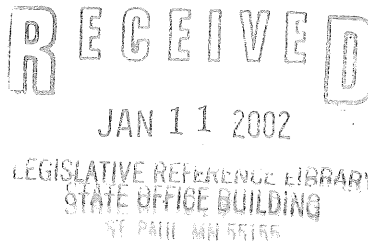


020024

Minnesota Department of Human Rights

January 9, 2002

The Honorable Jane Ranum
Chair, Senate Crime Prevention
and Judiciary Budget Division
120 State Capitol
75 Constitution Avenue
St. Paul, MN 55155-1298



Dear Senator *Ranum: Jane*

The Minnesota Department of Human Rights (MDHR) submits a semi-annual report to the Legislature, summarizing the results of its investigation and resolution of human rights complaints. A report detailing the Department's activities during the period of July 1, 2001 to December 31, 2001 is attached to this letter.

Department results for this reporting period reflect a significant impact from the AFSCME and MAPE work stoppage. Case investigations were suspended during the strike, resulting in an increase in average time required to resolve cases and an inventory of 14 cases that were older than 12 months. MDHR has implemented a "catch up" plan to focus resources on completing investigations at the expense of screening cases for early resolution.

The work stoppage also affected the number of charges filed during the reporting period. Department charges had been trending upward for over a year prior to the strike with 1,405 charges filed in FY 2000 compared to 1,286 the previous fiscal year. During the month the work stoppage occurred, we received almost 1,000 fewer inquiries than normal. Complaint intake activity in November and December has rebounded, and we are now ahead of last year in all intake categories.

Despite the impact of the strike, the Department does have positive results to report. From July 1, 2001—December 31, 2001, MDHR closed a total of 713 cases. On December 31, of the 855 cases needing a determination, only 14 (fewer than 2%) were older than 12 months. Caseloads also remained manageable, increasing from 25 to 28 cases per full-time-equivalent enforcement officer.

Meeting our statutory directive to make a determination in a case within one year of filing remains a top priority. During this reporting period, the average time from filing to a determination of no probable cause was 361 days; the average time for probable cause cases was 360 days.

The Legislature also directed the Department to achieve 75% of Department dismissals within six months. I am pleased to report that during this reporting period, 86% of our dismissals was accomplished within six months of the charge filed date.

Due to budget limitations, the Department did not renew its mediation contract with the Office of Dispute Resolution (ODR) and brought administration of the program in-house. The Department has continued to work with, and expand, the pool of volunteer mediators previously utilized by the ODR. The attached report shows that from July 1, 2001 to December 31, 2001, 48 cases (7% of the total number of cases filed) were referred to mediation rather than assigned for extended investigation. Mediations were conducted on 21 cases resulting in 19 settlements (pending receipt of paperwork on 4 cases).

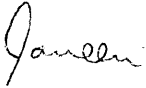
AN EQUAL OPPORTUNITY EMPLOYER

Honorable Jane Ranum
January 9, 2002
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During the reporting period, MDHR recovered a total of \$777,539 for aggrieved charging parties. The Department has also increased the number of cases settled prior to investigation. During this reporting period 36 such cases were satisfactorily resolved and another 30 cases are currently being negotiated.

Again, specific details on our activities over the past six months are attached for your review. If you have any questions or concerns, please contact my office.

Sincerely,



Janeen E. Rosas
Commissioner

JER:pme
Attachments

**DEPARTMENT OF HUMAN RIGHTS
CASE MANAGEMENT**

CASE ACTIVITY	July 1, 2001 – Dec. 31, 2001	Jan. 1, 2001 – June 30, 2001	Change (Percent)
New Charges Filed	658 charges	709 charges	-9%
% of, above, pending determination	82%	85%	-4%
Total # Cases Closed/Disposition %	713 cases	683 cases	+4%
Dismissed: Lack of Merit	36%	25%	+44%
Dismissed: other, incl. Lack of cooperation	20%	20%	no change
Withdrawn (<i>excludes</i> settled cases)	2%	5%	-60%
Closed after Probable Cause (PC)	7%	7%	no change
Closed after No Probable Cause (NPC)	27%	33%	-18%
Closed after split (PC/NPC) determination	.04%	1%	-.06%
Predetermination Resolution*	5%	4%	+25%
ADR-resolved (settled/withdrawn)	2%	4%	-50%
Avg. # Days to Issue PROBABLE CAUSE determination/Number of PCs issued	363 days (49 cases)	370 days (46 cases)	-2% (+7%)
Avg. # Days to issue PC/NPC (split) determination/Number issued	336 days (7 cases)	346 days (12 cases)	-6% (-42%)
Avg. # Days to Issue NO PROBABLE CAUSE determination/Number issued	361 days (249 cases)	328 days (252 cases)	+10% (-1%)
Avg. # Days to Issue Dismissal	124 days	141 days	-12%
% of DWR Dismissals within 6 months	86%	88%	-2%
Average Caseload per full-time Enforcement Officer	28 cases	25 cases	+12%

* Includes predetermination settlements and non-ADR withdrawals due to satisfactory resolution.

