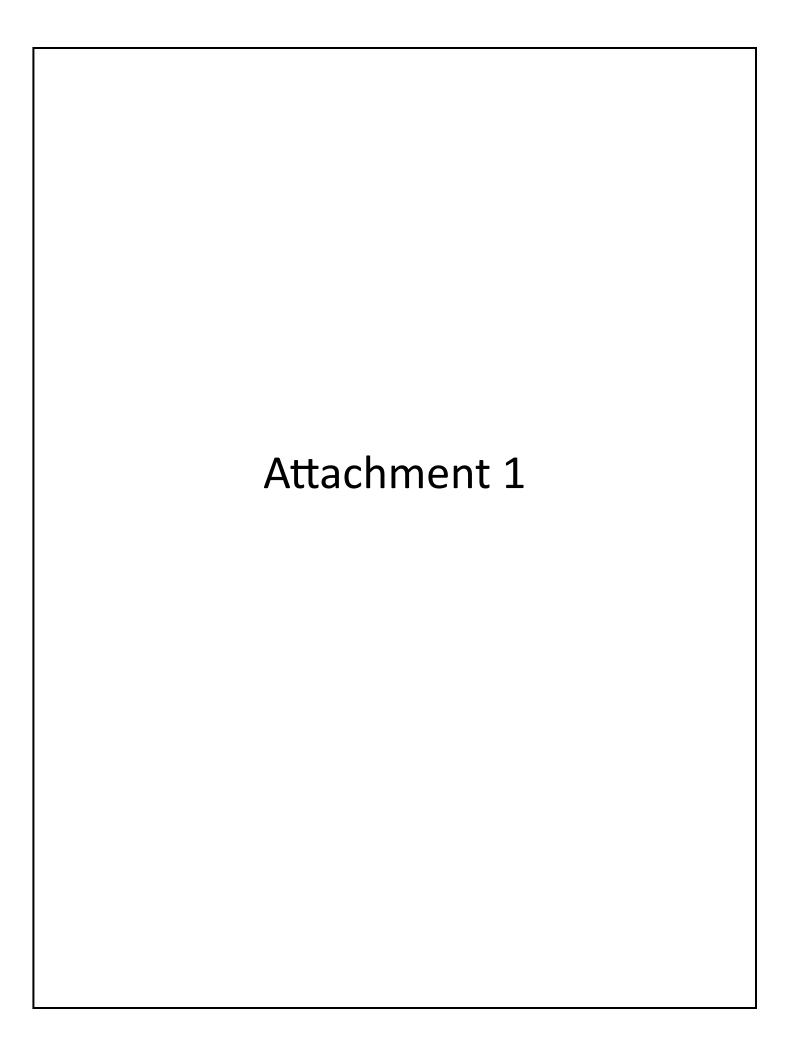


Human Rights Commission Community Engagement Committee June 3, 2021 Virtual/Electronic Meeting 5:00pm

Agenda Packet Attachments

- 1. Agenda
- 2. 05-06-2021 Draft HRC Community Engagement Committee Meeting Minutes
- 3. Draft Resolution A21-1





Human Rights Commission AGENDA Community Engagement Committee June 3, 2021 Virtual/Electronic Meeting 5:00pm

Please take Notice that this virtual meeting of the Human Rights Commission is for the purposes of planning, developing and drafting management and administration documents for the Human Rights Commission. For the purpose of addressing issues during the quarantine, this virtual meeting will be a limited public forum to discuss the agenda items designated under Section 5 below and to ensure the continuity of services provided by the Commission. The Commission Chair may limit public comments or discussion points that are unrelated to agenda items under Section 5 or that pertain to topics outside the scope of this Agenda. Members of the public are limited to three minutes of comment time per person related to the Agenda below. A maximum of sixteen public comment time slots are allotted per meeting. This will be a virtual/electronic meeting open to the public and registration information is available at www.charlottesville.gov/zoom.

Link to Human Rights Commission shared Box folder: https://app.box.com/s/xty3wnn2s1tj8h7trkknvd79bipyxezy

1. WELCOME

- a. CALL TO ORDER
- b. ROLL CALL
- c. MISSION (recited by all): Act as a strong advocate to justice and equal opportunity by providing citywide leadership and guidance in the area of civil rights.

2. MATTERS BY THE PUBLIC

- a. PUBLIC COMMENT (Webinar attendees use the "raise hand" function, phone attendees use *9)
- b. COMMISSION RESPONSE TO MATTERS BY THE PUBLIC

3. MINUTES

a. 05-06-2021 Community Engagement Committee Meeting Minutes

4. WORK SESSION

- a. Designate note-taker
- b. Review of resolution A21-1: Resolution to Establish Procedures for Advocacy and Action
- c. Discuss potential Community Engagement Procedures resolution
- d. New business

