

Kansas Human Rights Commission



**Annual Report
Fiscal Year 2009
July 1, 2008 - June 30, 2009**

KANSAS HUMAN RIGHTS COMMISSION

2009 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
Chair
Real Estate, Topeka

David A. Hanson
Law, Topeka

Terry Crowder
Labor, Topeka

Clyde Howard
At Large, Manhattan

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

Contact Information

Topeka-Main Office

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Topeka KS 66612
(785) 296-3206
Fax: (785) 296-0589
Toll Free (888) 793-6874

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
Judy Fowler	Senior Legal Counsel - Wichita
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
Marvin McCurtis	Investigator-Wichita
Cindy Nelson	Investigator - Wichita
Lin Gillen	Investigator- Independence
Roma Meraz Valencia	Investigator-Dodge City
Robert Easterling	Intake Supervisor
Laura Gomez	Intake Specialist
Caryl Hines	Secretary - Topeka
Carol Radcliffe	Secretary - Wichita
Linda Wenger	Secretary - Topeka
Etta James	Office Specialist -Topeka
Yona Johnson	Receptionist - Wichita
Sabrina Aquirre	Receptionist –Topeka

* Joined KHRC in October 2009.

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.

INTRODUCTION

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.

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, investigators, investigative supervisors, a racial and other profiling supervisor, a public information officer, attorneys, 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 2009 total expenditure budget was \$2,065,818 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	\$ 1,623,271
Fee Funds	\$ 19,140
Federal Funds	\$ 423,407
Totals	\$ 2,065,818

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 2009, retaliation was the number one basis of complaints filed. Sex, race, age, and disability continued as the basis given for most complaints filed with this agency.

During FY 2009, KHRC closed 985 cases and recovered \$576,137 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. 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 5,400 contacts through KHRC's intake department during FY 2009. 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, 549 cases were referred to mediation. Of that number, 149 mediations were completed, with another 47 under consideration by the parties involved or pending. At the end of FY 2009 12 mediations were scheduled, but not completed. A total of 69 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 2009, the Kansas Department of Administration's Office of Administrative Hearings presided over public hearing proceedings.

At the beginning of FY 2009, seven cases were pending in the Office of Administrative Hearings. There were four new public hearing cases for FY 2009. One public hearing was held in FY 2009. There was one administrative closure.

In FY 2009, the Office of Administrative Hearings conducted a pre-hearing conference in six cases.

There were eight settlements completed in FY 2009.

In summary, action was completed on nine of the cases, and at the end of FY 2009, two 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 2009, 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 2009, the public information program provided 186 training sessions and trained 7,718 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 attendees at this seminar.

In addition to information and training, the agency creates and maintains Commission publications. During FY 2009, 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*.

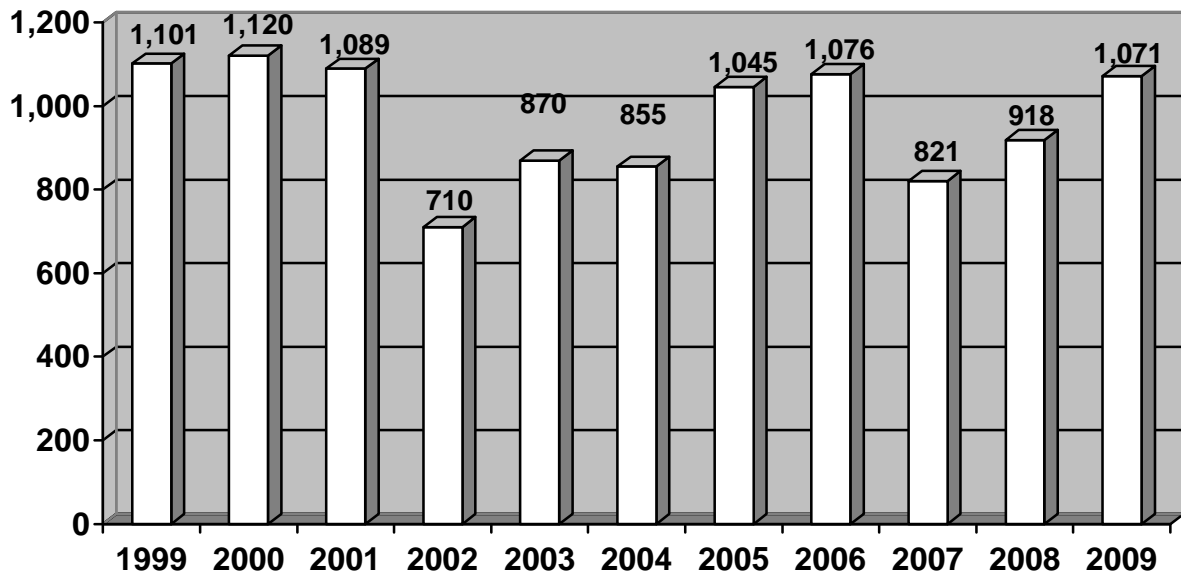
During FY 2009, the Commission continued to update and improve its informational web site. The site not only provides information on the Kansas Human Rights Commission, its Commissioners and the law it is empowered to enforce, but it has links to other state human rights organizations and various civil rights related web sites. The web page address is www.khrc.net.

