

**MICHIGAN CIVIL RIGHTS COMMISSION MEETING**  
Monday, January 23, 2023 ~ 11:00 A.M.  
Cadillac Place Building, Suite L-150  
3064 West Grand Boulevard, Detroit, Michigan 48202  
Hybrid Meeting: Zoom web conferencing platform

*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.*

**APPROVED MINUTES**

PRESENT: Commission Chair Portia Roberson  
Commission Vice Chair Zenna Elhasan  
Commission Secretary Gloria Lara  
Commissioner Richard Corriveau  
Commissioner David Worthams  
Commissioner Luke Londo

CALL TO ORDER / ROLL CALL

The meeting of the Michigan Civil Rights Commission was called to order by Chair Roberson at 11:07 A.M.

Chair Roberson welcomed participants to the meeting, including in-person and virtual guests by way of Zoom web conferencing platform.

Roll Call of the Commissioners was taken by Clerk Lamont Satchel to determine a quorum. Chair Roberson, Commissioner Elhasan, Commissioner Lara, Commissioner Corriveau, Commissioner Worthams, Commissioner Londo. With all six Commissioners 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 (Worthams) and supported (Corriveau), the Meeting Agenda was Approved.** *Motion carried unanimously.*

OPENING MATTERS

WELCOME

Chair Roberson provided welcoming remarks, thanking the community of the City of Detroit for welcoming the Commission.

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

#### RECOGNITION OF SIGNIFICANT OBSERVANCES DATES IN JANUARY

Chair Roberson recognized significant observances for the month of January, including the birthday of Rev. Dr. Martin Luther King, Jr. (January 15), and the King Holiday observance (January 16), the seventh annual National Day of Racial Healing (January 17), and the birthday of Fred T. Korematsu (January 30).

#### NOMINATING COMMITTEE SLATE OF OFFICERS

Commissioner Worthams chaired the Nominating Committee, also consisting of Commissioner Corriveau and Commissioner Londo. Commissioner Worthams announced the slate of officers as follows:

For the Office of Chair, Commissioner Roberson was nominated; for the Office of Vice Chair, Commissioner Lara was nominated. There was no nomination for the Office of Secretary.

During discussion, Commissioner Lara withdrew her nomination for the Office of Vice Chair and nominated Commissioner Elhasan for Vice Chair. Commissioner Elhasan accepted the nomination for the Office of Vice Chair and nominated Commissioner Lara for the Office of Secretary. Commissioner Lara accepted the nomination for the Office of Secretary.

A revised slate was presented:

For the Office of Chair: Commissioner Roberson  
For the Office of Vice Chair: Commissioner Elhasan  
For the Office of Secretary: Commissioner Lara

#### 2023 ELECTION OF OFFICERS

Commissioner Roberson brought the following Motion:

**MOTION: Move to accept the Nominating Committee's recommended slate of officers as presented.**

**Chair – Commissioner Roberson  
Vice Chair – Commissioner Elhasan  
Secretary – Commissioner Lara**

ROLL CALL VOTE: 6-0-0

|                            |                           |
|----------------------------|---------------------------|
| Commissioner Roberson – Y  | Commissioner Lara – Y     |
| Commissioner Elhasan – Y   | Commissioner Worthams – Y |
| Commissioner Corriveau – Y | Commissioner Londo – Y    |

There was no further discussion. **On Motion duly made (Londo) and supported (Worthams), the slate of officers was Approved.** *Motion carried unanimously.*

#### PUBLIC COMMENT PROTOCOL

Deputy Executive 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 (Worthams) and supported (Elhasan), the Consent Agenda was Adopted.** *Motion carried unanimously.*

#### APPROVAL OF MINUTES FROM OCTOBER 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 (Elhasan) and supported (Corriveau), the Minutes from the October 24, 2022 Commission Meeting were Approved.** *Motion carried unanimously.*

#### PUBLIC COMMENT

IN PERSON: There was no In Person Public Comment.

VIRTUAL: There was one Virtual Public Comment.

Teri Langley of Grand Ledge, Michigan spoke on behalf of Disability Network Michigan, thanked the Commission for working with the Disability Network on legislative action HB 4075 and 4076, which became PA 182 and 183 on July 25, 2022 (one day before the signing of the Americans With Disabilities Act 32 years ago), requiring the symbol for the Persons With Disabilities parking designation be changed and updated to a more active symbol; the previous symbol has been in place since the 1960's. Ms. Langley indicated that one of the bills requires the Commission to adopt a resolution to change the parking designation symbol, and thanks the Commission in advance for their work on this effort.

