

**BROOKINGS HUMAN RIGHTS COMMISSION  
2016 Annual Report**

DEPARTMENT:                   Brookings City Clerk

MISSION

The mission of the Brookings Human Rights Commission (BHRC) is to improve human relations in the Brookings area by fighting discrimination through education and a complaint resolution procedure. The Commission investigates complaints alleging discrimination against individuals or groups because of their sex, race, color, creed, religion, ancestry, disability, familial status, or national origin, with respect to origin, with respect to employment, labor union membership, housing accommodations, property rights, education, public accommodations or public services.

MEMBERS

PENNY HAUFFE, CHAIR

ELLIOT JOHNSON, STUDENT REPRESENTATIVE\*

STEVE BAYER, VICE-CHAIR

JUDY KAREN

LAURA RENEE CHANDLER

LAWRENCE NOVOTNY, RECORDER

CHANDRADHAR DWIVEDI

MAGGIE OWENS

GEORGE HAMER

SHAFIQR RAHMAN, COUNTY REPRESENTATIVE

MEAGAN IRVINE-MILLER\*\*

\*RESIGNED

\*\*APPOINTED 2017

AUTHORITY

The Commission, originally established by ordinance in 1985 as a committee, and changed to a Commission by ordinance on May 26, 2015, is charged with the following powers pursuant to Ordinance No. 15-005:

The authority and duties of the Commission shall be to:

- (1) Promote human and civil rights for all its citizens and visitors.
- (2) Promote a mutual understanding and respect among all racial, religious and nationality groups and work to discourage and prevent discriminatory practices against any such group.
- (3) Attempt to foster, through community effort or otherwise, goodwill, cooperation and conciliation.
- (4) Study and determine the existence, character, causes and extent of discrimination in employment, housing accommodations, property rights, education, public accommodations, public services in the city, and discrimination based on age, disability, marital status, familial status, ethnicity, religion, sexual orientation, gender identity and political affiliation. The study and determination of discrimination is based on a broad understanding of civil and human rights as embodied in the 1964 Civil Rights Act as amended, which includes race, color, religion, gender and country of origin.
- (5) Seek to prevent and eliminate bias and discrimination because of race, color, sex, creed, religion, ancestry, national origin, familial status, disability, marital status, gender identity, or sexual orientation by means of education, persuasion, conciliation and, to the extent permitted, enforcement, and utilize all the powers at its disposal to carry into execution the provisions of this chapter.
- (6) Receive complaints alleging discrimination and conduct those investigations and inquiries as may reasonably appear necessary to find the facts with respect thereto. Investigations and inquiries

can only be initiated upon the receipt of a complaint and shall be limited to the allegations contained in a complaint.

- (7) Conduct public meetings and hearings, gather and disseminate information to governmental agencies and to the public.
- (8) Utilize the records and services of municipal, state and federal governmental departments and agencies to the extent permitted by law, and pursuant to agreement with departments and agencies may refer matters for preliminary inquiry, conciliation, hearings and findings.
- (9) Furnish to any appropriate state or federal agency having jurisdiction in the premises a transcript of the proceedings and findings in any case in which a court of competent jurisdiction or the commission has, after hearings, found that any person has unlawfully discriminated.
- (10) Enlist the cooperation of various racial, religious and ethnic groups, community, civil, labor and business organizations, student organizations, fraternal and benevolent associations, veterans' organizations, and other groups in educational campaigns and programs devoted to teaching the need for eliminating group tensions, prejudices, intolerance, bigotry and unlawful discrimination.
- (11) Cooperate with federal, state and city agencies in developing programs showing the contributions of the various groups to the culture and traditions of our city and nation, the menace of prejudice, intolerance, bigotry and unlawful discrimination and the need for mutual respect.
- (12) Advise the mayor, city council members, city manager and the respective departments of the city concerning matters consistent with the purposes and powers of the human rights commission.
- (13) Recommend ordinances and other legislation pertinent to the purposes of protection of human rights.
- (14) Conduct educational programs and disseminate information in furtherance of the purposes and policies of the human rights commission.
- (15) Hear and investigate complaints alleging discrimination regarding the City of Brookings, in accordance with the grievance procedures for ADA grievances adopted by resolution of the city. Pursuant to State law, there is presently no legal authority to investigate complaints alleging discrimination because of marital status, gender identity or sexual orientation. Accordingly, until State law authorizes municipalities, pursuant to SDCL 20-12-4, to investigate discriminatory practices based on marital status, gender identity or sexual orientation, these discriminating practices cannot be investigated or enforced by the Human Rights Commission.

