

**MICHIGAN CIVIL RIGHTS COMMISSION MEETING**

Monday, January 27, 2020 - 5:00 P.M.  
MDCR Detroit Office, Cadillac Place Building  
3054 W Grand Blvd., Suite 3-652  
Detroit, MI 48202

**MINUTES**

PRESENT: Commission Vice Chair Stacie Clayton  
Commission Secretary Laura Reyes Kopack  
Commissioner Ira Combs, Jr.  
Commissioner Regina Gasco-Bentley  
Commissioner Denise Grim  
Commissioner Jeffrey Sakwa  
NEW Commissioner Zenna Elhasan  
NEW Commissioner Portia Roberson

CALL TO ORDER / ROLL CALL

The meeting of the Michigan Civil Rights Commission was called to order by Vice-Chair Clayton at 5:05 p.m. Roll Call of the Commissioners was taken to determine a quorum. Commissioner Combs, Commissioner Gasco-Bentley, Commissioner Grim, Commissioner Kopack, Commissioner Sakwa, Commissioner Elhasan, Commissioner Clayton. With 7 of 8 Commissioners present, quorum requirements were met.

SWEARING-IN OF NEW COMMISSIONER – Zenna Elhasan

Vice-Chair Clayton administered the Oath of Office to new Commissioner Zenna Elhasan.

APPROVAL OF MEETING AGENDA

**MOTION: Move to Approve the Meeting Agenda. On Motion duly made (Combs) and supported (Kopack), the Agenda was Approved. Motion carried unanimously.**

ADOPTION OF CONSENT AGENDA

**MOTION: Move to Adopt the Consent Agenda. On Motion duly made (Combs) and supported (Grim), the Consent Agenda was Adopted. Motion carried unanimously.**

APPROVAL OF MINUTES

**MOTION: Move to Approve the Meeting Minutes for November 18, 2019. On Motion duly made (Combs) and supported (Kopack), the Minutes from the November 18, 2019 were Approved as submitted. Motion carried by majority vote of 6-0-1.**

Yea 6 (Clayton, Combs, Gasco-Bentley, Grim, Kopack, Sakwa)  
Nay 0  
Abstention – 1 (Elhasan)

***New Commissioner Portia Roberson arrived at 5:11 p.m.***

**SWEARING-IN OF NEW COMMISSIONER – Portia Roberson**

Vice-Chair Clayton administered the Oath of Office to new Commissioner Portia Roberson.

**PUBLIC COMMENT**

There was no public comment.

**COMMISSION BUSINESS**

**Special Presentation**

Former commissioners Rasha Demashkieh and Alma Wheeler Smith were unable to attend. They will be invited to the next meeting on March 23, 2020.

**Commission Committee Reports**

This year's Nominating Committee consisted of Commissioners Clayton, Demashkieh and Sakwa. The Nominating Committee proposed the following slate for the 2020 Election of Officers: Chair - Commissioner Clayton; Vice-Chair – Commissioner Kopack; Secretary – Commissioner Sakwa. No additional nominations were brought forth.

**Election of Officers**

Office of Secretary: Jeff Sakwa

**MOTION: Move to Approve Commissioner Sakwa as Secretary. On Motion duly made (Gasco-Bentley) and supported (Kopack), Commissioner Sakwa was Approved as Secretary. Motion carried unanimously.**

Office of Vice-Chair: Laura Reyes Kopack

**MOTION: Move to Approve Commissioner Kopack as Vice-Chair. On Motion duly made (Sakwa) and supported (Combs), Commissioner Kopack was Approved as Vice-Chair. Motion carried unanimously.**

Office of Chair: Stacie Clayton

**MOTION: Move to Approve Commissioner Clayton as Chair. On Motion duly made (Roberson) and supported (Combs), Commissioner Clayton was Approved as Chair. Motion carried unanimously.**

**2020 Commission Meeting Scheduling**

**MOTION: Move to Open the 2020 Commission Meeting Scheduling for discussion. On Motion duly made (Elhasan) and supported (Combs), the opening of discussion on the 2020 Commission meeting scheduling was Approved. Motion carried unanimously.**

## Working Sessions

**MOTION: Move to Amend the 2020 Commission Meeting Schedule by returning to the bi-monthly meeting schedule and omitting the Working Sessions.** Following discussion, on Motion duly made (Sakwa) and supported (Grim), the Amended 2020 Commission Meeting Schedule was Approved. *Motion carried unanimously.*

## New Commissioner Orientation and Educational Retreat

**MOTION: Move to Schedule the New Commissioner Orientation and the Commission Educational Retreat on February 24, 2020, 10:00 a.m. – 4:00 p.m. at a location to be determined.** Following discussion, on Motion duly made (Combs) and supported (Grim), the date for the Orientation and Retreat was Approved. *Motion carried unanimously.*

## Executive Director Selection Process Update, Sylvia Elliott

Ms. Elliott, Special Advisor to the Commission, provided general information and proposed a timeline regarding the Executive Director Selection process.

**MOTION: Move to Approve the Executive Director Selection Process to include language pertaining to when the background check will occur for the final two candidates.** Following discussion, on Motion duly made (Roberson) and supported (Combs), the revised Executive Director Selection Process was Approved. *Motion carried unanimously.*

## COMMUNICATIONS

This agenda item was waived.

## DIVISION REPORTS

### Executive Director Report, Mary Engelman (Interim)

Ms. Engelman provided updates on the following:

>Recommendations regarding Migrant and Seasonal Farm Workers – to pre-arrange meetings with Commissioners and MSFWs to take individual testimony in a non-public setting; consider holding additional hearings or create a subcommittee. Commissioner Kopack recommended that whatever testimony/information was received at the first two hearings be submitted to Director Engelman for summarization and determination of next steps. The summary will be included in the Director's Report for the March 23<sup>rd</sup> meeting.

>Update and discussion on the Enumeration Study. Commissioner Combs recommended that language regarding driver's licenses be included in the narrative of the report.

>Budget update – the Commission asked for a copy of the budget for 2019 and 2020 Fiscal Years. The Commission requested a MDCR budget presentation for

the March 23, 2020 meeting. The Commission requested updates on the work of the Governor's Poverty Task Force. The Commission requested that the new Executive Director continue the work started with the Minority and Women Owned Businesses. The Commission requested a copy of their initiatives for 2020 they discussed at the November 23, 2019 meeting (Minority and Women Owned Businesses Task Force; Zoning as a Tool for Discrimination Task Force; Guardianship Abuse Task Force).

>Annual Report update – A final draft was distributed to the Commission for revisions and approval.

