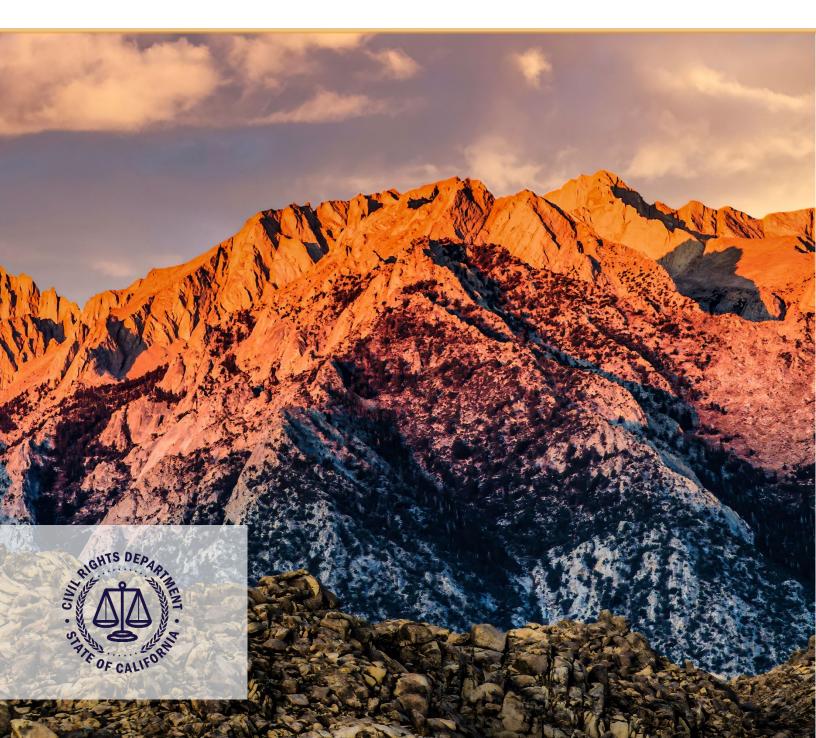


ANNUAL REPORT CIVIL RIGHTS DEPARTMENT



This report has been prepared pursuant to Government Code section 12930(k), which requires the Civil Rights Department to "render annually to the Governor and the Legislature a written report of its activities and its recommendations."

This report can be located and downloaded at www.calcivilrights.ca.gov. In accordance with California law and federal Americans with Disability Act, this report can be made available in alternate formats as a reasonable accommodation for people with disabilities. To request a hardcopy or an alternative format as a reasonable accommodation for a disability, contact the department through any method below.

California Civil Rights Department (800) 884-1684 (voice or via relay operator 711) TTY (800) 700-2320 contact.center@calcivilrights.ca.gov

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DIRECTOR'S LETTER AND EXECUTIVE SUMMARY

Writing our 2021 annual report from the vantage of 2022, the department has undergone historic transformation, including a change in its name from the Department of Fair Employment and Housing – the name of the department since 1980 – to the Civil Rights Department (CRD). This new name more accurately reflects the department's role enforcing a broad range of civil rights protections and, we hope, will increase clarity for stakeholders and individuals who encounter discrimination in contexts such as healthcare, transportation, licensing, and consumer settings, or who experience other types of civil rights violations within CRD's jurisdiction, such as hate violence and human trafficking.

Relatedly, since the close of 2021, CRD has launched major new initiatives including the CA v. Hate Resource Line and Network (briefly described below), the Community Conflict Resolution Unit, and the Commission on the State of Hate, all of which will be described in future reports.

Throughout calendar year 2021, CRD continued to accept, investigate, conciliate, mediate, and litigate civil rights complaints. This included:

- 65,502 calls for assistance;
- 4,775 investigations covering 5,589 complaints;
- 674 settlements for nearly \$10.5 million to aggrieved persons; and
- 3 new civil actions involving group allegations affecting over 10,000 aggrieved persons.

CRD enhanced its online complaint portal, California Civil Rights System (CCRS), with greater accessibility features. CRD created a separate portal for the public to report unlawful discriminatory language in advertisements and applications, and sent 637 compliance letters to housing providers and employers who made discriminatory statements.

The department continued to expand and enhance its outreach and education efforts. This included:

- CRD's first-ever multi-lingual statewide public education campaign, Keep California Fair, which achieved over 100 million impressions across social media, radio, and on signage in/on convenience stores, laundromats, food trucks, and other places across the state;
- 157 presentations and trainings on civil rights issues reaching 40,963 Californians, in addition to online training against sexual harassment reaching 318,703 employees;
- 6 new or updated guidance documents on civil rights issues, including related to COVID-19 pandemic issues in employment (including vaccination requirements and reasonable accommodations), business (including proof of vaccination requirements and

reasonable accommodations), and healthcare, and 2 online toolkits of resources for employers and employees related to family and medical leave and to criminal history.

CRD successfully implemented California's new legal requirement that employers with 100 or more employees provide data to CRD regarding the pay, hours worked, job category, race/ethnicity, and sex of their California employees. This included launching an online reporting system where CRD collected data on 6.3 million workers from approximately 14 thousand California workplaces. Among other activities, CRD analyzed and published aggregate results from this data.

The Civil Rights Council advanced several regulations, including completing a second set of fair housing regulations that went into effect in 2022, as well as conducted a civil rights hearing on algorithmic discrimination and a public training on bystander intervention against harassment.

We are pleased to submit this report and welcome feedback from our stakeholders.

Sincerely,

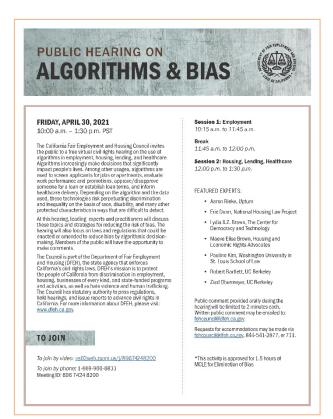
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Kevin Kish Director, Civil Rights Department

CIVIL RIGHTS COUNCIL: CHAIR'S LETTER

I write to report on the important work of the Civil Rights Council (Council) in 2021 to advance and protect the civil rights of all Californians. The Council took significant regulatory action to prevent discrimination in housing, held several public civil rights hearings, and partnered with community stakeholders to provide free bystander training as one avenue to combat the alarming rise of hate crimes and incidents in California.

