



## Commission on Human Rights

**FOR IMMEDIATE RELEASE: SEPTEMBER 14, 2020**

**CONTACT:** Alicia McCauley, [amccauley@cchr.nyc.gov](mailto:amccauley@cchr.nyc.gov), 646-385-5364

### **NYC COMMISSION ON HUMAN RIGHTS ANNOUNCES \$7.5 MILLION IN DAMAGES AND PENALTIES FOR FISCAL YEAR 2020, THE MOST IN COMMISSION HISTORY, SURPASSING PREVIOUS RECORDS FOR THE FIFTH YEAR IN A ROW**

*Since 2015, the Commission has increased damages and penalties by 550%. In FY 2020, the Commission closed a record 1,066 cases, reduced case processing times by 100 days, and connected with nearly 100,000 New Yorkers through community outreach.*

**NEW YORK**—The NYC Commission on Human Rights announced today that it has assessed a record \$7.5 million in damages and penalties for violations of the NYC Human Rights Law in Fiscal Year 2020. That figure consists of over \$6.5 million in damages and nearly \$970,000 in civil penalties. These figures exceed the damages and penalties in Fiscal Year 2019 by 18 percent and nearly doubled the damages and penalties compared to Fiscal Year 2018. In 2014, the year prior to Chair and Commissioner Carmelyn P. Malalis’ appointment to the agency, the Commission assessed \$1.2 million in damages and penalties. The Commission also expanded its commitment to restorative justice in FY 2020, applying novel remedies to repair harm experienced by both individuals and communities.

“Despite the challenges of this unprecedented year, our agency has, for yet another year, brought meaningful resolutions to human rights violations across the city, holding violators accountable and providing redress to victims,” **said Carmelyn P. Malalis, Chair and Commissioner of the NYC Commission on Human Rights.** “From landmark restorative justice measures, to the rapid formation of a COVID-19 Response Team, to obtaining unprecedented monetary relief for impacted individuals—I could not be prouder of the dedication and sacrifice of this team under extraordinarily difficult circumstances this year. New Yorkers depend on the Commission to aggressively enforce the New York City Human Rights Law. Buoyed by these successes, we forge ahead with a renewed resolve to the fight for the human rights of all New Yorkers.”

While assessing a record level of damages and penalties, the Commission also closed a new high of 1,066 cases and reduced the average case processing time by 100 days, despite shifting to remote operations in March 2020. The Commission’s Law Enforcement Bureau filed 525 new cases in FY 2020 and completed 403 successful emergency interventions. The Commission settled 264 cases in FY 2020, of which 43 were settled through mediation. The number of mediated cases rose from the prior fiscal year.<sup>1</sup> The agency received an increased number of reports of discrimination in FY 2020, from 9,804 in FY 2019 to 10,015 in FY 2020. Consistent with past years, the protected categories of disability, gender, and race were the top three most-reported areas of discrimination. Gender discrimination, including discrimination on the basis of

---

<sup>1</sup> This press release has been corrected to reflect accurate counts of settlements and mediations.

gender identity and sexual harassment cases, accounted for the largest share of damages and penalties, over \$3 million.

The COVID-19 outbreak presented unique challenges to the Commission. Beginning in February 2020, New Yorkers began reporting discrimination related to the pandemic. Anti-Asian bias comprised nearly 40 percent of all COVID-19-related reports. In order to respond quickly to the influx, the Commission created a COVID-19 Response Team, made up of multi-lingual staff across the agency. From February 2020 through July 2020, the COVID-19 Response Team fielded 478 reports of discrimination, 167 of which included an element of anti-Asian discrimination. By comparison, the Commission received just 22 reports of anti-Asian discrimination during the same time period the year prior.

As part of the Commission's mandate to build intergroup understanding and respect, the Commission expanded its commitment to restorative justice in FY 2020. The Commission's restorative justice approach to bias and discrimination centers the experience of the harmed person and involves all stakeholders to decide what should be done to repair harm, create accountability, and reduce the likelihood of future harm. In addition to substantial monetary relief for emotional distress, the Commission reached settlements that uphold this restorative justice framework, including creating internship programs for underserved communities, mandating trainings for national and international staff, mediating apologies, establishing employment pipelines, and facilitating partnerships with local organizations for community service. Restorative justice agreements were negotiated with fashion house Prada, the YMCA of Greater New York, and clothing retailer Zara, among others.

Similarly, the Commission's Source of Income Unit negotiated multiple "set-aside" requirements in conciliation agreements, wherein housing providers reserve a percent of the landlord's units for tenants using housing vouchers. The novel strategy is a unique form of restorative justice in source of income discrimination cases, allowing the Commission to repair the harm an individual faced while also seeking to address the broader crisis of access to housing for voucher holders.

The Commission's Community Relations Bureau (CRB) grew its community outreach numbers in FY 2020, despite most outreach work going virtual in March. The CRB increased the number of New Yorkers served by 20 percent compared to the prior year, directly connecting with nearly 100,000 people for the first time in a decade. In response to a rise in anti-Asian discrimination, the Commission held five interagency Bias and Hate Reporting Town Halls in English, Mandarin, Korean, Japanese, and Tagalog. Additionally, the Commission held 13 bystander intervention trainings with community partners. The Bias Response Team, housed within CRB, responded to 467 bias incidents, nearly double that of last fiscal year. CRB staff conducted over 300 youth conferences and launched the Youth for Equity and Solidarity (Y.E.S.) Council in FY 2020.

The New York City Commission on Human Rights enforces the New York City Human Rights Law—one of the most protective in the nation. The law includes 26 protected classes in housing, employment, and public accommodations. The Commission's annual report which details the types and numbers of cases by protected category, as well as Commission outreach efforts, is scheduled to be released on September 30, 2020.

###