Human Right Commission Minutes Regular Meeting

Date: March 21, 2019

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

Chairperson Susi Wilbur called the meeting to order at 7:07 PM

Roll Call: (names of members present)

Jeanette Abi-Nader, Idil Aktan, Shantell Bingham, Elliot Brown, Earnest Chambers, Melvin Grady, Kathryn Laughon, Andrew Orban, Oliva Patton, Ann Smith, Susi Wilbur, Robert Woodside

| AGENDA ITEM | CONTENT |
|---------------|---|
| ANNOUNCEMENTS | Discussion regarding the threat against minority students at City Schools: Charlene Green notes that the City Equity Committee will be looking at how threats of this nature can be best addressed for staff, students, and families. Charlene Green and Melvin Grady are part of this committee. Kathryn Laughon asks how the committee was constituted and who is a member. Charlene responds: Superintendent extended the invitation. This was not a City of Charlottesville initiated group. The committee includes several community members and school staff. There are four subcommittees that are addressing concerns raised during the community forums. |
| | Crescent Halls is addressing issues of sexual assault: There is one case currently being investigated by police. Person being investigated is not a resident but had been living with someone who was a resident. There was another sexual assault that was not reported. Charlene is part of the Charlottesville Residents Advisory Committee [note: the name of the committee is the Resident Services Committee], which invited SARA staff to the most recent meeting to offer services to residents. Police officers were also present but could not share information about the investigation. This prompted an initiative to have service providers be on site on a regularly scheduled basis. Organizations include SARA, PACE, DSS Service Division, Region Ten, Office of Human Rights. Services will include private consultation, social events (like Bingo), and presentations. Olivia raises the idea of the HRC supporting the Charlottesville Low-income Housing Coaltion's (CLIHC) recent advocacy to increase the meals and lodging taxes to support affordable housing. Charlene suggests that the CLIHC proposal should presented in written form to the HRC. Olivia requests to read the proposal during "Other Business." Shantell Bingham asked about training for other regular staff at Crescent Halls on what to do when someone is affected by sexual assault. Charlene replies that perhaps SARA can be involved in something like that. Ann Smith suggests that resident leaders should be taking action on this as well. Charlene notes that she has been in touch with Mr. Shackleford (tenant's association leader) about this and is confident he will be taking action. |

| AGENDA ITEM | CONTENT |
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| | • Ann asks about why the front door security was not effective in preventing incidents that occur due to non-residents being in the building. Charlene notes that non-residents can be easily "buzzed in" by residents, some non-residents end up staying overnight, some residents prop secondary doors open. There is little regulation of this. |
| | Charlene calls attention to the HRC Google Calendar: |
| | All HRC members have administrative access. |
| | • ACTTION: Charlene will send an invitation to all HRC members. |
| MATTERS BY THE | Joshua Humphries: |
| PUBLIC | Mr. Humphries presents an idea for a disability awareness fair and requests support from the HRC. This is idea akin to the pride festival. The goal would be to educate the public about disabilities and the people who have them. This could help ensure that people without disabilities can better understand how to interact and live with their neighbors with disabilities. |
| COMMISSION | Melvin Grady: |
| RESPONSE TO MATTERS BY THE | Supports the idea. |
| PUBLIC | Charlene: |
| | Notes that the City's ADA Coordinator position is once again vacant. |
| | • As a result, the update on the ADA policy is delayed. |
| | Susi and Charlene encourage a conversation about this idea |
| | Olivia Patton: |
| | • Supports the idea but recognizes that there would need to be significant volunteer and logistical support in order to plan an event like this. |
| | Susi Wilbur: |
| | Suggests partnering with other local agencies or partner with another existing event as a starting point. |
| | Jeanette Abi-Nader: |
| | Supports the idea of getting involved in an existing event. |
| | • Suggests some sort of public awareness campaign. Like creating individual profiles as part of the campaign to tell personal stories. |
| | • Asks if HRC role is to suggest to another body or does HRC have a budget to do something like this. |
| | Charlene Green: |
| | We have a budget and can get a venue. |
| | • The bigger work would be to figure out who to partner with. |
| | • We can work with Lasheen in the City's Communications Dept. to create a broad public awareness campaign. |
| | Elliot Brown: |
| | • Noted that the multi-cultural health fair could be a partner. |