With regard to its regulatory responsibilities, the Council worked on several regulatory packages and finalized regulations related to housing discrimination, which went into effect on January 1, 2022. The new regulations make clear that housing discrimination based on source of income, including Section 8 Housing Choice vouchers, is prohibited; provide meaningful guidance regarding reasonable modifications to dwellings and common areas so as to ensure that individuals with disabilities have an equal opportunity to enjoy housing; clarify and provide examples of how advertisements and certain statements run afoul of civil rights protections by expressing or otherwise indicating a preference based on a protected characteristic; detail how to prove intentional discrimination; and detail available defenses. In addition, the Council updated its regulations implementing the California Family Rights Act to account for Chapter 401, Statutes of 2021 (AB 1578).



The Council held four public meetings to conduct regularly scheduled business-all of which were held virtually due to the COVID-19 pandemic. In addition, the Council held a virtual public civil rights hearing on April 30, 2021 focused on algorithms and bias (flyer on left). National and statewide experts addressed the Council and members of the public about strategies to reduce the risk of potential bias and discrimination caused by the algorithmic decision-making in employment, housing, lending, and healthcare. The hearing also considered laws and regulations that could address these civil rights issues and potential violations stemming from the increasing use of such technologies. The hearing can be viewed at: www.youtube.com/watch?v=IQ 6f9IMUfU.

Finally, on July 20, 2021, the Council sponsored a free, virtual training about bystander intervention against racial harassment, to combat the wave of hate incidents against members of our community (flyer on right). For this program, the Council collaborated with Asian Americans Advancing Justice – Asian Law Caucus and Right to Be (formerly Hollaback!). The Council also issued a letter to law enforcement agencies and city and county attorneys across California calling on them to inform victims of hate crimes and incidents, in addition to the general public, about the services of the Civil Rights Department and the availability of civil remedies and resources.

As always, the Council remains committed to assisting the California Legislature with proactively implementing our state's existing and any newly-



enacted civil rights laws. The Council also remains equally resolved to continue to work tirelessly with the Civil Rights Department and California's diverse stakeholders to promote a deeper understanding of and more robust adherence to our state's civil rights laws through regulatory action, public hearings, and community education.

Sincerely,

Gabriel A. Sandoval Chair, Civil Rights Council



ORGANIZATIONAL OVERVIEW

The Civil Rights Department (CRD) is the institutional centerpiece of California's broad policy against discrimination, harassment, and hate violence. Born out of a decades-long struggle to prohibit discrimination in employment, housing, and business establishments, CRD has been at the forefront of protecting civil rights in California since its inception. As of 2022, CRD operates virtually and through six offices in Bakersfield, Elk Grove, Fresno, Los Angeles, Oakland, and Riverside.

CRD's mission is to protect the people of California from unlawful discrimination in employment, housing, public accommodations (businesses), and state-funded and state-administered programs and activities, and from hate violence and human trafficking. To accomplish this mission, CRD receives, investigates, conciliates, mediates, and prosecutes complaints of alleged violations of the Fair Employment and Housing Act (FEHA), Equal Pay Act, Unruh Civil Rights Act, Disabled Persons Act, Ralph Civil Rights Act, Trafficking Victims Protection Act, and statutes prohibiting discrimination in state-funded and state-administered programs and activities, among other state civil rights laws.

More specifically, the state's various civil rights laws empower CRD to:

- Investigate and initiate complaints of individual and group discrimination,
- Facilitate resolution of disputes involving civil rights by providing conciliation and mediation services,
- Enforce the law by prosecuting violations in civil court,
- Promulgate regulations and issue guidance,
- Collect data on the pay, hours worked, and demographics of California employees working for private employers with 100 or more employees, and

• Engage in public outreach and provide training and technical assistance to stakeholders, such as employers and employees and housing providers and tenants, regarding their rights and responsibilities under the law.

Within CRD's organizational structure, the Enforcement Division receives, investigates, and conciliates complaints of civil rights violations. The Dispute Resolution Division provides mediation services for complaints filed with CRD, as well as since 2022 community conflict resolution services. The Legal Division investigates and prosecutes civil actions, including complaints of systemic discrimination impacting large numbers of Californians. The Executive Programs Division conducts public outreach and education, legislative and regulatory affairs, research and strategic initiatives, and administrative appeals, as well as responds to requests for public records and visa certifications. The Public Affairs Division executes CRD's communications strategy, including by issuing press releases and fielding requests for information from the media and stakeholders. The Administrative Division provides critical human resources, contracting, and procurement services for the department. The Information Technology Services Division provides necessary technological infrastructure and security.

The Civil Rights Council is part of CRD and promulgates regulations that implement California's civil rights laws, conducts inquiries, and holds hearings on civil rights issues confronting the state, among other responsibilities. Also part of CRD since 2022, the Commission on the State of Hate is producing research and community forums to better understand, and recommendations to combat, hate violence in California.

OUTREACH AND EDUCATION

A critical component of meeting CRD's mission is educating and conducting outreach to the public, employers, employees, housing providers, tenants, homeowners, businesses, consumers, and other stakeholders. This includes providing clear, accurate, and easily accessible information related to rights and responsibilities under the laws that CRD enforces. Education and outreach help to prevent discrimination from occurring and make it more likely discrimination will be reported when it occurs. To meet this need, CRD develops educational materials and website content, provides trainings and presentations, engages in direct outreach to stakeholders, and conducts proactive efforts to identify and rectify discrimination before someone is harmed.



2021 HIGHLIGHTS

- Conducted a multi-lingual public education campaign, Keep California Fair, that achieved more than 100 million impressions. This statewide campaign included radio spots, posters in retail stores and laundromats and on the sides of food trucks, social media, and videos, among other campaign initiatives. Some of the campaign images are included below.
- Reviewed thousands of online housing and employment advertisements across California and sent 637 compliance letters to housing providers and employers found to have made discriminatory statements regarding criminal history or source of income.

- Conducted 157 presentations and trainings to 40,963 Californians. This
 included planning a fair housing webinar series to teach existing and new
 regulations issued by the Civil Rights Council (described above) as well as
 programs in English and in Spanish on protections for licensed childcare
 homes.
- Provided online training against sexual harassment to 318,703 employees throughout California, including 270,999 non-supervisory and 47,704 supervisory employees.
- Launched an online portal for public users to report discriminatory statements found in employment and housing advertisements and applications.
- Published and disseminated 6 new guides and factsheets (each available in multiple languages), including updated guidance regarding COVID-19 and an anti-harassment guide for housing providers.
- Produced an online toolkit regarding Family, Medical, and Pregnancy Disability Leave for employers and employees with an interactive app, reference guides, fact sheets, sample certification forms, and required posters.
- Produced an online toolkit regarding the Fair Chance Act and civil rights protections related to criminal history in employment, which includes samples form that employers can use at each step in the hiring process.
- Published newsletters throughout the year with information about new resources and programs available from CRD, as well as news about cases, settlements, and other department initiatives.