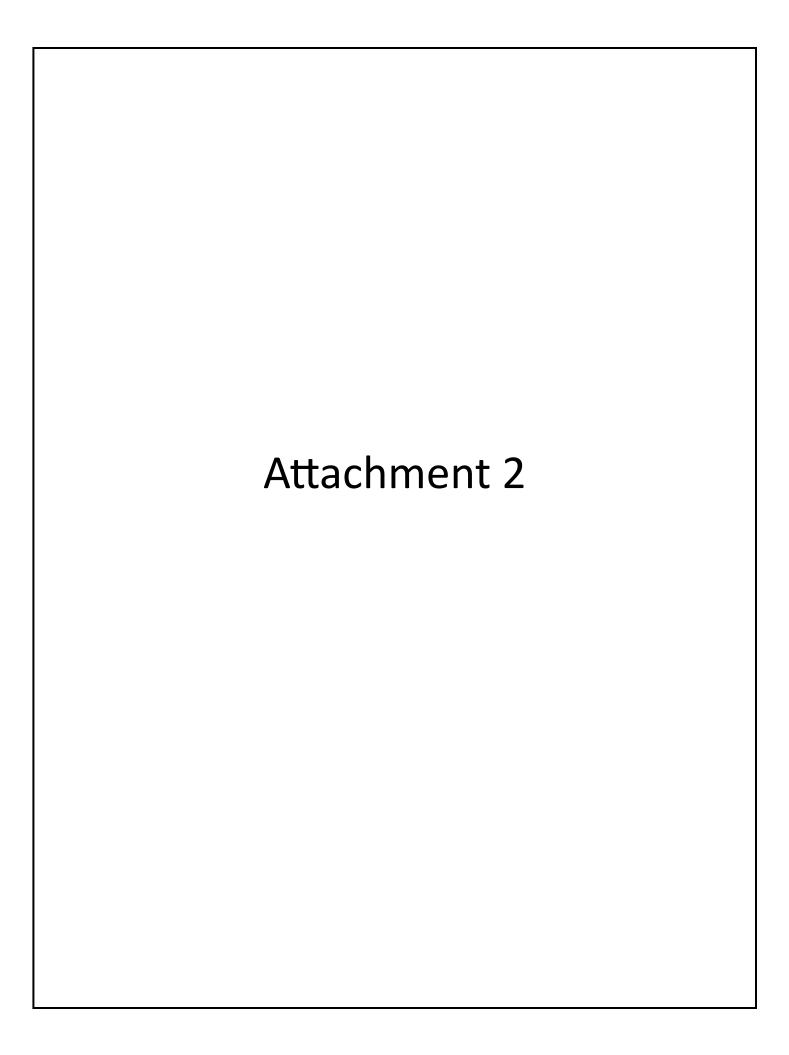
5. MATTERS BY THE PUBLIC

- a. PUBLIC COMMENT (Webinar attendees use the "raise hand" function, phone attendees use *9)
- b. COMMISSION RESPONSE TO MATTERS BY THE PUBLIC

6. NEXT STEPS & ADJOURN

* ACTION NEEDED

Individuals with disabilities who require assistance or special arrangements to participate in the public meeting may call the ADA Coordinator at (434) 970-3182 or submit a request via email to ada@charlottesville.gov. The City of Charlottesville requests that you provide a 48 hour notice so that proper arrangements may be made.





Human Rights Commission Meeting Minutes Community Engagement Committe May 6, 2021 Virtual/Electronic Meeting 1:00 pm

Public link to meeting rebroadcasts on Boxcast: https://boxcast.tv/channel/vabajtzezuyv3iclkx1a

Public link to HRC documents on Box: https://app.box.com/s/xty3wnn2s1tj8h7trkknvd79bipyxezy

1. WELCOME

- a. CALL TO ORDER
 - i. OHR staff called the meeting to order at 1:02 pm
 - ii. Jessica Harris volunteered to Chair the Committee
- b. ROLL CALL
 - i. Jessica Harris
 - ii. Andrew Orban
 - iii. Jeanette Abi-Nader
 - iv. Lyndele von Schill
- c. MISSION (recited by all): Act as a strong advocate to justice and equal opportunity by providing citywide leadership and guidance in the area of civil rights.

2. MATTERS BY THE PUBLIC

- a. PUBLIC COMMENT
 - i. Molly Conger
 - 1. Notes the live transcript option on Zoom and supports its continued use
- b. COMMISSION RESPONSE TO MATTERS BY THE PUBLIC
 - i. Zoom is providing a new live transcript service
 - ii. It provides automated live captioning during webinars
 - iii. Currently being provided at no cost

3. WORK SESSION

- a. Discussion of priorities
 - i. Recap of recent discussions
 - 1. Previously this committee worked on the disability PSA project
 - 2. Recently shifted focus to advocacy regarding police violence
 - ii. Recap of previous community engagement committee focus
 - 1. Formed to support events organized by the OHR
 - 2. Focused on service provision outreach
 - 3. Pheobe and Melvin work on the disability PSA project
 - This followed a suggestion by a member of the public speaking during public comment at a regular meeting in 2019
 - iii. Commissioner notes that the HRC was interested in exploring the potential use of social media and asks OHR staff for any updates

