

## MICHIGAN CIVIL RIGHTS COMMISSION MEETING

Monday, May 23, 2022 ~ 10:00 A.M.

Lansing Community College – West Campus, Rooms M-120 & M-121  
5708 Cornerstone Drive, Lansing, Michigan 48917

Hybrid Meeting: Zoom web conferencing platform; Livestreamed via You Tube and Facebook

*In compliance with the State of Michigan's Open Meetings Act, "the minutes must show the date, time, place, members present, members absent, any decisions made at a meeting open to the public, and the purpose(s) for which a closed session is held; the minutes must also include all roll call votes taken at the meeting." The minutes are limited to these requirements and do not reflect all subject matter that occurred during the Commission meeting. Meetings are audio recorded and kept on file with the MDCR.*

### MINUTES

PRESENT: Commission Chair Portia Roberson  
Commission Secretary Gloria Lara  
Commissioner Richard Corriveau  
Commissioner Anupama Kosaraju

EXCUSED: Commission Vice-Chair Zenna Elhasan  
Commissioner Regina Gasco-Bentley

#### CALL TO ORDER / ROLL CALL

The meeting of the Michigan Civil Rights Commission was called to order by Chair Roberson at 10:25 A.M.

Chair Roberson welcomed participants to the meeting, including in-person guest and virtual guests by way of Zoom web conferencing and Facebook / You Tube livestream platforms.

Roll Call of the Commissioners was taken by Clerk Lamont Satchel to determine a quorum. Chair Roberson, Secretary Lara, Commissioner Corriveau, Commissioner Kosaraju. With four of six Commissioner present, quorum requirements were met.

#### APPROVAL OF MEETING AGENDA

Chair Roberson brought the following Motion:

**MOTION: Move to Approve the Meeting Agenda as submitted.** There were no amendments or discussion. **On Motion duly made (Lara) and supported (Kosaraju), the Meeting Agenda was Approved.** *Motion carried unanimously.*

#### OPENING MATTERS

##### WELCOME

Chair Roberson provided welcoming remarks, indicating that the meeting was being held in-person and virtually (hybrid) for the first time, and thanked MDCR staff organizers who implemented the hybrid model.

Lamont Satchel, General Counsel and Commission Advisor was called upon to provide a brief overview on the Commission and its authority.

#### RECOGNITION OF SIGNIFICANT OBSERVANCES DATES IN MAY

Chair Roberson recognized significant observances for the month of May, including Asian American and Pacific Islander Heritage Month, and the birthday of Malcolm X on May 19<sup>th</sup>.

#### PUBLIC COMMENT PROTOCOL

Deputy Director Kim Woolridge provided instructions to in-person and virtual audiences who wish to address the Commission during the Public Comment segment of the meeting.

#### ADOPTION OF CONSENT AGENDA

Chair Roberson brought the following Motion:

**MOTION: Move to Adopt the Consent Agenda as submitted.** There was no discussion or amendment. **On Motion duly made (Kosaraju) and supported (Corriveau), the Consent Agenda was Adopted.** *Motion carried unanimously.*

#### APPROVAL OF MINUTES FROM JANUARY 24, 2022 MEETING

Chair Roberson brought the following Motion:

**MOTION: Move to Approve the Meeting Minutes as submitted.** There were no revisions or discussion. **On Motion duly made (Lara) and supported (Kosaraju), the Minutes from the January 24, 2022 Commission Meeting were Approved.** *Motion carried unanimously.*

#### APPROVAL OF MINUTES FROM APRIL 7, 2022 SPECIAL MEETING

Chair Roberson brought the following Motion:

**MOTION: Move to Approve the Meeting Minutes as submitted.** There were no revisions or discussion. **On Motion duly made (Corriveau) and supported (Kosaraju), the Minutes from the April 7, 2022 Special Commission Meeting were Approved.** *Motion carried unanimously.*

#### PUBLIC COMMENT

There was no Public Comment (in-person or virtual).

#### DIVISION AND OTHER REPORTS

A. Executive Director Report, John Johnson, Jr.

Director Johnson submitted a full written report to the Commission on the activity of the Executive Director and the major divisions of the Department from January to May 2022, as well as additional personnel updates, an update on the budget and fulfillment of federal contracts, and an overview of the upcoming Civil Rights Summit scheduled for June 15, 2022 at the Lansing Center in Downtown Lansing.

