

# TENNESSEE HUMAN RIGHTS COMMISSION ANNUAL REPORT FY 2022



*SAFEGUARDING INDIVIDUALS FROM DISCRIMINATION THROUGH EDUCATION AND ENFORCEMENT*



Bill Lee, Governor

Robin Derryberry, Chair of the Board of Commissioners

Muriel Malone Nolen, Executive Director



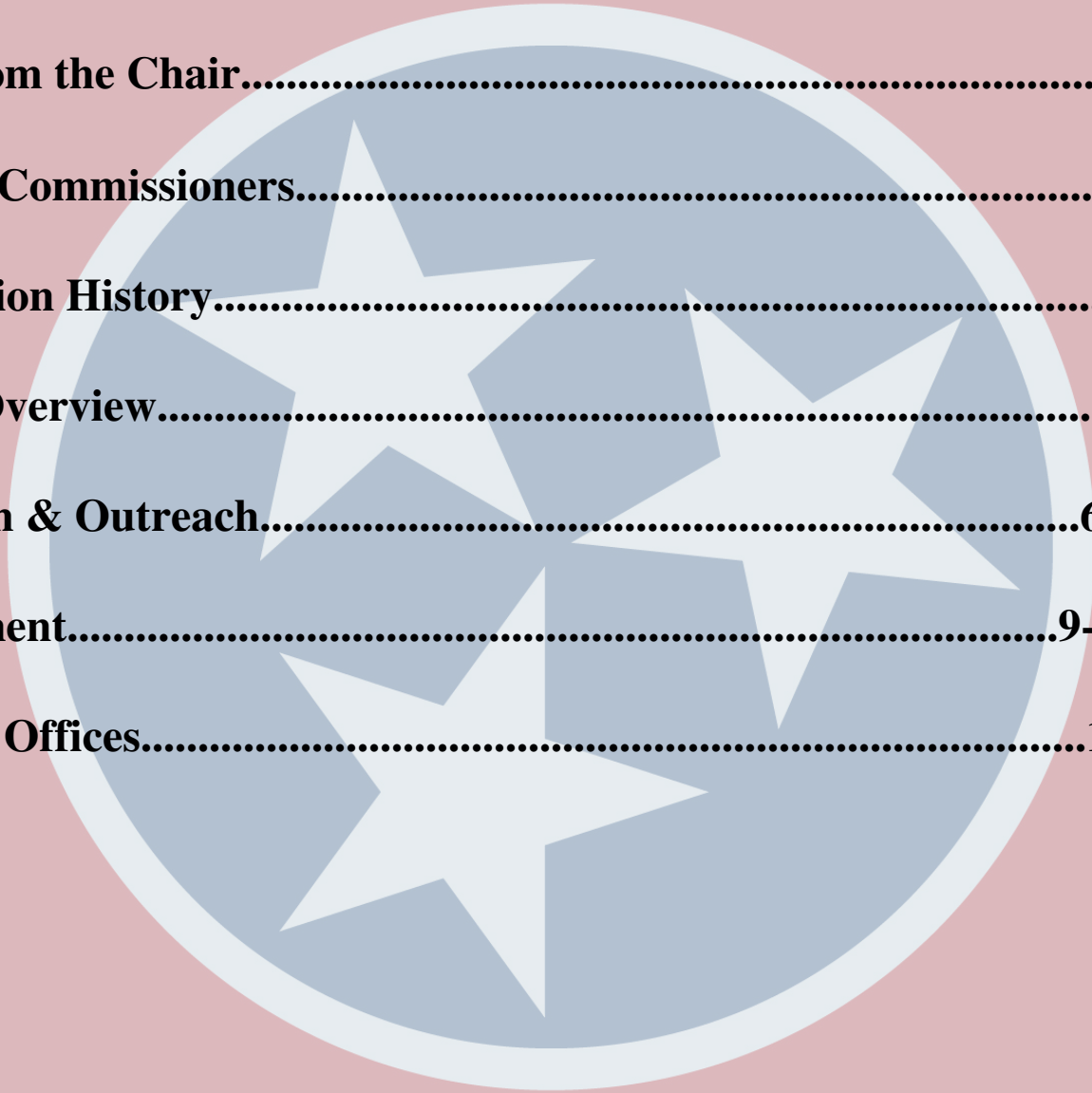






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AUGUST 29, 2022

Governor Bill Lee  
Tennessee State Capitol Building  
600 Dr. Martin Luther. King, Jr. Blvd.  
Nashville, TN 37243

