NEW YORK CITY COMMISSION ON HUMAN RIGHTS

The New York City Human Rights Law is one of the most comprehensive civil rights laws in the nation. The Law prohibits discrimination in employment, housing and public accommodations based on race, color, creed, age, national origin, alienage or citizenship status, gender (including gender identity and sexual harassment), sexual orientation, disability, or marital status. In addition, the Law affords protection against discrimination in employment based on arrest or conviction record and status as a victim of domestic violence. In housing, the Law affords additional protections based on lawful occupation and family status. The City Human Rights Law also prohibits retaliation and bias-related harassment.



NEW YORK CITY IS THE greatest city in the world and one of

the things that makes it so great is its diversity. However, when discrimination appears, it threatens our unity and spirit. It is illegal and will not be tolerated.

This City has one of the most comprehensive Human Rights Laws in the nation which protects New Yorkers from discrimination in employment, housing and public accommodations. The Commission on Human Rights is the agency empowered to enforce this law and provide protection to those who need our assistance.

One year ago, I appointed Patricia L. Gatling, a career prosecutor from Brooklyn, as its Commissioner / Chair, to revitalize the Commission and strengthen its services. Under her direction, the Commission has been

rebuilt from the ground up and has eliminated the huge backlog of cases, refocused the agency's efforts toward handling the complaints and implemented several new programs and innovative ideas on how the Commission can better serve the community. Simply put, they have done much more with far fewer resources.

Our commitment to human rights is evidenced by the fact that the lives of all New Yorkers are a little better. I want to congratulate Commissioner Gatling and her staff at the New York City Commission on Human Rights for their remarkable work.



WHEN MAYOR BLOOMBERG appointed me as the Commissioner / Chair of the NYC Commission on Human Rights in February 2002, my first goal was to reduce the 5,000 case backlog that was immobilizing the Commission. The Commission was in legal gridlock and could not function effectively in law enforcement or community relations with so many unre-

solved complaints dating back years.

My executive legal staff began a thorough review of each case pending at the agency. With the reenergized help of our staff attorneys and investigators, we have issued determinations for almost 4,000 cases, leaving the Commission with a current inventory of 1,100 cases a manageable caseload average of 40 cases per attorney and investigator. Working now with a one-year turn around time, they continue to review new cases to ensure that the allegations are jurisdictional and meritorious.

Another goal this first year was to build programs in the Community Relations Bureau and integrate them with the work of the Law Enforcement Bureau. I began with retraining for the entire staff on the Human Rights Law and the operations of the agency. Community Relations staff began rotating through the Law Enforcement Bureau to assist with complaint investigations. We also initiated several new or expanded programs for protected populations under the law: employment rights for immigrants, accessibility for the disabled and elderly, educational presentations for middle and high school students, mortgage foreclosure counseling for victims of discriminatory predatory



lending practices, and community and peer mediation for intergroup tensions.

The future at the Commission looks bright. We have testers operating throughout the city to identify systemic human rights violations. Attorneys will be assigned to the five borough-based Community Service Centers for filing and investigating complaints and participating in community education. We will be implementing community mediation programs to intervene before minor situations escalate and a peer mediation option for the schools. Finally, the Commission is attempting to contract with the US Housing and Urban Development to prosecute fair housing complaints. Those cases would generate income for the Commission, making us less reliant on City tax-levy dollars.

All of us at the Commission look forward to an even better year in 2003.



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INTRODUCTION

THE NEW YORK CITY HUMAN Rights Law is one of the most comprehensive civil rights laws in the nation. The Law prohibits discrimination in employment, housing and public accommodations based on race, color, creed, age, national origin, alienage or citizenship status, gender (including gender identity and sexual harassment), sexual orientation, disability, or marital status. In addition, the Law affords protection against discrimination in employment based on arrest or conviction record and status as a victim of domestic violence. In housing, the Law affords additional protection based on lawful occupation and family status. The City Human Rights Law also prohibits retaliation and bias-related harassment.