## **2016 HIGHLIGHTS**

### **COMMISSION TRANSITION.**

Brookings City Ordinance 15-005, which changed the BHRC from a Committee to a Commission form, became effective on January 1, 2016. The following transition activities occurred in 2016:

On January 7, 2016, all Commission members and staff participated in a one-day training conducted by Steve Britzman, Brookings City Attorney, and Carol Russo, Regional Director, Rocky Mountain Region, U.S. Department of Justice, Community Relations Service. Training topics included:

- Developing Commission's Role in the Community
- Serving as a resource during community conflicts or tensions
- Building positive relations in the community
- Building partnerships and establishing dialogues
- Involving community & groups in Commission programs
- Developing meaningful intergroup relations
- Building community-wide programs

- Establishing working relationship with the media
- How to measure and monitor community relations and civil rights issues
- Acts of Discrimination (scenarios)
- Implicit Biases
- Commission Responsibilities, Duties & Authority (City Ordinance, State Law)
- Brookings Complaint Process
- Facilitation vs. Mediation

The Executive Committee and staff worked with City Attorney to revise complaint procedures and flowchart.

The Commission, in partnership with the City Attorney, developed draft mediator guidelines and identified potential candidates.

In 2017, the Commission will take the following actions:

- Expand City website to include educational materials regarding filing a complaint
- Working with the city attorney, secure and train mediators
- Continue commission training on complaint process
- Continue development of Commission's role in the community
- Staff training on intake process through EEOC

#### **DR. MARTIN LUTHER KING DAY AWARDS**

In celebration of Dr. King's birthday, the BHRC sponsors a poster contest for elementary students and an essay contest for middle school and high school students to help students reflect on Dr. King's ideas and their impact on the community.

2016 Poster Theme: "Only love can drive out hatred"

2016 Essay Theme: "Darkness cannot drive out darkness; only light can do that. Hate cannot drive out hate; only love can do that."

On January 26, Mayor Tim Reed and Maggie Owens presented the winners with cash awards (First Place \$100.00, Second Place \$75.00, Third Place \$50.00 for essays; and First Place \$25.00, Second Place \$15.00, and Third Place \$10.00 for posters) at the City Council meeting. Winners were:

- Essay Middle School: 1<sup>st</sup> place – Prasoon Kharel, grade 7; 2<sup>nd</sup> place – Aditya Tummala, grade 6; 3<sup>rd</sup> place – Isha Hooda, grade 7; honorable mention – Tristina Ting, grade 6
- Essay High School (all entries were from grade 9 honors English class): 1<sup>st</sup> place – Mariana Du; 2<sup>nd</sup> place – Shannon VanderVliet; 3<sup>rd</sup> place – Brianna Serrett; honorable mention: Jane Ardry
- Posters second & third grade: 1<sup>st</sup> place – Anika Hooda (grade 2 Medary); 2<sup>nd</sup> place – Brooklyn Bollis (grade 2 Hillcrest); 3<sup>rd</sup> place – Ernest Ting (grade 3 Hillcrest); honorable mentions – Brooklyn Lueders (grade 3 Dakota Prairie); Grace Mary Vostad (grade 2 Hillcrest); Sophia Schoeld (grade 2 Hillcrest)
- Posters fourth & fifth grade (all Camelot school): 1<sup>st</sup> place – Zoe Ritter (grade 5); 2<sup>nd</sup> place – Ahmed Sarah (grade 4); 3<sup>rd</sup> place - Nicole Sanchez (grade 4); honorable mentions – Alora Good Shield (grade 4); Jeffrey Min (grade 5); Alisha Lam (grade 4); Lillianne Weber (grade 4)

No entries were received from kindergarten or first grade.

Posters were displayed in windows of various downtown businesses.



#### **ANNUAL BUTLER HUMAN RIGHTS AWARD**

The City of Brookings honored Ruth Harper as the recipient of the 17<sup>th</sup> annual Dorothy and Eugene T. Butler Human Rights Award on Thursday, November 10, 2016. Dr. Harper was recognized for being an uncommonly strong advocate for inclusion of minority students and has changed the campus climate as it relates to the Native American, LGBT and African American communities.

As a long-standing integral member of the Brookings Reconciliation Council, Harper has been a strong advocate for tribal people in the Brookings area. She served for years on the Tiospaye Council, an advisory board of the American Indian Education and Cultural Center at SDSU. In this capacity, she has volunteered at the annual SDSU Wacipi (Powwow), donated food and money to the event, and involved her students. She has helped with the honoring ceremony to celebrate American Indian graduates.