>Update on Grand Rapids Police Department

### **MICHIGAN CIVIL RIGHTS COMMISSION STATEMENT ON GRPD INVESTIGATIONS, Commission Vice-Chair Kopack**

In her report to the Commission, Interim Director Engelman told us that she recently met with leadership from several different Grand Rapids civil rights groups and learned there is some public concern that the Department may not follow through on its commitment to investigate whether there are systemic civil rights violations within the Grand Rapids Police Department. We want to take this opportunity to assure Grand Rapids citizens and visitors that our commitment is unwavering.

We understand that recent settlements have been reached involving complaints brought by individuals on their own behalf. Neither the Department of Civil Rights nor this Commission were involved in those settlements, and it is our position that the settlement of individual claims of past misconduct does not limit our ability to look at whether they may be part of systemic problems that must be corrected to protect the public going forward.

While the Commission is in the process of selecting a new Executive Director for the Department of Civil Rights, the commitment to pursue the investigation was made on behalf of the Department and this Commission.

This Commission is committed to ensuring that the Director we select will continue the investigation of alleged systemic civil rights abuses by the Grand Rapids Police Department to its conclusion, pursue any appropriate remedies, and fully report on the Department's findings.

**MOTION: To Adopt the Statement as amended on the Grand Rapids Police Department. Following discussion, on Motion duly made (Combs) and supported (Roberson), the Statement was Adopted. *Motion carried unanimously.***

### **DEPARTMENT INITIATIVES UPDATE**

Update on Report on Education/Civil Rights Hearings and Updated Timelines, Dan Levy

A draft report on Education was distributed to the Commission for revisions and approval. The Commission requested that upon finalization of the Education Report that a press conference be held prior to releasing the report to the public. The Commission agreed to vote on the finalized report at their February 29<sup>th</sup> special meeting.

## ONGOING BUSINESS

Attorney General Report/Update, Ron Robinson

Mr. Robinson provided updates on the following cases: ***American Freedom Law Center v. AG Dana Nessel and former director Agustin Arbulu; Robert Romeg v. Boulder Cliff's Condominiums.*** Commissioner Combs requested an update from the AG's Office on Human Trafficking at the March 23<sup>rd</sup> Meeting.

## NEW BUSINESS

There was no New Business.

## COMMISSIONER COMMENT

Commissioner Grim distributed flyers for the upcoming events in honor of Fred T. Korematsu Day, and brought forth the following Motion:

**MOTION: To Reaffirm the Resolution in recognition of Fred T. Korematsu. On Motion duly made (Grim) and supported (Sakwa), the reaffirmation of the Resolution honoring Fred Korematsu was Approved. *Motion carried unanimously.***

Chair Clayton requested that the Commission convene the March 23<sup>rd</sup> meeting in Grand Rapids, and brought forth the following Motion:

**MOTION: To convene the March 23, 2020 Commission Meeting in Grand Rapids. On Motion duly made (Gasco-Bentley) and supported (Combs), the next regular meeting of the Michigan Civil Rights Commission will convene in Grand Rapids at a location to be determined. *Motion carried unanimously.***

Chair Clayton recognized Interim Director Mary Engelman and Special Advisor Sylvia Elliott for their work in preparation for this meeting.

## ADJOURNMENT

**MOTION: To Adjourn the meeting. On Motion duly made (Combs) and supported (Sakwa), the meeting of the Michigan Civil Rights Commission Adjourned at 7:41 p.m. *Motion carried unanimously.***

*The next regular meeting of the Michigan Civil Rights Commission is scheduled for March 23, 2020; the next special meeting of the Commission is February 29, 2020.*

## **MICHIGAN CIVIL RIGHTS COMMISSION SPECIAL MEETING**

Saturday, February 29, 2020 ~ 9:30 A.M.  
MDCR Detroit Office, Cadillac Place Building  
3054 W Grand Blvd, Suite 3-652  
Detroit, MI 48202

### **MINUTES**

PRESENT: Commission Chair Stacie Clayton  
Commission Vice Chair Laura Reyes Kopack  
Commission Secretary Jeff Sakwa  
Commissioner Ira Combs, Jr.  
Commissioner Zenna Elhasan  
Commissioner Regina Gasco-Bentley  
Commissioner Denise Grim  
Commissioner Portia Roberson

#### CALL TO ORDER / ROLL CALL

The meeting of the Michigan Civil Rights Commission was called to order by Chair Clayton at 9:30 A.M. Roll Call of the Commissioners was taken to determine a quorum. Commissioner Roberson, Commissioner Gasco-Bentley, Commissioner Sakwa, Commissioner Clayton, Commissioner Kopack, Commissioner Combs, Commissioner Grim, Commissioner Elhasan. With 8 of 8 Commissioners present, quorum requirements were met.

#### APPROVAL OF MEETING AGENDA

**MOTION: Move to Approve the Meeting Agenda as submitted.**  
**On Motion duly made (Roberson) and supported (Combs), the Meeting Agenda was Approved.** *Motion carried unanimously.*

#### PUBLIC COMMENT

There was no Public Comment.

#### INTERVIEWS FOR MDCR EXECUTIVE DIRECTOR

CANDIDATE #1: Shayna Strom

CANDIDATE #2: John Johnson

CANDIDATE #3: Harvey Hollins

CANDIDATE #4: Conrad Mallett

#### COMMISSION DELIBERATIONS

Following Discussion, the Motion was brought forth:

**MOTION: Move to advance Shayna Strom as a final candidate for the position of executive director of the Michigan Department of Civil Rights.**

**On Motion duly made (Combs) and supported (Sakwa), Ms. Strom advances as a final candidate. *No vote was taken, further discussion was needed.***

**MOTION: Move to Withdraw previous Motion.**

**On Motion duly made (Combs) and supported (Sakwa), the Motion was withdrawn. *Motion carried unanimously.***

**MOTION: Move to advance Shayna Strom to be considered as a final candidate for the position of executive director of the Michigan Department of Civil Rights.**

**There was no Motion made or supported. Ms. Strom does not advance as a final candidate.**

**MOTION: Move to advance John Johnson to be considered as a final candidate for the position of executive director of the Michigan Department of Civil Rights.**

**On Motion duly made (Roberson) and supported (Elhasan), Mr. Johnson advances as a final candidate. *By majority vote (5-3), Motion carries.***

Roll Call Vote

Yea: Roberson, Sakwa, Clayton, Kopack, Elhasan

Nay: Gasco-Bentley, Combs, Grim

**MOTION: Move to advance Harvey Hollins to be considered as a final candidate for the position of executive director of the Michigan Department of Civil Rights.**

**On Motion duly made (Grim) and supported (Gasco-Bentley), Mr. Hollins advances as a final candidate. *By majority vote (5-3), Motion carries.***

