

ALEXANDRIA HUMAN RIGHTS COMMISSION
MINUTES OF THE MEETING OF TUESDAY, JANUARY 21, 2024
7:00 p.m., City Hall
301 King Street, Room 1101
The Chet and Sabra Avery Room

Members Present

Jon Thompson, Chair
Marc Bendick, Vice Chair
Lisl Brunner
April Breslaw
Matt Harris
Manisha Maniyar
Elisabeth "PJ" Palmer Johnson, Vice Chair
Megan Prince
Tom Reeder, Jr.
David Rigsby
Scott Schwartz

Staff Present

Anna McClure, Investigator/Acting Director

Members Excused

Iulia Fratila

Members Unexcused

Conrad Sylvanus

1. Call to Order/Introductions by Chair Jon Thompson

Chair Thompson called the meeting to order at 7:01 p.m.

2. Approval of the Minutes of the December Meeting

Upon a motion by Commissioner Schwartz, seconded by Commissioner Harris, the Commission approved the minutes of the December meeting, with the correction. All Commissioners present voted aye.

3. Guest Discussion

Jean Kelleher, former Director of the Office of Human Rights, and Matt Callahan, Senior Supervising Attorney with the ACLU of Virginia, joined the Commission for a discussion on human rights issues under the new presidential administration. Ms. Kelleher said that, unlike the first administration under President Trump, a lot of planning has gone into what will happen this time, and a lot of what was assumed would happen, has already happened. She said that, the first time, it took a while to react and took a while for the administration then to undo the things they wanted to. This time, she said, it will be more challenging. She noted that many organizations having been bracing and planning for this, and they are poised and ready to push back. She said she has faith in the courts.

Ms. Kelleher said that it is important not to throw our hands up and check out. She suggested using contacts in the legal world and with nonprofit organizations, including ACLU, Southern Poverty Law Center, and the Legal Aid Justice Center, with whom the City has been working for years and has a contract for due process representation. She said that this contract was a challenge in the past, because there was some pushback on providing advocacy for undocumented persons. The City worked on a universal representation model, which focuses on due process representation for those at risk of deportation, which is protected by the Constitution. The contract is for \$100,000 each year. Legal Aid Justice Center gives a small amount to Tenants & Workers to open lines of communication to those who may be in need of services. Ms.

Kelleher said that the Commission should insist that the LAJC contract stay in the budget. Ms. Kelleher noted other allies, including IAOHRA, the Leadership Conference on Civil and Human Rights, United We Dream (DACA), and Congressman Don Beyer.

Ms. Kelleher said that mass deportations are an attack on all of our communities. She suggested looking at opportunities for hearings and events the Commission can join and suggested working with organizations that have the Know Your Rights info ready to go. She recounted a previous instance where ICE showed up outside a daycare on Route 1, causing local officials to gather and hold a press conference to condemn it. She cautioned the Commission to be on guard for this kind of action by ICE. She said it is important to focus on the most critical issues and attacks on communities, like immigration issues, and to not get derailed by superfluous things.

Matt Callahan said that, on immigration, the ACLU expects mass deportations and raids to happen; there will likely be a lot of conversation about the legality of those raids. He said there will be a lot of shattered communities. It is not anticipated that the federal government would step in to help, states and localities will need to step up to help these families. He said the Commission can urge that those resources be made available (e.g., food assistance).

He also noted that federal enforcement agencies get information in different ways, often from “information sharing” law enforcement taskforces in counterterrorism terms to mask the real intent, making it hard to pushback. He says this ups the stakes for ending these partnerships. He noted the City has ended its 287(g) contract with ICE, and said communities would like to hear that the City won’t re-enter that agreement or otherwise cooperate. He agreed with the list of organizations Ms. Kelleher named, and added the Amica Center (formerly CAIR Coalition).

Mr. Callahan also predicted there will be attacks on the right to protest. He said the City can support this right by not deploying large numbers of law enforcement, not militarizing response, or being aggressive in the way protests are moved. He said surveillance of these protests can end up being shared with federal government and can lead to retaliation and targeting of individuals later on. The City should try to support free speech, rather than cracking down.

