



RE Alexandra Distance Marie Wilson VS Love Club LLC

1 message

Mon, Jun 27, 2022 at 5:23 PM

Sharon Stewart <lockwoodcafe@gmail.com>

To: icrc@iowa.gov

To whom it may concern,

Attached is Lockwood Cafe's response to Case Number 04-22-78265,

Please note that in all my responses I refer to Alexandra Distance Marie Wilson as "Sondra" as this is the name I was always presented with and therefore the name I thought best to use.

If you need any further information or clarification, please let me know.

 **Lockwood Response to Case Number 04-22-78265.pdf**

Thank you,
Sharon Stewart
Lockwood Cafe, Owne
415.261.7001
lockwoodcafe@gmail.com

ICRC RECEIVED
JUN 28 2022 4:38

Background - Public Accommodations

1. Sharon Stewart, Owner of Lockwood Cafe.
2. Lockwood Cafe, LLC
3. Sharon Stewart, Female, 437 Hilltop Road, Ames, IA 50014
4. Yes. Iowa
5. One
6. Nine
7. Eight
8. Nine
9. Eight, all are part-time employees
10. Lockwood Cafe is a small restaurant. Our hours of operation are 8a-3p Tuesday - Sunday. We primarily serve Coffee and Crepes. We are a vegetarian restaurant that seeks to be a space that remains safe for the Queer and Trans community as well as POC. Over half the staff identifies as queer. While there are not currently any trans employees, there have been in the past and no longer work at the cafe because they moved out of state.
11. NA.
12. A restaurant
13. Sharon Stewart, owner and manager
- 14.

Sondra began to regularly come to Lockwood Cafe late summer of 2021. She was always very happy to be in the space and expressed she wanted to build community connection. The first day we spoke at any length we spoke about the community garden and she expressed interest in reaching out to potentially help and a passion for prairie. The community garden is not a part of Lockwood Cafe, and rather it is a part of the non profit, Reliable Street Inc. However Lockwood does use the compost site for food waste and has been since Lockwood Cafe opened in October of 2019. Upon meeting Sondra it was apparent that she was very eager to help. However, because of my work load, owning and managing the cafe, I did not have time to help in the garden. Additionally, I quickly realized she was what I would consider an over-communicator. I have learned from previous experience that the best way to signal that I can't communicate at such a high volume is to simply not respond so I backed away from communication.

As a regular she began to build friendships with a few of the individuals who work at Lockwood Cafe, including myself. Two individuals in particular had similar interests including gardening and they began to volunteer with garden. As time went by the amount of her communication, the way that she communicated and the amount of time she spent in the cafe during their shifts increased. In late February, Denise mentioned to me that she felt unheard and disrespected as well as overwhelmed by the volume of texts and communication coming from Sondra. I mentioned this to Lyndsay and she had a conversation with Sondra to encourage her to be an active listener and respect personal boundaries.

On March 29th, Sondra came into Lockwood Cafe and asked if we could talk. In our conversation she brought up that she had spent \$400 on the garden and wanted to brainstorm

ways to recover some of those costs. I explained that she should never spend any money without prior communication on who will be reimbursing her or to see if Reliable Street can get it donated or consider a different option. It was at this point I proposed a meeting between Lyndsay, Sondra, and I to discuss the garden space.

Shortly thereafter, Willa spoke with me about feeling harassed by Sondra and didn't know what to do but wanted to talk about it with me. Lyndsay, Denise, Willa, and I sat down for a conversation so we (Lyndsay and I) could better understand what was happening and discuss how to move forward. It was in this conversation that new information relating to how Denise and Willa were being treated that I became concerned for their health and well being while working in my business. I absolutely want to provide a safe space for customers that come to Lockwood, but providing a safe space for the employees of Lockwood is also vital.

Denise spoke about the passive and direct racism she had experienced from Sondra as well as pulling away from all of the garden conversations because of how much Sondra was communicating. The most recent conversation where Denise was made uncomfortable was when Sondra asked for money to help with the costs of gardening materials. Denise said she was made to feel bad for not providing financial assistance. Additionally Denise was concerned for the highschool students involved in SHEPH (Students Helping to End Poverty and Hunger) as Sondra was also soliciting funding from them as well and her communication on a shared platform was overwhelming to everyone involved. We did not reach out to SHEPH students because we were not looking for more "dirt" on Sondra and by having a conversation with them it could potentially harm Sondra's reputation.

Willa spoke about how Sondra was affecting her health. She was overwhelmed with the communication. She didn't want to hurt Sondra, but She also felt trapped. She explained that she didn't want to come to work, because Sondra came in on her shifts and would wait until she could corner Willa and have her attention. Willa also opened up and told us that early on in her friendship with Sondra, she had asked Willa out. Willa explained to Sondra that she was in a relationship and was not interested in a romantic relationship but happy to be friends. As time went on, Willa began to be overwhelmed by the attention and amount of communication from Sondra but did not know how to approach it. I have spoken with others who were in abusive relationships and all of Willa's body language was that of someone in an abusive relationship. Willa said that Sondra had recently sent her a link to a social media profile that was pornographic in nature and then questioned her if she had seen it and what she thought. She didn't want to be a part of the garden any longer, she was fearful of coming to work, and she didn't want to be forced to have a conversation with Sondra. Additionally Denise said she also no longer wanted to be a part of the community garden because of how Sondra had communicated and the unwillingness to consider outside input. When we asked what outcome they would like to see, they both expressed that they would like her to no longer be in the space.

When we were made aware of Sondra's behavior and actions in relationship to Willa and Denise, it was decided by Lyndsay and I that at this point in time that to continue to provide a safe space we needed to ask her to no longer be involved. This decision was made not just because of what Denise and Willa said, but in combination with Sondra's other behaviors in the space. It seemed pertinent to communicate with Sondra as soon as possible. She and I had already had a meeting planned to discuss garden spending and talk about how to better communicate after she had approached both me and my husband seeking financial assistance for purchases she made relating to the prairie she wanted to plant. Lyndsay and I decided that

we needed to talk with her in person and at the meeting that happened to be set for the following day. In the meantime I told Willa that if Sondra came in, she could do work in the back and that she did not need to engage with Sondra in any way.

I decided the responsible thing to do was protect them from harassment by asking Sondra to no longer be in the space. But I also felt the need to protect their privacy for fear that Sondra might further harass Lockwood employees. Neither Denise nor Willa wanted any further communication with Sondra.

Our conversation with Sondra was intentionally vague in terms of who spoke to us. While others had brought up concern over Sondra's behaviors, we decided the conversation we had with Willa and Denise was enough to make the decision and we did not want to bring anyone else into further conversation as it could potentially damage her reputation. Both Denise and Willa were concerned that if she knew it was them who said something, Sondra would slander their names and potentially harass them further. Sondra was adamant that she should know who said what. At the end of our conversation she said that she would not communicate with either of us any further. Days later I received the attached letter and a facebook message telling me that she had sent a letter. Additionally she continued to communicate with Lyndsay.

After our conversation with Sondra neither Lyndsay nor I reached out to anyone to share what happened as we believed it should stay between the involved parties and not become part of a community dialog or turn into unproductive gossip. We hoped that by not saying anything, she would have the opportunity to grow and find other avenues of community connection and involvement. We were not trying to cause harm to Sondra, rather to maintain the safety of the spaces we are responsible for. However in the following days, numerous individuals reached out to us to inquire what had transpired because Sondra reached out to them asking if they said anything. She was clearly on a mission to find out who had said something to us. We did not slander her name or speak poorly to anyone about her. Even close friends were not told about what transpired as can be seen by the texts messages attached as well as the text messages she attached in her complaint. When she told people her version of events, no one had heard of what happened. Both Denise and Willa did not even tell co-workers, and it was agreed that we would not talk about what had happened to maintain the privacy of all involved parties. As time went on more and more friends and community members reached out to either Lyndsay or myself inquiring what had happened because Sondra had reached out to them. At some point Willa did respond to Sondra as she wanted her to stop messaging her. Willa acknowledged that she was one of the individuals that said something, attached are the messages Willa sent to Sondra. Sondra then began to slander Willa's name within the community.

15. None

16. We have not received a complaint regarding discrimination from anyone, other than Sondra

17. At the time of the conversation where we asked Sondra to no longer come to the Cafe, She said she would have no further communication. I received the attached letter shortly thereafter along with a facebook message to inform me that she had emailed me the letter. She did show up at the property the day after our conversation to pick up art supplies she left. I retrieved said supplies with her. I did not respond to the email and have had no further communication with her.

18. NA

Failure to Hire

1 Sondra was not employed by Lockwood Cafe and has never sought or inquired about employment at Lockwood Cafe

2. There was no position she applied for at Lockwood Cafe

3. To work at Lockwood we perform a three step process before making a hiring decision:

1. A request for employment made by a candidate. Thus far we have never publicly posted we are hiring as we have always had individuals inquire about potential employment. If we had a position and did not have already interested candidates, we would post that we are hiring on our social media.
2. We request an email be sent explaining why they want to work at Lockwood Cafe.
3. An interview with myself and at least two employees of Lockwood Cafe

Because Sondra has never inquired or shown an interest in applying for a position at Lockwood Cafe and no further action towards employment was made

5. NA

6. NA

7. NA

8. NA

9. NA

10. NA

11. NA

12. NA

Failure To Train

1. When an individual is hired at Lockwood Cafe there is a 20 hour training period where the individual learns what the job is and how to properly perform the tasks needed. After the initial 20 hours a conversation with the new hires is had to discuss if more training is needed or wanted and from there the individual is either given more training and / or is given regular shifts. All training is compensated at \$10/hr and when training is complete the individual begins to be a part of the tip pool where tips are split evenly amongst all members of the Lockwood Crew.

2. None, as Sondra was never employed at Lockwood and has never applied for a position there was not employment relationship between Lockwood Cafe and Sondra.

3. Sharon Stewart, owner and manager, female.

4. No.

5. Sondra was never employed by Lockwood Cafe.

6. NA

7. NA

8. All employees receive the same training.

9. Sharon Stewart is responsible to approve training

10. No, Sondra was never employed by Lockwood Cafe

Termination

Sonda Wilson was never employed and therefore never terminated by Lockwood Cafe.

Demotion/Discipline

Respondent Questions - Case Number 04-22-78265

ALEXANDRA DISTANCE MARIE WILSON VS. LOVE CLUB LLC

1. The respondent was not Employed by Lockwood Cafe.
2. The decision to ask Sondra to no longer be involved with the space at Reliable Street Gallery or Lockwood Cafe, including the community garden was made by Lyndsay Nissen and Sharon Stewart.
3. The Complainant was not disciplined. I did not want her in the cafe space as there were staff who were harassed by her behavior.
4. No employees have engaged in similar conduct. Complainant was never employed, and never sought employment at Lockwood Cafe.
5. Not Applicable
6. Sharon Stewart and Lyndsay Nissen made the decision.
7. The complainant was never employed by Lockwood Cafe
8. The complainant was not an employee and was never on payroll.
9. Lockwood does have a progressive disciplinary policy, however Sondra was never employed by Lockwood Cafe.
10. Not from me.
11. Sondra began to regularly come to Lockwood Cafe late summer of 2021. She was always very happy to be in the space and expressed she wanted to build community connection. The first day we spoke at any length we spoke about the community garden and she expressed interest in reaching out to potentially help and a passion for prairie. The community garden is not a part of Lockwood Cafe, and rather it is a part of the non profit, Reliable Street Inc. However Lockwood does use the compost site for food waste and has been since Lockwood Cafe opened in October of 2019. Upon meeting Sondra it was apparent that she was very eager to help. However, because of my work load, owning and managing the cafe, I did not have time to help in the garden. Additionally, I quickly realized she was what I would consider an over-communicator. I have learned from previous experience that the best way to signal that I can't communicate at such a high volume is to simply not respond so I backed away from communication.

As a regular she began to build friendships with a few of the individuals who work at Lockwood Cafe, including myself. Two individuals in particular had similar interests including gardening

and they began to volunteer with garden. As time went by the amount of her communication, the way that she communicated and the amount of time she spent in the cafe during their shifts increased. In late February, Denise mentioned to me that she felt unheard and disrespected as well as overwhelmed by the volume of texts and communication coming from Sondra. I mentioned this to Lyndsay and she had a conversation with Sondra to encourage her to be an active listener and respect personal boundaries.

On March 29th, Sondra came into Lockwood Cafe and asked if we could talk. In our conversation she brought up that she had spent \$400 on the garden and wanted to brainstorm ways to recover some of those costs. I explained that she should never spend any money without prior communication on who will be reimbursing her or to see if Reliable Street can get it donated or consider a different option. It was at this point I proposed a meeting between Lyndsay, Sondra, and I to discuss the garden space.

Shortly thereafter, Willa spoke with me about feeling harassed by Sondra and didn't know what to do but wanted to talk about it with me. Lyndsay, Denise, Willa, and I sat down for a conversation so we (Lyndsay and I) could better understand what was happening and discuss how to move forward. It was in this conversation that new information relating to how Denise and Willa were being treated that I became concerned for their health and well being while working in my business. I absolutely want to provide a safe space for customers that come to Lockwood, but providing a safe space for the employees of Lockwood is also vital.

Denise spoke about the passive and direct racism she had experienced from Sondra as well as pulling away from all of the garden conversations because of how much Sondra was communicating. The most recent conversation where Denise was made uncomfortable was when Sondra asked for money to help with the costs of gardening materials. Denise said she was made to feel bad for not providing financial assistance. Additionally Denise was concerned for the highschool students involved in SHEPH (Students Helping to End Poverty and Hunger) as Sondra was also soliciting funding from them as well and her communication on a shared platform was overwhelming to everyone involved. We did not reach out to SHEPH students because we were not looking for more "dirt" on Sondra and by having a conversation with them it could potentially harm Sondra's reputation.

Willa spoke about how Sondra was affecting her health. She was overwhelmed with the communication. She didn't want to hurt Sondra, but she also felt trapped. She explained that she didn't want to come to work, because Sondra came in on her shifts and would wait until she could corner Willa and have her attention. Willa also opened up and told us that early on in her friendship with Sondra, she had asked Willa out. Willa explained to Sondra that she was in a relationship and was not interested in a romantic relationship but happy to be friends. As time went on, Willa began to be overwhelmed by the attention and amount of communication from Sondra but did not know how to approach it. I have spoken with others who were in abusive relationships and all of Willa's body language was that of someone in an abusive relationship. Willa said that Sondra had recently sent her a link to a social media profile that was pornographic in nature and then questioned her if she had seen it and what she thought. She didn't want to be a part of the garden any longer, she was fearful of coming to work, and she didn't want to be forced to have a conversation with Sondra. Additionally Denise said she also no longer wanted to be a part of the community garden because of how Sondra had

communicated and the unwillingness to consider outside input. When we asked what outcome they would like to see, they both expressed that they would like her to no longer be in the space.

When we were made aware of Sondra's behavior and actions in relationship to Willa and Denise, it was decided by Lyndsay and I that at this point in time that to continue to provide a safe space we needed to ask her to no longer be involved. This decision was made not just because of what Denise and Willa said, but in combination with Sondra's other behaviors in the space. It seemed pertinent to communicate with Sondra as soon as possible. She and I had already had a meeting planned to discuss garden spending and talk about how to better communicate after she had approached both me and my husband seeking financial assistance for purchases she made relating to the prairie she wanted to plant. Lyndsay and I decided that we needed to talk with her in person and at the meeting that happened to be set for the following day. In the meantime I told Willa that if Sondra came in, she could do work in the back and that she did not need to engage with Sondra in any way.

I decided the responsible thing to do was protect them from harassment by asking Sondra to no longer be in the space. But I also felt the need to protect their privacy for fear that Sondra might further harass Lockwood employees. Neither Denise nor Willa wanted any further communication with Sondra.

Our conversation with Sondra was intentionally vague in terms of who spoke to us. While others had brought up concern over Sondra's behaviors, we decided the conversation we had with Willa and Denise was enough to make the decision and we did not want to bring anyone else into further conversation as it could potentially damage her reputation. Both Denise and Willa were concerned that if she knew it was them who said something, Sondra would slander their names and potentially harass them further. Sondra was adamant that she should know who said what. At the end of our conversation she said that she would not communicate with either of us any further. Days later I received the attached letter and a facebook message telling me that she had sent a letter. Additionally she continued to communicate with Lyndsay.

After our conversation with Sondra neither Lyndsay nor I reached out to anyone to share what happened as we believed it should stay between the involved parties and not become part of a community dialog or turn into unproductive gossip. We hoped that by not saying anything, she would have the opportunity to grow and find other avenues of community connection and involvement. We were not trying to cause harm to Sondra, rather to maintain the safety of the spaces we are responsible for. However in the following days, numerous individuals reached out to us to inquire what had transpired because Sondra reached out to them asking if they said anything. She was clearly on a mission to find out who had said something to us. We did not slander her name or speak poorly to anyone about her. Even close friends were not told about what transpired as can be seen by the texts messages attached as well as the text messages she attached in her complaint. When she told people her version of events, no one had heard of what happened. Both Denise and Willa did not even tell co-workers, and it was agreed that we would not talk about what had happened to maintain the privacy of all involved parties. As time went on more and more friends and community members reached out to either Lyndsay or myself inquiring what had happened because Sondra had reached out to them. At some point Willa did respond to Sondra as she wanted her to stop messaging her. Willa acknowledged that she was one of the individuals that said something, attached are the messages Willa sent to Sondra. Sondra then began to slander Willa's name within the community.

General Treatment - public Accommodations.

1.1 On March 31st, 2022 Sondra was asked to no longer come to Lockwood Cafe or Reliable Street and to no longer continue involvement in the community garden on the property.

1.2 Sondra began to regularly come to Lockwood Cafe late summer of 2021. She was always very happy to be in the space and expressed she wanted to build community connection. The first day we spoke at any length we spoke about the community garden and she expressed interest in reaching out to potentially help and a passion for prairie. The community garden is not a part of Lockwood Cafe, and rather it is a part of the non profit, Reliable Street Inc. However Lockwood does use the compost site for food waste and has been since Lockwood Cafe opened in October of 2019. Upon meeting Sondra it was apparent that she was very eager to help. However, because of my work load, owning and managing the cafe, I did not have time to help in the garden. Additionally, I quickly realized she was what I would consider an over-communicator. I have learned from previous experience that the best way to signal that I can't communicate at such a high volume is to simply not respond so I backed away from communication.

As a regular she began to build friendships with a few of the individuals who work at Lockwood Cafe, including myself. Two individuals in particular had similar interests including gardening and they began to volunteer with the garden. As time went by the amount of her communication, the way that she communicated and the amount of time she spent in the cafe during their shifts increased. In late February, Denise mentioned to me that she felt unheard and disrespected as well as overwhelmed by the volume of texts and communication coming from Sondra. I mentioned this to Lyndsay and she had a conversation with Sondra to encourage her to be an active listener and respect personal boundaries.

On March 29th, Sondra came into Lockwood Cafe and asked if we could talk. In our conversation she brought up that she had spent \$400 on the garden and wanted to brainstorm ways to recover some of those costs. I explained that she should never spend any money without prior communication on who will be reimbursing her or to see if Reliable Street can get it donated or consider a different option. It was at this point I proposed a meeting between Lyndsay, Sondra, and I to discuss the garden space.