B. MCRC/General Counsel Report, Attorney Lamont Satchel

Mr. Satchel serves as Advisor to the Commission and General Counsel for the Department, and joined the Department on January 30, 2022. Mr. Satchel submitted a full written report to the Commission on the activity of General Counsel, including an update of the procedural/administrative rules, submission of a regulatory impact statement, working with the Commission's Committee chairs, and work on a process improvement initiative.

C. Legislative Liaison Report, Dr. Jerome Reide

Dr. Reide submitted a full report to the Commission on legislative activity from January to May 2022, and presented on the Department's legislative priorities including submission of the legislative fiscal budget report, and department-monitored legislation (HB-5777 on early ASL training for pre-school children through MDE, HB-4257 on the CROWN Act, HB-4075 and 4076 on Dynamic Character signs, HB 4256 on service animals, HB-4297 on ELCRA expansion, SB-2018 on transgender athletes)

D. Attorney General Report, AAG Tonya Jeter

Ms. Jeter submitted a full written report to the Commission and provided a brief status update on the following cases: ***Estate of Romig and Kooman v. Boulder Bluff Condominium Association; Riverbrook v. Abimbola Fabode; Rouch World, LLC and Uprooted Electrolysis v. MDCR; People v. Gomez.***

COMMISSION BUSINESS

A. Chair's Report, Portia Roberson

Chair Roberson's report included appreciation to Director Johnson for his update on the budget and the need for additional resources, and an update on activity in Grand Rapids, as investigation of the death of Patrick Lyoya and the Grand Rapids Police Department is a priority for the Commission. Chair Roberson also announced that the Commission will be convening meetings across the state for the remainder of the year stressing the importance of hearing from residents from communities throughout Michigan, and that the next meeting will convene in Grand Rapids.

B. Voting Rights Committee Report, Commissioner Kosaraju

Commissioner Kosaraju introduced and read into the record a proposed Resolution in Support of Voting Rights:

**WHEREAS, among developed countries the United States of America has one of the lowest voter turnout rates with almost 25 percent of eligible voters not being registered, with the State of Michigan having a documented historic low voter turnout; and**

**WHEREAS, the right of a people to determine their destiny through a political arrangement that respects, protects and elevates the right of individuals to participate in collective decision making is a universal right embraced and employed by numerous countries and enshrined as a pillar of human rights in Article 21 of the United Nations' Universal Declaration of Human Rights; and**

**WHEREAS, the fundamental basis of the United States of America's representative democracy is the right of citizens to participate in the operation and function of government at the local, state and national level primarily through the exercise of their right to vote; and**

**WHEREAS, the right to vote being originally granted to white male property owners at the founding of the United States of America, with incremental and sustained gains in the expansion of the right to vote being achieved by other populations and demographics as a result of decades of unrelenting pursuit, and collective and individual struggle and sacrifice; and**

**WHEREAS, the right to vote was granted to male citizens of African descent 82 years after adoption of the United States Constitution on June 21, 1788, with passage of the 15<sup>th</sup> Amendment to the United States Constitution on February 3, 1870, which right was immediately thwarted by 95 years of structural, organized and systemic efforts of racists citizens, politicians and institutions of government, through laws such as poll taxes, grandfather clauses, literacy tests, property tests and gerrymandering in addition to racially motivated acts of physical violence, intimidation, mayhem, murder and other illicit means to prevent and dilute the vote of citizens of African descent, necessitating the Voting Rights Act of 1965; and**

**WHEREAS, the right to vote was granted to women citizens with passage of the 19th Amendment to the United States Constitution on August 18, 1920, 132 years after the United States Constitution granted white males the right to vote, and as a result of decades of women pursuing the right to vote through protest, struggle and suffering the indignities consequential to structural and persistent male supremacy; and**

**WHEREAS, the right to vote was granted to Native Americans on June 2, 1924 with passage of the Indian Citizenship Act, 136 years after the United States Constitution granted white males the right to vote, as a result of concerted advocacy, struggle and suffering the indifference of politicians; and**

**WHEREAS, the right to gain citizenship, denied to Chinese immigrants and American born Chinese by the passage of the 1882 Chinese Exclusion Act, resulted in Chinese born Americans being prevented from acquiring the right to vote until its repeal 61 years later in 1943; and**

**WHEREAS, the citizens of Washington, D.C. then being significantly non-white citizens and primarily those of African descent, were granted the right to vote in presidential elections on March 29, 1961 with passage of the 23<sup>rd</sup> Amendment to the United States Constitution, 173 years after the United States Constitution granted the right to vote to white male citizens; and**