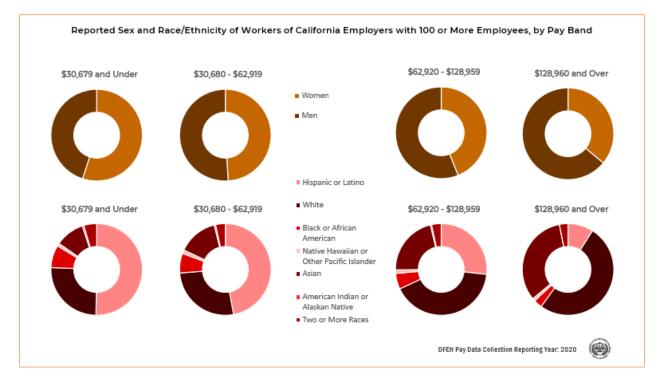


PAY DATA REPORTING

Pay disparities continue to exist and may be the result of intentional discrimination, seemingly neutral policies with a discriminatory effect, unconscious biases, historic inequities, and/or other reasons. In response, the Legislature enacted Chapter 363, Statutes of 2020 (SB 973) to require private employers with 100 or more employees to provide data to CRD regarding the pay, hours worked, job category, race/ethnicity, and sex of their California employees. This program allows CRD to more efficiently identify wage patterns and target enforcement of equal pay and anti-discrimination laws. It also facilitates employers' self-assessment of their pay practices to promote voluntary compliance with equal pay and anti-discrimination laws.

In 2021, CRD successfully implemented California's pay data reporting system. This included launching an online reporting portal where employers first reported data from 2020 in the spring of 2021. CRD also produced substantial guidance and training for employers to assist them with compliance, and promptly responded to thousands of inquiries from employers about this new requirement.

Among the 2020 data submitted to CRD in 2021, employers reported on 6.3 million workers from approximately 14 thousand California establishments. CRD analyzed these data and published aggregate results that reflect the characteristics of 6.3 million workers in the dataset. Some of these results are shown/described below.



Among workers in the dataset in the lowest pay bands (earning \$30,679 or less in 2020), women were overrepresented, making up 55% of workers in the lowest pay bands, compared to 48% of the total workers reported to CRD. Among reported workers in the highest pay bands (earning \$128,960 or more in 2020), women were underrepresented, making up 36% of workers in the highest pay bands.

Among workers in the lowest pay bands (earning \$30,679 or less in 2020), Hispanic/Latino and Black/African American workers were overrepresented. Hispanic/Latino workers made up 50% of workers in the lowest pay bands, compared to 37% of total reported workers. Black/African American workers made up 8% of all workers in the lowest pay bands, compared to 6% of total reported workers. The lowest pay bands also included 25% Whites, 10% Asians, 5% two or more races, 1% Native Hawaiian or Other Pacific Islander, and 1% American Indian or Alaskan Native. Among workers in the highest pay bands (earning \$128,960 or more in 2020), Hispanic/Latino and Black/African American workers were underrepresented. Hispanic/Latino workers made up 9%, and Black/African American workers made up 3%, of all workers in the highest pay bands, compared to 37% and 8%, respectively, of total reported workers.

These and other results are available at: calcivilrights.ca.gov/paydatareporting/results/. This webpage also houses data visualizations as well as results tables by geographic region and industry.

In addition, CRD filed petitions to enforce reporting requirements against two private California employers that failed to file their pay data reports by the deadline. Each subsequently filed their reports. CRD will continue to enforce pay data reporting requirements, collect and analyze pay data reports on an annual basis, and report aggregate data.



CALIFORNIA VS. HATE RESOURCE LINE AND NETWORK

As California's civil rights agency, CRD enforces civil laws that prohibit hate violence in addition to other work combating discrimination. CRD's comprehensive approach recognizes the ways in which combating hate violence is interconnected with enforcing protections against human trafficking and unlawful discrimination in housing, employment, and other settings. While we are seeing alarming increases in reports of hate incidents and crimes, and people appear to be increasingly emboldened to commit acts of hate, hate is not new. Communities targeted for hate have long been combating hate and demanding action, and CRD has been learning from survivors, community advocates, and civil rights leaders as we build the CA vs. Hate Resource Line and Network. CRD respects that the wisdom to address hate incidents and crimes and the longstanding systemic discrimination that sustains hate comes from the same communities who have been fighting hate for generations.

Launched in 2022, the CA vs. Hate Resource Line and Network is an online and phone-based service that (1) informs those targeted for hate about their options, such as accessing culturallycompetent health services, CRD's various services, and criminal law enforcement; (2) connects victims to the services they believe will benefit them and supports victims through the process;



and (3) gathers information on hate incidents in California and their adverse effects on health, well-being, and the economy, to provide better understanding for community organizations, local governments, and service providers trying to meet the needs of people targeted for hate and for policy makers trying to more effectively direct resources and support.

CRD built the CA vs. Hate Resource Line and Network in partnership with and through dozens of meetings with community groups, state and local government agencies, law enforcement leaders, academics, and other stakeholders. This resource is being made available pursuant to a \$10 million appropriation by Chapter 240, Statutes of 2021 (SB 170).

COMPLAINT PROCESS

In addition to work on the major strategic initiatives described above, in 2021, CRD continued its core functions of receiving, investigating, mediating, and prosecuting civil rights complaints.

The investigation process starts when a member of the public files an initial inquiry with CRD by submitting an intake form, which can be done through an online portal (the California Civil Rights System or CCRS), by mailing a paper form, or by calling CRD's Communications Center. In 2021, CRD launched new accessibility features in CCRS, shown in the image to the right.

CRD assigns the intake to an investigator, who conducts an initial interview with the complainant to determine whether CRD has jurisdiction to accept the complaint. If CRD has jurisdiction and accepts the claim, the investigator drafts a written complaint and sends it to the complainant for signature.

