

MICHIGAN CIVIL RIGHTS COMMISSION

January 26, 2015 – 2:00 p.m.

Michigan Department of Civil Rights, Lansing Executive, Commission Room
110 W. Michigan Avenue, Suite 800, Lansing 48933

MINUTES

PRESENT: Commission Chair Arthur Horwitz
Commission Vice-Chair Rasha Demashkieh
Commission Secretary Agustin Arbulu
New Commissioner Mumtaz Haque
Commissioner Deloris Hunt
Commissioner Linda Lee Tarver
Commissioner Bradley Voss

The meeting was called to order by Commission Chair Horwitz at 2:00 p.m.

I. WELCOME

Commission Chair Horwitz called the meeting to order, provided welcoming remarks, and introduced Governor Rick Snyder.

II. REMARKS BY GOVERNOR SNYDER

Governor Snyder’s remarks touched on a number of civil rights related issue, including increasing hiring of People With Disabilities, mental health and criminal justice reform, race and ethnic relations, immigration and the Office of New Americans. Governor Snyder also responded to inquiries from Commissioner Tarver regarding the development of an African-American Affairs Commission, Commissioner Demashkieh regarding the Arab Chaldean American Commission, and Commissioner Arbulu on ELCRA expansion. A transcript of Governor Snyder’s remarks are attached at the end of the Minutes, per the Commission’s request at the March 23rd meeting.

III. INDUCTION OF NEW COMMISSIONER MUMTAZ HAQUE

New Commissioner Mumtaz Haque was sworn-in by Commission Chair Arthur Horwitz: ***“I, Mumtaz Haque, do solemnly swear that I will support the Constitution of the United States and the constitution of this state, and that I will faithfully discharge the duties of the office of Michigan Civil Rights Commissioner according to the best of my ability.”***

IV. APPROVAL OF MEETING AGENDA

On Motion duly made (Commissioner Tarver) and supported (Commissioner Demashkieh), the Meeting Agenda for January 26, 2015 was approved as submitted. *Motion carried unanimously.*

V. ADOPTION OF CONSENT AGENDA

On Motion duly made (Commissioner Hunt) and supported (Commissioner Arbulu), the Consent Agenda for the January 26, 2015 meeting was adopted as submitted. *Motion carried unanimously.*

VI. APPROVAL OF MEETING MINUTES FROM NOVEMBER 24, 2014

Commission Vice Chair Demashkieh requested that the Minutes be amended to reflect Commissioner Arbulu as candidate for the Office of Secretary for the 2015 slate of officers.

On Motion duly made (Commissioner Demashkieh) and supported (Commissioner Haque), the Minutes with amendments from the November 24, 2014 Commission Meeting were approved. *Motion carried unanimously.*

VII. DIVISION REPORTS

Director's Report, Matthew Wesaw – Director Wesaw provided remarks from his written report, highlighting significant decisions, meetings, and events for the months of November 2014 through January 2015. Director Wesaw also introduced new MDCR employees: Ann Marie Gordenier, Enforcement, Detroit Office; Demetrius Hunter, Enforcement, Flint Office; Tiara Yakini, Enforcement, Flint Office; Alexandra Baron, Enforcement, Grand Rapids Office; Amanda Niven, Enforcement, Lansing Office; Aaron Clum, Enforcement, Flint Office; Will Milzarski, DODDBHH, Lansing Office.

Public Affairs and Budget Report, Leslee Fritz – Ms. Fritz provided an update on the budget, noting a deficit for fiscal years 2015 and 2016, and proposed solutions for cost-savings. The work activity of the Community Relations Division was outlined in Ms. Fritz' written report, and articles of civil rights significance were included in Jacki Miller's PIO Report.

VIII. COMMISSION MATTERS

Chair Report, Arthur Horwitz – Chair Horwitz presented service awards to former commissioners Linda Gobler and Jared Rodriguez whose terms expired December 31, 2014. Commissioners Tarver, Hunt and Arbulu gave brief remarks thanking the former commissioners for their years of service.

Attorney General Report, Ron Robinson – AAG Robinson reported on the status of several cases from his written report for the months of November and December

2014, including *Barbara Smith v. Countryside Townhouses*, *Emmick v. Royalwood Apartments*, and *Barash v. SMART*.

2015 Election of Officers

By unanimous votes for each office, the final results of the 2015 Election of Officers are:

Office of Commission Chair – Arthur Horwitz: 6 Yea – 0 Nay
Office of Commission Vice Chair – Rasha Demashkieh: 6 Yea – 0 Nay
Office of Commission Secretary – Agustin Arbulu: 6 Yea – 0 Nay

All elected Commissioners will serve as the Executive Council of the Commission, and will serve in their respective offices for a term of one year.

