



U.S. Department
of Transportation
**Federal Highway
Administration**

JUN 13 2018

1200 New Jersey Ave., S.E.
Washington, DC 20590

In Reply Refer To: HCR-20
DOT# 2018-0236

(b) (6)

Dear **(b) (6)**:

This letter is in reference to your complaint of discrimination, dated February 2nd, 2018, to the North Dakota Department of Transportation. In the complaint, you alleged that you have been discriminated against on the basis of disability by a highway patrol officer in Fargo, North Dakota.


After a thorough review of your complaint, the FHWA has determined that we do not have jurisdiction over law enforcement officers. The issue you raised regarding law enforcement officers is within the U.S. Department of Justice (DOJ) jurisdiction. The DOJ has responsibility for issues involving misconduct of police officers/law enforcement. Therefore, we have forwarded your complaint to DOJ for review and/or appropriate action. You may contact the DOJ at:

Ms. Rebecca Bond
Chief, Disability Rights Section
U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Please be advised that the FHWA's Office of Civil Rights has responsibility to investigate individual complaints of discrimination involving violations of the Americans with disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, and Title VI of the Civil Rights Act of 1964. These statutes prohibit discrimination based on disability, race, color, nation origin, sex and age under any program or activity receiving Federal financial assistance.

If this office can be of assistance to you in any matter within the FHWA's enforcement responsibility, please contact us at (202) 366-0693, or at the address noted above.

Sincerely,



Nichole McWhorter
Title VI Program Team Leader

cc: Wendall Meyer, Division Administrator, FHWA's North Dakota Division Office
Pamela Todd, Civil Rights Specialist, FHWA's North Dakota Division Office
James Esselman, Senior Attorney Advisor, FHWA's Office of Chief Counsel
Yvette Rivera, Associate Director, Equal Employment Opportunity Programs Division



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Ms. Rebecca Bond
Chief, Disability Rights Section
U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Ms. Bond:

The enclosed complaint filed by (b) (6) is being forwarded to your office for appropriate action. The complaint was received in the Federal Highway Administration's (FHWA), Office of Civil Rights. In the complaint, (b) (6) alleges that a highway patrol officer discriminated against him on the basis of disability.

After a thorough review of (b) (6) complaint, the FHWA has determined that we do not have jurisdiction over the allegation, since it involves a police entity. For this reason, we are referring the complaint to your office for further processing. (b) (6) has been advised of this referral (copy enclosed).

If you have any questions, please contact us at (202) 366-1396.

Sincerely,

Nichole McWhorter
Title VI Program Team Leader

Enclosure

cc: Wendall Meyer, Division Administrator, FHWA's North Dakota Division Office
Pamela Todd, Civil Rights Specialist, FHWA's North Dakota Division Office
James Esselman, Senior Attorney Advisor, FHWA's Office of Chief Counsel
Yvette Rivera, Associate Director, Equal Employment Opportunity Programs Division