Inventory of all Cases Pending, as of:	<u>Dec. 31, 2001</u>	<u>June 30, 2001</u>
Cases needing initial determination:	855	970
Probable Cause cases; Conciliation/ Litigation status with Attorney General:	82	75
Administrative review requested by party:	13 cases pending (85 requests made)	16 cases pending (66 requests made)

Inventory, by Case Age (days), as of December 31, 2001

Case count and percentage of predetermination inventory:

1 – 90 days:	362 (42%)
91 – 180 days:	186 (22%)
181 – 270 days:	154 (18%)
271 – 365 days:	139 (16%)
<u>366+ days:</u>	<u>14 (< 2%)</u>
Total:	855 (100%)

Entire Inventory, by Case Status, as of December 31, 2001

Predetermination cases:	Post-determination cases:
Initial Inquiry: 359	NPC appeal period: 51
Case Screening: 92	Appeal/Reopen pending: 13
Investigation: 330	Attorney General's Office: 82
PDS* Pending: 30	Returned to Investigation 13
Supervisor Review: 27	<i>(from Appeal/Reopened)</i>
<u>ADR Project: 17</u>	<u>Total: 159</u>
Total: 855	

*Predetermination Settlement

DEPARTMENT OF HUMAN RIGHTS

ALTERNATIVE DISPUTE RESOLUTION (ADR) PROJECT

ADR case **activity** during the period July 1, 2001, through December 31, 2001:

Cases **referred** to ADR: 48 cases (This is 7% of the *number* of charges filed during report period.) Cases are typically sent to ADR between 3 and 4 months from their filing date, only after the answer and rebuttal are received and the case is screened for merit.

15 of the 48 cases referred (31%) were actually filed during the 7/1/01--12/31/01 report period. This is 2% of all charges filed during the period.

Cases **returned** by ADR: 47 cases (avg. time at ADR: 70 days)

Mediation opportunity declined:	26 cases (avg. time at ADR: 24 days)
Mediation held; settlement/withdrawal:	15 cases (avg. time at ADR: 125 days)
Mediation held; no agreement:	<u>6 cases</u> (avg. time at ADR: 147 days)
	47 cases

ADR **inventory**, as of 12/31/01: 13 cases

Mediated; awaiting withdrawal:	4 cases
Mediation in progress:	0 cases
Mediation scheduled:	6 cases
Mediation being considered:	<u>3 cases</u>
	13 cases

Avg. case-age; entire ADR project inventory: 244 days (13 cases)

Avg. case-age; *unsettled* ADR cases, only: 148 days (9 cases)

Settlements Report
Closure Date of 7/1/01 - 12/31/01

Summary by Settlement Type:

Settlement Type	Total(s) #'s	Total(s) \$'s
Combined CP/Atty Award	31	\$464,000.00
Conduct Training	4	\$0.00
CP Attorney Fees	7	\$27,462.50
CP Damages Awarded	20	\$65,578.57
Implement Policy Change	1	\$0.00
Mental Anguish/Suffering	1	\$16,437.50
Other	3	\$0.00
Other Monetary	1	\$6,560.00
Re-hire	1	\$28,000.00
Send Letter of Apology	1	\$0.00
Send Letter of Reference	1	\$0.00
Severance	1	\$45,000.00
Unspecified Lump Sum	5	\$90,500.00
ADR	2	\$34,000.00
Total	79	\$777,538.57

Summary by Closure Type:

Closure Type	Total(s) #'s	Total(s) \$'s
Conciliation Settlements	49	\$496,950.00
Litigation	1	\$3,900.00
Predetermination Settlements	17	\$58,628.57
Withdrawal - Satisfactorily Adj	10	\$184,060.00
ADR	2	\$34,000.00
Total	79	\$777,538.57

Total number of cases with settlements: 79