

**Human Right Commission Minutes
Regular Meeting**

Date: Thursday, June 20, 2019

Chairperson Shantell Bingham called the meeting to order at 7:17 PM

Roll Call: Ann Smith, Jeanette Abi-Nader, Elliot Brown, Shantell Bingham, Catherine Spear, Kathryn Laughon, Olivia Patton, Robert Woodside, Susi Wilbur

Staff Present: Todd Niemeier, Charlene Green

**Please note, the summarized notes presented below are recorded in real time and are not concise quotes from the correlated speaker. Please review the posted audio recording for specific language. The HRC intends to get word-for-word transcript meeting notes for accessibility purposes in the future.*

| AGENDA ITEM | CONTENT |
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| <p>ANNOUNCEMENTS</p> <ol style="list-style-type: none"> 1. Charlene shared Unity Day Calendar 2. Charlene passed around a sign up sheet for Fraline Art Museum Signs for Change exhibit 3. Is the Monticello to Main Street tour accessible? -Ann Smith 4. Other Unity Events | <ol style="list-style-type: none"> 1. Calendar <ul style="list-style-type: none"> • Calendar of Unity Days for June & July – check them out and do your best to attend • Tomorrow, June 22nd is the Monticello to Main Street at Court Square at 11am. Charlene will be giving the tour for the fourth time and will share stories of 4 blacks that lived in this area. Also speaks to the underground railroad from Ohio. • Ends at close to Noon at York Place 2. Fraline Exhibit <ul style="list-style-type: none"> • Fraline Museum also has an exhibit of local Signs for Change as part of the Unity Days – African American history in Charlottesville. There are 5 X 7 banners in York Place that shows the amazing pieces of art from the local AA artists. • Would like to open the Fraline Museum for additional hours to show this exhibit. • Charlene passed out a sign up sheet for 6/21, 6/22, 6/23, 6/28, 6/29 if HRC commissioners want to volunteer to sign up 3. Question about walking tour <ul style="list-style-type: none"> • Ann suggested that Charlene make it clear that it is a ‘walking’ tour so that people will know what to expect. 4. Other Unity Events |

| AGENDA ITEM | CONTENT |
|---|---|
| | <ul style="list-style-type: none"> • Other Unity Events are mostly a film or presentation. • Charlene is doing a film on Stonewall at 6pm in City Space – considered the central piece for LGBTQ rights • Charlene will also speak to what the City is doing to be more gay aware. • The Mask You Live In – About Toxic Masculinity • Charlene reviewed a few other items |
| <p>Virginia Human Rights Commission</p> <ol style="list-style-type: none"> 1. Charlene -September 28, 2019 Virginia Human Rights meeting 2. Charlene -July 25, 2019 Drewary Brown Story | <ol style="list-style-type: none"> 1. Charlottesville Human Rights commission will be hosting the fall meeting for Virginia Human Rights (VAHR). Last year we had a few Charlottesville commissioners attend. There were 7 Statewide HR representative. 2. Film about the Drewary Brown Memorial Bridge – there are names of people that have been honored as bridge builders and they will be honored next July at Vinegar Hill Theater |
| <p>MATTERS BY THE PUBLIC</p> <p>Peter Krebs – Piedmont Environmental Council, Move2Health and other partners</p> <p>Open Streets – event</p> <p>Requesting a letter of support</p> <p>7:42pm –</p> <p>Motion to accept: Olivia Patten moved for HRC to write a letter of support.</p> <p>Seconded by: Rob Woodside seconded.</p> <p>Discussion:</p> <p>Kathryn Laughon – suggested that we add in the letter a specific focus on this event being about equity.</p> <p>Catherine Spear agreed with Kathryn Laughon’s suggestion.</p> | <p>Open Streets is an event where we close of a street or group of streets to give the community an opportunity to utilize the street for dancing, walking, socializing. Allows people to experience public space in new ways, new physical activity, allows people to get to know each other.</p> <p>We think this would be great for Unity Days Event – for 2020. We would like to be a marquee event. We are applying for a grant from the Health Department to make this happen. The grant application is due on July 1st and they would like a letter of support from the Human Rights Commission</p> <p>QUESTIONS – How does this align with Human Rights.</p> <p>One of the more basic rights is the right to the street less ambiguous if we get to enjoy it for a myriad of reasons. Some are quite intense and</p> |

