

MICHIGAN CIVIL RIGHTS COMMISSION

January 25, 2016 ~ 2:00 P.M.
Peckham, Inc., 3510 Capitol City Blvd
Lansing, MI 48906

MINUTES

PRESENT: Commission Chair Arthur Horwitz
Commission Vice-Chair Rasha Demashkieh
Commissioner Mumtaz Haque
Commissioner Deloris Hunt
Commissioner Ricardo Resio
Commissioner Laura Reyes-Kopack - NEW
Commissioner Linda Lee Tarver

EXCUSED: Commissioner Bradley Voss

The meeting was called to order by Commission Chair Horwitz at 2:02 p.m.

I. WELCOME

Commission Chair Horwitz opened the meeting with roll call of the Commissioners and welcoming remarks. Peckham's CEO, Mitch Tomlinson also provided welcoming remarks and thanked the Commission for convening the meeting in the Peckham facility.

II. SWEARING-IN OF NEW COMMISSIONER LAURA REYES-KOPACK

New Commissioner Laura Reyes-Kopack was inducted to the Commission by Commission Chair Arthur Horwitz.

III. APPROVAL OF MEETING AGENDA

MOTION: To approve the Meeting Agenda as submitted. On Motion duly made (Commissioner Tarver) and supported (Commissioner Haque), the Meeting Agenda was approved as submitted. Motion carried unanimously.

IV. NEW BUSINESS

*Daisy Elliott Tribute, Commissioner Deloris Hunt – Commissioner Hunt presented a tribute honoring Daisy Elliott to her grand-daughter, Ms. Badriyyah Sabree.

MOTION: To adopt the Commission's Statement on the Life and Contributions of Daisy Elliott. On Motion duly made and supported, the Commission's Statement on the Life and Contributions of Daisy Elliott was adopted by the Commission. Motion carried unanimously.

*Flint Water Crisis Update, Harvey Hollins (GOV) - Mr. Hollins, Director of the Governor's Office of Urban Initiatives provided the Commission with an update on the Flint Water Crisis.

V. ADOPTION OF CONSENT AGENDA

MOTION: To approve the Consent Agenda as submitted. On Motion duly made (Commissioner Demashkieh) and supported (Commissioner Tarver), the Consent Agenda was adopted as submitted. Motion carried unanimously.

VI. APPROVAL OF MEETING MINUTES

MOTION: To approve the December 7, 2015 Meeting Minutes as submitted. On Motion duly made (Commissioner Tarver) and supported (Commissioner Haque), the Minutes were approved. Motion carried unanimously.

VII. DIVISION REPORTS

Director's Report, Dr. Agustin Arbulu – In addition to Director Arbulu's submitted report, he highlighted his work activity since the December 7th meeting, which included Cabinet-level meetings with the Executive Office and state directors, meetings with legislators, one-on-one meetings with MDCR Staff, as well as leadership from partnering agencies. Other areas of focus included restructuring of Detroit office space with the transfer of the Division on Deaf Deaf Blind and Hard of Hearing (DODDBHH) from the Lansing office to the Detroit office, as well as strengthening Employee Engagement and overall morale.

VIII. COMMISSION MATTERS

*Chair Report, Arthur Horwitz – Chair Horwitz proposed that the Commission launch an investigation into the Flint Water Crisis to determine if any acts of discrimination occurred, proposing this be done through a series of hearings to be scheduled over the next few months. After discussion, a Motion was set forth.

MOTION: To investigate possible discrimination with regards to the Flint Water Crisis. On Motion duly made (Commissioner Tarver) and supported (Commissioner Haque), the Commission approved the launch an investigation into the Flint Water Crisis to determine if any acts of discrimination occurred through a series of hearings, the first to be scheduled within thirty days. Motion carried unanimously.

*Attorney General Report, Ron Robinson – In addition to Mr. Robinson's submitted written report, the following status updates were provided: On *Smith v. Countryside Townhouses*, briefs were submitted to the Court of Appeals, oral arguments expected to be scheduled for the Spring of 2016; On *Little Traverse Bay Bands of Odawa Indians v. Governor Rick Snyder*, Mr. Robinson is providing MDCR-related assistance to the AG's ENRA Division in this pending litigation; On *Jahoda, et al v. Redbox Automated Retail, LLC*, this matter has been placed in **monitor** status pending settlement under Section 1715 of the Class Action Fairness Act of 2005; On *Cupolo-Freeman, Ruthee Goldkorn and Kenneth Kilgore v. RLJ Lodging Trust* and *Cupolo-Freeman, Ruthee Goldkorn and Kenneth Kilgore v. Ashford Hospitality Trust, Inc.*, both cases involve the alleged failure of said entities to provide equivalent accessible transportation services for their disabled guests.