Members of the General Assembly  
Cordell Hull Building  
425 5th Ave N  
Nashville, TN 37243

To Governor Bill Lee, Members of the General Assembly, and Citizens of Tennessee:

As the new Executive Director of the Tennessee Human Rights Commission (THRC), I am honored to share with you the FY 2022 annual report on behalf of the Commission. I invite you to review and learn about the continued work of the Commission and our mission which is to safeguard individuals from discrimination through education and enforcement. This report highlights the Commission's education and outreach, and enforcement actions that are designed to safeguard Tennesseans from discrimination in housing, employment, public accommodations, and Title VI.

As the country continued to return to the workplace, citizens of Tennessee availed themselves of the Commission's education and outreach activities. During FY 2022, the Commission reached nearly 4 million Tennesseans through these efforts. In addition, the Commission continued to see an increase in housing discrimination complaints, limited access to affordable housing, racial and religious inequities, and requests for medical and religious accommodations.

In April 2021, I joined the THRC after 18 years as an Assistant District Attorney General. My 26-year career has been dedicated to serving the citizens of Tennessee in various governmental and non-profit agencies including the Tennessee Attorney General's Office, Shelby County District Attorney General's Office, Hamilton County District Attorney's Office, Memphis Area Legal Services, and Southwest Tennessee Community College. I have continued to actively protect the civil rights and liberties for my fellow Tennesseans in my new role at the THRC.

I would like to thank our Board Chair and members of our Board of Commissioners who continue to provide leadership to meet the Commission's mission and vision. The Commission has continued the vital responsibility of enforcing civil rights laws and the work to ensure a discrimination-free Tennessee. The Commission looks forward to serving the citizens of Tennessee with your continued support.

Sincerely,

*Muriel Malone Nolen, Esq.*

Muriel Malone Nolen, Esq.  
Executive Director







AUGUST 29, 2022

To Members of the General Assembly:

This has been and will continue to be a year of change for the Tennessee Human Rights Commission. On February 15, this agency hit a hard re-set. Our leadership team was given the difficult mission of building an organization that is sensitive to the needs of those coming before them; to set a tone of collegiality; and most importantly, to change an office culture that had been toxic for far too long.

This team and this board did just that.

Today, our house is in order. Our processes move forward sensitively and efficiently and this board has provided leadership that will guide present and future efforts. As this board is vacated, we do so knowing that we wouldn't have changed a thing in the process over the past months. We move forward knowing that every step we took was done with the guidance of the Department of Human Resources to protect due process for all involved. We appreciate their support through a difficult time.

Each current member of this board has served with honor, integrity and a deep commitment to the citizens of the State of Tennessee. These duties have not been taken lightly and the individuals serving are professionals who possess expertise in the areas of communication, education, finance, justice, military, and personnel. They have spent hours preparing for hearings and even more navigating the difficult waters of the past few months.

We wish the new board members much success as they take their seats in September. We've left the organization in great hands.

Sincerely,

A handwritten signature in blue ink that reads "Robin Derryberry".

Robin Derryberry, Chair  
Board of Commissioners



**BOARD OF COMMISSIONERS**



**ROBIN DERRYBERRY  
CHAIR**



**BILL MARTIN  
VICE-CHAIR**



**SCOTT ARNWINE  
SECRETARY**



**JOSEPH W.  
ALBRIGHT**



**GARY D. BEHLER**



**ERIC CRAFTON**



**MARK HAYES**



**ANNAZETTE  
HOUSTON**



**JULIUS SLOSS**



# TENNESSEE HUMAN RIGHTS COMMISSION HISTORY



The Tennessee Human Rights Commission (THRC) is an independent state agency responsible for enforcing the Tennessee Human Rights Act (THRA) and Tennessee Disability Act (TDA). The Commission has a nine-member Board of Commissioners and 29 staff members in four offices across Tennessee. The founding principles of the Tennessee Human Rights Commission were to encourage and develop fair and equal treatment for all citizens regardless of race, color, or national origin. The mission of the Tennessee Human Rights Commission is safeguarding individuals from discrimination through education and enforcement.

