



**Human Rights Commission  
Meeting Minutes  
Regular Meeting  
October 21, 2021  
Virtual/Electronic Meeting  
6:30 pm**

Public link to meeting rebroadcasts on Boxcast: <https://boxcast.tv/channel/vabajtzeuyv3iclqx1a>

Public link to HRC documents on Box: <https://app.box.com/s/xy3wnn2s1tj8h7trkknvd79bipyxezy>

**1. WELCOME**

- a. CALL TO ORDER
  - i. Vice-Chair, Kathryn Laughon, called the meeting to order at 6:35 pm
- b. ROLL CALL
  - i. Kathryn Laughon
  - ii. Jeanette Abi-Nader
  - iii. Ernest Chambers
  - iv. Jessica Harris
  - v. Wolfgang Keppley
  - vi. Lyndelee 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. Janice Redinger
    1. Todd attended Mayor's "Imagining a Just Cville" work group, of which Janice is a part, to talk about OHR and HRC
      - a. Janice asked if the Office handles complaints of discrimination from City employees
      - b. These are referred to the EEOC because of potential conflicts of interest
    2. Why are complaints not handled locally?
      - a. Seems that the City Attorney can recuse herself and you can get other representation
    3. Section 2-437B of the ordinance said that if there is another agency that has jurisdiction over a complaint, OHR refers the complaint out—what does the Office actually handle, and what enforcement efforts is it involved in?
    4. There are references to the Director in the ordinance—who does the Director's work in their absence, and under what authority?
    5. Another issue is that the City has very unsatisfactory employment practices
      - a. Even if you prevail in a grievance, there is no provision in the City's grievance policy for attorney fees to be

- reimbursed
- b. Few people outside of management can afford a lawyer alone, so they do not end up filing; this is an equity issue
- 6. Related: 2019 report generated by City Manager Mike Murphy's advisory group on organization equity
  - a. On City webpage
  - b. Pg. 9 talks about how Black employees earn less than white co-workers, as well as city demographics
    - i. "There are significantly fewer Black employees represented in management and protective pay bands, while Black employees are disproportionately represented in the technical band."
    - ii. "Black employees earn significantly less than the average salary in the professional and technical bands."
- 7. After the report was published, the city took little action; Janice is hoping HRC could spearhead a study to update this report
- ii. Tanesha Hudson
  - 1. The way that Black leadership has walked out of City Hall is a human rights issue
  - 2. Expresses deep disappointment in HRC's performance addressing racial issues in the city and City government following its creation by the Dialogue on Race
    - a. Believes the HRC has failed the Black community, Black employees, and the organization
  - 3. Says Kathryn and Mary challenged the Chief of Police in May
  - 4. Unacceptable that the city does not allow people of color in leadership positions to do their job; their treatment is on record
  - 5. Is also unacceptable that the interim Chief was responsible for the SWAT that got punished and is now acting Chief
  - 6. Shows the world that the City only hires Black people to be puppets
  - 7. HRC has all of the resources to have been defending the Black community during recent events, but instead, HRC took the side of the City
  - 8. Hopes HRC creates a plan and solution to take to Council and the people in power to right their wrongs
- iii. Ms. Martin
  - 1. Agrees with Tanesha Hudson
  - 2. The City attracts supposedly "highly qualified" Black people and hires them, but does not support them
  - 3. No one seems to be questioning that African Americans are not thriving in City government
  - 4. Something must change; asks the Commission to look into these issues
  - 5. Hopes that something is done before the next hire is made
  - 6. People are noticing the trend of African Americans coming to the