| AGENDA ITEM | CONTENT |
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| | • They have \$20,000 to put toward something and they are putting together a plan |
| | for October. |
| | ACTION: Contact Dr. Luna at UVA and Clay Wilcher at Sin Barreras. |
| | Earnest Chambers: |
| | Suggests if partnering with the multi-cultural health fair is at UVA or if it can be community-based. |
| | Holding the event in the community in conjunction with something else that is |
| | going on. |
| | • Likes the idea of stories. Could connect to Live Arts to use theater to tell the |
| | stories. |
| REVIEW OF | Motion to accept: (Not presented) |
| PREVIOUS MEETING | Seconded by (N/A) |
| MINUTES BUSINESS MATTER 1: | Seconded by: (N/A) Charlene: |
| DOSINESS WATTER 1. | Thumb drives (passed out to all commissioners) do not have every file needed, but |
| HRC thumb drive | use the thumb drive as the storage space for HRC files. |
| | • Monday, March 25 th – presentation on FOIA from City attorney office at City Space. |
| | The presentation will not be recorded, so attendance is the only way to see it. |
| | Thumb drive has a list of HRC members with contact information, meeting |
| | schedules, human rights ordinance, rules and procedures, City policies of interest, |
| | HRC annual reports, legislative items recommended to Council, and other reports. |
| | Charlene encourages HRC to take a close look at Human Resources policies because City employees currently have limited recourse other than the EEOC. |
| | Charlene gives a brief overview of the HRCs and OHRs in Virginia. |
| BUSINESS MATTER 2: | Charlene: |
| | Nomination committee: Sue Lewis, Pheobe Brown |
| Officer nominations | No elections today |
| | Nominations for Chair: Susi Wilbur |
| | Nominations for Vice-Chair: Pheobe Brown, Melvin Grady, and Shantell Bingham |
| | ACTION: Elections for Chair and Vice-Chair at the April meeting |
| | Olivia Patton: |
| | Asks about the responsibilities of Chair and Vice-Chair |
| | |
| | Ann Smith: |
| | Recalls that she was also on the nominating committee. |
| | Charlene: |
| | Chair starts and runs meeting, works with Charlene to set agenda on the Monday |
| | before the HRC meeting, represents commission in public and with media. |
| | Vice-Chair stands in for Chair as needed. |
| | OHR covers the travel expenses of Chair. |
| | Terms are one year. All HPC members are members of the Virginia Association of Human Pights. |
| | All HRC members are members of the Virginia Association of Human Rights. Membership fees are paid by OHR. |
| | |

| AGENDA ITEM | CONTENT |
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| | Robert Woodside: |
| | Asks what are the current benefits of VAHR membership. |
| | |
| | Charlene: |
| | When an issue is brought to the General Assembly, the VAHR has a more powerful voice. |
| | Individual HRC members can attend the annual conference in Virginia Beach, though OHR cannot afford to pay for all commissioners to attend. VAHR conference includes an annual VAHR meeting and an conference with speakers. The VAHR conference is May 31 – June 1. |
| | Jeanette Abi-Nader |
| | • Asks if the VAHR addressed the issues surrounding Gov. Ralph Northam. |
| | Ann Smith: |
| | • The VAHR executive committee discussed what to do with the issue. |
| | They considered a proposal for action from one of the HRCs. |
| | Because there were differing views they postponed a decision regarding action and may revisit at the Virginia Beach meeting. |
| BUSINESS MATTER 3: | Idil Aktan: |
| CSRAP advocacy | Spoke to Council on Monday, March 18th, regarding the HRC's resolution in support of the CSRAP. |
| update | Councilor Bellamy and City Manager Mike Murphy spoke in support of the CSRAP and said it was a high priority. |
| | Todd Niemeier: |
| | • Gives a quick overview of the CSRAP program and why the HRC is advocating for its continuation. |
| | Potential future advocacy could focus on the expansion of the program to accommodate people on the waiting list. |
| | • Will meet with CSRAP administrators next Friday to discuss next steps and action for the program. |
| | Melvin Grady: |
| | • Asks if the source of the funding tax dollars or from the affordable housing fund. |
| | Todd Niemeier: |
| | • Funds come from the Charlottesville Affordable Housing Fund. The source of the money that makes up that fund is not known. |
| | Jeanette Abi-Nader: |
| | If there is a surplus of funds from one fiscal year, can they be used the next year? Can vouchers be awarded retro-actively if so? |
| | Todd Niemeier: |
| | ACTION: Ask Jeanette's questions at the next meeting of CSRAP stakeholders. |

