


To: Anch. Equal Rights Commission  
From: Executive Director Keoki Kim   
Date: 1/16/25

Presented: 1/16/25 *Commission Mtg* **Special Report:  
Effectiveness of Anchorage Equal Rights Commission**

**INTRODUCTION**

This investigation was undertaken by Executive Director, Keoki Kim, at the request of the Anchorage Equal Rights Commissioners, local Civil Rights Organizations, members of the public, and private employment law attorneys questioning why the Anchorage Equal Rights Commission failed to complete its cases within 240 days as required by Title 5 for at least the last 24 years.

It does not appear that based upon the number of cases, the number of investigators and the time it takes to do an investigation, there is justification for the inability of the Anchorage Equal Rights Commission to complete its cases within 240 days. There have always been enough investigators to complete investigations on time. It appears that there has been a lack of supervision and accountability.

**LAW**

Title 5 of the Anchorage Municipal Code requires the Anchorage Equal Rights Commission to complete its investigations in an impartial manner within 240 days.

**FACTS**

This investigation is based on the Anchorage Equal Rights Commission Annual Reports from 2000 – 2024, which are public records. Prior to 2000, there are no available records tracking case completion.

From 2000 – 2010, one Executive Director oversaw the agency. The completion rates are as follows:

In 2000, the total number of cases was 94. Of these, 36 (39%) were not completed on time.

In 2001, the total number of cases was 77. Of these, 44 (57%) were not completed on time.

In 2002, the total number of cases was 83. Of these, 35 (42%) were not completed on time.

In 2003, the total number of cases was 74. Of these, 24 (32%) were not completed on time.

In 2004, the total number of cases was 82. Of these, 37 (45%) were not completed on time.

In 2005, the total number of cases was 38. Of these, 22 (58%) were not completed on time.

In 2006, the total number of cases was 52. Of these, 13 (25%) were not completed on time.

In 2007, the total number of cases was 39. Of these, 20 (51%) were not completed on time.

In 2008, the total number of cases was 50. Of these, 7 (14%) were not completed on time.

In 2009, the total number of cases was 63. Of these, 13 (22%) were not completed on time.

In 2010, the total number of cases was 87. Of these, 29 (33%) were not completed on time.

From 2011 to 2019, a different Executive Director oversaw the agency. The completion rates are as follows:

In 2011, the total number of cases was 67. Of these, 39 (58%) were not completed on time.

In 2012, the total number of cases was 60. Of these, 27 (45%) were not completed on time.

In 2013, the total number of cases was 64. Of these, 18 (29%) were not completed on time.

In 2014, the total number of cases was 67. Of these, 27 (40%) were not completed on time.

In 2015, the total number of cases was 69. Of these, 19 (28%) were not completed on time.

In 2016, the total number of cases was 70. Of these 8, (11%) were not completed on time.

In 2017, the total number of cases was 80. Of these 13, (16%) were not completed on time.

In 2018, the total number of cases was 71. Of these 18, (25%) were not completed on time.

In 2019, the total number of cases was 95. Of these 21, (22%) were not completed on time.

From 2019 – 2022, a third Executive Director oversaw the agency. The completion rates are as follows:

In 2020, the total number of cases was 95. Of these 56, (59%) were not completed on time.

In 2021, the total number of cases was 70. Of these 38, (54%) were not completed on time.

In 2022, the total number of cases was 71. Of these 38 (54%) were not completed on time.

From 2022 – 2024, Keoki Kim, the current Executive Director oversaw. The completion rates are as follows:

In 2022, the total number of cases was 71. Of these 38, (54 %) were not completed on time.

In 2023, the total number of cases was 85. Of these 49, (58 %) were not completed on time.

In 2024, the total number of cases was 79. Of these 0, (0 %) were not completed on time.

## **ANALYSIS**

When I was hired in August of 2022, I was told by the Commission Chair and the Mayor to bring the Equal Rights Commission into compliance with Title 5 by processing all backlogged cases and ensuring that new cases did not become backlogged. I inherited cases that were over deadline by as much as 4 years.