The City Human Rights Law was amended in April 2002 to broaden the scope of protection from gender discrimination by defining "gender" to include actual or perceived sex as well as a "person's gender identity, self-image, appearance, behavior or expression, whether or not that gender identity, self-image, appearance, behavior or expression is different from that traditionally associated with the legal sex assigned to that person at birth." The Commission is currently working with the transgender community and reviewing how other jurisdictions handle these issues in the formulation of guidelines for prosecution.

The New York City Commission on Human Rights is charged with the enforcement of the Human Rights Law, Title 8 of the Administrative Code of the City of New York. In addition, the Commission is mandated to educate the public and encourage positive community relations. To carry out its mission, the Commission is divided into two major bureaus - Law Enforcement and Community Relations. The Law Enforcement Bureau is responsible for the intake, investigation, mediation and prosecution of complaints alleging violations of the Law. The Community Relations Bureau helps cultivate understanding and respect among the City's many diverse communities and offers pre-complaint intervention through its borough-based Community Service Centers and the numerous educational and outreach programs they provide.

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LAW ENFORCEMENT BUREAU

THE COMMISSION'S LAW

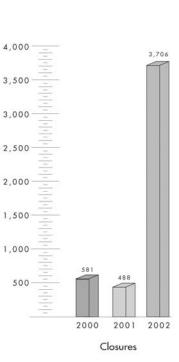
Enforcement Bureau (LEB) enforces the City Human Rights Law. LEB is responsible for the intake, investigation, mediation and prosecution of complaints alleging violations of the law.

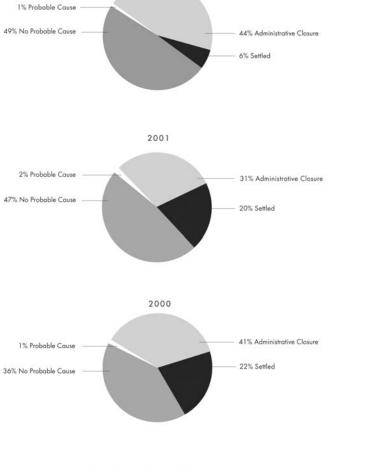
At the beginning of the new administration, the Commission inherited a backlog of nearly 5,000 cases, some dating back as far as twenty years. One of the primary goals was to reduce the large inventory of cases quickly and efficiently while at the same time making sure that the complainants received a just resolution. By the end of 2002, the Commission's caseload was reduced to fewer than 1,500 cases, a number that includes approximately 500 new filings that year. This reduction was accomplished by: thoroughly reviewing the merits of all 5,000 cases; retraining the attorneys and investigators; conducting early intervention before the complaint is filed; and beginning complaint investigations at the intake stage.

Closures/Determinations

As the Closures graph indicates, in 2002, the Commission closed over six times the number of cases closed in the previous two years.

The Determination and Resolution charts illustrate that the percentages and types of resolutions were consistent with previous years. The only difference in 2002 appeared in the settlement percentages.







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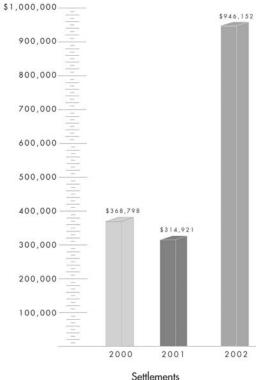
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LAW ENFORCEMENT BUREAU

Settlements

The Commission has the authority to obtain cash settlements against people who violate the Human Rights Law. In 2002, the dollar value of those settlements totaled \$946.152. Total monies realized in 2000 and 2001 settlements were \$368,798 and \$314,921 respectively.



LAW ENFORCEMENT BUREAU

One Year Policy

Of the nearly 5,000 cases pending at the Commission at the beginning of 2002, many were over ten years old; some as old as twenty years. A city agency mandated to protect New Yorkers from discrimination will fail if cases cannot be resolved in a timely manner. For that reason, the Commission has adopted a strict "One Year" policy on all new incoming cases. Determinations on cases must be made within a year unless complex litigation is involved.

