

Human Right Commission Minutes Regular Meeting

DATE: August 15, 2019

Shantell Bingham called the meeting to order at 7:07 PM.

ROLL CALL (names of members present):

Shantell Bingham, Sue Lewis, Ann Smith, Melvin Grady, Kathryn Laughon, Olivia Gabbay, Lyndele Von Schill, Andy Orban, Jeanette Abi-Nader, Ernest Chambers, Idil Aktan, Elliot Brown, Rob Woodside (arrived after roll call)

OHR Staff Present: Charlene Green, Todd Niemeier

Note-taker: Todd Niemeier

**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.*

ANNOUNCEMENTS

Charlene:

1. Back to School Bash is this Saturday, August 17, 10am to 12pm
 - a. OHR will table the event
 - b. Todd out of town
 - c. Looking for HRC members to station the OHR table
 - i. Sue Lewis and Melvin Grady volunteered to attend
2. Block Party at Washington Park: Saturday, August 17, 1pm to 5pm
 - a. Games
 - b. Free Food
 - c. Entertainment
 - d. Music
 - e. Open Mic with Shelby Edwards

MATTERS BY THE PUBLIC (Include names of people who spoke and their concern or comment)

None.

COMMISSION RESPONSE TO MATTERS BY THE PUBLIC

None.

REVIEW OF PREVIOUS MEETING MINUTES

Lynde: Amend July meeting minutes to show those who arrived late.

Action: Todd will add Lynde Von Schill and Andy Orban to July 18, 2019 roll call.

- Motion to accept (Commissioner name): Melvin Grady
- Seconded by (Commissioner name): Ernest Chambers
- Vote Record
 - # In favor: Unanimous
 - # Opposed: None
 - # Abstained: None

BUSSINESS MATTERS

1. Support Statement of Crime Commission

- a. Shantell: Someone from the Crime Commission approached her at the Unity Days Action Fair about supporting their work to advocate for gun law changes at the General Assembly. She reviewed the **attached list of six bills** to be addressed. The person requested written comments sent to address on attachment. Shantell solicits input around providing a letter of support from the HRC.
 - i. Jeanette: How did the Crime Commission go about doing outreach to arrive at these recommendations.
 - ii. Kathryn: These are the standard gun reform advocacy points.
 - iii. Jeanette: Is there opposition in Virginia?
 - iv. Kathryn: Yes.
 - v. Sue Lewis: Asks who put out the attached recommendation. It looks very similar to what the League of Women Voters sent out supporting these six bills. The Crime Commission has received 60 bills from the legislature and put out numerous invitations to participate in discussion around these bills. The 6 bills presented on this paper are being pushed by someone, but it is not clear who. The Crime Commission does not issue the recommendations to support specific bills. She notes that if the HRC supports the recommendations in the attachment, then the HRC is supporting another organization's agenda, so it would be valuable to know whose agenda it is.
 - vi. Lynde: Agrees that this looks like the recommendations from the League of Women voters. She noted that the League was at the Unity Days event and were soliciting support. We could look at all 60 bills, or we can decide to support these six. We are not necessarily supporting the League of Women Voters by supporting these same six bills.
 - vii. Shantell: Does the origin of the six bills then matter?
 - viii. Charlene: The HRC could send a letter of support for the bills listed on the sheet without endorsing the group that issued the recommendations.
 - ix. Sue: Agreed that we could do that, but she wanted to clarify that the recommendations that the Crime Commission itself did not make the recommendations.

MOTIONS (duplicate as needed for other motions)

- Motion being considered: To show support for the six recommendations presented on the attached and to write a letter for support to the Virginia Crime Commission.
- Motion to accept (Commissioner name): Ann Smith
- Seconded by (Commissioner name): Lynde Von Schill (?)

- Vote Record:
 - # In favor: 11
 - # Opposed: 0
 - # Abstained: 1

Action: Draft a letter of support to the Virginia Crime Commission for the gun control bills listed in the attached document provided by Shantell (no one specifically assigned to this task).

