



THE EQUAL RIGHTS CENTER

2008 ANNUAL REPORT

ADVANCING CIVIL RIGHTS
FOR OVER A QUARTER CENTURY

THE EQUAL RIGHTS CENTER



The Equal Rights Center (ERC) is a national non-profit civil rights organization dedicated to identifying, challenging and eliminating discrimination in housing, employment, public accommodations, access to government services, disability rights and immigrant rights through education, research, testing, counseling, advocacy and enforcement.

Collaborating with national and local civil rights organizations, advocacy groups, universities, service providers and the religious community, the ERC aggressively combats discriminatory practices in the greater Washington D.C. area and across the United States. Today, the ERC stands as one of the few organizations in the United States which engages in comprehensive civil rights enforcement for all protected classes.

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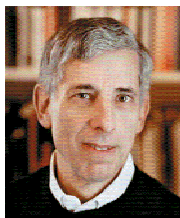
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Chip Underwood
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Jennifer Wolfsheimer
Disability Rights Program Manager

Greetings to all friends of civil rights and equal justice –

For more than 25 years it has been my pleasure and honor to have served as the Board President of the Equal Rights Center and its predecessor organization, the Fair Housing Council of Greater Washington. There can be no more gratifying experience for human beings than to serve with an outstanding group of dedicated colleagues, working to ensure equal justice and opportunity for all citizens.

This has been the passionate goal and mission of the ERC since 1983, as our board and staff have vigorously addressed and fought against flagrant patterns of discrimination which continue to exist in the areas of fair housing, fair employment, public accommodations and government services for all protected classes. The ERC will continue to attack all patterns and practices which rob large numbers of our fellow citizens of these basic rights!

2008 marks the 25th anniversary of the ERC and, as we celebrate our silver anniversary, we realize there is still so much to be done. Discrimination is ever changing and, although we have come far, it continues to tear at our society. It is our mission at the ERC to continue to look ahead, adapt, and focus our resources on root problems.

In 2008, a year that perhaps represents this mission more so than any other in our history, the ERC has celebrated major victories across a broad spectrum of protected classes. As you read this Annual Report, you will see the astonishing data the ERC uncovered in documenting the rate of discrimination survivors of domestic violence face in the District when searching for housing. You will learn about an entire City and school system in Virginia that targeted its Latino population for discriminatory treatment, and how the ERC has been able to intervene and make a difference. You will discover the ERC's dramatic impact on MetroAccess, improving the lives of more than 20,000 people with disabilities. And you will realize how the ERC's persistent successes in the fight for accessible housing and accessible public accommodations is benefiting millions of people across the country with disabilities.

We invite all people of good will to join us in our efforts to become the advocates of those in our community and nation who been disenfranchised by the forces of bigotry, prejudice and greed. Working together, let us usher in the day when mercy and justice will flow down like living water upon every living human being, and all people everywhere will enjoy the American dream of happiness, full opportunity and equal justice!

It is my hope that you walk away from our Annual Report even more aware of the discrimination that still exists today, and committed to joining us in the fight for a world free from discrimination.

Sincerely,



A handwritten signature in black ink, which appears to read "Jim Macdonell". The signature is fluid and cursive.

Rev. Dr. James G. Macdonell
Board President

The Equal Rights Center marks 25 years of advancing civil rights in 2008. This Annual Report documents our work, progress, successes and challenges during the last year. While there is much good to report, there remains much left to do.

For 2008, we are pleased to report that the ERC:

- Directly counseled more than **300 victims** of discrimination.
- Expanded our **national membership** to 33 states and the District of Columbia.
- Educated more than 4,000 individuals through our **Education and Outreach Initiative** and published 3 new **Self-Advocacy Toolkits** for use by the public.
- Produced **3 unique publications**:
 - *"No Vacancy: Housing Discrimination Against Survivors of Domestic Violence in the District of Columbia"* – documenting a 65 percent rate of discrimination against survivors of domestic violence when they seek housing;
 - *"10 Harmful Misconceptions About Immigration,"* – providing clear factual data on the contentious immigration debate;
 - *"A Step Away From Homelessness: Housing Choice Voucher Holders Denied Housing in Montgomery County, MD"* – exposing a 15 percent discrimination rate against Housing Choice Voucher holders in this D.C. suburban area.
- Successfully battled for the rights of **people with disabilities**, achieving:
 - **Remediation** of more than 4,000 housing units to make them accessible;
 - **Removal of barriers** at 50 Subway restaurants in the District of Columbia, and the adoption of a national accessibility policy for all new Subway locations;
 - Completed a multi-million dollar **class action settlement** on behalf of more than 20,000 customers with disabilities of the Washington Metropolitan Area Transit Authority's (WMATA) paratransit system, MetroAccess.
- Obtained a sweeping **"national origin" victory** against the City of Manassas, VA, and the Manassas Public Schools, reversing discriminatory 'overcrowding' housing ordinances, ending illegal inspection, and stopping the illegal disclosure of personal information aimed at singling out the Latino residents of the community.
- Initiated a direct and proactive collaboration with the multifamily housing industry – **The Multifamily Housing Resource Program** – to promote accessibility in housing as a business model for developers.

Yet, in the face of these successes, there is much cause for concern. In 2008, the number of **housing discrimination complaints** in the United States rose to an all-time high of 30,758, and the number of **active hate groups** in the U.S. rose to an astounding 926. There is no doubt that the need for action and impact in protecting civil rights remains critical.

