

Anchorage Equal Rights  
Commission

1999 Annual Report

Shelby Davison  
Chairperson

David M. Levy

Executive Director

July 5, 2000

The Honorable George Wuerch, Mayor of Anchorage  
The Honorable Fay Von Gemmingen, Chair of the Anchorage Assembly

Dear Mayor Wuerch and Assemblywoman Von Gemmingen:

On behalf of the Commission, I respectfully submit the 1999 Annual Report of the Anchorage Equal Rights Commission (AERC). Established in the Anchorage Charter in 1977, the AERC's purpose is to eliminate and prevent illegal discrimination within the geographic boundaries of the Municipality of Anchorage. Title 5 of the Anchorage Municipal Code provides protection from discrimination as to race, color, sex, religion, national origin, marital status, age, or physical or mental disability and covers the areas of employment, housing, public accommodations, education, financing practices, and services provided by the Municipality.

The AERC has added some new features to the 1999 edition. Included in the 1999 report is information regarding AERC community activities as well as an update from the public hearing/litigation unit. Finally, the AERC has included profiles of the community volunteers who serve on the commission.

The AERC appreciates the support the Mayor and the Anchorage Assembly have provided to the AERC in the past and looks forward to working with you in the future. If you have any additional questions or concerns, please feel free to call me at the AERC office at 343-4342 or call Mr. Levy directly at 343-4340.

Sincerely,

Shelby Davison, Esq.  
Chair, Anchorage Equal Rights Commission

July 5, 2000

Dear Residents of Anchorage:

On behalf of the staff of the Anchorage Equal Rights Commission (AERC), I welcome your interest in the AERC's 1999 Annual Report. Created over 20 years ago, the mission of the AERC is to assure the effective enforcement of Title 5 of the Anchorage Municipal Code. I have listed below some highlights from the 1999 report.

**Inquiries:**

In 1999, the Anchorage Equal Rights Commission responded to 822 inquiry complaints on discrimination. This is an increase of 18%-compared to 1998. This included inquiries regarding discrimination in employment, housing, public accommodation, education and financial institutions and unlawful practices by the Municipality of Anchorage. A majority of the inquiries were filed by African-Americans, followed by Alaska Natives/American Indian, Hispanics, White/Non-Hispanics and Asians. Please see the graph on page 12 regarding AERC inquiries.

**Open Cases:**

The Anchorage Equal Rights Commission opened 82 cases in 1999. Case Filings are broken down in the following manner: Please see the graph regarding 1999 Case Filings on page 13 for additional information.

Case Filings	Number of cases (Percent of Total)
Employment	55 ( 67%)
Housing	5 (6%)
Public Accommodation	21 (26%)
MOA Practices	0
Financial Institutions	0
Educational Institutions	1 (1%)
Total	82 (100%)

**Education and Outreach:**

In 1999, the AERC Commissioners continued to make it a commitment to conduct community outreach activities in the Anchorage area. Activities included development of the AERC website; creation of the Anchorage Fair Housing Education Project for People with Disabilities; and technical assistance to the Minority Community Relations Task Force (MCPRTF). Please see 1999 Community Outreach and Education section on pages 7-10 for additional information.

I appreciate the support that the Anchorage community has shown to the AERC in 1999. If you have any questions or comments regarding the report, please give me a call at 343-4340 or [levydm@ci.anchorage.ak.us](mailto:levydm@ci.anchorage.ak.us).

Sincerely,

David M. Levy  
Executive Director

# AERC Commission: Board and Staff Profiles

## Chair Shelby Davison, Esq.

Ms. Davison currently serves as chair of the Anchorage Equal Rights Commission. Ms. Davison was appointed in 1995 and her term expires in 2001. She is the principal owner and partner of Davison and Davison, Inc. a local law firm specializing in workers compensation and other employment matters.

## Vice Chair Terry Bryan

Mr. Bryan currently serves as the vice chair of the Anchorage Equal Rights Commission. Mr. Bryan was appointed in 1996 and his term expires in 2002. Mr. Bryan is President and CEO of First American Title of Alaska.

## Secretary Valorie Moore

Ms. Moore currently serves as the secretary for the Anchorage Equal Rights Commission. Ms. Moore was appointed in 1999 and her term expires in 2002. She works for Wilton Adjustment Services, where she is a senior claims examiner.

## Commissioner Dave Cavitt

Mr. Cavitt has served on the AERC Commission since 1996. He served one year as Secretary (1998-1999). His term expires in 2001. Mr. Cavitt is the President and CEO of Furniture Enterprises, a retail furniture company.

## Commissioner Geri Simon

Ms. Simon has served on the AERC Commission since 1996. Her term expires in 2002. Ms. Simon works as the executive vice president for the First Alaskans Foundation.

