

ALEXANDRIA HUMAN RIGHTS COMMISSION
MINUTES OF THE MEETING OF TUESDAY, OCTOBER 19, 2021
7:00 p.m.
VIRTUAL (Zoom)

Members Present

Danielle Beach
Lisl Brunner, Vice Chair
Janeka Cogdell
Michelle Cho
Kevin Edwards, Vice Chair
Lynette Foster
Chris Harris
Matt Harris, Chair
Katherine Lloyd
Elizabeth "PJ" Palmer Johnson
David Rigsby

Staff Present

Jean Keller, Investigator
Miladis Martinez Gutierrez

Members Not Excused

Susan Kellom

Members Excused

Scott Schwartz

Guests

Darryllyn Franklin, President
Alexandria Chapter NAACP

1. Call to Order/Introductions by Chair, Matt Harris

Chair Harris called the meeting to order at 7:03p.m. Introductions were made. Chair Harris welcomed Darryllyn Franklin, Alexandria Chapter NAACP President.

2. Approval of September Minutes

Upon a motion by Vice Chair Edwards, seconded by, Vice Chair Brunner the Commission approved the minutes of the September meeting. All Commissioners present voted aye.

3. Darryllyn Franklin, President of the Alexandria Chapter NAACP

Chair Harris welcomed and introduced Darryllyn Franklin, President of the NAACP, Alexandria Chapter. Commissioner Palmer Johnson gave a brief introduction of Ms. Franklin and said that she was a native of Kansas and has live in Virginia for more than a decade and holds a Master of Public Administration degree from American University in Washington, DC, and added that she has been the President of the NAACP since March 2021. Ms. Darryllyn Franklin thanked the Commission for the invitation.

Ms. Franklin started by saying that the NAACP was established in 1909 and is the oldest and most recognized civil rights organization in the United States. Throughout history the NAACP has mainly fought against violations of civil and human rights from lynching to segregation, job discrimination to urban poverty; the NAACP has stood up for human rights injustice. She said that the mission of the NAACP is to ensure the political, educational, social, and economic equality of rights of all persons and to eliminate race-based discrimination. The vision statement of the NAACP is to ensure a society in which all individuals have equal rights without discrimination based on race.

She said that the Alexandria branch of the NAACP engages in human rights by advocating throughout the City of Alexandria, and the Commonwealth of Virginia. The NAACP's headquartered is located in

Baltimore, Maryland, and works with the United State Congress, the Administration, the United Nations and other International bodies to further human rights. The NAACP works with these entities and their staff members in the crafting of policies and legislation; testifying and working with united nations to develop policies, protocols, drafting and delivering testimony before the United State Congress.

She also stated that human rights cannot be discussed without discussing racial justice and inhumane human rights in the lives of Americans of African descent. She added that people of color experience discrimination, police prosecution and incarceration simply for being African American. The justice system in America is shaped by bias policies and unfair judicial precedence rooted in anti-blackness and racial disparities. She stated that the emotional, mental, physical and financial impact is a tangible experience for millions of African Americans in the United States. She added that Black people are incarcerated more than five times the rate of whites; 65% of black adults have felt targeted because of their race; approximately 35% of Latinos and Asian adults have felt targeted because of race.

She stated that it is the NAACP's goal to operate under the certainty that everyone has a right to a fair and equitable treatment specially in times of emergencies. As it is, not all communities experience equal treatment in emergency management such as is the time that we are now, because of Covid-19. She added that Communities of color are more likely to experience disasters; they tend to be less prepared and underrepresented in disaster response through the design of implementation. Justice in systems and protocols established to address disasters often do not fully take the culture and circumstances of African Americans into account, resulting in response mechanisms that often fall short of the needs of our communities. There is a need for a fair and balanced judiciary that reflects the aspect of legal professionals, specially, those who promote equality in the Civil Rights and Criminal justice system.

Ms. Franklin also stated that the NACCP works to eliminate racial and economic bias, and to reform our justice system we must address the structural inequalities that allow people of lower incomes to be penalized in ways the wealthiest are not. This systemically affects communities that continue to be over police surveillance, harshly sentence and sent to prison. She said that we have to end mass incarcerations; the U.S. has the largest prison population in the world; 1 in 10 citizens is behind bars. She added that we need to shift resources from prison to education and community development; eliminate mandatory minimum sentence for non-violent offenses and establish treatment for health issues such as mental health issues.

