

Subject: EEOC Claim

From: Paul Tribble <ptrible@cnu.edu>

Date: Fri, 04 Apr 2003 17:03:26 -0500

To: facstaff@cnu.edu

I was advised yesterday that the EEOC has determined that there is "reasonable cause" to believe that CNU violated the civil rights of two former employees, William Nowinsky and Peggy Thomas, and wants us to reinstate them and sanction other members of our police department for creating a racially hostile work environment.

The Attorney General's office and I agree that the determination of reasonable cause has no basis in fact or law. Unlike the EEOC, CNU investigated these allegations aggressively and exhaustively and determined that these are unfounded allegations of disgruntled former employees.

On August 5, 2002, two individuals filed three separate complaints against two CNU police officers with our Director of Equal Opportunity. The complainants alleged racial profiling by one officer and the possible use of racial epithets by both officers. The complaining individuals also raised an issue about a traffic stop that involved a CNU student who was African-American. It was their contention that race played a role in how the traffic stop was handled. An investigation into these claims began immediately. In addition to the two complainants, sixteen people were interviewed extensively. The racial breakdown of the people interviewed was five African-American males, four Caucasian males, two African-American females, four Caucasian females, and one unknown female. The total time spent interviewing all the witnesses and parties involved was approximately thirty hours. The two accused officers denied the allegations, and no witnesses or evidence collected corroborated the claims. It was found that the three officers involved in the traffic stop - one white and two African-American -- said that the stop had been handled appropriately and that race had not been a factor. Moreover, we pulled all traffic stop records of the white officer who is the subject of these complaints and compared them to the whole department on the basis of race and found no evidence of racial profiling. Our Director of Equal Opportunity detailed all of these findings in her 74-page report in which she concluded that the claims were totally unsubstantiated.

Nothing in the sparse and conclusory findings of the EEOC causes the University to question the correctness of our original conclusion. To our knowledge, the EEOC did not interview a single witness beyond the complainants. The EEOC investigator never visited our campus. The investigator did not question any of our current employees. The investigator did not interview CNU's Director of Equal Opportunity who conducted a lengthy and comprehensive investigation. The EEOC's findings consist of a single paragraph. There is no explanation of the factual basis for this determination.

Christopher Newport is a community of students, faculty and staff who treat each other with respect and courtesy and we hold all people to that standard. The kind of conduct alleged by the complainants will never be tolerated by me or anyone else on this campus.