UNLAWFUL EMPLOYMENT PRACTICES in FY 2008

Employment discrimination complaints totaled 860, approximately 94% of all complaints filed with the agency.

BASIS	NUMBER OF BASES
Sex	280
Retaliation	278
Race	271
Age	222
Disability	202
National Origin	79
Religion	25
Color	18
Ancestry	0
Genetic Testing	0
*Total	1,375

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

TYPES OF ALLEGATIONS OF UNLAWFUL EMPLOYMENT PRACTICES FY 2008

TYPE OF ALLEGATION	NUMBER FILED
Benefits	11
Constructive Discharge	97
Demotion	42
Discharge	475
Discipline	135
Harassment	139
Hiring	62
Layoff	21
Maternity	9
Promotion	41
Reasonable Accommodation	60
Recall	0
Reference Unfavorable	4
Reinstatement	7
Retirement- Involuntary	2
Severance Pay Denied	2
Sexual Harassment	121
Suspension	62
Terms & Conditions	493
Testing	1
Training	24
Union Representation	1
Wages	78
*Total	1,887

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

RESPONDENTS IN EMPLOYMENT CASES FY 2008

TYPE OF RESPONDENT	NUMBER
Private Employers	734
Governmental	74
Educational	46
Unions	2
Other	4
Total	860

TYPES OF ALLEGATIONS OF UNLAWFUL EMPLOYMENT PRACTICES YEAR-TO-YEAR COMPARISON

TYPE OF ALLEGATION	2008	2007	2006	2005	2004	2003	2002	2001	2000
Apprenticeship	0	0	0	0	0	0	0	0	0
Assignment	0	0	0	0	0	0	0	0	0
Benefits	11	7	5	10	5	17	7	37	55
Constructive Discharge	97	69	89	105	84	84	59	102	201
Demotion	42	21	29	41	27	37	20	0	61
Discharge	475	431	504	513	457	491	392	492	766
Discipline	135	126	123	134	103	91	90	88	158
Exclusion	0	0	0	0	0	0	0	0	0
Harassment	139	85	143	155	139	158	93	156	543
Hiring	62	60	121	58	51	36	29	60	81
Intimidation	0	0	0	0	0	0	0	0	0
Layoff	21	11	70	20	33	27	23	27	72
Maternity	9	1	3	10	12	22	29	19	12
Promotion	41	53	70	56	38	36	36	82	129
Reason Accommodation	60	67	64	32	33	35	27	56	171
Recall	0	0	2	7	2	1	3	2	8
Reference Unfavorable	4	3	10	5	4	6	4	2	7
Reinstatement	7	9	10	11	11	9	2	4	1
Retirement-Involuntary	2	0	5	3	1	2	0	0	0
Severance Pay Denied	2	1	5	0	0	0	0	0	0
Sexual Harassment	121	120	108	99	98	85	96	144	300
Suspension	62	51	68	32	29	22	33	27	94
Terms & Conditions	493	410	442	188	136	136	71	326	498
Testing	1	0	0	0	0	0	0	0	0
Training	24	25	19	4	8	4	3	6	54
Union Representation	1	4	6	1	2	5	1	5	14
Wages	78	66	86	34	16	28	27	24	191
Other	0	0	0	0	0	0	1	1	66
Total	1,887	1,620	1,982	1,518	1,289	1,332	1,046	1,660	3,489

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

BASES OF UNLAWFUL HOUSING PRACTICES FY 2008

Housing discrimination complaints totaled 14, approximately 1% of all complaints filed with the agency in FY 2008.

BASIS OF COMPLAINT	NUMBER OF BASES
Disability	7
Race	5
Sex	2
Retaliation	1
Religion	1
Color	1
Familial Status	0
National Origin	0
Ancestry	0
*Total	17

TYPES OF ALLEGATIONS OF UNLAWFUL HOUSING PRACTICES FY 2008

TYPE OF ALLEGATION	NUMBER OF ALLEGATIONS
Terms & Conditions	9
Eviction	7
Harassment	5
Sexual Harassment	1
Reasonable Accommodation	0
Refusal to Rent/Sell	0
Denied Loan	0
*Total	22

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

**TYPES OF ALLEGATIONS OF UNLAWFUL HOUSING PRACTICES
FY 2001 – FY 2008
(YEAR-TO-YEAR COMPARISON)**

UNLAWFUL PRACTICES	2008	2007	2006	2005	2004	2003	2002	2001
Terms & Conditions	9	3	1	1	2	1	4	5
Refusal to Rent or Sell	0	2	3	1	0	1	3	2
Brokerage/Finance	0	0	0	0	2	0	1	0
Accommodations	0	1	3	5	0	0	0	0
Eviction	7	3	8	7	2	1	3	8
Retaliation/Coercion	0	0	0	0	0	1	0	0
Harassment	5	2	4	1	4	2	4	4
Sexual Harassment	1	0	0	0	0	0	1	0
Other	0	0	0	0	0	0	0	0
*Total	22	11	19	16	10	6	16	19

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

**BASES OF UNLAWFUL DISCRIMINATION IN
PUBLIC ACCOMMODATIONS FY 2008**

*Public accommodation complaints totaled 26, approximately 3%
of all complaints filed with the agency during FY 2008.*

BASIS OF COMPLAINT	NUMBER OF BASES
Race	13
Disability	9
National Origin	3
Sex	2
Color	0
Retaliation	0
Ancestry	0
Religion	0
*Total	27

**TYPES OF ALLEGATIONS OF UNLAWFUL
PUBLIC ACCOMMODATION CASES FY 2008**

CATEGORY	NUMBER
Denial of Service	16
Harassment	8
Unequal Service	7
Denied Accessible Parking	0
*Total	31