2. Lyndele: Community App

- a. Has been working with an IT company in New Zealand that has created an app called “My River” that allows people to search for localized community services.
- b. The company also produces kiosks with the interface for people without access to phones.
- c. People can self-refer to providers.
- d. Developed by Samoan immigrants living in New Zealand as a response to seeing what their parents struggled with when first arriving to the country.
- e. The developers are looking for test cities in the U.S. The Charlottesville/Albemarle area is appealing to them.
- f. They have the funding to set it up in the U.S.
- g. There are two models
 - i. Community model - providers sign up and users can use.
 - ii. A more data-intensive City-based model.
- h. Looking for others who might want to be involved. She is just volunteering.
- i. The developers may come in September or October to provide a demonstration. Asks if HRC would like to be invited to the meeting.
 - i. Jeanette: Speak to the connection of this app to the HRC.
 - ii. Lyndele: She thinks about it from the perspective of access to services by marginalized populations.
 - iii. Rob: Will it be in multiple languages?
 - iv. Lyndele: Yes. Also has an option for volunteers who speak other languages to assist people who need language assistance or other assistance.
 - v. Andy: Is there an up and running example?
 - vi. Lyndele: There is a sandbox version. She can send around the instructions to access it. There is an active version in New Zealand, but we should not use that one because it will confuse their database.
 - vii. Sue: This requires the use of cell phone.
 - viii. Lyndele: Yes. But the developers have offered to install kiosks here as well.
 - ix. Melvin: How will providers get into the system?
 - x. Lyndele: That is the work of volunteers. We would need to collect that provider data from willing participants. Once they are in the system, it automatically reaches out to the provider for updates.
 - xi. Kathryn: I think it sounds interesting, but what is the ask of the HRC? It sounds like a lot of work. As a commission, is that where we should be putting our energy. I am in favor of endorsing it, but not doing the work.
 - xii. Lyndele: An endorsement would be helpful. They can solicit funding from the funder in New Zealand.

- xiii. Ann: Have they done any surveys or research in Charlottesville/Albemarle? What is their underlying reason for bringing the app here?
- xiv. Kathryn: I think in principal this is a good idea, but I would like to see a more complete proposal.
- xv. Charlene: This is similar to the Homecoming Guide put out by the OHR for people re-entering the community from incarceration. It would be helpful to include that information in an app.
- xvi. Lyndele: The developers get data, not personal, but aggregated. This allows them to write grant proposals, i.e. how many people are seeking food, or other services.

Action: Lyndele will send a link to the HRC for the New River sandbox.

3. Charlottesville Twelve 60th Anniversary

- a. Charlene provides a brief history and context.
 - i. A new historical marker will be created for Eugene and Lorainne Williams who were key figures in the integration for Johnson Elementary.
 - ii. The existing historical markers at Venable and Lane are going to be fixed. They were starting to deteriorate.
- b. September 8th: City Council Resolution (will also be read at first school board meeting)**
- c. September 28th: 60th Anniversary Celebration at Buford Middle School (11am to 1pm)**
 - i. Alex Zan (Mr. Charles Alexander) has created programming for this
- d. Jeanette
 - i. CSG students have also created a design for a memorial to the Charlottesville 12
 - ii. Event at Buford will be held in the Buford garden
 - iii. Currently raising funds to have the memorial made
 - iv. Mr. Alexander suggested asking for funding from City Council
 - v. Beth Cheuk suggested also an audio recording of details interviews for the Charlottesville 12
- e. Charlene
 - i. There is an existing 2-hour video recording of a panel discussion of ten of the Charlottesville 12 from the time when the markers were installed at Venable.
- f. Jeanette: The ask of the HRC is if it the CSG memorial should be included in the official proceedings on September 28th.
- g. Shantell: The students and parents who developed the sundial design felt it was part of the healing process following August 11 and 12, 2017.
 - i. Noted that there is a lot of active programming in the gardens and that the students would see the sun dial more than they might see the historical markers.
 - ii. Thinks it would be powerful if the HRC endorsed it and bundled the endorsement with a request for funding from Council.
- h. Ann: Has concerns about the constant resurfacing of the past. They were safe and didn't have to be part of it. They have counseling access.
- i. Melvin: Disagrees. If this is coming from the kids, then this is how they are healing.
- j. Lyndele: There are many ways to heal, and this sounds like a good one.
- k. Kathryn: In addition to healing, there is also the notion of what we choose to commemorate in our public spaces. Thinks that honoring the Charlottesville 12 in this way is very moving.
- l. Ann: Clarifies that she is not against the sundial but wants to think in a broader perspective.
- m. Sue: What is being asked of the HRC?