- No boards and commission currently have independent social media accounts
- 2. HRC does have a legacy Facebook page
 - a. Charlene Green established this page
 - i. Charlene is the only one who can edit it
 - ii. OHR staff has talked with Charlene about the transfer of administrative permissions
 - 1. Awaiting response for next steps
 - b. Charlene used it for announcing events
 - c. It was not used for statements of position or advocacy
- 3. HRC has a web page on the City web site
 - a. Administered by the Clerk's Office
 - b. Contains a list of Commissioners
 - c. Contains a very brief description of the Commission and how to apply
- 4. OHR has a web page on the City web site
 - a. OHR staff administers
 - b. OHR staff has asked City Manager about posting HRC statements and information
 - i. Awaiting definitive response as to what is allowed
 - ii. OHR staff does not have the final authority to decide on web page content
 - iii. Any proposed content is reviewed by IT Department before publishing
- 5. Generally, using the City's media platforms to issue public statements from a single board or commission is challenging
 - a. Problems arise if a statement from a board or commission conflicts with messaging from the City as a whole or with a specific department
- iv. Commissioner discussion regarding public statements
 - Request to add a link on the City website using the OHR web page to public statements already made by the HRC
 - 2. Suggestion to create a Facebook page for the HRC and post information prior to seeking permission
- v. OHR staff response
 - 1. Previous request made for permission to take the suggested actions above and no permission received
 - 2. All HRC documents, including the recent statement on police violence, are posted in the HRC's Box.com folder
 - a. This is a publicly accessible folder
 - b. The link is at the top of all HRC agendas
 - 3. Most recent statement will also be included in HRC meeting documentation
 - a. It will likely be part of the agenda packet for the next HRC regular meeting
- vi. Commissioner discussion regarding social media
 - 1. 500+ people currently follow the old HRC Facebook page
 - 2. Box.com can be difficult for people to use

- 3. Suggestion to create a new Facebook account
 - Could like to Charlene's old Facebook page from new one
 - b. Would be a good place to reference events and other resources mentioned in HRC regular meetings
- vii. OHR staff response
 - 1. Notes that OHR also has a Mail Chimp account with a large recipient list that can be used to share information
 - Notes that without explicit permission to start an HRC Facebook account, likely cannot do on HRC's behalf as City staff
- viii. Commissioner discussion about further advocacy
 - Suggestion that HRC can make a list of what it wants and bring to person with authority to grant permission
 - a. Asks who that person would be
 - 2. Suggestion to use Mail Chimp to send out link to the statement
- ix. OHR staff response
 - The City Manager is currently OHR staff supervisor until May, 7 2021
 - 2. The Deputy City Manager for Racial Equity, Diversity, and Inclusion will take that responsibility on May 10, 2021
- x. Commissioner discussion regarding administrative ownership of social media accounts, i.e. OHR staff vs. HRC Chair
 - 1. Suggestion that HRC Chair should hold the account and pass the administration on to successive Chairpersons
 - 2. Suggestion that Commissioners could draft a message to be sent by Mail Chimp
- xi. OHR staff response
 - 1. Can send out something drafted by the HRC on Mail Chimp
 - OHR Mail Chimp account user is humanrights@charlottesville.gov
 - a. Charlene originally created it for use with the Dialogue on Race
- xii. Commissioner discussion regarding HRC's independent control of communication
 - Suggestion that the HRC create its own Gmail account, which it can use to start an independent HRC Facebook account and Mail Chimp account
- 2. This would partition communication coming from HRC vs. OHR
- xiii. City Director of Communications Director response
 - 1. Notes that Police Civilian Review Board members have been issued City email addresses
 - a. This makes it easier to respond to FOIA requests
 - 2. Notes that using a separate email system to bypass City restrictions is not permissible for public bodies
 - a. Communicating on behalf of the public body is regarded as public communications
 - b. City's position has been that public communications are handled in a centralized way to avoid problems
 - i. Example, if a public body creates its own

Facebook page:

- 1. City can potentially lose access
- 2. City cannot archive the page for FOIA purposes
- 3. City cannot ensure that administrators will not delete content
 - a. HRC could not delete offensive comments from the public, as this would be a legal issue for the City
- Suggests having this discussion with the new Deputy City Manager for REDI in order to propose a plan to the City Manager
- 4. Notes that there is room to explore new ways of communicating as long as it takes FOIA and records preservation into account
- 5. Regarding recent HRC public statement regarding police violence
 - a. City Manager did not feel it was appropriate to publish the statement on the City website
 - Notes that this would apply to all of the City's communications channels
 - b. Can be in minutes and agenda packet
 - i. It is an approved action by the Commission and should be shared as such
 - c. Drawing attention to it using City media channels and the website is different

xiv. Commissioner response

- Note of appreciation for the need to preserve and access public records
- 2. Note that determination of appropriateness appears to be linked to the fact that the statement criticized the way the City operates
- Suggests that the HRC webpage should be used to present a publicly accessible archive of HRC documents

xv. OHR staff response

- 1. Notes that all HRC documents are stored in a publicly accessible fashion on Box.com
- Unclear as to whether posting Box.com links to HRC documents on OHR website crosses the line into promoting the documents vs. making publicly created work available
- Notes that this points to the need to determine where other HRC documents should be stored and archived, including resolutions, as they are not as easily accessible by the public as they could be

xvi. Communications Director response

- Suggests documenting what tools the HRC believes would be helpful
- 2. City Manager, Deputy City Manager for REDI, and Director of the Human Rights Commission (once hired) should discuss
- 3. If HRC presents recommendations to the management team

and they approve then Communications Department will act on the approved recommendations