# AERC Commission: Board and Staff Profiles

## Commissioner Julie Eaton

Ms. Eaton has served on the AERC Commission since 1998. Her term expires in 2002. Ms. Eaton is the owner of Eaton Equestrian Center in South Anchorage.

## Commissioner Chris Lyou

Mr. Lyou was appointed in 1999. His term expires in 2002. Mr. Lyou works for the State of Alaska as a grievance and compliance administrator for the Department of Corrections.

## Commissioner John Lehe

Mr. Lehe was appointed in 2000. His term expires in 2003. Mr. Lehe is a legal investigator for Tindall, Bennett and Shoup.

## Commissioner Elary Gromoff

Mr. Gromoff was appointed in 2000. His term expires in 2003. Mr. Gromoff is a board member with the Aleut Corporation.

## David M. Levy, Executive Director

Mr. Levy was hired by the AERC in 1998. Prior to his selection, he was the Anchorage Regional Director for Access Alaska, a non profit organization providing independent living services for people with disabilities living in Southcentral and Interior Alaska. He was appointed by Mayor Mystrom and served three years on the commission. He served as secretary and chair of the commission during his tenure. Mr. Levy has a master's degree in public administration from the University of Colorado.

## Barbara A. Jones, Staff Attorney

Ms. Jones was hired by the AERC in 1999. Prior to her selection, she was an assistant attorney with the law firm of Lee Holen and Associates. Ms. Jones received her law degree from the University of Denver.

# Minority Community Police Relations Task Force

- The mission of the MCPRTF is to monitor all serious incidents involving minority citizens and the Anchorage Police Department (APD) and to serve as a liaison between the minority community and the APD. Established in 1981, the MCPRTF is a nine-member task force with representation from the African American, Native Alaskan/American Indian, Filipino, Hispanic and Samoan communities. In addition, the task force has representatives from the Anchorage Police Department, Alaska State Troopers, the Federal Bureau of Investigation and the Immigration and Naturalization Service.
- In September 1999, the MCPRTF was nationally recognized by the United States Department of Justice for its efforts at curbing racial tensions in Anchorage and developing a cooperative partnership between the local law enforcement agencies and the minority community.



# Anchorage Fair Housing Project for People with Disabilities

- The AERC was awarded a grant from the Alaska Mental Health Trust Authority for the Anchorage Fair Housing Project for People with Disabilities. The goal of the project is to educate eligible trust beneficiaries (individuals with developmental disabilities and chronically mentally ill) who are living, working or visiting in Anchorage, of their rights to fair housing under Title 5 of the Anchorage Municipal Code and the Fair Housing Amendments of 1978.
- The project has two objectives: 1) To develop fair housing brochures and other educational materials to increase the awareness of trust beneficiaries of their rights under the law. 2) To develop fair housing public service announcements targeting trust beneficiaries.
- The organizations participating in the project include the Alaska State Independent Living Council, Alaska Mental Health Board, Disability Law Center, Governor's Council on Disabilities and Special Education, Alaska State Commission on Human Rights, and People First of Alaska. The project began on January 1<sup>st</sup> and is expected to be completed by the end of the year.





# Girl Scouts Workshop

- The Girl Scouts and the AERC conducted a workshop for members of the Girl Scouts Susitna Council. Twenty people participated at the workshop which was held at the Spenard Community Center. The workshop consisted of an opening skit and mock public hearing conducted by a local girl scout troop (the skit and mock public hearing were based on a recent U.S. Supreme Court decision: Davis v. Monroe County Board of Education). Breakout discussion and wrap up sessions were held during the program to discuss the court case and its ramifications.



# AERC Web Site

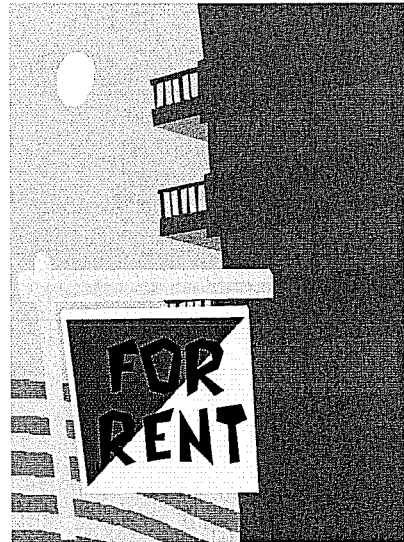
- The AERC is on the World Wide Web. The worldwide address is  
**<http://www.ci.anchorage.ak.us/Services/Departments/Aerc/index.html>**.
- The website includes information regarding the AERC mission statement, an introduction to commissioners and staff, a listing of upcoming commission meetings, information on filing a complaint, frequently asked questions and related links.
- The AERC can also be reached by email at  
**[wwwerc@ci.anchorage.ak.us](mailto:wwwerc@ci.anchorage.ak.us)**