On September 30, 1963, Governor Frank G. Clement, pictured left, signed Executive Order 18 creating the Tennessee Human Relations Commission. The Commission's original purpose was to advise the public of their rights, research, report on human relations, and relay these findings to the governor. The commission accomplished this by working alongside other government agencies with similar responsibilities.

**In 1978**, the Tennessee Human Rights Act (THRA) became law, transforming the commission from an advisory agency to an enforcement agency. Former Commissioner Jocelyn Wurzburg of Memphis, Tennessee was the author of this legislation; her leadership was critical to its passage.

**In 1979 and 1980**, the law was amended to include disability and age as protected classes.

**In 1983**, the Commission officially became the Tennessee Human Rights Commission. In 1984, the law was amended to prohibit discrimination in housing. In 1990, the expansion was extended to include familial status and disability as protected classes.

**In 2009**, the THRA was expanded, and the Tennessee Human Rights Commission was given the authority to verify that state government entities comply with requirements of Title VI of the Civil Rights Act of 1964. Title VI prohibits recipients of federal financial assistance from discriminating on the basis of race, color, and national origin.

**In 2014**, legislation was passed that amended the THRA (T.C.A. §4-21-201) by reducing the THRC Board of Commissioners from 15 members to nine members, with two members being appointed by leadership from the Senate and House, and five appointed by the Governor. The new board structure became effective on January 1, 2015.

**Today, the THRA prohibits** discrimination based on race, color, creed, religion, sex, national origin, age (40 and over in employment), disability, and familial status (in housing). The Tennessee Human Rights Commission has maintained collaborative partnerships with the Federal government for nearly forty years. These relationships allows the Commission to investigate complaints involving alleged violations of Title VII of the Civil Rights Act of 1964, the Age discrimination in Employment Act of 1967, the Americans with Disabilities Act of 1990, the Americans with Disabilities Act Amendments Act of 2008, and Title VIII of the Civil Rights Act of 1968 (Fair Housing).

## *MISSION*

*SAFEGUARDING INDIVIDUALS FROM DISCRIMINATION THROUGH EDUCATION AND ENFORCEMENT*



# AGENCY OVERVIEW

The Tennessee Human Rights Commission (THRC) receives and investigates complaints of alleged discrimination in employment, housing, and public accommodations. THRC ensures compliance with Title VI of the Civil Rights Act of 1964 for state agencies that receive Federal Financial Assistance (FFA). Complaints are assessed to determine whether the allegations are jurisdictional charges under the Tennessee Human Rights Act, Tennessee Disabilities Act, and Title VI of the Civil Rights Act of 1964.

Through education and outreach, THRC educates the public about their rights and responsibilities under the Tennessee Human Rights Act, the Tennessee Disabilities Act and, Title VI of the Civil Rights Act of 1964. Through education and outreach efforts, **3.8 million** Tennesseans were reached.

Customer service and intake serve as the initial point of contact and individuals can obtain assistance with filing a complaint of alleged discrimination. The staff provides information on how to file a complaint by sending out complaint forms to requesting parties and by making referrals to other agencies as needed. This year, customer service received **4,228** phone calls, sent **365** complaint forms, and received **323** complaint forms.

<b>THRC BY THE NUMBERS</b>	
<b>Tennesseans Reached Through Education and Outreach</b>	<b>3.8 M</b>
<b>Total Number of Phone Calls Received</b>	<b>4,228</b>
<b>Total Number of Employment and Housing Inquiries Received</b>	<b>1,677</b>
<b>Total Number Employment and Housing Online Inquiries</b>	<b>721</b>
<b>Total Number of Employment and Housing Complaints Accepted</b>	<b>397</b>
<b>Total Number of Employment and Housing Cases Closed</b>	<b>394</b>
<b>Total in Monetary Benefits</b>	<b>\$214,749</b>

# EDUCATION & OUTREACH

Education & Outreach is a key part of the Tennessee Human Rights Commission mission. Through these efforts, the agency brings awareness about the work done by the Tennessee Human Rights Commission. The agency partners with state and federal agencies along with employers, housing providers, faith-based and non-profit organizations and others who want training to achieve this goal. The agency educates the public about their rights and responsibilities of the Tennessee Human Rights Act (THRA) and state and federal anti-discrimination laws through education and outreach, traditional and social media. During the fiscal year the Tennessee Human Rights Commission partnered with TBD organizations.