| AGENDA ITEM | CONTENT |
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| BUSINESS MATTER 4: | Charlene: |
| Renaming policy. | • Spoke with Clerk of Council about this and learned that it was not discussed at the most recent Council meeting. |
| Kenaning policy. | • Councilors Bellamy and Signer are coming up with a list of things they would like to consider for renaming, but they are not yet thinking about a policy around renaming. |
| | • Renaming be back on the agenda once Councilors Bellamy and Signer complete the list. This gives time for the HRC to craft a policy recommendation. |
| | Robert Woodside: |
| | • Do we have a timeline as to when this might be revisited at Council? |
| | Charlene: |
| | The budget is the current priority, so it will not come up in early April. New City Manager is also a priority. |
| | Melvin Grady: |
| | Does Council know that the HRC is crafting policy recommendation for this? |
| | Charlene: |
| | Not all Councilors are aware yet. |
| | • |
| | ACTION: Begin draft of policy recommendations based on the information shared during the retreat. |
| BUSINESS MATTER 5: | Charlene: |
| Police Chief Brackney | Chief Brackney will come to the April HRC meeting. She will present information about policy revisions. |
| & Councilor Bellamy | ACTION: Charlene will email out information ahead of time for HRC review. |
| | Ann Smith: |
| to attend April | Councilor Bellamy will be presenting at the April HRC meeting. |
| meeting | • He will share information gleaned from attending a human rights conference in Barcelona. |
| | Charlene: |
| | We can also ask Councilor Bellamy questions about renaming. |
| UPDATE UVA | Charlene: |
| STUDENT LIAISON | Shally Baloch is not present to provide an update. |
| | • ACTION: Charlene and Todd to follow up with Shally to find out what the commitment level of the Student Minority Rights Coalition will be going forward. |
| | Robert Woodside:Requests a quick history on the groups involvement. |
| | |
| | Charlene: |

| AGENDA ITEM | CONTENT |
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| | • The student liaison arose out of a discussion with UVA student councilors about how to involve UVA students with the HRC. |
| | Robert Woodside: |
| | • With UVA being in the County, does that present a legal problem. |
| | Kathryn Laughon: |
| | • Some of UVA is in the County while the majority is in the City. |
| | Charlene: |
| | The student is a liaison and a not-voting member. The idea is to share information and look for enpertunities for engagement. |
| | The idea is to share information and look for opportunities for engagement. Not working well yet, but this is the first year. |
| | May need to revisit who fills that seat. |
| | Jeanette Abi-Nader: |
| | Which police department serves UVA? |
| | Has there been any additional outreach to other colleges: PVCC or CATEC |
| | Kathryn Laughon: |
| | • All police departments can be involved depending on where the incident occurred. |
| | Charlene: |
| | There are 7 or 8 different law enforcement agencies. City LIVA County ABC DEA LADE tack force. Shariff of City and County |
| | City, UVA, County, ABC, DEA, JADE task force, Sheriff of City and County. All carry weapons. |
| | All can arrest or detain people. |
| STAFF REPORTS | Todd Niemeier: |
| | Shares information about daily role in the OHR. |
| | Shares data with regard to monthly interactions. |
| | February: 145 contacts |
| | Externally generated contacts: 110 |
| | Inquiries 2019 to-date: 28 Inquiries February: 7 |
| | Complaints 2019 to-date: 2 |
| | Complaints February: 1 |
| | Housing and employment remain the primary protected activities seen. |
| | Shares information about Refugee Resettlement Simulation training sessions on |
| | May 6 th and May 20 th . First refugee simulation will take place with DSS staff on June 6 th . |
| LOOKING AHEAD TO | Charlene: |
| PLANNING THE HRC'S | • Presents information about the work session with City Council from October 2018. |
| WORK FOR THE | • The HRC is getting a late start due to late appointments of new members by |
| COMING YEAR | Council. |
| | Outreach makes up a large part of the work that the OHR does: service provision |
| | awareness, education, leadership and facilitation. |

| AGENDA ITEM | CONTENT |
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| AGENDA ITEM | CONTENT Individual services make up the other piece of our work. Some members of the public have raised the notion that the OHR should be doing more investigations because they perceive that there is a great deal of discrimination occurring. Investigation is limited by federal law, state law, the human rights ordinance, and the strength of presented evidence. Much of what the OHR does regarding individual cases involves counseling and referrals. Investigations are rare. There is a perception among Councilors, influenced by members of the public, that if the OHR were to become a Fair Employment Practices Agency (FEPA) that many more people would come to the office for support. Data from other Virginia Commissions shows that the Charlottesville OHR sees about the same number of employment complaints relative to the population. The OHR is applying for FEPA status, which would expand our jurisdiction Charlene reviews the OHR's current jurisdiction under the human rights ordinance and under state and federal law. FEPA status would potentially expand the role of the HRC to reviewing cases and handling appeals. Charlene reviews the evolution of how the HRC has approached its work through subcommittees and now to the review of policy as whole group. She notes that all HRC work plan goals need to reflect back to the City's Strategic Plan Goals. The ADA policy was the first policy reviewed. Given this context, the HRC now needs to think about what it wants to do in the coming year. Elliot Brown: Are there minutes or recordings of the meetings? Charlene: Staff is responsible to respond to the priorities of the HRC and Council. HRC priorities will guide what staff do, and we will support. |
| | Elliot Brown:Is there an equity component to City employee evaluations?Can we make City Council do equity training? |