Once CRD receives the signed complaint, the investigator determines if the complaint meets criteria for federal dualfiling status pursuant to work-sharing agreements with the United States Equal Employment Opportunity Commission (EEOC) or the United States Department of Housing and Urban Development (HUD) and, if so, assigns the complaint a federal identification number.

CRD serves the complaint on the party accused of discrimination or other civil rights violations ("respondent"). CRD investigates the case by interviewing parties and witnesses, reviewing supporting documentation, and conducting site inspections where appropriate. CRD has the authority to serve interrogatories, issue subpoenas and demand production of documents, and to petition the court to order a respondent to comply if the respondent refuses.

In appropriate cases, the investigator may attempt to resolve the case with the parties or refer the case to the Dispute Resolution Division for possible mediation. If the parties resolve the case through conciliation or mediation and execute a settlement agreement, CRD will close the case.

NEW IN 2021: ENHANCED ACCESSIBILITY IN CCRS Accessibility Menu (CTRL+U) How UserWay Works • Oversized Widget OFF 0 G Contrast + **Highlight Links** тT <---> Bigger Text Text Spacing T) 邋 Df Pause Animations **Dyslexia Friendly** \square [i Cursor Tooltips t≣ _ Line Height Text Align Δ Saturation

If the complaint is not settled, CRD will usually make a determination of whether there is reasonable cause that the respondent violated the rights of the complainant or others. For example, if the investigation uncovered insufficient evidence of a violation, CRD will close the complaint, and the complainant may proceed to file their own court case without the involvement of CRD.

If CRD determines there is reasonable cause that the respondent has violated a civil rights law and the case has not resolved, CRD has discretion to file a court case and prosecute the matter on behalf of the State of California.

CASE HIGHLIGHT

GENDER-BASED HARASSMENT IN EMPLOYMENT #1

A female executive filed a complaint against her CEO, alleging he had sent her explicitly sexual texts and made sexual threats. The case settled for a substantial, six figure sum, all of which was donated to nonprofit organizations serving women and girls, at the request of Complainant. In addition, the settlement required training on the FEHA and the company's internal policies and protocols for reporting and inquiring about harassment or discrimination in the workplace.

GENDER-BASED HARASSMENT IN EMPLOYMENT #2

A State employee filed a complaint with CRD alleging that her supervisor sexually harassed her on several occasions over a period of a few months, including telling her that he wanted her and exposing himself to her. The employee reported the incidents to her manager.

Following a voluntary mediation with CRD, the State Agency agreed to a \$195,000 monetary settlement and to facilitate the employee's extra therapy sessions through the Employee Assistance Program. In addition to providing for recovery for the worker, the settlement agreement required the State Agency to provide a follow-up sexual harassment training to all employees in the complainant's worksite, including the duty to report and the responsibility of supervisors, to be facilitated by an expert who could address employee questions.

COMPLAINTS FILED WITH CRD

In 2021, CRD received 24,052 intake forms from members of the public who alleged civil rights violations, investigated 5,589 complaints across 4,775 investigations, and issued 11,637 "immediate Right-to-Sue" complaints in employment cases. Each year, approximately one quarter of intakes are closed because they make allegations that are outside of CRD's authority, are duplicate filings, or are abandoned by the complainant. In "immediate Right-to-Sue" complaints, individuals file a complaint with CRD, but bypass CRD's investigation process, and receive a closing letter that includes a Right-to-Sue from CRD, which a complainant needs to file a civil court case alleging violations of the FEHA's employment provisions. Appendix B displays the total bases for complaints filed by law type.

Civil Code section 54	15
Criminal History in Employment Decisions	144
Employment Investigations	3337
Equal Pay Act	26
Government Code section 11135	36
Housing	898
Human Trafficking	3
Ralph Civil Rights Act	45
Sexual Harassment Prevention Training	9
Unruh Civil Rights Act	262*
Unruh filed as companion to Housing case	814**
TOTAL COMPLAINTS	5,589
TOTAL INVESTIGATIONS	4,775

COMPLAINTS INVESTIGATED BY CRD, 2021

*Unruh Act complaints that are not companions to FEHA housing complaints

**Fair housing complaints alleging a FEHA violation often also involve an alleged Unruh Act violation, as the same unlawful activity can violate both laws. In this scenario, CRD creates a companion complaint under the Unruh Act that is investigated with the FEHA complaint. For this reason, this report separately identifies the Unruh Act companion complaints and includes them in the total number of complaints filed, but excludes them from the total number of investigations.

CASE HIGHLIGHT

AGE DISCRIMINATION IN EMPLOYMENT

A 70-year-old elementary school teacher with over 35 years of public service filed a complaint with CRD alleging that she was subject to differential treatment, harassment, and retaliation by her school principal because of her age. Among other allegations, the complainant alleged she was transferred between grade levels and/or required to change classrooms after nearly every academic year, over a ten-year period, to accommodate the wishes of younger teachers.

Through participation in voluntary CRD mediation, the respondent school district agreed to pay the complainant \$136,000 in compensation, awarded her a certificate recognizing her 30 years of service to the district, and provided her with a letter from the school's principal acknowledging some of her professional accomplishments, as well as her dedication to, and passion for, teaching, her students and her school. In addition, the school district agreed to abide by all applicable fair employment laws, to post CRD posters in every district facility, to review and, if necessary, correct its written fair employment policies, and to report its compliance with the settlement agreement to CRD.

FAMILIAL STATUS DISCRIMINATION IN HOUSING

When a grandmother brought her newborn granddaughter out of foster care to live with her, her landlord made discriminatory statements about the child's presence, expressed concern that child welfare workers would be at the property, threatened not to renew the grandmother's lease, and threatened to evict her and the baby. The case resolved through a voluntary mediation with the Dispute Resolution Division. The landlord agreed to extend the family's lease for a ninemonth term, to attend fair housing training, and to make a monetary payment.

SETTLEMENTS

In 2021, CRD settled 674 cases for a monetary value of \$10,447,398 that went to complainants and other aggrieved persons, among other forms of relief such as training and monitoring.

Civil rights disputes may be resolved through settlement at different points in the CRD complaint process. Investigators may conciliate (bring parties together to negotiate) a settlement during their investigations. Some cases are referred to the Dispute Resolution Division for voluntary mediation. In addition, before CRD files a lawsuit, it typically requires the parties to go to mediation. CRD also settles complaints during the course of a prosecution.