THRC participated in **46** education and outreach activities during the fiscal year. The activities included in-person and virtual webinars, workshops, educational presentations, virtual exhibits, distributing agency materials, and radio ad campaigns. Through these efforts, the Commission reached **3.8** million individuals. In addition to traditional media, the Commission uses social media as a tool to communicate the mission and inform the public.

EDUCATION AND OUTREACH BY THE NUMBERS	
Total Number of Education and Outreach Activities	46
Total Number of Partnering Organizations	63
Total Number of Social Media Followers	2,351
Total Number of Educational Presentations	8



1,647

Followers on Facebook



703

Twitter followers



124,701

Website views



779,000

Impressions through  
radio advertising campaigns



2,352,000

People reached through  
print media

This year, the Tennessee Human Rights Commission hosted its premier **Employment Law Seminar (ELS)** in partnership with the Tennessee Department of Human Resources (DOHR) virtually. The goal of the seminar is to educate legal professionals, human resource professionals, organizations, employers, and others of their responsibilities under the state and federal anti-discrimination employment laws. The Employment Law Seminar was held virtually on December 9, 2021. Topics included: Working and managing from home, recruiting and retaining talent, and EEOC employment law updates. There were 165 virtual attendees.



**Above:** Luther Wright Jr. Esq.-Of Counsel and Assistant Director of Client Training -Ogletree, Deakins, Nash, Smoak & Stewart, P.C. presented on “Working and Managing From Home: New Challenges in a Remote World.”



**Above:** Kim Vance, Esq.- Shareholder, Baker-Donelson presented on The Future of Work: Recruiting and Retaining Talent in 2022 and Beyond.”



**Above:** Faye A. Williams, Esq.- Regional Attorney for the Office of General Counsel Memphis District-U.S. Equal Employment Opportunity Commission co-presented on EEOC litigation and EEOC updates.



**Above:** Edmond Sims, Acting District Deputy Director- Memphis District, Equal Employment Opportunity Commission (EEOC) co-presented on EEOC litigation and EEOC updates.



# EDUCATION & OUTREACH

## THRC FAIR HOUSING SUMMITS

This year, the Tennessee Human Rights Commission was granted partnership funding by the U.S. Department of Housing and Urban Development (HUD), to provide education and outreach about fair housing rights and responsibilities. The Commission partnered with West Tennessee Legal Services and the Tennessee Fair Housing Council for statewide fair housing summits.

The goal of the seminars was to provide in-person and virtual attendees with updates, best practices and resources related to fair housing in Tennessee and beyond. Topics included: Housing discrimination and COVID-19, landlord-tenant issues, fair housing rights and responsibilities, fair housing hot topics, renter assistance and stability, disparities in home ownership, affordable housing, and HUD design and construction requirements. The West Tennessee Fair Housing Summit was held in Memphis at the National Civil Rights Museum on April 14, 2022 and the Middle Tennessee Fair Housing Summit was held in Nashville at the Tennessee State Library and Archives on June 28, 2022. There were 171 attendees.



THRC interim executive director Muriel Nolen and THRC Commissioner Scott Arnwine in attendance at the West TN Fair Housing Summit.



West TN Fair Housing summit panelists presenting on disparities in home ownership.



West TN Fair Housing Summit attendee.



Metro Nashville Councilwoman-At-Large, Zulfat Suara delivers Keynote address at the Middle TN Fair Housing Summit.



Attendees at the Middle TN Fair Housing Summit.