STATISTICAL DATA

COMPLAINTS FILED FY 2009

AREA	COMPLAINTS	PERCENTAGE OF COMPLAINTS
Employment	1,016	95 %
Housing	7	1 %
Public Accommodation	25	2 %
Racial & Other Profiling	23	2 %
Total Charges Filed	1,071	100 %

COMPLAINTS FILED FY 1999 – FY 2009



BASES FILED FY 2009

CATEGORY	NUMBER
Employment	1,902
Housing	9
Public Accommodation	30
Racial & Other Profiling	32
Total Bases Filed	1,973

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

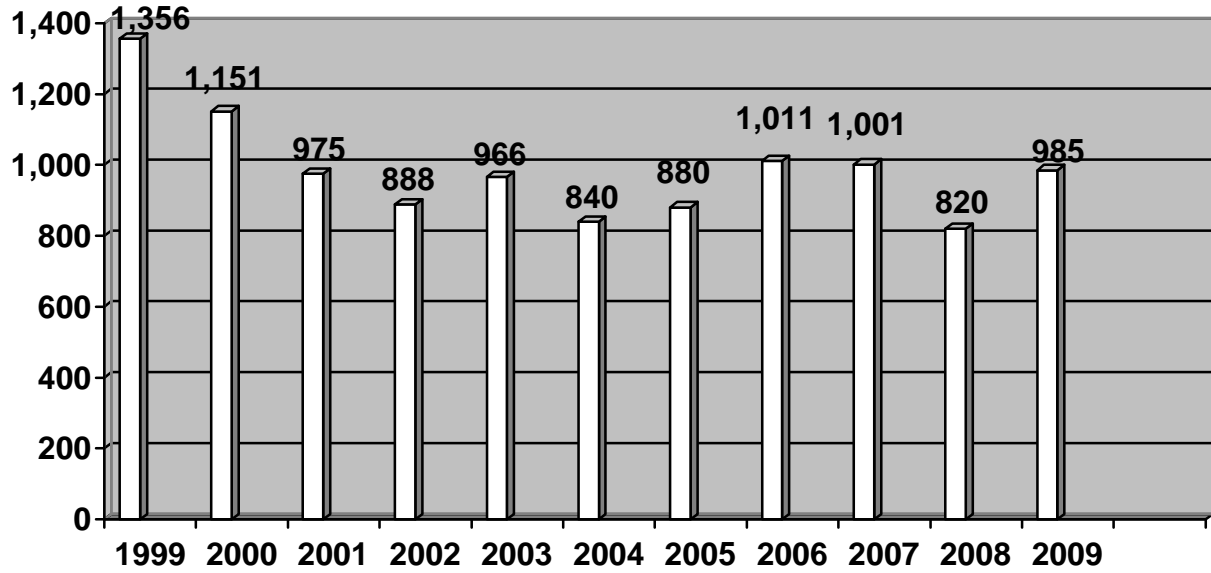
CASES RESOLVED FY 2009

CASES	NUMBER
Employment	930
Public Accommodation	31
Racial & Other Profiling	15
Housing	9
Total Cases Closed	985

In FY 2009, the Commission resolved 985 cases and recovered a total of \$576,137, 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 2009	TOTALS
RESOLVED CASES WITH RECOVERY:	
Satisfactory adjustment-settlement	80
Satisfactory adjustment-conciliation	19
Settlements at the hearing level	8
CASES WITHDRAWN BY COMPLAINANT WITH BENEFITS	93
CASES CLOSED WITHOUT RECOVERY:	
Unsuccessful Conciliation	1
No probable cause determined by KHRC	684
ADMINISTRATIVE CLOSURES AND WITHDRAWALS	100
TOTAL CASES RESOLVED	985