#### 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 October 2022 to January 2023, as well as personnel updates, and a budget update. Director Johnson also updated the Commission on a needed effort to continue

with a series of public forums on Migrant Seasonal Farm Workers, which started in 2019, but discontinued in 2020 due to the impact of the pandemic; Commissioner Lara urged the Commission to consider continuation of the public forums at a later date and time. Commissioner Worthams requested that the Department provide information regarding the impact COVID-19 continues to have on the State's K-12 education system, showing the numbers of the disparate impact between schools in affluent areas and minority areas, in an effort to recommend to the legislature a public policy solution while federal funds are still available. Chair Roberson added a request for information on the impact of COVID-19 on early childhood education (before Pre-K) as well, and requested recommendations of what the Commission can do to support an increase in funding for Enforcement (i.e. hiring additional staff, work on the backlog) and other efforts the Commission will take up this year. There were no actions taken.

B. MCRC/General Counsel Report, Attorney Lamont Satchel

Mr. Satchel serves as Advisor to the Commission and General Counsel for the Department. Mr. Satchel submitted a full written report to the Commission on the activity of General Counsel from October 2022 to January 2023, including today's Hearing on amending the procedural/administrative rules; follow up and next steps regarding Dynamic Character Legislation. There were no actions taken.

C. Disability Rights and Compliance Division Presentation, Attorney Tyra Khan, Director

Attorney Khan serves as the Director of the Disability Rights and Compliance Division for the Department. Ms. Khan provided an update on this newly reorganized unit, as well as the activity of the unit since its inception. There were no actions taken.

D. Attorney General Report, AAG Tonya Jeter and First Assistant AG Kimberly Pendrick

AAG Tonya Jeter and First Assistant AG Kimberly Pendrick submitted a full written report to the Commission and provided a brief status update on the following cases: ***Christian Healthcare Centers v. Attorney General, et al***; ***St. Joseph's Parish v. Attorney General, et al***; ***Sacred Heart Parish v. Attorney General, et al***. AAG Jeter also indicated that the Michigan Department of Civil Rights' brief in the Rouch World case won an award from the Cooley Law School, MDCR will receive that award on March 2, 2023.

## COMMISSION BUSINESS

A. Chair's Report, Portia Roberson

Chair Roberson's report consisted of thanks to the Commissioners for their support in allowing her to serve an additional year as Chair, then conceded the rest of her time to Commissioner Lara.

Commissioner Lara provided comments on the recent mass shooting in Monterey Park, California, as she was raised there and has family living there currently. She indicated that Governor Whitmer ordered the flags for all buildings

and grounds across the State of Michigan to be lowered to half-staff on Thursday, January 26<sup>th</sup> to honor the victims.

B. Committees Updates for Commission's 2023 Priorities

Chair Roberson called for volunteers to chair the committees to address the Commission's priorities:

**Voting Rights Committee** - Commissioner Worthams (Chair), Commissioner Corriveau

**Diversity, Equity and Inclusion Committee** - Commissioner Lara (Chair)

Acquired new priorities: To ensure there is a Resolution for ongoing funding of implementing recommendations for the Statewide Native American Boarding School Study, to follow-up on items raised during the 2022 Civil Rights Summit ensuring that items are addressed appropriately, continuing effort on Migrant and Seasonal Farm Workers update and report.

**Safe Learning Environments and Education Equity Committee** - Commissioner Elhasan (Chair), Commissioner Londo

Acquired new priorities: Expansion of Academic Freedom to LGBTQ+ Youth, book censorship and other items.

**Environmental Justice Committee**

This Committee will be tabled until Commission vacancies are filled.

C. Subcommittee for Commission's 60<sup>th</sup> Anniversary

Chair Roberson, Vice Chair Elhasan and Secretary Lara will serve on the 2023 Commission 60<sup>th</sup> Anniversary Subcommittee. An update will be provided at the next meeting. There were no actions taken.