**WHEREAS, assessments of poll taxes were prohibited in federal elections on January 23, 1964, with passage of the 24<sup>th</sup> Amendment to the United States Constitution, 176 years after the creation of the United States Constitution and 94 years after male descendants of African were afforded the right to vote and to whom the taxes would significantly impact; and**

**WHEREAS, the arc of voting rights in the United States has gradually, but steadily been in the direction of inclusion and expansion since passage of the 15<sup>th</sup> Amendment, with the support of both republican and democratic national political leadership as evidenced by the ratification of the 26<sup>th</sup> Amendment on June 1, 1971, which lowered the voting age to 18 years; amendment to the Voting Right Act on August 6, 1975 requiring that districts containing significant numbers of non-English-speaking voters provide those voters with instructions and assistance in voting and registering; passage of the Voting Accessibility for the Elderly and Handicapped Act on September 28, 1984 requiring polling locations in federal elections be accessible for the elderly and individuals with disabilities and alternative means of voting be provided where assessable locations are unavailable; passage of the National Voter Registration Act of 1993 on May 20, 1993, which requires, among other things, that state motor vehicle agencies provide opportunities for voter registration, States offer mail-in voter registration applications, States provide voter registration opportunities at certain State and local office; passage of the Help America Vote Act**

**on October 29, 2002 which made broad and systemic reforms to the national voting processes; and**

**WHEREAS, the citizens of the state of Michigan have expressed their unequivocal commitment to the principle of democratic rule and overwhelmingly affirmed the essential role of voting in the democratic process by passage of Proposition 3 on November 6, 2018, thereby amending the Michigan Constitution to add several voting policies, including but not limited to: No-excuse absentee voting; straight ticket voting; right to use secret ballot; right to register to vote by mail; ability to register to vote at the poll on election day; and automatic voter registration; and WHEREAS, some recent political efforts and initiatives throughout the United States and Michigan have ostensibly challenged historical gains made to expand voter rights to more citizens and efforts made to increase policies and practices that facilitate a less burdensome process for exercising the right to vote; and**

**WHEREAS, the Michigan Civil Right Commission is a constitutionally established public body invested by the Michigan Constitution with the responsibility and authority “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 Michigan] constitution, and to secure the equal protection of such civil rights without such discrimination.” Mich. Const. Art. 5, Sec. 29; and**

**WHEREAS, the right to vote being a fundamental civil right, the Michigan Civil Rights Commission has a constitutional duty to assure that efforts within the State of Michigan intended to impact voting policies, practices and laws do so in a manner that does not discriminate against persons based on race, color, religion, national origin, genetic information, sex, age, marital status, height, weight, arrest record, and physical and mental disability and that the Michigan Civil Rights Commission has an equally important affirmative duty to facilitate, encourage, promote and recommend laws, policies and practices that expand voter participation and remove unnecessary barriers to the exercise of the right to vote; and**

**WHEREAS, in consideration of recent national and local activity, the Michigan Civil Rights Commission has made voting rights a priority focus consistent with its constitutional mandate to “secure the equal protection of such civil rights without discrimination” and investigate all acts of discrimination in violation of such civil rights, and in furtherance thereof has established a Committee on Voting Rights; and**

**WHEREAS, that the Michigan Civil Rights Commission resolved to support the enactment of the “For the People Act of 2021”, designed to protect and strengthen the voting rights of United States citizens, and provide the unfettered and unencumbered access to the ballot that is guaranteed by the Constitutions of the United States and State of Michigan, and requested that the United States Senate pass the bill with all due haste; and**

**WHEREAS, the Michigan Civil Rights Commission is certain that the strength of a democracy is not measured in the longevity of its reign but in the prevalence of educated voters and their abiding commitment to secure the franchise, undiluted and easily exercised, for those in whose hands the right to vote may serve as a tool to forge a future that embodies the best of an enlightened and compassionate humanity; and that being the longest enduring modern representative democracy and a leading example and proponent of democratic rights, the United States of America has an unquestionable obligation to increase and not retreat from the expansion and protection of voting rights; and**

**THEREFORE, BE IT RESOLVED, that the Michigan Civil Rights Commission strongly encourages the executive and legislative branches of the State of Michigan and the United States to solemnly heed and respectfully honor the innumerable sacrifices, hard fought gains, and deep aspirations of citizens for participation in their government, evidenced by our unique state and federal historic voting rights efforts, as they draft, propose, deliberate and vote on voting rights legislation; and that they responsibly exercise their office and powers inherent therein to continue the expansion of voting rights, improved voter education and increased voter participation for the benefit of all citizen and their posterity; and**