- xvii. Commissioner discussion
 - 1. Concern for access to information in the meantime
 - Offer to assist OHR staff with managing social media if approved
 - Asks Communications Director if HRC will be getting City email addresses
- xviii. Communications Director response
 - 1. Has done for Police Civilian Review Board
 - 2. Available to other boards and commissions upon request
 - 3. City moving in this direction as a best practice for the future
- xix. Commissioner discussion
 - 1. Suggested media access request
 - a. City emails for Commissioners
 - b. HRC Facebook page
 - c. HRC Twitter page
 - Suggestion that HRC should have an independent voice from the OHR
 - 3. Suggestion to create a statement that defines
 - a. The public outreach goals of the HRC
 - b. The requested tools to meet those goals
- xx. Communications Director response
 - Affirms that HRC has its own voice that is separate from the OHR
 - a. It votes on positions and statements
 - 2. Affirms that all Commissioners have their own First Amendment rights to share HRC information
- xxi. Discussion regarding difference between circumventing City restrictions vs. finding a way to create a platform for HRC voice
 - Intent is not to prevent FOIA access or avoid legal constraints but to find a way for the HRC to communicate that does not require the OHR staff to take action
- xxii. Communications Director response
 - City Council does not have these communications channels though some Councilor's have argued they should
- xxiii. Discussion regarding City email accounts
 - 1. General support for City email accounts for Commissioners
 - Assumption that, as long as Commissioners use the HRC group email, those communications are accessible by City staff for FOIA
 - a. Commissioner notes that they avoid communicating with individual commissioners using private email addresses about Commission business
 - b. What is the benefit of City email addresses for Commissioners?
- xxiv. Communications Director response
 - 1. HRC distribution list are only accessible if a City staff person address is part of the distribution list

- 2. PCRB has a distribution list and it has a separate mailbox that gets copied on all distribution list messages
- 3. It is expected that Commissioners might communicate directly to one another on public business items
 - a. The requirement is that if there is a FOIA request, those emails must be findable and released
- b. Next steps
 - Create a statement that defines HRC communication goals and proposed actions
 - 1. Committee goals
 - a. Communicate messages of advocacy
 - b. Engage the community in action
 - c. Provide leadership
 - i. Public statements
 - 2. Proposed actions
 - a. Clarify the media platforms that Committee can use to reach goals
 - i. Ensure that messages are on multiple platforms including social media
 - b. Attending public events
 - ii. OHR staff
 - Suggests using the Resolution format to draft the above goals and actions
 - 2. Resolutions create a foundation that the HRC can cite to when taking actions
 - Chair and Vice Chair have a draft commission regarding advocacy actions which may serve as a starting point for a draft resolution by this Committee
 - 4. OHR staff will share draft advocacy resolution with Engagement Committee
 - a. Share on Box.com in Working Documents
 - iii. Jeanette will work on creating a draft resolution using framework from the template that OHR staff will post on Box.com
 - iv. Commissioner requests copies of current outreach materials from the OHR
 - OHR staff will share digital copies of existing outreach materials for HRC feedback
 - v. Jessica will provide ad hoc committee meeting at the next HRC regular meeting

4. MATTERS BY THE PUBLIC

- a. PUBLIC COMMENT
 - i. None.
- b. COMMISSION RESPONSE TO MATTERS BY THE PUBLIC
 - i. None.

5. NEXT STEPS

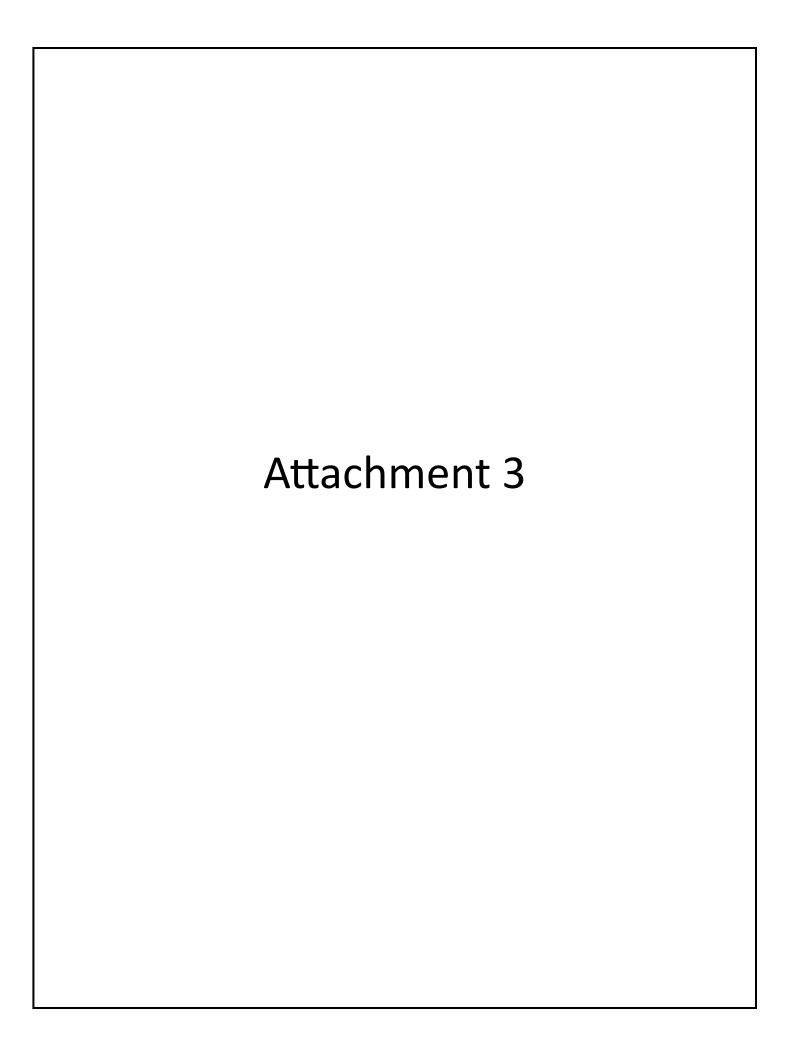
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 - i. Share on Box.com in Working Documents
- b. Jeanette will work on creating a draft resolution using framework from the template that OHR staff will post on Box.com