Shortly thereafter, Willa spoke with me about feeling harassed by Sondra and didn't know what to do but wanted to talk about it with me. Lyndsay, Denise, Willa, and I sat down for a conversation so we (Lyndsay and I) could better understand what was happening and discuss how to move forward. It was in this conversation that new information relating to how Denise and Willa were being treated that I became concerned for their health and well being while working in my business. I absolutely want to provide a safe space for customers that come to Lockwood, but providing a safe space for the employees of Lockwood is also vital.

Denise spoke about the passive and direct racism she had experienced from Sondra as well as pulling away from all of the garden conversations because of how much Sondra was communicating. The most recent conversation where Denise was made uncomfortable was when Sondra asked for money to help with the costs of gardening materials. Denise said she was made to feel bad for not providing financial assistance. Additionally Denise was concerned for the highschool students involved in SHEPH (Students Helping to End Poverty and Hunger) as Sondra was also soliciting funding from them as well and her communication on a shared platform was overwhelming to everyone involved. We did not reach out to SHEPH students because we were not looking for more "dirt" on Sondra and by having a conversation with them it could potentially harm Sondra's reputation.

Willa spoke about how Sondra was affecting her health. She was overwhelmed with the communication. She didn't want to hurt Sondra, but she also felt trapped. She explained that she didn't want to come to work, because Sondra came in on her shifts and would wait until she could corner Willa and have her attention. Willa also opened up and told us that early on in her friendship with Sondra, she had asked Willa out. Willa explained to Sondra that she was in a relationship and was not interested in a romantic relationship but happy to be friends. As time went on, Willa began to be overwhelmed by the attention and amount of communication from Sondra but did not know how to approach it. I have spoken with others who were in abusive relationships and all of Willa's body language was that of someone in an abusive relationship. Willa said that Sondra had recently sent her a link to a social media profile that was pornographic in nature and then questioned her if she had seen it and what she thought. She didn't want to be a part of the garden any longer, she was fearful of coming to work, and she didn't want to be forced to have a conversation with Sondra. Additionally Denise said she also no longer wanted to be a part of the community garden because of how Sondra had communicated and the unwillingness to consider outside input. When we asked what outcome they would like to see, they both expressed that they would like her to no longer be in the space.

When we were made aware of Sondra's behavior and actions in relationship to Willa and Denise, it was decided by Lyndsay and I that at this point in time that to continue to provide a safe space we needed to ask her to no longer be involved. This decision was made not just because of what Denise and Willa said, but in combination with Sondra's other behaviors in the space. It seemed pertinent to communicate with Sondra as soon as possible. She and I had already had a meeting planned to discuss garden spending and talk about how to better communicate after she had approached both me and my husband seeking financial assistance for purchases she made relating to the prairie she wanted to plant. Lyndsay and I decided that we needed to talk with her in person and at the meeting that happened to be set for the following day. In the meantime I told Willa that if Sondra came in, she could do work in the back and that she did not need to engage with Sondra in any way.

I decided the responsible thing to do was protect them from harassment by asking Sondra to no longer be in the space. But I also felt the need to protect their privacy for fear that Sondra might further harass Lockwood employees. Neither Denise nor Willa wanted any further communication with Sondra.

Our conversation with Sondra was intentionally vague in terms of who spoke to us. While others had brought up concern over Sondra's behaviors, we decided the conversation we had with Willa and Denise was enough to make the decision and we did not want to bring anyone else into further conversation as it could potentially damage her reputation. Both Denise and Willa were concerned that if she knew it was them who said something, Sondra would slander their names and potentially harass them further. Sondra was adamant that she should know who said

what. At the end of our conversation she said that she would not communicate with either of us any further. Days later I received the attached letter and a facebook message telling me that she had sent a letter. Additionally she continued to communicate with Lyndsay.

After our conversation with Sondra neither Lyndsay nor I reached out to anyone to share what happened as we believed it should stay between the involved parties and not become part of a community dialog or turn into unproductive gossip. We hoped that by not saying anything, she would have the opportunity to grow and find other avenues of community connection and involvement. We were not trying to cause harm to Sondra, rather to maintain the safety of the spaces we are responsible for. However in the following days, numerous individuals reached out to us to inquire what had transpired because Sondra reached out to them asking if they said anything. She was clearly on a mission to find out who had said something to us. We did not slander her name or speak poorly to anyone about her. Even close friends were not told about what transpired as can be seen by the texts messages attached as well as the text messages she attached in her complaint. When she told people her version of events, no one had heard of what happened. Both Denise and Willa did not even tell co-workers, and it was agreed that we would not talk about what had happened to maintain the privacy of all involved parties. As time went on more and more friends and community members reached out to either Lyndsay or myself inquiring what had happened because Sondra had reached out to them. At some point Willa did respond to Sondra as she wanted her to stop messaging her. Willa acknowledged that she was one of the individuals that said something, attached are the messages Willa sent to Sondra. Sondra then began to slander Willa's name within the community.

1.3 Sharon Stewart, Owner and Manager, Female.

1.4 There have been no similar situations.

2. Sondra's sex had no bearing on how she was treated.

3. The only time gender and sexuality has come up as the suspected reason for the decision regarding Sondra's presence was after the decision was made to ask her to no longer be in the space. Lockwood Cafe is a known safe space for the queer and trans community.

4. Sondra was visibly upset. However at no time in our discussion was her gender or sexuality brought up as it had no bearing on our decision. Our decision was solely based on her actions and behavior towards others.

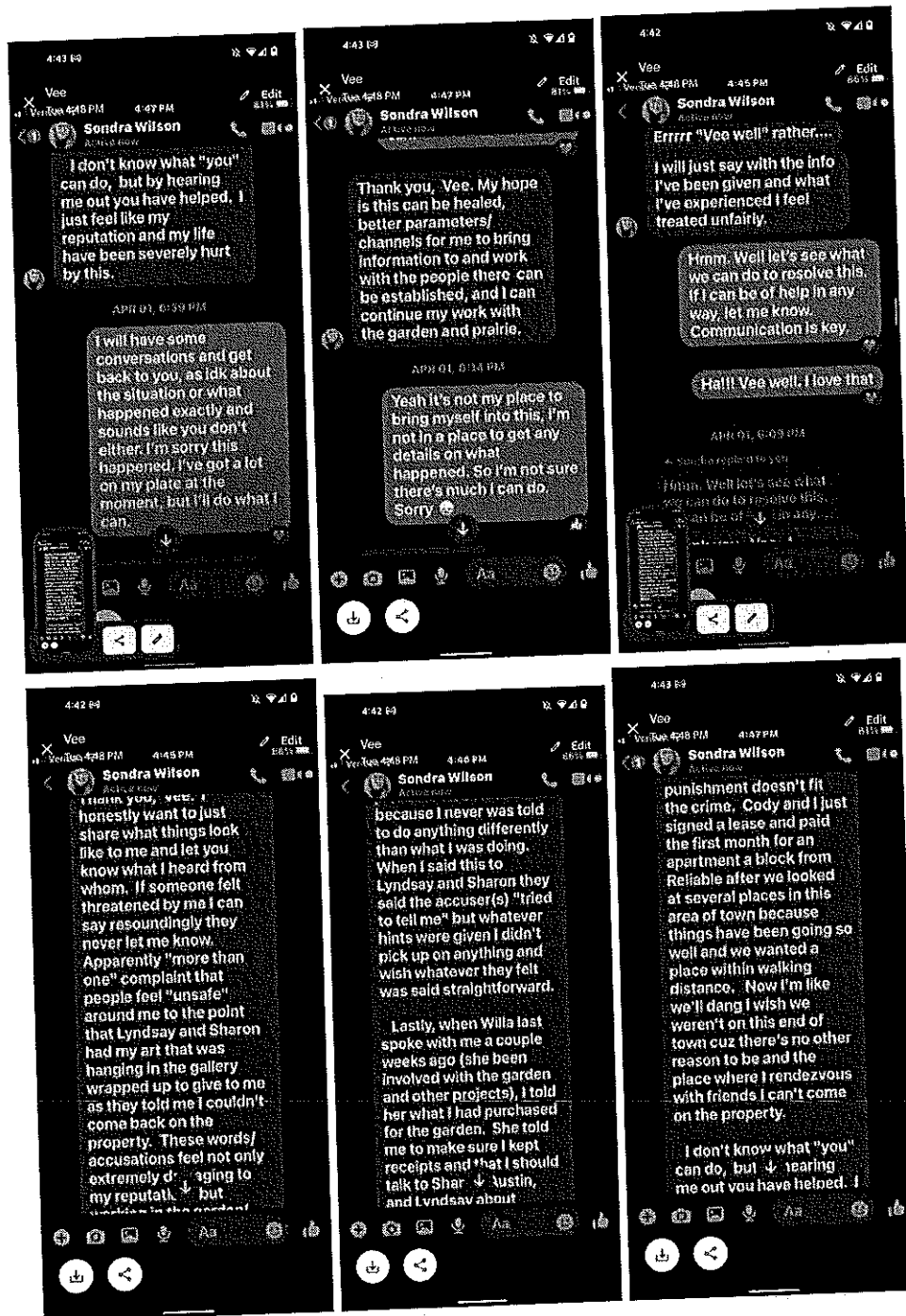
Gender Identity

1. The Respondent identified herself as Sondra, her pronouns and she/her, and spoke openly of being transgender. So that is how I have always known her.
2. Sondra's gender has not changed since I have known her.
3. My perception of Sondra has never been based on her gender or sexuality. Our decision was based on her behavior, not on her gender identity. As a pansexual, gender identity is something I take very seriously.
4. No. All parties involved in discussing the events that lead to the decision we made either identify as queer or are vocal allies to the the queer and trans community. The individuals involved in the conversation that impacted our decision are:

Lynday Nissen, Owner Love Club, LLC,
Sharon Stewart, Owner Lockwood Cafe, LLC.
Denise Martinez, Barista Lockwood Cafe, LLC.
Willa Colville, Creparista Lockwood Cafe, LLC.

5. No.

Communication between Sondra and Vee. Vee is an active member of Reliable Street events and a regular customer of Lockwood Cafe as well as being seen a leader within the queer and trans community. They were not told about what happened because we wanted to preserve Sondra's privacy and not slander her. However Sondra reached out, at which point Vee reached out to both Lyndsay and I asking what they could do to help.



4:42 PM
Vee
Veritas 4:48 PM 4:46 PM Edit 86%
Sondra Wilson
Active now
Anyway I checked in with Sid who works with me in the garden and also with Emily the president of SHEPH (high school gardeners) and they were both upset and concerned and I hope they talk with Sharon and Lyndsay and say what they said to me because they like working with me and I was relieved it wasn't the high schoolers but it makes me think it's some employees. Regardless whoever it was I feel like removing me from the garden and barring me from the premises was unfair cause I n ↓ was told to anything differently

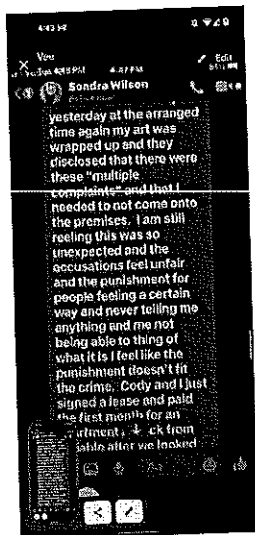
4:42 PM
Vee
Veritas 4:48 PM 4:46 PM Edit 86%
Sondra Wilson
Active now
there were people who felt uncomfortable around me it hopefully is based on something I did and not my appearance which I'm already very insecure about, and having people think that I'm making others feel "unsafe" or "uncomfortable" sounds to me (and I assume most people) as if I've made sexual advances toward people which I absolutely have not. (it's one of the reasons I don't associate with kids but peripherally I fear being falsely accused of anything I just don't go around cuz I don't trust peoples' prejudices) ↓

4:43 PM
Vee
Veritas 4:48 PM 4:47 PM Edit 82%
Sondra Wilson
Active now
to mean on them but I did talk to them about how we might be able to raise them more funds. Austin said I should talk to Lyndsay, so I brought it up with her and Sharon separately and Sharon arranged us to all meet and give them a tour of what I've done so far and what the current plans are (SHEPH's blueprints plus my role and what I'm doing in relation). Was really looking forward to show them what's been done cuz I'm really proud of it and have been working very hard on all this. When we met up yesterday a' ↓ arranged time again i. ↓ art was

4:42 PM
Vee
Veritas 4:48 PM 4:47 PM Edit 82%
Sondra Wilson
Active now
Lastly, when Willa last spoke with me a couple weeks ago (she been involved with the garden and other projects), I told her what I had purchased for the garden. She told me to make sure I kept receipts and that I should talk to Sharon, Austin, and Lyndsay about purchases because I should be paying for everything. That kinda rolled around in my head and last week I brought it up with Austin about possible financial help for some things that were still needed. SHEPH only has \$100 so I didn't want to lean on ti ↓ but I did to them about how

4:42 PM
Vee
Veritas 4:48 PM 4:45 PM Edit 85%
Sondra Wilson
Active now
my reputation, but working in the garden/prairie and being part of that was very healing and therapeutic to me. Anyone who knows me knows that's what I love is just being outdoors and creating sustainable garden space - not row gardening/farming large scale that is totally different so like "volunteering on a farm" really doesn't appeal to me because it's basically unpaid labor and no creative freedom. If there were people who felt uncomfortable around me it hopefully is based on something I did and my appearance which

4:42 PM
Vee
Veritas 4:48 PM 4:45 PM Edit 86%
Sondra Wilson
Active now
No worries thank you. Just wanting to check in with people because if I'm making people feel some way I want to know so I can give them space, but I don't want all my friends removed from my life over this - whoever felt upset with me I just wish I was alerted instead of punished cuz it could have averted the pain I'm experiencing. I am hoping this can be healed yea with space I just would have preferred preventative I feel there's been a communication failure.
Be well.
Sondra Wilson



4:42



X Vee
Tue 4:48 PM

4:45 PM

Edit
86%



Sondra Wilson

Active now



happened, I'm sorry
you're hurting, but since
I'm not involved, I don't know that
I'm the best person to talk
with about it. I'm sure
some calm
communication about
things and healthy
boundaries will help the
situation over time.

APR 01, 5:10 PM

← Sondra replied to you

I'm honestly not sure what
you're referring to.
Nobody has said anything...

No worries thank you

4:42



X Vee

Edit
86%

Tue 4:48 PM

4:45 PM



Sondra Wilson

Active now



they've been expressing.
I was told they've "tried
to tell me" before but I've
honestly never felt a
moment of discomfort or
abrasion in conversation
with anyone do it hit me
really hard and trying to
figure out what to do now
that I'm not working on
the garden/ prairie
anymore.

Sorry yea any time you're
off work



APR 01, 4:49 PM

4:42



Vee



Tue 4:48 PM

4:45 PM



Edit

86%



Sondra Wilson

Active now



It is nothing you did at all. You and your partner are wonderful. I feel like someone felt threatened by me (I have no idea who) and was told not to come around Lockwood/Reliable. I'm honestly trying to find out who is okay with me and who is not cuz I have never been told anything like I was crossing boundaries but Lyndsay and Sharon told me yesterday that "several people" have said this about me. I'm honestly devastated I've

4:42



X Vee
Tue 4:48 PM

4:45 PM

Edit
86%



Sondra Wilson
Active now



Hi Vee,

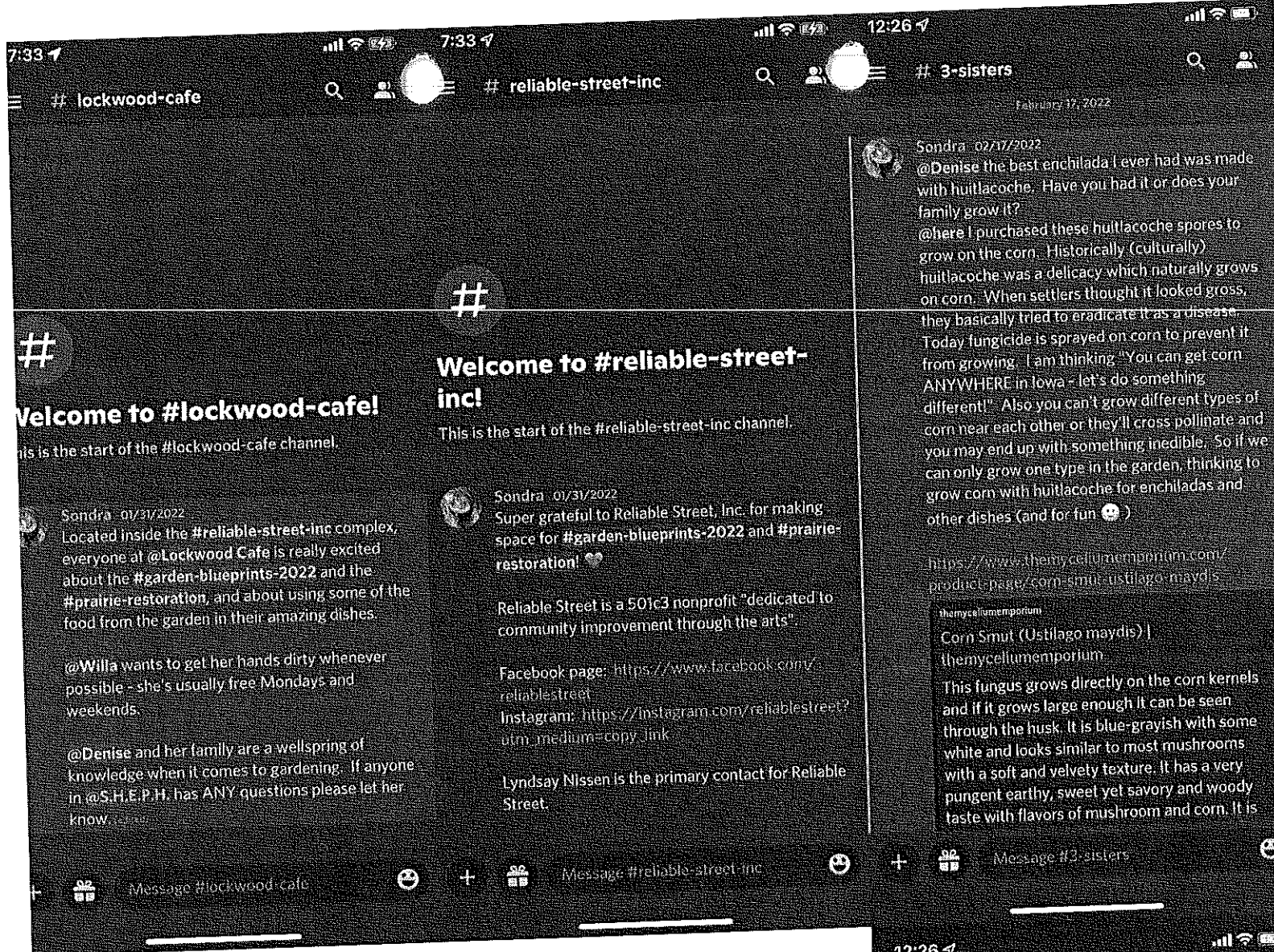
When you get a moment
can we talk for a sec plz?
I appreciated you sitting
next to me the other day
and checking in, and
something really hurtful
happened to me I just
want to clear the air if
that's okay.