City and getting destroyed in their careers

b. COMMISSION RESPONSE TO MATTERS BY THE PUBLIC

i. Kathryn

1. Two sets of issues
2. Looking at employment policies of the city can be discussed at a future meeting; will need to think about it and vote
3. Substantial wage issues can also be talked about in a future meeting
  - a. Since publication of the 2019 report, the has City hired a Deputy City Manager for Racial Equity, Diversity, and Inclusion, who is likely looking at these issues— Commissioners will follow up with her

ii. OHR staff in response to Janice Redinger's questions

1. Agrees that handling city employee cases locally would be beneficial for complainants
    - a. Challenge right now is that legal counsel for Commission and city is the same; the Commission is the adjudicating body in the determination of a complaint
    - b. Currently, Allyson Davies from the City Attorney's office is the liaison, which is the conflict
      - i. Would have to rethink this; could potentially look into externalizing the legal representation
      - ii. Todd can ask some more questions to find out how this is possible
  2. Regarding Sec. 2-437(b) of the ordinance, Council has removed much of the previous outsourcing language; now, the Office has jurisdiction to look into employment complaints, housing, public accommodations, credit, and private education
    - a. Can talk to Janice more about specific OHR details, especially about other things OHR does that are not directly related to complaints of discrimination
  3. Director reference has been variable over the past two years
    - a. Once Charlene left, the City Attorney's office advised that the Director's responsibilities shift to the next-in-command, the City Manager, which changed many times in a short amount of time
    - b. Now, the power rests with the Deputy City Manager for REDI, Ashley Reynolds Marshall
      - i. Acts as administrative judge for determination on any case the Office investigates
    - c. Once there is a new Director, the power would shift, though investigatory staff is still necessary
      - i. Separation of responsibility is necessary between the investigator and the person making the determination
- iii. Vice-Chair says one of the agenda items of this meeting is to talk about writing a letter to the City about pattern of losing high-level Black employees

- iv. Jeanette is interested in reaching out to Ashley to talk about if any action on the 2019 report has been made
  - 1. Ashley said once there is a Human Resources Director, there is money set aside in the CIP for a class and comp study, but there is no Director right now
  - 2. Jeanette would like access to the 2019 report—probably posted online
  - 3. Asks if it is accurate that Commissioners can FOIA and not be charged, while non-Commissioners do get charged
    - a. Yes, this is accurate
  - 4. Confirms that the Commission as an entity was never opposed to Chief Brackney
  - 5. Affirms speakers' comments and suggests thinking about implementing some kind of time restriction on public speakers to prevent personal attacks
    - a. Vice-Chair agrees that Planning Commission's time restraint model may be effective
- v. Jessica agrees and adds that the concerns brought up by the speakers will be discussed later in the meeting
- vi. Wolfgang says Commission will discuss Charlottesville's Black leadership and the lack of respect that has been shown to them later in the meeting
  - 1. Also says they are excited to see the OHR Director position filled, and gives the reminder that Commissioners are all volunteers

### **3. MINUTES**

- a. Unable to vote due to insufficient number of Commissioners to create a quorum

### **4. BUSINESS MATTERS**

- a. Chair update
  - i. There were a few updates from Mary from committee meetings, but no update from Mary about how anything has moved forward
  - ii. Mary had invited Hansel Aguilar (new Police Civilian Review Board Director) to introduce himself
    - 1. Vice-Chair says there is overlap between the HRC and PCRFB, so collaboration will probably occur in the future
    - 2. Hansel Aguilar explains how his role is to provide functional administrative support to the PCRFB; agrees there is overlap
    - 3. Civilian oversight of the police has been used as a mechanism to bridge gaps
    - 4. Has been doing this work in Fairfax County, and was a Police Misconduct Investigator in Washington, DC
      - a. Worked with OHR in DC, specifically with a robust language access plan
    - 5. Believes there is opportunity for joint work and joint lobbying
      - a. Believes some issues should not be police matters, and advocates for relieving police of certain duties and providing alternative avenues
- b. OHR Staff report
  - i. Report is attached in agenda packet