Dr. Harper has contributed significantly to tribal college education by serving as a consultant for Sinte Gleska University's Human Services Program and for the past year she has been coordinating SDSU's efforts to create urgently needed graduate course offerings and programs for tribal college members. For the past two decades, she has taken her graduate students to visit Sinte Gleska University in Mission to learn more about the unique role of tribal colleges, to meet tribal college students, staff and faculty and to participate in a service-learning project.

Many people in higher education and student affairs have directly or indirectly benefitted from Harper's organizational work and from her teaching and mentoring, including a number of tribal graduate students who have gone on to influential positions in higher education and who continue to look to her for support and guidance. Dr. Harper has planted seeds of change for generations to come in her students.

Dr. Harper stepped in to fill a void as faculty co-advisor to SDSU's Gay Straight Alliance and served in this capacity for the last five years during which time attendance at GSA meetings has increased from 10 to 50. Harper supported the GSA's hosting of drag shows, which are now a popular event on campus. She encouraged attendance at regional conferences for lesbian, gay, bisexual and transgender students. She supported and participated in safe-zone trainings where faculty, staff and students learn to create welcoming inclusive spaces. Harper helped organize a lavender ceremony, which honors LGBT students who were graduating. "These students are active in more than just GSA, some are student-athletes, some achieve academic honors—they are simply wonderful students. I hope the lavender graduation becomes an SDSU tradition," said Harper.

As a member of the Brookings United Church of Christ, Harper helped enshrine the congregation's "open and affirming" stance toward LGBT people in its mission statement and worked to make that position real in its worship, community life and outreach.

Harper also has helped to support the economically disadvantaged. She was a founding member of the Brookings United Church of Christ Empty Bowls Project, which raises \$5,000-10,000 annually for hunger relief. She also lent her support to the creation of the Brookings Backpack Project, which helps feed hungry schoolchildren.

"Ruth has accomplished a great deal with the typically limited resources for diversity education in South Dakota, and despite the considerable resistance to inclusion which is still unfortunately strong in our state and region," stated Charles Woodard, retired Distinguished Professor of English at SDSU and 2008 Butler Award recipient.

Dr. Harper retired as Professor of Counseling and Human Development from SDSU in August, where she worked for 22 years. Her research interests focused on college student mental health issues and American Indian college student success. She has co-authored three books including *More Than Listening: A Casebook for Using Counseling Skills in Student Affairs Work* (published in 2010) which is now used in 35 professional preparation programs across the country. She earned a BA from Cornell College (Iowa), a MEd at the University of Wisconsin-Oshkosh, and a PhD from Kansas State University.

“As Ruth retires from SDSU, I have no doubt that her advocacy for human rights will continue,” said Phyllis Cole-Dai, the 2013 Butler Award recipient. “It’s built into her bones.” Ruth Harper and her husband Larry Rogers (who also recently retired from SDSU) have lived in Brookings for 22 years.

The Dorothy and Eugene T. Butler Human Rights Award is named after the Butlers, in recognition of their lifelong advocacy in human rights issues on the local, regional, national and international levels. The annual award recognizes significant volunteer efforts on behalf of human rights. Previous honorees, in addition to Dorothy and Eugene T. Butler, Jr., are Dr. Philip and Winnie Baker, First United Methodist Church, the Rev. Carl Kline, the Rev. Scott Miller and Lisa Wolff, Margaret Denton, Dr. Steve Marquardt, Lawrence Novotny, Dr. Charles Woodard, Dr. Geoffrey Grant, Dr. Timothy Nichols, Scott Nagy, Dr. Ann Marie Bahr, Phyllis Cole-Dai, Harriet Swedlund, and Drs. MaryJo and Richard Lee.

**MUNICIPAL EQUALITY INDEX (MEI) SCORECARD**

Brookings was one of eight cities evaluated by the Human Rights Campaign, the nation’s largest gay, lesbian, bisexual & transgender advocacy organization. The MEI examines the state, city and school’s laws, discrimination policies, relationship recognition, city employee benefits, municipality services, law enforcement, and leadership on LGBT equality and rates them on the basis of inclusivity of LGBT people who live and work here.