Roll Call Vote

Yea: Roberson, Gasco-Bentley, Clayton, Combs, Grim

Nay: Sakwa, Kopack, Elhasan

**MOTION: Move to advance Conrad Mallett to be considered as a final candidate for the position of executive director of the Michigan Department of Civil Rights.**

**On Motion duly made (Elhasan) and supported (Sakwa), Mr. Mallett advances as a final candidate. *By majority vote (6-2), Motion carries.***

Roll Call Vote

Yea: Sakwa, Gasco-Bentley, Sakwa, Kopack, Combs, Grim, Elhasan

Nay: Roberson, Clayton

*Mallet advances as a final candidate with the highest number of votes; second candidate selected via tie-breaker vote.*

*TIE-BREAKER VOTE: John Johnson and Harvey Hollins*

**MOTION: Move to advance John Johnson as a final candidate for the position of executive director of the Michigan Department of Civil Rights.**

**On Motion duly made (Roberson) and supported (Elhasan), Mr. Johnson advances as the second finalist. *By a vote of 3-5, Motion fails.***

Roll Call Vote

Yea: Roberson, Sakwa, Elhasan

Nay: Gasco-Bentley, Clayton, Kopack, Combs, Grim

**Harvey Hollins automatically advances as the second final candidate.**

#### FINAL INTERVIEWS, NEXT SPECIAL MEETING

**MOTION: Move to convene a special meeting for final interviews on March 9 or March 11 at 6:00 P.M. in Detroit.**

**On Motion duly made (Sakwa) and supported (Kopack), the Commission will convene a special meeting for final interviews on March 9<sup>th</sup> or March 11<sup>th</sup> at 6:00 P.M. Motion carried unanimously.**

#### MARCH 23, 2020 COMMISSION MEETING

**MOTION: Move to set a time of 3:00 P.M. for the March 23<sup>rd</sup> meeting in Grand Rapids.**

**On Motion duly made (Roberson) and supported (Elhasan), the March 23, 2020 meeting will convene at 3:00 P.M. Motion carried unanimously.**

#### ADJOURNMENT

**MOTION: Move to Adjourn.**

**On Motion duly made (Roberson) supported (Elhasan), the meeting of the Michigan Civil Rights Commission Adjourned at 2:13 P.M. Motion carried unanimously.**

*The next special meeting of the Michigan Civil Rights Commission is scheduled for March 9<sup>th</sup> or 11<sup>th</sup>, 2020; the next regular meeting of the Commission is March 23, 2020.*

MINUTES APPROVED AT MARCH 9, 2020 SPECIAL MEETING.

*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.*



## **MICHIGAN CIVIL RIGHTS COMMISSION SPECIAL MEETING**

Monday, March 9, 2020 ~ 6:00 P.M.  
MDCR Detroit Office, Cadillac Place Building  
3054 W Grand Blvd, Suite L-350  
Detroit, MI 48202

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### **MINUTES**

PRESENT: Commission Chair Stacie Clayton  
Commission Vice Chair Laura Reyes Kopack  
Commission Secretary Jeff Sakwa  
Commissioner Ira Combs, Jr.  
Commissioner Zenna Elhasan  
Commissioner Regina Gasco-Bentley  
Commissioner Denise Grim  
Commissioner Portia Roberson

#### CALL TO ORDER / ROLL CALL

The meeting of the Michigan Civil Rights Commission was called to order by Chair Clayton at 6:01 P.M. Roll Call of the Commissioners was taken to determine a quorum. Commissioner Combs, Commissioner Gasco-Bentley, Commissioner Grim, Commissioner Kopack, Commissioner Sakwa, Commissioner Elhasan, Commissioner Roberson, Commissioner Clayton. With 8 of 8 Commissioners present, quorum requirements were met.

#### APPROVAL OF MEETING AGENDA

**MOTION: Move to Approve the Meeting Agenda as submitted.**  
**Motion was duly made (Sakwa) and supported (Combs), followed by new discussion.**

**MOTION: Move to Amend the Meeting Agenda to include new Item III (a), Attorney General Opinion regarding boards and committees pursuant to the Michigan statute, and also to include his opinion as part of the record.**  
**On Motion duly made (Kopack) and supported (Combs), the Meeting Agenda was Amended to add Item III (a) to the Agenda. *Motion carried unanimously.***

**MOTION: Move to address an e-mail communication sent earlier to the Commission, for discussion prior to the interviews to include new Item III (b).**  
**On Motion duly made (Roberson) and supported (Grim), the Meeting Agenda was Amended to add Item III (b) to the Agenda. *Motion carried unanimously.***

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#### APPROVAL OF FEBRUARY 29, 2020 MEETING MINUTES

**MOTION: Move to Approve the Minutes as submitted.**

**Motion duly made (Combs) and supported (Grim), followed by new discussion.**

**MOTION: Move to Amend the Minutes by adding that the meeting was audio recorded, and the Minutes are a summary and not reflective of all dialogue that took place.**

**On Motion duly made (Elhasan) and supported (Combs), the Amendment to the Minutes was approved. Motion carried unanimously.**

#### ATTORNEY GENERAL REPORT, Ron Robinson

At the last meeting, AAG Robinson was asked to provide an informal legal opinion at the division level as to whether the board activities of either finalist for the executive director position with the Michigan Department of Civil Rights would represent a conflict of interest in their role as executive director. Mr. Robinson provided the report to the Commission. He stated that Michigan Compiled Law 16.108(b) specifically provides that directors of departments shall not engage in any other business, vocation, or employment other than their office. Further, Attorney General opinion 4479(a) supports that view.

With regards to the candidates, Harvey Hollins currently sits on two boards, the Health Alliance Plan, and the Detroit Local Initiative Support Corporation. Both are non-profit and uncompensated. Conrad Mallett currently sits on two boards, he is a member of the board of directors for Lear Corporation, a private for-profit corporation, and his participation on this board is compensated. He indicated previously that he would assume responsibility as chair of the Detroit Economic Growth Corporation later this month. The DEGC is a private non-profit corporation, and Mr. Mallett's participation on the board is uncompensated. Both candidates indicated willingness to recuse themselves from their respective boards, should they be selected as executive director of MDCR.

The Commission followed with discussion, no action took place. AAG Robinson was asked to find out if there are any additional conflicts regarding compensation or reimbursement for travel expenses.