Through our multifaceted approach of education, research, testing, counseling, enforcement and advocacy, the Equal Rights Center is committed to a leadership role in advancing civil rights – join us as we move into our second quarter century.

Sincerely,



A handwritten signature in dark ink that reads "Don Kahl".

Donald L. Kahl
Executive Director



The ERC

APPROACH TO CIVIL RIGHTS

Advancing civil rights today requires innovative thinking, aggressive research and investigations, and a commitment to making a lasting impact. At the ERC, we have set ourselves apart and built our reputation on these values.

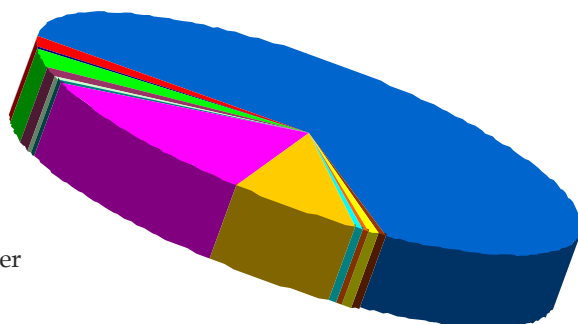
Through close communication with our 1,400 nationwide members, the ERC is able to identify and assess issues of discrimination at the earliest opportunity. Once identified, the ERC acts to find resolutions that not only touch our members, but impact the community at large.

To address unique discriminatory problems existing in society, the ERC employs a multifaceted approach to rectifying discrimination which includes victim counseling, advocacy, civil rights testing, research, education and outreach, training, and enforcement.

Victim Counseling

The interviewing (“intake”) and counseling of individual victims of discrimination is pivotal to the work of the ERC. In 2008, the ERC conducted 311 direct intakes from community members who had concerns over discrimination.

By staying in direct communication with affected communities, the ERC is able both to provide solutions to those in need as well as to map out patterns of discrimination. Where warranted, these intakes have resulted in intervention by the ERC through direct contact with the discriminating party, advocacy before administrative agencies, investigation, policy advocacy, or if necessary, enforcement actions.

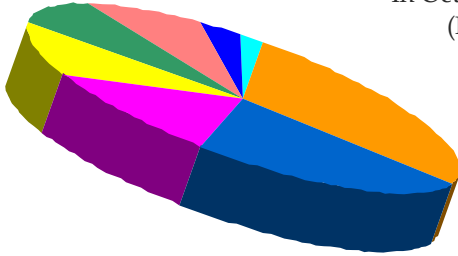


2008 Victim Intakes: 311

- Disability: 215
- National Origin: 43
- Unidentified: 22
- Source of Income: 10
- Race: 7
- Gender Identity: 4
- Victim of Intra-family Offense: 2
- Religion: 2
- Matriculation: 2
- Sexual Orientation: 1
- Sex: 2
- Familial Status: 1

Education and Outreach

The ERC's Education and Outreach Program is one of the primary tools used to effect change. Through workshops, symposiums, lectures and courses taught by the ERC, we reach thousands of people each year, educating individuals on their civil rights and inspiring them to take action. In 2008, the ERC, in collaboration with government, non-profit, and religious organizations, conducted and participated in more than 50 outreach events and reached more than 4,000 people.



2008 Education and Outreach Events: 51

- Networking and Collaborations: 18
- Interviews: 15
- Outreach Events: 8
- Panels/Presentations: 7
- Staff Trainings: 7
- "Know Your Rights" Workshops: 6
- Press Conferences: 2
- Community Summit: 1

In October 2008, the U.S. Department of Housing and Urban Development (HUD), recognizing the value of the ERC's outreach activities, awarded the ERC a \$100,000 Education and Outreach Initiative grant.

The grant, to be implemented throughout 2009, will allow the ERC to expand upon its existing activities and educate thousands more. Most notably, the grant will fund the creation and distribution of 20,000 anti-discrimination brochures throughout the greater D.C. area, fifteen "Know Your Rights" presentations to the community, and two Public Service Advertisements (PSA), in partnership with the D.C. Office of Human Rights, which will be featured on the D.C. Metro.

Membership Program

In 2008, the ERC introduced a multi-level membership structure, allowing individuals to choose at what level they want to participate in the organization. The ERC maintains a free membership level so that all people – regardless of their financial means – are able to become an ERC member and support the advancement of civil rights.

Through this new structure, the ERC has expanded its membership to more than 1,400 members. Through membership initiatives at community events, direct outreach, and the many members of the MetroAccess class action suit who the ERC represented (*see pg. 14*), the ERC has developed a national membership database with members in 33 states and the District of Columbia.

In 2008, the ERC hosted several events for its members. In addition to the annual membership meeting, the ERC offered two interactive workshops to educate its members on some of today's most pressing issues: predatory lending and access to public accommodations. All members also receive the ERC's quarterly newsletter, *The Point*. The newsletter is a resource for members and friends to update them on the latest ERC news and civil rights advancements.

"ERC members play a vital role in the work of the ERC, providing insight, observations, and guidance about the numerous barriers and types of discrimination they experience on a daily basis. The ERC relies heavily on their feedback to know where discrimination is to be found and combated."

- Natalie Laber, ERC Communications and Outreach Manager

Civil Rights Training

Encouraging the private sector to be proactive in preventing discrimination, the ERC works with local and national corporations, to develop unique training curricula, train employees, alter policies, and create "best practices" which promote civil rights laws. In 2008, the ERC collaborated with:

- **NVR, Inc.**

With more than 4,200 employees serving 12 states, NVR, a homebuilding and mortgage banking corporation, has integrated the ERC Fair Housing Training Program, addressing fair housing practices and class protection, into its employee orientation.