The average Investigation consists of the following steps, which require approximately the following amounts of time to complete:

Intake Meeting	.5 hour
Draft Complaint	1 hour
Sign Complaint	.5 hour
Draft letter to Respondent and Complainant	2 hour
Review response and documentation from Respondent	2 hours
Prepare for Fact Finding Conference	2 hours
Conduct Fact Finding Conference and Settlement	2 hour
Interview Witnesses (on average 4 witnesses)	4 hours
Additional contact with Complainant and Respondent	4 hours
Review additional documents from Complainant and Respondent	4 hours
Meetings with Case Manager and Director	3 hours
Draft Investigative Memo	8 hours
Draft Determination	4 hours
Total:	37 hours

Investigators at the Anchorage Equal Rights Commission work 40 hours per week. They receive 15 days off a year for holidays. They have approximately 2 weeks of vacation per year. Accordingly, they have 1,920 hours each year to investigate cases. The Anchorage Equal Rights Commission has historically had 3 - 4 investigators. Accordingly, if there were three investigators, they had 5,760 hours each year to investigate cases. If there were four investigators, they had 7,680 hours each year to investigate cases. Thus, if each case takes 37 hours, the Anchorage Equal Rights Commission has the capacity to investigate 156 cases per year with three investigators. It has the capacity to investigate 208 cases per year with four investigators.

In 2024, the Anchorage Equal Rights Commission had no backlog for the first time in at least 24 years. It was done with 3 investigators. The lead investigator was hired in 2018. Thus, she had approximately 6 years of experience at the agency. The supporting investigators were hired in 2023. They had no investigation experience at the agency before they were hired. They were trained on the job. They investigated and closed the backlogged cases within approximately 1 year. It should be noted that because many of these investigations were years over deadline, it took more time than normal to complete the cases.

The steps undertaken to accomplish this are as follows:

1. The Executive Director consulted with EEOC (Equal Employment Opportunity Commission) District and Regional offices. The EEOC is a federal agency that works with state and municipal Equal Rights Agencies. They provide training on a regular basis. They co-share cases with local agencies and provide payments for the cases investigated by the local agency. The EEOC conducts its own investigations and employs its own investigators. EEOC investigators carry at least 70 cases at a time and are required to close 10 per month.
2. The Executive Director consulted other State and Municipal Equal Rights agencies in Washington, Idaho, Montana, Missouri, Illinois, Missouri, Maine, New York, Maryland, Virginia, West Virginia, Ohio, Florida and others. Other State and Municipal agencies expect their investigators to investigate 50 - 150 cases and close 3 – 10 per month.
3. It should be noted that all other Federal, State and Municipal agencies require their investigators to simultaneously investigate all their cases at the same time.
4. Investigators at other agencies investigate all their cases simultaneously because investigations involve a significant amount of time waiting for responses. For example, after an initial inquiry, the investigator waits for the Complainant to come in and sign the Complaint. Then the investigator sends a letter to the Respondent and Complainant and waits for them to reply. Then the investigator sets a Fact Finding Conference at least 30 days in advance. After that the investigator requests additional documents and interviews and waits for them to occur.
5. There is ample time to complete the next step in the next case during the waiting periods.
6. If an investigator only investigates 1 – 2 cases at a time, there will be substantial periods of time where nothing is accomplished. That is why it is imperative to investigate all cases simultaneously. The investigators at the Anchorage Equal Rights Commission were only investigating 1-2 cases at a time when I started.
7. During the Executive Director's consultations with other Federal, State and Local Equal Rights Agencies, he also learned that other agencies use tracking systems to monitor the timeliness of their cases. The Anchorage Equal Rights Commission did not have a tracking system when I started.
8. Accordingly, in the Spring of 2023, the Executive Director developed a tracking system which set a deadline for each step of the investigation. The Executive Director also instituted a requirement that investigators investigate ALL their cases simultaneously.

An analysis of the caseloads and number of investigators from 2000 – 2024 demonstrates that the agency had the capacity to complete its cases on time.

In 2000, there were 3 investigator positions. There were 94 total cases. If each case took an average of 37 hours to investigate, it would require a total of 3,478 hours. Three investigators working full-time with 15 holidays and 2 weeks of leave would have 5,760 hours to complete this case load in compliance with Title 5. The agency completed 67 cases, which would only require 2,479 hours. Thus, it appears there was an excess of 2,282 hours that could have been used to process the remaining cases on time.