- i. Charlene: The OHR is involved because she is writing the resolution in collaboration with City Schools. We are also involved in the creation of the historical marker for Johnson Elementary.
- ii. Sue: Her question pertains to the ask regarding the sundial.
- iii. Jeanette: Asks that the HRC supports the creation of the sun dial in the form of a letter of endorsement and a funding ask.
- iv. Charlene: This sounds like a letter of support for an ask of City Council.
- v. Sue: Wanted to clarify that the funds were not coming from OHR/HRC budget.
- vi. Charlene: The other markers at Venable and Lane were funded through the Dialogue on Race prior to the creation of the OHR. The historic markers for Johnson will be partially funded by the OHR along with the City Schools and the City Manager's office.

MOTIONS (duplicate as needed for other motions)

- Motion being considered: Moves that the HRC support the City Schoolyard Garden tribute to the Charlottesville Twelve and ask City Council for the funding to cover the costs of the installation of the sundials.
- Motion to accept (Commissioner name): Lyndele Von Schill
- Seconded by (Commissioner name): Olivia Gabbay
- Discussion:
 - Andy: Is it a letter of support that we are discussing?
 - General: Yes.
 - Rob: Is the funding request also in the letter?
 - Charlene: A representative from HRC can read the letter and make the ask.
 - Rob: So the ask will not be in the letter. We read the letter then make the ask.
 - Kathryn: It might be cleaner if Shantell and Jeanette recuse themselves because it is their project.
 - Jeanette and Shantell concur.
 - Ernest: Asks for clarification regarding the purpose of the funding – Johnson memorials or sundials?
 - Jeanette: Eight sundials
 - Sue: How much will each sun dial cost?
 - Jeanette: We don't know yet, but we will also be fundraising. Mr. Alexander suggested the ask as a symbolic gesture from the HRC honoring the Charlottesville 12.
 - Sue: We need a clear proposal in order to make an ask of Council.
 - Shantell: There could be a range of costs. We will fundraise for it to make it happen, and we will do it whether the HRC endorses it or not. Even if the financial contribution is small, it is symbolic, and it is important for the HRC to support it.
 - Sue: Moves that we amend the motion and remove the ask portion. We could write a letter of support for the project but not include the ask in the motion.
 - Ann: Seconds.
 - Shantell: Why?
 - Sue: She does not want to ask Council for financial support without a figure.
 - Olivia: Stands by the original motion. Thinks it is fine to ask Council to support at whatever level they deem feasible.
 - Andy: Thinks it is fine to ask for support without knowing the cost.
 - Lyndele: Her intention with the motion she made was to leave it up to Council to decide the amount what they might want to contribute.
 - Rob: A quick Google search showed a range of \$400 to \$800 per sun dial

- Melvin: Agrees that having a figure on hand would be helpful when presenting to Council.
- Ann: Since it is part of the school gardens, have the schools been asked for funding to support?
- Olivia: Yes. Thought this had been mentioned earlier.
- Charlene: Let's vote on the original motion.
- Sue: You have to vote on my amendment.
- Ann: Calls for a vote to close discussion on the amendment.
- Sue: There is no discussion to close discussion.
- Shantell: Calls the vote to close the discussion.
 - In favor: Unanimous
- Shantell: Calls vote on Sue's amendment
 - In favor: 1
 - Opposed: 10
 - Abstained: 2
- Rob: Why don't we ask for a \$1,500 or \$2,000 donation? The rough estimate is that this might cost around \$8,000.
- Melvin: Asks Charlene what she thinks would be most effective.
- Charlene: Says that it would be fine to say you will come back with a proposal for funding for all eight, or ask for funding for one sun dial, for example at Buford. Either of those would be heard by Council.
- Jeanette: She is comfortable with whatever asks. The important part for her is support for a youth and community-led initiative.
- Andy: Without a proposal or details, don't ask for a specific amount. Ask for general support and come back.
- Sue: The motion as presented does not have a monetary figure.
- Shantell: Calls for a vote on the original motion.
- Rereading of the motion: Moves that the HRC support the City Schoolyard Garden tribute to the Charlottesville Twelve and ask City Council for the funding to cover the costs of the installation of the sundials.
- Vote Record:
 - # In favor: 11
 - # Opposed: 0
 - # Abstained: 2