- **Trammell Crow Company (TCC)**

The ERC developed a comprehensive fair housing training manual for TCC, a national property development and management company, for use with its design and construction personnel.

Awards

In June 2008, the Washington Lawyers' Committee for Civil Rights & Urban Affairs (WLC) presented the prestigious **Alfred McKenzie Award** to the ERC. "The Alfred McKenzie Award goes to clients whose dedication and courage have produced civil rights victories of particular significance," said Roderic V.O. Boggs, the Executive Director of the WLC. "Without question, the ERC is just such a client." Past recipients of this award include the National Association for the Advancement of Colored People (NAACP), the National Urban League, and Congresswoman Eleanor Holmes Norton, D-D.C. ■

Civil Rights Testing

At the heart of our investigative efforts, and what has distinguished the ERC most from other civil rights organizations, is the ERC's extensive testing expertise. Testing is a controlled process designed to identify differences in treatment accorded to individuals who are similar in every significant respect except the variable being tested (e.g., race, number of children, sexual orientation).

In 2008, the ERC conducted more than 400 civil rights tests.

Led by a full-time testing manager, the ERC maintains a database with more than 100 carefully trained testers who are available for academic research, problem identification and documentation, investigative work, and enforcement. Representing all protected demographics, testers allow the ERC to expose discrimination that is often not perceivable to a single individual.

With these tests, the ERC is able to demonstrate existing rates of discrimination, such as that which survivors of domestic violence face when searching for housing (*see pg. 12*) or that which people with disabilities face when visiting restaurants (*see pg. 17*), and cause real systemic change. As testimony to our experience, today the ERC's testing methodologies are recognized and accepted by the civil rights community, government agencies, and federal and state courts.





The ERC

FAIR HOUSING PROGRAM

An individual's right to fair housing affects all aspects of life, including his or her safety, employment, educational opportunities, proximity to friends and family, and access to transportation, commercial, and governmental services. Yet discrimination in housing continues to occur in the United States on a daily basis.

The U.S. Department of Housing and Urban Development (HUD) estimates only 1 percent of housing discrimination cases are reported each year. Thus, in 2008, **the ERC's Fair Housing Program conducted more than 250 tests** to uncover systemic discrimination and educate communities on discriminatory practices.

Source of Income Discrimination

Through government housing subsidies, such as Housing Choice (Section 8) Vouchers, individuals gain the opportunity to attain diverse and safe housing. Unfortunately, voucher holders are often discriminated against. In 2008 the ERC tested 99 privately owned rental properties in Montgomery County, MD, where "source of income" is a locally protected class, and uncovered a 15 percent discrimination rate. The ERC released a report, *"A Step Away From Homelessness: Housing Choice Voucher Holders Denied Housing in Montgomery County, MD"* in October 2008, and began working with the Montgomery County Council and Montgomery County Office of Human Rights to take action against this type of discrimination.

"Housing Choice vouchers improve the lives of low-income families in many ways, including providing access to better schools and jobs. By making source of income protections a part of their fair housing laws, jurisdictions endorse this avenue out of concentrated poverty. The chance for upward mobility for these families must not be impeded by housing providers refusing to rent to voucher holders."

- John Baker, ERC Fair Housing Manager

Discrimination against Survivors of Domestic Violence

Building on our April 2008 publication, *"No Vacancy: Housing Discrimination Against Survivors of Domestic Violence in the District of Columbia"* (see pg. 12), in June 2008, the ERC spoke at a town hall meeting with Dr. Doudou Diène, the United Nations Special Rapporteur on

Contemporary form of Racism, Racial Discrimination, Xenophobia and Related Discrimination. ERC Executive Director Rabbi Bruce E. Kahn spoke on the existing rate of discrimination that survivors of domestic violence face and ways in which local laws can be structured to provide protections. Information gathered at this town hall was published in a report to the U.N. Human Rights Council.

National Origin Discrimination

In April 2008, the ERC presented at HUD's National Policy Conference in Atlanta, Ga., addressing national origin discrimination in housing. Executive Director Rabbi Bruce Kahn spoke on "New Voices in America - the Immigrant Population." Kahn described current efforts to target and discriminate against Latino populations, and he highlighted the ERC's success in combating such discrimination in Manassas, Va. (see pg. 16). Policy makers, advocates, and housing-industry professionals discussed strategies for furthering equality and justice in housing.



Creating Impact: Accessible Design and Construction

Today there are more than 60 million people in the United States with a disability, one-fifth of our population, and that number is growing each day as our population ages. It is estimated that by 2050 approximately 1 in every 3 households will include a person with a disability.



When in 2004 the ERC asked members of the disability community what their most pressing problem was, resoundingly the answer was accessible housing. Since then, the ERC has systematically sought out multifamily housing developers to educate them on discrimination and to enforce federally mandated accessibility regulations to accommodate people with disabilities.

Since 2004, the ERC has caused developers to make more than 20,000 apartment units nationwide accessible to people with disabilities. **In 2008 alone, the ERC caused 4,500 apartments, condominiums and single-family homes to be made accessible.**



Multifamily Housing Resource Program (MHRP)

In 2008, the ERC expanded its efforts to proactively educate developers and promote accessible housing. In November, the ERC and national multifamily housing developer Trammell Crow Residential (TCR) announced the creation of the Multifamily Housing Resource Program (MHRP). The MHRP, a Fair Housing Program of the ERC, works at a business level with developers to promote compliance with the accessibility requirements of federal, state and local laws through education, training and best practices reviews. The MHRP assists the housing industry in achieving compliance with accessibility laws.