Fair housing experts presented on several fair housing topics during the THRC fair housing summits included: **Laurie Benner**- Associate Vice President of Programs-National Fair Housing Alliance (NFHA), **Doreen Graves**- West TN Liaison- Tennessee Housing Development Agency (THDA), **Phyllis Robinson**-Executive Director-CONVERGENCE Memphis, **Mairi Albertson**- Deputy Director Division of Housing and Community Development- City of Memphis, **Dorcus Young Griffin** - Director, Division of Community Services- Shelby County, **Vanessa Bullock**- Managing Attorney and Fair Housing Director-West TN Legal Services, **Milandria King Hull**- Attorney-Paragon Legal, **Ben Sissman**- Attorney at Law, **Ashley Cash**- Director of Division of Housing and Community Development- City of Memphis, **Zac Oswald**- Managing Attorney and Housing Practice Lead-Legal Aid Society of Middle Tennessee and the Cumberland, **Katie Ovale**- Staff Attorney-Legal Aid Society of Middle Tennessee and the Cumberland, **Jerry Hall**- ADA Manager and ADA Title II Coordinator- Metropolitan Nashville & Davidson County, **Julie Yriart**- Executive Director and Attorney-Tennessee Fair Housing Council, **Dr. Troy D. White**- Executive Director- Metropolitan Development and Housing Agency (MDHA), **Angela Hubbard**- Director- Metropolitan Nashville Planning Department Division of Housing, **Jackie Sims** - Executive Director, PATHE Nashville and Community Housing Advocate, and **Zulfat Suara**- Council At-Large, Metropolitan Nashville & Davidson County.

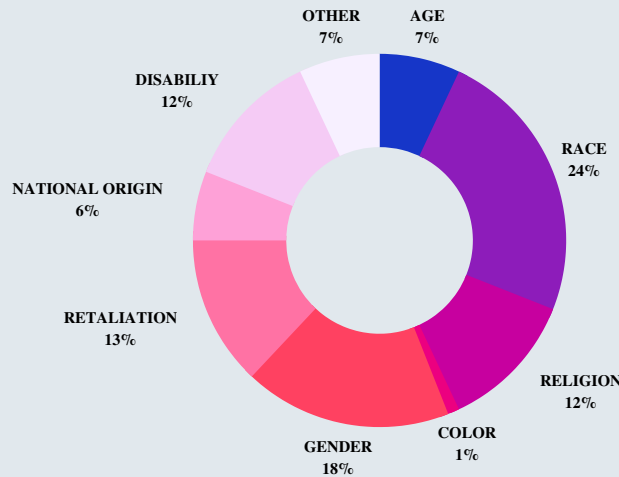
# EMPLOYMENT ENFORCEMENT

The Commission is responsible for investigating allegations of discrimination in employment, and public accommodation with complaints on the basis of race, color, creed, national origin, religion, sex, disability\*, and age. The Commission has a work share agreement with the U.S. Equal Employment Opportunity Commission (EEOC) to investigate complaints of employment discrimination.

This fiscal year, there were **824** inquiries received, **257** complaints accepted, **274** cases closed, and **518** online employment inquiries.

EMPLOYMENT COMPLAINTS BY THE NUMBERS	
Total Number of Inquiries Received	824
Total Number of Complaints Accepted	257
Total Number of Closed Cases	274
Total Number of Online Employment Inquiries	518
Total Number of Mediations Conducted	2

## EMPLOYMENT COMPLAINTS BY BASIS OF ALLEGED DISCRIMINATION



## EMPLOYMENT SETTLEMENT BENEFITS

- **18** cases were resolved through settlements, with a total of **\$65,302.72** in monetary benefits.
  - Individual monetary benefits ranged from \$500 - \$17,500
  - Examples of non-monetary benefits include: training, neutral reference letters and reinstatement.
- \*Allegations of disability for public accommodation are referred to the U.S. Department of Justice.