Equal Access Program

The Commission's Equal Access Program provides disability access assistance and education to senior citizens and the disabled community. Many of New York's buildings, stores and other public accommodations are not accessible to people with disabilities. The program assists the disabled by identifying resources that are available, advocating for the disabled when dealing with landlords and/or service providers, and assisting with legal actions if early intervention fails. Community Relations staff members have received training in conducting investigations at various sites requiring disability access and have coordinated their efforts with the Law Enforcement Bureau. As a result of the Commission's aggressive efforts in 2002 during both pre- and post-complaint filings, 75 modifications have been made for individuals with disabilities. These

modifications are in addition to the cash settlements referred to on the previous page.

LEB Staff

The Law Enforcement Bureau consists of 19 attorneys, 19 Human Rights Specialists, including two retired NYPD officers, and 11 support staff members. They are responsible for investigating, mediating, prosecuting and litigating discrimination complaints. To coordinate both components of the Commission -LEB and CRB - the Commission conducts regular training for all members of the staff, including the CRB staff, on investigative techniques and the role of the Commission.

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IN ADDITION TO

enforcing the Human Rights Law, the Commission is also mandated to encourage understanding and respect among New York City's many communities. To address this mission, the Community Relations Bureau (CRB) provides services through the boroughbased Community Service Centers.

The various services of the Community Relations Bureau's field operation compose its Neighborhood Human Rights Program. The NHRP works on a local level with block, tenant, religious, educational, merchant and community groups to improve and stabilize communities and connect them to the Commission's law enforcement functions.

To increase the community services offered, the Commission's field operation has undergone a major restructuring. This includes the consolidation of seven borough field offices. Previously, the Commission had two offices in Brooklyn, Queens, and the Bronx, one office in Manhattan and no office in Staten Island. Formerly, each of the field offices concentrated its activities in very few neighborhoods, usually those near their respective office locations -- leaving wide areas of the boroughs unserviced. One dedicated team of Human Rights Specialists now staff each office location with borough-wide responsibility.

Maintaining fewer offices has dramatically increased efficiency and has improved the Commission's representation in each borough. The merging of these offices will save the Commission over \$50,000 per year providing funds to open an office in Staten Island.

In addition to consolidating the field offices, this restructuring has included: the implementation of redesigned and new programs; the training of staff for the new programs; the publication of new informational materials translated into numerous languages; and orienting each staff member toward managing specific neighborhoods throughout the entire borough in addition to their program responsibilities.

Immigrant Employment Rights Education

The Community Relations Bureau joined with the New York Immigration Coalition in a new initiative to inform immigrants about their employment rights under Federal and City laws. The United States Department of Justice awarded CCHR a \$70,000 grant to fund this program. The Commission's Immigrant Employment Rights Project is reaching diverse immigrant communities of New York. The informal discussions, literature and power point presentations are aimed at educating immigrant workers, employers, employee associations and business associations on discrimination in employment based on national origin, citizenship status or alienage. Sixteen members of CRB have been trained to conduct workshops throughout the City. The program began at the end

COMMUNITY RELATIONS BUREAU

of the year with two workshops in Staten Island for Mexican-American immigrants. In 2003, this program will spread to all the boroughs and will be presented in English, Spanish, Chinese, and Russian.

Mortgage Foreclosure and Pre-Purchase Counseling Program

The Mortgage and Pre-Purchase Counseling Program helps reduce predatory lending practices and the discrimination associated with them by conducting seminars and individual counseling sessions to educate residents about these illegal practices. These lending practices include excessively high fees and commissions, misrepresentation of the mortgage's terms and conditions, high interest rates, repeated financing of loans, balloon payments and the financing of high-cost credit insurance. In 2002, the program expanded from one member of CRB to twelve staff members who have been trained to educate residents about these predatory lending practices and assist them in keeping their homes. During 2002, the program assisted over 1,000 homeowners and potential homeowners.