c. Jessica will provide ad hoc committee meeting at the next HRC regular meeting

6. ADJOURN

a. Meeting adjourned at 2:00 pm.





RESOLUTION TO ESTABLISH PROCEDURES FOR ADVOCACY AND ACTION CHARLOTTESVILLE HUMAN RIGHTS COMMISSION RESOLUTION #: A21-1

WHEREAS, the Charlottesville Human Rights Ordinance, hereinafter "the Ordinance," states that the role of the Charlottesville Human Rights Commission, hereinafter "the Commission," is to act as a strong advocate for justice and equal opportunity by providing citywide leadership and guidance in the area of civil rights (City code Article XV. Sec. 2-433.); and

WHEREAS, the Ordinance states that the Commission will collaborate with the public and private sectors for the purpose of providing awareness, education and guidance on methods to prevent and eliminate discrimination citywide (City code Article XV. Sec. 2-433.b); and

WHEREAS, the Ordinance states that the Commission will 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 City code Article XV. Sec. 2-433.c); and

WHEREAS, the Ordinance states that the Commission will prepare recommendations to City Council as to policies and procedures the Commission believes are necessary for the performance of the roles, duties and responsibilities assigned to the Commission within this article, and for modifications of operating procedures approved by City Council (City code Article XV. Sec. 2-433.f); and

WHEREAS, the Ordinance states that the Commission will be responsible for identifying and reviewing policies, practices and systems of an institutional nature that may not constitute unlawful discriminatory practices but nevertheless which produce disparities that adversely impact or affect individuals on the basis of a status such as their race, color, religion, sex, pregnancy, childbirth or related medical conditions, national origin, age, marital status, criminal record, income or disability (City code Article XV. Sec. 2-435.a.2); therefore

BE IT RESOLVED that the Commission hereby declares its intent to take specific action as a strong advocate for human and civil rights; and

BE IT FURTHER RESOLVED that the Commission will undertake specific advocacy action following a majority vote of approval during a publicly-noticed regular meeting of the Commission, except in limited situations between regular meetings of the Commission, when a systemic human or civil rights issue requires prompt action that must occur before the Commission can convene in a publicly noticed meeting, in which case the Commission authorizes the Commission Chair to take advocacy action, on behalf of the whole Commission, without a prior majority vote of approval during a publicly-noticed regular meeting; and

BE IT FURTHER RESOLVED that specific advocacy action, proclaiming the Commission's position on an issue related to human and/or civil rights, may include one or more of the following:

- 1. Letters to
 - a. City Council
 - b. The City Manager
 - c. Non-profit organizations or other community groups
 - d. State government officials
 - e. Federal government officials
 - f. Local media outlets
- 2. Online petitions
- 3. Sign-on letters
- 4. Public Service Announcements
- 5. Attendance and participation in public events including but not limited to
 - a. Protests
 - b. Counterprotests
 - c. Rallies
 - d. Marches
 - e. City Council meetings.