4. Human Rights Community Survey

- a. Charlene: Looking for guidance on how this can happen. Looking for three volunteers
 1. Elliot, Jeanette, Lyndele, Kathryn, Jeanette, Olivia
 2. Charlene will send out a Doodle poll.

5. Charlene Staff report

- a. Coming to the end of Unity Days
 - i. Over 80 events from May through August
 - ii. 4 City staff assisted the community members in organization
 - iii. 70 events were directly under unity days
 - iv. 10 were pre-existing
 - v. There will be a debrief meeting on September 25th, 6pm, at City Space
- b. Richmond HRC retreat on September 14th

- i. CG and TN invited
 - ii. Open to HRC members
 - iii. Also day of Pride Festival – so this is a conflict for CG
 - iv. Shantell plans to go
 - c. September 19th – Disproportionate Minority Contact report
 - i. About gaps in access to services for adult people of color
 - 1. Specifically African Americans
 - 2. No clear data on Asian and Hispanic people
 - ii. Same day as HRC meeting 4pm to 6pm at Jefferson School
 - iii. A copy of the report will be available
 - iv. Lyndele: Where is the data from?
 - 1. Charlene: Charlottesville and Albemarle. This was a continuation of the study done around DMC and youth.
 - 2. Notes that this is a unique effort to Charlottesville, in terms of identifying the gaps in service provision
 - d. Fall VAHR meeting on September 28th, 10am to 4pm
 - i. Looking for participation from HRC in the meeting
 - ii. Focus is on guns and redefining hate crimes in Virginia
 - iii. Still confirming participation by the following invitees for panel about the best ways for VA HRCs to lobby around gun laws and redefining hate crimes
 - 1. Sally Hudson
 - 2. David Toscano
 - 3. Danica Roem
 - 4. Jennifer McClellan
 - 5. Jennifer Carol Foy
 - 6. And someone out of Mark Herring's office
 - iv. Working on state associated activist community to be on the panel.
 - v. Shantell: Is there any welcoming events the day before? Dinner or happy hour meeting like at VA Beach?
 - 1. Charlene: Thinks that people might be just coming for the day.
 - vi. Ann: When will VAHR discuss whether the conference will return to VA Beach next year.
 - 1. Charlene: Likely at the February meeting.
6. Todd Staff Report
- a. Shares June data through 6/25
 - i. Total contacts: 163
 - ii. Externally generated contacts: 131
 - iii. Staff follow-ups: 31
 - iv. Total inquiries: 15
 - 1. Notes that categorization for inquiries and complaints for previous months will be reviewed for consistent classification and accuracy.
 - v. Total complaints: 1
 - vi. Total inquiries and complaints in Charlottesville: 9
 - vii. Total employment inquiries and complaints: 3
 - viii. Total housing inquiries and complaints: 8
 - ix. Total public accommodation inquiries and complaints: 1

- b. Defines “counseling” as people coming to the OHR for advice whether within the protected activities or outside the protected activities
 - i. Total counseling appointments (external contacts): 40
 - 1. Employment: 7
 - 2. Housing: 28
 - 3. Public accommodation: 3
 - 4. Credit: 0
 - 5. Private education: 0
 - c. Notes that the data drives other efforts
 - i. Fair housing brochure
 - 1. Approved by City Attorney’s office
 - 2. Provides resources on who to call
 - 3. Includes information regarding housing discrimination on the basis of criminal background
 - ii. Housing database
 - 1. Tracking rejection data
 - 2. Navigation to affordable housing – many people come to the OHR for this assistance
 - d. Charlene: Notes that we see a lot of people in the office because they have seen that we follow through when perhaps other agencies have not.
 - e. Shantell: Are there patterns of agencies that do not follow through?
 - f. Charlene: Yes.
7. Lyndele
- a. City Schools questions
 - i. Use of the male pronoun in official school documents
 - ii. School board being appointed by City Council
 - b. Neither issue is relevant now, as they were based on an older version of the charter