In 2001, there were 3 investigator positions. There were 77 total cases. If each case took an average of 37 hours to investigate, it would require a total of 2,849 hours. Three investigators working full-

time with 15 holidays and 2 weeks of leave would have 5,760 hours to complete this case load in compliance with Title 5. The agency completed 33 cases, which would only require 1,221 hours. Thus, it appears there was an excess of 4,539 hours that could have been used to process the remaining cases on time.

In 2002, there were 3 investigator positions. There were 83 total cases. If each case took an average of 37 hours to investigate, it would require a total of 3,071 hours. Three investigators working full-time with 15 holidays and 2 weeks of leave would have 5,760 hours to complete this case load in compliance with Title 5. The agency completed 70 cases, which would only require 2,590 hours. Thus, it appears there was an excess of 3,170 hours that could have been used to process the remaining cases on time.

In 2003, there were 3 investigator positions. There were 74 total cases. If each case took an average of 37 hours to investigate, it would require a total of 2,738 hours. Three investigators working full-time with 15 holidays and 2 weeks of leave would have 5,760 hours to complete this case load in compliance with Title 5. The agency completed 79 cases, which would only require 2,923 hours. Thus, it appears there was an excess of 2,837 hours that could have been used to process the remaining cases on time.

In 2004, there were 3 investigator positions. There were 82 total cases. If each case took an average of 37 hours to investigate, it would require a total of 3,034 hours. Three investigators working full-time with 15 holidays and 2 weeks of leave would have 5,760 hours to complete this case load in compliance with Title 5. The agency completed 81 cases, which would only require 2,997 hours. Thus, it appears there was an excess of 2,763 hours that could have been used to process the remaining cases on time.

In 2005, there were 3 investigator positions. There were 38 total cases. If each case took an average of 37 hours to investigate, it would require a total of 1,406 hours. Three investigators working full-time with 15 holidays and 2 weeks of leave would have 5,760 hours to complete this case load in compliance with Title 5. The agency completed 93 cases, which would only require 3,441 hours. Thus, it appears there was an excess of 2,319 hours that could have been used to process the remaining cases on time.

In 2006, there were 3 investigator positions. There were 52 total cases. If each case took an average of 37 hours to investigate, it would require a total of 1,924 hours. Three investigators working full-time with 15 holidays and 2 weeks of leave would have 5,760 hours to complete this case load in compliance with Title 5. The agency completed 60 cases, which would only require 2,220 hours. Thus, it appears there was an excess of 3,540 hours that could have been used to process the remaining cases on time.

In 2007, there were 3 investigator positions. There were 39 total cases. If each case took an average of 37 hours to investigate, it would require a total of 1,443 hours. Three investigators working full-time with 15 holidays and 2 weeks of leave would have 5,760 hours to complete this case load in compliance with Title 5. The agency completed 67 cases, which would only require 2,479 hours. Thus, it appears there was an excess of 3,281 hours that could have been used to process the remaining cases on time.

In 2008, there were 4 investigator positions. There were 50 total cases. If each case took an average of 37 hours to investigate, it would require a total of 1,850 hours. Four investigators working full-time with 15 holidays and 2 weeks of leave would have 7,680 hours to complete this case load in compliance with Title 5. The agency completed 74 cases, which would only require 2,738 hours. Thus, it appears there was an excess of 4,942 hours that could have been used to process the remaining cases on time.

In 2009, there were 4 investigator positions. There were 63 total cases. If each case took an average of 37 hours to investigate, it would require a total of 2,331 hours. Four investigators working full-time with 15 holidays and 2 weeks of leave would have 7,680 hours to complete this case load in compliance with Title 5. The agency completed 91 cases, which would only require 3,367 hours. Thus, it appears there was an excess of 4,313 hours that could have been used to process the remaining cases on time.

In 2010, there were 4 investigator positions. There were 87 total cases. If each case took an average of 37 hours to investigate, it would require a total of 3,219 hours. Four investigators working full-time with 15 holidays and 2 weeks of leave would have 7,680 hours to complete this case load in compliance with Title 5. The agency completed 85 cases, which would only require 3,145 hours. Thus, it appears there was an excess of 4,535 hours that could have been used to process the remaining cases on time.