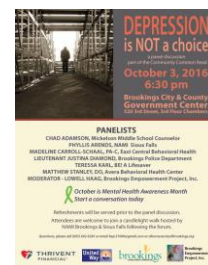
| City        | 2016 | 2015 | 2014 | 2013 |
|-------------|------|------|------|------|
| Brookings   | 50   | 52   | 48   | 34   |
| Sioux Falls | 40   | 28   | 24   | 24   |
| Rapid City  | 19   | 22   | 19   | 19   |
| Aberdeen    | 18   | 18   | 10   | 10   |
| Watertown   | 18   | 18   | NR   | NR   |
| Vermillion  | 27   | 15   | NR   | NR   |
| Pierre      | 12   | 12   | 10   | 13   |
| Mitchell    | 12   | NR   | NR   | NR   |

Brookings was still the highest scoring city in South Dakota with a score of 50. The decrease in score from 52 to 50 is due to HRC changing its scoring criteria. The *Brookings Register* featured a story about Brookings highest ranking in its November 7 edition.

- 2016 efforts:
  - Lawrence Novotny was designated as the city’s LGBTQ liaison.
  - LGBTQ liaisons met quarterly with the BHRC.
  - SDSU University Police Chief Tim Heaton was named as UPD liaison to the BHRC.
  - The MEI sub-committee met with Hope Wisenski, Human Rights Campaign Regional Director, on November 29 to discuss ways of increasing Brookings’s score.

The BHRC will continue its work to recommend improvements to the City of Brookings policies, programs, and services that will enhance inclusivity for everyone.

**CAMPUS-COMMUNITY COMMON READ**



The Commission co-sponsored a Forum as part of the Community Common Read entitled “Depression is NOT a Choice” on October 3 in the City/County Government Center, with approximately 240 people attending. The promotional campaign strategy included email, newsletters, posters, FB, print ads, feature article, radio interview, and live and rebroadcast taping. Event co-sponsors were Brookings Empowerment Project, Thrivent Financial and United Way. <https://cityofbrookings.legistar.com/>

### **RENTER’S RIGHTS AND RESPONSIBILITIES BROCHURE**

The HRC Renter’s Rights and Responsibilities brochure includes civil rights, tenant frequently asked questions including a property inspection checklist, parking and snow removal policies, front yard parking, disturbing the peace, and rules regarding service and emotional support animals. The brochure was distributed at two SDSU housing fairs held on February 5. A Spanish translation will be offered in 2017. <http://www.cityofbrookings.org/DocumentCenter/View/2521>.



### **DIVERSITY POTLUCKS**

BHRS sponsored community-wide diversity potlucks which purpose is to bring people together for conversation, friendship, and good food. The potlucks were free, open to all, and held at McCrory Gardens Education Center. Everyone was encouraged to bring a dish to pass from his or her cultural background. The spring potluck held on April 10 with 125 people attending. Dr. Jose Gonzalez, SDSU Plant Science Associate Professor, presented on his native country, Spain, with topics including the people, culture and food. BHRC distributed 200 “No Hate” buttons to distribute at the spring diversity potluck. The fall potluck held on October 16 drew around 55 people. A food drive for the Brookings Food Pantry was held with each potluck.

### **PUBLIC EDUCATION AND OTHER EVENTS**

- A group of students from Brookings High School created the Brookings High School Human Rights for students. Representatives of the student group attended the BHRC quarterly meetings.
- BHRC member Dwivedi attended the Sioux Falls Diversity Conference on April 20.
- BHRC shared a booth with other city boards at the Habitat Restore Earth Day event held on May 14.

## 2017 GOALS

1. Inclusivity/Advocacy/Awareness:
  - Combined Annual Butler Human Rights Award
  - Dr. Martin Luther King Awards and associated events
  - Spring & Fall Diversity Potlucks and food drives
  - Campus-Community Common Read; participation in the book selection, promotion of events, and development and promotion of a community CCR event
  - Housing:
    - Renter's Rights Brochure; develop Spanish translation
    - Staff booth and SDSU spring and fall Housing Fairs
  - Implement language support "language line" available in all city departments
  - Continue to develop multicultural resources to provide to schools and the public
  - Continue sponsorship of training to include periodic speakers, films and other educational resources
  - In conjunction with the Disability Committee, develop short videos regarding mental health awareness
  - Sponsor public events and/or actions that emphasizes that Brookings is an inclusive welcoming city
2. Commission transition:
  - Expand City website to include educational materials regarding filing a complaint
  - Secure and train mediators
  - Continued training on complaint process
  - Continued development of Commission's role in the community
  - Attend local and regional training opportunities pertaining to human rights issues
3. Partnerships
  - Provide support and encouragement to Brookings High School Human Rights Committee; student representatives invited to attend meetings as liaisons
4. Policies/Programs/Services
  - Recommend improvements to city policies, programs and services to improve Brookings MEI score