

Draft motion for the Michigan Civil Rights Commission to conduct hearings regarding alleged issues of discrimination involving residents of the city of Flint and their public water supply.

Whereas,

Article 5, Sec. 29 of the Michigan Constitution establishes a civil rights commission whose duty is in a manner prescribed by law to investigate alleged discrimination against any person because of religion, race, color or national origin in the enjoyment of the civil rights guaranteed by law and by the constitution, and to secure the equal protection of such civil rights without such discrimination;

Whereas,

Act 453 of 1976, known as the Elliott-Larsen Civil Rights Act and related Acts, prohibits discriminatory practices, policies and customs in the exercise of those rights based upon, religion, race, color, national origin, age, sex, height, weight, familial status, disability or marital status;

Whereas,

Article 5, Sec. 29 of the Michigan Constitution, empowers the commission to hold hearings, administer oaths, through court authorization require the attendance of witnesses and the submission of records, to take testimony, and to issue appropriate orders;

Whereas,

Article 6 (2) of the Elliott-Larsen Civil Rights Act stipulates that the commission may hold hearings, administer oaths, issue preliminary notices of witnesses to appear, compel through court authorization the attendance of witnesses and the production for examination of books, papers, or other records relating to matters before the commission, take testimony of a person under oath, and issue appropriate orders;

AND

Whereas,

The continuing crisis in Flint, Michigan relating to its public water supply and delivery system includes allegations that the city's residents are the victims of discrimination based on their race, color, national origin, age and disability;

THEREFORE,

The Michigan Civil Rights Commission, subject to approval by a majority of its members present at a properly convened meeting, shall utilize the powers granted to it by the Michigan Constitution and the Elliott-Larsen Civil Rights Act to convene a series of at least three (3) public hearings to accept and/or compel testimony to address the question of whether the civil rights of Flint residents have been violated or abridged as a result of actions resulting in the provision of unsafe water to Flint residents through the public water system.

Subject to the approval by a majority of its members present at a properly convened meeting, the commission also directs the Michigan Department of Civil Rights to allocate the resources necessary to enable the commission to convene the first of a series of public hearings within 30 days.