515-357-9725

APR 01, 2:33 PM

Hey yeah that's just fine.
I'm at work though won't



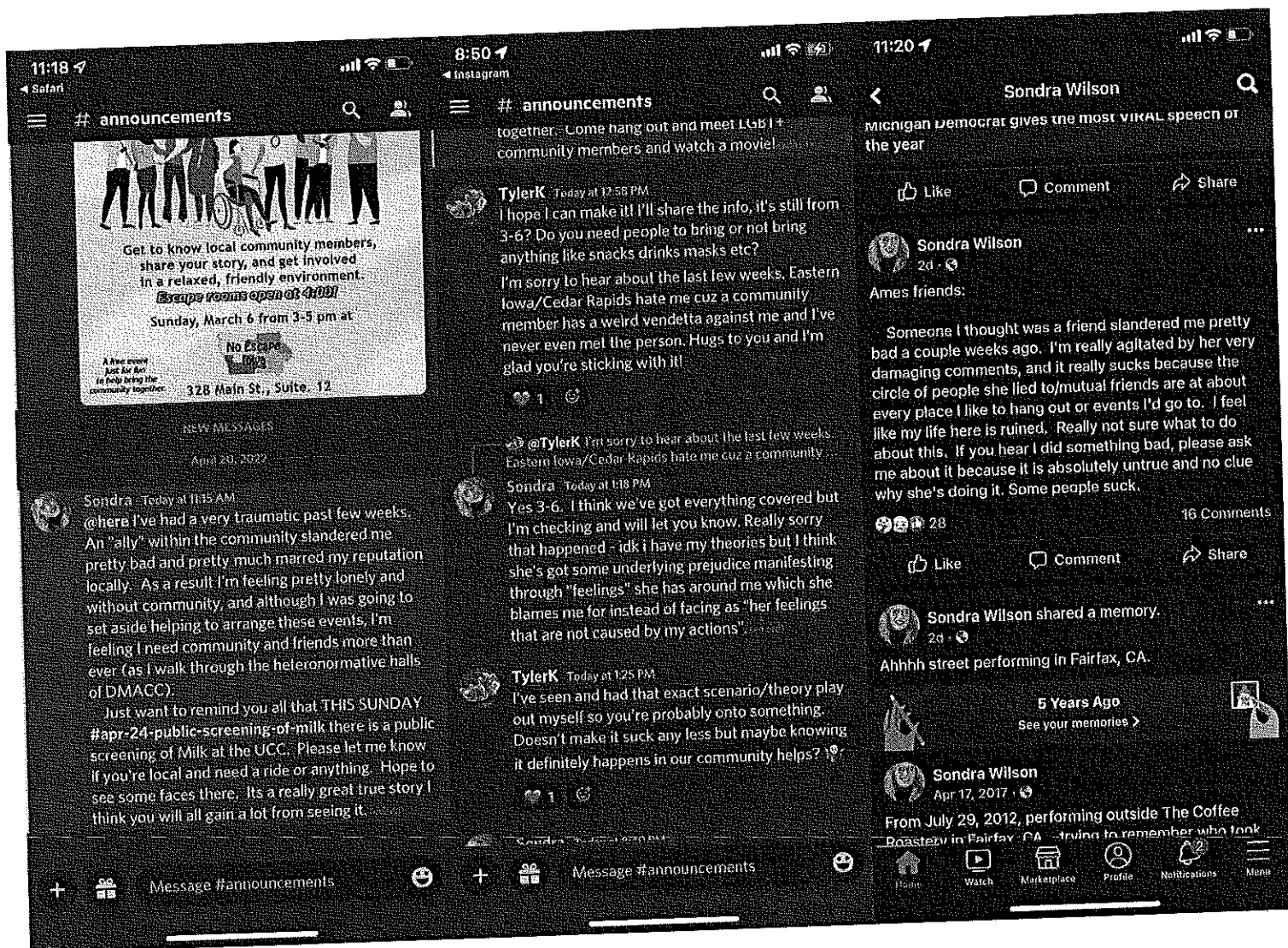
I met Sondra in November of 2021 through a mutual friend that also interested in volunteering at the Reliable Street Community Garden that is run in partnership with the SHEPH club at Ames High. I was invited to assist in maintaining the garden and to give gardening advice since I come from a long lineage of farmers on my mothers side. The first two screen shots I included show that I was part of the garden in hopes of passing down knowledge given to me by my family. The final three screen shots on this page is one of the many instances where my identity was challenged. In this conversation an indigenous food from Mexico is brought up and I am asked if I had had it before. This is after multiple instances where I had explain that I am not Mexican and that I had no experience with most Mexican foods. My family is from a small country named El Salvador our culture is completely different. In one message she apologizes that she is a white woman and this she still learning. This was after multiple times of me trying to educate her on my ethnicity and that is almost as insulting as misgendering to call any Latine¹ presenting person since every country has a

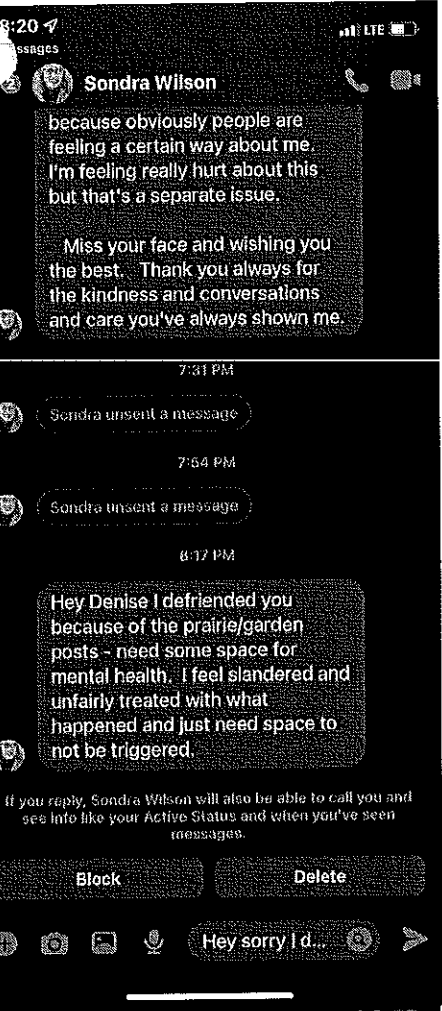
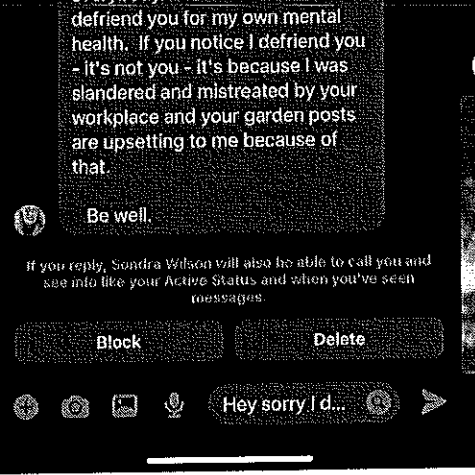
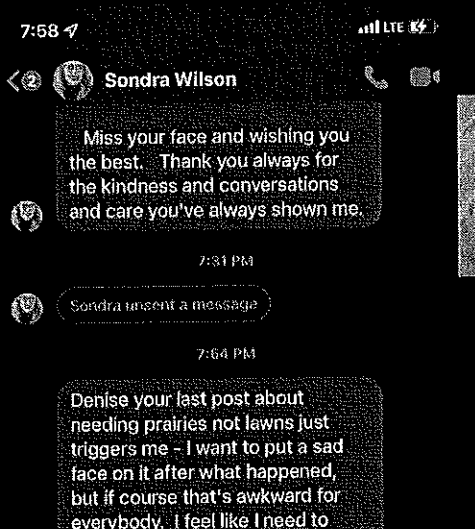
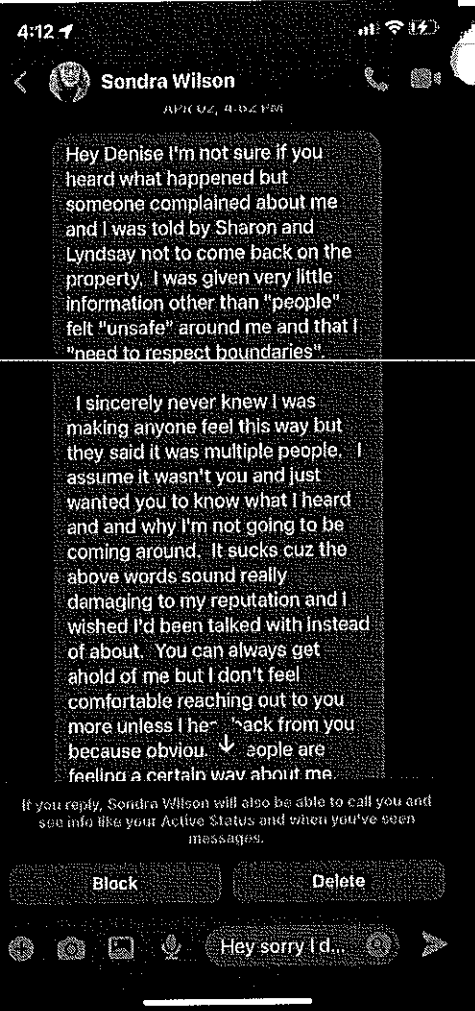
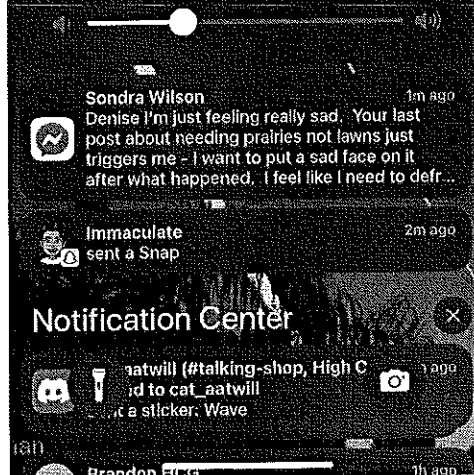
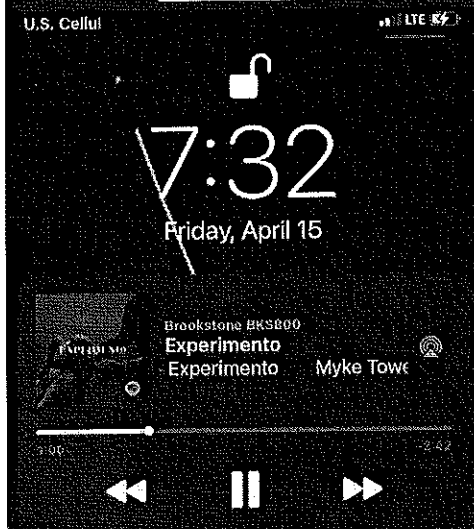
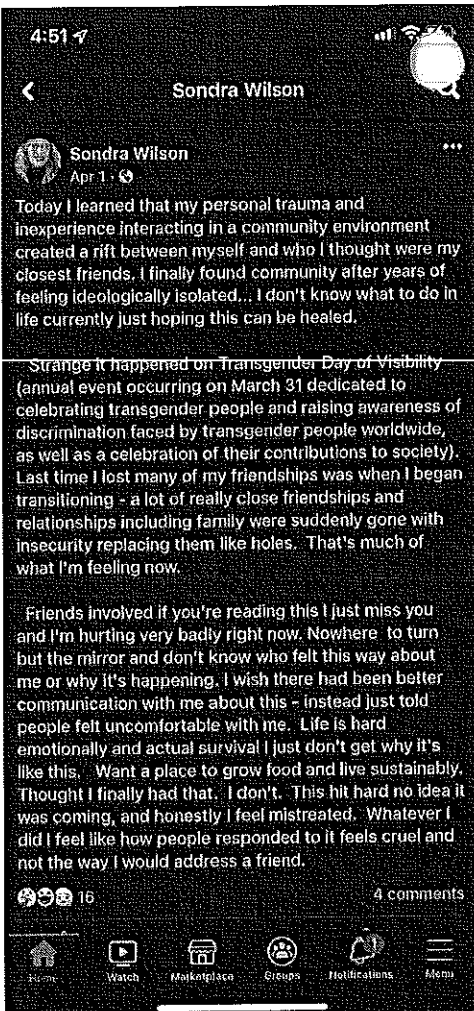
¹ Latine is the gender neutral term used by Spanish speaking people instead of using Latinx since it is not grammatically correct



completely different culture and the main thing that connects us is the language we have in common. This was not the only situation in which my identity was questioned. On multiple occasions I was told that I could not be part of the LGBTQIA+ since I am currently in a Heterosexual presenting relationship. While I identify as bisexual and my partner does not it meant that I cannot say I am truly bisexual since I am not with a woman.

Below I attached multiple messages and posts in which we were indirectly accused of slander with a situation that was handled privately. I was one of the people that was contacted privately in regards to the situation.







Sondra Wilson
adraghastar@gmail.com

Dear Lockwood Cafe and Reliable Street, Inc, to whom it may concern:

This past couple weeks have been very difficult for me since hearing from you "what some people were really thinking". For several days and sleepless nights I wracked my brain "what did I do that made people feel this way?" Despite what I was told by Sharon and Lindsey, no one ever told me they needed space or that I was making anyone feel unsafe. It was not a case of me not listening: literally no one ever said anything to me.

My time at Reliable/Lockwood has fostered numerous friendships and acquaintances that have lifted my heart and made me feel like a valued and respected community member for the first time in life – including what I have thought/felt were friendships-in-development with you, the owners, Lindsey, Sharon, Austin – and many others. I've really felt part of something worth working for – projects that bring much needed healing to the the city of Ames and central Iowa area. Since Thursday, April 31, when you approached me, I contacted friends from the space to find out who is in fact still my friend, and to determine if I've ever made any of them feel a certain way, to which I was prepared to apologize. All of them seemed as surprised as I was, and when I discovered who one of the complainants was – frankly I'm pretty surprised, but this entire thing could have been handled much better in a way that did not hurt me or others. I hope you will take the time to read through this letter to see through my eyes because I have been treated very unfairly – and I don't believe that was your intent.

Oct. 2021 I was asked to manage the garden. Around July last year I was asked to manage Reliable Street's garden based on my experience and because the garden was not being properly cared for.

I coordinated with involved parties to my best ability. Although Lindsay, Sharon, and Austin didn't have much time to engage with it, I was directed to correspond primarily with Lockwood employees Willa Colville and Denise Martinez, and members of SHEPH with regard to planning and labor. Willa was the only person with time to put hands-in-the-ground (usually Mondays and Saturdays), and thus became my primary contact for correspondence between the garden and Lockwood/Reliable. All parties, however, were invited and many participated in the Discord server, and in-person meetings. I kept Lindsay, Sharon, and Austin informed when I felt was needed (since they didn't join Discord) due to the fact that a primary complaint was that the previous managers did not keep open communication with Reliable/Lockwood. I included ideas proposed by related parties such as:

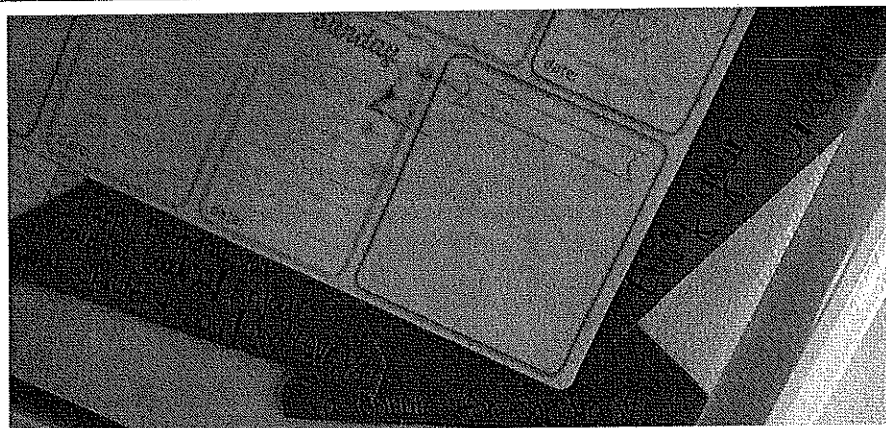
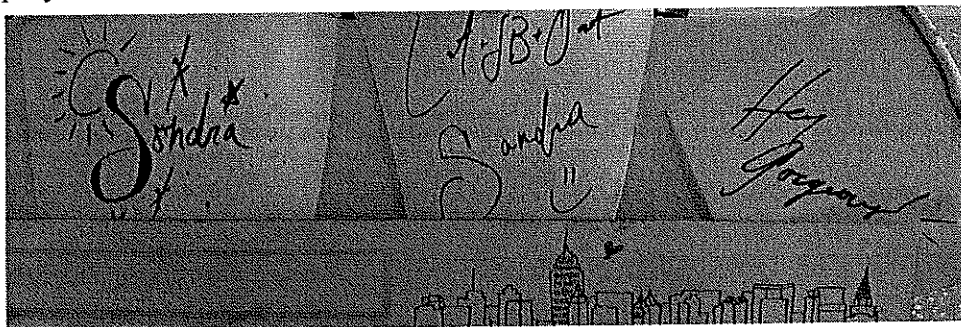
- using blueprints provided by SHEPH, created a step-by-step for use by the students how to sprout, (trans)plant, and care for each plant to help the students;
- improved the compost system and included plants for use at Lockwood as suggested by Sharon;
- connected SHEPH and Denise through Discord to coordinate use of to-go containers for sprouting as suggested by Denise;
- reworked the compost system and rain barrels with input from Austin;
- made plans with Sylvie to integrate her herb garden, offered to accompany her to purchase them when the time came, which we were looking forward to;
- integrated Sid's compost sifting technique;
- and more.

Conflict arose. City regulations require that prairie (and related fires) must be 4 feet from all structures, streets, etc. Local prairie specialists suggested wetting wood chips prior to burning to create a sort of moat to protect infrastructure. I asked nearly everyone at Lockwood/Reliable if anyone had access to cheap or free 4x4s. Willa's family donated several which she helped install, yet more were needed. When spring arrived ~March 21-26 I was on spring break, and it suddenly became "go time" for the garden (weather was suddenly amazing). I went ahead and purchased enough 4x4s and mending braces (~\$145) to finish most of the project, and helped coordinate several more loads of wood chips to be delivered to the property.

Afterward I mentioned to Willa I'd spent a considerable amount of money on supplies, and that a few things were still needed. She told me to be sure to save receipts and encouraged me to speak with Sharon, Austin, and Lindsey. About a week later I asked if Austin had a moment, and he suggested I bring it up with Lindsey "She'll probably help." I brought it up with her and she didn't offer so I didn't want to press it (honestly I was happy donating the supplies, but we did need a few more things I couldn't afford). So last Wednesday (3/30/22) I asked Sharon if she had any ideas to help fund the garden – that we hadn't really talked about finances since I was appointed, and she set up a meeting with Lindsay, her, and me.

We met the next day around 3:30 pm, at which time I was informed I was no longer allowed on the property due to "multiple complaints" that people felt "unsafe" around me because I had "crossed boundaries". I had no idea who said these things or why, and when I mentioned this Lindsay and Sharon told me the person(s) claimed they "tried to tell me" and that I should read a book on active listening.

