

# ALASKA STATE LEGISLATURE

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Committee  
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Labor & Commerce  
Committee

Senator [Bettye Davis@legis.state.ak.us](mailto:Bettye.Davis@legis.state.ak.us)  
<http://www.aksenate.org>

December 21, 2009

Senator Kevin Meyer, Chair  
Senate Legislative Budget & Audit Committee  
716 W. 4<sup>th</sup> Avenue, Suite 410  
Anchorage, Alaska 99501

**RE: Follow-up on Amended Audit Request November 3, 2009** for Legislative Audit of the Alaska State Human Rights Commission and the State Ombudsman's Office

Dear Senator Meyer,

This is a reminder that I remain very interested in a Legislative audit of the Alaska State Human Rights Commission and the State Ombudsman's Office for reasons stated in my November 3, 2009 letter. Pat Davidson, Legislative Auditor, indicated to my staff that the Senate Legislative Budget and Audit Committee will likely be meeting in Anchorage prior to next session sometime between January 12-14. With or without "stimulus money" to pursue these matters more aggressively the detailed history of the many years of unresolved problems in this area as documented by the NAACP and the numerous complaints in my office demand prompt attention. Moreover, if problems are discovered and confirmed by Legislative Audit, I hope they may be remedied through real progress rather than hollow promises or perfunctory bureaucratic responses.

It should be noted that the Governor has requested a performance review of the Human Rights Commission pursuant to a letter dated November 30, 2009 from Sunny Haight, Operations Manager/Special Assistant, Office of Governor Sean Parnell (attached), to Tabitha Nardini in response to her letter (attached) concerning State compliance with EEO laws. This followed the copy of an email to my office dated November 27, 2009 (attached) to John Sutter from Lynn Castle, Executive Office Assistant, Governor's Office dated November 25, 2009 in response to a letter from NAACP Legal Redress Chair, Donna Brooks, dated September 16, 2009 (attached).

If I can be of further assistance in moving this matter forward, please let me know. There is no excuse for inordinate delays by our State investigative agencies concerning complaints of real or perceived discrimination under State and federal civil rights laws.

Sincerely,

Handwritten signature of Bettye Davis in cursive script.  
Bettye Davis

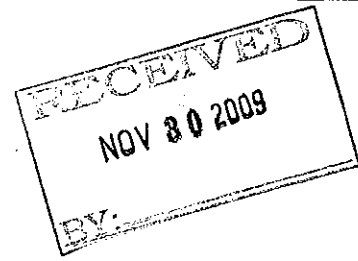
Cc: NAACP, Anchorage Alaska Branch

Session: (Jan. - May)  
State Capitol, Suite 30, Juneau, AK 99801-1182 Phone: (907) 465-3822 • Fax: (907) 465-3756 • Toll free: (800) 770-3822  
Interim: (May - Dec.)  
716 W. 4<sup>th</sup> Ave, Suite 400, Anchorage, AK 99501 Phone: (907) 269-0144 • Fax: (907) 269-0148

**Sen. Bettye Davis**

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**From:** johns suter [suter@gci.net]  
**Sent:** Friday, November 27, 2009 2:02 PM  
**To:** Sen. Bettye Davis  
**Subject:** Fw: Response letter to Donna Brooks  
**Attachments:** image002.gif; SKMBT\_C45009091810030.pdf



**Importance:** High

My money is on that the governors office will send a fake letter stating that there are no human rights problems. What do you think?

----- Original Message -----

**From:** johns suter  
**To:** [lynn.castle@alaska.gov](mailto:lynn.castle@alaska.gov)  
**Cc:** [naacp@alaska.net](mailto:naacp@alaska.net)  
**Sent:** Thursday, November 26, 2009 10:52 AM  
**Subject:** Fw: [Norton AntiSpam] Response letter to Donna Brooks

Thank you for getting back on this. The NAACP looks forward to speaking with you on 9 cases of human rights violations from the Anchorage International Airport of which the Alaska State Ombudsman has 4 of these cases for 6 years now with no end in sight as to when they will conclude their investigations. The Alaska State Commission for Human Rights had these cases for 8 years, making the time the state has spent on these cases 14 years now. The NAACP has over 800 pages of detailed documentation of human rights abuses by the state that they would like to speak to you about. In addition they have picked up numerous additional cases of human rights abuses made by the state in different areas against Alaska state minority employees in the last few months. The NAACP looks forward to speaking with you about what you can do to fix the system that is not %99 broken, but %100 broken and has a preponderance of evidence to prove this far beyond all reasonable doubt. The NAACP looks forward to showing you this evidence.

