

**MICHIGAN CIVIL RIGHTS COMMISSION MEETING**

July 25, 2016 ~ 4:00 P.M.

City of Port Huron Municipal Office Center  
100 McMorran Boulevard, First Floor Public Meeting Room  
Port Huron, Michigan 48060

**MINUTES**

PRESENT: Commission Co-Chair Rasha Demashkieh  
Commission Co-Chair Arthur Horwitz  
Commission Secretary Mumtaz Haque  
Commissioner Deloris Hunt  
Commissioner Linda Lee Tarver

EXCUSED: Commissioner Ricardo Resio  
Commissioner Laura Reyes Kopack  
Commissioner Bradley Voss

*The meeting was called to order by Commission Co-Chair Demashkieh at 4:02 p.m.*

I. WELCOME

Commission Co-Chair Demashkieh opened the meeting with Roll Call of the Commissioners and welcoming remarks.

ROLL CALL: Commissioner Deloris Hunt, Commissioner Mumtaz Haque, Commissioner Arthur Horwitz, Commissioner Linda Lee Tarver, Commissioner Rasha Demashkieh

Mayor Pauline Repp also provided welcoming remarks and thanked the Commission for convening their meeting in Port Huron.

II. APPROVAL OF MEETING AGENDA

Commissioner Tarver proposed that the Agenda be amended by removing the Enforcement Division Report from the Consent Agenda.

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

III. ADOPTION OF CONSENT AGENDA

**MOTION: To approve the Consent Agenda with removal of the Enforcement Report. On Motion duly made (Commissioner Tarver) and supported (Commissioner Hunt), the Consent Agenda was adopted with amendment. Motion carried unanimously.**

IV. APPROVAL OF MEETING MINUTES

**MOTION: To approve the May 23, 2016 Meeting Minutes as submitted. On Motion duly made (Commissioner Horwitz) and supported (Commissioner Haque), the Minutes were approved as submitted. Motion carried unanimously.**

V. APPROVAL OF EXECUTIVE SESSION MINTES

**MOTION: To approve the May 23, 2016 Executive Session Minutes as submitted. On Motion duly made (Commissioner Tarver) and supported (Commissioner Haque), the Executive Session Minutes were approved as submitted. Motion carried unanimously.**

VI. DIVISION REPORTS

Director's Report, Dr. Agustin Arbulu – In addition to Director Arbulu's submitted report, he highlighted his work activity since the May 23<sup>rd</sup> meeting, which included Cabinet-level meetings with the Executive Office and state directors, meetings with legislators, and networking opportunities with existing and potential partnering agencies throughout the state. Highlights included an update on the SEODC online Disability Training, about half of state government employees have completed the training; update on consolidation/move, new phones unexpected six-figure cost, Service Animals update, LEAN Process Improvement update, Enforcement Division's 6-month outreach pilot program with partnering agencies in Detroit and Grand Rapids Enforcement to be rolled out this fall; MIAAHC Conference update scheduled for October 2016 at the Kellogg Conference Center in East Lansing; DODDBHH update on Endorsements; commended the Commission and MDCR Staff on the July 14<sup>th</sup> Flint Water Crisis Hearing; introduced new HR Director Keri Lardie. In response to Commissioner Horwitz' recommendation that MDCR prepare a "Civil Rights 101" informational for new legislators and new agency partners, Director Arbulu indicated that the Department would comply.

Enforcement Division Report, Lori Vinson – In addition to her submitted report, Ms. Vinson provided updates on current numbers of completed cases pertaining to our HUD and EEOC federal contracts, the six-month outreach pilot program in various partnering agency offices in Detroit and Grand Rapids (CRI's on-site are notaries), and reported on the EEOC Conference she attended in New Orleans, LA along with Director Arbulu and Renee Kenyon.

ALPACT Report, Anthony Lewis – Mr. Lewis provided an overview of recent ALPACT activities, newly established chapters this fall will include Kalamazoo, Lansing, Battle Creek and Traverse City; Detroit chapter called a special meeting this summer due to the recent events around the country regarding relations between the community and law enforcement.

VII. COMMISSION MATTERS

Chair Report, Rasha Demashkieh – Co-Chair Demashkieh provided a brief report, indicating that the Commission will convene its third public hearing on the Flint Water Crisis on September 8, 2016 in Flint; the focus of this Hearing will be environmental disparities and injustice. The question of focus will be what role did environmental injustice, unconscious bias and structural racism play in the Flint Water Crisis? The issues of greatest concern to the Commission include the question of whether or not racial bias, systemic racism and environmental justice, which were directly referenced in the final Governor's Task Force Report. The Commission will provide recommendations in a final report at the close of 2016.