#### MARCH 9, 2020 E-MAIL COMMUNICATION, Commissioner Roberson

Commissioner Roberson read and explained the e-mail she sent to the Commission earlier in the day. The Commission followed with discussion, the following action(s) took place:

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**MOTION: Move to interview two finalists, make final decision at the March 23, 2020 Commission meeting.**

**On Motion duly made (Grim) and supported (Elhasan), the Commission's vote was 4-4. In the absence of a majority vote, Motion failed.**

Roll Call Vote:

Yea: Combs, Grim, Elhasan, Roberson

Nay: Gasco-Bentley, Kopack, Sakwa, Clayton

## PUBLIC COMMENT

Nabih Ayad - Former Michigan Civil Rights Commissioner Nabih Ayad voiced concerns regarding the choice of finalists for the executive director position, and strongly encouraged the Commission to reconsider before making a final decision based on reasons brought forth during his testimony.

Cynthia Thornton - Michigan Civil Rights Department employee and union steward brought concerns regarding the choice of finalists for the executive director position, as well as the transparency of the process, lack of communication with staff, and the need for staff input due to high turnover rate for the executive director position.

## INTERVIEWS FOR MDCR EXECUTIVE DIRECTOR

CANDIDATE #1: Conrad Mallett, Jr.

CANDIDATE #2: Harvey Hollins, III

*Both candidates submitted to the Commission a written proposal addressing how each would restore the reputation of the Michigan Civil Rights Department, increase awareness of services offered, and what role the MDCR plays in community engagement and support. During the interviews both candidates agreed to step down from their respective boards when the Commission decides; in accordance with MCL 16.108(b).*

## COMMISSION DELIBERATIONS (3:01:07)

**MOTION: Move to extend the voting time until the next meeting on March 23, 2020 meeting, giving us enough time to do our due diligence as requested by one of our candidates and requesting as a Commissioner.** Reasons cited: 1) Concern regarding the lateness of the hour; 2) Commissioner Roberson was made aware that only a few MDCR Staff participated in a survey regarding feelings about the departure of the former executive director, others feared retaliation and did not participate; 3) Commissioner Roberson was made aware that MDCR Staff only learned of the names

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of the executive director candidates during the interviews on February 29, 2020 and not prior to the interviews; 4) Commissioner Roberson brought concerns regarding the Commission asking the candidates' willingness to step down from their boards, she believes the Commission is doing a disservice by not having a defined timeline in which they will need to resign from those boards, as both candidates indicated in their responses "when the Commission decides"; 5) Concerns regarding salary negotiations and the ability to stay within the proposed range. 6) Commissioner Elhasan also indicated that during Mr. Hollins interview, he encouraged the Commission to do some additional due diligence with regards to the investigation by the Solicitor General; she encourages the Commission to take the time to honor this request.

**AMENDED MOTION: Move to reconsider the previous Motion.**

Following discussion, additional reasons were cited to extend the voting time: 1) For AAG Ron Robinson to go back and look at whether or not there are any additional conflicts that we are unaware of; we know that there's state law that bars participation on compensated boards. 2) A decision of the Commission to determine when we expect someone to resign from their board posts if they are selected as the executive director. 3) Mr. Hollins' request for the Commission to go back and do due diligence as to whether or not he is a target of the Solicitor General's investigation into the Flint Water Crisis; 4) Question regarding references with Human Resources. 5) Develop a mechanism for employees to share their thoughts about the final candidates and the search process with the Commission; an e-mail inbox was suggested, anonymity is a concern.

Discussion

**On Motion duly made (Roberson) and supported (Elhasan), the Commission's vote was 4-4. *In the absence of a majority vote, Motion failed.***

Roll Call Vote

Yea: Gasco-Bentley, Grim, Elhasan, Roberson

Nay: Combs, Kopack, Sakwa, Clayton

**MOTION: Move to vote for the executive director tonight under the following criteria: 1) If the candidate accepts the position, the candidate must simultaneously step down from their board post on the day they sign their contract; 2) Human Resources must meet with the candidate within two weeks to negotiate salary and reach compensation; 3) MDCR Staff weigh-in will not be considered by the Commission.**

**On Motion duly made (Sakwa) and supported (Combs), the Commission's vote was 3-5. *Motion failed.***

Discussion (Statements indicated below were specifically for the record.)

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Commissioner Roberson indicated that she is beyond troubled at the pace in which the Commission is flying through this process without any consideration about input from MDCR Staff.

Commissioner Combs indicated that the work of the special advisor to the Commission has been noteworthy, as well as the work of the racial equity officer to survey the MDCR Staff on their input regarding the new executive director. Any further delays deprive the Department of permanent leadership, and puts the solidification and unification of the Department at risk as well as the future of the Department; he believes it is appropriate to move forward with the vote for executive director at this time.

Commissioner Sakwa indicated this process has been ongoing since August 2019, and for the employees who have not had the benefit of attending the hearings, it is unfortunate. He believes it is appropriate to move forward with the vote for executive director at this time.

Commissioner Elhasan indicated that there is no reason for a Motion to vote, as the Commission voted on the Agenda earlier during the meeting.

Roll Call Vote

Yea: Combs, Sakwa, Kopack

Nay: Gasco-Bentley, Grim, Roberson, Elhasan, Clayton

**MOTION: Move to reconsider (Amend) the Agenda to remove Agenda Item #VI (6) and postpone the vote for executive director until the March 23<sup>rd</sup> meeting with the five issues that were detailed and expressed in a previous motion be satisfied before the March 23<sup>rd</sup> date.**

**On Motion duly made (Roberson) and supported (Elhasan), the Agenda was Amended. Motion carried with majority vote of 5-3.**

Roll Call Vote

Yea: Gasco-Bentley, Grim, Roberson, Elhasan, Clayton

Nay: Combs, Kopack, Sakwa

ADJOURNMENT

**MOTION: Move to Adjourn.**

**On Motion duly made (Roberson) supported (Sakwa), the meeting of the Michigan Civil Rights Commission Adjourned at 9:55 P.M. Motion carried unanimously.**

*The next regular meeting of the Michigan Civil Rights Commission is March 23, 2020 in Grand Rapids.*

MINUTES APPROVED AT JUNE 15, 2020 SPECIAL MEETING.

NOTE: MARCH 23, 2020 REGULAR MEETING WAS CANCELLED DUE TO COVID-19 PANDEMIC.

## **MICHIGAN CIVIL RIGHTS COMMISSION SPECIAL MEETING**

Monday, June 15, 2020 ~ 6:00 P.M.