WORK SESSION

- 1. Police Policies Ad Hoc Committee Report
 - a. Shantell notes that Catherine is out of town and that she is still drafting anew biased-based policing policy
 - b. The old version is still online and available for HRC Commissioners to provide feedback
- 2. Community Engagement Ad Hoc Committee Report
 - a. Charlene notes that this committee has not met since the last meeting but that Pheobe is reaching out to the Independent Resource Center for their assistance with the disability awareness ad campaign
- 3. Ordinance Amendment
 - a. Rob: This is regarding HRC members being required to live in the City of Charlottesville. During the hoc meeting, members decided that demonstrable ties to Charlottesville would be important, but not residency. The recommended a slight reorganization of other points. The committee prepared the **attached revised version of this section of the ordinance** with recommendations noted in red.
 - b. Olivia: Voices general support for the revisions but has to leave. *[leaves at 8:45pm]*
 - c. Charlene: City Attorney has not seen these proposed revisions yet. Suggested making any other amendment suggestions at the same time. HRC has about two weeks to present any new language.
 - i. Andy: What is the best way to submit further suggestions?
 - ii. Charlene: Email them to me.

- d. Lyndele: Does replacing “City” with “Charlottesville area” really expand the scope?
- e. Sue: Notes that “City’s” still appears in the third line of Sec. 2-432, and this is confusing.
- f. Charlene: The City attorney pointed out that “within the City of Charlottesville” was the limiting line. Charlene will present the proposed changes to the City attorney so that he can re-draft the language to make sure it is legally viable.
- g. Lyndele: Our intent was to expand the pool of potential candidates, but she is concerned that the HRC should still represent the demographic of the city.
- h. Elliot: Had a similar concern given gentrification. Even Charlottesville’s demographic is changing.
- i. Charlene: Notes that multi-racial, Hispanic, Asian are trending up, but white and black are going down.
- j. Elliot: What about economically?
- k. Charlene: Does not have that data but the ordinance does specific socioeconomic representation.
- l. Jeanette: As I understand it, we are not voting tonight but we can submit suggestions over the next two weeks.
- m. Charlene: Yes. After the ordinance recommendations are submitted, the next thing to consider is to look at your bylaws for changes.
- n. Rob: When will this be submitted to Council, the first Monday in September?
- o. Charlene: Yes, if she can get it on the agenda. It might just be a consent agenda item and not something they will vote on. The concern is making sure that Catherine Spear’s participation on the HRC is not in jeopardy.
- p. Jeanette: Would be willing to make a motion to accept the language.
- q. Sue: A motion is not necessary because we have two weeks to make comments and the City Attorney still needs to review the language.
- r. Charlene: We’ll bring the final draft to the next meeting for a vote before bringing to City Council.

Action: HRC members can submit comments regarding revisions to Sec. 2-432 of the Human Rights Ordinance over the next two weeks (ending 8/29/19)

Action: Charlene will submit a finalized draft to the City Attorney and bring the revised ordinance to the HRC at the September meeting for a vote.

OTHER BUSINESS

1. Commissioners comment on meetings and other events attended since the last monthly meeting.
 - a. Rob
 - i. On a panel but did not speak
 - ii. Panel was on Charlottesville and Racism
 - iii. Did not feel like it was moderated particularly well
 - iv. Nothing new was added to the conversation
 - v. 5 minute segment was on news
 - vi. 25 minute segment on Youtube
 - b. Jeanette
 - i. Thanks Charlene and staff for their work on Unity Days
 - c. Ann
 - i. Noted attendance at the African American Cultural Arts Festival

- ii. Commended Shantell for the challenges of serving as the chair
- iii. Noted the importance of respecting one another when we speak
 - 1. Avoid interrupting each other
 - 2. Suggests writing down thoughts for later
- iv. Shantell:
 - 1. Takes note and will work to manage the conversations better
 - 2. Also notes that Susi brings more focus to our interactions

MATTERS BY THE PUBLIC (Include names of people who spoke and their concern or comment)

None.