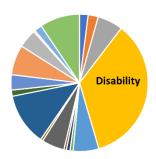
The amounts listed below reflect the monetary value of settlements that respondents or defendants agreed to pay to complainants or others, and that complainants or others agreed to accept to resolve their civil rights cases.

	NUMBER OF SETTLEMENTS	TOTAL SETTLEMENT AMOUNTS
Enforcement Division	264	\$ 948,259.71
Dispute Resolution Division – Voluntary	377	\$ 8,041,188.14
Dispute Resolution Division – Right to Sue	3	\$ 169,750
Dispute Resolution Division – Right to Sue		
Small Employer	6	\$ 209,500
Dispute Resolution Division – Appeals	11	\$ 233,200
Dispute Resolution Division/Legal (SB 1038 & Post Civil)	4	\$ 222,000
Legal Division	9	\$ 623,500
TOTAL	674	\$10,447,397.85

The reported settlement amounts reflect monetary recovery only. Most CRD settlements also include "affirmative relief" in the form of injunctions, training and monitoring, or changes in policies that increase fair employment or housing opportunities, or that decrease the likelihood of future discrimination or hate violence. Some settlements include only affirmative relief and no economic recovery.

CASE HIGHLIGHT

DISABILITY DISCRIMINATION IN HOUSING



In 2021, the most commonly cited basis for discrimination in housing was disability. CRD's fact sheet about disability discrimination in housing is available in 6 languages at: www.calcivilrights.ca.gov/posters/housing.

A mother and her minor son, who has intellectual and mental health disabilities, filed a disability discrimination complaint against a municipal housing authority. The family alleged that they required a unit large enough for the son and a live-in attendant to have their own bedrooms. The family presented medical documentation of the need for a live-in attendant and had received an appropriate voucher from the housing authority where the family previously lived, but according to their complaint, staff with the new housing authority refused to issue a housing voucher for a unit with a bedroom for the child's live-in attendant.

Following a voluntary mediation with CRD, the parties reached a settlement agreement that provided for a payment of \$75,000 to the complainants. In addition to the monetary payment, the housing authority agreed to require its staff to undergo fair housing training and to modify its policies and practices regarding reasonable accommodations so as to permit separate bedrooms for live-in attendants, not impose fees for reasonable accommodations, accept requests for accommodations in any verbal or written form, and clarify the scope of medical documentation it can seek when considering a reasonable accommodation request.



LEGAL HIGHLIGHTS

In 2021, CRD's Legal Division focused on the investigation and litigation of over a dozen ongoing group and class claims brought to enforce the civil rights of thousands of California workers throughout the state involving a broad spectrum of industries including agriculture, entertainment, manufacturing, government, technology, and healthcare. In 2021, the Legal Division filed three new group or class cases, involving group or class allegations covering approximately over 10,000 aggrieved persons. In addition, the Legal Division remained active on ongoing cases and new initiatives, including:

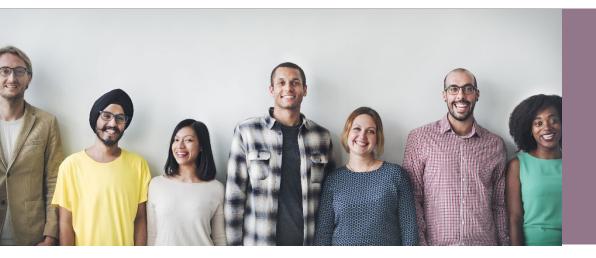
- The Legal Division filed one Director's Complaint and continued its investigations into an additional 10 Director's Complaints. Additional cases were designated as group and class investigations. These are matters which collectively cover thousands of potential victims of discrimination, harassment, or retaliation in California.
- The Legal Division's attorneys also supported over 100 priority investigations for the Enforcement Division, providing feedback and guidance to the Enforcement Division investigators on matters involving potential systemic as well as individual cases of discrimination, harassment or retaliation in employment, housing, and public accommodation.

In 2021, the Legal Division achieved the following judgment:

• Judgment for \$310,750 and injunctive relief in a matter involving the sexual harassment of a worker at a social club in Los Angeles County.

In 2021, the Legal Division achieved the following settlements:

- Settlement for \$165,000 and affirmative relief in a matter involving sex and age discrimination against a food delivery employee in Monterey County.
- Settlement for \$24,000 and affirmative relief in a matter involving retaliation against a government employee following a complaint of sexual harassment in Modoc County.
- Settlement for \$125,000 and affirmative relief in a matter involving a transgender woman denied access to locker room facilities by a franchisee of a national fitness club operation.
- Settlement of sexual harassment claim against Central Valley law firm for \$12,000 and affirmative relief.
- Settlement of sexual harassment lawsuit involving claims brought by two employees of a Central Valley funeral home for \$87,500 and affirmative relief.
- Settlement of two group/class investigations of sexual harassment and sex discrimination claims against a statewide consumer goods retailer for a total of \$130,000 and affirmative relief.
- Settlement of a sexual harassment claim against a statewide auto parts retailer for \$60,000 and affirmative relief.
- Settlement of allegations of a sex discrimination matter against a Central Coast school district regarding policies and procedures for employees requiring lactation facilities for \$20,000 and affirmative relief.



U AND T VISA CERTIFICATIONS

The Victims of Trafficking and Violence Protection Act of 2000 created the U Visa and the T Visa, which are available to certain immigrants who are victims of serious crimes. Immigrants who are victims of various qualifying crimes, such as rape, felonious assault, and kidnapping, may be eligible for a U Visa, and immigrants who are victims of human trafficking may be eligible for a T Visa. To obtain a U or T Visa, victims must demonstrate to United States Citizenship and Immigration Services (USCIS) their willingness to cooperate in the investigation or prosecution of the crime, among other requirements.

A U or T Visa application must be supported by a certification from a law enforcement agency, prosecutor's office, judge, family protective services office, the EEOC, a department of labor, or another similar investigative agency.

As a state investigative agency, CRD is authorized to provide U and T Visa certifications and is required to report data about those certifications to the Legislature pursuant to California Penal Code section 679.10.

In 2021, CRD received 7 requests for U Visa certifications (Form I-918 Supplement B). Of these, 5 requests were signed and 2 were not signed when the requestors did not submit necessary information. CRD received 0 requests for T Visa certifications (Form I-914 Supplement B).