| AGENDA ITEM | CONTENT |
|--|--|
| <p>Rob Woodside also include the notion that we also specifically include engaging neighbors who are most marginalized.</p> <p>Elliot Brown asked if the Open Streets committee was diverse? Peter Krebs said no. It is leaders from agencies and everyone is white. They are however, committed to having a Steering Committee/Jury to include diverse participants from each neighborhood with a preference for leaning towards the most marginalized neighborhoods in Charlottesville.</p> <p>Catherine Spear – if there is an opportunity for the whole commission to weigh in on the letter that would be appreciated.</p> <p>UVA Cancer Center and Kyle Rodland from Safe Routes will submit the other two letters.</p> <p>Jeanette asked if it was okay for her to vote given that her organization is also applying for that grant.</p> <p>Shantell will draft the letter and share with the committee by Monday June 24th and feedback will happen by Wednesday June 26th. Must be completed by Friday, June 28th.</p> <p>8 members approve 0 members deny 1 member abstains Motion Approved at 7:49pm.</p> <p>Follow up Question: Ann – when you start this process how will you ensure that the community who needs to be represented are? Peter says that this is a 3 year grant and the first year will be figuring out these aspects.</p> <p>Shantell noted that</p> | <p>historical. One fear is being hit by a car or killed. This events allows people to imagine this space and fully own it. Our goal sa bike and pedestrian advocates is to install in people that they have a right to that space.</p> <p>Q: Your planning is for 2020 – when you say open street – is it a day activity? Have you looked at where it would be? Generally these are a day or less than a day. In some localities it’s once a year, in others its once a year. We’d like to propose we just do it once and get feedback.</p> <p>Where? Peter said they didn’t want to decide without input from the community. Rob asked whether or not they have reached out to Neighborhood Groups. Yes, they plan to.</p> <p>Shantell spoke to Charlie Brown’s presentation and spoke to how communities have been separated structurally through planning. It is an opportunity to explore how we could bring people back together - it is about creating a safe space for communities who have been marginalized and disadvantaged that is productive. It is related to getting arrested for being black or brown and not being aloud in the community. SB says this is a phenomenal idea and that it will take a lot of work to make this inclusive. For example, Friendship Court and the IX Park – you don’t see a lot of cross over from these streets. It is going to take a lot of work. For example you could get the police involved in making it feel safe, PHAR, Friendship Court. All of these things are important for it to be successful.</p> <p>Could you speak to that process as to how to make Open Streets more successful – maybe even bring Charlie Brown in. Peter appreciated and agree with Shantell’s comments and would lean into the HRC for</p> |

| AGENDA ITEM | CONTENT |
|--|--|
| | <p>guidance. This version of Open Streets is from Charlie Brown coming here. He is available as a resource – either in person or by skyping in. He’s pretty open to helping us and there is an abundance of literature.</p> <p>Want to the public to be very involved and are grappling with how to ensure that community members who have been marginalized are heard and not only those that are comfortable with speaking.</p> |
| <p>COMMISSION RESPONSE TO MATTERS BY THE PUBLIC</p> | |
| <p>REVIEW OF PREVIOUS MEETING MINUTES Charlene – Todd found the minutes from the last meeting that were recorded. There is a volunteer who will type up the notes.</p> | |
| <p>BUSINESS MATTER 1. Todd shared April’s data from office visits.</p> <p>Todd defined: Public Accommodation is trying to access a space that is open to the public and refused access because of a protected class.</p> | <ul style="list-style-type: none"> • 195 total contacts • 153 were originating from outside the office, contacts coming in • 42 were Todd following up with people who had previously contacted us • Average 5/day • 1 formal complaint for April <p>By Protected Activity- 5 registered on protected activity</p> <ul style="list-style-type: none"> • 4 housing • 1 public accommodation • Of the 5 – the only protected class was Race & Skin Color • Other questions are mostly people following up on previous requests. If they previously discussed this issue it is not counted as a new request. • Each new issue is recorded even if it comes from the same person. • There are active investigations all based on public accommodations. <p>RESPONSES TO QUESTIONS</p> |

