



State of Alaska
ombudsman

Reply to:

333 W 4th Ave., Ste 305
Anchorage, AK 99501
(907) 269-5290
(800) 478-2624
(FAX) 269-5291

P.O. Box 113000
Juneau, AK 99811-3000
(907) 465-4970
(800) 478-4970
(FAX) 465-3330

June 11, 2015

John Suter
Post Office Box 670144
Chugiak, AK 99567

Re: Ombudsman Complaint A2004-0822
Preliminary and Confidential per AS 24.55.180

Dear Mr. Suter,

This letter is to notify you that I have completed work on the ombudsman's preliminary report into your complaint against the Alaska State Commission for Human Rights (ASCHR). You complained to the ombudsman in 2004 about the manner in which ASCHR had investigated your complaint against the Ted Stevens Anchorage International Airport (AIA). You had complained to ASCHR that the AIA retaliated against you for speaking out about discrimination at the airport.

The Ombudsman opened a complaint file with the following allegations, stated in terms that conform with AS 24.55.150, which authorizes the Ombudsman to investigate complaints about administrative acts of state agencies:

Allegation One — Performed Inefficiently: The Alaska State Commission for Human Rights investigation of the complainant's allegation of discrimination was inefficient in that it was untimely completed

Allegation Two — Abuse of Discretion: The Alaska State Commission for Human Rights investigators did not interview witnesses that the complainant told them would substantiate his claim of discrimination.

Allegation Three — Contrary to Law: The Alaska State Commission for Human Rights denied the complainant's requests for information, violating the Alaska Public Records Act (Alaska Statute) 40.25.110.

Allegation Four — Contrary to Law: The Alaska State Commission for Human Rights violated AS 40.25.110, the Alaska Public Records Act, when it denied the complainant's requests for statistical information about ASCHR's record of findings on discrimination complaints against the State of Alaska.

Per AS 24.55.160 and 180, the ombudsman's proposed findings in these allegations will remain confidential until ASCHR responds, the investigative report is finalized, and the complaint is closed.

The Ombudsman Statute and Administrative Code require that an agency have an opportunity to review and comment on critical findings in our investigative report before they are released to the complainant or the public. (AS 24.55.180 and 21 AAC 20.210.)

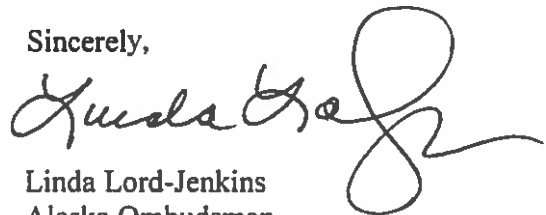
I have reported the ombudsman's proposed findings to ASCHR Director Paula Haley and asked that she respond to my findings by July 13, 2015. Ombudsman regulations, however, allow for agencies to request extra time to respond to the ombudsman's report. When I receive ASCHR's response I will incorporate them into the finding of record and release a redacted version of the investigative report to you. The ombudsman is constrained by AS 24.55.160 to not release information that is confidential by Alaska Statute. As you know, some of the information held by ASCHR is confidential.

The preliminary report is fairly lengthy and I anticipate it will take ASCHR a while to read it. Also, I have checked the ASCHR web site to see if the commission has scheduled any meetings before July 13 and it has not. I anticipate Ms. Haley will present the findings to ASCHR for their input in her response. Under those circumstances I think it possible that ASCHR might seek an extension of time to respond. In that event I will notify you.

You have authorized me to acknowledge your complaint with several legislators who have contacted me on several occasions. I have promised to notify them when I forward the preliminary report to ASCHR and I will do so by forwarding an electronic copy of this letter to their offices.

I want to again apologize for the length of time it has taken for me to reach this point. I sincerely appreciate your patience.

Sincerely,



Linda Lord-Jenkins
Alaska Ombudsman

CC: Senator Kevin Meyer
Senator Charlie Huggins
Senator Anna McKinnon
Senator Bill Wielechowski
Senator Johnny Ellis
Senator Mike Donleavy
Senator Berta Gardner
Rep. Dan Saddler
Rep. Wes Keller
Rep. Sam Kito