Dated this	of	, 2020.
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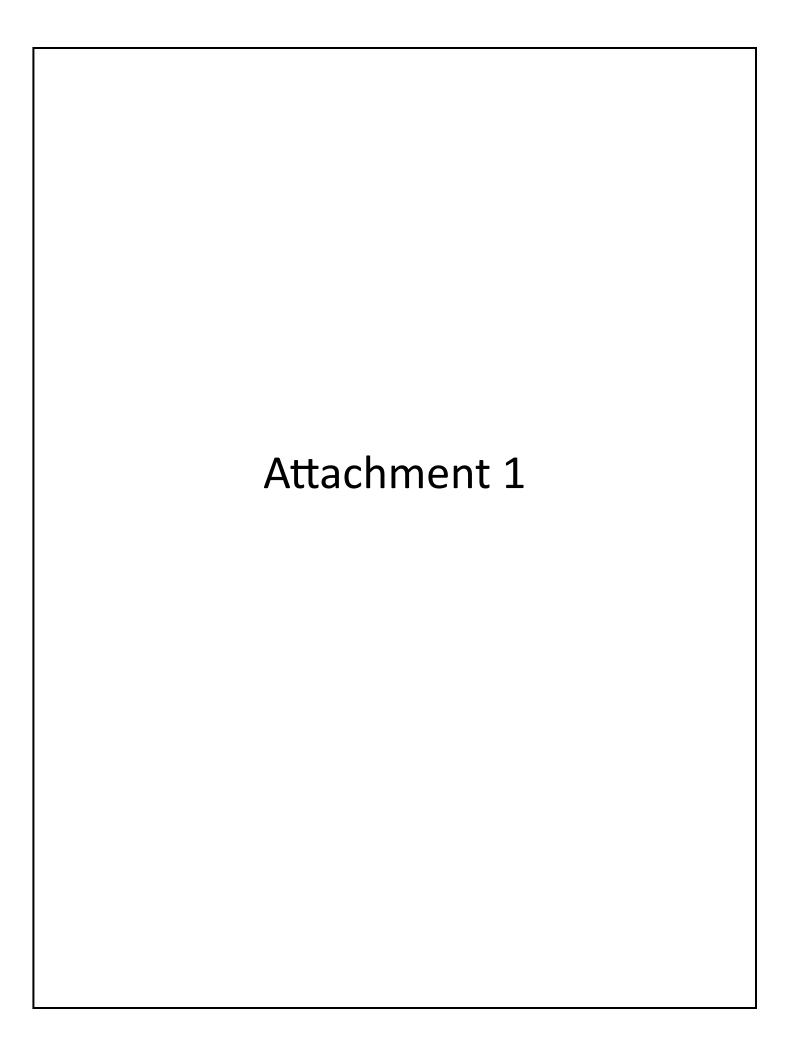
Mary Bauer, Chair, Human Rights Commission



Human Rights Commission Legal Representation Committee June 3, 2021 Virtual/Electronic Meeting 6:00 pm

Agenda Packet Attachments

- 1. Agenda
- 2. 05-06-2021 Draft HRC Legal Representation Committee Meeting Minutes
- 3. Draft Resolution HR21-1





Human Rights Commission AGENDA Legal Representation Committee June 3, 2021 Virtual/Electronic Meeting 6:00pm

Please take Notice that this virtual meeting of the Human Rights Commission is for the purposes of planning, developing and drafting management and administration documents for the Human Rights Commission. For the purpose of addressing issues during the quarantine, this virtual meeting will be a limited public forum to discuss the agenda items designated under Section 5 below and to ensure the continuity of services provided by the Commission. The Commission Chair may limit public comments or discussion points that are unrelated to agenda items under Section 5 or that pertain to topics outside the scope of this Agenda. Members of the public are limited to three minutes of comment time per person related to the Agenda below. A maximum of sixteen public comment time slots are allotted per meeting. This will be a virtual/electronic meeting open to the public and registration information is available at www.charlottesville.gov/zoom.

Link to Human Rights Commission shared Box folder: https://app.box.com/s/xty3wnn2s1tj8h7trkknvd79bipyxezy

1. WELCOME

- a. CALL TO ORDER
- b. ROLL CALL
- c. MISSION (recited by all): Act as a strong advocate to justice and equal opportunity by providing citywide leadership and guidance in the area of civil rights.

2. MATTERS BY THE PUBLIC

- a. PUBLIC COMMENT (Webinar attendees use the "raise hand" function, phone attendees use *9)
- b. COMMISSION RESPONSE TO MATTERS BY THE PUBLIC

3. MINUTES

a. 05-06-2021 Legal Representation Committee Meeting Minutes

4. WORK SESSION

- a. Commissioner update on review of UVA Title IX legal representation model
- b. Review of draft Resolution HR21-1: Resolution to Establish a Legal Representation Fund for parties to a Complaint of Discrimination
- c. New business