| AGENDA ITEM | CONTENT |
|-------------|---|
| | <ul style="list-style-type: none"> • Sometimes people contact the office once – sometimes weekly. Some people find the office a safe space to be. • HR Staff tries to be as responsive as possible regardless of where they live so often people come back. • Tracking the requests is a reporting requirement for council – but in terms of the resources that are provided to people that come in are added to when people ask new questions. Todd has his fingers in multiple projects that are resourced based. • Charlene mentioned that Todd does a good job of collaborating with other groups that might add to that resources base. Some are city departments -some are non profits. For example, helping people with utilities or concerned around department of social services or complaint regarding the police. • So the more requests we respond to the more resources we have in our data base to provide with others. • Susi mentioned that she would love to see that list of resources. • When someone comes to the office and makes a request or complaint – they have to self identify as a protected class – Todd will ask probing questions to help identify. • TO CLARIFY -If someone is specifically lodging a complaint there is the form they fill out – what the issue is, why they think it happened, etc. So there are questions that directly identify the protected class. • But when they are just consulting and providing resources it isn't the same. • Sometimes it is explicit and the person directly identifies the issue – other times it is a series of questions that they ask to glean information to determine if it falls within their ordinance. If they can't make the connection, they do their best to provide a referral. They may also share information about the evidence that is needed for them to come back. |

| AGENDA ITEM | CONTENT |
|--|---|
| <p>BUSINESS MATTER 2. Todd – Refugee Resettlement Simulation</p> | <ul style="list-style-type: none"> • Department of Social Services staff participated in a simulation • About 40 people participated • Phoebe Brown HRC commissioner attended • Next facilitator training is July 22 at City Space from 6-8pm to prepare for the next workshop • July 25th is the next workshop for the other half of the Department of Social Services |
| <p>BUSINESS MATTER 3. Charlene – West Main Street Statue</p> | <ul style="list-style-type: none"> • City Council approved of a set amount of money and charged Alex Ikefuna to create a plan that will involve members of the Monacan and potentially Shoshonee tribe to have a discussion about what to do with the West Main Street statue. • It is currently part of the West Main street plan. The original plan was to move it 20 feet to create safer turn lanes and a pocket park. • The Mayor has expressed interest I removal of the statue as have community members that have come to public matters at City Council • Likely the HRC will be asked to provide representation to be a part of the discussion with these community members. |
| <p>BUSINESS MATTER 4. Charlene – Holiday Change for City Employees Replacing Thomas Jefferson’s birthday with a different day</p> | <ul style="list-style-type: none"> • Charlene provided suggestions for potential alternate dates and she did provide some including Freedom and Liberation Day. • The Mayor mistakenly said that Charlene polled the City Staff as to what they want. But she actually just spoke to a few people. • At the Monday, July 1st there will be a proclamation to the Equal Justice Commission – because there will be a historical marker to indicate the hanging of John Henry James. • There will be another marker installed where he was actually hung by Farmington. • These are both part of Unity Days. • There is going to be a Minority Business Task Force update at the request of Councilor Bellamy. Charlene imagines there |

| AGENDA ITEM | CONTENT |
|--|--|
| | <p>will be the office of economic development.</p> <ul style="list-style-type: none"> • Jeff will provide a Vinegar Hill Auction Block update – these are recommendations from the Blue Ridge Race Memorial Commission. • There won't be any new installations until the ice rink construction area is completed. • The recommendation from the Blue Ribbon Commission was to have a Memorial to the Enslaved – not an auction block marker. • There will only be one City Council meeting in July. There hasn't been any discussion about naming and renaming. Charlene has seen one meeting where they saw our recommendations about renaming street. • Ann Smith noted that ever since she first heard about the Mayor's interest in changing the holiday city employees take off – if it's related to Jefferson's name, perhaps we should consider the name of the Jefferson School African American Heritage Center. • Charlene mentioned that it is more about what holiday they will have off – not exactly like changing a holiday. • Shantell Bingham said that UVA students and faculty do not get that day off. • Susi Wilbur admits that she never knew that City Employees and City Hall has that day off. • Kathryn Laughon – is there any specific action for HRC. Charlene indicated that none was requested but it is up to us to make a recommendation. |
| <p>BUSINESS MATTER 5. Charlene – ADA Advisory Meeting</p> | <p>There was a meeting this morning to allow the new ADA Advisory Coordinator to get to know people who come to the meeting. It is usually ADA and neighborhood staff or people who have issues.</p> <p>Was able to mention that HRC is interested in doing a Public Outreach campaign.</p> <p>The former director Jim Herdand, has offered to support HRC.</p> |

