



## Review of Seattle's Civil Rights Enforcement and Outreach

### Why We Did This Audit

Seattle City Councilmembers Sally Clark, Bruce Harrell, and Mike O'Brien asked us to review SOCR's enforcement functions and outreach efforts to determine if SOCR:

- staffing was adequate to meet legal requirements,
- delivers objective investigative services,
- could streamline its enforcement processes, and
- provides adequate outreach services to businesses.

### How We Did This Audit

We reviewed civil rights laws and rules; enforcement process policies, procedures, and practices; annual reports, and analyzed data from Seattle and other jurisdictions.

We interviewed SOCR management officials, Seattle Human Rights Commissioners, the Seattle Hearing Examiner, City Attorneys, officials from other jurisdictions, business and rental housing industry representatives, and members of the International Association of Human Rights Agencies (IAOHRA).

We reviewed a sample of SOCR investigative files, SOCR's contracts with the U.S. Department of Housing and Urban Development (HUD) and the U.S. Equal Employment Opportunity Commission, and HUD's performance evaluation of SOCR's contract work.

A copy of the full report can be obtained by visiting the Office of City Auditor's website: <http://www.seattle.gov/audit>.

### SOCR Could Improve the Public's Perception of its Neutrality, Streamline its Enforcement Processes, and Improve Its Outreach Strategy

**What is SOCR?** The Seattle Office for Civil Rights (SOCR) enforces City of Seattle, state, and federal anti-discrimination and equity laws within Seattle's city limits covering employment, housing, public accommodations, and contracting including the enforcement of the City's Paid Sick and Safe Time Ordinance and Use of Criminal History in Employment Decisions Ordinance. SOCR's enforcement responsibilities include performing intake services for individuals alleging discrimination or violations of equity laws, assisting them in drafting discrimination charges, investigating the charges, and mediating discrimination complaints.

**What we found:** SOCR is highly regarded at the national and local levels by peers and community members as an effective human rights agency and role model for other agencies. We found SOCR's staffing is adequate to meet legal requirements for reaching settlements within federal timeline goals. However, we found SOCR could make changes to address the following issues:

- Some SOCR policies, procedures, and practices can affect the public's perception of its objectivity and impartiality and prolong case processing time,
- Limited use of automation in SOCR's enforcement case processing could delay case closures, and
- SOCR's outreach strategy would benefit from a prevention focus and should involve important stakeholders.

**What we recommend:** To address our findings we make 19 recommendations. In summary, we recommend:

- **Steps to improve the perception of SOCR's objectivity and impartiality:**
  - Isolate enforcement staff members from developing and advocating civil rights policy because they may eventually have to investigate alleged violations of that policy.
  - Consider changes to the City's appeals process.
  - Consider having only the Hearing Examiner adjudicate charges of discrimination against respondents.
  - Improve SOCR policy staffs' understanding of business regulations and practices.
  - Use automation to help further standardize its investigative process and increase its appearance of objectivity.
  - Change human rights laws and rules to state that all respondents will receive a copy of SOCR's proposed findings and be offered another opportunity to settle a case before SOCR issues a final determination of Reasonable Cause (as it currently provides to City departments that are respondents).
  - Use performance measures that avoid the perception of inappropriate self-interest.
- **Suggestions to streamline SOCR's enforcement process:**
  - Use automated systems to determine if cases meet prima facie elements and to standardize case file documentation.
  - Consider options to reduce the number of appeals and remands, such as an SOCR Director's reconsideration process, a higher standard of appeal, and additional training for the SHRC Appeals Panel.
- **An outreach strategy that increases its emphasis on prevention and inclusion:**
  - SOCR's mission statement should invite stakeholders to help prevent discrimination.
  - SOCR's outreach efforts should include potential respondents and be geared toward prevention.