Equal Access Program

In conjunction with LEB, CRB staff conducts investigations and provides pre-complaint intervention when individuals experience accessibility problems in housing or public accommodations. **HIV Prison Project**

CRB administers the HIV Prison Project, an anti-discrimination program for HIV-positive prisoners, former prisoners and their families. The primary focus of the program is to ensure that HIV-positive prisoners receive the medication and other services they need. A Spanish/English hotline, crisis intervention, referrals and short-term counseling are available. Funded by the Ryan White C.A.R.E. Act and now in its 13th year, the HIV Prison Project initiated a postcard campaign to educate and direct those in need of the Commission's services. In 2002, this program assisted 514 individuals and conducted 93 workshops.

Research: Discrimination Survey of Arabs, Muslims, and South Asians

The Commission has teamed with the Mayor's Office of Immigrant Affairs, the Arab-American Family Support Center, Chhaya CDC, Coney Island Avenue Project, Council of Pakistan Organization, South Asian Council for Social Services and South Asian Youth Action to conduct a survey of unreported discrimination in employment, housing, public accommodations, and bias-related harassment. The surveys also educate the public on protections in the Human Rights Law. CRB received a \$7,500 grant from New York Community Trust to document post-9/11 discrimination against Arabs. Muslims and South Asians.

COMMISSION ON HUMAN RIGHTS

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2002 ANNUAL REPORT

COMMUNITY RELATIONS BUREAU

The surveys are printed in English, Arabic, Urdu, Hindi, Bengali, and Punjabi, and have been widely distributed throughout the City. A report detailing and analyzing the results will be available in the spring of 2003.

CRB Staff

The Community Relations Bureau consists of 40 Human Rights Specialists assigned to the Commission's Community Service Centers, Program staff, and the HIV Prison Project. In addition, CRB has eight support staff members.

PROGRAM SERVICES

IMMIGRANT EMPLOYMENT RIGHTS	Presentations and materials on employment protection for immigrants (City law and Federal law) in cooperation with NY Immigration Coalition for: 1) immigrant workers; 2) employers; 3) immigrant advocacy organizations.
MORTGAGE FORECLOSURE & PRE-PURCHASE COUNSELING	 HUD-referred counseling for individuals facing the loss of their homes that includes: 1) reviewing in person their financial and mortgage status; 2) writing letters to creditors or banks to negotiate payment; 3) exploring alternatives to foreclosure with individuals and lending institutions; 4) referring cases of suspected predatory lending; 5) distributing literature and participating in housing coalitions; 6) community presentations on predatory lending and foreclosure prevention.
EQUAL ACCESS	 The Program provides: 1) investigation of individual inquiries (interviews, space assessment, code assessment, analyze possibilities of code compliance, discussion of the law); 2) intervention, i.e. negotiation and education with owners (calls, letters, visits); 3) group presentations to consumers, business people, social service agencies, hospitals re: disability rights; 4) drafting complaints and follow-up investigations.
HIV PRISON PROJECT	The Project provides: 1) information about NYC Human Rights Law and HIV/AIDS related discrimination; 2) a Spanish/English hotline; 3) crisis intervention; 4) referrals; 5) short-term counseling.

2002 BUDGET

The Commission's funding comes primarily from City tax-levy monies and the Federal Community Development Block Grant. Contracts with the Equal Employment Opportunity Commission and the Ryan White C.A.R.E. Act provide additional funding. Although the Commission received an influx of funds at the beginning of 2002, it has been subjected to a 20% budget reduction.

City Tax-Le	evy / Jan. 2002	\$3,793,496
PS	\$2,340,000	
OTPS	\$1,453,496	
Budget Red	luctions	- \$554,357
10/02	14% (FY 03) \$355,907	
12/02	06% (FY 04) \$198,450	
Revised Cit	y Tax-Levy Budget	\$3,239,139
Federal Con	nmunity Development Block Grant	\$3,952,758
PS	\$3,495,757	
OTPS	\$457,001	
EEOC Cor	ntract	\$151,500
Ryan White C.A.R.E. Act \$250		\$250,450
TOTAL COMMISSION BUDGET \$7,593,84		\$7,593,847

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COMMISSION

OTHER ACCOMPLISHMENTS / STAFF TRAINING

THE COMMISSION IN THE NEWS

WITH THE ASSISTANCE

of DoIT'T, the Commission's Office of Information Technology computerized the Community Service Centers, linking them to the main office and brought the entire office up to date with Internet connections and e-mail. Working with the Commission's Law Enforcement Bureau, a new, efficient case tracking system was designed. Upon completion, this system will enable the Law Enforcement Bureau to easily access information, track cases, and more readily identify patterns of discrimination.