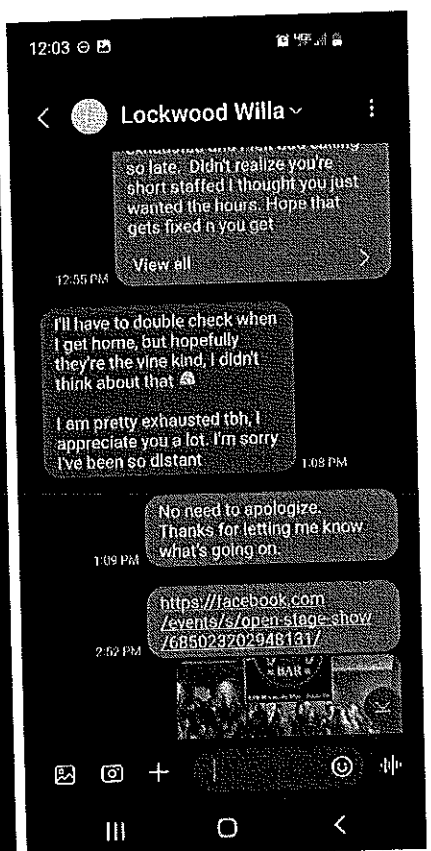
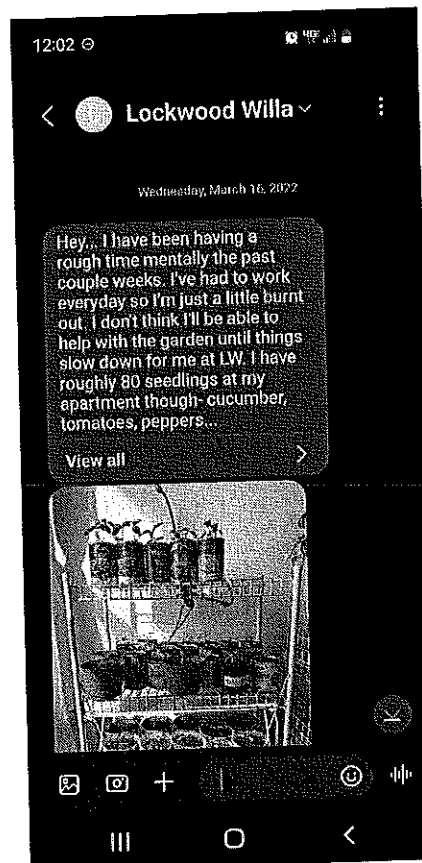
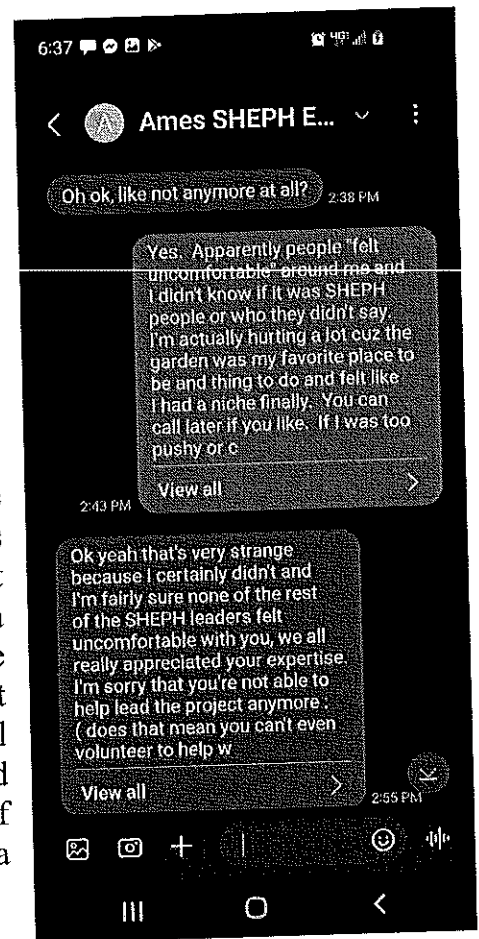
I checked in with friends. Upon leaving I was emotionally distraught and confused by the situation. I spent days wracking my brain as to who may have complained and why, and lost a lot of sleep over it still to this day. It makes no sense when I look how warmly I've been treated every time I came in. Decorations some of the baristas made on my to-go containers, for instance, are hanging on Cody and my fridge (pics below). I was always treated with a great deal of kindness and conversation from Lockwood employees, and tried to offer the same.



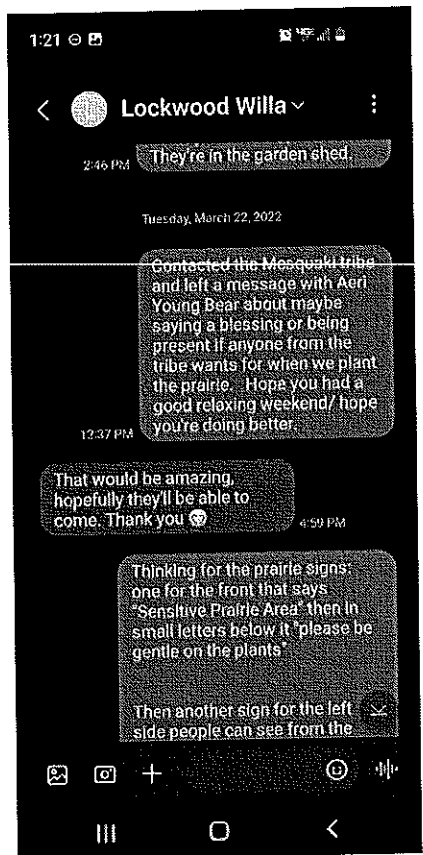
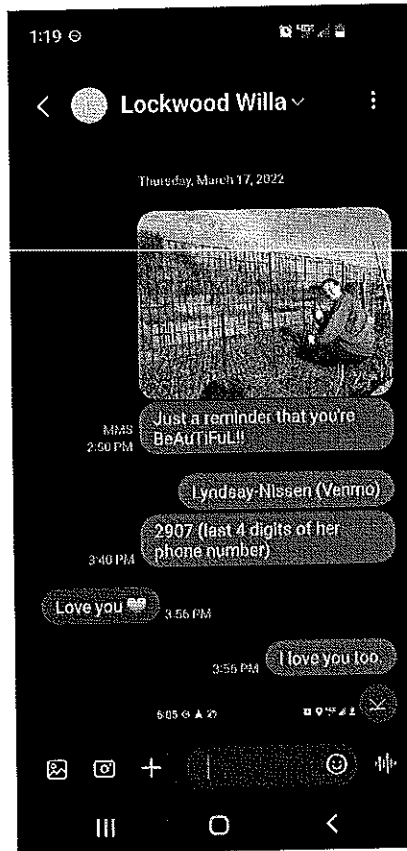
I was concerned about my reputation because when community members ask about me, what will people say? "She was making people feel unsafe and not respecting peoples' space." It makes me sound like a predator. As a transgender woman people already have this stereotype of me. I'm concerned what people around town will now think of me – how this affects my business and community relationships.

I contacted Sid who works with me in the garden and Emily from SHEPH because she and I talk regularly. I wanted them to know I was removed from the project and frankly its not fair for them to be told slanderous statements about me when they ask. I did wonder if one of the high schoolers complained about me because who knows maybe they didn't feel comfortable around a trans woman, so it was a heartwarming relief when Emily texted me the message shown at right. Sid also reassured me she never felt uncomfortable and she enjoyed working with me. Several other friends from the Lockwood/Reliable community told me I did not make them feel uncomfortable, and as hints of what may have happened came to light, I wondered if Willa complained – but that wouldn't make sense.

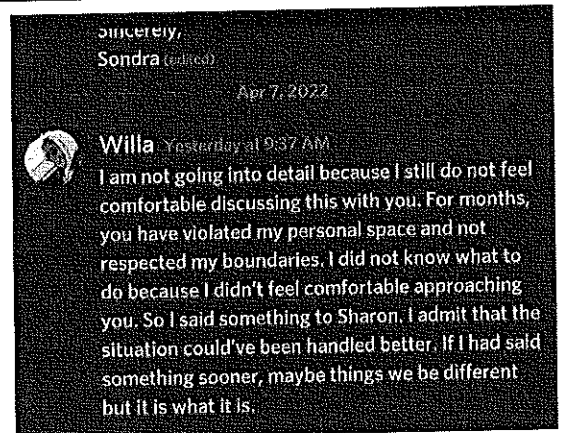
About a week before I purchased the 4x4s, Willa told me she felt burnt out from working too much because Lockwood was understaffed (texts shown at right). There was no indication I was intruding. In fact she added "I appreciate you a lot" and apologized for being distant.



The following messages between us within the coming weeks showed no indication I was violating her space. They showed the opposite. My message of “just a reminder that you're beautiful” was in response to her feeling overworked and burnt out. I was trying to be a supportive friend – maybe my intent was misconstrued? We have done so many things together including the LGBT+ events and whatnot I've considered her a friend.



On Monday, Apr. 4 I wrote her a letter regarding being told not to return to Lockwood/Reliable's property. Wasn't sure she heard what happened or could give me any clarity, and on Apr. 7 she replied with the following unexpected reply:



My reputation was slandered, and my work sabotaged. I do not know who the other party or parties were who complained about me, but it sounds like a similar situation: someone “felt” a certain way around me, never communicated such feelings to me, then complained about me. Looking back I cannot think of a single instance where I violated anyone's space there, including Willa's, but I assure if you I was ever told anything I would have backed off immediately and stopped doing whatever she or others didn't feel comfortable with.

I know you said the complainant(s) claimed they “tried to tell me”, but as you see in Willa's above texts, she went from typing “love you” and “I appreciate you so much” to out of the blue accusing me of something that damages my life. Even if invited back to the space, I do not feel safe around her, and I hope Reliable and Lockwood come up with better protocol for handling complaints.

As one elder to another I will tell you this: it is unwise and not safe for the community if we are teaching young women that if they *feel* a certain way around someone, they can simply complain and they will be empowered to ruin that person's life. It does not appear to me she will be held accountable for this. Young people should be taught to communicate clearly and in a fair manner; learn to establish boundaries. If she "tried to tell me" then what did she actually say to me? As she states in the above letter – she did not say anything to me. That is not the same as "tried to tell me". The problem isn't that I didn't listen; the problem is I was not communicated with. I was then talked *about* instead of *with*.

I have worked diligently, volunteering countless hours for Reliable and Lockwood. When leaving the situation I would have strongly preferred to have photos of before and after the garden and prairie restoration. Such photos would help build my portfolio so I could show other land owners what I am capable of doing and perhaps find work. Instead I leave empty-handed, my reputation slandered: "I was asked to leave because women complained I made them feel unsafe and I was violating their space."

Proposed problem resolution. If you want to talk through any of this, I would like at least 2 community members who are mutual friends to be present so that things can be talked through and all sides are heard, and resolution can be fair. I would suggest maybe Travis or Vee. I personally feel I am due an apology. This really hurt my feelings and adversely impacts my life. Until you change your protocol for handling complaints against community members or employees, etc, please don't call yourselves a safe space. I do not feel safe as a result of how I was treated by your employee and how it was subsequently handled by your establishments.

Sincerely,
Sondra Wilson

To whom it may concern,

My name is Charlie Esker. I am a trans resident of Ames, graduate of ISU, regular at Lockwood cafe, community member, and artist. I fervently support Lockwood Cafe, Reliable St., Sharon Stewart, Lyndsay Nissen, and all lockwood staff. I reject wholeheartedly any accusations of discrimination or slander by Sondra Wilson.

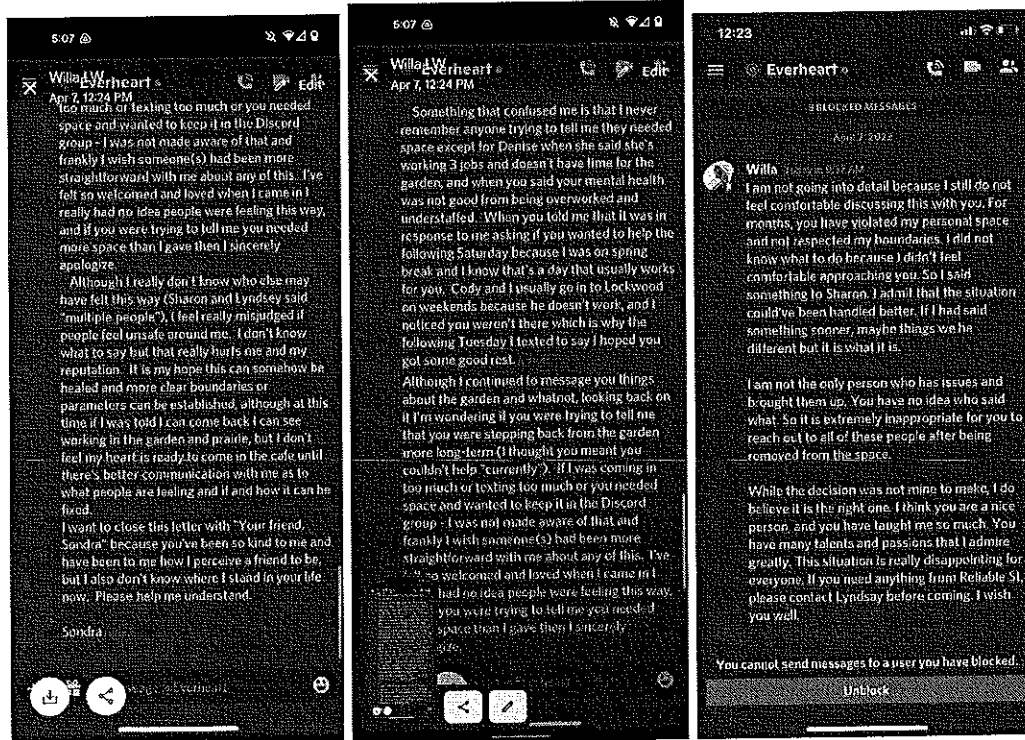
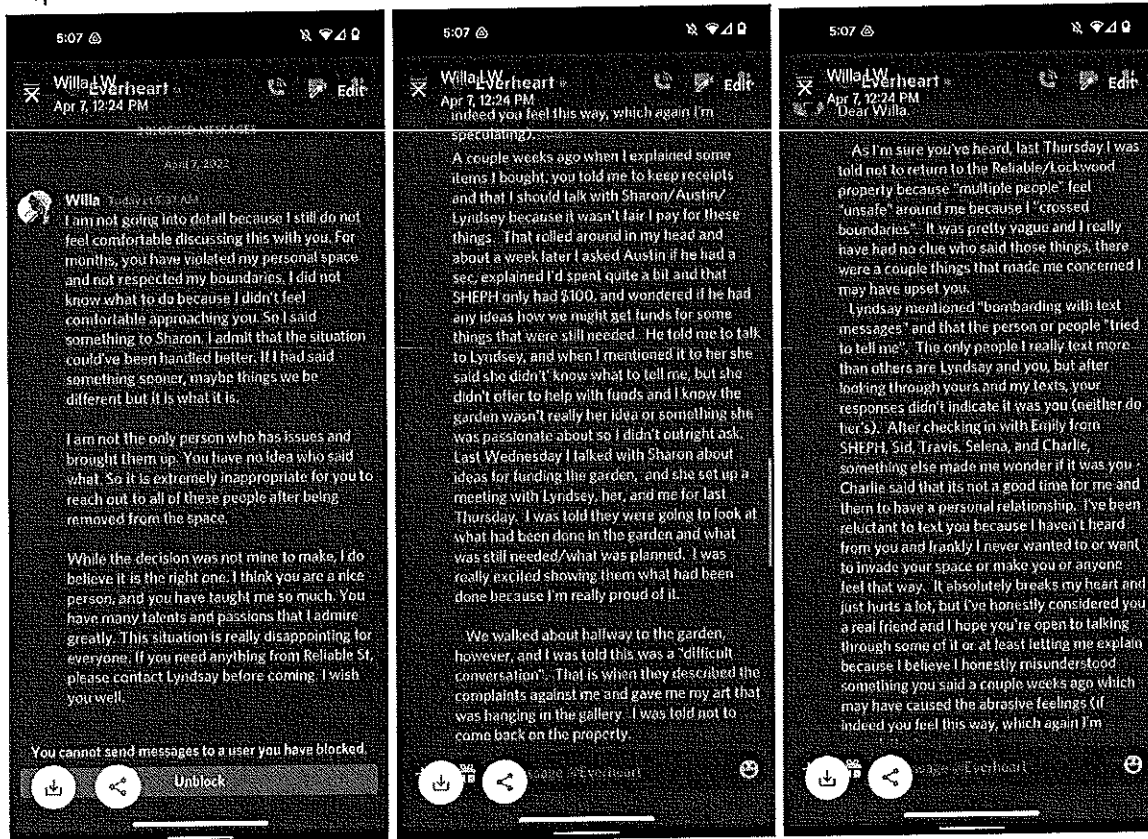
In principle and in practice, Reliable St. has been and is a safe space for all people. Lockwood cafe and Reliable St. have time and time again donated their time, energy, space, and money to the queer community. Hosting a trans vigil, queer renaissance show, multiple pride events, and a queer singles mingle. All of my queer friends and I have always felt accepted and bolstered by the community at Lockwood and Reliable St., and these are all examples of the community that has been cultivated around Reliable St., a community that welcomes everyone with open arms.

Sondra, too, was welcomed into this community; it was through her own actions that she had to be removed from the space. This has nothing to do with Sondra being trans, and I am confident that Sondra was not discriminated against nor was her reputation "slandered." Only those of us unfortunately involved know anything about why or how Sondra was banned. *Sondra is not the victim in this situation.* Sondra made Lockwood staff, along with queer and POC community members uncomfortable, constantly. Sondra would call and text me often, and I witnessed Sondra do the same to my best friend everyday, multiple times a day, with no response. I witnessed Sondra make racially insensitive comments and display culturally appropriated artwork. I witnessed her harass the Lockwood staff at their place of work nearly every day of the week. I witnessed her insert herself into leadership positions without listening to the input of the community. In these positions, she spent her own money without asking anyone

or getting prior acknowledgement that she would be refunded and expected compensation for her unnecessary purchases. She went as far as asking people in Lockwood cafe, at the open mics, and *highschoolers* in SHEPH for money. It is abundantly clear that any "volunteering" or "community work" she did was for her own selfish gain: to build *her* portfolio, to grow *her* skills, and to give *her* a space to express *herself*.

This is a sad situation, one that could have been a wakeup call to a woman who was harming the community of which she was a part. An opportunity for her to learn from her mistakes and take that knowledge into the next community she is in so she doesn't hurt people again. Sondra's perception of everything that has happened, her claims of discrimination and slander, are so disconnected from reality that it is genuinely shocking. Instead of apologizing even once, she immediately went on a crusade to discover who reported her and how to get revenge. All of which only confirms that asking her not to return to Reliable St. was the correct and only response.

Communication where Willa asked for no further communication, followed by Sondra's response.



ICRC RECEIVED
JUN 28 2022 AM 9:32

6/27/22, 2:49 PM

State of Iowa Mail - Respondent Reliable Street INC CP# 04-22-78265 EEOC#26A-2022-00580



Iowa Civil Rights Commission, ICRC <icrc@iowa.gov>

Respondent Reliable Street INC CP# 04-22-78265 EEOC#26A-2022-00580

1 message

Lyndsay Nissen <lyndsay@reliablestreet.com>
To: icrc@iowa.gov

Mon, Jun 27, 2022 at 2:46 PM

You will find our response in the attached PDF along with a letter of support. Thank you.