| AGENDA ITEM | CONTENT |
|--|--|
| | James Woods is the new ADA Coordinator. |
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| <p>BUSINESS MATTER 6. Charlene -Municipal Human Rights Score Card</p> | <ul style="list-style-type: none"> • Charlottesville’s Score for being a gay friendly city = 75 • Would like to increase our score. • To do this, we need to identify a person out of the City Manager’s Office that is a specific liaison to the LGBTQ committee and having it on the website. • Also doing this for the Police Department. • These two measures would increase our score to in the 90’s. • Charlottesville is in the top 4 or 5 in the state out of 10or 15 different cities. • So even though this is not a protected class -having this high score shows that it is a priority to the General Assembly. • The fall meeting will be connected to what this body will be doing. • Elliott Brown noted that our higher score is reflective of our support to gay and lesbian but less so to our trans and non-binary community members. To which we have a long way to go. |
| <p>HRC REPORTS ADHOC COMMITTEE UPDATES</p> <p>Definition Recommendation: Bias-based policing occurs when an officer makes decisions or takes police action based upon his or her own personal or societal biases or stereotypes, rather than relying on facts and observed behaviors which would lead to the officer to believe that n individual has been, is currently, or is about to be involved in criminal activity</p> <p>FOLLOW UP</p> <ul style="list-style-type: none"> • Small group of the Ad Hoc Committee meet with Police Department representative to answer any questions | <p>Notes on the specific policy and a direct recommendation.</p> <p>Decided that a Constitutional Procedural & Use of Force policies are driven by legalese and seemed like an unweilding amount to address.</p> <p>The Biased Based Policy was, however, more manageable and critical.</p> <p>OUTCOMES</p> <ol style="list-style-type: none"> 1. Recommendations for all policies 2. Specific recommendations on Biased-Based Police Policy <p>Details for these recommendations are included in the HRD Recommendations Bias-Based Policing Policy, 400.05 meeting notes.</p> |

| AGENDA ITEM | CONTENT |
|--|--|
| <ul style="list-style-type: none"> • Charlene will follow up with Police to schedule follow up | <ol style="list-style-type: none"> 1. Recommendations for all policies <ol style="list-style-type: none"> A. Include Table of Contents B. Roles & Responsibilities clarified C. Include Definitions D. Be Mindful of Tone and Plain Language E. Accountability Measures-identify who is responsible for follow up response F. Benchmarking can be used as a best practice G. Needs to be a Periodic Review H. Recommends Data Collection and Analysis 2. Biased-Based Policing Recommendations <ol style="list-style-type: none"> A. Balance the policy language to be more in favor of community member rather than its currently weighted towards protecting law enforcement B. Be mindful of language C. Be clear about whether something is requested or recommended D. Example from Winterpark Police Department was shared for a definition of Biased Based Policing E. Update to include all protected classes F. Translate into other languages G. Outline clearly how to report violations H. Community feedback should be solicited prior to finalizing a policy I. The committee found the statistics around biased based policing is currently very concerning. <p>The initial hope of the ad hoc committee was to present this information to the Police Chief prior to this meeting.</p> <p>Rob Woodside discussed the defined repercussions for Police Officers – d, e, f class violations which range from 5-15 days suspension without pay to being fired. Suggests that even including these violation repercussions in the policy would be helpful. General 5.517 is the document that Rob Woodside was referring.</p> |

