CIVIL RIGHTS

Mission Statement:

To work in partnership with the Mayor, City Council, all City Departments and other stakeholders to eliminate discriminatory practices that have an adverse impact on the health, welfare, economic well-being, peace and safety of the citizens of Minneapolis

The Department of Civil Rights is the lead city department responsible for enforcement of the Minneapolis Civil Rights Ordinance, The Civilian Review Authority (CRA), Contract Compliance, Davis Bacon/Prevailing Wage and The Small and Under Utilized Business Program.

The Department of Civil Rights carries out these responsibilities by means of public information, education, mediation, conciliation, and enforcement. The department works through its strategic partnerships with key enterprise stakeholders, community residents and organizations, the CRA Board, and Civil Rights Commission to address four key City goals and carry out its mission:

Primary Businesses:

- Regulatory Enforcement

- Community Outreach , Education, Advocacy. Leadership in matters of Social Justice and advocacy for all groups protected under the city ordinance.

Key Trends and Challenges Impacting the Department:

Trends:

The City of Minneapolis' immigrant and minority populations grew faster than any other city in Minnesota in 2004. This increasing diversity along with increasing community expectations creates significant challenges for the department and city as a whole during this time of diminishing resources.

The Department's credibility depends on its ability to respond to the needs and priorities of the citizens in a timely manner. The Department's external customers expect that charges of alleged discrimination and police misconduct will be fully investigated within a reasonable time frame. Substantial existing backlogs, the number of investigative staff and individual performance standards that do not keep pace with the growing caseloads, all contribute to the department's inability to meet customer expectations. This erodes confidence in both the Department and the City to deliver on its commitment to inclusion and fairness. Credibility will best be achieved if the department can deliver its core services, complaint investigation services, concilliation/ case resolutions, information and advocacy in a timely fashion for the Department of Civil Rights, Commission and the Civilian Review Authority (CRA).

Challenges:

1. The largest expense in the department of Civil Right's budget is personnel. The Department's employees have significant seniority/longevity with the City of Minneapolis. The Council's approved growth in spending level for the department of $2,039,828 falls $206,706 short of the Finance Department's projected automatic increases in expense. The Department of Civil Rights has little control over these increases. In order to bring the Department budget in alignment with the Council approved service level, the department will be required to cut two (2) positions.

2. The backlog of complaints at the Civilivan Review Authority (CRA) was created when complaints of alleged police misconduct continued to be accepted while there was not an administrative infrastructure in place to investigate them. There are backlogs at the complaint investigation and hearing stages of the process, which has had an impact on citizen satisfaction and confidence in the process. The unwillingness of the Police Chief to act on recommended discipline when the complaints are in some cases more than three years old is another by product of the backlog. The 2005 Adopted Budget includes a $70,000 one-time appropriation to eliminate the CRA backlog of cases. This will enable the Civilian Review Authority to increase mediation efforts and engage third-year law students to assist with the investigation of the cases.

3. Steps taken by the Department and the City over the past two years to develop successful dialogues and gain buy-in from increasingly diverse communities of color will be greatly enhanced by a transfer in 2005 of one Indian advocate position and four Multicultural Services positions from the Health and Family Services Department to the Department of Civil Rights.

These positions will have a specific enterprise-wide responsibility for working with other city departments to fully implement the mandated Limited English Proficiency (LEP) program. This will make the City enterprise more accessible to immigrants who do not speak English as a first language by providing translation services in Spanish, Somali and Hmong. It will also enable the department to better serve those Minneapolis citizens who have historically been challenged in personally accessing City services and resources to address the needs and priorities of their communities.

By receiving resources that have an enterprise-wide community focus, the Department will be better able to continue community engagement and relationship building strategies with key internal and external stakeholders. These positions build on the Department's efforts to increase visibility with protected class groups. They also help bridge of communication gaps, increase accessibility to City services, and provide an early warning vehicle through which Communities of Color can communicate priority issues and concerns. It will also mean that the Department will not be dependent on diverting staff from enforcement responsibilities in order to carry out these important engagement activities which has been the case in prior years.

Key Initiatives or Other Models of Providing Service to be implemented in 2005

An important part of the Department's responsibility is to work in partnership with other city departments to strengthen individual and collective accountability for full and equal access to all services and resources offered by the City of Minneapolis.