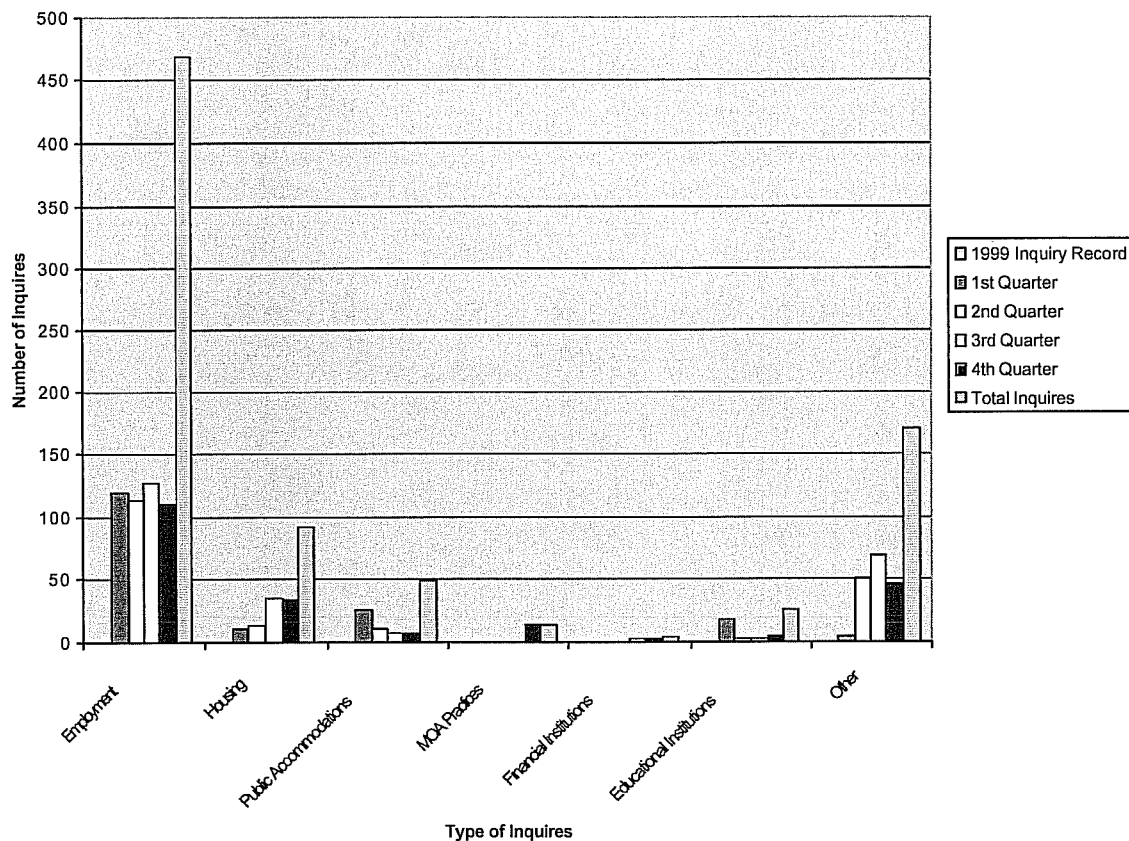
# Litigation:

## Baker/Thomas v AERC

- The plaintiffs allege that they are owners of residential rental property in Anchorage and that they hold religious beliefs that cohabitation between unmarried individuals constitutes a sin. They filed a suit with the Ninth Circuit Court of Appeals stating that while no complaints had been filed against them, that municipal and state law violates their religious freedom.
- The Anchorage Equal Rights Commission does not have any claims against the plaintiffs and feels that their complaints should be dismissed on the basis of legal standing. In addition, if the plaintiffs will not rent to unmarried couples then it would be a violation of the fair housing provisions of the AS (Alaska Statutes) 18 and Title V of the AMC (Anchorage Municipal Code) that prohibit discrimination on the basis of “marital status.”
- In the spring of 1999, a divided panel of the Ninth Circuit Court of Appeals affirmed the district court decision. The AERC voted unanimously on January 21, 1999 to request an en banc review by the entire Ninth Circuit. The request was granted on October 19, 1999 and was reviewed on March 23, 2000. A decision by the Ninth Circuit Court of Appeals is expected by the spring of 2001.