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

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### **MINUTES**

PRESENT: Commission Chair Stacie Clayton  
Commission Vice Chair Laura Reyes Kopack  
Commission Secretary Jeff Sakwa  
Commissioner Zenna Elhasan  
Commissioner Denise Grim  
Commissioner Portia Roberson

EXCUSED: Commissioner Ira Combs, Jr. *(joined the meeting later, as noted)*  
Commissioner Regina Gasco-Bentley *(joined the meeting later, as noted)*

#### CALL TO ORDER / ROLL CALL

The meeting of the Michigan Civil Rights Commission was called to order by Chair Clayton at 6:11 P.M. Roll Call of the Commissioners was taken to determine a quorum. Commissioner Clayton, Commissioner Kopack, Commissioner Sakwa, Commissioner Grim, Commissioner Elhasan, Commissioner Roberson were present. With 6 of 8 Commissioners present, quorum requirements were met.

#### WELCOME

Chair Clayton welcomed participants to be meeting by way of Zoom web conferencing and Facebook Live/You Tube livestream platforms, noting that this is the first Commission convening since the start of the COVID-19 pandemic. Chair Clayton also spoke briefly on the civil unrest protests due to the recent murders of George Floyd and Rayshard Brooks at the hands of the police, indicating the following statement:

*"Martin Luther King, Jr. said, 'For evil to succeed, all it needs is for good men to do nothing.' The Michigan Civil Rights Commission stands with the many good men and women in cities such as Detroit, Flint, Eastpointe, Warren and Grand Rapids who are doing something by engaging in peaceful protests against police brutality and the outright murder of George Floyd. The loud and overt objection of diverse groups of citizens to prejudiced behavior and cowardice is the action needed to dismantle the ingrained, implicit, and often explicit, racial bias that is at the heart of the killings of Mr. Floyd, Ahmaud Arbery, Breonna Taylor and far too many others."*

*"Hundreds of thousands of people across the country are taking to the streets, seeking to change the culture that tacitly allows the killing of unarmed African Americans. These protests are occurring because African American citizens are being killed because of the*

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*color of their skin, instead of receiving the fair treatment that other races enjoy. Not only must we demonstrate in the streets, we must demonstrate better respect for life. We must demonstrate in places such as courtrooms by serving on juries to fulfill our civic duty. We must demonstrate at the polls by exercising our right to vote. These are the actions needed to redress institutionalized racism, eradicate systemic disparities and provide for better treatment of people of color."*

*"So, let us not be distracted by the ignorant violence of outside agitators seeking to infiltrate a righteous cause for their own agenda. Let us grasp the opportunity of having a national spotlight on racially motivated killings and bringing to the forefront the images of Michael Brown, Trayvon Martin and others. In a collective voice let us say, 'We see you still and will never forget you.' I pray that the fight to end inequity and discrimination based on a person's religion, race, color, sex, age or national origin continues long after the last protest has ended."*

#### HOUSEKEEPING RULES FOR MAKING PUBLIC COMMENT

Interim Executive Director Mary Engelman provided instructions regarding Public Comment.

#### APPROVAL OF MEETING AGENDA

**MOTION: Move to Approve the Meeting Agenda as submitted.**  
**On Motion duly made (Kopack) and supported (Roberson), the Meeting Agenda was Approved.** *Motion carried unanimously.*

#### ADOPTION OF CONSENT AGENDA

**MOTION: Move to Adopt the Consent Agenda as submitted.**  
**On Motion duly made (Elhasan) and supported (Sakwa), the Consent Agenda was Adopted.** *Motion carried unanimously.*

#### APPROVAL OF MARCH 9, 2020 SPECIAL MEETING MINUTES

**MOTION: Move to Approve the Minutes as submitted.**  
**On Motion duly made (Grim) and supported (Elhasan), the Minutes were Approved.** *Motion carried unanimously.*

#### PUBLIC COMMENT

Mr. Chuck Grigsby – Mr. Grigsby brought forth no concerns, but commended the Commission on their work and thanked them for their service.

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## COMMUNICATIONS

This Agenda item was Waived.

## DIVISION REPORTS

Interim Executive Director Mary Engelman provided an update on the Department's activity, the budget, the impact of the COVID-19 pandemic, the Governor's recent Executive Orders that include the Department, the Department's media response to the civil unrest protests (police brutality and racial injustice), and next steps regarding the Grand Rapids Police Department.

*(Commissioner Ira Combs, Jr. joined the meeting at 6:30 P.M.)*

## COMMISSION BUSINESS

### CHAIR REPORT, Stacie Clayton

Chair Clayton provided an update on the Education Report; the expected completion date is late summer 2020.

### ATTORNEY GENERAL REPORT, Ron Robinson

Mr. Robinson provided a brief report, including updates on the American Freedom Law Center case as well as the Thomas Moore Law Center case.

## COMMISSION COMMITTEE REPORTS

This Agenda item was Waived.

## EXECUTIVE DIRECTOR SELECTION UPDATE

### March 9<sup>th</sup> Action Items, Sylvia Elliott

"There were five items that were requested during the March 9<sup>th</sup> special meeting.

Item 1: the Commission requested of Assistant Attorney General Ron Robinson to research possible legal conflicts regarding the candidates' service on boards, task forces, etc.. This includes issues of remuneration, compensation, reimbursement, etc., and the scope of work for the boards and task forces. AAG Robinson's response is that he is unable to verify whether there are any current conflicts of interest related to Mr. Harvey Hollins' board work with HAP because the MDCR does not have access to its old database and is not able to provide information related to current complaints against HAP or complaints against them within their seven year retention period. Any pending current complaints would present a conflict of interest. The question then becomes whether potential cases against HAP in the future would disqualify Hollins from the executive director position. The Attorney General's opinion is that this is a possibility



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even if likely it's speculative and should not disqualify him from consideration at this time. As for the nature of the work of the organizations that Harvey Hollins serves as a board member, the AG saw no inherent conflict with those activities and the work and mission of the Michigan Department of Civil Rights. That was the response to the first question.

The second item the Commission requested also of the Attorney General to provide a time specific where a candidate would have to comply with any applicable state law for when the final candidate would need to resign from any board positions that create a conflict in order to accept the executive director position. The Attorney General's response is as follows: I have found no state statute that sets forth a time period for when a final candidate would need to resign from a board position that has deemed to create a conflict of interest. Theoretically, the resignation would occur just prior to or simultaneously with the offer of employment and or the signing of the letter of appointment. In fact, the letter of appointment could be made conditionally upon a candidate's resignation from a board deemed to be in conflict. Moreover, the appointment letter could state in specific terms that as a condition of continued employment that the individual must immediately resign from any board which may be deemed to be in conflict in the future. So that was the response to the second item.

The third item the Attorney General was asked to obtain official communication from the Michigan Attorney General's Office regarding the status of Harvey Hollins as it relates to any pending or ongoing investigations. In particular, the Commission was concerned about any of the lawsuits pending involving the Flint water crisis. The response in that case is that based on my direct conversation with the Solicitor General Fadwa Hammoud, Harvey Hollins is not a target in the Flint water crisis or any pending/ongoing investigations or lawsuits related to that matter.