In 2011, there were 4 investigator positions. There were 67 total cases. If each case took an average of 37 hours to investigate, it would require a total of 2,479 hours. Four investigators working full-time with 15 holidays and 2 weeks of leave would have 7,680 hours to complete this case load in compliance with Title 5. The agency completed 96 cases, which would only require 3,552 hours. Thus, it appears there was an excess of 4,128 hours that could have been used to process the remaining cases on time.

In 2012, there were 4 investigator positions. There were 60 total cases. If each case took an average of 37 hours to investigate, it would require a total of 2,220 hours. Four investigators working full-time with 15 holidays and 2 weeks of leave would have 7,680 hours to complete this case load in compliance with Title 5. The agency completed 84 cases, which would only require 3,108 hours. Thus, it appears there was an excess of 4,572 hours that could have been used to process the remaining cases on time.

In 2013, there were 4 investigator positions. There were 64 total cases. If each case took an average of 37 hours to investigate, it would require a total of 2,368 hours. Four investigators working full-time with 15 holidays and 2 weeks of leave would have 7,680 hours to complete this case load in compliance with Title 5. The agency completed 92 cases, which would only require 3,404 hours. Thus, it appears there was an excess of 4,276 hours that could have been used to process the remaining cases on time.

In 2014, there were 4 investigator positions. There were 67 total cases. If each case took an average of 37 hours to investigate, it would require a total of 2,479 hours. Four investigators working full-time with 15 holidays and 2 weeks of leave would have 7,680 hours to complete this case load in compliance with Title 5. The agency completed 105 cases, which would only require 3,885 hours.

Thus, it appears there was an excess of 3,795 hours that could have been used to process the remaining cases on time.

In 2015, there were 4 investigator positions. There were 69 total cases. If each case took an average of 37 hours to investigate, it would require a total of 2,553 hours. Four investigators working full-time with 15 holidays and 2 weeks of leave would have 7,680 hours to complete this case load in compliance with Title 5. The agency completed 97 cases, which would only require 3,589 hours. Thus, it appears there was an excess of 4,091 hours that could have been used to process the remaining cases on time.

In 2016, there were 3 investigator positions. There were 70 total cases. If each case took an average of 37 hours to investigate, it would require a total of 2,590 hours. Three investigators working full-time with 15 holidays and 2 weeks of leave would have 5,760 hours to complete this case load in compliance with Title 5. The agency completed 107 cases, which would only require 3,959 hours. Thus, it appears there was an excess of 1,801 hours that could have been used to process the remaining cases on time.

In 2017, there were 3 investigator positions. There were 80 total cases. If each case took an average of 37 hours to investigate, it would require a total of 2,960 hours. Three investigators working full-time with 15 holidays and 2 weeks of leave would have 5,760 hours to complete this case load in compliance with Title 5. The agency completed 126 cases, which would only require 4,662 hours. Thus, it appears there was an excess of 1,098 hours that could have been used to process the remaining cases on time.

In 2018, there were 4 investigator positions. There were 71 total cases. If each case took an average of 37 hours to investigate, it would require a total of 2,627 hours. Four investigators working full-time with 15 holidays and 2 weeks of leave would have 7,680 hours to complete this case load in compliance with Title 5. The agency completed 126 cases, which would only require 4,662 hours. Thus, it appears there was an excess of 3,018 hours that could have been used to process the remaining cases on time.

In 2019, there were 3 investigator positions. There were 95 total cases. If each case took an average of 37 hours to investigate, it would require a total of 3,515 hours. Three investigators working full-time with 15 holidays and 2 weeks of leave would have 5,760 hours to complete this case load in compliance with Title 5. The agency completed 108 cases, which would only require 3,996 hours. Thus, it appears there was an excess of 1,764 hours that could have been used to process the remaining cases on time.

In 2020, there were 3 investigator positions. There were 95 total cases. If each case took an average of 37 hours to investigate, it would require a total of 3,515 hours. Three investigators working full-time with 15 holidays and 2 weeks of leave would have 5,760 hours to complete this case load in compliance with Title 5. The agency completed 83 cases, which would only require 3,071 hours. Thus, it appears there was an excess of 2,689 hours that could have been used to process the remaining cases on time.