Thank you for taking a look at the states atrocious record of unacceptable human rights violations. The NAACP looks forward to hearing your plans of addressing these lingering severe problems.

----- Original Message -----

**From:** johns suter  
**To:** [naacp@alaska.net](mailto:naacp@alaska.net)  
**Cc:** [Donna Brooks](mailto:Donna Brooks)  
**Sent:** Wednesday, November 25, 2009 12:54 PM  
**Subject:** Fw: [Norton AntiSpam] Response letter to Donna Brooks

----- Original Message -----

**From:** [Castle.Lillian.K@GOV](mailto:Castle.Lillian.K@GOV)  
**To:** [suter@gci.net](mailto:suter@gci.net)  
**Sent:** Wednesday, November 25, 2009 10:55 AM  
**Subject:** [Norton AntiSpam] Response letter to Donna Brooks

Dear Mr. Suter,

Thank you for your email inquiring about the response to Ms. Brooks' letter. We apologize for the lateness in this response. The final draft of our response letter has been finalized and will be signed on Monday, November 30<sup>th</sup> and will go out in the mail that day.

Thank you for your patience in this matter.

*Lynn Castle*

Executive Office Assistant  
Office of Governor Sean Parnell-Juneau

P.O. Box 110001  
Juneau, AK 99811-0001  
PHONE: 907-465-3500  
FAX: 907-465-3532

[lynn.castle@alaska.gov](mailto:lynn.castle@alaska.gov)  
[www.gov.state.ak.us](http://www.gov.state.ak.us)

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**From:** johns suter [mailto:suter@gci.net]  
**Sent:** Thursday, November 19, 2009 11:20 AM  
**To:** Governor Sean Parnell (GOV sponsored)  
**Subject:** Fw: Governer/NNACP

The NAACP has been trying to get a response on their letter for the last 3 months. See SKMBT. How much longer do you think it will be before they will get a response to their letter?

----- Original Message -----

**From:** The UPS Store 2206  
**To:** [suter@gci.net](mailto:suter@gci.net) ; [store2206@theupsstore.com](mailto:store2206@theupsstore.com)  
**Sent:** Friday, September 18, 2009 10:17 AM  
**Subject:** [Norton AntiSpam] Governer/NNACP



# NAACP

## National Association for the Advancement of Colored People

*Anchorage (Alaska) Branch · Ellsworth James, PhD., President*

September 16, 2009

His Excellency Parnell  
the Governor of  
the State of Alaska

Dear Governor Parnell:


As the NAACP legal redress chairperson, I have become aware of many racial problems within our communities that are truly disconcerting. Many of these problems we dealt with during the sixties and the seventies. But as you are aware of the laws set perimeters and guidelines to operate legally, however, if one has not had a rebirth or a change in their heart, attitudes die hard.

In the State of Alaska Blacks, minorities and natives are under representative in the State of Alaska government. Complaints filed with the Alaska Human Rights Commission are rarely investigated in a timely manner, and justice delayed is usually justice denied. Once a complaint of discrimination has been filed, the complainants are retaliated against because they filed a protected activity against the state and then are Black Balled for complaining about the unlawful employment practices. When individuals attempt exhausting available remedies and complain at the State Ombudsman's office it too takes another four to six years to get the results of the Human Rights investigation if ever. Herein is the reason for my letter.

I am requesting an audit on both the Alaska State Human Rights and the Ombudsman's Office, the number of cases filed, length of time it takes to resolve complaints, and how many discriminations complaints are resolved with substantial findings, and to resolve the reasons for the delays.

Congratulations and the very best wishes in your new role as governor.

Respectfully,

  
Donna J. Brooks, Chair  
NAACP Legal Redress

325 E. 3rd Avenue, Anchorage, Alaska 99501 · Email: [naacp@alaska.net](mailto:naacp@alaska.net)  
Mailing Address: P.O. Box 200089 Anchorage, AK 99520-0089  
Phone (907) 272-8717 · Fax (907) 222-0907

Tabitha Nardini  
P. O. Box 521771  
Big Lake, AK 996562

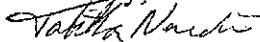
December 5, 2009

Dear Sunny Haight Operations Manager for Governor Sean Parnell

Thank you for your response to the NAACP letter by Donna Brooks, Chair Legal Redress on the issue of having an audit on the Alaska State Commission for Human Rights and the Alaska State Ombudsman. I would like to know if your audit will be investigating to see how many minorities who work for the state win their human rights cases or have a finding of human rights violations according to the Human Rights Commission opinion that says they should win their cases or have a finding. This would be in comparison to the federal government, local government and the private sector employees. What are the numbers for each of the four groups? I want to make it clear that we are not looking for the numbers of government employees compared to the private sector. What we want to know is how many state minority employees win their cases compared to the other three groups. HRC gives the numbers of government employees compared to the private sector group. What this does is to mask the numbers of Alaska state employees. The reason this is done is to hide the fact that there are no Alaska state employees who won their cases in the last two decades. Next, is how long does it take for each of the groups to have their cases processed compared to Alaska state minorities. The answer is 180 days for the other groups and it takes years for the Alaska State minorities to have their cases processed. This is justice delayed, justice denied. It is different strokes for different folks. They are not processed the right way; they are processed the white way. Another words the minorities who work for the state are not getting their basic human rights that is afforded them according to the Alaska state constitution.