Using a password-protected Web site, the MHRP offers its members educational materials and resources for attaining accessibility, accessibility requirements, news updates from the multifamily industry, design and construction tips, and fair housing specialists available for consultation.

Additionally, the ERC has created a variety of educational brochures and staff training workshops available to MHRP members.

TCR has committed \$1.5 million over 10 years to fund the MHRP, with its CEO Ron Terwilliger leading efforts to expand the program to include industry organizations and other multifamily housing developers. TCR has also committed to retro-fit thousands of housing units to make them more accessible to persons with disabilities.

“By working with the ERC, Trammell Crow Residential (TCR) and CEO Ron Terwilliger have shown themselves to be industry leaders. We hope that other developers will follow TCR’s example, choosing proactive steps to address accessibility laws.”

- Don Kahl, ERC Executive Director



Creating Impact: Survivors of Domestic Violence

Survivors of domestic violence (victims of intra-family offense) face a myriad of obstacles when fleeing an abusive situation, including increased anger from their abuser, overcoming feelings of shame, acquiring a means to live by oneself, and protecting their children. But what most survivors probably do not anticipate is being discriminated against by landlords and rental agents when seeking new housing. It is this “re-victimization” that makes domestic violence the leading cause of homelessness for women in the United States.

In March 2007, the District of Columbia enacted cutting-edge legislation, *The Protection from Discriminatory Eviction for Victims of Domestic Violence Amendment Act of 2006*, to provide survivors of domestic violence with the most progressive protections in the country against discrimination.

In 2008, the ERC undertook a first-ever testing investigation to document the existence and scope of discrimination that survivors of domestic violence face. In April 2008, the ERC released its report, *“No Vacancy: Housing Discrimination Against Survivors of Domestic Violence in the District of Columbia.”*

The ERC tested 99 rental properties and found that **65 percent of test applicants associated with domestic violence were subjected to at least one form of discriminatory treatment.** Of that group, 9 percent of test applicants associated with domestic violence were denied housing outright – something that *never* happened to test applicants who were not associated with domestic violence. The other 56 percent of test applicants associated with domestic violence were subjected to adverse terms and conditions designed to act as barriers to obtaining housing, such as requiring credit checks or higher security deposits.

“We have always known that there is frequent discrimination against victims of domestic violence in the housing rental market, but we have not had hard statistics. This report provides organizations like ours with an important tool as we advocate with national and state policymakers, work with advocates, and develop new legal strategies to ensure better housing protections for victims of domestic violence.”

- Katherine Zeisel, The National Law Center on Homelessness & Poverty

The ERC, in collaboration with the National Law Center on Homelessness & Poverty and the D.C. Coalition Against Domestic Violence, launched educational campaigns on the new D.C. law and began advocating for the creation of similar legislation in cities and states nationwide. The ERC’s report is being utilized by domestic violence coalitions in all 50 states as a tool to promote the need for greater domestic violence protections nationwide. ■

A VICTIM’S STORY: Marjorie came into the Domestic Violence Intake Center to obtain a protection order.

She had been assaulted the night before, but had not called the police. When the advocate explained to her that she would have to call the police to enforce a protection order, Marjorie became upset and said that

there was no way she could do that. She explained that whenever the police showed up, they came with several cars and lights on. Her landlord, annoyed by these occurrences, warned her that if the police kept showing up and making a disturbance, she would have to leave. This, she defended, was why she had not called the police the night before. The landlord had made this statement in front of her boyfriend, and the boyfriend had told Marjorie, ‘Go ahead and call the police if you want, and then be homeless.’

-Story provided by D.C. Coalition Against Domestic Violence. Name is changed.



The ERC

DISABILITY RIGHTS PROGRAM

Disability is a 'fluid' protected classes. Unlike race, sex, or national origin, disability can affect a person at any point in his or her life. As our population ages, more people will find themselves with both temporary and chronic disabilities. This constant growth and fluctuation of the disability community means that constant education is also necessary, to help people with disabilities understand their rights under the law and to help people without disabilities understand best practices for inclusiveness.

In 2008, in addition to **conducting more than 91 disability tests**, the ERC's Disability Rights Program addressed disability rights through: (1) direct counseling of victims of discrimination, (2) participating in community trainings and legislative forums, and (3) promoting self-advocacy.

"I had been turned away by other organizations. But I came to the ERC and they were able to handle the problem quickly and to my full satisfaction."

- Donna Simms,
ERC client

ERC counseled and advocated on behalf of 215 individuals with disabilities.

Promoting Self-Advocacy

To promote self-advocacy in the disability community, in 2008 the ERC published its

Counseling

Many people with disabilities need only a reasonable accommodation, or a change to rules, policies, or practices, in order to complete tasks, but meet resistance when requesting these adjustments. Through individual advocacy, the ERC is able to get results. In 2008, the

"Public Accommodations Self-Advocacy Toolkit." The toolkit includes guidance in identifying barriers, the law as it relates to accessibility in public accommodations, and sample letters requesting a reasonable accommodation or modification. Distributed by hardcopy and on the ERC website, the toolkit is used to empower individuals with disabilities to directly address problems they may encounter.