The two remaining issues were asked of myself and they are as follows: I was asked to confirm the salary range, which I did. The salary range of (illegible---) is correct and consistent with the salary paid to directors of other state agencies with a similar level of duties and responsibilities.

The fifth item was to confirm the candidate's references. I spoke with HR on this subject and HR advised me that usually checking references is not standard practice when filling unclassified positions. Upon further review of the candidate's references indicated on their applications, it appeared to be of little value and pursuing. Candidate Conrad Mallett at that time provided one reference that was Mayor of Detroit Mike Duggan, and of course he's since been made Deputy Mayor of the City of Detroit under Mayor Duggan. And candidate Hollins has been self-employed for a number of years. The majority of his references were personal, and his professional references were not reflected on his application, as were any prior employers.

Those were the responses to the five items that you requested at the March 9<sup>th</sup> meeting."

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CHAIR CLAYTON

"Thank you Attorney Elliott, and I should have said this at the beginning of this discussion: on March 9<sup>th</sup> when we tabled the vote there were two candidates that were still waiting selection by the Commission – Harvey Hollins and Conrad Mallett. Since that time, Conrad Mallett has withdrawn himself from consideration for the executive director position of the Michigan Department of Civil Rights. That leaves us with Mr. Harvey Hollins, and per the opinion we received from our Attorney General, we are still required to take that vote on Mr. Hollins because that vote was just tabled on March 9<sup>th</sup>. So that brings us to where we are today."

DISCUSSION ON EMPLOYEE SURVEY

The Commissioners brought comments and concerns regarding the survey and their thoughts on the final executive director candidate.

*(Commissioner Gasco-Bentley joined the meeting at 7:07 p.m.)*

VOTE ON CANDIDATE HARVEY HOLLINS FOR THE POSITION OF EXECUTIVE DIRECTOR

**MOTION: Move to Vote on candidate Harvey Hollins for the position of Executive Director.**

On Motion duly made (Combs) and supported (Kopack), the Commission's vote was 4-4-0. *In the absence of a majority vote, Motion failed.*

Roll Call Vote:

Yea: Clayton, Kopack, Sakwa, Combs  
Nay: Gasco-Bentley, Grim, Elhasan, Roberson  
Abstention: None

ONGOING BUSINESS

DISCUSSION ON CONSIDERATION OF OTHER CANDIDATES

**MOTION: Move to proceed with consideration of the current list of 64 who were already credentialed and open up the process for others to apply with a certain time period, with a cut-off date, once that cutoff date is reached look at those new applicants, they will be equally credentialed as the other 64 were to determine if they are part of that pool of individuals credentialed enough to proceed to the next part of the process, and we follow the same process as we did the last time around. So those names will all be provided to us; there will need to be consensus on whatever number we determine. Additionally, the current interim executive director may also apply, as they were not allowed to so in the previous process.**

**On Motion duly made (Elhasan) and supported (Sakwa), the Commission's vote was 7-0-1. Motion carried by majority vote.**

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Roll Call Vote:

Yea: Clayton, Kopack, Sakwa, Gasco-Bentley, Grim, Elhasan, Roberson

Nay: None

Abstention: Combs

**MOTION: Move to allow the current interim executive director to apply for the executive director position**

**On Motion duly made (Grim) and supported (Gasco-Bentley), the Commission's vote was 5-2-1. Motion carries by majority vote.**

Roll Call Vote:

Yea: Clayton, Combs, Gasco-Bentley, Grim, Elhasan

Nay: Sakwa, Roberson

Abstention: Kopack

#### EXECUTIVE DIRECTOR SEARCH COMMITTEE

Chair Clayton called for volunteers to serve on the Executive Director Search Committee. Commissioner Grim, Commissioner Roberson and Commissioner Elhasan volunteered their service, indicating that additional support is needed from Sylvia Elliott and possibly others. Following discussion, the following Motion was brought forth:

**MOTION: Move that the committee for the selection process be comprised of Commissioner Grim, Commissioner Elhasan and Commissioner Roberson, with the possibility of added committee members, of non-commission members and possible staff; any additional committee members or simply advisory members that we will inform this body of those individuals.**

**On Motion duly made (Elhasan) and supported (Combs), the committee for the selection process was Approved. Motion carried unanimously.**

#### NEW BUSINESS

There was no new business.

#### COMMISSIONER COMMENT

Commissioner Sakwa acknowledged the work of Sylvia Elliott and Shawn Sanford in preparation for this meeting.

#### ADJOURNMENT

**MOTION: Move to Adjourn.**

**On Motion duly made (Kopack) supported (Sakwa), the meeting of the Michigan Civil Rights Commission Adjourned at 8:10 P.M. Motion carried unanimously.**

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*The next regular meeting of the Michigan Civil Rights Commission is July 27, 2020 at a time and location to be determined.*

MINUTES APPROVED AT JULY 7, 2020 SPECIAL MEETING.

## **MICHIGAN CIVIL RIGHTS COMMISSION SPECIAL MEETING**

Tuesday, July 7, 2020 ~ 5:00 P.M.

Virtual 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 Stacie Clayton  
Commission Vice Chair Laura Reyes Kopack  
Commission Secretary Jeff Sakwa  
Commissioner Regina Gasco-Bentley  
Commissioner Zenna Elhasan  
Commissioner Denise Grim  
Commissioner Portia Roberson

EXCUSED: Commissioner Ira Combs, Jr. (*joined the meeting later, as noted*)

#### CALL TO ORDER / ROLL CALL

The meeting of the Michigan Civil Rights Commission was called to order by Chair Clayton at 5:00 P.M. Roll Call of the Commissioners was taken to determine a quorum. Commissioner Clayton, Commissioner Kopack, Commissioner Sakwa, Commissioner Elhasan, Commissioner Gasco-Bentley, Commissioner Grim, Commissioner Roberson were present. With 7 of 8 Commissioners present, quorum requirements were met.

#### WELCOME

Chair Clayton welcomed participants to be meeting by way of Zoom web conferencing and Facebook Live/You Tube livestream platforms,

#### HOUSEKEEPING RULES FOR MAKING PUBLIC COMMENT

Interim Executive Director Mary Engelman provided instructions regarding Public Comment.