*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**

CATEGORY	2008	2007	2006	2005	2004	2003	2002	2001	2000
Unequal Service	7	12	6	30	16	11	8	15	27
Denial of Service	16	18	14	16	18	15	23	18	14
Denied Accessible Parking	0	1	0	24	0	5	0	1	0
Harassment	8	13	4	15	12	14	19	15	0
*Total	31	44	24	85	46	45	50	49	41

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

**TYPES OF RESPONDENTS IN PUBLIC
ACCOMMODATION CASES FY 2008**

TYPE OF RESPONDENT	NUMBER
Services	15
Eating Establishment	6
Retail	2
Finance	2
Amusement	1
Hotel Industry	0
Total	26

**BASES OF UNLAWFUL DISCRIMINATION IN
RACIAL AND OTHER PROFILING FY 2008**

Racial and other profiling complaints totaled 18, approximately 2% of all complaints filed with the agency in FY 2008.

BASIS OF COMPLAINT	NUMBER OF BASES
Race	15
Ethnicity	3
National Origin	2
Religious Dress	1
*Total	21

*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 2008**

REASON FOR STOP/CONTACT	NUMBER
Traffic Infraction	18
Search	8
Arrest	7
Use of Drug Dog	3
Other	1
Total	37

*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 2008**

TYPE OF RESPONDENT	NUMBER
City or Municipality	12
County	2
State	4
Total	18

**DISTRIBUTION OF RACIAL AND OTHER PROFILING CASES RECEIVED
BY COUNTY IN WHICH ALLEGATION OCCURED FY 2008**

COUNTY	NUMBER
Cowley	1
Finney	1
Ford	1
Geary	1
Johnson	2
Lyon	3
Montgomery	1
Sedgwick	4
Seward	2
Shawnee	1
Wyandotte	1
Total	18

**DISTRIBUTION OF CASES RECEIVED
BY RESPONDENT CITY FY 2008**

CITY	EMP	PA	HSG	CITY	EMP	PA	HSG
Abilene	2			Erie	1		
Alta Vista	1			Eudora	1		
Andover	3			Fairway	1		
Arkansas City	2			Ford	1		
Atchison	5			Fort Scott	4		
Auburn	1			Fredonia	2		
Augusta	1			Galena	2		
Basehor	1			Galva	1		
Baxter Springs	2			Garden City	6		
Belle Plaine	1			Gardner	5		
Belvue	1			Girard	1		
Bonner Springs	4			Goodland	2		
Burden		1		Great Bend	6		
Caney	2			Harper	1		
Chanute	3			Hays	5		
Cherryvale	3			Haysville	2		
Clay Center	1			Hesston	2		
Clearwater	1			Hiawatha	1		
Coffeyville	6	1	1	Hugoton	1		
Colby	1			Hunter	1		
Colony			1	Hutchinson	13		
Concordia	1			Independence	11		
Cottonwood Falls	1			Iola	2		
De Soto	3			Junction City	8	1	
Dennis	1			Kansas City	76	3	2
Derby	2			Kingman	1		
Dodge City	7	1		La Crosse	1		
Edwardsville	5			Lansing	1		
El Dorado	3			Larned	1		
Ellinwood	1			Lawrence	23		
Emmett	2			Leavenworth	15		
Emporia	7	1		Leawood	13		
Enterprise	2			Lebo	1		

**DISTRIBUTION OF CASES RECEIVED
BY RESPONDENT CITY FY 2008 (Continued)**

CITY	EMP	PA	HSG	CITY	EMP	PA	HSG
Lenexa	43	1		Roeland Park	1	1	
Liberal	4			Rosalia	1		
Linn Valley	1			Rose Hill	1		
Louisburg	1			Rossville	1		
Lyons	3			Russell			1
Manhattan	9			Sabetha	2		
Marysville	4			Saint Marys	1		
Mayetta	1			Salina	14		
McPherson	6			Scott City	1		
Medicine Lodge	1			Shawnee	17		2
Merriam	6	1		Shawnee Mission	11	1	
Mission	10			South Hutchinson	1		
Mulvane	1			Stilwell	1		
Neodesha	1			Syracuse	2		
New Century	4			Talmage	1		
Newton	3			Tecumseh	1		
Norton	1			Topeka	105	4	3
Oakley	1			Ulysses	1		
Ogden	1		1	Valley Center	1		
Olathe	26	1	2	Wamego	1		
Osage City	1			Washington	1		
Osawatomie	1			Wathena	2		
Oskaloosa	2			Wellington	2		
Ottawa	2			Wellsville	1		
Overland Park	55	4		Wichita	190	3	1
Paola	3			Winfield	5		
Parsons	8						
Pittsburg	6	2					
Prairie Village	2			Total	860	26	14
				Grand Total	900		

**BASIS OF COMPLAINT *versus* AREA IN WHICH
COMPLAINT WAS ALLEGED FY 2008**

BASIS	EMPLOYMENT	HOUSING	PUBLIC ACCOM.	PROFILING	TOTAL
Race	271	5	13	15	304
Sex	280	2	2	0	284
Retaliation	278	1	0	0	279
*Age	222	N/A	N/A	N/A	222
Disability	202	7	9	0	218
National Origin	79	0	3	2	84
Religion/Religious Dress	25	1	0	1	27
Color	18	1	0	0	19
#Ethnicity	N/A	N/A	N/A	3	3
Ancestry	0	0	0	0	0
%Familial Status	N/A	0	N/A	N/A	0
*Genetic Testing	0	N/A	N/A	N/A	0
**Total	1,375	17	27	21	1,440

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.