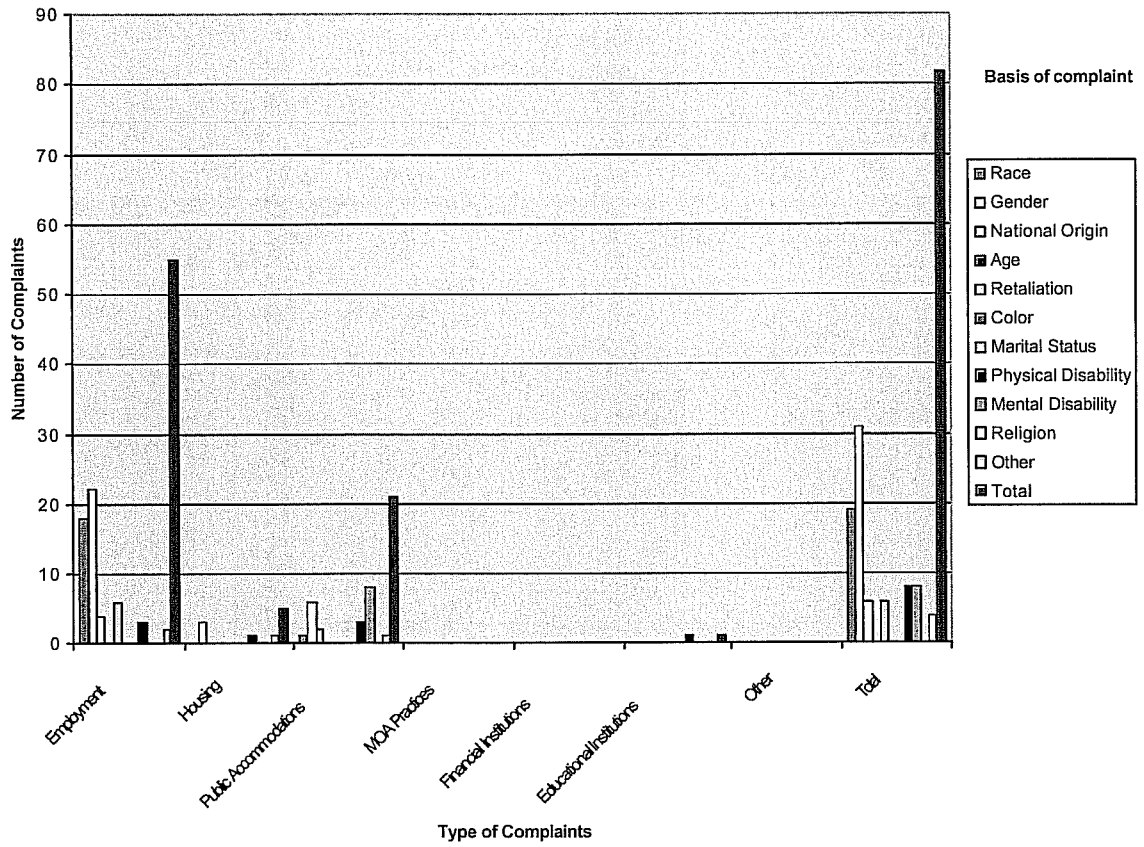


# 1999 Inquiry Record



	Employment	Housing	Public Accommodations	MOA Practices	Financial Institutions	Educational Institutions	Other	Total
1st Quarter	119	10	25	0	0	17	5	176
2nd Quarter	113	13	10	0	0	2	51	189
3rd Quarter	127	35	7	0	2	2	69	242
4th Quarter	110	33	7	14	2	5	46	217
<b>Total Inquires</b>	<b>469</b>	<b>91</b>	<b>49</b>	<b>14</b>	<b>4</b>	<b>26</b>	<b>171</b>	<b>824</b>

# 1999 Case Filings



Area Basis	Employment	Housing	Public Accommodations	MOA Practices	Financial Institutions	Educational Institutions	Other	Total
Race	18	0	0	1	0	0	0	19
Gender	22	3	0	6	0	0	0	31
National Origin	4	0	0	2	0	0	0	6
Age	0	0	0	0	0	0	0	0
Retaliation	6	0	0	0	0	0	0	6
Color	0	0	0	0	0	0	0	0
Marital Status	0	0	0	0	0	0	0	0
Physical Disability	3	1	0	3	0	0	1	8
Mental Disability	0	0	0	8	0	0	0	8
Religion	0	0	0	0	0	0	0	0
Other	2	1	0	1	0	0	0	4
Total	55	5	0	21	0	0	1	82

# ACKNOWLEDGEMENTS

The Anchorage Equal Rights Commission would like to thank the following individuals and organizations for their assistance in creating the 1999 annual report:

Bonnie Carroll- Former AERC Commissioner

Julie Alfred – Former AERC Commissioner

Lynda H. Richards – Administrative Assistant

Daniel L. Nix – AERC Investigator

Paul R. Swetzof – AERC Investigator

RoxAnne Unabia – AERC Investigator

Deborah R. Wing – Former AERC Investigator

Steve Hunt – Equal Employment Opportunity Commission

Jeff Jesse – Alaska Mental Health Trust Authority

Reverend William Greene and the members of the Minority Community Police Relations Task Force

Marianne Kerr - Field Executive, Girl Scouts Susitna Council

Ruth M. Kvernplassen and Ed Brandt – MOA Reprographics