VIII. OLD BUSINESS

Strategic planning retreat update - The Commission retreat will be scheduled for February or March 2015; to convene in Detroit, location to be determined; the Executive Council will work together on an agenda, and to identify a strategic planning facilitator.

Review of Sexual Orientation model ordinance language – Ron Robinson provided model ordinance language prior to the Commission meeting, revisions were recommended and will be implemented, the revised language will be proposed to the Commissioners at the March 23, 2015 Commission meeting for adoption. Commissioner Tarver voiced concerns regarding religious exceptions.

Amicus Update – Dan Levy provided the Commission a status update and timeline on the amicus brief with regards to Notre Dame Preparatory Academy; Commissioner Arbulu asked Mr. Levy to provide a two-page paper regarding the issues for the Commissioners’ review. Mr. Levy also indicated that with the departure of State Representative Joe Haveman who championed the Prison Pipeline issue while in office, there’s a possibility of the creation of a criminal justice commission.

Adoption of Youth Academy Resolution (Barry Checkoway) – **On Motion duly made (Commisisoner Haque) and supported (Commissioner Demashkieh), the Youth Academy Resolution was adopted as submitted. Motion carried unanimously.**

Commissioner Arbulu directed the Department to identify possible dates and venues to convene public hearings.

IX. NEW BUSINESS

Recognition of retired longtime MDCR staff: Alberto Flores and Lydia Morales. Award plaques were prepared for twenty-five and forty years of service respectively. Mr. Flores was previously the Director of the Community Relations Division; Ms. Morales was the Records Center Manager in the Enforcement Division.

X. PUBLIC COMMENT

Mr. Sean Bennett brought concerns regarding disability discrimination, and submitted a policy analysis document for the Commission.

Mr. Charles Lockett brought concerns regarding the lack of recruitment of African-Americans by the Michigan State Police.

XI. COMMISSIONER COMMENT

Commissioner Demashkieh thanked Commissioners Horwitz and Arbulu for their work in preparation for the strategic planning retreat.

Commissioner Haque thanked the Commissioners and MDCR Staff for their assistance through her transition.

Commissioner Arbulu requested that Director Wesaw communicate meeting notices for the Hispanic Latino Commission and the Asian Pacific American Affairs Commission.

XII. ADJOURNMENT

The meeting of the Michigan Civil Rights Commission adjourned at 4:36 p.m. by Commissioner Horwitz.

Secretary

Director

TRANSCRIPTION OF GOVERNOR SNYDER'S REMARKS

“Thank you Chairman Horwitz for that great introduction, and for your service and for the service of all the members, both current and retiring. So I appreciate all your participation. And I think it's a great opportunity to be here. I don't believe governors have had the opportunity to sit down with the Commission or have done that in the past, and I think it's important. I really value the work you're doing, it's critically important to our citizens, and I think it's particularly timely, given the State of the State Address that I gave last week. There are many issues that involve Civil Rights, so with your indulgence, what I thought I would do is quickly walk through a number of things that are initiatives efforts that we have going on that align with work you're already doing, the fine work you're doing, and then see if I can answer any questions, two or three questions in particular, and have a good dialogue about that.

Let me begin by some things that were specific in the State of the State. The first one is, and I can speak from a more personal perspective, I talked about how I just issued an Executive Directive on Disability. In the last part of last year, to really encourage the State of Michigan to do more hiring, and to do training and education of our employees about how to show the best etiquette and respect to People With Disabilities, and how valuable all of us can be in an organization. One of the things we're doing is a statewide summit in February, and what I'd really like to do is roll out similar kinds of efforts asking the private sector and other sectors to participate and really make it a broad statewide initiative. To really help People With Disabilities be more successful.

Another area in particular that I mentioned in the address was mental health and criminal justice. Again, mental health is its own issue and in its own right, a major issue. We've seen some huge progress because of *Healthy Michigan*, but I still think we have a lot more work to be done in general mental health, and then where it intersects with criminal justice. I think too often we still may be incarcerating people who have a mental health issue when we should be looking at options and alternatives to get them the proper treatment so they can be on a path to success. Tying into that is the whole issue of criminal justice reform. I'm going to do a message in the May timeframe and that would include many different attributes in terms of mental health issues, but also substance abuse issues, sentencing guidelines, prisoner re-entry, and the whole question about how to have a more effective, efficient and humane system of interacting with people. So, again, we can get them on a path to success. I think some of the issues on the re-entry side are going to be of growing importance and opportunity. I think as we see our labor conditions improve here, in terms of more people having jobs, I think we're going to find more employment opportunities for people who have a record in some fashion, and that's a positive outcome. But we need to be proactive on how we work those issues in particular. So I would encourage us to have a good dialogue and discussion about that.