#### APPROVAL OF MEETING AGENDA

**MOTION: Move to Approve the Meeting Agenda as submitted.**  
**On Motion duly made (Gasco-Bentley) and supported (Sakwa), the Meeting Agenda was Approved.** *Motion carried unanimously.*

#### APPROVAL OF JUNE 15, 2020 MEETING MINUTES

**MOTION: Move to Approve the Minutes as submitted.**  
**On Motion duly made (Elhasan) and supported (Roberson), the Minutes were Approved.** *Motion carried unanimously.*

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#### PUBLIC COMMENT

There was no public comment.

#### COMMISSION BUSINESS

##### COMMISSION COMMITTEE REPORT

Executive Director Search Committee, Commissioner Grim

#### ***(Commissioner Combs joined the meeting at 5:19 p.m.)***

Following discussion, the following motion was brought forth:

**MOTION: Move to Approve the job posting, the NeoGov job application, the recommended timeline, and the recommended reference questions guidelines with the amendments as we discussed to be approved.**

On Motion duly made (Combs) and supported (Kopack), the Motion was Approved.  
*Motion carried unanimously.*

Roll Call Vote:

Yea: Clayton, Kopack, Sakwa, Combs, Elhasan, Gasco-Bentley, Grim, Roberson

Nay: none

Abstention: none

#### COMMISSIONER COMMENT

Commissioner Elhasan thanked the Executive Director Search Committee for their work on revising the final selection process. The Committee consists of Commissioner Elhasan, Commissioner Grim, Commissioner Roberson, and Special Advisor Sylvia Elliott.

#### ADJOURNMENT

**MOTION: Move to Adjourn.**

**On Motion duly made (Sakwa) supported (Kopack), the meeting of the Michigan Civil Rights Commission Adjourned at 5:37 P.M. Motion carried unanimously.**

*The next regular meeting of the Michigan Civil Rights Commission is July 27, 2020 at a location and time TBD. The next special meeting of the Michigan Civil Rights Commission is August 19, 2020 at a location and time TBD.*

MINUTES APPROVED AT JULY 27, 2020 COMMISSION MEETING.

## MICHIGAN CIVIL RIGHTS COMMISSION MEETING

Monday, July 27, 2020 ~ 5:00 P.M.

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

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### MINUTES

PRESENT: Commission Chair Stacie Clayton  
Commissioner Zenna Elhasan  
Commissioner Regina Gasco Bentley  
Commissioner Denise Grim  
Commissioner Portia Roberson

EXCUSED: Commission Vice Chair Laura Reyes Kopack  
Commission Secretary Jeff Sakwa  
Commissioner Ira Combs, Jr.

#### CALL TO ORDER / ROLL CALL

The meeting of the Michigan Civil Rights Commission was called to order by Chair Clayton at 6:00 P.M. Roll Call of the Commissioners was taken by Clerk Dan Levy to determine a quorum. Commissioner Clayton, Commissioner Elhasan, Commissioner Gasco-Bentley, Commissioner Grim, Commissioner Roberson were present. With 5 of 8 Commissioners present, quorum requirements were met.

#### WELCOME

Chair Clayton welcomed participants to be meeting by way of Zoom web conferencing and Facebook Live/You Tube livestream platforms.

Chair Clayton also offered this special message, followed by a moment of silence in honor of Congressman John Lewis and C.T. Vivian:

***"On Friday, July 17<sup>th</sup>, our country lost two fearless and tireless icons from the civil rights movement. Congressman Lewis and C.T. Vivian led the charge for change and helped secure the passage of the Civil Rights Act of 1964, and the Voting Rights Act of 1965. These gentlemen were part of Rev. Dr. Martin Luther King, Jr.'s inner circle, and both received the Presidential Medal of Freedom from President Barak Obama. To honor their legacy, we all must continue to peacefully protest injustice, advocate for equal justice, and in the words of Congressman Lewis, 'always stay in good trouble'. May we please bow our heads for a moment of silence in their memory."***

#### HOUSEKEEPING RULES FOR MAKING PUBLIC COMMENT

Interim Executive Director Mary Engelman provided instructions regarding Public Comment.

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#### APPROVAL OF MEETING AGENDA

**MOTION: Move to Approve the Meeting Agenda as submitted.  
On Motion duly made (Gasco-Bentley) and supported (Roberson), the Meeting Agenda was Approved. Motion carried unanimously.**

#### ADOPTION OF CONSENT AGENDA

**MOTION: Move to Adopt the Consent Agenda as submitted.  
On Motion duly made (Grim) and supported (Elhasan), the Consent Agenda was Adopted. Motion carried unanimously.**

#### APPROVAL OF JULY 7, 2020 SPECIAL MEETING MINUTES

**MOTION: Move to Approve the Minutes as submitted.  
On Motion duly made (Grim) and supported (Roberson), the Minutes were Approved. Motion carried unanimously.**

#### PUBLIC COMMENT

Cynthia Thornton, Detroit – Ms. Thornton brought concerns regarding the public's ability to contact the Commission directly, and obtaining michigan.gov e-mail addresses to be made available to the public.

#### MDCR SPECIAL PRESENTATIONS

Kim Woolridge, Director of the State ADA Compliance Division spoke on the activities in celebration of the 30<sup>th</sup> anniversary of the American Disabilities Act (ADA), and read the following proclamation into the record:

*State of Michigan Certificate of Proclamation*

**ON BEHALF OF THE PEOPLE OF MICHIGAN**

***I, Gretchen Whitmer, governor of Michigan, do hereby proclaim July 26, 2020 as  
A DAY TO HONOR THE SIGNING OF THE AMERICANS WITH DISABILITIES ACT***

***WHEREAS, President George H.W. Bush signed into law the Americans with Disabilities Act (ADA) on July 26, 1990, to ensure the civil rights of people with disabilities; and,***

***WHEREAS, the ADA established a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities and expanded opportunities for them by reducing barriers, changing perceptions, and increasing full participation in community life; and,***

***WHEREAS, according to the Michigan Department of Health and Human Services, about 27 percent of people in Michigan have disabilities, and these rates increase by age, with 41 percent of Michigan adults who are 75 years or older having a disability of some kind; and,***



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***WHEREAS, it is important to ensure that people with disabilities are given equal access to employment, public services, public accommodations, and telecommunications in our state; and,***

***WHEREAS, the full promise of the ADA will only be reached if we remain committed to continuing our efforts to fully implement the ADA; and,***

***WHEREAS, on this anniversary of the signing of the ADA, let us recognize the progress that has been made by reaffirming the principles of equality and inclusion and recommitting ourselves to reach full ADA compliance;***

***NOW, THEREFORE, I, Gretchen Whitmer, governor of Michigan, do hereby proclaim July 26, 2020 as A Day to Honor the 30<sup>th</sup> Anniversary of the Signing of the Americans with Disabilities Act in Michigan and encourage everyone to fulfill each of our inclusion commitments as we work to make our state a welcoming and inclusive place for everyone.***

**MOTION: Move to Adopt a Resolution in support of the Governor's proclamation recognizing July 26, 2020 as a day to honor the signing of the Americans With Disabilities Act, and recommitting ourselves to ensuring that Persons With Disabilities are provided with the same rights and access that those of us too often take for granted.**

ROLL CALL VOTE:

Chair Clayton – Y

Commissioner Gasco-Bentley – Y

Commissioner Grim – Y

Commissioner Elhasan – Y

Commissioner Roberson - Y

**On Motion duly made (Elhasan) and supported (Grim), the Resolution was Adopted. Motion carried unanimously.**

Anthony Lewis, Director of Business and Community Affairs provided an update on the unit's activity; introduced staffers Gwen Moffitt, Mariza Gamez-Garcia and Charles Schoder.

