



THREE RIVERS PERFORMANCE

Subject: Negation to Discrimination Complaint against Three Rivers Performance

Dear Members of the City of La Crosse Human Rights Commission,

I hope this letter finds you well. We appreciate the opportunity to address the formal discrimination complaint filed against Three Rivers Performance by Ms. Taryn Baardseth. As the owners of Three Rivers Performance, we take all complaints seriously and are committed to maintaining an inclusive and safe environment for our employees and members.

Background and Context: Ms. Baardseth alleges that she was barred from our gym due to discriminatory reasons related to sex, disability, and religion. We would like to provide a comprehensive response based on the information you have received.

1. Incident Details:

- Ms. Baardseth claims that she was barred from Three Rivers Performance when First Free Church and their elder team misused a civil injunction they filed. She further alleges that the church informed their volunteers that this injunction applies at other businesses.
- Our decision to bar Ms. Baardseth was not influenced by any communication with First Free Church, as we have had no contact with First Free Church. Instead, it was based on our employee's perception of safety and well-being. We prioritize the safety of our employees and members above all else.
- After Ms. Baardseth contacted the La Crosse Police Department regarding this matter, a conversation was had with Officer Wiste where we reiterated the fact that our decision was based upon employee safety and that no one from our facility had spoken to First Free Church.

2. Employee Safety Concerns:

- One of our employees has expressed concerns about feeling unsafe around Ms. Baardseth due to her alleged history of behavior towards the employee's family. If needed, we are able to provide the employee's report regarding relevant incidents that led to this perception.
- As a private LLC, we have the right to make membership decisions that prioritize the safety and well-being of our staff and members. We were not refusing service to Ms. Baardseth based upon any protected characteristics that patrons are protected from through federal, state, or local law, as she has claimed in her complaint. Federal law recognizes that Three Rivers has the right to refuse service if:



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1. An employee feels unsafe due to a customer's behavior;
 2. The decision should be based on legitimate safety concerns rather than discriminatory reasons.
- Three Rivers Performance prioritizes employee safety, as previously stated. Our employee reasonably believes, based upon past actions and behaviors of Ms. Baardseth, that serving Ms. Baardseth poses a risk, requiring us to make the decision that we have.
3. **Communication Attempts:**
- We acknowledge that Ms. Baardseth made a significant amount of calls to Three Rivers Performance. One of our owners attempted to return her calls promptly and multiple times, but was unable to reach her directly.
 - The decision not to leave a voicemail was intentional. We wanted to address her concerns directly rather than risk any misinterpretation of a voicemail message.
 - If needed, Three Rivers Performance can provide an incoming and outgoing call log.
4. **Diversity and Inclusion Commitment:**
- Our Diversity, Equity, and Inclusion Statement reflects our commitment to fostering an inclusive climate.
 - We actively seek individuals both in membership and in hiring with diverse experiences and perspectives to enhance innovation, critical thinking, and problem-solving within our community.
5. **Religious Discrimination:**
- We respect the confidentiality of people's religious beliefs. At Three Rivers Performance, religious discussions are neither questioned nor discussed.
 - While Ms. Baardseth claims religious discrimination, we employ individuals with varying beliefs, demonstrating our commitment to inclusivity.
6. **Protected Classes:**
- We proudly employ and serve members from virtually all protected classes; characteristics including race or color, national origin or citizen status, religion or creed, sex, age, disability, pregnancy, or genetic information, and veteran status are represented via our employees and members.



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Conclusion: In summary, while we understand that businesses do have the right to refuse service, it must be done carefully, considering both safety concerns and legal obligations. Three Rivers Performance's decision aligns with these principles, and it is important to us that we express and reiterate that our decision was made solely to prioritize the safety and well-being of our staff and members. Three Rivers Performance remains dedicated to promoting a culture of respect, safety, and inclusiveness and if needed, we are more than willing to provide specific examples of how we actively promote an inclusive environment in order to demonstrate our dedication to these values. We appreciate the City of La Crosse Human Rights Commission's thorough review of this matter and trust that our actions align with our values and legal obligations.

Thank you for your attention to this issue. If you require any further information, please do not hesitate to contact me.

Sincerely,



Eddie Hodges

Owner & Director of Performance

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Receipt

Receipt Number: 7827b20f-c245-4274-88f8-d5fbc89d57a3



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Exercise.com

Paid By
Payment Method
Email

Taryn Baardseth
Mastercard ending in 4895
taryn.n.baardseth@gmail.com

\$20.00 paid on Feb 1, 2024

Description	Paid For	Qty	Unit Price	Amount
InBody 270 Scan	Taryn Baardseth	1	\$20.00	\$20.00
Subtotal				\$20.00
Amount Paid				\$20.00