With respect to race and ethnic relations, again, we have a number of good commissions working in different areas, but we need to improve and I think we can with one great illustration of a terrible incident, but it illustrates the point, was Ferguson. I am proud to say that thanks to some of your work, and the work of your staff and team working with the State Police CLEAR, which is a committee we created for the reinvention of law enforcement, I talked to Gary Rosma, Sherriff of Ottawa County just last week, and the Colonel, and there's more we can be proactive on to hopefully avoid Ferguson-like incidents in our state. But we should not take that for granted. And I know we've done good work in the community such as Flint and Saginaw in particular, and Detroit – but we need to expand that to other locations and jurisdictions across Michigan. That raises a whole other series of human rights issues potentially that I'd appreciate your leadership on. The whole issue of body cameras is one of the ways those topics are being addressed. Once you start on new technologies, I'd also encourage you to look at drones, where you're going to find similar types of issues with regards to body cams. So there are many different things there we can work on. The whole topic of immigration and new Americans, again, we created the Office for New Americans – we are one of only three states I believe that has an office to do that work, but we can do more in terms of making sure that we're creating an encouraging environment, a warm environment for people coming to our state, hopefully in some form of legal status. But I'll give you one illustration: we ran into a problem last year in particular with migrant workers. We didn't have enough for the crops we grow in our state. And part of it is the negative image that many places have conveyed about having migrant workers come. We have been welcoming in Michigan, but I think we need to be more welcoming to actually get that message out to people that could help us be more economically sound. So there are many different things.

Also, the last group I'd like to mention, I'd like to do more with the Native American community. Too often, we tend to think about casino gambling, and that's the context where I still believe there is great opportunity for things like *Pure Michigan*. And we should be embracing our heritage, the people that really founded this place and made this a great state, and figure out how we can engage the Native American community in celebrating their culture and heritage in a bigger and better fashion.

So we have many things to do, and part of the charge, the request I would make to you is helping us prioritize those, making sure we're doing good as we set these initiatives aside, that we're not leaving people behind. Because the main message of the State of the State was about the "river of opportunity". I think this is a unique time in the history of the United States in the role of government, that too often, government has now become a place where we create programs that may often create dependencies, and this is our opportunity to step back to say there is a smarter better way. Again, when you talk about civil rights, it means you treat people as real people, and to respect that, and help them solve the root causes of their issue, and put them on the main stream to the river of opportunity. And that's tremendously exciting, so one of the reasons I want to be here is I can't think of a more exciting and a positive opportunity time to be involved

with Civil Rights. We have many challenges to go, but let's lead. So I'm going to stop there. Thank you."

Commissioner Horwitz: "Thank you very much Governor. That helps us. I am sure there are many more opportunities now that have been added to our list, and we're going to do the best that we can to help fulfill the kind of vision that you've just expressed. With that, we have time for a couple of questions for Governor, if anybody has a question."

Commissioner Tarver: "I've mentioned the African-American Commission proposal and your thoughts on that."

Governor Snyder: "I think it's a really good question to ask, in terms of why don't we have an African-American Commission? I was actually surprised. When you think about it in the context of the history of our state, and the importance of the community. So I think it's an important topic to look at. What I would encourage people, as we really well-define the charge and what the mission is, to make sure it can focus in on things that can really make a difference. I am happy to look at it, either legislatively or through executive order."

Commissioner Tarver: "Thank you."

Commissioner Demashkieh: "Thank you, and I am happy to hear that you are looking into re-establishing the Arab and Chaldean American Commission."

Governor Snyder: "Yes, we had actually - people talked about a council, and I'd rather make it a commission, which is a higher level opportunity, and I look forward to working with everyone on doing that appropriately."

Commissioner Demashkieh: "Thank you, wonderful."

Commissioner Arbulu: "Governor, you had mentioned in your State of the State presentation reference to the Elliott-Larsen Civil Rights Act. Any thoughts in terms of what you had in mind?"

Governor Snyder: "Yes, and I apologize. That was actually on my list, I mentioned it when we had gotten together and talked a little before. Elliott-Larsen is something that - discrimination isn't right, so as I did in the State of the State address, as I call on the legislature to continue a dialogue and discussion on it, and hopefully make positive progress. There was limited discussion in the last part of the last legislative discussion, but it's a very important topic, and I am looking forward to the Supreme Court taking up the issue on the marriage case and making a decision, so hopefully we can get clarity across our country on that matter."

Commissioner Horwitz: "Any additional questions for the Governor? Your time, your place."

Commissioner Tarver: “Thank you so much.”

Governor Snyder: “I appreciate being with you and I apologize for the the long list, but we may be all people, but we try to work in dog years! <laughter> So hopefully you can accommodate that. So thanks for the opportunity to join you.”

Commissioner Horwitz: “Thank you so much, we appreciate it. And hopefully it won’t be fifty years until the next governor comes to spend some time with us! <laughter>”