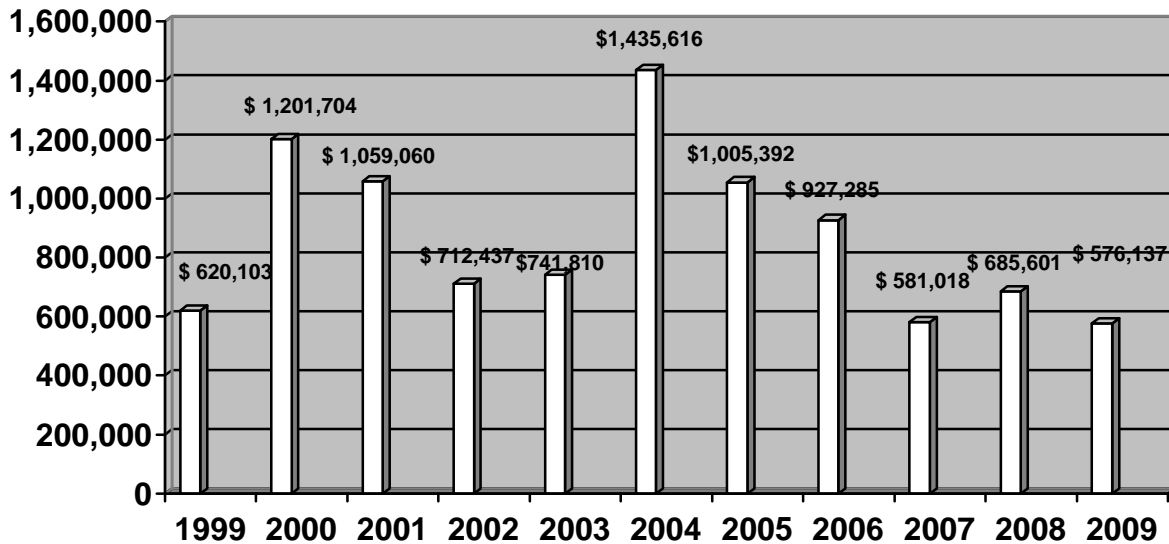
CASES RESOLVED YEAR-TO-YEAR FY 1999 – FY 2009



**RESOLVED CASES AND MONETARY RECOVERY
FY 1981 – FY 2009**

FISCAL YEAR	RESOLVED CASES	MONETARY RECOVERY AMOUNT
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
1981	849	\$ 160,715.62

RECOVERIES FROM FY 1999 – FY 2009



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 2009

Employment discrimination complaints totaled 1,016, approximately 95% of all complaints filed with the agency.

BASIS	NUMBER OF BASES
Retaliation	473
Sex	358
Race	340
Disability	297
Age	290
National Origin	90
Religion	29
Color	25
Ancestry	0
Genetic Testing	0
*Total	1,902

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

TYPES OF ALLEGATIONS OF UNLAWFUL EMPLOYMENT PRACTICES FY 2009

TYPE OF ALLEGATION	NUMBER FILED
Benefits	19
Constructive Discharge	98
Demotion	33
Discharge	589
Discipline	204
Harassment	177
Hiring	59
Layoff	24
Maternity	20
Promotion	67
Reasonable Accommodation	90
Reference Unfavorable	2
Reinstatement	5
Retirement- Involuntary	1
Severance Pay Denied	1
Sexual Harassment	126
Suspension	87
Terms & Conditions	676
Testing	1
Training	28
Union Representation	3
Wages	89
*Total	2,399

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

RESPONDENTS IN EMPLOYMENT CASES FY 2009

TYPE OF RESPONDENT	NUMBER
Private Employers	851
Governmental	96
Educational	63
Unions	2
Other	4
Total	1,016