APPENDIX A: LAWS ENFORCED BY CRD

The Civil Rights Department's statutory mandate is to protect the people of California from discrimination in employment, housing, public accommodations, and state-funded programs and activities, and from bias-motivated violence and human trafficking, pursuant to the California Fair Employment and Housing Act (FEHA), Equal Pay Act, Unruh Civil Rights Act, Disabled Persons Act, Ralph Civil Rights Act, Trafficking Victims Protection Act, and Government Code section 11135.

The FEHA (Gov. Code § 12900 et seq.) prohibits workplace discrimination and harassment on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex (including pregnancy, childbirth, or related medical conditions), gender, gender identity, gender expression, age, sexual orientation, and military and veteran status, or because another person perceives the employee to have one or more of these characteristics.

Included in the FEHA is the California Family Rights Act (CFRA). Effective January 1, 2021, CFRA applies to California state and local governments and to private employers of five or more employees.

With regard to housing, the FEHA prohibits discrimination and harassment on the basis of race, color, religion, sex (including pregnancy, childbirth, or related medical conditions), gender, gender identity, gender expression, sexual orientation, marital status, military or veteran status, national origin, ancestry, familial status, source of income, disability, and genetic information, or because another person perceives the tenant or applicant to have one or more of these characteristics.

The FEHA also mandates reasonable accommodation of religious beliefs or observances in the workplace, including religious dress and grooming practices; requires employers and housing providers to reasonably accommodate persons with disabilities; and prohibits covered entities from retaliating against any person because the person opposed practices forbidden by the FEHA or filed a complaint, testified, or assisted in any CRD or court proceeding related to a FEHA claim.

The Unruh Civil Rights Act (Civ. Code § 51) prohibits business establishments in California from discriminating in the provision of services, accommodations, advantages, facilities and privileges to clients, patrons and customers because of their sex, race, color, religion, ancestry, national origin, disability, medical condition, genetic information, marital status, sexual orientation, citizenship, primary language, or immigration status.

Similarly, the Disabled Persons Act (Civ. Code § 54 et seq.) provides that individuals with disabilities or medical conditions have the same right as the general public to the full and free use of streets, highways, sidewalks, walkways, public buildings, medical facilities (including hospitals, clinics, and physicians' offices), and privileges of all common carriers, airplanes, motor

vehicles, railroad trains, motorbuses, streetcars, boats, or any other public conveyances or modes of transportation (whether private, public, franchised, licensed, contracted, or otherwise provided), telephone facilities, adoption agencies, private schools, hotels, lodging places, places of public accommodation, amusement, or resort, and other places to which the general public is invited, subject only to the conditions and limitations established by law, or state or federal regulation, and applicable alike to all persons.

The Ralph Civil Rights Act (Civ. Code § 51.7) guarantees the right of all persons within California to be free from any violence, or intimidation by threat of violence, committed against their persons or property because of political affiliation, or on account of sex, race, color, religion, ancestry, national origin, disability, medical condition, genetic information, marital status, sexual orientation, citizenship, primary language, or immigration status, or position in a labor dispute, or because another person perceives them to have one or more of these characteristics.

CRD has jurisdiction to investigate and prosecute violations of the California Trafficking Victims Protection Act (Civ. Code § 52.5). The law provides a civil cause of action for victims of human trafficking, defined by California law as the deprivation or violation of the personal liberty of another person with the intent to obtain forced labor or services, including sex.

CRD also has jurisdiction to investigate and prosecute violations of statutes (Gov. Code § 11135 et seq.) prohibiting discrimination against recipients of state funding in their activities or programs because of sex, gender (including pregnancy, childbirth, breastfeeding, or related medical conditions), race, color, gender identity, gender expression, religion, creed, ancestry, national origin, ethnic group identification, age, physical disability, mental disability, medical condition, genetic information, marital status, or sexual orientation.

APPENDIX B: COMPLAINTS FILED BY BASES

TABLE 1: EMPLOYMENT COMPLAINT BASES

Age (40 and over)	784
Ancestry	487
Association with someone of a protected class	80
Color	408
Disability	1700
Family Care or Medical Leave (CFRA)	180
Family Care or Medical Leave (CFRA) (employers of 50 or more people)	3
Gender identity or expression	82
Genetic information or characteristic	5
Marital status	66
Medical condition (cancer or genetic characteristic)	74
Military and veteran status	40
National origin (includes language restrictions)	513
Other	148
Participated as a witness in a discrimination or harassment complaint	122
Pregnancy, childbirth, breast feeding, and/or related medical conditions	169
Race	1255
Religious creed (includes dress and grooming practices)	169
Reported or resisted any form of discrimination or harassment	1754
Reported patient abuse (hospital employees only)	14
Requested or used a disability-related accommodation	1024
Requested or used a pregnancy-disability-related accommodation	105
Requested or used a religious accommodation	53
Requested or used baby bonding leave (employers of 20-49 people)	1
Requested or used leave under the California Family Rights Act or FMLA	427
Sex/Gender	1293
Sexual harassment- Quid Pro Quo	52
Sexual harassment- hostile environment	513
Sexual orientation	209
TOTAL BASES*	11,730
TOTAL CASES	3,337

Requests for Immediate Right-to-Sue not included

TABLE 2: EMPLOYMENT RIGHT-TO-SUE BASES

Age (40 and over)5,384Ancestry2,439Association with a member of a protected class3,553Color3,558Criminal History238Disability (physical or mental)10,803Family Care or Medical Leave (CFRA)9,501Family Care of Medical Leave (CFRA) (employers of 50 or more people)13Genetic information or characteristic1,103Marital status1,057Medical condition (cancer or genetic characteristic)4,798Military and veteran status436National origin (includes language restrictions)3,623Other5,965Participated as a witness in a discrimination or harassment complaint2,349Pregnancy, childbirth, breast feeding, and/or related medical conditions1,226Race5,647Religious Creed - Includes dress and grooming practices1,370	
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Pregnancy, childbirth, breast feeding, and/or related medical conditions1,226Race5,647	
Race 5,647	
Religious Creed - Includes dress and grooming practices1,370	
Reported or resisted any form of discrimination or harassment 6,798	
Reported patient abuse (hospital employees only) 241	
Requested or used a disability-related accommodation 4,019	
Requested or used a pregnancy-disability-related accommodation 559	
Requested or used a religious accommodation 466	
Sex/Gender 6,605	
Sexual harassment- Quid Pro Quo 2,152	
Sexual harassment- hostile environment 4,984	
Sexual orientation 1,377	
TOTAL BASES* 91,768	
TOTAL CASES 11,637	