NEW BUSINESS

A. Resolution in Recognition of National Day of Racial Healing

Commissioner Worthams introduced and read into the record a proposed Resolution in Recognition of National Day of Racial Healing:

*WHEREAS, on Tuesday, January 17, 2023, we celebrated the National Day of Racial Healing in communities across the country and throughout the state of Michigan; and WHEREAS, the National Day of Racial Healing is one pillar of the sweeping W.K. Kellogg Foundation's Truth, Racial Healing & Transformation initiative; and WHEREAS, this hopeful day of national reconciliation and understanding among all races has its roots in Michigan soil; and*

*WHEREAS, Michigan and the nation have witnessed a steady and alarming increase in incidents of racial bias and hate in recent years; and*  
*WHEREAS, the mission of the Michigan Civil Rights Commission and the Michigan Department of Civil Rights is not only to investigate acts of discrimination, but to actively work to dismantle the structures, systems, and policies that support inequity and work to prevent discrimination before it occurs; and*  
*WHEREAS, the Michigan Civil Rights Commission and the Michigan Department of Civil Rights embrace our dual mission – investigating discrimination and working to prevent it – we believe in and support the uplifting message and inspiring goals of the National Day of Racial Healing; and*  
*WHEREAS, the Michigan Civil Rights Commission recognizes that before we can end discrimination, we must actively seek to see the world through each other’s eyes and to engage as equals in creating a more just, welcoming, diverse and equitable society; and*  
*WHEREAS, designating a single day to reflect on and commit -- as individuals, families, organizations, and communities -- to healing the trauma that racial bias and discrimination have wrought in millions of lives has immense value, the Michigan Civil Rights Commission and the Michigan Department of Civil Rights must lead in the work of reconciliation and healing for Michiganders of all races; and*  
*WHEREAS, it is the Michigan Civil Rights Commission’s constitutionally and legislatively mandated mission to advance equal protection and prevent discrimination; and*  
**THEREFORE, IT IS RESOLVED, that the Michigan Civil Rights Commission directs the Michigan Department of Civil Rights to avail itself of opportunities to engage in activities and actions intended to heal the racial divide within Michigan; and**  
**IT IS FURTHER RESOLVED, that the Michigan Civil Rights Commission commits to advance and support the cause of racial healing within Michigan and encourages the Michigan legislative, executive and judicial branches of government to adopt measures and support activities that tend towards the healing and resolution of racial issues within the state of Michigan.**

**BOARD RESOLUTION: Move to Pass the Resolution in Support of National Day of Racial Healing.** There was no discussion.

**ROLL CALL VOTE: 6-0-0**

|                            |                           |
|----------------------------|---------------------------|
| Commissioner Elhasan – Y   | Commissioner Worthams - Y |
| Commissioner Lara – Y      | Commissioner Londo – Y    |
| Commissioner Corriveau – Y | Commissioner Roberson – Y |

**RESOLUTION UNANIMOUSLY PASSED.**

**B. Resolution in Support of Amending the Elliott-Larsen Civil Rights Act**

Commissioner Londo introduced and read into the record a proposed Resolution in Support of Amending the Elliott-Larsen Civil Rights Act:

*WHEREAS, the inescapable reality of human diversity and the foundational principle of self-determination allows for a range of self-identifications, and demands the*

*respect, honor and protection from a democracy that is based on the collective agreement of a diverse population; and*  
*WHEREAS, the people of the State of Michigan have recognized the inherent value and dignity of its citizens and the need to protect the diversity of our citizenry through adoption of Article I, Section 2 and Article V, Section 29 of the Michigan Constitution and enactment of the Elliott-Larsen Civil Right Act; and*  
*WHEREAS, the Michigan Civil Rights Commission previously issued Interpretive Statement 2018-1, finding that the language, “discrimination because of ...sex...” as used within the Elliott-Larsen Civil Rights Act includes discrimination based on gender identity and sexual orientation; and*  
*WHEREAS, in Rouch World, LLC v Department of Civil Rights, the Michigan Supreme Court affirmed the conclusions reached by the Michigan Civil Rights Commission in its interpretive statement, finding that “Discrimination on the basis of sexual orientation necessarily constitutes discrimination because of sex” and is a violation of the Elliott-Larsen Civil Rights Act; and*  
*WHEREAS, in Bostock v. Clayton County, Georgia, the United States Supreme Court found that “An employer who fires an individual merely for being gay or transgender defies the law,” specifically Title VII of the Civil Rights Act of 1964; and*  
*WHEREAS, the great weight of public sentiment and legal authority recognizes that a person’s sexual orientation and gender identity should never be the basis for affording or denying basic civil rights and public accommodations and services; and*  
*WHEREAS, while the courts serve as the final arbiters on the interpretation of laws, it is incumbent on our legislature to recognize and incorporate into current legislation legal rulings that safeguard the civil rights of Michigan citizens; and*  
*WHEREAS, Michigan Senate Bill 0004 introduced by President Pro Tempore Jeremy Moss, and House Bill 4003 introduced by Representative Jason Hoskins, would codify the Michigan Civil Rights Commission’s interpretive statement and the Michigan Supreme Courts affirmation of the principle protections stated therein regarding the civil rights of LGBTQ Michiganders by amending the Elliott-Larsen Civil Rights Act to include language explicitly prohibiting discrimination on the basis of sexual orientation and gender identity or expression; and*  
*WHEREAS, the lives of LGBTQ Michiganders have value, and are deserving of support and continued protection from discrimination in employment, housing, public accommodations, public service and educational facilities;*  
*THEREFORE, IT IS RESOLVED, that the Michigan Civil Rights Commission supports the Michigan legislature’s adoption of the aforementioned bills, without any amendments that would seek to reduce their scope or impact, and that Governor Gretchen Whitmer signs the enrolled bill into law.*