**BE IT FURTHER RESOLVED, that the Michigan Civil Rights Commission supports federal and state of Michigan policies, practices, initiatives and laws that would allow for:**

- **Early voting;**
- **Increased access to and utilization of absentee ballots;**

- *Streamlined processes that allow for identification of voters;*
- *Alternative and responsible means of election funding that increase voter participation;*
- *Increased integrity in post-election audits;*
- *Any other measures whose purpose and effect is to preserve the integrity and expansion of the right to vote; and*

**BE IT FURTHER RESOLVED** that the Michigan Civil Rights Commission directs the Michigan Department of Civil Rights to:

- *Coordinate with other state agencies to make voter registration information accessible to all classes protected under the Elliott-Larsen Civil Rights Act and Persons with Disabilities Civil Rights Act;*
- *Conduct voter education at events and through the use of social media;*
- *Facilitate forums to promote voter engagement;*
- *Work in coalition with non-partisan voter advocacy groups to empower voters and increase voter participation in elections;*
- *Take other actions consistent with the Michigan Civil Rights Commission constitutional mandate regarding civil rights as it relates to voting; and*

**BE IT FURTHER RESOLVED** that this resolution is effective immediately upon adoption; and

**BE IT FINALLY RESOLVED**, that this resolution be forwarded to Governor Gretchen Whitmer, the Speaker of the Michigan House of Representatives and the President of the Michigan Senate.

**BOARD RESOLUTION: To Pass the Resolution in Support of Voting Rights.**

There was no discussion.

**ROLL CALL VOTE: 4-0-0**

Roberson – Y  
Elhasan – Excused  
Lara – Y

Gasco-Bentley - Excused  
Corriveau – Y  
Kosaraju – Y

**RESOLUTION UNANIMOUSLY PASSED.**

**C. Committees for Commission's 2022 Priorities**

Chair Roberson called for updates from the Committee Chairs (Commissioner Kosaraju leads the Voting Rights Committee, Vice-Chair Elhasan leads the Safe Learning Environments/Education Equity Committee, Secretary Lara leads the Diversity, Equity and Inclusion Committee).

Secretary Lara provided an update for the Diversity, Equity and Inclusion (DEI) Committee indicating their focus on the planning and post-event work for the 2022 Civil Rights Summit.

**D. HR Committee Update for Director Johnson's Annual Performance Evaluation, Secretary Lara**

Secretary Lara provided an update from the HR Committee (Commissioners Lara and Gasco-Bentley) regarding next steps on Director Johnson's Annual Performance Evaluation, indicating that they are focusing on the criteria and

metrics based on the priorities established by the Director and the Commission at the start of his position.

E. Select Date for Instructional Retreat, Chair Roberson

Chair Roberson requested that the Commission table this item until the two Commission vacancies are filled. The Commissioners agreed, there was no action on this item.

NEW BUSINESS

There was no New Business.

COMMISSIONER CLOSING COMMENTS

Secretary Lara commended the Staff for their work on coordinating this first-time hybrid meeting in lieu of the COVID-19 Pandemic, both the in-person and technological aspects, so that all Michigan residents have an opportunity to participate in today's meeting. Chair Roberson echoed Secretary Lara's comments.

Commissioner Kosaraju commended the Department and the Commission on the work they do to advance civil rights and equality, indicating the importance of this work results in examples like the nomination and confirmation of Justice Ketanji Brown Jackson to the Supreme Court. Commissioner Kosaraju also indicated the excitement and positive feedback she's received from speakers for the Civil Rights Summit, which is themed "Like Trees, Problems Have Roots".

Commissioner Corriveau commended the Department's division leaders on their excellent reports, and thanked Commissioner Kosaraju and Mr. Satchel on their work on the Resolution in Support of Voting Rights, as voting rights are critical.

ADJOURNMENT

Chair Roberson brought the following Motion:

**MOTION: Move to Adjourn.** There was no discussion. **On Motion duly made (Corriveau) and supported (Kosaraju), the meeting of the Michigan Civil Rights Commission Adjourned at 11:27 A.M. Motion carried unanimously.**

*The next meeting of the Michigan Civil Rights Commission is scheduled for Monday, July 25, 2022 and will convene in Grand Rapids in the morning; a time and location will be determined.*

**MINUTES WILL BE SUBMITTED FOR APPROVAL AT THE JULY 25, 2022 MEETING.**