Community Trainings and Legislative Forums

The ERC's Disability Rights Program has expanded its outreach to community members in 2008 by conducting numerous presentations on disability law, self-advocacy, and disability sensitivity trainings.

In June 2008, ERC Disability Rights Program Manager Jennifer Wolfsheimer testified at a public hearing held by the Department of Justice (DOJ) supporting proposed amendments to the Americans with Disabilities Act (ADA). The proposed amendments were designed to clarify regulations requiring hotels to honor reservations for accessible rooms; stadiums and theaters to make available additional seating near accessible seating; and government buildings to make at least 60 percent of public entrances accessible.

"The disability community experienced a significant step toward equal protection under the law with the passage of the ADA Amendments Act. I believe that 2009 will bring a renewed energy from the disability community and I am extremely excited that the ERC is part of the continuing fight for equality."

- Jennifer Wolfsheimer, ERC Disability Rights Program Manager

Creating Impact: MetroAccess

2008 saw the culmination of the ERC's four-year battle to remedy insufficient and dangerous transportation services provided to the residents of the greater Washington, D.C. area with disabilities.

MetroAccess, part of the Washington Metropolitan Area Transit Authority (WMATA), provides public transportation to people with disabilities as required by Title II of the American with Disabilities Act (ADA) and is depended on by local residents for transportation to work, to doctors' appointments, and to and from their personal business.

Due to poor services and ill-equipped vehicles, the health and wellbeing of many MetroAccess riders was being jeopardized. After receiving hundreds of complaints from customers who reported frightening, poor, and even life-threatening treatment, in 2004 the ERC filed a class action lawsuit against MetroAccess, representing more than 20,000 class members, for discrimination against people with disabilities.

On June 5, 2008, U.S. District Court Judge Henry H. Kennedy approved a far reaching Consent Decree providing a \$14 million settlement with MetroAccess. This \$14 million will, over the next four years, be used to implement program-wide changes such as purchasing additional MetroAccess vehicles, hiring more operators, better training drivers to meet the needs of their customers, and establishing a policy task force to make recommendations to WMATA's Board of Directors on MetroAccess matters.

"Prior to this legal intervention, I had a feeling of 'helplessness' - that no one would recognize our plight, intercede, nor make [MetroAccess] provide us the same quality transit service that the non-disabled were currently receiving... When I heard the wonderful news, the feeling of 'helplessness' immediately dissipated."

- Mary Wright, MetroAccess plaintiff

The ERC has dedicated full-time staff monitoring WMATA's compliance with the Consent Decree. By working with MetroAccess and communicating with the thousands of MetroAccess users, the ERC ensures MetroAccess will properly serve the disability community. ■

A VICTIM'S STORY: Nancy came to the ERC with a complaint all too often heard by customers of MetroAccess. With regularly scheduled dialysis, Nancy relied on MetroAccess to transport her to her doctor's appointments three times a week. One Monday, two MetroAccess drivers did not arrive at the assigned time. When a third driver finally did arrive, Nancy was almost three hours

late to her appointment and missed over half of her dialysis treatment. Two days later the same thing happened and she again missed a significant portion of treatment. By the time Nancy made it to her Friday treatment, the toxins usually expelled during treatment had built up in her body, causing her to become sick with abdominal pains, nausea, and at risk of losing consciousness.

- Name is changed.



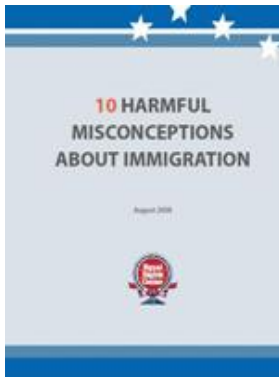
The ERC

IMMIGRANT RIGHTS PROGRAM

Immigration was a contentious topic in 2008. There were debates over documented versus undocumented immigrants, hate crimes against immigrants continued to rise, and discrimination against immigrants remained prevalent. This environment created divisions in our society, but it has also opened communities up to new conversations and innovative strategies for accomplishing greater inclusiveness.

In 2008, the ERC's Immigrant Rights Program intensified its education and outreach initiative, using people's interest in the immigration debate as a means to re-introduce truth on the topic. In addition to **conducting more than 50 national origin tests**, the ERC Immigrant Rights Program, focused on: (1) publishing new educational materials for both immigrant communities and the general population, and (2) direct outreach to immigrant community members.

Educational Materials



In August 2008, the ERC released its report ***"10 Harmful Misconceptions About Immigration,"*** addressing issues ranging from the economic impact of immigrants, to criminality, to healthcare. The report clearly and concisely presents statistics, quotes, and figures on immigration in the United States.

Following the release of *"10 Harmful Misconceptions About Immigration,"* ERC Executive Director Rabbi Bruce E. Kahn participated in a

live panel discussion, hosted on radio station WPFW, on current immigration policies in the United States.

The ERC also developed and began distributing a ***"Know Your Rights: Immigrant Rights Handbook"*** in both English and Spanish. The handbook, a self-advocacy tool, explains federal civil rights law in housing, employment, access to public accommodations, and access to government services, and gives guidance on identifying and combating discrimination that immigrants often face.

Direct Outreach

In 2008, the ERC Immigrant Rights Program directed education efforts toward groups at high risk for discrimination. The ERC conducted outreach at local festivals such as Fiesta D.C. and the Casa de Maryland Community Fair, and distributed handbooks and brochures in neighborhoods where complaints originated. Additionally, following the approved settlement against the Manassas, Va. City Council and school district (*see pg. 16*), the ERC maintained a strong presence in the city to continue educating the community about new policies and resources available for help.