Ms. Franklin concluded by stating that when we see policies that unfairly target or penalize African American people in the Justice System; we must address these issues where they are, with laws and legislations with the elected and appointed leaders. She stated that the NAACP National Association has provided policy administration to the Biden Administration to eliminate race-based discrimination, policing, courts and incarcerations.

Ms. Franklin addressed questions from the Commission including a question from Chair Harris about what are some the biggest issues facing the residents in Alexandria? Ms. Franklin stated that discrimination is one of them and said that the children are feeling pressure because of the SRO's that are in the schools and said police body cameras are needed on every Police Officer that are in the field. She also added that there is a need for access to quality health care and added that on the Westend there is a large population of Africans, African Americans and Latino Americans who do not feel they have access to adequate health care. She also added that the other issue that faces the City of Alexandria is

poverty, that is in the system and access to education, access to food. Children are going home on Fridays hungry, knowing that that they are not going to be able to eat until they arrive to school on Monday. She said that these are some of the issues that she would like to tackle in her tenure as a President of the Alexandria NAACP.

Chair Harris asked Ms. Franklin to encourage residents who have face racial discrimination acts to contact the Alexandria Human Rights Office. Director Kelleher offered to attend a NAACP meeting to talk about the function of the Human Rights office. Ms. Franklin stated that their general membership meetings are the fourth Tuesday of every month. She also announced that they are having their Freedom Fund Luncheon on February 19, 2022, at the Holiday Inn in Arlington, and invited the Commission. Ms. Franklin invited Director Kelleher and Commissioners to come to their general membership meetings at the beginning of next year to speak on issues that the general membership might be experiencing.

Ms. Franklin also addressed questions regarding the City Council vote on SRO's in schools and said that the National chapter of the NAACP stands against SRO's in schools. Ms. Franklin stated that she would like to see more counselors, psychologist and psychiatrist along with the SRO's in the schools. She added that she would like to go to the schools just one day to see and observe, to see exactly what is going on, before she decides on what she thinks the recommendation should be. She stated that their National branch of the NAACP is against SRO's and she has to follow that protocol that has been already established. There was an extensive conversation about feeding the children and the backpack program through united way and how to get food to children to prevent hunger. Ms. Franklin stated that one of her goals is to feed children and families on Saturday mornings. She also wants to partner with the local groceries stores to donate food that can be distributed to families.

Ms. Franklin also address questions regarding fines and fees that have negative and potentially discriminatory impact on people, especially lower income people and said that because Covid-19 exist, and a lot of families do not have the income to pay their property taxes and late fees; she has asked Mayor Wilson to waive the personal property taxes late fees. She also mentioned that the surrounding jurisdictions, such as Maryland and DC do not have property taxes on their vehicles. Director Kelleher stated that the OMB Director consulted with her in the summer about equity and fees and reaching out to departments to take a close look at all fees and now they are taking a closer look on how those can be discriminatory. She added that the OMB Director has task someone in his office with doing a study and all department heads are doing equity base budgeting this cycle for 2023 and they are all taking a really close look at everything that they do in the City or have a disparate impact. Director Kelleher emphasize that this is at the fort front of their analysis going forward.

Chair Harris invited Ms. Franklin and the NAACP to join the Human Rights Commission to the February meeting for Black History Month and said that Police Department will be invited. Ms. Franklin invited Director Kelleher to come and speak their NAACP General membership meeting on March 24, 2022. Chair Harris thanked Darrlynn Franklin for her presentation.

4. Executive Committee /Upcoming Meetings

Chair Harris stated that the Executive Committee met last Monday and discussed the legislative proposals, and some of the changes were administrative, including changing the word "handicapped" in the Virginia Code. He also added that another legislative proposal is expanding the authority of the

Human Rights Commission. Director Kelleher explained that there was an adverse ruling about the Human Rights Commission's authority to award or even recommend damages, because of the Dillon Rule constrains. She added that last year they wanted to have it expand specific authority for Human Rights Commissions throughout the Commonwealth to be able to hold hearings and to recommend or to award damages. She added that what they had decided to do, was to put this forward as expanding the authority of municipalities, so that it will be up to the elected officials in Alexandria if they wanted to expand the role of the Human Rights Commission.