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

TYPE OF ALLEGATION	2009	2008	2007	2006	2005	2004	2003	2002	2001
Apprenticeship	0	0	0	0	0	0	0	0	0
Assignment	0	0	0	0	0	0	0	0	0
Benefits	19	11	7	5	10	5	17	7	37
Constructive Discharge	98	97	69	89	105	84	84	59	102
Demotion	33	42	21	29	41	27	37	20	0
Discharge	589	475	431	504	513	457	491	392	492
Discipline	204	135	126	123	134	103	91	90	88
Exclusion	0	0	0	0	0	0	0	0	0
Harassment	177	139	85	143	155	139	158	93	156
Hiring	59	62	60	121	58	51	36	29	60
Intimidation	0	0	0	0	0	0	0	0	0
Layoff	24	21	11	70	20	33	27	23	27
Maternity	20	9	1	3	10	12	22	29	19
Promotion	67	41	53	70	56	38	36	36	82
Reason Accommodation	90	60	67	64	32	33	35	27	56
Recall	0	0	0	2	7	2	1	3	2
Reference Unfavorable	2	4	3	10	5	4	6	4	2
Reinstatement	5	7	9	10	11	11	9	2	4
Retirement-Involuntary	1	2	0	5	3	1	2	0	0
Severance Pay Denied	1	2	1	5	0	0	0	0	0
Sexual Harassment	126	121	120	108	99	98	85	96	144
Suspension	87	62	51	68	32	29	22	33	27
Terms & Conditions	676	493	410	442	188	136	136	71	326
Testing	1	1	0	0	0	0	0	0	0
Training	28	24	25	19	4	8	4	3	6
Union Representation	3	1	4	6	1	2	5	1	5
Wages	89	78	66	86	34	16	28	27	24
Other	0	0	0	0	0	0	0	1	1
Total	2,399	1,887	1,620	1,982	1,518	1,289	1,332	1,046	1,660

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

BASES OF UNLAWFUL HOUSING PRACTICES FY 2009

Housing discrimination complaints totaled 7, approximately 1% of all complaints filed with the agency in FY 2009.

BASIS OF COMPLAINT	NUMBER OF BASES
Disability	3
Race	2
Sex	2
Retaliation	1
Religion	1
Color	0
Familial Status	1
National Origin	0
Ancestry	0
*Total	10

TYPES OF ALLEGATIONS OF UNLAWFUL HOUSING PRACTICES FY 2009

TYPE OF ALLEGATION	NUMBER OF ALLEGATIONS
Terms & Conditions	5
Eviction	2
Harassment	2
Sexual Harassment	1
Reasonable Accommodation	1
Refusal to Rent/Sell	2
Denied Loan	0
*Total	13

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

**TYPES OF ALLEGATIONS OF UNLAWFUL HOUSING PRACTICES
FY 2002 – FY 2009
(YEAR-TO-YEAR COMPARISON)**

UNLAWFUL PRACTICES	2009	2008	2007	2006	2005	2004	2003	2002
Terms & Conditions	5	9	3	1	1	2	1	4
Refusal to Rent or Sell	2	0	2	3	1	0	1	3
Brokerage/Finance	0	0	0	0	0	2	0	1
Accommodations	1	0	1	3	5	0	0	0
Eviction	2	7	3	8	7	2	1	3
Retaliation/Coercion	0	0	0	0	0	0	1	0
Harassment	2	5	2	4	1	4	2	4
Sexual Harassment	1	1	0	0	0	0	0	1
Other	0	0	0	0	0	0	0	0
*Total	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 UNLAWFUL DISCRIMINATION IN
PUBLIC ACCOMMODATIONS FY 2009**

*Public accommodation complaints totaled 25, approximately 2%
of all complaints filed with the agency during FY 2009.*

BASIS OF COMPLAINT	NUMBER OF BASES
Race	16
Disability	5
Sex	5
National Origin	2
Color	0
Retaliation	0
Ancestry	0
Religion	0
*Total	28

**TYPES OF ALLEGATIONS OF UNLAWFUL
PUBLIC ACCOMMODATION CASES FY 2009**

CATEGORY	NUMBER
Denial of Service	12
Unequal Service	12
Harassment	8
Denied Accessible Parking	1
*Total	33

*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	2009	2008	2007	2006	2005	2004	2003	2002	2001
Unequal Service	12	7	12	6	30	16	11	8	15
Denial of Service	12	16	18	14	16	18	15	23	18
Denied Accessible Parking	1	0	1	0	24	0	5	0	1
Harassment	8	8	13	4	15	12	14	19	15
*Total	33	31	44	24	85	46	45	50	49

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

**TYPES OF RESPONDENTS IN PUBLIC
ACCOMMODATION CASES FY 2009**

TYPE OF RESPONDENT	NUMBER
Retail	13
Services	6
Eating Establishment	2
Amusement	2
Finance	1
Hotel Industry	1
Total	25

**BASES OF UNLAWFUL DISCRIMINATION IN
RACIAL AND OTHER PROFILING FY 2009**

Racial and other profiling complaints totaled 23, approximately 2% of all complaints filed with the agency in FY 2009.