"It is through education and outreach that we empower vulnerable communities to realize their civil rights. For immigrant communities, our outreach efforts create a safe venue for individuals to come forward, discuss their daily struggles, and file complaints."

- Wendy Ramirez, ERC Immigrant Rights Program Manager

Creating Impact: City of Manassas, Va.

2008 saw the ERC's impact in protecting immigrant rights most clearly in Manassas, Va. After dozens of interviews with the Manassas Latino community, who reported being subjected to harassment and intimidation tactics, the ERC began an investigation of the City's policies to determine if there was targeted systemic discrimination aimed at Latino residents.

"Manassas residents trust their government leaders to protect them. It is clear that their trust had been woefully misplaced. It has been repeatedly violated."

- Rabbi Bruce E. Kahn, ERC Executive Director, 2004 - August 2008

What was uncovered was startling. The City of Manassas had adopted an illegal zoning provision that narrowed the definition of "family" to make it a crime for extended families to live together in a single family home. Relatives such as aunts, uncles, nephews, nieces, and cousins were effectively banned from sharing a home. Although the ordinance was suspended, the pattern of selectively and discriminatorily targeting Latino families for home "inspections" continued, aided by an anonymous 'tipline' set up by the City.

Additionally, the Manassas City Public Schools were found to have released confidential school records with children's home addresses in order to better identify "overcrowding" issues. The "overcrowding" inspections were then carried out using harassment, intimidation, and coercion tactics.

In May 2006, the ERC and 11 residents filed a suit against the City of Manassas for discrimination based on national origin. In September 2008, the City Council and Manassas School Board agreed on a settlement that would facilitate fair housing for the entire community.

The agreement includes expansive new protections for residents subject to the City's residential inspections. The agreement also calls for Manassas to hire a City Housing Advocate who will implement and oversee the safeguards in the new procedures, provide an avenue of redress for residents who believe they have been treated unfairly by the City, and serve as a resource for housing-related information for all city residents. Also as part of the settlement, certain City employees will be required to attend fair housing training, and the City will conduct outreach to the Latino community. ■



"We are so pleased that Manassas has now made clear its commitment to safeguard the civil rights of all the residents in the community. We hope this case sends a strong message nationwide of the perseverance still needed to protect civil rights and what a small concerted community can do to create positive change."

- Donald L. Kahl,
ERC Executive
Director



The ERC PUBLIC ACCOMMODATIONS PROGRAM

Access to public accommodations, such as restaurants, retail stores, and doctors' offices, is an important component of civil rights laws. The right to accessible public buildings and services allows individuals to freely move throughout society and partake in services and activities without the fear or effect of discrimination, harassment, or less than equal treatment. Yet, thousands of people daily face these very barriers when they travel, eat out, shop, and more.

Since 2005, the ERC has caused owners and operators of more than 10,000 retail stores, restaurants, and hotels to make their businesses accessible to people with disabilities.

In September 2008, the ERC and ERC member Rosemary Ciotti settled a federal lawsuit with Zipcar, the world's largest car sharing company. Ciotti had initially applied to become a member of Flexcar, which later merged with Zipcar, in May 2007. When she realized that Zipcar's policies did not accommodate her disability, she brought her concerns to the ERC. In 2007, the ERC and Ciotti filed a lawsuit against Zipcar alleging discrimination against people with disabilities, and in September

2008, Zipcar agreed to make changes to its policies regarding the availability of hand controls for its vehicles, and exceptions for assistance animals and additional drivers as needed.

2008 also saw the commencement of several enforcement actions designed to require access in public accommodations: the ERC filed suits against Filene's Basement, which operates 36 department stores in 10 states and the District of Columbia, and D.C. restaurant Circa for discrimination against people with disabilities. ■

"I thought it was unfair how horribly I was treated. And given the fact that ADA [the Americans with Disabilities Act] has been around for a while, I could not understand the justification from Filene's Basement for not being ADA compliant."

- Marsha Johnson,
Filene's Basement plaintiff

CREATING IMPACT: SUBWAY

The ERC achieved a major victory in January 2008, when a settlement was reached with the nation's largest restaurant chain, Subway. In 2006, the ERC was alerted to barriers to people with disabilities in Subway restaurants, and immediately began an investigation.

After testing 64 Subway locations in the D.C. area, the ERC found many barriers for people with disabilities including steps blocking entrances, doors too narrow for use with a wheelchair, bathrooms that were inaccessible or without required equipment, obstacles to the path of travel that prevented wheelchair users from ordering and dining, and self-service items that were out of reach or otherwise inaccessible.

The settlement eliminates all these barriers in the more than 50 restaurant locations in the Washington, D.C. area. In some locations Subway is required to make modifications, such as installing ramps or widening entrances, whereas in other locations the accommodations needed for compliance are as simple as creating maneuverable pathways within the store.

In addition to making changes to its D.C. restaurants, Subway has agreed to revise its policies and procedures for selecting future restaurant sites to better ensure compliance with the ADA so that all future sites nationwide will be accessible to people with disabilities.



OUR SUPPORTERS

The work of the ERC would not be possible without the support, assistance, and contributions made by others. We are especially thankful to all those who have generously donated time, services, and funds to us in 2008.