| AGENDA ITEM | CONTENT |
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| | Charlene: The HRC's power lies in making recommendations to Council. The HRC could recommend training if you see a lack of response in a certain area. Andy Orban: Feels that policy review should be a key focus. |
| | Ann Smith: Felt like the policy review done so far felt like a good experience and would like to continue. |
| | Kathryn Laughon: We need to consider what can be the highest impact. Do we use the subcommittee structure or whole group reviews? Do we pick an issue that no one is looking at or something that is of major public focus? Notes that gender is not a subcommittee. |
| | Charlene Green: Sex was a sub-committee focus in the past – focused on LGBTQ issues. Some treatment of women's issues. |
| | Robert Woodside:To Todd: What is the third biggest complaint area after employment and housing? |
| | Todd Niemeier: Housing and employment tie for first. Public Accommodation is third. Credit and private education have no complaints. Public education is outside the ordinance. |
| | Shantell Bingham: Regarding education – how can the HRC adapt to the current climate? How can the HRC be a better presence in the community as liaisons on other committees.: schools, PHAR – like CFJN. |
| | Ann Smith: Regarding education, in the early years of the HRC, people raised the idea of the HRC getting more involved in public education through matters by the public. The first HRC Director did not allow the HRC members to cultivate those relationships and so they went dormant. Agrees we need to have a presence but not sure how receptive current administration would be. |
| | Melvin Grady: Thinks Dr. Atkins would be receptive. He works with her closely. ACTION: Melvin can approach this with her. |

| AGENDA ITEM | CONTENT |
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| | Kathryn Laughon: |
| | Is not sure that adding public education would be feasible at this time given the other focuses. |
| | Robert Woodside: |
| | Is public accommodation just business or is it tied to private education? |
| | Todd Niemeier: |
| | • Public accommodation applies to public and private spaces where the public is regularly welcome. |
| | Charlene: |
| | There is a distinction between public and private education because of politics. Our ordinance is modeled after that of Prince William County. They did not include public education because there is a federal office that addresses public education. The Prince William ordinance addressed private education because it was outside of federal discrimination review. |
| | Robert Woodside: |
| | Agrees that if public education is not a current focus then perhaps we should focus on employment and housing. |
| | Shantell Bingham: |
| | It was not our focus because the ordinance was crafted after that of another county. |
| | To ignore it given the current climate of public education in Charlottesville seems like a disservice. |
| | Segregation and discrimination in public education and housing redevelopment have played a large part in Charlottesville's history. |
| | Olivia Patton: |
| | When looking at public education what policies would we review? |
| | Charlene: |
| | The HRC's role is to make recommendations to Council. |
| | Council does not oversee City Schools. |
| | • The City and City Schools are only related through the City budget. |
| | • Council has no influence on what schools actually do even though they support the schools financially. |
| | The HRC would have to think of another way to influence City Schools. |
| | It might be helpful to summarize the ways in which the OHR address the protected classes through the office as a frame of reference for thinking about what the HRC can do as well. |
| | Idil Aktan: |
| | • Thinks that the focus on group policy review with recommendations to City Council felt more effective than subcommittees. |

| AGENDA ITEM | CONTENT |
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| | Todd Niemeier: Through regular contact with the public we see systemic issues emerge and we try to make note. This can be shared with the HRC if helpful. Robert Woodside: Suggests a vote on whether to pursue subcommittees or group work. Elliot Brown: Suggests taking a little more time to review the material before voting. Ann Smith: Felt that the subcommittees were difficult, but also respects that people need time to digest the information first. Melvin Grady: Agrees that taking some time to digest. Suggests deciding about subcommittees or large group at April meeting. Ann Smith: |
| MOTION | Motion to Accept: Made by Ann Smith The HRC should take time for all new members to review materials and ask questions before making a decision about subcommittees or full group work at the April meeting Second: Melvin Grady In favor: Unanimous Opposed: 0 Abstain: 0 |
| FOLLOW-UP DISCUSSION | Charlene: ACTION: OHR can share what we have been doing regarding each protected activity. HRC can think about how it wants to operate. Can focus on policies and still create ad hoc committees. If HRC becomes a FEPA, the HRC may function as a "jury" to make some decisions regarding individual cases, so this should be factored into potential responsibilities. Primary function will be policy review and Council recommendations. Robert Woodside: Is the HRC allowed to vote over email? |