Lyndsay and the Reliable Street Team

2 attachments

Iowa Civil Rights Commission Reliable Street INC.pdf
3395K

To whom it may concern.pdf
42K

ICRC RECEIVED
JUN 27 2022 4:27

Respondent Reliable Street INC to CP# 04-22-78265 EECO# 26A-2022-00580

Demotion/Discipline

- 1) The Complainant was never employed by Reliable Street INC.
- 2) The Complainant was never disciplined.
- 3) Not applicable.
- 4) None. Reliable Street INC has no employees.
- 5) Not applicable.
- 6) Not applicable.
- 7) Not applicable.
- 8) No because the Complainant was not an employee.
- 9) Reliable Street INC has no employees so there is no disciplinary policy.
- 10) Not applicable.
- 11) The Complainant was not disciplined.

Failure to Hire

- 1) There was no position.
- 2) There was no position.
- 3) There was no application because there was no position.
- 4) Not applicable.
- 5) Not applicable.
- 6) Not applicable.
- 7) Not applicable.
- 8) There was no position.

9) Not applicable.

10) Not applicable.

11) Not applicable.

12) Not applicable.

There are no applications because there was never a position available or offered.

Failure to Train

1) Not applicable.

2) The Complainant was not an employee of Reliable Street INC..

3) Not applicable.

4) Not applicable.

5) Not applicable.

6) Not applicable.

7) Not applicable.

8) Not applicable.

9) Not applicable.

10) Not applicable.

Termination

1) No because the Complainant was never employed by Reliable Street INC..

2) Not applicable.

3) Not applicable.

4) Not applicable.

5) Not applicable. Reliable Street INC has no employees.

6) Not applicable.

7) Not applicable.

8) Not applicable.

9) Not applicable.

10) Not applicable because the Complainant was never an employee.

There are no disciplinary actions because Reliable Street INC has never had an employee.

Background - Public Accommodations

1) Lyndsay Nissen, President of Reliable Street INC. Sharon Stewart Vice President of Reliable Street INC.

2) Lyndsay Audra Nissen (female). Sharon Rebekah Stewart (female).

3) A non-profit organization has no owners.

4) Yes. Iowa.

5) One

6) Zero

7) Zero

8) Zero

9) Zero

10) Reliable Street INC is a 501.c3 nonprofit whose mission is to improve community through the arts.

11) Lockwood Cafe and Reliable Street INC are tenants of the Love Club LLC building and property.

12) Anything related to art and community that is seen as a need for our town.

13) Lyndsay Nissen- President. Sharon Stewart- Vice President. Elliot Thompson- Treasurer. Dan DeGeest-Secretary..

14) First, since I have only known Alexandra as Sondra, I will refer to her as her name she presented to us. Sondra first appeared to me at the Open Mic I host every Tuesday. She is a musician so I was very encouraging to have her continue to come to that event. She was an immediate fixture, showing up early, wanting to help with the event and taking on other unsolicited responsibilities. For example, she created a flier for the Open Mic to hang around town without me asking or even asking me if I wanted that. Yet I am always grateful for people to help with it because it's a free event and therefore it does not create any capital. I run it every week and do not pay myself and have no employees. She seemed in desperate need of a community and we welcomed her with open arms. Unfortunately being that welcoming sometimes has consequences.

Sondra soon became almost a daily presence. Since Lockwood Cafe is a tenant of the space, she had 8am-3pm access to the indoor space and 24 hour access to the outdoor space. Her residence is three blocks away, so she was around constantly. She began to find more unsolicited projects and responsibilities as time went on.

Her initial interest was in our community garden on the property. Reliable Street INC is the non-profit organization that is a tenant of The Love Club LLC. The mission is to provide community improvement through the arts. So the garden has been one of the many projects led by different volunteers to fulfill the mission. We have several volunteers, including an Ames High School club called SHEPH (Students Helping End Poverty and Hunger) who have taken on the garden in the past two years. Sondra continuously would corner me if she saw me at Lockwood, in the gallery, or in the yard to talk about her ideas for the garden. She would always talk about how she's never had access to land and how this opportunity would make her life so fulfilled. I wanted to give her that opportunity but had to explain over and over that these other people had a plan and she would need to work it out with them.

Pretty soon she came up with the idea of a prairie she has always wanted to do. She drew up a proposal that was not discussed with any of the other parties involved. It had prairie in places that were meant to be garden space. I told her again, she needed to talk to everyone. She began clearing the space of the weeds that had grown last year and prepping the area with no one asking her to. This prairie was her dream and she was obsessive about it. Finally it got to the point where I was so tired of having the same conversation with her, I just said fine, she could do her prairie.

Once Sondra had permission for her prairie, she continued to push for more control over the entire garden project. I did my best to try to make her understand she needed to listen to all the involved parties. Unfortunately she bulldozed those people with her ideas instead. She did not listen to others. She over communicated, flooding people with emails and links in a Discord forum, texting more than several messages before people responded, sending messages in the middle of the night. The other volunteers started expressing their concerns then.

I believe it was in February when I sat down with her and made my final attempt to get her to listen to people. I encouraged her to read about active listening. I tried to explain that people felt unheard, like their ideas weren't valid and that she made them feel like they didn't know anything. When you're working with volunteers, stuff like that makes them quit. She was defensive and did not seem to grasp her overbearing style. She did at that point thank me for trying to help her. I was hopeful that I may have gotten through at least a little bit.

So at this point, we had donated the use of the land for her prairie dream, which she was going to raise money for to buy the seed. Well, she never raised all the money and began soliciting it from the non-profit and anyone she could ask. Because the prairie was not a community oriented project, we did not feel that it was in line with the mission.

This March she began doing other unsolicited things such as making a plan for a rain barrel system. The SHEPH group has a small amount of funding from the school. Sondra assumed that she could use this money for that project and a few other garden items. So instead of asking the students or their teacher, she went ahead and spent \$300. She then approached the students to get money to pay for the items. They informed her that they have to approve all their purchases before they buy anything. So Sondra's purchases could not be paid for by their club. When she found this news out she began complaining to everyone about it. I told her I was sorry but there was nothing I could do. I was extremely frustrated because I had been consistently telling her to communicate. She then proceeded to ask everyone for money. Everyone involved with the garden, Lockwood Cafe employees, customers, people who come to events. It was becoming very uncomfortable for so many people.

Shortly after this, the big complaints against her came out. The statement from Lockwood Cafe explains this in greater detail. Since I do not work at Lockwood, the employees took their concerns to Sharon Stewart, the cafe owner first. Sharon informed me of the situation and we had a meeting with two employees. The employee expressed that after being sick with pneumonia for a few weeks, she realized she no longer wanted to come to work. Sondra had become quite frankly obsessed with this woman. Coming into the cafe during every shift the woman had, constantly cornering her to talk about Sondra's personal issues and projects. The employee stated that she had started watching for Sondra and if she saw her coming, she would hide in the kitchen until Sondra left. She texted, emailed, anyway she could contact this woman constantly. We had no idea the extent to which Sondra had been stalking and harassing her. I fortunately was in a position where I could actually just walk away from Sondra. I could turn the other direction and leave if I didn't want to talk to her. This employee did not have that luxury.

The other employee did not have the same obsessive experience with Sondra, but felt uncomfortable for other reasons. The employee recounted several occasions where Sondra made racist comments. She felt Sondra invalidated her opinions on the garden. Also that Sondra made inappropriate comments on the employees sexual identity.

At the conclusion of this meeting Sharon and I asked the employees what they needed to feel safe and comfortable again on the property and at work. They both agreed that they felt Sondra should no longer be involved or come to the cafe or events. Being a safe place and community leaders, we have to sometimes exclude a person if they are creating big enough problems that make others decide they can no longer be in the space. It was not a decision we made lightly.

So Sharon and I made the decision to ask Sondra to leave the projects and the space. We met with her on March 31, 2022. We did our best to not hurt her feelings and also to protect the employees that spoke to us. So our explanation was rather broad. Basically we told her that people had finally expressed their inability to handle her behavior. That she had not respected peoples boundaries, personal space, work time, opinions, and had not listened to them. I told her my best advice was to really try to learn about boundaries and active listening. She was extremely defensive. She questioned us to figure out who said something. She had zero personal reflection and took no responsibility. I gave her \$300 in cash for the money she spent without asking, just to be kind. You can see the \$400 ATM withdrawal on my personal bank statement on that date in the documents. I gave her the prairie seed I paid for as well and said goodbye.

So in conclusion, Sondra was never an employee of Reliable Street INC. We have zero employees. She was a volunteer for the non-profit garden and given free access to my land to do her dream project. In the definition of an employee the employer controls how and what the employee will do. She was controlling the entire situation. We never asked for a prairie. Everything Sondra did was on her own accord. We've never hired anyone to work on the landscape. Everything we do is community, is volunteer work and is donated for the yard and garden. You will see in the supporting documents that she understood. She wound up with the prairie seed. It was never planted.

15) No.

16) No.

17) She continued to try to text and talk to us for a few days after that. I responded once with another comment on reading about boundaries and active listening. She then sent an email letter which we did not respond to.

18) No.

General Treatment - Public Accommodations

1) No.

2) No.

3) No.

4) No.

Gender Identity

1) We do not assume anyone's gender identity.

2) Yes. Sondra was very open about being a transgender woman once getting to know her.

3) No.

4) No.

5) No. Because Reliable Street INC has no employees.

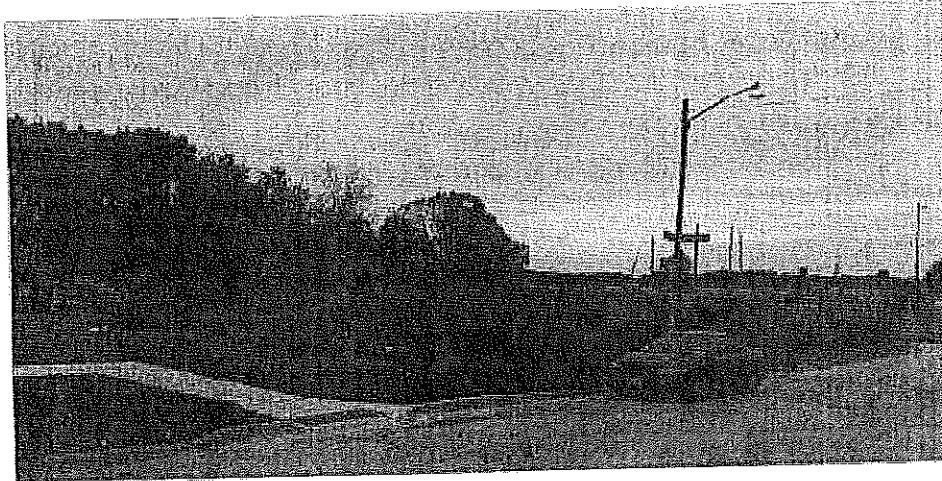
Proposal which states nothing about payment or hiring

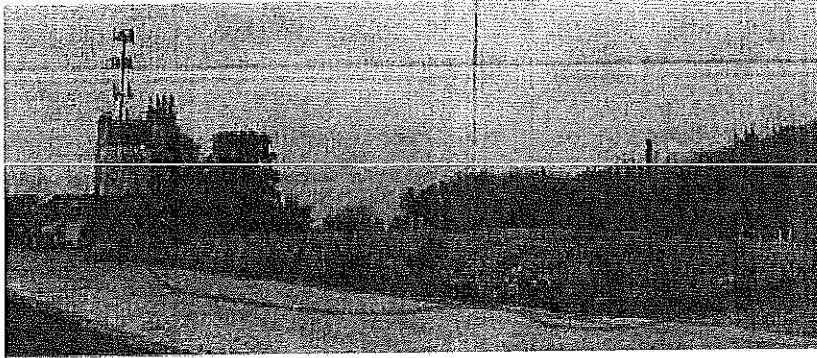
Proposal to install native tallgrass prairie at Reliable Street:

Proposal: To replace the large patch of (mostly lamb's quarter) in front of the Reliable Street's garden with native tallgrass prairie.

When: ASAP! (end of Oct./beginning of Nov.) Some seeds require winter frost in order to be able to propagate. Ideally we can get this done before the first snow.

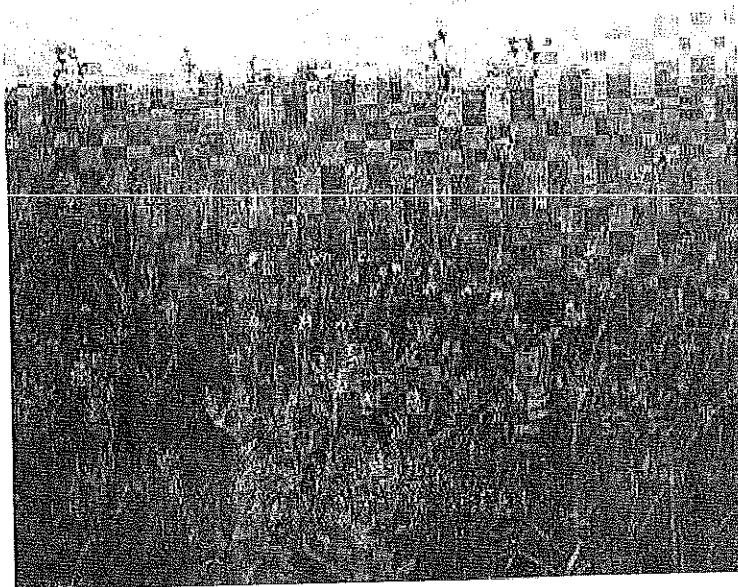
Where: Proposed location:





Why: Prairie is beautiful and many plants are edible and/or have medicinal value!
It once contained the botanical biodiversity of the rainforests of South America,
however today it is the most ecologically altered state in the union. Here's a webpage I
compiled about the prairie:
http://wildwillpower.org/amazing_resources_for_homesteaders/native-animals-who-need-us/many/built-ecological/





How: In Hawaii I went to "garden parties"; community would gather on a person's property - music, food, drinks, and participants were told *"if you don't mind grabbing a shovel and digging a few feet of space while you're here - that would be awesome!"* The following weekend we'd have a garden party at a different community member's home. These parties ensured all community members were prepped to have banging gardens each year.

We could have a garden party at Rollable Street and ask participants *"If you can pull up a little bit of lamb's quarter while you're here - any amount helps!"* I'm willing to volunteer additional time each day to continue prepping the area. We may be able to find someone with equipment to plough the area once the weeds are pulled?

Step-by-step instructions for restoring prairie:

Great, *simple* set of instructions by specialist Carl Kurtz! <http://carlkurtz.com/recon.html>

How-to videos by the Tallgrass Prairie Center:
<https://tallgrassprairiecenter.org/prairie-reconstruction-how-videos>

Places to order seeds:

Directory of seed providers courtesy Tallgrass Prairie Center:

https://tallgrassprairiecenter.org/sites/default/files/ia_prairie_seed_service_providers_03-21.pdf

Prairie Moon Nursery: <https://www.prairiemoon.com/>

City of Ames will help pay half the costs to install prairie!

Link to "Ames Native Landscape Rebate Program":

<https://www.cityofames.org/home/showpublisheddocument/37486/636422055435470000?fbclid=IwAR0CU8LRVRzMBx3lyR6Lh369Pg9AOvRCm8Pqx1SM20Sd4AEPaqP9ysiJEO>

Safely burning prairie is legal and encouraged in Ames:

Some plants require fire in order to propagate. Ames Fire Department will visit the property ~ 3 days after filling out the following "burn permit" to ensure it is done safely:

https://www.cityofames.org/government/departments-divisions-a-h/fire/planned-burn-permit-application?fbclid=IwAR18XA5EZqHlxINvewvkvXht2rz589Uwgbkr2t32_Bc99pG3Le mg:KH73U

Here are the requirements in order to comply with fire regulations:

<https://www.cityofames.org/home/showpublisheddocument/47315/636714082591800000>

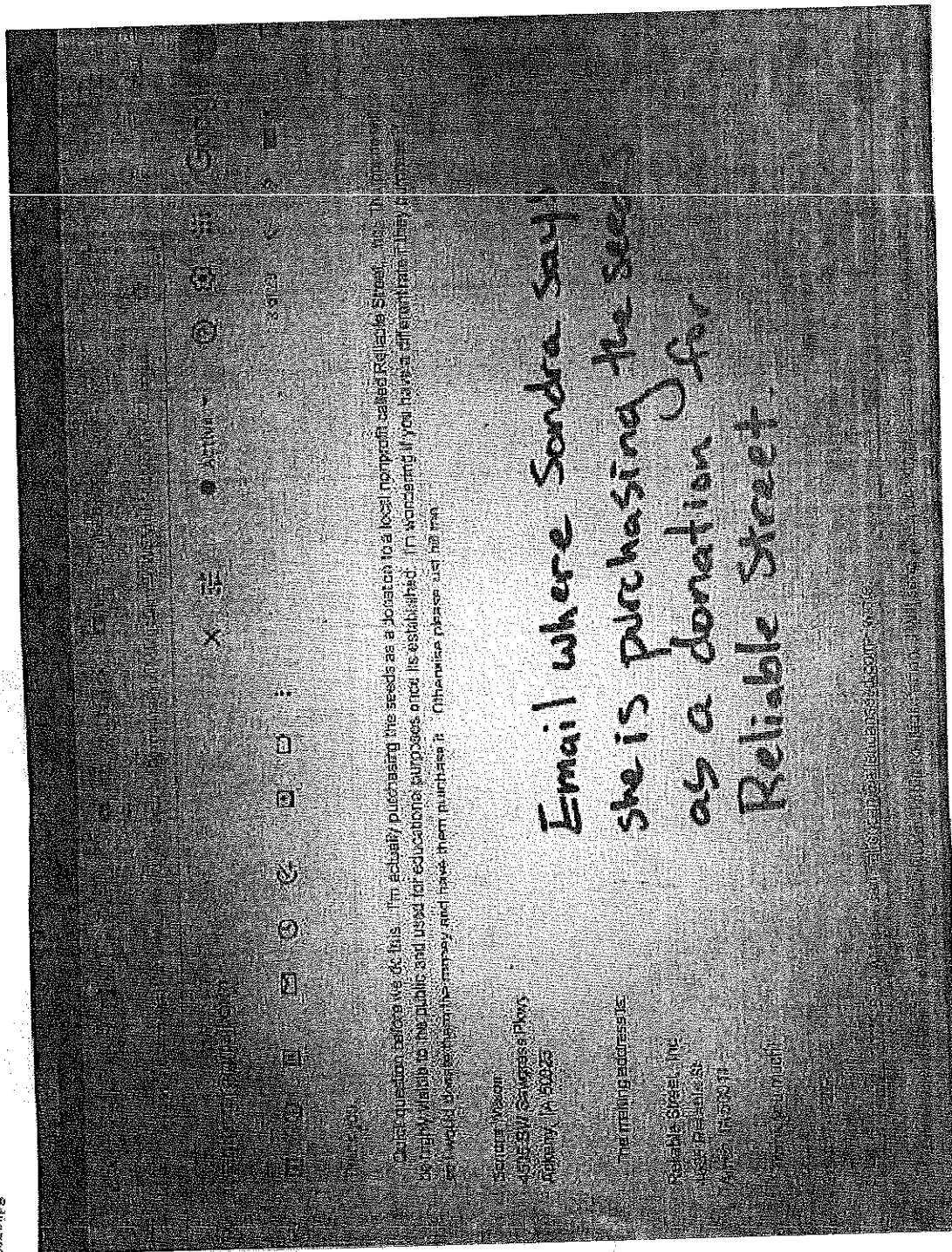
Of note: prairie grass should be shaved to 3' height prior to burning.