Businesses and Organizations

Accessible Living
Arena Press
Beveridge & Diamond PC
Bridge Global
Pharmaceutical Services
Cleary, Gottlieb, Steen & Hamilton
Community Partnership
Crowell & Moring
Foley & Lardner
Fried, Frank, Harris, Shriver & Jacobson
Gilbert Oshinsky
Howrey
Jackie Simon Homes
Kelley Drye & Warren
Kirkland & Ellis
Kirkpatrick & Lockhart
Preston Gates Ellis
McDermott, Will & Emery
Morrison & Foerster
National Fair Housing Alliance
The Olender Foundation
PECF Saint Albans School
Public Welfare Foundation
Pure Talent Graphic Design
Steptoe & Johnson
Sun Trust Bank
Weil, Gotshal & Manges
Wiley Rein
Washington Lawyers' Committee for Urban Rights & Civil Affairs
Zuckerman Spaeder

\$500 - \$999

Rod Boggs
Susan Gates and Donald L. Kahl
Bruce E. Kahn

\$250 - \$499

Peter Edelman
James Gibson
Ralph Kuehner
Janice and William Maddox
Sue Marshall
Marylin and Barrie Ripin

\$100 - \$249

Evelyn and Morton Baruch
Herb Bridge
Harold Bruno
Robert Dinerstein
Wendy and J. Peter Freed

Scherrone Briggs
Wilma Braun
Gregory Brown
Mary Brown
Walter Brown
George Brummell
Catharyn Butler-Turner
Alfred Carter
Angela Carrington
Herbert Chabot
Lessie Daniels
Gloria Duckett
Cleo Dugger
Edward Erikson
Daniel Evans
Lloyd Fleming
Linda and David Frager
Shauna Franklin
Cleoria Gaskin
Nancy Gist
Ruth Glaser
Delores Greene

Felicia Miller
Marian Newsome
Mahatha Oliver
Lina Padilla
William Payne
LaNita Proctor
Martha Ray
Angela Reid
Karen and Aaron Rosenberg
Andrew Roth
Melissa Rothstein
Michael Seng
Ken Sleeman
Minnie Small
Ruth Shapiro
Nancy Stine
Lottie Tidline
Deborah Titus
Pamela Towns
Theresa Travis
Julia Tuell

Alfred Carter
June and Whei-Chung Chang
Julie Charles
Birdie Crawley
Delores Douglas
Ruth Elkin
Justin Fazzari
Michael Firnbacher
Cassidy Fludd
Lucille Ford
Annie Freeman
Merelyn Fudge
Carl Gelfand
Mary Gray
Sheila Hill
Yongmong Hu
LeiLani Jackson
Joseph Jallah
Arlene Johnson
A.V. Jones
Kayce Kahl
Irene Keene
Karina Krilla

96.7% of ERC revenues and support fund anti-discrimination education, victim counseling, and enforcement

Phyllis Greer
John Lowe
Suzanne Weissel and Jerome Mark
James Macdonell
Jack Olender
Lawrence Pelkey
James Sack
Frank Serene
Peter Stratton
Linda Stern and Ken Norkin
Sandra Wool

Johnnie Harper
Chester Hartman
William Hawkins
Carmen Henao
Andrea and David Hilliard
Valerie James-Harris
Barbara and Bruce Jentleson
Nichole Jones-Laichena
Ann and Sam Joseloff
Miles and Paula Kahn
William Katzenstein
Sarel Kromer
Degraft Koomson
Arthur and Tina Lazerow
Denise Lewis-Green
Peggy MacKnight
Samuel Matthews
S.M. McLean
Phoebe McPherson
Albert Miller

Debra Udey
Sybil Walston
Hayley Waters
Magnolia Waters
Connie White
Robert Whittington
Charlotte Wolpoff
Annie Wingfield
Young Woo Kang
Mary Wright

Other Gifts

Roger Achoh
Mary Amoasoh
Christianah Aridegbe
Mary Bechas
Angela Bell
Fred Blackwell
Walter Brooks
Carl Brown
Isabel Bussarakum
Tomas Cantor

Quabo Legrand
Odessa Locke
Betsy Mascari
Gloria Mattern
Darlene McNeil
George Merriweather
Marie Carmen Muller
Natasha Mullerdyer
Roger Nehoh
Adelaide Newburger
Alcina and Carlos Paquete
Sharyn Phillips
Tracy Rice
Fidelia Ridgeway
Susie Ridgley
Rosemarie Smith
Gregorio Tolentino
Betty Mae and Ernest Williams
Eloise Wilson

Individuals

\$1,000 and more

Marc Fiedler
Geroge Ruttinger
Daniel Silver

\$25 - \$99

Bernice Albert
Roseann Ashby
Maurice Axelrad
Valerie Baruch
Ginny Bouvier and Jim Lyons
Sandra Branch

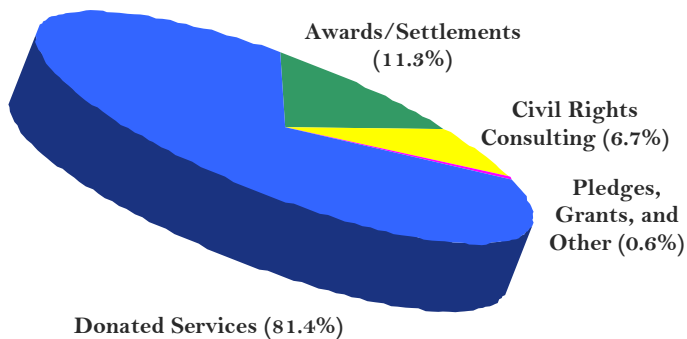
2008 FINANCIAL OVERVIEW

The Equal Rights Center is steadfastly dedicated to identifying, challenging, and eliminating discrimination in housing, employment, public accommodations, and government services through education, research, testing, counseling, enforcement, and advocacy. Through 2008, the ERC has developed momentum in most revenue channels, and we continue to expand our funding base through membership, supporters' contributions, foundation funding, and the provision of civil rights training and testing services to third parties. Additional funds are recognized annually as a result of the ERC's enforcement activities.