- ii. Waiting to hear back from Eric Steinecker regarding amendments to ordinance to bring it to an equivalent of federal fair housing law
  - 1. Would like to present it to the full Commission at the November meeting
- iii. Wants to verify during committee meetings who was present for the HR21-1 vote
- iv. **Contact Todd about city email address password if not done already and do quick security form**
- v. Acknowledges this would be Sue Lewis's last HRC meeting

## 5. WORK SESSION

- a. Deputy City Manager memo: Remembrance of 2017 & FY23 Commemorative Dates
  - i. Ashley sent memo to Mary over the summer about:
    - 1. Noting next year will be the 5<sup>th</sup> year since the 2017 summer hate events
      - a. Asks if HRC would like to work with her office on commemorations, since OHR played a role in Equity Days
    - 2. Affirming idea for observing commemorative months (African American History in February, Women's History in March, Autism Awareness and Arab-American Heritage in April, etc.)
      - a. Typically done through proclamations in council, but there is no consistent, systematic public commemoration
  - ii. Commissioner expresses support for both of these ideas and asks what the commemorations would look like
    - 1. Ashley says she is open to suggestions
    - 2. There is no budget-line item for this, so she would like to get Commissioners' thoughts so she can prepare an appropriate ask
  - iii. Commissioners express surprise and disappointment that the Office of Race, Equity, Diversity, and Inclusion was not allocated funds
  - iv. Vice-Chair suggests that she is in favor of generally recognizing the months in a systematic way
    - 1. Commissioner says these are days of not only celebration, but also awareness
    - 2. Another Commissioner suggests having social media could help HRC participate in commemoration
  - v. Commissioner expresses support for some kind of Unity Days-like event to remember the events of 2017
    - 1. Vice-Chair says she would rather the city give a more substantive response than from what it gave at the time if it held a Unity Days event
  - vi. Commissioner says this would be a good opportunity to reach out to community partnerships to see how they commemorate the months and form some kind of collaboration
  - vii. Ashley offers to do some brainstorming and to take into account the actions of other community groups and other cities to ask for money while the Commission continues to think about the events of 2017

(especially because she was not present for them)

1. Vice-Chair suggests the Community Engagement committee take this up—she will put this on their agenda
- b. Committee reports
- i. Accessibility (Chair – Wolfgang)
    1. Invites Commissioners to join the committee since Sue is leaving
    2. Disability PSA project with the City is beginning
      - a. Participants are involved in sharing others' stories
  - ii. Community Engagement (Chair – Jessica)
    1. Worked on A21-1 about how to proceed on action items between meetings
      - a. Is drafted and can be voted upon in a future meeting
    2. Lyndele has been advocating for providing plain language documents for all HRC documents
      - a. Provided an example of the plain language version of the resolution
    3. Jeanette worked on the proposal template of statements
      - a. Has not yet been formalized, but working on it now
    4. Next to work on is creating visualizations/plain language versions to explain the process of filing a complaint
  - iii. Housing (Chair – Kathryn)
    1. Talked about how owner of Midway Manor (low-income housing for mainly elderly individuals) re-upped contract for two years instead of thirty
      - a. Has caused concern that they will end the low-income housing contract
      - b. Settled that role of HRC is to amplify the work of other community organizations
      - c. OHR staff adds that he has been in touch with Midway residents; is scheduling a time tomorrow to talk about their protections under VA fair housing law and hopes to coordinate with someone from LAJC to talk about rights under Landlord and Tenant Act
    2. **Mary is going to follow up with Council about the right to counsel issue regarding need for ordinance and additional funding**
  - iv. Legal Representation
    1. Kathryn says this committee (same two members as Housing) talked about the same issues
    2. OHR staff adds that this committee, for those who are not aware, is about legal representation for parties to a complaint filed with OHR rather than legal representation in eviction cases, for which the Commission is also advocating
      - a. Eviction prevention and representation is the HRC's primary concern at the moment, so this item is on hold
- c. Commissioner discussion regarding Black leadership turnover in City government
- i. Going to write a letter