THE COMMISSION RECEIVED A \$30,000 grant to study the feasibility of electronic storage of records.

THE OFFICES OF INFORMATION Technology and Public Information along with the Graphics Unit created a comprehensive and user friendly website: www.nyc.gov/cchr.

THE COMMUNITY RELATIONS Bureau's proposal to study predatory and discriminatory lending practices was selected by New York University Wagner Graduate School of Public Service's Capstone Program. A team of five graduate students is currently working with Mortgage and Pre-Purchase Counseling staff members to collect and review data and identify systemic discriminatory lending practices and the groups most affected. The findings are expected in late spring 2003.

STAFF TRAINING

Human Rights Law General Counsel

Immigration Law NY Immigration Coalition

National Origin and Alienage General Counsel

Disability Eastern Paralyzed Veterans Assoc.

Mortgage Foreclosure/Predatory Lending National Consumer Law Center HUD Brooklyn Legal Services

Conflict Resolution/Mediation CRS, US Dept. of Justice John Jay College, Dispute Resolution Consortium Harlem Community Justice Center

Grant Writing/Budgets Foundation Center

HIV Disclosure Latino Commission on AIDS

DataLink Title 1 URS Basic & Crystal HIV CARE

Languishing Civil Rights Agency Gets New Life Under Bloomberg By MICHAEL COOPER Mayor Michael R. Bloomberg has ey to build baseball stadiums and a aseball stadiums and a exchange; given power iness improvement dis-i taxes; and allowed the

doubled the number of investigators and increased the budget of the city	new stock exchange; given powcs- back to business improvement dis-
agency responsible for enforcing lo- cal civil rights laws, a body that	tricts; raised taxes; and allowed the Police Department to shrink.
some say was deliberately weakened by former Mayor Rudolph W. Giuli-	The commission was the subject of a scathing report by the New York City Bar Association a month before
ani. The agency, the Human Rights Commission, won a slight budget in- crease from Mr. Bloomberg this fis- cal year even as the mayor was	Mr. Bloomherg took office. The re- port said that the agency had been subjected to "crippling" budget cuts, especially by the Giulia subject adaption
cutting most other agencies. The number of investigators and staff iswvers at the agency rose in ?	New York Times 1/03/03 Front pag

Judge to deliver closure on 'pregnant firing' complaint

1/03/03 Front page

GothamGazette.con

4/03/02

New York Post 2/03/03

GothamGazette.com

Civil rights

Internet resources for what you need to know on NYC Civil Rights

by Andy Humm The New Human Rights Commissioner

over the last ten years.

9/10/02

Patricia Gatling, the new chair of the City Commission on Human Rights, made her first appearance before the City Council's General Welfare Committee, outlining her vision for an agency that now enjoys charter status but that has seen its resources trimmed by more than three-quarter

Tempest in Teapot Over Coffee Cup Denied

BLIND MAN SAYS BREW BAR REFUSED ENTRY TO HIS GUIDE DOG, RUGER

a former prosecutor in the office of the Brooklyn district attorney. "We investi-gate and we prosecute." The human rights' law prohibits dis-crimination in employment, housing and public accommodations. Violators By ERROL LOUIS By RENGIL LIULIS Suff Reports of the San They should have served Kevin Coughlin that cup of coffee. In June, the 41 year-old Mr. Coughlin and two friends stopped for a cup at the Brew Bar, a coffee house on Broad-way in the West Village. But shop staffers told him his guide dog, Ruger, and public accommonitons, violators can be subject to civil penalities up to \$100,000. Ms. Garling said the agency would investigate Mr. Coughin's claim and try to negotiate an arrangement with the Brew Bar. The case, she said, the be seried within six months. Bar's owner could not be The New York Sun

The Commission's revitalization and accomplishments have been highlighted in the major New York newspapers.