COMMISSION RESPONSE TO MATTERS BY THE PUBLIC

None.

Meeting Adjourned: 9:05pm

The Crime Commission was recently referred all of the gun legislation from the Special Session and has scheduled two Commission meetings in August to discuss and review this topic. **Both meetings will be held in the House Committee Room of the Pocahontas Building, 900 East Main Street, Richmond, Virginia, 23219. Both meetings are open to the public.**

Monday, August 19th at 10:00 a.m.: The agenda will consist of a variety of presenters from other agencies, organizations, etc.

Tuesday, August 20th at Noon: Public comment will be taken for the first 3 hours (more details will be announced in the coming weeks on how to sign up to speak). Next, patrons will present their bills. Currently, there are about 60 bills that have been filed. Members have until July 19th to file legislation. Link to bills: <http://lis.virginia.gov/cgi-bin/legp604.exe?192+lst+ALL>

Written Comments
Virginia State Crime Commission
1111 East Broad Street, Ste. B036
Richmond, Virginia 23219

Re:

- 1) Require universal background checks for ALL gun sales HB 4015
- 2) Pass Emergency Risk Protective Order (ERPO) law otherwise known as Red Flag law HB 4003
- 3) Restrict gun purchases to one gun a month HB 4004
- 4) Outlaw the sale weapons of war, silencers, bumpstocks, and high capacity magazines. Recent mass shootings have involved silencers and high capacity magazines. HB 4021
- 5) Allow localities to ban weapons at permitted events HB 4005
- 6) Prohibit habitual domestic abusers and stalkers from buying or possessing guns, and ensure that state law can remove a weapon from an intimate partner who is threatening the harm of another. HB 4020
- 7) Vote yes on sensible gun laws when The GA convenes on November 18th

Sec. 2-432. Human Rights Commission.

(a) There is hereby created in the City of Charlottesville a Human Rights Commission, consisting of no less than nine members appointed by the City Council. The Commission membership shall be broadly representative of the City's population- **demographic composition**, with consideration of racial, gender (including gender identity, transgender status, and sexual orientation), religious, ethnic, disabled, socio-economic, geographic neighborhood and age groups within the City **Charlottesville area; with priority given to applicants with demonstrable ties to the City**. Of the members first appointed, at least three shall be appointed for terms of three years, at least three shall be appointed for terms of two years, and at least three shall be appointed for terms of one year. Thereafter members shall be appointed for terms of three years each. Any vacancy shall be filled by the City Council for the unexpired portion of a term. Following notice to the member, any member of the Commission may be removed for good cause by a majority vote of City Council.

OLD 2-433. Role of the Human Rights Commission

- (a) Identify and review policies and practices of the City of Charlottesville and its boards and commissions and other public agencies within the City and advise those bodies on issues related to human rights issues;
- (b) Collaborate with the public and private sectors for the purpose of providing awareness, education and guidance on methods to prevent and eliminate discrimination citywide;
- (c) Assist individuals who believe they are the victim of an act of unlawful discrimination within the City;
- (d) Make recommendations regarding the City's annual legislative program, with an emphasis on enabling legislation that may be needed to implement programs and policies that will address discrimination;

NEW 2-433. Role of the Human Rights Commission

- (a) Assist individuals who believe they are the victim of an act of unlawful discrimination within the City;**
- (b) Collaborate with the public and private sectors for the purpose of providing awareness, education and guidance on methods to prevent and eliminate discrimination citywide;**
- (c) Identify and review policies and practices of the City of Charlottesville and its boards and commissions and other public agencies within the City and advise those bodies on issues related to human rights issues;**
- (d) Develop new policies as needed to reflect the City's goals and vision;**
- (e) Make recommendations regarding the City's annual legislative program, with an emphasis on enabling legislation that may be needed to implement programs and policies that will address discrimination;**