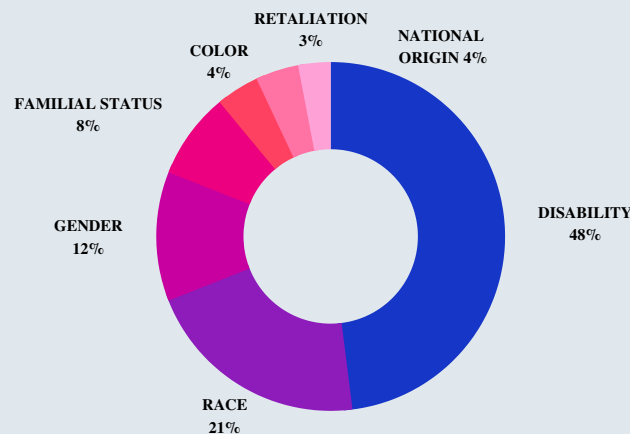
# HOUSING ENFORCEMENT

The Commission is responsible for investigating and resolving housing discrimination complaints related to the sale, lease, advertisement, and/or finance of residential and commercial property on the basis of race, color, creed, national origin, religion, sex, disability, and familial status. The Commission has a memorandum of understanding (MOU) with the U.S. Department of Housing and Urban Development (HUD) to process complaints of housing discrimination.

This fiscal year, there were **853** inquiries received, **140** complaints accepted, **120** cases closed, and **203** online inquiries.

HOUSING COMPLAINTS BY THE NUMBERS	
Total Number of Inquiries Received	853
Total Number of Complaints Accepted	140
Total Number of Cases Closed	120
Total Number of Online Housing Inquiries	203

## HOUSING COMPLAINTS BY BASIS OF ALLEGED DISCRIMINATION



## HOUSING CONCILIATION BENEFITS

- **28** cases were resolved through conciliation with \$67,163 in monetary benefits
- **2** cases were resolved with settlements with \$18,017 in monetary benefits
- Individual monetary benefits ranged from \$400 - \$25,000
- Examples of non-monetary benefits include: reasonable accommodations, modifications, fair housing training and policy development and revision.



# TITLE VI ENFORCEMENT

The Title VI compliance program is responsible for verifying state agencies that receive federal financial assistance (FFA) are in compliance with the requirements of Title VI of the Civil Rights Act of 1964. Title VI prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. The Tennessee Human Rights Commission serves as the central coordinating agency for executive branch departments seeking technical assistance, consultation, and resource compliance. A major component of the Title VI compliance program involves the review of state agency Title VI Implementation Plans.

## **AGENCIES SUBJECT TO TITLE VI REVIEW**

Administrative Office of the Courts, Alcoholic Beverage Commission, Arts Commission, Austin Peay State University, Board of Parole, Commission on Aging & Disability, Commission on Children & Youth, Council on Developmental Disabilities, Department of Agriculture, Department of Children's Services, Department of Commerce & Insurance, Department of Correction, Department of Economic & Community Development, Department of Education, Department of Environment & Conservation, Department of Finance & Administration, Department of General Services, Department of Health, Department of Human Resources, Department of Human Services, Department of Intellectual & Developmental Disabilities, Department of Labor & Workforce Development, Department of Mental Health & Substance Abuse Services, Department of Military, Department of Revenue, Department of Safety & Homeland Security, Department of State, Department of Transportation, Department of Treasury, Department of Veteran's Services, District Public Defenders Conference, District Attorney General's Conference, Division of TennCare, East Tennessee State University, Middle Tennessee State University, Tennessee Board of Regents, Tennessee Bureau of Investigation, Tennessee Community Services Agency, Tennessee Higher Education Commission, Tennessee Housing Development Agency, Tennessee Human Rights Commission, Tennessee Public Utility Commission, Tennessee State Museum, Tennessee State University, Tennessee Tech University, Tennessee Wildlife Resources Agency, University of Memphis, University of Tennessee

The annual Title VI training was held virtually on August 19-20, 2021 for all state agencies receiving Federal Financial Assistance (FFA). Information presented during the training included an overview of Title VI fundamentals, and an overview of the implementation plan guidelines for FY 2021-22, and regulatory authority training instruction. There were 123 attendees during the 2-day training.

Title VI staff provides technical assistance on Title VI compliance to state departments and agencies. THRC Title VI staff responded to requests for technical assistance from state departments and agencies on Title VI compliance for compliance reporting, Limited English Proficiency (LEP), complaint investigation, training requirements both for agency staff and subrecipients, implementation plans, and subrecipient monitoring.