*2016 ELECTION OF OFFICERS

By unanimous votes for each office, the final results of the 2016 Election of Officers are:

Office of Commission Co-Chair – Arthur Horwitz: 6 Yea – 0 Nay
Office of Commission Co-Chair – Rasha Demashkieh: 6 Yea – 0 Nay
Office of Commission Secretary – Mumtaz Haque: 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.

IX. COMMISSION COMMITTEE REPORTS

*Finance Committee – The Committee report was waived; updates to be reported at the next Commission meeting.

*Communications and Outreach Committee – The Committee report was waived as the workgroup has not met since the last Commission meeting. However, updates to be reported at the next Commission meeting

*African-American Committee and Executive/Legislative Liaison Committee – These Committees will meet later in 2016. No reports at this time.

X. ONGOING BUSINESS

*Rule 12 Case: *Angela Bercheni ex rel v Charlie's Family Dining, Inc., and Bashar Moussa, individually*, Lead Commissioner Deloris Hunt

TRANSCRIPT IS AVAILBLE UPON REQUEST.

MOTION: That the Commission accept the findings of the administrative law judge given on July 2, 2015. On Motion duly made (Commissioner Hunt) and supported (Commissioner Demashkieh), the findings of the administrative law judge were accepted. Motion carried unanimously.

*New Accessible Icon Resolution

MOTION: To adopt the Resolution regarding the New Accessible Icon. On Motion duly made (Commissioner Hunt) and supported (Commissioner Tarver), the New Accessible Icon Resolution was adopted as submitted. Motion carried unanimously.

*Take on Hate Campaign Update – This update was waived due to the absence of the presenter, and will be added to the agenda for a future meeting. However a hand-out was distributed to the Commission.

*DODDBHH Update, Anne Urasky and Dan Levy – Ms. Urasky and Mr. Levy provided an update on the activity of the Division on Deaf, Deaf Blind, and Hard of Hearing in response to issues raised by the Michigan Deaf Rights Advocates at the December 7, 2015 Commission meeting. The presentation concluded with a recommendation for a needs assessment of the Deaf, Deaf Blind and Hard of Hearing Community.

XI. PUBLIC COMMENT

Diana McKittrick, General Manager, Communication Access Center – Ms. McKittrick extended an invitation to the Commission to visit the city of Flint to hear concerns from the Deaf Community; brought concerns regarding BEI testing.

Margaret Barker, City of Flint Resident – Ms. Barker brought concerns regarding the use of VRI technology in Emergency Rooms; requested increasing the DODDBHH staff; requested

that the state identify resources to educate medical facilities regarding the Deaf, Deaf Blind and Hard of Hearing Community.

Sean Bennett, Disability Rights Advocate – Mr. Bennett brought concerns regarding the issues the Commission takes into consideration, suggesting they establish criteria; additionally, Mr. Bennett raised concerns regarding prescribed psychotropic drugs.

Maurice Gunn – Mr. Gunn’s public comment was provided via video tape where he brought concerns from his hospitalization in April 2015; interpreter services were not available to him, and communications with staff were hindered. He also advocated for Sheryl Emery to return to her former post as director of the DODDBHH.

Susan Lundy – Ms. Lundy brought concerns regarding endorsements and who are the parties involved in discussions; the use of a Standards Chart; increasing the number of qualified ASL interpreters.

Kathy Mitchell – Ms. Mitchell expressed concerns regarding the interpreter rules and that they were explained by a hearing person instead of DODDBHH Director Annie Urasky, and commented that this action was oppressive to the Deaf and Hard of Hearing Community.

Dylan Secord – Mr. Secord expressed concerns regarding quality interpreter service, as well as actions that took place at the September 2015 Commission meeting.

Dallas Barker – Mr. Barker expressed concerns regarding the shortage of DODDBHH Staff; the use of VRI in medical facilities, and recommended that a state-level spokesperson educate medical facilities on the use of VRI.

XII. ADJOURNMENT

The meeting was adjourned by Commission Co-Chair Horwitz at 6:02 p.m.

Secretary

Director