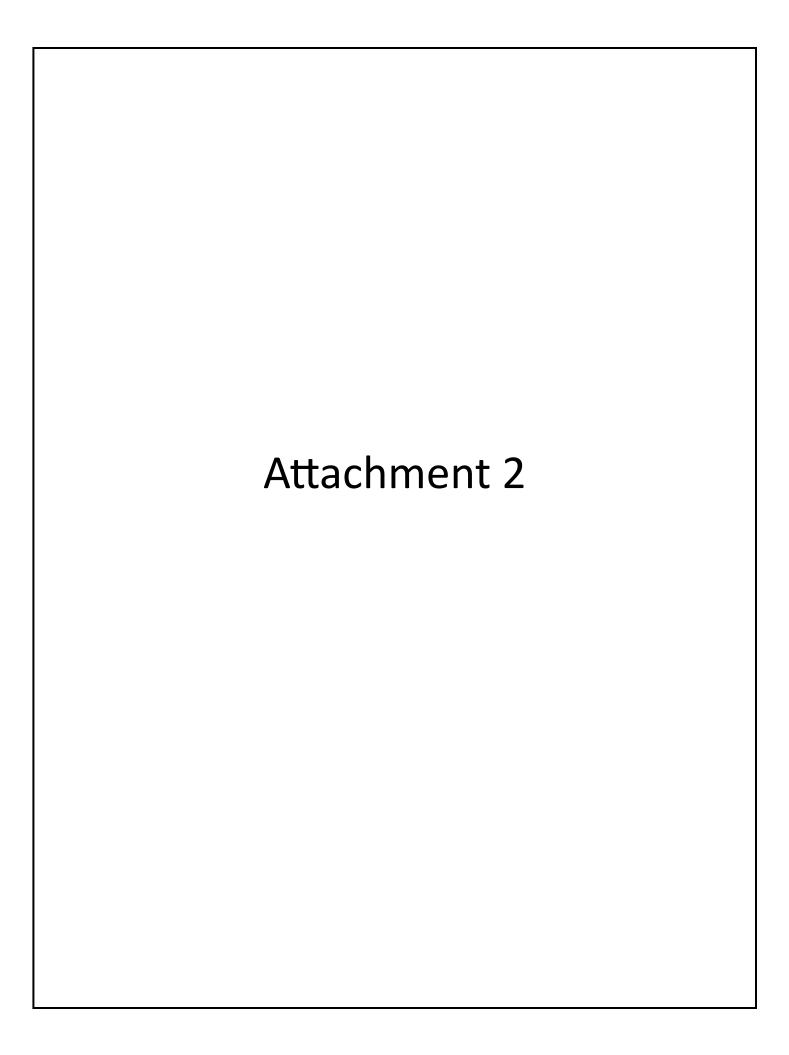
5. MATTERS BY THE PUBLIC

- a. PUBLIC COMMENT (Webinar attendees use the "raise hand" function, phone attendees use *9)
- b. COMMISSION RESPONSE TO MATTERS BY THE PUBLIC

6. NEXT STEPS & ADJOURN

* ACTION NEEDED

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Human Rights Commission Meeting Minutes Legal Representation Committee May 6, 2021 Virtual/Electronic Meeting 6:30 pm

Public link to meeting rebroadcasts on Boxcast: https://boxcast.tv/channel/vabajtzezuyv3iclkx1a

Public link to HRC documents on Box: https://app.box.com/s/xty3wnn2s1tj8h7trkknvd79bipyxezy

1. WELCOME

- a. CALL TO ORDER
 - i. Meeting called to order at 2:10 pm
- b. ROLL CALL
 - i. Jessica Harris
 - ii. Kathryn Laughon

2. WORK SESSION

- a. OHR staff
 - i. Origin of the idea
 - 1. Complainants typically do not have and cannot afford legal representation
 - 2. Respondents typically have legal representation or the means to get it
 - Commissioners brought up the idea of Complainant legal representation during a committee meeting regarding public hearings
 - 4. Potential to model after the tenant right to counsel program being supported by the HRC and City Council
 - 5. No similar legal representation programs in other municipalities in Virginia that have HRC/OHRs
 - ii. OHR staff has a draft resolution recommending a legal representation program to share with the committee
- b. Commissioner discussion
 - i. Suggestion to seek other potential models in other states
 - ii. Note that intention of program is not to provide additional funds to Respondents who can already afford legal counsel
 - iii. Suggests UVA or other universities that provide counsel assistance in Title IX complaints
 - 1. Kathryn will look into the legal representation model used by the UVA Title IX office
- c. OHR staff
 - i. Notes that income and net worth limits are included in the resolution
 - 1. Some respondents may also qualify

3. MATTERS BY THE PUBLIC

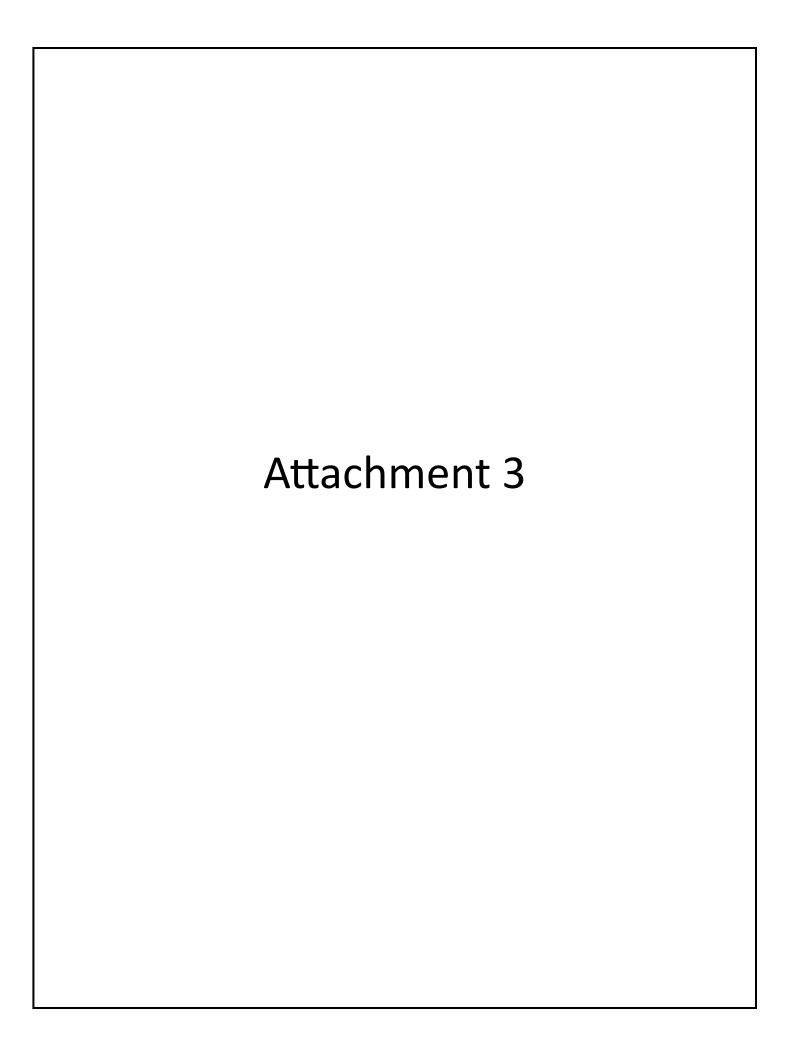
- a. PUBLIC COMMENT
 - i. None
- b. COMMISSION RESPONSE TO MATTERS BY THE PUBLIC
 - i. None