Chair Thompson recalled that, when Governor Youngkin issued an order regarding LGBTQ+ students to local school districts, a lot of northern Virginia communities declined to follow the order. He wondered, now that there is federal backing for this kind of thing on various issues, like immigration, if the Governor is threatening defund local governments, what do we do? And what can the City do if such action is taken?

On transgender rights, Mr. Callahan noted it is still a violation of federal law to take action against transgender students in terms of bathrooms and other gender affirming treatment, though requiring teachers to use gender affirming pronouns has taken a big blow. He said he expects to see further constitutionalization of bigotry/anti-trans policies, which limits the ability to fight this agenda, particularly if the Supreme Court steps in and undermines existing precedent. He said that, prior to leaving office, the Biden administration withdrew several proposed rule makings that they feared would be used by the new administration to further an anti-trans agenda. He said Equality Virginia is a good organization working on these issues. He said that the City can have a policy of not requiring medical documentation for any process where someone has to identify by gender and allow for self-certification. If the federal government tries

to require people to identify by birth gender, you can get around this by not asking for medical documentation, you can get around that. Ms. Kelleher said it would be good to keep an eye on whether ACPS changes its stance, since the City followed the ACPS approach before.

On abortion rights, Mr. Callahan said Virginia remains one of the few toeholds to get safe, legal abortions, and Alexandria is one of the communities standing behind that right. To the extent the City can, they should continue supporting the clinics here or offer some kind of funding for those coming here to get abortion care services. Alexandria has the ability to speak in its own voice.

Vice Chair Bendick asked, if the City said we aren't going to enforce that, and then had its funds cut, is there legal recourse or are there laws that restrain that retaliation? Mr. Callahan said that there are procedures and causes of action, but they are different from the kinds of Constitutional rights we have been talking about, so next steps would require research. He said that, if the City banded with other jurisdictions, that might be effective, noting that sometimes a lawsuit is a media tool. As to whether it is better to speak out or keep your head down, he said the middle ground is vanishing on a lot of these issues. The better question is where you take these stands, be bold, speak out, find allies, because there is still a powerful message to be shared. He noted that the Governor did back down after pushback on LGBTQ+ students in schools.

Commissioner Schwartz asked what the most resources are going to at ACLU. Mr. Callahan said the areas of focus are prison conditions, they have a full-time senior immigration rights attorney, and at national level, there have been lawsuits already filed. There is also a senior transgender rights attorney, and they will see more attacks in that space, along with on first amendment issues. He said they expect the administration to be aggressive in undermining establishment clause protections, targeting disfavored religions. He said a lot of the first day executive orders don't do anything legally speaking but are an indication of what is to come.

Commissioner Prince asked about disability rights concerns. Mr. Callahan said the President was less loud about this on campaign trail, so it is hoped disability rights are low enough priority for President that they don't come up. He said you may see the effect in EEOC's choice of cases to take on, but noted there would be a Democratic majority through 2026. He stated that, in general, there may be attempts to undermine smaller, independent agencies.

Commissioner Breslaw proposed sending a letter to Council about some of these recommendations. Ms. Kelleher said she thinks it would be useful for the Commission to outline these ideas to City Council, stating that these are the issues we are being advised to watch out for and to take a stand on. Chair Thompson said that immigration is a big issue, along with LGBTQ+ rights, reproductive rights, and the right to protest. He said a letter would be helpful to organize the Commission's thoughts and noted that Mayor Gaskins will attend in April. Commissioner Breslaw will draft a letter for the Commission to consider at its February meeting. Commissioner Brunner noted that any Commissioner can attend public hearings. She suggesting having specific Commissioners assigned to follow specific issues, so they can sound the alert where something is going on.

4. Executive Committee/Old & New Business

Chair Thompson said there would be a public meeting on Saturday. The Commission has submitted its letter in support of subpoena and investigative power for the Board. Chair Thompson has not heard any updates and noted that it seems a lot of viewpoints will be conflicting and the Council is divided. The letter also proposed a nonvoting liaison position to be included in the amendments, which he believes has the support of all but one Council member. It was noted that Mo Sefeldein will be running training on how to testify to City Council.