Key Initiatives:

- Implement the enterprise-wide Limited English Proficiency Program.
- Transfer of Multiculticultural Services positions to the Department of Civil Rights.
- Transfer of an Indian Advocate to the Department of Civil Rights.
- Advocate change in state law to exempt the City from housing damages cap.
- Utilize law school interns to assist with backlog elimination.
- Expand use of mediators to increase early resolution of Civilian Review Authority/Deparment of Civil Rights complaints.

***Primary Business*: Regulatory Enforcement**

Description of Primary Business: Enforcement of the Minneapolis Civil Rights and Civilian Review Authority Ordinances which prohibit discriminatory treatment against member of protected classes,

including Police misconduct. To establish and monitor hiring and participation goals for City-sponsored projects and contracts to ensure that protected classes have equal opportunities to benefit through employment and business activities. Maintain an active, involved Commission on Civil Rights. This is implemented throught the following activities:

- Complaint Investigations/Mediation
- Contract Compliance/Davis Bacon/Prevailing Wage
- Small and Underutilized Business Program (SUBP)
- Commission on Civil Rights
- Civilian Review Authority
- Civilian Review Authority Board

Key Performance Measures that are impacted by 2005 resources:

Key Performance Measure	2001 Actual	2002 Actual	2003 Actual	2004 Estimated	2005 Projected
Number of Intake Inquiries	444	400	425	400	400
Number of Complaints filed with the Department	201	300	200	180	180
Number of cases under Investigation				160	185
Case Closures per year	244	250	165	217	175
Average completion time			226 days	369 days	180 days
Percentage of cases resolved through mediation or conciliation	5%	7%	5%	5%	20%

*Explanation of Key Performance Measures: * 04' Staff reduced by (2) investigators*

Efforts to mediate the resolution of complaints at the beginning of the investigative process will be increased. Mediation has proven to be a viable alternative to a full scale complaint investigation when both parties desire to resolve the issues which gave rise to the complaint. When they are successful, Mediation creates a "Win-Win" situation for all parties.

Investigator productivity in the case investigation area is inconsistent from investigator to investigator. This not only creates morale problems, but also causes delays in completing investigations. The establishment of measurable work performance standards for all department investigators has been instituted and case processing procedures are being modified to decrease the time between the filing of charges of discrimination and completion of investigations.

Once an investigation is completed, the review process is cumbersome and causes a logjam of cases and further delay in the completion of the investigation. This occurs first at the desk of the Investigative Manager. When a determination of probable cause is recommended another log jam of cases occurs at the City Attorney's Office. Work performance standards with strict case tracking for internal case review will eliminate the internal problem and a recommended ordinance change which does not require but makes optional the legal opinion from the office of the City Attorney will expedite the final determination of probable or no probable cause made by the Civil Rights Director.

Department restructuring which places more resources at the direct service or line staff level will allow investigators to have a more manageable caseload and avoid future backlogs.

The use of third (3) year law students to intern in the department to assist with the elimination of the current back log of complaints is also currently being explored.

Key Performance Measure	2001 Actual	2002 Actual	2003 Actual	2004 Estimated	2005 Projected
Number of Construction and Development Projects	Active – 40 Closed – 73 Pending – 38 Total – 152	Active – 60 Closed – 35 Pending – 65 Total – 170	Active – 54 Closed – 58 Pending – 60 Total – 172	Active – 56 Closed – 70 Pending – 50 Total – 176	Active – 40 Closed – 73 Pending – 38 Total – 152
Total $ value of all projects	$1,082,509,361	$1,174,637,496	$2,143,047,106	$1,500,000,000	$1,500,000,000
Number of Conciliation meetings with contractors not meeting goals	22	24	21	30	30
Number of Affirmative Action plans reviewed and approved partnerships with community organizations	680	750	551	550	550