Attorney General Report, Ron Robinson – In addition to Mr. Robinson's submitted written report, the following status updates were provided on the following cases: Barash case, oral arguments were scheduled for August 10<sup>th</sup> regarding attorney's fees; **Barbara Smith v. Countryside Townhomes**, awaiting scheduling of oral arguments; **Biesbrock v. Meadow Country Apartments**, plaintiff retained private counsel and filed for lawsuit in federal court, case was settled for \$65,000; **Angela Bercheni v. Charlie's Family Dining**, respondent failed to respond, enforcement order entered, obtained judgement, Berchini can proceed to

enforcement and retain attorney to collect; *Marian Gillespie v. Bron Enterprises, Inc.*, order to compel discovery, awarded cost of \$150 in fees, received answers to interrogatories. Commissioner Tarver recommended that the Attorney General's Office work with MDCR to publicize instances of cases (generically, no specific names) that MDCR has prevailed in proving discrimination; Mr. Robinson agreed and will proceed as requested.

#### VIII. COMMISSION COMMITTEE REPORTS

The Commission Committee Reports were waived.

#### IX. ONGOING BUSINESS

##### **Anti-Bias Legislation / Bias Crime Act Resolution, Dan Levy**

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

After review and discussion of the language of the proposed Resolution, a Motion was brought to adopt the Bias Crime Act Resolution with amendments. Commissioner Tarver recommended two amendments - that the term "handicap" be replaced with the term "disability", and add marital status to the Further Resolved section of the Resolution.

**MOTION: To adopt the Resolution with amended language. The final paragraph would read: "It is Further Resolved: The Michigan Civil Rights Commission supports legislation that, like 2009-HB-4836, which addresses each of the four recommendations made by the Bias Crime Task Force in 1997, and includes marital status."**

**On Motion made above, the Resolution was adopted with amended language. Motion carried unanimously.**

#### X. NEW BUSINESS

Presentation on Air Pollution and needed environmental justice in Southwest Detroit  
Presenter: Rashida Tlaib, Sugar Law Center for Economic and Social Justice  
Presenter: Madiha Tariq, Public Health Manager, ACCESS  
Witness: Ms. Emma Lockridge

The presentation focused on the detrimental impact of air pollution and exposure to toxins in the 48217, 48216, 48209 and 48210 area codes, caused by industries such as Marathon Petroleum Emissions, Bridge Crossing, Rail Yards and Wastewater Treatment Facility. The public health impact includes increased rates of asthma, pulmonary and cardiovascular diseases, cancer, prenatal exposure effects, and endocrine and reproductive effects. There is also a housing impact in that home values are decreased and residents are unable to successfully sell their homes and relocate. Commissioner Tarver recommended that residents in these areas file complaints with the MDCR. Commissioner Horwitz recommended that once the Flint Water Crisis Hearings conclude and the Commission releases its final report that the Commission focus on environmental justice for Southwest Detroit and Dearborn.

XI. PUBLIC COMMENT

- Ken Harris – thanked the Department for convening in Port Huron and bringing attention to concerns brought before the Commission today; brought concerns about the straight-party ballot initiative.
- Michael McCarthy in c/o Jose Pena - written statement on improving community and police relations, and concerns about militarizing local police forces.
- Kevin Watkins, NAACP – thanked the Commission for coming to Port Huron for the meeting, brought concerns about a similar situation with air pollution from Canada.

XII. COMMISSIONER COMMENT

- Commissioner Tarver moved to withdrawal the amendment from the earlier Resolution and using the original language as marital status is already covered.

**MOTION: To withdraw the marital status amendment on the Bias Crime Act Resolution, and to adopt the Resolution using the original proposed language.**

**On Motion duly made (Commissioner Tarver) and supported (Commissioner Haque), the original language in the Bias Crime Act Resolution will be adopted, the amendment is withdrawn. *Motion carried unanimously.***

- Commissioner Tarver recommended that the proper terminology be used in addressing religious groups to be respectful.
- Commissioner Tarver requested that Lee Gonzales update the language in his Legislative Liaison Report regarding Senator Rick Jones’ “change of heart” language.
- All Commissioners thanked Commissioner Demashkieh for coordination of the meeting in her home town of Port Huron.

XIII. ADJOURNMENT

**MOTION: To adjourn the July 25, 2016 meeting of the Michigan Civil Rights Commission.**

**On Motion duly made (Commissioner Tarver) and supported (Commissioner Hunt), Motion to adjourn was approved. *Motion carried unanimously.***

***Meeting adjourned at 6:53 p.m.***

---

Secretary

---

Director