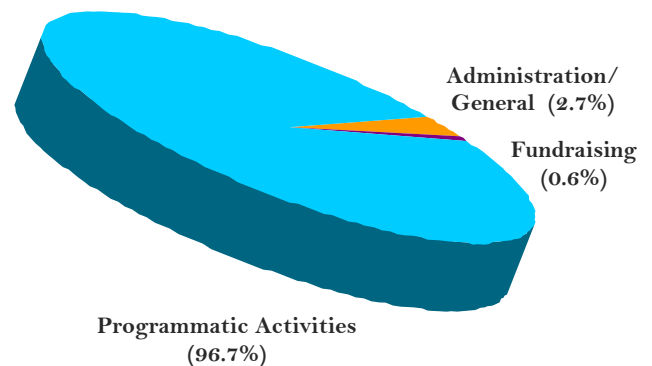
It is through our strong financial foundation that the ERC is able to maintain significant civil rights advocacy in communities in Washington D.C. and across the United States, and to continually pursue innovative methods for meeting our client's needs. In recognition of the ERC's dedication, accountability, and transparency, the ERC is listed as a National Capital Area United Way member and National Combined Federal Campaign member.

The ERC is a 501(c)3 organization that regularly files the requisite Form 990 with the Internal Revenue Service, and conducts an independent financial audit each year. The charts below summarize the ERC's revenues and expenses for the 2008 calendar year, the last period for which audited information is available. These charts and the following financial information reflect the ERC's financial data as of December 31, 2008. Complete audited financial statements are available upon request or on the ERC's Web site.

Revenue



Expenses



2008 FINANCIAL REPORTS

Consolidated Statement of Financial Position

For the year ended December 31, 2008 (with comparative totals from 2007)	2008 Total	2007 Total
Assets		
Current Assets		
Cash and Cash Equivalents	\$ 123,237	\$ 114,082
Accounts Receivable	419,826	279,709
Prepaid Expenses	<u>4,484</u>	<u>5,425</u>
Total Current Assets	547,547	399,216
Property and Equipment	25,447	45,375
Total Assets	\$ 573,024	\$ 444,591
Liabilities		
Current Liabilities		
Accounts Payable	\$ 58,326	\$ 56,336
Line of Credit	165,000	-
Notes Payable	<u>65,000</u>	<u>100,000</u>
Total Current Liabilities	288,326	156,336
Total Liabilities	288,326	156,336
Net Assets		
Unrestricted	284,698	263,755
Temporarily Restricted	<u>-</u>	<u>24,500</u>
Total net assets	\$ 284,698	\$ 288,255
Total Liabilities and Net Assets	\$ 573,024	\$ 444,591

2008 FINANCIAL REPORTS

Consolidated Statement of Activities and Changes in Net Assets

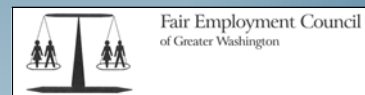
For the year ended December 31, 2008 (with comparative totals from 2007)	2008 Total	2007 Total
Support and Revenue		
Contributions — Pledges	\$ 16,226	\$ 18,850
Contributions — Donated Services	5,793,076	3,529,447
Grants — Foundations	1,000	-
Civil Rights Consulting	476,745	56,537
Awards/Settlements	800,654	867,426
Other Revenue	583	1,710
Interest	345	5,080
Net Assets Released from Restrictions	<u>24,500</u>	<u>30,000</u>
Total support and revenue	\$ 7,113,129	\$ 4,509,050
Expenses		
Program Services	6,854,609	4,349,534
Supporting Services		
General and Administrative	191,544	226,806
Fundraising	<u>46,033</u>	<u>65,608</u>
Total Expenses	\$ 7,092,186	\$ 4,641,948
Change in Net Assets	3,557	162,898
Net Assets, Beginning of Year	<u>288,255</u>	<u>451,153</u>
Net Assets, End of Year	\$ 284,698	\$ 288,255

25 years of evolution, and we're stronger than ever

1983: The Fair Housing Council of Greater Washington is founded by six interdenominational clergy, in response to the D.C. Human Rights Act and as a way to address the urgent need for enforcement of fair housing laws.



1990: The Fair Employment Council of Greater Washington is founded to address issues of employment discrimination in the District of Columbia.



1992: The Disability Rights Council of Washington is founded to address issues of disability discrimination in the District and to raise disability awareness.



1999: The Fair Housing Council of Greater Washington and the Fair Employment Council of Greater Washington merge, becoming The Equal Rights Center (ERC). The ERC now address housing, employment and public accommodation discrimination.



2005: The ERC and the Disability Rights Council merge. The new logo shows the full scope and breadth of the ERC, which now includes a special emphasis on disability rights.



2008: The year 2008 marks the 25th anniversary of the ERC since its beginning as the Fair Housing Council of Greater Washington. A new logo is created to celebrate the special occasion.



2009: The ERC logo is modified to add government services as one of the areas of work of the ERC, and to emphasize that the ERC has been "Advancing Civil Rights for Over a Quarter Century."