Director Kelleher stated that she presented this to Sarah Taylor along with the other proposals and she is putting together her draft package for the City and has not gotten back to her specifically on what the Commission is recommending. She added that this really will be in the nature of having the Alexandria elected officials expand the Commission's authority, so if we ever have a hearing on a case that is decided on the local code, the Commission will be able to hear testimony and base on what the Commission's decision is, they will be able to either award or recommend damages. She explained that the reason why the Commission has not been having hearings is that the limitation is that even if the Commission finds reasonable cause to believe discrimination has occurred the only remedy right now under Alexandria local law is a \$5,000 civil penalty, which does not go to the complainant, it goes to the City. She explained that in 2005 she was able to work with other elected officials in Virginia and with the Commonwealth Attorney's lobbyist to change the local code so that it mimics the Federal right to sue; 90 days to file in court. She said the great thing is that General Assembly has just run with that now and expanded protections, so there are state protections and individuals can go into State court.

Chair Harris stated that Director Kelleher had sent the Commission's priorities to everyone.

Vice Chair Brunner stated that they have spoken about the Pre-trial risk assessment instrument and said that she has reach out to the Virginia Department of Criminal Justice Services and asked if they come and speak to the Human Rights Commission about in sometime probably in December or January, but has not heard back yet.

Vice Chair Edwards stated that he had sent some information on Contributory Negligence to the Executive Committee and asked Director Kelleher to forward the information to rest of the Commission, so they can look at the information as well and maybe it can discuss at the next meeting.

Chair Harris stated that they plan to have Acting Police Chief Don Hayes for the February meeting if Vice Chair Brunner is able to have a speaker from the Department of Criminal Justice for the January meeting.

Chair Harris talked about the minimum basic income pilot program in Alexandria, which is \$500 for 150 families for 18 months. Chair Harris added that he would like to know more about such as how the families screened, what types of requirements are necessary for the families to receive the money. Director Kelleher stated that the American Rescue Plan Act (ARPA) Funds is an interdepartmental event, which is through the City Manager's Office and the elected officials. She added that she thinks it is being implemented by DCHS, but she will check with Kate Garvey.

5. Old and New Business

Meeting In-Person or via Zoom

Chair Harris stated that the City gave them a lead way and said that he would like to keep meetings virtually through the end of the year.

Rainbow Crosswalk letter

Director Kelleher stated that Yon Lambert provided a memo to the City Manager's Office and said that all the City Departments are in favor of doing something like the rainbow crosswalk, but she is not sure where the delay is. She stated that Diane Ruggiero who is the Deputy Director of RPCA and is in charge of public art and she suggested for them to meet and discuss other options. Director Kelleher stated that Ms. Ruggiero had send her information about some public art that has been install at the Burke Library on Seminary Road.

6. Liaison Reports

Commissioner Palmer Johnson reported that the Commission for Women meeting was focus on the priorities of the upcoming year. She also stated that the affordable housing committee and the domestic and sexual assault committee met separately and developed next steps on what they are going to focus on. She added that they had also discussed expanding the mission statement to be more inclusive and the Executive Committee will work on updating the mission statement to be more inclusive and to bring the suggestion to full Commission.

Commissioner Lloyd reported that the Alexandria Commission on Person with Disabilities met last week and took care of some internal business and said that they did not have a guest speaker.

Commissioner Foster reported that Commission on Aging had a presentation on DASH and Metro buses and talked about the monitoring of the success of the program where they had increase DASH services in some areas especially the West End and decrease the services in other areas. She added that they also went over the electronic participation policy and voted on it. She also reported that the housing committee talked about some modern homes that are coming up at Landmark and discussed affordable housing units.

7. Announcements /Adjournment

Commissioner Palmer Johnson announced that this Sunday for the first time in Alexandria, there will be Sunday voting. She said that there will be a group that will march from the church to the polling place.

MOTION: adjourn the meeting.

Palmer Johnson/Foster **PASSED** unanimously

The meeting adjourned at 8:42p.m.