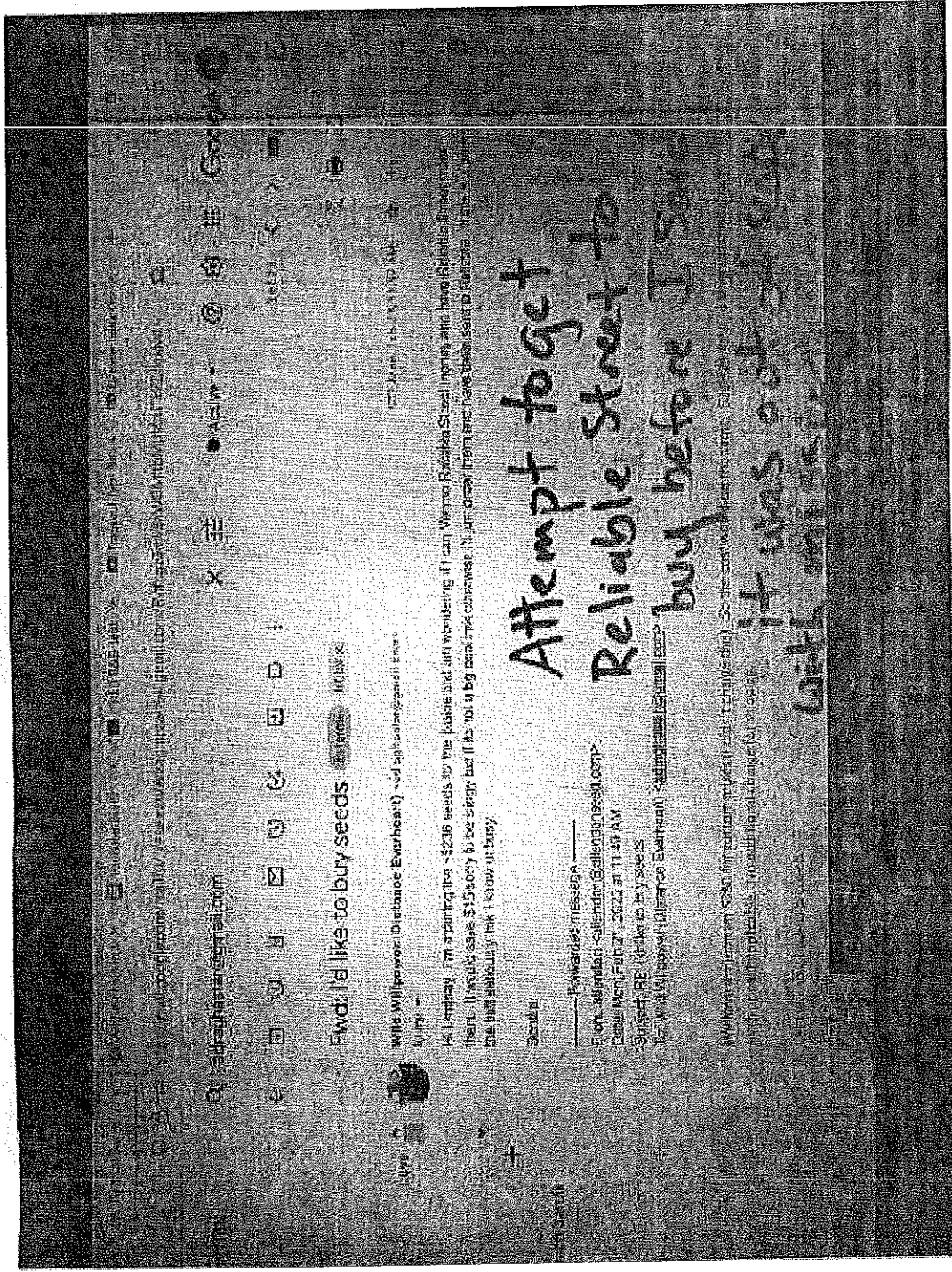
After assessing the site, if there are additional precautions the owner(s) should take, the fire dept. will let you know so that it can be done safely.

IA State University's "Intro to Iowa Native Prairie Plants" 8 page PDF:

Identification-friendly photos and species list:

<https://store.extension.iastate.edu/product/introduction-to-iowa-native-prairie-plants-sustainable-urban-landscapes?fbclid=IwAR0vPOt-T89T4URYuoKUja4-LUWL9AXOAxK Cc6RMOFFmTy4kqsgUXp05hY>





Greater Iowa
CREDIT UNIONGood Evening, Lindsay Nissen

Basic Blue Checking XXXX9810

Last Updated: June 21, 2022 5:29 PM

Current BalanceAvailable BalanceTransactionsDetails & Settings

Prairie seed
transaction from
Personal Checking

 Search transactions

Date	Description	Amount
MAR 30 2022	County Processing WEST DES MOIN IA Ref:0000190/8926 Auth:307604 PurchDate:3/29/2022 12:00:00 AM	⋮
MAR 30 2022	STORY CO TREASURER NEVADA IA Ref:000023049968 Auth:307606 PurchDate:3/29/2022 12:00:00 AM	⋮
MAR 29 2022	HY VEE 1013 AMES IA Ref:000013860572 Auth:318685 PurchDate:3/29/2022 12:00:00 AM	⋮
MAR 29 2022	ALLENDAN SEED COMP WINTERSET IA Ref:000009882685 Auth:273514 PurchDate:3/28/2022 12:00:00 AM	⋮ - \$242.13

Details

Statement Description:

ALLENDAN SEED COMP WINTERSET IA Ref:000009882685 Auth:273514 PurchDate:3/28/2022 12:00:00 AM

Date:

Membership Identification Card

Member name:

Lyndsay Nissen



Member account number:

1984 (Personal)

60 (Business - Reliable St)

My account #

Lyndsay Nissen

Signature must be written on the back of the card

John A. White, Greater Iowa

Membership Identification Card

Member name:

Lyndsay Nissen

The Love Club LLC

Member account number:

144 (Savings)

144 (Checking)



Lyndsay Nissen

Signature must be written on the back of the card

John A. White, Greater Iowa

Verizon LTE

6:08 PM

79% 

Completed - 2022



+\$70



Sondra Wilson
\$140.20 · Mar 17 · 

+\$100



DJ

+\$20.20

Comple
2021



+\$20

Comple
2020



-\$10



Home



Cards



Crypto



Me

Venmo
for
partial
payment
of prairie
seed.

ICRC RECEIVED
JUN 27 2022 PM21:11

Greater Iowa
CREDIT UNION

Good Evening, Lindsay Messer

Primary Share XXX0981

Last Updated: June 21, 2022 5:29 PM

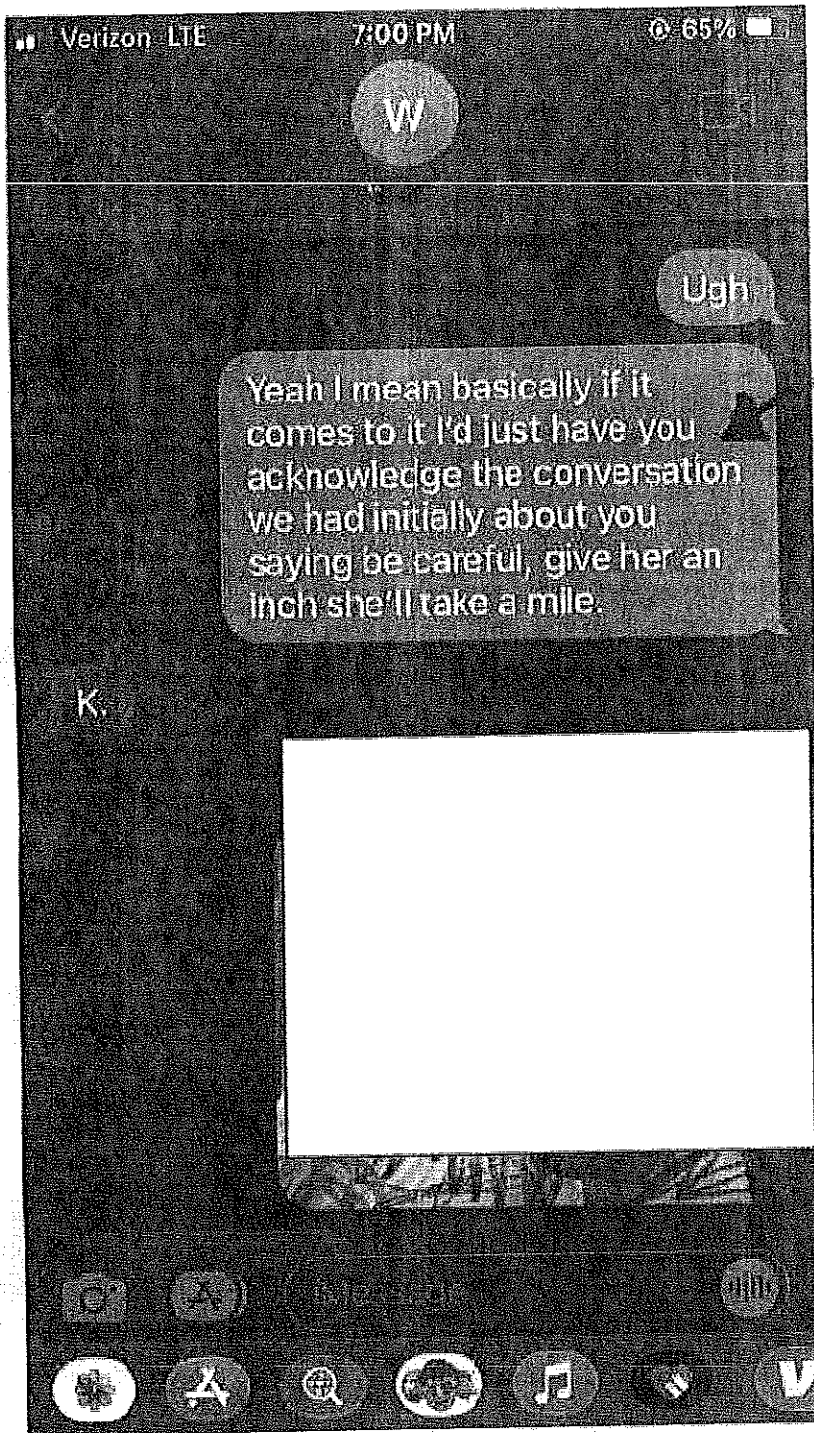
FILE

Transactions Details & Settings

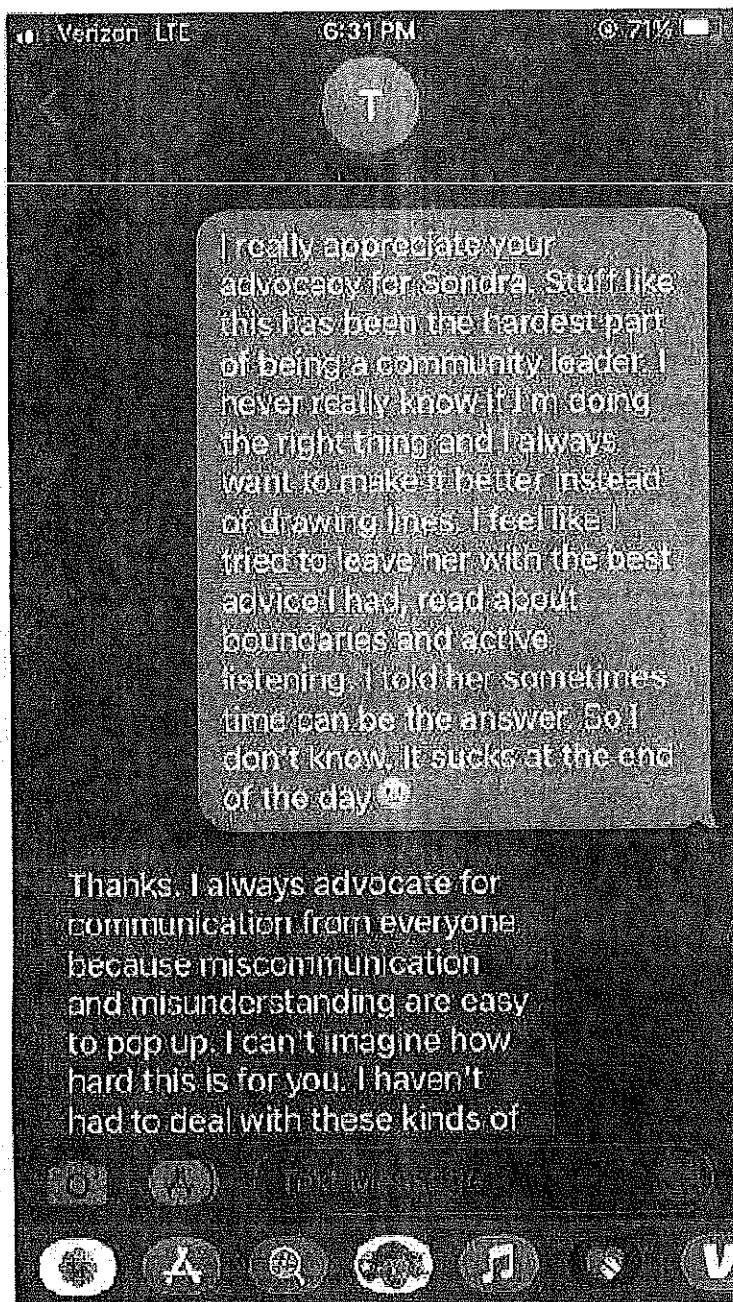
Search Transactions

Date	Description	Amount
MAR 31 2022	ATM 0331 14C3 374486 2623 NORTHRIDGE AMES IA	\$400.00
MAR 31 2022	Transfer XXX498-10 Funds Transfer via Online	
MAR 30 2022	Transfer XXX160-10	
MAR 27 2022	ATM 0327 1536 250555 2406 GRAND AVE AMES IA	
MAR 23 2022	Transfer XXX928-10 car insurance	
MAR 23 2022	Transfer XXX498-10 Funds Transfer via Online	
MAR 5 2022	Transfer XXX498-10 Funds Transfer via Mobile	
MAR 5 2022	Transfer XXX498-10	

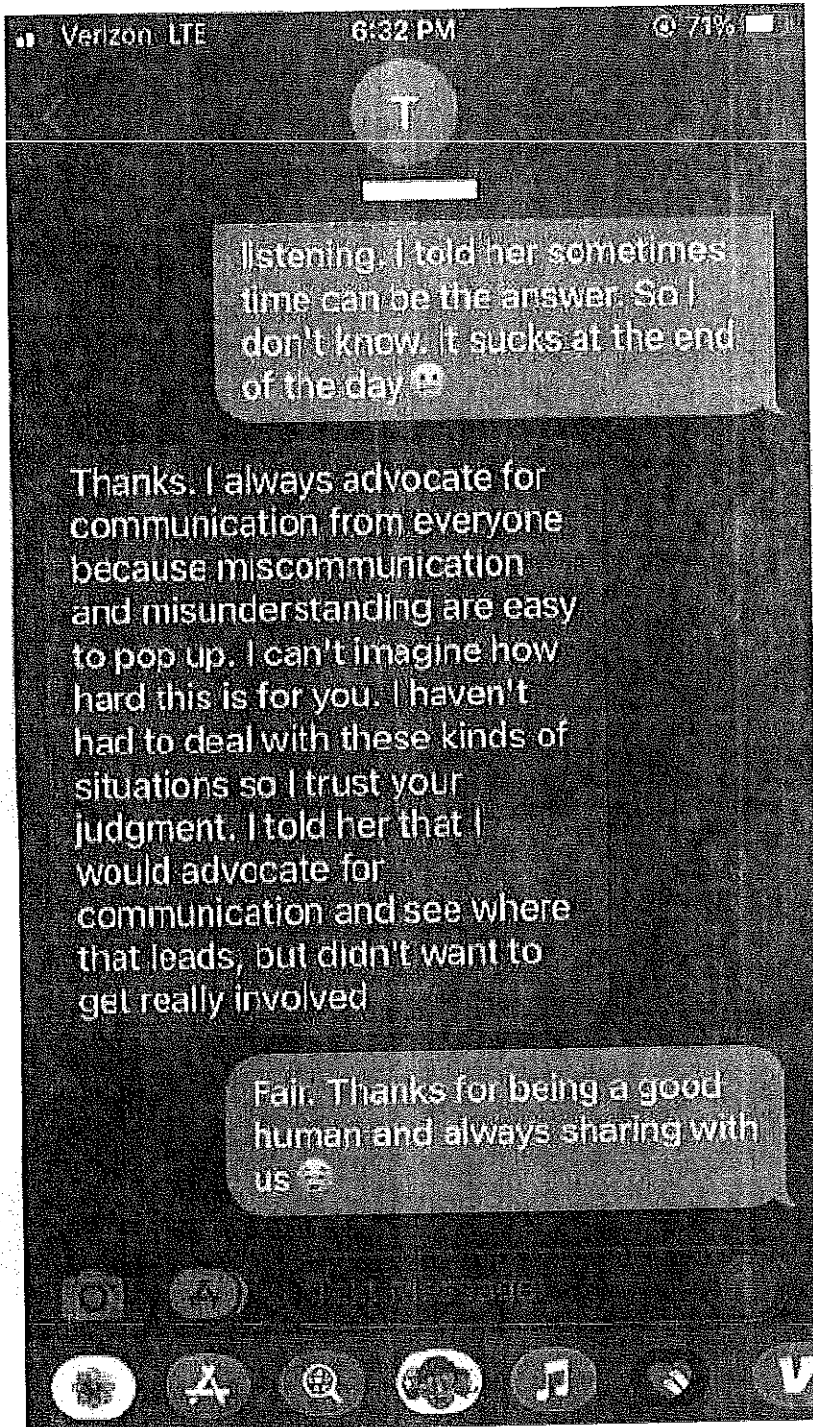
Withdrawal from
personal savings
for \$300 in cash
I gave Sondra on
3/31/2022



What
I said
in the
report.



A regular
at Open
Mic she
reached
out to.
Showing
we continued
to be kind,
not say
bad things
and
encourage
people
to support





To whom it may concern,

My name is Charlie Esker. I am a trans resident of Ames, graduate of ISU, regular at Lockwood cafe, community member, and artist. I fervently support Lockwood Cafe, Reliable St., Sharon Stewart, Lyndsay Nissen, and all lockwood staff. I reject wholeheartedly any accusations of discrimination or slander by Sondra Wilson.

In principle and in practice, Reliable St. has been and is a safe space for all people. Lockwood cafe and Reliable St. have time and time again donated their time, energy, space, and money to the queer community. Hosting a trans vigil, queer renaissance show, multiple pride events, and a queer singles mingle. All of my queer friends and I have always felt accepted and bolstered by the community at Lockwood and Reliable St., and these are all examples of the community that has been cultivated around Reliable St., a community that welcomes everyone with open arms.