TABLE 3: HOUSING COMPLAINT BASES

Ancestry	28
Association with someone of a protected class	33
Color	83
Disability	496
Familial status (Children)	86
Gender identity or expression	10
Marital status	12
Military and veteran status	8
National origin (includes language restrictions)	75
Other	8
Race	172
Religious creed (includes dress and grooming practices)	20
Reported or resisted any form of discrimination or harassment	50
Requested or used a disability-related accommodation	98
Sex/Gender	61
Sexual harassment- Quid Pro Quo	5
Sexual orientation	25
Source of income	131
TOTAL BASES*	1401
TOTAL CASES	898

TABLE 4: RALPH CIVIL RIGHTS ACT COMPLAINT BASES

Age	1
Ancestry	10
Color	11
Disability	4
National origin (includes language restrictions)	10
Other	1
Race	22
Religious creed (includes dress and grooming practices)	2
Sex/Gender	28
Sexual orientation	10
TOTAL BASES*	99
TOTAL CASES	45

TABLE 5: UNRUH CIVIL RIGHTS ACT COMPLAINT BASES

Ancestry	22
Color	37
Disability	110
Gender identity or expression	8
Genetic information or characteristic	1
Marital Status	4
Medical condition (cancer or genetic characteristic)	4
National origin (includes language restrictions)	23
Other	12
Primary Language	7
Race	87
Religious creed	14
Sex/Gender	53
Sexual orientation	13
TOTAL BASES*	395
TOTAL CASES	262

TABLE 6: GOVERNMENT CODE 11135 COMPLAINT BASES

Ancestry	6
Association with someone of a protected class	1
Citizenship	1
Color	4
Disability	21
Gender identity or expression	8
National origin (includes language restrictions)	6
Race	8
Religious creed (includes dress and grooming practices)	3
Sex/Gender (includes gender identity or expression)	10
TOTAL BASES*	68
TOTAL CASES	36

*Total bases exceeds total cases because a complaint may be filed on more than one basis.

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APPENDIX C: CALIFORNIA COUNTY OF COMPLAINT FILED

County of Violation	CC54	Fair Chance Act	Employment	Equal Pay Act	GC11135	Housing	Human Trafficking	Ralph	Right- to-Sue	SHPT	Unruh	Total
Alameda	1	6	258	1	2	31	0	4	332	0	10	645
Amador	0	0	4	0	0	0	0	0	6	0	0	10
Butte	0	2	14	0	0	4	0	0	30	0	1	51
Calaveras	0	0	1	0	0	0	0	0	1	0	0	2
Colusa	0	0	3	0	0	0	0	0	4	0	2	9
Contra Costa	0	5	110	0	0	24	2	0	157	1	4	303
Del Norte	0	0	2	0	0	4	0	0	2	0	0	8
El Dorado	0	2	12	0	0	3	0	1	14	1	2	35
Fresno	0	5	96	0	1	35	0	2	129	0	6	274
Glenn	0	0	0	0	0	1	0	0	0	0	0	1
Humboldt	0	0	18	0	0	8	0	0	17	0	0	43
Imperial	0	0	12	0	0	2	0	0	19	0	0	33
Inyo	0	0	1	0	0	0	0	0	5	0	0	6
Kern	0	4	107	1	2	6	0	1	124	0	5	250
Kings	0	0	13	0	0	1	0	0	23	0	0	37
Lake	0	0	3	0	0	0	0	0	6	0	1	10
Lassen	0	0	3	0	0	2	0	0	2	0	1	8
Los Angeles	4	26	647	6	4	315	1	14	3297	3	59	4376
Madera	0	1	10	0	0	1	0	0	14	0	0	26
Marin	0	1	33	0	0	5	0	0	39	0	0	78
Mariposa	0	0	0	0	2	1	0	0	0	0	1	4
Mendocino	0	0	6	0	0	3	0	0	6	0	1	16
Merced	0	0	20	0	0	3	0	1	27	0	1	52
Modoc	0	0	0	0	0	0	0	0	1	0	0	1
Mono	0	0	3	1	0	0	0	0	3	0	0	7
Monterey	1	0	42	0	0	9	0	1	158	0	1	212
Napa	0	0	13	0	0	6	0	0	19	0	0	38
Nevada	0	0	5	0	0	2	0	0	11	0	0	18
Orange	2	6	166	0	2	63	0	2	1074	1	20	1336
Placer	0	2	30	0	0	5	0	0	66	0	8	111
Plumas	0	0	1	0	0	0	0	0	4	0	0	5

Riverside	0	6	132	0	1	36	0	1	397	0	10	583
Sacramento	1	5	257	1	10	61	0	3	326	0	20	684
San Benito	0	0	2	0	0	0	0	0	8	0	0	10
San Bernardino	0	12	145	1	0	27	0	1	521	0	13	720
San Diego	0	9	187	3	5	79	0	3	612	0	21	919
San Francisco	1	12	166	4	2	23	0	3	308	0	23	542
San Joaquin	0	4	84	0	1	9	0	1	113	0	4	216
San Luis Obispo	0	0	12	0	0	3	0	0	35	0	0	50
San Mateo	0	7	73	1	0	9	0	1	134	0	4	229
Santa Barbara	0	0	39	1	0	7	0	0	75	0	2	124
Santa Clara	0	8	175	1	0	26	0	3	299	0	14	526
Santa Cruz	2	1	18	0	1	2	0	2	32	0	2	60
Shasta	0	1	14	0	0	8	0	0	20	0	0	43
Siskiyou	0	0	6	0	0	0	0	1	7	0	1	15
Solano	0	3	50	0	0	8	0	0	53	1	3	118
Sonoma	0	3	42	1	0	12	0	0	58	0	3	119
Stanislaus	0	0	37	1	1	4	0	0	53	0	3	99
Sutter	0	0	3	0	0	1	0	0	10	0	0	14
Tehama	0	0	4	0	0	1	0	0	4	0	0	9
Trinity	0	0	0	0	0	0	0	0	2	0	0	2
Tulare	1	0	36	0	1	5	0	0	48	0	0	91
Tuolumne	0	0	9	0	0	0	0	0	3	0	0	12
Unknown	0	0	0	0	0	0	0	0	1	0	0	1
Ventura	2	3	61	1	1	13	0	0	195	0	3	279
Yolo	0	2	37	0	0	6	0	0	32	0	3	80
Yuba	0	0	1	0	0	2	0	0	0	0	0	3