Davis Bacon and Prevailing Wage.	Total # of Projects – 15 Value of Projects = $52,048,000 # receiving restitution = 32 $ Amount of restitution = $25,128	Total # of Projects – 20 Value of Projects = $791,346,000 # receiving restitution = 34 $ Amount of restitution = $29,522	Total # of Projects – 44 Value of Projects = $408,022,212 # receiving restitution = 32 $ Amount of restitution = $25,128	Total # of Projects – 15 Value of Projects = $410,000,000 # receiving restitution = 32 $ Amount of restitution = $25,128	Total # of Projects – 15 Value of Projects = $410,000,000 # receiving restitution = 32 $ Amount of restitution = $25,128
Number of cases referred to CCR by DCR.	55	33	33	40	43
Number of cases closed by CCR.	51	35	49	30	40
Number of days on docket from referral to closure PC/NPC.	509.2/184.8	389/124	661.2/129.9	1100/100	300/75
Total SUBP firms registered to do business with the City of Minneapolis*[1]	**416 total** 122 Small 195 Women-owned 99 Minority-owned	**429 total** 119 Small 176 Woman-owned 134 Minority-owned	**530 total** 144 Small 239 Woman-owned 147 Minority-owned	**650 Projected** **618 total Year-to-date** 212 Small 240 Woman-owned 166 Minority-owned	**650**
$ amount of City construction and development contracts with diversity goals	$369,385,328	$251,274,496	*$602,610,105	$800,000,000	
$ amount of City Contracts awarded to Minority and Women Business Enterprises on construction/development projects	$28,403,571 to MBEs $33,289,083 to WBEs	$14,988,082 to MBEs $16,853,570 to WBEs	$26,825,921 to MBEs $18,871,638 to WBEs	$30,000,000 (MBEs) $20,000,000 (WBEs)	$30,000,000 MBEs $20,000 WBEs
Number workshops held, procurement fairs, and pre-bid meetings attended*[2]	30	37	38	39	39
Bid analysis completed*[3]	na	40	70	100+	110

** 50% of all non Construction project contracts eligible to participate in the SUBP program were not referred to the program for diversity goals in '03*

Explanation of Key Performance Measures:

[1]The purpose of the Central Certification (CERT) Program is to review and audit applicants in order to ensure that listed firms meet eligibility requirements. Recertification is necessary every two years of business certification. Decrease in number of certified vendors attributed to vendors not going through the recertification process.

[2]The purpose of the SUBP outreach activities is to provide information and education to the business community in order to heighten awareness of the City of Minneapolis SUBP, procurement opportunities, and to cultivate a cooperative business environment. The activities include educating bidders/proposers and contractors on their responsibility under Chapter 423 aimed at recruiting certified minority and women business enterprises.

[3]The purpose of the bid analysis is to determine if bidders/proposers are in compliance with performing good faith efforts to utilize women-owned and minority-owned business enterprises. The efforts made by the bidders/proposers help serve as an indicator of the effectiveness of the information SUBP provides relating to outreach requirements. This activity also helps SUBP reach valid recommendations for contract award.

Key Performance Measure	2001 Actual	2002 Actual	2003 Actual	2004 Estimated	2005 Projected
CRA STAFF:			4	4	4
Number of intake inquiries	818	586	610	450	450
Number of CRA complaints	114	56	157	130	120
Mediation	8	0	2	10	25
Complaints in investigation		59	163	140	91
Investigations Completed		61	71	112	150
CRA BOARD:					
CRA Board Hearings Scheduled		0	3	88	144
CRA Board Hearings Held		0	3	64	100
Complaints awaiting Hearing		12	65	70	120

Number of Community Summits		2	2	0	4
Community festivals	6	5	7	8	8
Police Community Relations Committee	N/A	6	6	12	12
Education and Information	6	5	7	3	6
Culturally specific advisory/work group meetings	6	5	6	14	16

Primary Business: **Community Outreach , Education, Advocacy. Leadership in matters of Social Justice and advocacy for all groups protected under the city ordinance.**

Description of Primary Business: Advocate for public policy initiatives and change that facilitates the eradication of barriers to full and equal participation in the quality of life in the City of Minneapolis and that addresses and reflects the needs and priorities of the Cities communities.

- Community Summits
- Culturally specific advisory/work groups
- Community events and educational forums
- Department work shops and training
- Monitoring of the Unity Community and Police Department mediation agreement

Civilian Review Authority	2001 Actual	2002 Actual	2003 Actual	2004 Estimated	2005 Projected
Community outreach activities/involvement			4	8	8
Education and Information	6	5	7	3	6
Culturally specific advisory/work group meetings	6	5	6	14	16

Financial Analysis:

EXPENDITURE

The Civil Rights department's budget for 2005 is $2.8 million.