Snub spurs legal eagle's bias claim

By MIKE CLAFFEY ed and found probable cause to hold an administrative trial. The landlady, Nancy Dikeman, could Marcus Succes was skeptical be fined and ordered to no when a Queens landlady refused his \$2,100 and told him an apartment he looked at hours earlier Daily News had just been rented. the 26-year-old CUNY 1/21/03



GIs NEED NOT APPLY New York Post

THE ETHICIST BY RANDY COHEN

2/10/03

Delivery Denied

My aunt lives in a public housing project in the Bronx. While visiting her, I tried to order Chinese food, but I was told by the employee taking orders that the restaurant did taking orders that the restaurant did not deliver to the projects because it was not safe for their deliverers. The restaurant did place the menu under our door, and it advertises "free delivery." Is it right for them to deny me delivery? IOSÉ FERRER, NEW YORK



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MOVING FORWARD

THE ELIMINATION OF

the backlog of cases will allow the Commission to focus on systemic violations of the Human Rights Law. To help expose discriminatory practices, the Commission hired two retired police officers to conduct random testing and undercover investigations throughout the five boroughs.

The Commission is implementing a community-based intake program. Instead of requiring members of the community to come to the Commission's offices in lower Manhattan to file a complaint, the Community Service Centers will be staffed with attorneys and investigators. These staff members will be available to meet with complainants, draft complaints, and attend community meetings.

Education in the Schools and Community

The Commission has redesigned its School and Community Education Program with

three new curriculums, "Human Rights Law," "Sexual Harassment" and "Resolving Problems," for middle schools, high schools and community groups.

Community Mediation, Peer Mediation and Dispute Resolution

The Commission is implementing a Mediation, Peer Mediation and Dispute Resolution Program at its Community Service Centers. The program will identify community disputes and address them through mediation before they escalate into human rights complaints or criminal behavior. The program also includes peer mediation in the schools.

Training Institute

The Commission will provide training in all areas of the Human Rights Law to advocacy groups, employers, housing and public accommodation providers, government agencies, and community and student groups.

COMPLAINT PROCESSING	 Complaint Processing includes: 1) discussing areas of jurisdiction with complainant in interview; 2) attempting to resolve issue; 3) taking complaints of discrimination; 4) conducting investigation into complaint, assigning attorney; 5) making a determination.
EDUCATION	Present three basic curriculums, the "Human Rights Law, " "Sexual Harassment," and "Resolving Problems": 1) to school classes (grades 6-12); 2) to community groups.
MEDIATION & DISPUTE RESOLUTION	 The Mediation Program will: 1) respond to requests to mediate bias and other community disputes; 2) set up peer mediation groups in schools (grades 6-12); 3) deliver conflict resolution training to community groups as well as not-for-profit and school personnel.

OFFICE ADDRESSES/PUBLICATIONS

MAIN OFFICE

(212) 306-7500 Fax. (212) 306-7648 NY Relay Services (800) 421-1220 English (877) 662-4886 Spanish www.nyc.gov/cchr

COMMUNITY SERVICE CENTERS

Manhattan and Staten Island 40 Rector Street, 10th Floor New York, NY 10006 (212) 306-5070

Brooklyn

275 Livingston Street, 2nd Floor Brooklyn, NY 11217 (718) 722-3130

Bronx

1932 Arthur Avenue, Room 203A Bronx, NY 10457 (718) 579-6900

Queens

136-56 39th Avenue, Room 305 Flushing, NY 11354 (718) 886-6162

PUBLICATIONS

Human Rights Law Handbook (English / Spanish) Immigrant Employment Rights Info Card (English / Spanish) Gender Identity Info Card HIV Prison Project Info Card (English / Spanish) Disability Pocket Guide (forthcoming) Services for Prisoners and Formerly Incarcerated Pocket Guide (forthcoming)