| AGENDA ITEM | CONTENT |
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| | No. The HRC cannot vote over email. |
| | All votes are a matter of public record and the public has to have an opportunity |
| | for input. |
| | |
| | Elliot Brown: |
| | Has to leave but wants to support the CLIHC proposal. |
| OTHER BUSINESS | Olivia Patton: |
| | Request from CLIHC for public support for affordable housing proposal to be read at April 1st Council meeting. |
| | CLIHC document outlines specific budget priorities. |
| | CLIHC recommends real estate, meals, and lodging tax increases to fund, coupled |
| | with low-income real estate tax relief. |
| | • Suggests that the HRC support this proposal. |
| | |
| | Ann Smith: |
| | Concerned about real estate tax increase. |
| | Feels like there are underlying issues that factor into the housing issue and that |
| | the historical context should be considered. |
| | |
| | Olivia Patton: |
| | Feels like the concern is deeply rooted in the history. |
| | Crescent Halls was slated to last only 20 years and needs to be redeveloped. Living conditions are not in good shape. |
| | Living conditions are not in good shape. |
| | Kathryn Laughon: |
| | Supports the CLIHC proposal. |
| | • As a nurse, has seen the condition of many public housing units. |
| | |
| | Olivia Patton: |
| | Noted that a friend recently had a family member who lived at Crescent Halls pass |
| | away. |
| | • Her belongings were not savable because of the infestation of bugs and mites. |
| | Were told by staff not to take the belongings to their home. |
| | Andy Orban: |
| | Supports the CLIHC proposal |
| | |
| | Kathryn Laughon: |
| | • Schools will also benefit from the raising of taxes, particularly for the new equity |
| | coordinator. |
| | |
| | Shantell Bingham: |
| | Agree with both sides. |
| | • For example, if CSRAP had been managed better more people might have been |
| | served. |
| | • Agree that more money should go into it, but look at what are the underlying |
| | issues. |

| AGENDA ITEM | CONTENT |
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| | • Also hears the burden of increased real estate taxes on low-income families. Note the reaction to the actions taken. |
| | Olivia Patton: |
| | • There is also an allocation for real estate tax relief in the budget. |
| | Shantell Bingham: |
| | • We should review the data before making a judgement on what the effects will be. |
| | Melvin Grady: |
| | Long-time homeowner. |
| | Does not like the tax increase, but willing to support as he recognizes the importance of affordable housing. |
| | Agrees with meals and lodging tax. |
| | Charlene: |
| | Suggests they may to propose a motion. |
| | Susi Wilbur: |
| | • |
| MOTION | Motion to Accept: Made by Andy Orban |
| | • Proposes a motion to support the CLIHC letter presented by Olivia Patton. |
| | Second: Kathryn Laughon |
| | Jeanette Abi-Nader: |
| | Can we have further discussion? |
| | This was a very fast action. |
| | Ann Smith: |
| | • Yes, after it is seconded, the floor can be opened further discussion. |
| | Olivia Patton: |
| | • She recognizes that this is moving fast but is presenting it because the budget will be passed before the next HRC meeting. |
| | Andy Orban: |
| | Asks for a re-reading of the CLIHC letter |
| | Jeanette Abi-Nader: |
| | • Asks if it can be presented on the screen. |
| | Melvin Grady: |
| | • Suggests that we vote given the timeframe for action and that people can abstain if needed. |
| | Charlene posts the letter on the screen. Olivia reads the letter again. |

| AGENDA ITEM | CONTENT |
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| | End of discussion. Vote called. |
| | In favor: 7 |
| | Opposed: 1 |
| | Abstained: 3 |
| | Charlene: |
| | • The motion can be carried out by responding to the Facebook post. |
| | HRC members can then go to the Council meeting. Only the Chair can speak for the HRC. |
| OTHER BUSINESS | Ann Smith: |
| (CONTINUED) | • Provided an overview of the report provided by Sue Lewis from a conference call of the VAHR executive committee. |
| | • The Charlottesville HRC will be hosing the fall VAHR meeting again in 2019. |
| MATTERS BY THE PUBLIC | None. |
| COMMISSION RESPONSE TO MATTERS BY THE PUBLIC | None. |
| | |

The meeting was adjourned at 9:40 PM