The budget for this department includes $170,000 in BIS charges calculated on a city-wide rate model and $4,100 for benefits administration. Both were centrally budgeted in the past. Backing out these charges, the 2005 Civil Rights department's budget is $2.6 million, a 31% increase over the 2004 Adopted Budget.

REVENUE

In 2005, the EEOC (Equal Opportunities Employment Commission) Workshare agreement decreased by 19%. The Civil Rights department also sees a $245,000 decrease in their revenue budget for 2005 because several service contracts budgeted in their 2004 budget have been absorbed by the General Fund overhead rate model. This decrease is offset by a corresponding increase in centrally budgeted overhead within the General Fund.

FUND ALLOCATION

This department is funded primarily through the General Fund (84%) with the remaining 16% being funded through CDGB.

MAYOR'S RECOMMENDED BUDGET

The Mayor's Recommended Budget eliminated 2 positions and provided $70,000 of one-time money to address the Civilian Review Authority backlog. Further, it enhanced the capabilities of the Civil Rights Department by transferring $235,000 and 4 positions for the New Arrivals Program and 1 position for the Native American Advocate into the department (from the Health and Family Support department). The Mayor also recommended $50,000 for an enterprise-wide Limited English Proficiency program.

ADOPTED BUDGET

The Council adopted the Mayor's Recommendations.

CIVIL RIGHTS
Staffing Information

	2002 Adopted Budget	2003 Adopted Budget	2004 Adopted Budget	2005 Adopted Budget	% Change	Change
FTE's by Division						
Civil Rights Admin	7.00	7.00	7.00	7.00	0.00%	-
Complaint Investigation	8.00	8.00	6.00	6.00	0.00%	-
Civil Rights Contracts	9.00	8.50	7.00	5.00	-28.57%	(2.00)
Civilian Review Authority	5.00	4.00	4.00	4.00	0.00%	-
Outreach	-	-	-	5.00	500%	5.00
Total FTE's	**29.00**	**27.50**	**24.00**	**27.00**	**12.50%**	**3.00**

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Expense Information

	2002 Actual	2003 Actual	2004 Adopted Budget	2005 Adopted Budget	% Change	Change
General Fund - City						
Capital Outlay	9,715	0	3,000	3,042	1.4%	42
Contractual Services	234,348	346,671	305,552	536,468	75.6%	230,916
Equipment	13,367	1,083	3,000	3,042	1.4%	42
Fringe Benefits	237,696	247,066	291,803	310,703	6.5%	18,900
Operating Costs	83,166	45,114	61,523	65,868	7.1%	4,345
Salaries and Wages	1,037,738	1,121,211	1,125,999	1,418,917	26.0%	292,918
Total for General Fund - City	1,616,030	1,761,145	1,790,877	2,338,040	30.6%	547,163
Special Revenue Funds						
Capital Outlay	0	0	1,987	0	-100.0%	-1,987
Contractual Services	21,174	52,691	-130,949	98,521	-175.2%	229,470
Equipment	0	533	4,124	0	-100.0%	-4,124
Fringe Benefits	38,279	52,784	28,710	86,911	202.7%	58,201
Operating Costs	4,685	22,812	15,357	7,950	-48.2%	-7,407
Salaries and Wages	178,073	227,392	278,877	251,618	-9.8%	-27,259
Total for Special Revenue Funds	242,211	356,212	198,106	445,000	124.6%	246,894
Total for CIVIL RIGHTS	1,858,241	2,117,357	1,988,983	2,783,040	39.9%	794,057

CIVIL RIGHTS
Revenue Information

	2002 Actual	2003 Actual	2004 Adopted Budget	2005 Adopted Budget	% Change	Change
General Fund - City						
Charges for Service	386,522	271,848	258,252	0	-100.0%	-258,252
Other Misc Revenues	907	3,548	0	0	0.0%	0
Total for General Fund - City	387,429	275,396	258,252	0	-100.0%	-258,252
Special Revenue Funds						
Contributions	0	7,295	0	0	0.0%	0
Federal Government	52,500	62,100	62,000	50,000	-19.4%	-12,000
Total for Special Revenue Funds	52,500	69,395	62,000	50,000	-19.4%	-12,000
Total for CIVIL RIGHTS	439,929	344,791	320,252	50,000	-84.4%	-270,252