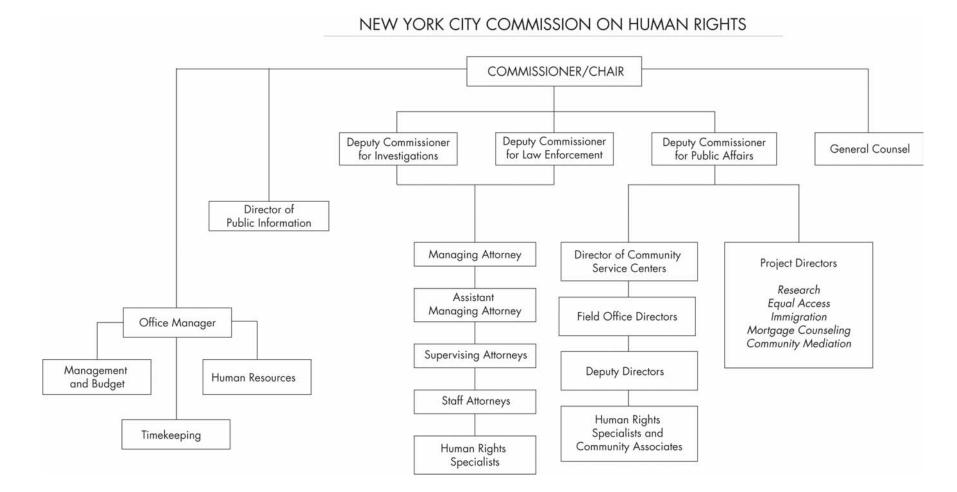
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2002 ANNUAL REPORT | NEW YORK CITY COMMISSION ON HUMAN RIGHTS

COMMISSIONERS

THE HUMAN RIGHTS COMMISSIONERS are appointed by the Mayor to serve in a nonsalaried position assisting the Commissioner and Chair, Patricia L. Gatling, in addressing issues of discrimination.

Reverend Dr. Calvin O. Butts III, Pastor of the Abyssinian Baptist Church, one of the founders of the Abyssinian Development Corporation and President of the State University of New York College at Old Westbury.

Matt Foreman, Esq., Executive Director of Empire State Pride Agenda, a NY State organization to end discrimination based on sexual orientation.

Dr. Edison O. Jackson, President of Medgar Evers College in Brooklyn.

Rabbi Haskel Lookstein, Rabbi of Congregation Kehilath Jeshurun and Principal of the Ramaz School.

Grace Lyu-Volckhausen, President of the Tiger Baron Foundation and Senior Advisor to City Council Member John Liu.

William Malpica, Esq., Mayer, Brown, Rowe & Maw, specializing in corporate and securities law.

Omar T. Mohammedi, Esq., Private practice specializing in employment discrimination and corporate and real estate transactions.

Derek Bryson Park, Ph.D., Managing Director of Cohane Rafferty/Lehman Brothers Inc., and member of the Federal Home Loan Bank Board. Bryan Pu-Folkes, Esq., Director of the New York Lawyers for the Public Interest's Private Bar Involvement Programs and Founder and President of New Immigrant Community Empowerment.

Lisa Quiroz, Founding publisher of PEOPLE en Español magazine.

Jenny Rivera, Esq., Associate Professor of Law at the CUNY School of Law and lecturer at the New York County Lawyers Association Continuing Legal Education Institute.

Susan R. Scheer, Director of Disability Services, Columbia University.

Marta B. Varela, Esq., Former Commissioner/Chair of the Human Rights Commission; currently Adjunct Professor at Hunter College, Political Science Department.

EXECUTIVE STAFF

Patricia L. Gatling Commissioner/Chair

Cliff Mulqueen Deputy Commissioner for Investigations

Avery Mehlman Deputy Commissioner for Law Enforcement

Lee Hudson Deputy Commissioner for Public Affairs

> Randolph E. Wills General Counsel

Betsy Herzog Director of Public Information

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