In 2021, there were 4 investigator positions. There were 70 total cases. If each case took an average of 37 hours to investigate, it would require a total of 2,590 hours. Four investigators working full-time with 15 holidays and 2 weeks of leave would have 7,680 hours to complete this case load in compliance with Title 5. The agency completed 97 cases, which would only require 3,589 hours. Thus, it appears there was an excess of 4,091 hours that could have been used to process the remaining cases on time.

In 2022, there were 4 investigator positions. There were 71 total cases. If each case took an average of 37 hours to investigate, it would require a total of 2,627 hours. Four investigators working full-time with 15 holidays and 2 weeks of leave would have 7,680 hours to complete this case load in compliance with Title 5. The agency completed 33 cases, which would only require 1,221 hours. Thus, it appears there was an excess of 6,459 hours that could have been used to process the remaining cases on time. Please note that Keoki Kim was hired as Executive Director on August 15, 2022. These numbers are the reason he immediately sought to determine what the problem was in getting cases processed and immediately began developing a solution. Because the current Executive Director was not present prior to August 15, he has no explanation for why so few cases were completed. Likewise, he has no knowledge of why in the previous 22 years, so few cases were completed compared to the amount of staffing available.

In 2023, there were 4 investigator positions. There were 85 total cases. If each case took an average of 37 hours to investigate, it would require a total of 3,145 hours. Four investigators working full-time with 15 holidays and 2 weeks of leave would have 7,680 hours to complete this case load in compliance with Title 5. The agency completed 36 cases, which would only require 1,332 hours. Thus, it appears there was an excess of 6,348 hours that could have been used to process the remaining cases on time.

In 2023, the agency was unable to complete all its cases on time because shortly after I instituted a tracking system and the requirement that all cases be investigated simultaneously, 3 out of 4 of the investigators resigned. Many hours were lost because new investigators had to be hired and then trained. Because there was only 1 investigator remaining, her time was compromised training new investigators. In May of 2023, the Executive Assistant resigned. This also affected efficiency because she was responsible for administering the EEOC ARC system which must be maintained for the agency to get paid for its co-share cases. Again, the only remaining investigator's time was compromised by taking over the ARC system until a new Executive Assistant could be hired. She was the only person who had enough knowledge of the cases to input the appropriate data in ARC. Accordingly, a great deal of 6,348 available investigator hours were spent in training and keeping current cases from falling behind. All the 6,348 hours were not available because there was a significant lag between the time the former investigators left and new investigators were hired.

In 2024, there were 4 investigator positions. There were 79 total cases. If each case took an average of 37 hours to investigate, it would require a total of 2,923 hours. Four investigators working full-time with 15 holidays and 2 weeks of leave would have 7,680 hours to complete this case load in compliance with Title 5. The agency completed 79 cases.

## **CONCLUSION**



To ensure that the Anchorage Equal Rights Commission continues to investigate cases on time, it is important for the 9 Commissioners who oversee the Anchorage Equal Rights Commission, the Mayor, the Assembly, Internal Audit and the Public to understand that (1) a normal investigation takes approximately 37 hours to complete, (2) each case involves the steps described above, (3) up to 70 cases can be worked simultaneously by each investigator, and (4) each investigation's progress must be tracked by the Case Manager and the Executive Director.

It is critical that the people and entities that oversee the Anchorage Equal Rights Commission know how to hold the Executive Director and the Investigators accountable. It appears that this lack of knowledge is what allowed previous directors and investigators to perform far below national standards.

Performing below national standards is a great disservice to municipal taxpayers. They are often filing cases because they have lost their jobs or been denied housing. It is imperative that investigations are completed in a timely manner. A loss of income or housing often puts people in crisis situations.

Likewise, it is necessary to have accountability in Outreach. There is no doubt that the agency has performed outreach in the last 24 years for which there are written records. However, performing outreach for the sake of performing outreach is not the goal. The goal of performing outreach is to ensure that Anchorage residents know that the Anchorage Equal Rights Commission exists. If a 2 year informal survey reveals that not a single Anchorage resident approached randomly on the street knows who the Anchorage Equal Rights Commission is or the services they provide, then all the previous outreach has been a failure. This needs to be rectified. Now that the agency is caught up on its caseload, effective outreach must be instituted.