The audit will show that the Alaska state minorities are not getting the same deal as the other groups. The human rights commission and the ombudsman are state organizations. Since they are state, there is a conflict of interest. It is the fox guarding the hen house. What is being asked is to have the state investigate their selves and find their self guilty. This they do not do. They are not working according to how the state constitution set them up to work. The results are the Alaska state minorities are not getting their human rights. The audit will show this. They never had an audit before to find this specific information. So the question is, will you see to it that this is done? It is nice that you are doing other things on racial concerns, but we are not asking about that. **To stay on message, we want to know what you are going to do on the issue of having an audit.** And your answer is?

Sincerely,

  
Tabitha Nardini

cc National NAACP and local.

STATE CAPITOL  
PO Box 110001  
Juneau, Alaska 99811-0001  
907-465-3500  
fax: 907-465-3532



550 West 7<sup>th</sup> Avenue # 1700  
Anchorage, Alaska 99501  
907-269-7450  
fax: 907-269-7463  
[www.gov.alaska.gov](http://www.gov.alaska.gov)  
[Governor@alaska.gov](mailto:Governor@alaska.gov)

Office of Governor Sean Parnell  
STATE OF ALASKA

November 30, 2009

Ms. Tabitha Nardini  
P.O. Box 521771  
Big Lake, AK 99652

Dear Ms. Nardini,

Thank you for writing to Governor Parnell regarding equal opportunity in State government. The Governor has asked that I respond on his behalf.

Please let me assure you that the Governor is committed to ensuring that the State is in compliance with Equal Employment Opportunity (EEO) laws, and I am working directly with the Department of Administration in this regard. Progress that has been made to date includes recently hiring an individual to focus solely on updating our affirmative action plan. In addition, the Governor recently requested a performance review of the Human Rights Commission.

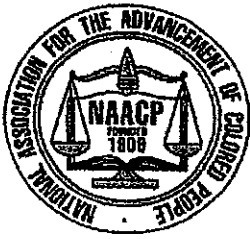
You also might be interested to know that the State's Division of Personnel offers several courses throughout the year that contain content on State and federal EEO laws and regulations. In FY09, nearly 2,000 State employees attended one of these courses.

I appreciate you taking the time to share your concerns. Please do not hesitate to contact me at 907-465-3500 if there is anything I can do to further assist you.

Sincerely,

A handwritten signature in cursive script that reads "Sunny Haight".

Sunny Haight  
Operations Manager/Special Assistant



# NAACP

National Association for the Advancement of Colored People  
*Anchorage (Alaska) Branch · Ellsworth James, PhD., President*

September 16, 2009

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the Governor of  
the State of Alaska

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In the State of Alaska Blacks, minorities and Alaska natives are under representative in the State of Alaska government. Complaints filed with the Alaska Human Rights Commission are rarely investigated in a timely manner, and justice delayed is usually justice denied. Once a complaint of discrimination has been filed, the complainants are retaliated against because they filed a complaint ( protected activity) against the state and then are **Black Balled** for complaining about the unlawful employment practices. When individuals attempt exhausting available remedies and complain to the State Ombudsman's office, it too takes another four to six years to get the results of the Human Rights investigation if ever. Herein is the reason for my letter.

I am requesting an audit on both the Alaska State Human Rights and the Ombudsman's Office, the number of cases filed, length of time it takes to resolve complaints, and how many discriminations complaints are resolved with substantial findings, and to resolve the reasons for the delays. Are these violations Administrative Disregard or is there another explanation for such behavior? Under Title VII retaliation is in violation of the law. I do hope that you will help us resolve these issues.

Congratulations and the very best wishes in your new role as governor.

Respectfully,

  
Donna J. Brooks, Chair  
NAACP Legal Redress

325 E. 3rd Avenue, Anchorage, Alaska 99501 · Email: [naacp@alaska.net](mailto:naacp@alaska.net)  
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Phone (907) 272-8717 · Fax (907) 222-0907

*the struggle continues...*