- ii. Vice-Chair acknowledges HRC does not have access to confidential personnel members, but it seems there is a pattern of targeting Black leadership
- iii. Commissioner agrees that this is a very concerning issue and is a systemic issue with the City
  - 1. Vice-Chair adds the differences in salary referenced in the report that the report Janice Redinger was talking about is also part of a pattern
- iv. Commissioner expresses longtime concern with racial issues as a resident
  - 1. He has not often witnessed minorities present at public worksites
  - 2. Is also concerned with how Black leadership is fired seemingly without reason, but simultaneously expressing support for this community
    - a. Also references individual resigning and blaming reasoning on the Mayor
  - 3. Questions what the Commission can do to respond
    - a. Also questions whether someone on the Commission should be listening to City Council meetings during these kinds of issues and ensuring there is someone on the public comment side
    - b. Community is waiting to hear from the Commission—there should be something in place to respond between meetings
    - c. Make the community know the Commission hears them
- v. Vice-Chair asks if Resolution A21-1 has been voted upon yet
  - 1. Community Engagement committee made some amendments for the full Commission to review, but there is not a quorum to vote this meeting
  - 2. At the end of the packet are the materials that lay out advocacy and action
  - 3. **Wants to make sure voting on A21-1 is on next meeting's agenda**
- vi. Vice-Chair suggests Mary writing the letter to Council, Commission working on it via email, and sending it before the next meeting
  - 1. **Mary will likely go to City Council and speak as well as send it to Council via email**
- vii. Commissioner says that not speaking up does not mean the Commission is not dedicated to the work
  - 1. Expresses frustration with how the Mayor has been treated
  - 2. Bystander training in workplaces is necessary with racial issues
    - a. Racism can be especially devastating when white colleagues do not step up to say anything
    - b. Suggests bystander training for everyone, especially City government
  - 3. Wants more opportunities to engage with the public, such as hosting Facebook or Instagram Lives
  - 4. Asks what the Commission is able to do besides letter-writing

- viii. Commissioner says that the Commission sees high-level leadership, but not necessarily across all levels of leadership in the community
  - 1. Commission as a whole could look into this
  - 2. Concerned citizens have brought up disproportionate contact in CPS on basis of race, and HRC brought in CPS to give a presentation—maybe something similar could happen with City HR
    - a. Maybe when there is an HR Director
- ix. Commissioner suggests including recommendations in the letter
  - 1. Work with Ashley to find out what she wants in her budget or otherwise support her vision for the Office of Equity, Diversity, and Inclusion
  - 2. Suggests more Commission members than Mary and Kathryn show up at City Council meeting to show strong support
  - 3. Shares Ashley's comments from the Zoom chat
    - a. One recommendation of the 2019 report was the establishment of the Office for Race, Equity, Diversity, and Inclusion, no steps have been taken since report's publication
    - b. Per December 2, 2020 Council meeting, Council asked Dr. Richardson to consult with new HR Director and bring up proposal before Council for Equity Report, but this was likely never completed due to staffing changes
      - i. Commissioner expresses interest in supporting Ashley in this
  - 4. Expresses support for a community listening session
- x. OHR staff says city emails are still being worked on, which would be helpful for holding some kind of public event online
  - 1. Could create city-connected social media account
  - 2. Can ask Communications about town hall platforms
  - 3. Asks if Commission would like to use its time focusing on the town hall-style meeting or the four committee meetings
    - a. Vice-Chair says a community meeting should take some planning, so committee meetings make more sense right now
    - b. Community Engagement committee could possibly take this on
    - c. Vice-Chair suggests holding only a longer Community Engagement committee that more people could attend
- xi. Vice-Chair suggests that town hall meeting could include bystander training
  - 1. Can put it on the agenda to talk about
- xii. Commissioner suggests that, during the town hall, the HRC clarify to the public what the Commission has and does not have the power to do
- xiii. Commissioner suggests having some kind of code of conduct for the town hall meeting
  - 1. Kathryn can ask Planning Commission Chair to send her their code of conduct, which she can then email to HRC members
- xiv. There will be only the Community Engagement ad-hoc committee this



month, during which Commissioners will discuss a town hall (potentially with bystander intervention training), guidelines for working together, commemorative event planning, and plain language version of filing a complaint