| AGENDA ITEM | CONTENT |
|--|---|
| | <p>This document has not been updated in 13 years. This policy is embedded in the Constitutional Procedures.</p> <p>Shantell asked if Chief Brackney is able to meet that we would be able to meet with someone else that is in the chain of command so that we could keep moving forward.</p> <p>Rob Woodside mentioned again that the discipline procedure focuses on positive action and only resorting to punitive actions in the end. Mentioned that he talked with a Commonwealth Attorney who felt that it was very challenging to follow the disciplinary procedures because the police force is so short staffed.</p> <p>Shantell Bingham mentioned that we want to get feedback from the police department before we vote on it.</p> <p>Catherine Spear mentioned that she encourages everyone to respond with suggestions – so that we can make a motion at our next meeting.</p> <p>Charlene suggested that given the City Council schedule it will likely not go to Council until August.</p> <p>Catherine Spear suggested that we have an Adhoc committee meeting per policy.</p> |
| <p>HRC REPORTS ADHOC COMMITTEE UPDATES – Police Policy</p> <ul style="list-style-type: none"> • July AdHoc Meeting: Constitutional Procedures Policy • August AdHoc Meeting: Use of Force Policy • September AdHoc Meeting: Disciplinary Procedures Policy | <p>The team scheduled follow up adhoc meeting topics for each of the three months</p> |
| <p>HRC REPORTS ADHOC COMMITTEE UPDATES – Community Outreach</p> | <ul style="list-style-type: none"> • Overall recommendation was that we do a video campaign that would be with consent and people who want to participate – do a |

| AGENDA ITEM | CONTENT |
|---|---|
| <p>Catherine Spear for Phoebe Brown who was not present</p> <p>There is general agreement to support the idea of a PSA outreach campaign.</p> | <p>2 minute clip about who they are. Presenting themselves, raising awareness. Use technology and art to raise awareness.</p> <ul style="list-style-type: none"> • Video could be on public access video, share on social media, use print media inside buses • Use a slogan, format and script • Locating individuals who are interested in sharing their story • Launch in October which is a • Late 2020 – plan an events fair – seems like a big event to plan. • 2019 – PSA build out with the public as well as possibly be part of VA Film Festival • Pose the question is the broader committee would support this action moving forward. • Ann Smith mentioned the importance of including children, K-12 with consent. • Independent Resource Center could be a partner in developing the PSA and HRC could attend the meetings and provide support. • City Studio offered to provide support for video support • There is general agreement to support the idea of a PSA outreach campaign. |
| <p>OTHER BUSINESS</p> <p>Shantell - Virginia Human Rights Meeting in Virginia Beach</p> | <ul style="list-style-type: none"> • Shantell felt it was a huge learning opportunity to see what all of the other commissions are doing • The main focus was on hate crime. • Shantell reviewed the agenda for the day. • Overall, there is so much more that we could be doing in Charlottesville to model some of the more active commissions such as Virginia Beach and others. • Charlene indicated that she noticed other commissions were shifting more towards community engagement. In the past commissions were mostly about being a jury to make decisions about issues that come before them. However, this is shifting. Charlene thinks that this is because |

| AGENDA ITEM | CONTENT |
|-------------|--|
| | <p>of what Charlottesville has been doing in terms of integrating both community engagement and enforcement.</p> <ul style="list-style-type: none"> • For Example Virginia Beach: <ul style="list-style-type: none"> ○ Human Trafficking ○ Pharrell did a pride Festival ○ Mental Health Task Force ○ Police Departments Involved in Community Engagement Activities ○ Municipality Index for LGBTQ issues • Charlene & Ann were on a panel on Hate Crimes • Professor Mary B McChord from Georgetown was one of the lawyers helping the City against the crimes during A12 which were not listed as Hate Crimes <p>Charlottesville is hosting the September 28th meeting. The feedback was the need to engage the general assembly around hate crimes and getting it on the books in Virginia.</p> <p>SEPTEMBER 28TH VIRGINIA HUMAN RIGHTS MEETING</p> <p>MORNING -invite state Delegate Sally Hudson, Danica Roem, David Toscano Panel Discussion -10:00am Working Lunch provided by HRC</p> <p>AFTERNOON Legislative Work Session Break into small groups to focus on strategies around legislation to go to Richmond and lobby for the state bills that have an impact on Human Rights. Most likely in January.</p> <p>End around 3:00pm – Overall goal is to have a plan for advocacy</p> <p>DISCUSSION Rob Woodside mentioned that we could also lobby for removal of city wide ordinances that are no longer relevant</p> |

| AGENDA ITEM | CONTENT |
|---|--|
| OTHER BUSINESS Olivia Patton | <ul style="list-style-type: none">• Recommends that we more judicious with our time. Start and end on time.• Include event and data updates via paper and just check in about them. |
| MATTERS BY THE PUBLIC | none |
| COMMISSION RESPONSE TO MATTERS BY THE PUBLIC | none |

The meeting was adjourned at 9:28 PM