Chair Thompson noted that the February meeting will be at the Black History Museum, March will focus on immigration, and Mayor Gaskins will attend in April. April (Mayor Gaskins)

Regarding the resending of the ceasefire letter, Commissioner Breslaw raised concerns that, because there is a ceasefire, some of the terms have changed that were part of the original letter. Commissioner Schwartz said that, because the Commission voted on it, it should be re-sent. Chair Thompson said he would make minor amendments to reflect the change in status but retain the emphasis on a *durable* ceasefire.

Commissioner Prince brought the issue of divestment up, noting that the public has brought the issue to the Commission for several meetings and that she thinks the Commission should at least have a discussion. Commissioner Brunner suggested that the Commission could recommend that the City could explore how to bring greater transparency to the investment process, including by opening it up to public comment or by appointing one or more community advisers to provide input on investments from a human rights perspective. Vice Chair Bendick said that the divestment issue should be kept separate from the ceasefire letter. Commissioner Harris noted that there are investments in all kinds of companies that have problems, and it should not be a piecemeal thing. He agreed that it should be a separate issue from the ceasefire issue. Chair Thompson raised concerns about the Commission's authority and the effects of tinkering with pension funds. Commissioner Prince said she is willing to draft a more general statement for discussion at the next meeting, not focused specifically on the situation in Gaza. She stated she felt the Commission has the responsibility to at last put something on the table and discuss it generally.

Regarding the rainbow cross walk in Del Ray, Commissioner Harris said he will be meeting with the President of the Del Ray Business Association.

Commissioner Breslaw proposed adding virtual meeting once a quarter. Vice Chair Palmer Johnson noted that they could ask a wider berth of speakers if there were more virtual meetings. Commissioner Prince said she has noticed that people seem less engaged during virtual meetings.

5. Liaison Reports

Commissioner Reeder reported that the Commission on Aging working on their new Alexandria Age Friendly plan and had a public meeting on housing, health, transportation, and other issues, to that end.

Commissioner Prince said the Commission on Persons with Disabilities did not meet because of the cold, but said she is Acting Chair of the ACPD.

Vice Chair Palmer Johnson shared that the Commission for Women had a successful outreach effort – the Commission “adopted” a single mother, and they provided toys for her children, clothing for her, and \$500 in gift cards. She said commissioners have been paired with Council members. She said there was a Commission for Women report, published in 2018, that they will be updating. She noted that January is human trafficking awareness month.

6. Public Comment

The Commission heard from several community members, who provided statements on the conflict between Palestine and Israel. They expressed concerns about anti-Palestinian prejudice and hate, and shared recent experience. They asked the Commission to recommend to City Council that the City divest from all investments in Israel.

7. Announcements /Adjournment

Commissioner Rigsby announced that, effective immediately, he was resigning from the Human Rights Commission, due to an impending move out of state.

The meeting was adjourned at 9:27 p.m.

Human Rights Commission, January 21, 2025

Public Statement by Rose Esber

You know that Israel is committing genocide and has been committing ethnic cleansing for over 76 years. You know that Israel is an apartheid state. You know that Israel is illegally occupying Palestine, Syria, and Lebanon.

You also know that the City of Alexandria is invested in apartheid genocidal occupying Israel—in spite of Israel's daily war crimes and crimes against humanity, which are directly affecting Alexandria residents

You also know that the US government is an accomplice to Israel's genocide apartheid and ethnic cleansing by providing 74 percent of the genocidal weapons—the same weapons and surveillance systems in which Alexandria invests.

You also know that the US government, the Virginia state government, and the City of Alexandria have all tried to silence, demonize, and criminalize advocacy for the enforcement of US and international laws against apartheid genocidal occupying Israel.

This commission has been pressured repeatedly to be silent and not speak out against Israel's daily human rights violations. Even my condominium association has selectively enforced bylaws against me to silence my advocacy against genocide.

During the December commission meeting, one commissioner said he considers the Human Rights Commission the conscience of City Council. If you cannot bring yourselves to even discuss ethical investment screening or divestment from a genocidal apartheid occupying state, you need to search your own consciences.

The demand for justice will never be silenced—even if you are silent.