- xv. Commissioner clarifies Mary's letter will specifically ask Council to monitor and ensure the Mayor is not attacked in addition to bystander training
  - 1. Another Commissioner adds that allowing Council to disrespect the Mayor allows the general public to disrespect the Mayor
  - 2. Expresses deep frustration in the treatment Mayor Walker has received
- xvi. Commissioner adds that Mayor Walker has been supportive of other Councilors and expresses frustration that the same treatment has not been reciprocated
- xvii. Commissioner suggests proposing Council also create plain language versions or quick executive summaries of their documents in order to be more accessible

## **6. MATTERS BY THE PUBLIC**

### **a. PUBLIC COMMENT**

#### **i. Tanesha Hudson**

- 1. Expresses frustration with the Commission's lack of taking action on behalf of Black City leadership
- 2. Would like Ashley, Sam Sanders, and Chip Boyles to address why Chief Brackney was terminated
- 3. Agrees that the Mayor is frequently left out
- 4. Offers to give input if the Commission needs help

#### **ii. Ang Conn**

- 1. Black leadership is leaving at an alarming rate, and there should be something done about it
- 2. Urges the Commission to take action and think about their priorities
- 3. References the ill treatment and verbal assault Mayor Walker receives; urges the Commission to take a stance

#### **iii. Janice Redinger**

- 1. Is a criminal defense attorney
- 2. Says Charlottesville has never had a Police Chief before Chief Brackney who has been interested in and took action in reforming policing
  - a. She has been disrespected the entire time
- 3. She has been a leader in the "Imagining a Just Cville" and Marcus Alert groups
- 4. Urges the Commission to voice their concerns, as she fears the progress the City has made will deteriorate

### **b. COMMISSION RESPONSE TO MATTERS BY THE PUBLIC**

- i. Vice-Chair says the Commission has a plan for the issues addressed and hopes it will address the public's concerns
- ii. Jessica said the Mayor sent out a compilation video last week showing her asking for the reason for Chief Brackney's termination
  - 1. Clarifies that Ashley did not play a role in hiring decisions or

firing the Chief

- iii. Jeanette asks Dr. Marshall directly if she had a role in firing the Chief
  - 1. Ashley replied that she did not

**7. COMMISSIONER UPDATES**

- a. Acknowledges Sue Lewis's role as one of the founding members of the Human Rights Commission
  - i. Has put years of effort into the Commission and will be deeply missed
  - ii. Jessica and Ernest share their appreciation for Sue's presence on the Commission
- b. Community Engagement committee meeting
  - i. Todd will make sure 11/4/21 at 1pm works with Communications and does not conflict with Diwali
    - 1. Will last around an hour

**8. NEXT STEPS**

- a. **General Next Steps**
  - i. **Contact Todd about City email address password if not done already and do quick security form**
  - ii. **Vote on Resolution A21-1 at next meeting**
- b. **Mary**
  - i. **Follow up with Council regarding right to counsel, specifically about need for ordinance and additional funding**
  - ii. **Draft letter to Council about Black City leadership**
    - 1. **Commission will give feedback via email**
    - 2. **Mary will send letter to Council via email**
    - 3. **May speak at City Council meeting about letter as well**
- c. **Kathryn**
  - i. **Ask Planning Commission Chair for their code of conduct and send it to Human Rights Commissioners**
- d. **Community Engagement committee meeting: 11/4/21 at 1pm**

**9. ADJOURN**

- a. Meeting adjourned at 8:25 pm