Sondra, too, was welcomed into this community; it was through her own actions that she had to be removed from the space. This has nothing to do with Sondra being trans, and I am confident that Sondra was not discriminated against nor was her reputation "slandered." Only those of us unfortunately involved know anything about why or how Sondra was banned. *Sondra is not the victim in this situation.* Sondra made Lockwood staff, along with queer and POC community members uncomfortable, constantly. Sondra would call and text me often, and I witnessed Sondra do the same to my best friend everyday, multiple times a day, with no response. I witnessed Sondra make racially insensitive comments and display culturally appropriated artwork. I witnessed her harass the Lockwood staff at their place of work nearly every day of the week. I witnessed her insert herself into leadership positions without listening to the input of the community. In these positions, she spent her own money without asking anyone

or getting prior acknowledgement that she would be refunded and expected compensation for her unnecessary purchases. She went as far as asking people in Lockwood cafe, at the open mics, and *highschoolers* in SHEPH for money. It is abundantly clear that any "volunteering" or "community work" she did was for her own selfish gain: to build *her* portfolio, to grow *her* skills, and to give *her* a space to express *herself*.

This is a sad situation, one that could have been a wakeup call to a woman who was harming the community of which she was a part. An opportunity for her to learn from her mistakes and take that knowledge into the next community she is in so she doesn't hurt people again. Sondra's perception of everything that has happened, her claims of discrimination and slander, are so disconnected from reality that it is genuinely shocking. Instead of apologizing even once, she immediately went on a crusade to discover who reported her and how to get revenge. All of which only confirms that asking her not to return to Reliable St. was the correct and only response.

ICRC RECEIVED
JUN 27 2022 PM 2:51



Iowa Civil Rights Commission, ICRC <icrc@iowa.gov>

Request for Letter of Right-to-Sue

1 message

78265

Wilson, Sondra <adwilson8@dmacc.edu>

To: "Iowa Civil Rights Commission, ICRC" <icrc@iowa.gov>

Mon, Aug 7, 2023 at 11:29 AM

Dear Iowa Civil Rights Commission:

I am hereby requesting a letter of right-to-sue for CP# 04-22-78265, EEOC# 26A-2022-00580.

Thank you,
Alexandra "Sondra" Wilson
8/7/2023

ICRC RECEIVED
AUG 8 2023 PM4:23



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Milwaukee Area Office

310 West Wisconsin Avenue, Suite 500
Milwaukee, WI 53203-2292
Milwaukee Direct Dial: (414) 662-3680
TTY (414) 297-1115
Website: www.eeoc.gov

9/20/2022

EEOC# 26A-2022-00580
FEPA # CP# 04-22-78265

ALEXANDRA DISTANCE MARIE WILSON
4733 TORONTO STREET
APT 112
AMES, IA 50014

YOUR RIGHT TO A REVIEW BY THE EEOC

When you filed your Charge of Discrimination with a State or Local Fair Employment Practice Agency (FEPA), it was cross-filed with the EEOC due to a Work-Sharing Agreement, given both the agency you filed the charge with and the EEOC have jurisdiction over the allegation(s) included in your Charge.

Now that the FEPA has completed the investigation of your charge, you have the right to request that the EEOC **REVIEW** the determination made by the FEPA. **NO ADDITIONAL INFORMATION** may be added to the record; a review is just that – a review of the information the FEPA had at the time it made the decision.

To secure a review, *you must make the request in writing, within 15 days of the date of this letter.* You may do this by sending a letter addressed to:

State and Local Program Manager
EEOC, Milwaukee Area Office
310 West Wisconsin Avenue, Suite 500 West
Milwaukee, WI 53203-2292

Please ensure that you include your name and your EEOC Charge number in the e-mail or letter.

If a review is not requested within 15 days of the date of this letter, EEOC will generally affirm the FEPA's action in your case. The postmark for the request is the date used to determine timeliness. You will then receive a Dismissal and Notice of Right to Sue which will allow you to go to court if you desire, either on your own or with an attorney of your choice.



STATE OF IOWA

KIM REYNOLDS, GOVERNOR
ADAM GREGG, LT. GOVERNOR

STAN THOMPSON, EXECUTIVE DIRECTOR

5/13/2022

ALEXANDRA DISTANCE MARIE WILSON
4713 ONTARIO STREET
#4
AMES, IA 50014

RE: CP# 04-22-78265 EEOC# 26A-2022-00580
ALEXANDRA DISTANCE MARIE WILSON v.
LOVE CLUB LLC

ALEXANDRA DISTANCE MARIE WILSON:

We have received your complaint, which charges LOVE CLUB LLC with a violation of Iowa Code Chapter 216. A date-stamped copy of the complaint and an outline of the complaint process are enclosed. If there is an EEOC# printed above, then this case has also been cross-filed with the United States Equal Employment Opportunity Commission (EEOC).

Enclosed you will find a Questionnaire. Please complete this set of questions and return within thirty (30) days of the date of this letter. All documentation should be on 8½" by 11" paper and not include staples.

We are a law enforcement agency and our role is that of a neutral fact finder. The allegations made in your complaint will need to be supported with statements, documents, witness names, and witness statements to aid us in screening the case for investigation. Therefore, please send all the supporting evidence you have with the questionnaire response. Please keep a copy of everything you submit to this office.

The information you and the Respondent submit is screened to decide if this case justifies further investigation. It is important that your responses to the questionnaire are clear and contains complete information. Once a decision is made based on the information submitted by both you and the Respondent, you will receive written notice of the decision.

You may request a letter granting you the right to sue in State District Court. Please read the enclosed Information Sheet regarding Right-to-Sue letters.

PLEASE NOTE: You are responsible for keeping us notified of any changes of address or telephone numbers. Your failure to notify us of any changes may be considered as a failure to cooperate with the investigation and may result in the closure of your file by the agency and loss of your rights under the law.

Whenever contacting our office, please provide the CP# cited above.

Sincerely,
Iowa Civil Rights Commission

Enclosures: Complaint Form, Complainant Questionnaire, RTS Information Sheet, Case Process Information,
EEOC Information Sheet (if applicable)
CC: File



STATE OF IOWA

KIM REYNOLDS, GOVERNOR
ADAM GREGG, LT. GOVERNOR

STAN THOMPSON, EXECUTIVE DIRECTOR

5/13/2022

LOVE CLUB LLC
4625 RELIABLE STREET
AMES, IA 50014

RE: CP# 04-22-78265 EEOC# 26A-2022-00580
ALEXANDRA DISTANCE MARIE WILSON v.
LOVE CLUB LLC

LOVE CLUB LLC:

The complaint cited above has been filed with the Iowa Civil Rights Commission (ICRC) pursuant to Iowa Code Chapter 216. A date-stamped copy of the complaint is enclosed. The purpose of this letter is to provide legal service upon you as a Respondent in this case.

If there is an EEOC# printed above, then this case has also been cross-filed with the United States Equal Employment Opportunity Commission (EEOC). The ICRC has been designated as an agent of EEOC, and as such, has authority to serve notice of this charge for the EEOC. Consider this that notice.

Under the Iowa Civil Rights Act, the ICRC has a legal responsibility to conduct an impartial investigation of the enclosed complaint. Enclosed you will find a Questionnaire. All Respondents who receive a Questionnaire must provide responses. Please submit the Questionnaire within thirty (30) days of the date on this letter with complete and thorough information. You may also give a written statement using the questionnaire as a guide. Should Respondent decide to provide a position paper as opposed to providing responses to the enclosed questionnaires, please provide the identity of the employee/agent/owner of Respondent who is responsible for providing the information contained within the position paper. Please identify the individual's name and title/position with the Respondent. Documentation of your responses is REQUIRED. This includes all documents that support your position, including affidavits. All documentation should be on 8½" by 11" paper and not include staples.

PLEASE NOTE: 161 Iowa Administrative Code 3.7(2) provides: "Any books, papers, documents, or records of any form which are relevant to the scope of any investigation as defined in the complaint shall be preserved during the pendency of any proceedings by all parties to the proceedings unless the Commission specifically orders otherwise."

PLEASE REMEMBER: It is a violation of both state and federal discrimination laws for any person to retaliate against Complainant for having filed this complaint.

Whenever contacting our office, please provide the CP# cited above.

Sincerely,
Iowa Civil Rights Commission

Enclosures: Complaint Form, Respondent Questionnaire, Case Process Information, EEOC Information Sheet (if applicable)

CC: File
RELIABLE STREET INC
LOCKWOOD CAFE

Administrative Release
(Letter of Right-To-Sue)

To:	) From:
ALEXANDRA DISTANCE MARIE WILSON	)
4733 TORONTO STREET	) Iowa Civil Rights Commission
APT 112	) Grimes State Office Building
AMES, IA 50014	) 400 E. 14 th Street
	) Des Moines, Iowa 50319
Complaint CP# 04-22-78265 EEOC# 26A-2022-00580	

This is your Administrative Release (Right-To-Sue) Letter issued pursuant to Iowa Code § 216.16 and 161 Iowa Administrative Code Section § 3.10. It is issued pursuant to your request.

The conditions precedent found in 161 Administrative Code § 3.10(2) have been met.

With this Right-To-Sue Letter, you have the right to commence an action in district court. That action must be commenced within ninety (90) days of the Right-To-Sue Letter issuance date, **9/6/2023**. The Right-To-Sue Letter is not a finding by the ICRC on the merits of the charge. The ICRC will take no further action in this matter.

A copy of the Right-To-Sue Letter has been sent to the Respondent(s) as shown below. The Administrative Rules allow any party to a complaint to request a copy of the file when a Right-to-Sue has been issued. The Administrative Rules allow any party to a complaint to request a copy of the file when a Right-to-Sue has been issued. If you or your attorney would like to obtain a copy of the file, please submit your request in writing via regular mail, fax, or email to icrc@iowa.gov. The copy and processing fees are as follows:

- Photocopy of investigative files - .25¢ per page; copies of digital recordings \$15.00 per electronic storage device (hard copy); actual cost of postage; search/supervisory fee \$26.00 per hour
- Scanned copy of investigative files - \$15.00 for first 150-page batch; \$10.00 for each 150-page batch thereafter; copies of digital recordings \$10.00 per electronic storage device (electronic copy); search/supervisory fee \$26.00 per hour

If you opt for an electronic copy, you must provide an email address in order to receive the copy.

The Iowa Civil Rights Commission
Phone: (515) 281-4121
FAX: (515) 242-5840
Email: icrc@iowa.gov

cc: File

LOVE CLUB LLC
RELIABLE STREET INC
LOCKWOOD CAFE

Before the Iowa Civil Rights Commission

Complainant,
Alexandra Distance Marie Wilson

CP# 04-22-78265
EEOC# 26A-2022-00580

v.

Respondents,
Love Club LLC, Reliable Street Inc., Lockwood
Cafe

Summary Order and Notice Denying
Reopening

Pursuant to Iowa Admin. Code r. 161—3.16(3), the above captioned complaint was reviewed based on Complainant's application for reopening. The Iowa Civil Rights Commission (ICRC) administratively closed Complainant's complaint on August 3, 2022. Complainant sent a request for reopening to the ICRC via email on Saturday, September 3, 2022.¹ After a thorough review of Complainant's request and the ICRC's file, I am declining the request to reopen.

In the original complaint, Complainant alleged that she was denied the services of a public accommodation based on her sex and gender identity.² Specifically, following months of volunteer work at Respondent's community garden, she was asked to leave the project and not return to Respondent's premises. Respondent told Complainant that this was due to multiple complaints from employees and other volunteers that Complainant was disrespectful and made people feel unsafe. Complainant feels that if she was cisgender, these complaints would not have been lodged at all.

In her application for reopening, Complainant claims various allegations made by Respondent are false, including the following:

- That Complainant would "corner" owner Lyndsay Nissen to talk about the garden
- That Complainant commandeered the garden project by creating and implementing her own plan for the space without consulting others
- That Complainant asked other volunteers, Respondent's employees, and Respondent's customers for donations to support the project
- That Complainant spent money on the project without authorization
- That Complainant was harassing volunteers and employees
- That Complainant made inappropriate comments regarding an employee's race and national origin

During the screening stage, the ICRC draws all "rational, reasonable, and otherwise permissible" inferences in Complainant's favor. *See Phillips v. Covenant Clinic*, 625 N.W.2d 714, 718 (Iowa 2001)

¹ Complainant's request for reconsideration was initially summarily denied, as it was received more than 30 days after the case was administratively closed. However, further review indicated that Complainant was inaccurately informed by ICRC staff that her request for reconsideration was due on September 3, 2022. Due to this error on the part of the ICRC, Complainant's request shall be addressed on its merits rather than its timeliness.

² Complainant also initially alleged that she was an employee of Respondent and thus asserted various employment-based adverse actions. The Screener determined that even making reasonable inferences in favor of Complainant, Complainant was not an employee of Respondent. Complainant does not appear to dispute this finding in her application for reopening, and it therefore will not be discussed herein.

(quoting *Butler v. Hoover Nature Trail, Inc.*, 530 N.W.2d 85, 88 (Iowa Ct. App. 1994)). Importantly, the ICRC does not evaluate credibility at the screening stage, and instead evaluates only whether the stated facts create a “reasonable possibility” for a probable cause finding. Because of this, her concerns regarding the veracity of the factual allegations made by Respondent do not change the fact that she cannot show that there was a reasonable possibility that Respondent violated the Iowa Civil Rights Act.

Specifically, nothing provided by Complainant changes the Screener’s determination that Complainant could not demonstrate that Respondent’s reason for denying Complainant service was pretext for discrimination. Once a respondent offers a non-discriminatory reason, the burden then shifts back to the complainant to show that the respondent’s explanation is a pretext for discrimination. *Yates v. Rexton, Inc.*, 267 F.3d 793, 798 (8th Cir. 2001). Complainant can demonstrate Respondent’s reason is pretextual by showing that it is false, through the use of comparisons with similarly situated employees, or through the use of statistics to show a pattern of discrimination. See, e.g., *Miles v. M.N.C. Corp.*, 750 F.2d 867, 870 (11th Cir. 1985); *Bradford v. Norfolk S. Corp.*, 54 F.3d 1412, 1419 (8th Cir. 1995). Failing to follow its own policies or substantially changing its proffered reasons for its actions might also be evidence of pretext by Respondent. *Ledbetter v. Alltel Corp. Servs., Inc.*, 437 F.3d 717, 722 (8th Cir. 2006) (discussing an employer failing to follow its own policies); *Kobrin v. Univ. of Minn.*, 34 F.3d 698, 703 (8th Cir. 1994), cert. denied, 522 U.S. 1113 (1998) (discussing substantial changes in proffered reason). Complainant can prove pretext by offering “evidence of ‘remarks of the employer that reflect a discriminatory attitude,’ as well as ‘comments which demonstrate discriminatory animus in the decisional process or those uttered by individuals closely involved in employment decisions.’” *Roberts v. Park Nicollet Health Servs.*, 528 F.3d 1123, 1128 (8th Cir. 2008) (quoting *EEOC v. Liberal R-II Sch. Dist.*, 314 F.3d 920, 923 (8th Cir. 2002)). Complainant may also show evidence of prior instances of disparate treatment by the employer in other contexts. *Phillip v. ANR Freight Sys. Inc.*, 945 F.2d 1054, 1056 (8th Cir. 1991).

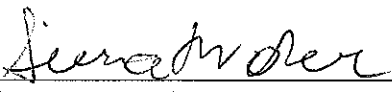
As noted in the Preliminary Case Review, Complainant cannot show that she was treated worse than similarly-situated individuals, because there are no proper comparators. Complainant has not asserted that there was a pattern of discrimination, prior instances of disparate treatment, or discriminatory remarks made by any decision-makers. There is also no indication that Respondent has substantially changed the reason for its decision or that it failed to follow its own policies.

Complainant seems to suggest that Respondent’s reason for asking her to leave is false; however, even assuming all facts in favor of Complainant, there is no indication that it was anything more than a good-faith mistaken belief on the part of Respondent. A respondent’s reason for its actions may be legitimate even though it is erroneous “if the [respondent] honestly believed the asserted grounds at the time.” *Twymon v. Wells Fargo & Co.*, 462 F.3d 925, 935 (8th Cir. 2006); see also *Pye v. Nu Aire, Inc.*, 641 F.3d 1011, 1022 (8th Cir. 2011). When the respondent reasonably relies on the particular facts before it when it makes the decision, its reason is not pretextual even if it is ultimately incorrect. *Shazor v. Prof'l Transit Mgmt., Ltd.*, 744 F.3d 948, 960 (6th Cir. 2014) (quoting *Upshaw v. Ford Motor Co.*, 576 F.3d 576, 586 (6th Cir. 2009)). Respondent provided screenshots and witness statements demonstrating repeated concerns about the appropriateness of Complainant’s conduct. Even if all of these encounters were misunderstandings or even falsehoods on the part of the complaining party, it was not unreasonable of Respondent to rely on this body of evidence when it decided to bar Complainant from the premises.

Because Complainant cannot show that Respondent's reason is pretext, there is not a reasonable possibility for a probable cause finding in this case, and it was appropriate for it to be administratively closed.

IT IS THEREFORE ORDERED that the Complainant's reopening application be denied.

Dated September 27, 2022.



Sierra Walker, Attorney 1
Iowa Civil Rights Commission

Before the Iowa Civil Rights Commission

Complainant, Alexandra Distance Marie Wilson v. Respondents, Love Club LLC, Reliable Street Inc., Lockwood Cafe	CP# 04-22-78265 EEOC# 26A-2022-00580 Summary Order and Notice Denying Reopening
--	--

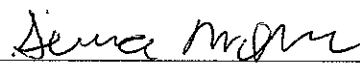
Pursuant to Iowa Admin. Code r. 161—3.16(3), the above captioned complaint was reviewed based on Complainant's application for reopening. The Iowa Civil Rights Commission (ICRC) administratively closed Complainant's complaint on August 3, 2022. Complainant sent a request for reopening to the ICRC via email on Saturday, September 3, 2022.

Pursuant to I.A.C. r. 161—§ 3.16.3(c), "An application for reopening under this subrule must . . . be filed within 30 days after the issuance of the decision or action to be reconsidered." The administrative closure of Complainant's complaint was issued on August 3, 2022. The 30-day reconsideration period ended September 2, 2022. In order to be considered timely, a request to reopen must have been postmarked by that date or faxed or emailed by 4:30 pm on that date.

Complainant's request for reopening was received after the deadline of September 2, 2022. Complainant's Request for Reopening is untimely and must be summarily denied under I.A.C. r. 161—§ 3.16(2).

IT IS THEREFORE ORDERED that the Complainant's reopening application be denied.

Dated September 19, 2022.



Sierra Walker, Attorney 1
Iowa Civil Rights Commission

PRELIMINARY CASE REVIEW

CP # 04-22-78265

EEOC # 26A-2022-00580

Area: Public Accommodation, Employment*

Bases: Sex, Gender Identity

Complainant: Alexandra Distance Marie Wilson

Respondents: Love Club, LLC; Reliable Street, Inc.; Lockwood Cafe

Adverse Action: Denied Service

Date: March 31, 2022

*Note: Complainant indicated Unequal Treatment, and this will be analyzed as Denied Service. Complainant indicated Employment adverse actions including: Discipline, Failure to Hire, Failure to Train, Denied Accommodation or Modification, and Termination, on her complaint. Based on her narrative and her questionnaire responses, Complainant was not an employee of Respondents, and thus the area of Employment will not be analyzed.