BASIS OF COMPLAINT	NUMBER OF BASES
Race	20
National Origin	6
Ethnicity	5
Sex	1
*Total	32

*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 2009**

REASON FOR STOP/CONTACT	NUMBER
Traffic Infraction	11
Arrest	11
Search	8
Use of Drug Dog	0
Other	14
Total	44

*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 2009**

TYPE OF RESPONDENT	NUMBER
City or Municipality	16
County	4
State	3
Total	23

**DISTRIBUTION OF RACIAL AND OTHER PROFILING CASES RECEIVED
BY COUNTY IN WHICH ALLEGATION OCCURED FY 2009**

COUNTY	NUMBER
Dickinson	1
Douglas	1
Ford	1
Geary	2
Johnson	1
Meade	1
Sedgwick	4
Shawnee	4
Sumner	1
Wyandotte	7
Total	23

**DISTRIBUTION OF EMPLOYMENT, HOUSING, & PUBLIC ACCOMMODATION
CASES RECEIVED
BY RESPONDENT CITY FY 2009**

CITY	EMP	PA	HSG	CITY	EMP	PA	HSG
Abilene	2			Galena	1		
Andover	3			Garden City	8		
Arkansas City	5			Gardner	4		
Atchison	3			Garnett	2		
Augusta	2			Great Bend	10		
Baldwin City	2			Gridley	1		
Basehor	1			Halstead	2		
Belle Plaine	1			Harper	1		
Beloit	2			Hays	8		1
Bendena	1			Haysville	1		
Bonner Springs	4			Herington	1		
Buhler	1			Hiawatha	3		
Burlington	4			Hoisington	1		
Chanute	6			Holton	4		
Chapman	1			Home	2		
Clay Center	1			Humboldt	1		
Coffeyville	8			Hutchinson	16	1	
Colby	1			Independence	6	1	
Columbus	3			Iola	6		
Colwich	1			Jamestown	1		
Concordia	1			Jetmore	1		
Council Grove	1			Junction City	11		
De Soto	2			Kansas City	110	1	
Derby	4			Kingman	2		
Dodge City	5			Lansing	3		
Edwardsville	1			Larned	1		
El Dorado	7			Lawrence	21		1
Ellsworth	1			Leavenworth	16		
Emporia	4			Leawood	13		
Eskridge	1			Lenexa	61	1	
Fort Dodge	1			Leoti	1		
Fredonia	1			Liberal	8		
Fort Scott	1			Lincoln	1		

**DISTRIBUTION OF CASES RECEIVED
BY RESPONDENT CITY FY 2009 (Continued)**

CITY	EMP	PA	HSG	CITY	EMP	PA	HSG
Longton	1			Salina	19	1	
Louisburg	1			Scandia	1		
Lyndon	1			Scott City	1		
Manhattan	19			Sedgwick	2		
Mankato	1			Seneca	1		
Mayetta	1	1		Shawnee	10	1	
McPherson	4			Shawnee Mission	6		
Merriam	4			South Hutchinson	1		
Mission	13			Spring Hill	3		
Moundridge	1			St. Mary's	3		
Neodesha	1			Sterling	1		
Newton	8			Stilwell	2		
Norton	1			Tecumseh	1		
Olathe	29	1	1	Tonganoxie	2		
Osawatomie	3			Topeka	114	8	3
Ottawa	6			Ulysses	3		
Overland Park	85	1	1	Valley Center	1		
Park City	1			Wellington	3		
Parsons	2			Westwood	2		
Perry	1			Wichita	222	8	
Phillipsburg	1			Winfield	3		
Pittsburg	9						
Pleasanton	2						
Prairie Village	2						
Pratt	2						
Prescott	1						
Quinter	1						
Russell	1						
Sabetha	1			Total	1,016	25	7
Saint Francis	2			Grand Total	1,048		

**BASIS OF COMPLAINT *versus* AREA IN WHICH
COMPLAINT WAS ALLEGED FY 2009**

BASIS	EMPLOYMENT	HOUSING	PUBLIC ACCOM.	PROFILING	TOTAL
Retaliation	473	1	0	0	474
Race	340	2	16	20	378
Sex	358	2	5	1	366
Disability	297	3	5	0	305
*Age	290	N/A	N/A	N/A	290
National Origin	90	0	2	6	98
Religion/Religious Dress	29	1	0	0	30
Color	25	0	0	0	25
#Ethnicity	N/A	N/A	N/A	5	5
%Familial Status	N/A	1	N/A	N/A	1
Ancestry	0	0	0	0	0
*Genetic Testing	0	N/A	N/A	N/A	0
**Total	1,902	10	28	32	1,972

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.