

Dr. Paul Fessler and Donald Roth

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Dr. Paul Fessler

PROFESSOR OF HISTORY

Dr. Paul Fessler and Donald Roth ('07) serve on the U.S. Commission for Civil Rights' Iowa State Advisory Committee. According to the U.S. Commission on Civil Rights website, the committees are comprised of "citizen volunteers familiar with local and state civil rights issues" who are willing to "assist the Commission with its fact-finding, investigative, and information dissemination functions."

Fessler and Roth were both asked to be on the committee to help balance the group ideologically. It's unusual that two professors from the same university would be asked to participate on the committee, as most members are lawyers and civil rights advocates. Roth also has a law degree.

Every year, the committee chooses a topic to research. In 2022, the committee examined employment discrimination and administrative closures. Every state has a federal employment practices agency responsible for investigating alleged civil rights violations. Iowa has its own committee, the Iowa Civil Rights Commissions (ICRC), which investigates discrimination cases related to employment, housing, public accommodation, education, and credit. Nearly 75 percent of the violations are employment related. When a complaint is filed, the ICRC uses a screening process in which the respondent and the complainant answer a series of questions and submit supporting documents. The person submitting the complaint isn't interviewed, and there are several points along the way where the complaint can be screened out—that is, closed. In fact, the ICRC administrative closure rate is about 60 percent.

"This procedure is unique to Iowa and has a much higher closure rate than any other states," says Roth.

That high closure rate led Roth, Fessler, and the other Iowa Advisory Committee members to focus on employment discrimination and administrative closures: might there be justice and civil rights concerns, especially regarding due process procedures?



THE REPORT

To see a copy of the committee's report, visit the QR code link.



"An administrative closure doesn't necessarily tell you if you have a good or bad claim; it just tells you they're not going to deal with it. Some cases have later been pursued, and the people involved went on to win a lawsuit," says Roth. "That raises questions about whether the process itself is good."

Fessler and Roth both conducted interviews to help better understand what some of those directly impacted by the administrative closures went through. The committee met once a month via Zoom to discuss what they had found and to determine the best way forward.

"We also did interviews with states that are considered our peers by size, like Nebraska," says Fessler. "We wanted to learn what their processes looked like and how much state funding they received."

Overall, Roth felt that despite ideological differences between committee members, "this type of work is the kind where you can work across the aisle."

The committee submitted their research in a 37-page report to the federal government for review in January. "It is shared with other states and is currently available online," says Roth.

Roth and Fessler have two remaining years in their four-year term and will work with the committee again this year to come up with a research topic. Looking back at what they accomplished last year, they are proud to have researched employment discrimination and administration closures.

"It seemed like a topic where we could actually make a difference," says Fessler. "I hope we can find another issue that's appropriate for what we have the opportunity to do."

Donald Roth

PROFESSOR OF CRIMINAL JUSTICE AND BUSINESS