# LEGAL ENFORCEMENT

The Tennessee Human Rights Commission legal staff provides counsel to staff and Board of Commissioners. The staff provides counsel on all phases of the investigative process from intake to final resolution. The legal staff is responsible for resolving reasonable cause cases and may conciliate cases through informal negotiations, judicial mediation, and when necessary litigates reasonable cause cases through administrative hearings. The legal staff trains and educates staff and commissioners, conducts internal policy reviews, monitors legislation and court cases that impact the Commission, and conducts educational presentations for stakeholders.

<b>LEGAL REPORT BY THE NUMBERS</b>	
<b>Total Number of Cases Reviewed</b>	<b>379</b>
<b>Total Number of Reconsiderations</b>	<b>11</b>
<b>Total Number of Administrative Decisions</b>	<b>2</b>
<b>Total Number of Board of Commissioner Reviews</b>	<b>2</b>

### **Administrative Decisions: 2**

Initial Order Finding of Housing Discrimination: 1

Initial Order Entry of Default Judgement: 1

Amount of Damages Issued to Complainants: \$18,017.74

Commission Costs Awarded: \$8,965.39

Funds to Education and Outreach: \$5,000.00

Training Hours Required: 16

### **Commission Board Reviews: 2**

Upheld Initial Order Finding of Housing Discrimination: 1

Upheld Initial Order Entry of Default Judgement: 1

# THRC STAFF

Adams, Gwendolyn  
Bass, Candice\*  
Bell, Laura  
Bentley, Kaleda\*  
Brake, Stephanie  
Carter, Katrina  
Coberly, Jessica  
Cole, Cheryl  
Cooley, Shelbea  
Cooper, Vee  
Cothren, Lynn  
Cummings, Dawn  
Davidson, Tracy

Fisher, Monica  
Garrison, Shirlyn\*  
Gentry, William  
Green, McKayla  
Guzman, Francisco  
Haddock, Billie (Ret.)  
Johnson, Carla\*  
Joy, Amber  
Lancaster, Lisa  
Ludwig, John\*  
Malone-Nolen, Muriel  
McGraw, Veronica  
Murphy, Lacey

Reyes-Montalvo, Dazaly  
Rios, Michelle\*  
Swartwood, Katie  
Ursery, Rodney\*  
Wade, William  
Webster, Tanya\*  
Williams, Saadia

\*indicates former staff members who served THRC during fiscal year 2021-2022

## THRC OFFICES

### Central Office - Nashville

William R. Snodgrass Tennessee Tower  
312 Rosa L. Parks Avenue | 23rd Floor  
Nashville, TN 37243

Main Phone: 615-741-5825 or 800-251-3589 | Spanish line: 866-856-1252

### Chattanooga Office

Krystal Building  
100 W. Martin Luther King Blvd #503  
Chattanooga, TN 37402

### Knoxville Office

7175 Strawberry Plains Pike #201  
Knoxville, TN 37914

### Memphis Office

One Commerce Square  
40 South Main St #200  
Memphis, TN 38103

For more information about THRC or to file a complaint, visit our website at [www.tn.gov/HumanRights](http://www.tn.gov/HumanRights) or email us at [ask.thrc@tn.gov](mailto:ask.thrc@tn.gov)





## **Tennessee Human Rights Commission**

William R. Snodgrass Tennessee Tower

312 Rosa L. Parks Avenue | 23rd Floor

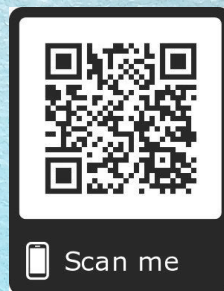
Nashville, TN 37243

Phone: 800-251-3589

Spanish Line: 615-253-7967

Email: [ask.thrc@tn.gov](mailto:ask.thrc@tn.gov)

[www.tn.gov/humanrights](http://www.tn.gov/humanrights)



### ***MISSION***

*Safeguarding Individuals from Discrimination Through Education and Enforcement*

### ***VISION***

*Working Together for a Discrimination Free Tennessee*