4. NEXT STEPS

- a. OHR staff will provide access to the draft resolution via Box.com:
 - i. https://app.box.com/s/htbjbpwbi8tv9o1tjpcea72kusvcy1md
- b. Kathryn will look into the legal representation model used by the UVA Title IX office
- c. Jessica and Lyndele will review draft resolution
- d. Jessica will provide the committee update at the next HRC regular meeting

5. ADJOURN

a. Meeting adjourned at 2:18 pm



RESOLUTION TO ESTABLISH A LEGAL REPRESENTATION FUND FOR PARTIES TO A COMPLAINT OF DISCRIMINATION CHARLOTTESVILLE HUMAN RIGHTS COMMISSION RESOLUTION #: HR21-1

WHEREAS, the role of the Charlottesville Human Rights Commission, hereinafter "the Commission," is to act as a strong advocate for justice and equal opportunity by providing citywide leadership and guidance in the area of civil rights (City code Article XV. Sec. 2-433.); and

WHEREAS, the Charlottesville Human Rights Ordinance, hereinafter "the Ordinance," states that the Commission will assist individuals who believe they are the victim of an act of unlawful discrimination in the City (City code Article XV. Sec. 2-433.b.); and

WHEREAS, the Ordinance states that the Commission will prepare recommendations to City Council as to policies and procedures the Commission believes are necessary for the performance of the roles, duties and responsibilities assigned to the Commission within this article, and for modification of operating procedures approved by City Council (City code Article XV. Sec. 2-433.f.); and

WHEREAS, the Ordinance states that the Commission will be responsible for identifying and reviewing polices, practices and systems of an institutional nature that may not constitute unlawful discriminatory practices but nevertheless produce disparities that adversely impact individuals on the basis of a status such as their race, color, religion, sex, pregnancy, childbirth or related medical conditions, national origin, age, marital status, criminal record, income or disability (City code Article XV. Sec 2-435.a.2.)

WHEREAS, the staff of the Office of Human Rights, including the Director of the Human Rights Commission, hereinafter "OHR staff," are neutral parties to the complaint and cannot provide legal advice to the Complainant or Respondent at any stage before, during, or after the investigation, mediation, determination of cause, appeal, or public hearing of the Commission regarding the complaint;

BE IT RESOLVED that the Commission hereby supports the creation of a legal representation fund to provide equitable access to legal services for parties to complaints of discrimination filed with the Charlottesville Office of Human Rights, provided such complaints have been authorized for further action by the Director of the Human Rights Commission.

The HRC recommends that the legal representation fund be available to both Complainants and Respondents who meet the following criteria:

- 1. The applying party must be the named Complainant or named Respondent in a case that has been authorized by the Director of the Commission for further action. Qualifying actions shall include one or more of the following:
 - a. Mediation
 - b. Investigation
 - c. Public Hearing
- 2. Individual Complainants shall have a household income of no more than 250% of the federal poverty guidelines.
- 3. Respondents shall meet one of the following criteria:
 - a. Individual Respondents, representing only themselves and not affiliated with a larger corporate entity, shall have a household income of no more than 250% of the federal poverty guidelines.

b. Respondents that are entities incorporated with the Virginia State Corporation Commission, shall have a corporate net worth of no more than \$XXX.

The HRC further recommends that the following restrictions apply to the legal representation fund:

- 1. Funds shall only be used to employ the services of an attorney barred in the Commonwealth of Virginia.
- 2. Funds shall only be used to employ the services of an attorney for matters directly related to the complaint of discrimination for which the Director of the Commission has authorized further action.
- 3. The maximum amount of funding awarded to a single qualifying party shall not exceed \$XXX,000.
- 4. Payment for legal services will be made directly to the designated legal representative of the qualifying party upon provision of documentation detailing the specific legal services provided to the party.

The HRC further recommends that the following exclusions apply to the legal representation fund:

- 1. Legal services provided to a party to a complaint prior to application for and approval of funding from the legal representation fund shall not be reimbursable.
- 2. Legal services provided to a party to a complaint after the case has been deemed Dismissed or otherwise Closed shall not qualify for payment.
- 3. Legal services provided to a party related to the filing or litigation of a private civil suit in General District Court, seeking court-mandated relief related to an active, closed, or dismissed complainant, even if said complaint was previously approved for funding, shall not qualify for payment.

Dated this	of	, 2020.
Mary Bauer, Chai	r Human Rights Com	mission