COMPLAINANT'S ALLEGATIONS

Relevant Factual Allegations:

Complainant is transgender, but she does not identify as a transgender female, she is simply female. Her California license and related court orders confirm she is female, and she began presenting this gender in 2003. Complainant legally changed her name in 2011. She alleges after six months of managing and performing the vast majority of planning and labor on a garden and prairie restoration project, she was asked to leave and not return. Complainant alleges the project was on behalf of businesses Reliable Street, Inc. and Lockwood Café [and project property, the Love Club LLC] (Respondents). She alleges everyone at Respondents knew her gender history.

Complainant states a local high school gardening club, Students Helping End Poverty and Hunger (SHEPH), has permission to garden on the property site. Complainant alleges she was appointed manager of the garden by café owners Lyndsay Nissen (female, gender identity not provided) and Sharon Stewart (female, gender identity not provided). Complainant states she is an author who is known for her skills with gardening and native plants. She recalls she was offered the 50% employee discount on all purchases at the café. Complainant alleges she assisted SHEPH with planning and labor, and she provides photos of the garden from October 2021 before she began her work. Complainant was told by Respondents to communicate with café employees Willa Colville (female, non-transgender) and Denise Martinez (female, gender identity not provided), and they also attended meetings with SHEPH with Complainant.

Complainant states she cleared land, weeded, picked up garbage like tires, framed edges of an area to be mulched with boards, and built fences. Complainant alleges she provide six loads of mulch, purchased 4 x 4s, and painted signs.

Complainant notes by March 2022 the project was going well, and the relations between all parties was excellent. Complainant remembers she received many compliments on the garden improvements. However, on March 31, 2022, Transgender Day of Visibility, Complainant was removed from the project. Complainant states on this day she was to meet with Nissen and Stewart to show them the work that was done, and Complainant would explain what supplies were needed. Instead, Nissen and Stewart told Complainant “multiple people”¹ complained Complainant was “violating their space” and made them feel “unsafe.” Complainant states she questioned why no one ever told her this, and Nissen and Stewart noted they had tried, but Complainant should “read a book on active listening.”

Complainant states she spoke with friends and community members, in effort to find out who made the statements, as she was concerned about her reputation. As a transgender woman, Complainant states she already faces the stereotype of being a predator, and she always tries to be mindful of peoples’ personal space. Complainant notes she contacted several others who work on the project to let them know she was leaving the project, and received nice messages. Finally, Colville told Complainant she was the one who complained. Complainant wishes Colville would have told her personally, because she would have adjusted her interactions, and Complainant alleges in fact Colville showed the opposite, that she was comfortable with Complainant.

Complainant believes Nissen and Stewart mishandled the complaint, and they were unfair in their “investigation” of the complaint, and caused her injury. Complainant contends if a non-transgender woman was in her position and interacted in the same way with them, there would not have been these complaints in the first place. Complainant alleges if there were complaints, a non-transgender woman would have been given a benefit of the doubt and would not have been accused the way she was. Complainant states she has suffered great distress from being cut-off from her community as a result of their actions. Complainant was banned indefinitely from the project and from Respondents, as she was no longer able to go to the café or the art gallery connected with Reliable. Complainant alleges their conduct was based on her sex because a non-transgender woman who complained was given preferential treatment, and Complainant was presumed guilty. Complainant believes she was treated unfairly by this presumption of guilt based on typical prejudices many transgender women face.

Complainant alleges she should have been an employee but was not properly employed, and that Respondents violated the Fair Labor Standards Act. Complainant states she believed she was working on behalf of Respondent Reliable Street Inc., which was primarily run by Nissen and Complainant was told “[Nissen] owns the property.” Complainant includes emails from Nissen, written to Complainant with an email address for Reliable. Complainant later learned the property was owned by Love Club LLC, not a non-profit. Thus, Complainant indicates she was not working as a volunteer but in fact as an unpaid employee of the LLC.

Complainant states Respondents should establish fair protocols for handling complaints, and she would like to be reimburse for her labor and emotional distress.

Relevant Information/Documents:

- ICRC Initial Complaint Form
- Responses to ICRC Questionnaires

¹ All quotes herein are verbatim. Any alteration will be denoted by brackets.

- Complainant's statement, including photos of gardens

RESPONDENT'S REASONS

Relevant Factual Allegations:

Stewart owns Respondent Lockwood Café, a small restaurant which seeks to be a space that remains safe for the Queer and Trans community as well as POC. Stewart states over half of her staff identifies as Queer, and while there are not currently transgender employees, there were previously who have now moved out of the state.

Stewart states Complainant began to come to the café regularly in the late summer 2021. Respondents note Complainant identified herself by the name of Sondra, and she spoke openly about being transgender. Complainant seemed happy and wanted to build a community connection, and she expressed an interest in the community garden and prairie. Stewart states the garden is not part of the café, but is part of the Reliable Street, Inc. non-profit.

Nissen states Complainant first appear to her at an open mic night at the Reliable Street, Inc. gallery, and then she became a fixture there. Nissen alleges Complainant needed community, and they embraced her. Nissen states Complainant became interested in the community garden that was part of Reliable Street, Inc. Nissen notes Reliable Street Inc. is a non-profit organization and a collective space, whose mission is to provide community improvement through the arts. They encourage a working environment, both interdependent and collaborative, and they intend for the public to be involved. Reliable is a tenant of The Love Club LLC. Nissen says the garden is a volunteer project that incorporates high school students in a club called SHEPH.

Nissen alleges Complainant would corner her regularly to talk about the garden and her ideas for it. Nissen states she told Complainant that yes, she could have the opportunity to work on the land, but that the others already involved had a plan. Complainant soon came up with the idea of a prairie, and Nissen encouraged her to talk to the other involved parties who already worked on the garden project. Regardless, Nissen states Complainant began to clear the weeds from the space she wanted to work in without talking to anyone else about it, and the prairie became an obsession. Nissen says she agreed Complainant could plant a prairie, and Complainant continued to push her for more control of the project. Nissen alleges Complainant did not listen to others, she bulldozed them, and Nissen states she continued to attempt to get Complainant to listen to other people. Nissen states Complainant wanted to raise money to buy the seed for the prairie but never did, instead she asked Nissen and others for donations for it. Nissen notes the prairie was not the community project, the garden was.

Nissen recalls Complainant spent money on garden purchases without authorization, and then she began to solicit funds for them from café employees and customers, and others involved with the garden, which became very uncomfortable. In addition, Nissen states Complainant had become "obsessed" with Colville, to the extent that Complainant was stalking and harassing her. When the Colville complained to Stewart, she and other employees such as Martinez shared that Complainant had also made racist comments and inappropriate comments about employees' sexual identities, and they provide text messages and statements from employees and patrons who express these sentiments and those communications.

One text message is a conversation between Complainant and an employee where Complainant wrongly identifies and asks questions about the employee's national origin. In a statement, a patron alleges he witnessed Complainant make racially insensitive comments, and Complainant harassing staff at the café, including asking them, other patrons, and even the high school students in SHEPH for money for the garden projects. The patron alleges Complainant harassed him by texting and calling him and numerous others in the community, multiple times a day.

Nissen and Stewart were concerned about how both employees and customers were being treated, as providing a safe space was an important goal. Nissen states she and Stewart asked the employees what they needed to feel safe and comfortable at work and on the property, and the employees agreed Complainant should no longer be involved. Nissen and Stewart then spoke to Complainant on March 31, 2022 to ask her to leave the projects and space. Nissen asserts they made their explanation of why, broad, so as to protect their employees and to not hurt Complainant's feelings. Nissen states Complainant was extremely defensive, did no personal reflection, and did not accept any responsibility. Nissen notes she gave Complainant \$300 in cash for the money Complainant spent without asking, and the prairie seed, though Nissen also provides an email stating Complainant was purchasing the prairie seed as a donation.

Stewart and Nissen state Complainant was never an employee, she was a volunteer.

Relevant Information/Documents:

- Responses to ICRC Questionnaires from Stewart and from Nissen
- Statement from trans resident and Respondents' patron Charlie Esker

STANDARD

The ICRC issues screening decisions based on the information collected to date. If the information indicates a "reasonable possibility of a probable cause determination or the legal issues in the complaint need development" the ICRC will "screen in" a case for further investigation. Iowa Admin. Code r. 161—3.12(1)(f). During the screening stage, the ICRC draws all "rational, reasonable, and otherwise permissible" inferences in Complainant's favor. *See Phillips v. Covenant Clinic*, 625 N.W.2d 714, 718 (Iowa 2001) (quoting *Butler v. Hoover Nature Trail, Inc.*, 530 N.W.2d 85, 88 (Iowa Ct. App. 1994)). Importantly, the ICRC does not evaluate credibility at the screening stage, and instead evaluates only whether the stated facts create a "reasonable possibility" for a probable cause finding. The ICRC relies in part on its own experience and expertise with the Iowa Civil Rights Act (ICRA), while remaining mindful that many cases turn on circumstantial—rather than direct—evidence of discrimination. *Ritz v. Wapello Cty. Bd. of Supervisors*, 595 N.W.2d 786, 791 (Iowa 1999).

ANALYSIS

Adverse Action: Denied Service

Date: March 31, 2022

Timely?

☒ Yes

☐ No

☐ Undetermined

“Except as otherwise provided in section 614.8, a claim under this chapter shall not be maintained unless a complaint is filed with the commission within three hundred days after the alleged discriminatory or unfair practice occurred.” Iowa Code § 216.15(13). Complainant filed her complaint on April 29, 2022, and the incident in question was on March 31, 2022, which is within the 300-day window beginning July 3, 2021. The complaint is timely.

Complainant can prove unlawful discrimination through direct evidence or indirectly through inference using the pretext analytical model. *Butler v. Crittenden Cty., Ark.*, 708 F.3d 1044, 1050 (8th Cir. 2013) (citing *Young-Losee v. Graphic Packaging Int’l, Inc.*, 631 F.3d 909, 912 (8th Cir. 2011); *Price Waterhouse v. Hopkins*, 490 U.S. 228, 242 109 S. Ct. 1775 (1989)). Complainant must show the adverse action “‘occurred under circumstances giving rise to an inference of discrimination,’” and Complainant’s status as a protected class member was a motivating factor in the decision. *DeBoom v. Raining Rose, Inc.*, 772 N.W.2d 1, 13 (Iowa 2009) (citations omitted).

Is there direct evidence? ☐ Yes ☒ No ☐ Undetermined

A claim that is not supported by direct evidence can proceed under the three-stage, burden-shifting standard set forth in *McDonnell Douglas Corp. v. Green*, 411 U.S. 792, 93 S. Ct. 1817 (1973). Under the *McDonnell Douglas* burden-shifting approach, Complainant must establish a prima facie case of discrimination. Once a prima facie case is established, the burden shifts to the employer to articulate a legitimate, nondiscriminatory reason for the employment decision. If the employer articulates such a reason, the presumption disappears and the complainant bears the burden of proving that the employer’s proffered reason is merely a pretext for discrimination. *Id.*

Prima Facie Case

A prima facie case of discrimination in public accommodation requires a showing Complainant (1) is a member of a protected class; (2) sought to enjoy the accommodations of the public accommodation; and (3) did not enjoy the accommodations because of discrimination in that (a) the individual was refused or denied the accommodations while similarly situated persons outside the protected class were not deprived of those services, or (b) the individual was allowed to use them but was otherwise subjected to markedly hostile conduct. *Kirt v. Fashion Bug #3253*, 479 F. Supp. 2d 938, 959 (N.D. Iowa 2007).

“‘Markedly hostile’ conduct means conduct that ‘(1) is so profoundly contrary to the manifest financial interests of the merchant and/or her employees; (2) so far outside of widely accepted business norms; and (3) so arbitrary on its face, that the conduct supports a rational inference of discrimination.’” *Id.* at 966 (quoting *Callwood v. Dave & Buster’s, Inc.*, 98 F.Supp. 2d 694, 708 (D. Md. 2000)). A complainant must prove the conduct was “‘in a manner that a reasonable person would find objectively unreasonable’” for the conduct to be considered markedly hostile. *Id.* at 962 (quoting *Callwood*, 98 F.Supp.2d at 708). “Any credible evidence” showing a respondent engaged in an adverse action based on a complainant’s protected class “may establish an inference of discrimination.” *Id.*

Element 1: ☒ Yes ☐ No ☐ Undetermined

Complainant is female, and she is transgender, thus she is a member of protected classes based on her sex and gender identity.

Element 2: ☒ Yes ☐ No ☐ Undetermined

The ICRA defines “public accommodation” as “each and every place, establishment, or facility of whatever kind, nature, or class that caters or offers services, facilities, or goods for a fee or charge.” Iowa Code § 216.2(13)(a).

Respondents are a café, and collective space for art, including a gallery, which makes them public accommodations. Complainant sought to order at the café, and participate in the collaborative space, including the garden, and therefore sought the use of the public accommodations.

Element 3: ☒ Yes ☐ No ☐ Undetermined

Complainant was denied service, as she was told by Stewart and Nissen she was banned indefinitely from Respondents, including the community garden project. Complainant was denied service, while she alleges males and non-transgender patrons and collaborators are allowed to enjoy them. Complainant alleges their conduct was based on her sex because a non-transgender woman who complained was given preferential treatment, and Complainant was presumed guilty. Complainant believes she was treated unfairly by this presumption of guilt based on typical prejudices many transgender women face, such as being a predator.

Respondent's Reason

Respondent provided legitimate, nondiscriminatory reason and supported with admissible evidence:

☒ Yes ☐ No

The establishment of a prima facie case creates a rebuttable presumption of discrimination. *McCullough v. Real Foods, Inc.*, 140 F.3d 1123, 1126 (8th Cir. 1998). Once a prima facie case is established, the burden shifts to Respondent to articulate some legitimate, nondiscriminatory reason for the challenged action. *Valline*, 2003 WL 21361344, at *3 (citing *Bd. of Supervisors of Buchanan Cnty. v. Iowa Civil Rights Comm'n*, 584 N.W.2d 252, 256 (Iowa 1998)). The reason must be articulated with some specificity and clarity in order to afford Complainant “a full and fair opportunity to demonstrate pretext.” *Burdine*, 450 U.S. at 255–56.

This burden involves the production of some admissible evidence giving rise to a genuine issue of fact. *Hamilton v. First Baptist Elderly Housing Found.* 436 N.W.2d 336, 338 (Iowa 1989). The supporting evidence does not need to be enough to persuade a court that the proffered reason was the actual motivation. *Id.* Attorney arguments are not considered admissible evidence. *State v. Graves*, 668 N.W.2d 860, 878 (Iowa 2003); 8th Circuit Model Civil Jury Instructions 1.02(1); Iowa Model Jury Instruction 100.4.

Respondents state Complainant was a volunteer, not an employee. Nissen recalls Complainant began to solicit funds for the prairie from café employees and customers, and others involved with the garden. The situation became very uncomfortable, as there was a business being run, and employees were there to work and customers were there to be patrons of the business. Respondents

state Complainant was stalking and harassing an employee, and she and other employees shared that Complainant had also made racist comments and inappropriate comments about employees' sexual identities and national origin. They provide text messages and statements from employees and patrons who express these sentiments and those communications. The patron alleges Complainant harassed him by texting and calling him and numerous others in the community, multiple times a day.

Nissen states she and Stewart asked the employees what they needed to feel safe and comfortable at work and on the property, and the employees agreed Complainant should no longer be involved.

Pretext:

Complainant can prove pretext: ☐ Yes ☒ No ☐ Undetermined

Once an employer offers a non-discriminatory reason, the burden then shifts back to the employee to show that the employer's explanation is a pretext for discrimination. *Yates v. Rexton, Inc.*, 267 F.3d 793, 798 (8th Cir. 2001). Complainant can demonstrate Respondent's reason is pretextual by showing that it is false, through the use of comparisons with similarly situated employees, or through the use of statistics to show a pattern of discrimination. *See, e.g., Miles v. M.N.C. Corp.*, 750 F.2d 867, 870 (11th Cir. 1985); *Bradford v. Norfolk S. Corp.*, 54 F.3d 1412, 1419 (8th Cir. 1995). Failing to follow its own policies or substantially changing its proffered reasons for its actions might also be evidence of pretext by Respondent. *Ledbetter v. Alltel Corp. Servs., Inc.*, 437 F.3d 717, 722 (8th Cir. 2006) (discussing an employer failing to follow its own policies); *Kobrin v. Univ. of Minn.*, 34 F.3d 698, 703 (8th Cir. 1994), cert. denied, 522 U.S. 1113 (1998) (discussing substantial changes in proffered reason). Complainant can prove pretext by offering "evidence of 'remarks of the employer that reflect a discriminatory attitude,' as well as 'comments which demonstrate discriminatory animus in the decisional process or those uttered by individuals closely involved in employment decisions.'" *Roberts v. Park Nicollet Health Servs.*, 528 F.3d 1123, 1128 (8th Cir. 2008) (quoting *EEOC v. Liberal R-II Sch. Dist.*, 314 F.3d 920, 923 (8th Cir. 2002)). Complainant may also show evidence of prior instances of disparate treatment by the employer in other contexts. *Phillip v. ANR Freight Sys. Inc.*, 945 F.2d 1054, 1056 (8th Cir. 1991).

Complainant does not show pretext through falsity. Complainant offers Coville as a non-transgender woman who she believes was give more favorable treatment, however Coville was an employee of a Respondent, and Complainant was a volunteer. In addition, Coville was complaining of misconduct by Complainant, whereas Complainant was being accused of possible misconduct. Complainant does not show falsity through a statistical pattern of discrimination. Complainant cannot establish Respondent failed to follow their own policies or substantially changed its reasons. Complainant does not believe Respondents conducted a fair investigation of the claims against her. However, Respondents detail the complaints they received in their questionnaire responses, despite not detailing them for Complainant in order to protect the employees and not hurt Complainant's feelings.

Complainant cannot demonstrate evidence of remarks or comments showing Respondents had a discriminatory attitude, and Respondents are known in the community, even to Complainant, for being a safe space for the Queer and Trans community. Complainant does not evidence prior instances of disparate treatment by Respondents.

No further investigation is warranted.

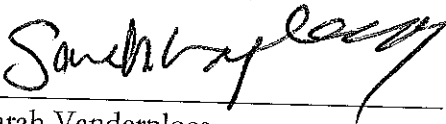
MATERIAL DISPUTED FACTS

☐ Yes ☒ No

MATERIAL CREDIBILITY DETERMINATIONS TO BE MADE

☐ Yes ☒ No

RECOMMENDATION ☐ Refer for Further Investigation ☒ Administratively Close
The ICRC's administrative rules provide the standard for screening. "A case will be screened in when further processing is warranted." Iowa Admin. Code r. 161—3.12(1)(f). "Further processing is warranted when the collected information indicates a reasonable possibility of a probable cause determination." *Id.* Probable cause exists where there are reasonable grounds to believe discrimination has occurred. *Wilson v. Hayes*, 464 N.W.2d 250, 261–62 (Iowa 1990) (citing 52 Am.Jur.2d *Malicious Prosecution* § 51, at 219).



Sarah Vanderploeg
Civil Rights Specialist