APPENDIX D: DEMOGRAPHIC INFORMATION

TABLE 1: RACE

	CC54	Fair Chance Act	Employment	Equal Pay Act	GC11135	Housing	Human Trafficking	Ralph	Right- to-Sue	SHPT	Unruh	TOTAL
American Indian, Native American or Alaska Native	1	0	63	0	1	11	0	0	22	0	4	102
Asian	1	5	207	1	1	30	2	2	106	1	15	371
Black or African American	1	34	723	10	8	191	0	14	339	0	75	1395
Native Hawaiian or Other Pacific Islander	0	7	20	0	1	2	0	0	9	0	1	40
White	4	88	797	2	7	133	0	4	426	3	63	1527
Other	2	9	432	2	3	66	1	9	268	1	19	812

TABLE 2: ETHNICITY

	CC54	Fair Chance Act	Employment	Equal Pay Act	GC11135	Housing	Human Trafficking	Ralph	Right- to-Sue	SHPT	Unruh	TOTAL
Hispanic or Latino	2	46	784	4	3	97	1	9	530	1	35	1512
Non-Hispanic or Latino	6	97	1488	11	15	312	2	20	669	4	134	2758

TABLE 3: NATIONAL ORIGIN

	CC54	Fair Chance Act	Employment	Equal Pay Act	GC11135	Housing	Human Trafficking	Ralph	Right- to-Sue	SHPT	Unruh	TOTAL
Afghani	0	0	4	0	0	0	0	0	0	0	0	4
American [U.S.]	7	89	1133	0	9	216	0	7	519	3	95	2078
Asian Indian	0	0	22	0	1	1	0	0	10	0	1	35
Cambodian	0	0	1	0	0	0	0	0	3	0	1	5
Canadian	0	0	7	0	0	0	0	0	2	0	0	9
Chinese	0	0	40	0	0	8	0	0	23	0	1	72
Cuban	0	1	3	0	0	0	0	0	1	0	0	5
Dominican	0	0	2	0	0	1	0	0	1	0	0	4
Egyptian	0	0	4	0	0	1	0	0	6	0	0	11
English	0	1	44	0	0	14	0	0	16	2	2	79
Ethiopian	0	0	3	0	0	3	0	0	2	0	0	8
Fijian	0	0	6	0	0	0	0	0	1	0	0	7
Filipino	0	7	51	0	0	2	0	0	14	0	2	76
German	0	1	14	0	0	6	0	0	2	0	1	24
Ghanaian	0	0	2	0	0	0	0	0	0	0	0	2
Guamanian	0	0	0	0	0	0	0	0	2	0	0	2
Haitian	0	0	4	0	0	1	0	0	1	0	0	6
Hawaiian	0	0	1	0	0	0	0	0	0	0	0	1
Hmong	0	0	4	0	0	0	0	0	1	0	0	5
Indonesian	0	0	0	0	0	0	0	0	1	0	0	1
Iranian	0	0	23	0	0	8	0	1	16	0	0	48
Iraqi	0	0	3	0	0	0	0	0	3	0	0	6
Irish	0	2	10	0	0	2	0	0	1	0	1	16
Israeli	0	0	5	0	0	0	0	0	4	0	1	10
Italian	0	1	6	0	0	1	0	0	6	0	3	17
Jamaican	0	0	3	0	0	1	0	0	0	0	0	4
Japanese	0	0	2	0	0	0	0	0	5	0	0	7

	CC54	Fair Chance Act	Employment	Equal Pay Act	GC11135	Housing	Human Trafficking	Ralph	Right- to-Sue	SHPT	Unruh	TOTAL
Korean	0	0	7	0	0	0	1	0	4	0	0	12
Laotian	0	0	1	0	0	0	0	0	0	0	1	2
Lebanese	0	0	4	0	0	0	0	0	1	0	0	5
Malaysian	0	0	1	0	0	0	0	0	0	0	0	1
Mexican	0	23	317	1	1	37	0	5	171	0	12	567
Nigerian	0	0	12	0	0	2	0	1	6	0	0	21
Pakistani	0	2	12	0	0	2	0	0	5	0	3	24
Puerto Rican	0	0	7	0	0	2	0	0	2	0	0	11
Salvadoran	0	2	17	0	0	2	1	0	17	0	1	40
Samoan	0	0	1	0	0	0	0	0	1	0	0	2
Sri Lankan	0	0	1	0	0	1	0	0	1	0	0	3
Syrian	0	0	1	0	0	0	0	0	1	0	1	3
Taiwanese	0	0	5	0	0	0	0	1	1	0	0	7
Thai	0	0	0	0	0	0	0	0	1	0	0	1
Vietnamese	0	0	24	0	0	1	0	0	10	0	0	35
Other African	0	3	18	0	3	5	0	0	7	0	1	37
Other Asian	0	0	9	0	0	0	0	1	2	0	1	13
Other				•					2			
Caribbean	0	1	4	0	0	0	0	0	2	0	1	8
Other European Other	0	0	21	0	0	6	0	0	11	0	4	42
Hispanic/Latino	0	5	75	0	0	10	0	0	45	0	2	137
Other Middle												
Eastern	0	0	14	0	0	4	0	0	4	0	2	24
Other	1	3	55	0	4	7	0	2	19	0	4	95

TABLE 4: SEXUAL ORIENTATION

	CC54	Fair Chance Act	Employment	Equal Pay Act	GC11135	Housing	Human Trafficking	Ralph	Right- to-Sue	SHPT	Unruh	TOTAL
Straight or Heterosexual	6	62	1614	0	12	237	2	9	716	4	106	2768
Gay or Lesbian	0	3	166	0	2	35	0	8	73	0	16	303
Bisexual	0	0	69	0	0	7	0	0	20	1	3	100
Other	1	0	47	0	1	8	0	2	19	0	5	83

TABLE 5: SEX

	CC54	Fair Chance Act	Employment	Equal Pay Act	GC11135	Housing	Human Trafficking	Ralph	Right- to-Sue	SHPT	Unruh	TOTAL
Male	3	97	1058	0	6	144	3	13	671	3	78	2076
Female	5	44	1460	10	13	259	0	20	917	2	92	2822
Non-Binary	0	0	22	0	2	6	0	0	6	1	3	40
Other	0	0	10	0	0	2	0	0	1	0	2	15