**BOARD RESOLUTION: Motion to Pass the Resolution in Support of Amending the Elliott-Larsen Civil Rights Act.** There was discussion: Commissioner Worthams moved that the resolution be amended by striking the second resolved clause and allow subsequent language to be offered by Commissioner Londo. Commissioner Worthams referred to the practice of conversion therapy as draconian and dangerous and is deserving of its own resolution. Commissioner Worthams requested that a separate resolution on the practice of conversion therapy be added to the April 24<sup>th</sup> Commission meeting Agenda.

**ROLL CALL VOTE: 6-0-0**

Commissioner Elhasan – Y  
Commissioner Lara – Y  
Commissioner Corriveau – Y

Commissioner Worthams - Y  
Commissioner Londo – Y  
Commissioner Roberson – Y

**RESOLUTION UNANIMOUSLY PASSED.**

C. Adoption of the 2022 Annual Report

Copies of the 2022 Annual Report were distributed to the Commission for review.

Chair Roberson brought the following Motion:

**MOTION: Move to Adopt the 2022 Annual Report as submitted.** There were no revisions or discussion. **On Motion duly made (Worthams) and supported (Lara), the 2022 Annual Report was Adopted.** *Motion carried unanimously.*

Chair Roberson thanked Vicki Levensgood for her diligence and work on this project.

D. Selection of Date for the 2023 Commission Educational Retreat

Following discussion, the Commission settled on Monday, September 18, 2023 for the Educational Retreat. A location will be determined at a later date.

Chair Roberson brought the following Motion:

**MOTION: Move to Approve September 18, 2023 as the date for the Commission’s Educational Retreat.** There were no revisions or further discussion. **On Motion duly made (Elhasan) and supported (Lara), the date of September 18, 2023 for the Commission’s Educational Retreat was Approved.** *Motion carried unanimously.*

PUBLIC COMMENT

There was no In-Person or Virtual Public Comment.

COMMISSIONER CLOSING COMMENTS

Commissioner Worthams congratulated the 2023 Commission Officers; thanked Commissioner Corriveau and Commissioner Londo for serving on the Nominating Committee and for their work on the nominations process; thanked Commissioner Londo for proposing the Resolution in Support of Amending the Elliott-Larsen Civil Rights Act and stressed the importance of the legislature amending ELCRA as quickly as possible.

Commissioner Londo also congratulated the 2023 Commission Officers, thanked the Commission and the Department for their welcoming spirit, and thanked the Commissioners for passing the Resolution In Support of Amending the Elliott-Larsen Civil Rights Act. Also thanked Commissioner Worthams for encouraging a conversion therapy resolution for the next meeting, and thanked Chair Roberson for her comments



in Pride Source. Last, Commissioner Londo expressed to Vice Chair Elhasan that he looks forward to working together on the Safe Learning Environments and Education Equity Committee.

Commissioner Lara expressed to Chair Roberson and Vice Chair Elhasan that she looks forward to continuing to serve with them in their second year in office, thanked Commissioner Londo for his resolution in Support of Amending the Elliott-Larsen Civil Rights Act, indicating the importance of everyone being acknowledged, encouraged, and respected.

#### ADJOURNMENT

Chair Roberson brought the following Motion:

**MOTION: Move to Adjourn.** There was no discussion. **On Motion duly made (Worthams) and supported (Londo), the meeting of the Michigan Civil Rights Commission Adjourned at 12:50 P.M. Motion carried unanimously.**

*The next meeting of the Michigan Civil Rights Commission is scheduled for Monday, April 24, 2023 in Grand Rapids, and will convene at a time and location to be determined.*

**MINUTES WERE APPROVED AT THE APRIL 24, 2023 MEETING.**