Mark Bishop, Director of Strategic Operations and Community Engagement provided an update on the unit's activity; introduced staffers Anthony Ianni and Melissa Kiesewetter.

## DIVISION REPORTS

Mary Engelman, Interim Executive Director provided updates on the budget and staffing issues, CRIS (new database), and the Migrant Seasonal Farm Workers Report.

## COMMISSION BUSINESS

CHAIR REPORT, Stacie Clayton

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Chair Clayton provided an update on the Executive Director Selection, indicating that the application period closes July 27<sup>th</sup> (today) at 11:59 P.M.; as of 12:00 P.M. on July 27<sup>th</sup>, 103 applications had been received.

Sylvia Elliott, Special Counsel to the Commission provided a status update on the Education Report.

#### ATTORNEY GENERAL REPORT, Ron Robinson

Ron Robinson, Assistant Attorney General provided a status update on the American Freedom Law Center case; and Mr. Robinson was reassigned as legal counsel to the Michigan Hispanic Latino Commission.

#### COMMISSION COMMITTEE REPORTS

This Agenda item was Waived.

#### ONGOING BUSINESS

There was no ongoing business.

#### NEW BUSINESS

There was no new business.

#### COMMISSIONER COMMENT

Commissioner Roberson had concerns regarding the order of Agenda items, specifically the placement of "Public Comment" and "Special Presentations". Chair Clayton noted that Commissioners have an opportunity to amend the Meeting Agenda at the beginning of each meeting.

Commissioner Grim thanked Mary Engelman, Tony Lewis and Mark Bishop for meeting with her regarding outreach to the Asian Pacific American Community.

#### ADJOURNMENT

MOTION: Move to Adjourn.

On Motion duly made (Grim) and supported (Elhasan), the meeting of the Michigan Civil Rights Commission Adjourned at 6:03 P.M. *Motion carried unanimously.*

*The next special meeting of the Michigan Civil Rights Commission is August 19, 2020 at a time and location to be determined.*

MINUTES APPROVED AT AUGUST 19, 2020 SPECIAL MEETING.

## **MICHIGAN CIVIL RIGHTS COMMISSION SPECIAL MEETING**

Wednesday, August 19, 2020 ~ 9:00 A.M.

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

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### **MINUTES**

PRESENT: Commission Chair Stacie Clayton  
Commission Vice Chair Laura Reyes Kopack  
Commission Secretary Jeff Sakwa  
Commissioner Ira Combs, Jr.  
Commissioner Zenna Elhasan  
Commissioner Regina Gasco Bentley  
Commissioner Denise Grim  
Commissioner Portia Roberson

#### CALL TO ORDER / ROLL CALL

The meeting of the Michigan Civil Rights Commission was called to order by Chair Clayton at 9:03 A.M. Roll Call of the Commissioners was taken by Clerk Dan Levy to determine a quorum. Commissioner Clayton, Commissioner Combs, Commissioner Elhasan, Commissioner Gasco-Bentley, Commissioner Grim, Commissioner Kopack, Commissioner Roberson, Commissioner Sakwa were present. With all Commissioners present, quorum requirements were met.

#### WELCOME

Chair Clayton welcomed participants to the meeting by way of Zoom web conferencing and Facebook / You Tube livestream platforms.

#### HOUSEKEEPING RULES FOR MAKING PUBLIC COMMENT

Special Advisor Sylvia Elliott provided instructions regarding Public Comment.

#### APPROVAL OF MEETING AGENDA

**MOTION: Move to Amend the Meeting Agenda by offering Public Comment at the beginning and at the end of this meeting.**

**On Motion duly made (Roberson) and supported (Elhasan), the Meeting Agenda was Amended. Motion carried unanimously.**

#### APPROVAL OF MINUTES FROM JULY 27, 2020 SPECIAL MEETING

**MOTION: Move to Approve the Minutes as submitted.**

**On Motion duly made (Gasco-Bentley) and supported (Grim), the Minutes were Approved. Motion carried unanimously.**

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## PUBLIC COMMENT

Cynthia Thornton, Detroit – Ms. Thornton brought concerns regarding the Commission convening their meeting during working hours and the Department's inability to participate unless personal leave time is used, concerns that the Commission withheld the names of the interview candidates, and concerns about the public's ability to contact the Commission directly, and obtaining Michigan.gov e-mail addresses to be made available to the public.

## INTERVIEWS OF CANDIDATES FOR EXECUTIVE DIRECTOR

Candidate #1: Toni Sellers-Pitts  
Candidate #2: Rhonda Powell  
Candidate #3: Alicia Skillman  
Candidate #4: James White  
Candidate #5: Felipe Lopez Sustatia

## 30-MINUTE BREAK

*Chair Clayton recessed the meeting for a 30-minute break at 12:00 P.M.*

## MEETING RE-CALLED TO ORDER

The meeting of the Michigan Civil Rights Commission was re-called to order by Chair Clayton at 12:33 P.M. Roll Call of the Commissioners was taken by Clerk Dan Levy to determine a quorum. Commissioner Clayton, Commissioner Combs, Commissioner Elhasan, Commissioner Gasco-Bentley, Commissioner Grim, Commissioner Kopack, Commissioner Sakwa were present. With 7 of 8 Commissioners present, quorum requirements were met.

*Commissioner Roberson re-joined the meeting at 1:15 p.m.*

Candidate #6: John Johnson  
Candidate #7: Nasser Beydoun

## DELIBERATIONS

The Commission decided to hold deliberations until the next special meeting on Monday, August 24, 2020.

**MOTION: Move to advance all seven interview candidates forward to vote during the next scheduled meeting.**

**On Motion duly made (Gasco-Bentley) and supported (Roberson), the Commission will consider all seven interview candidates during deliberations on August 24, 2020. Motion carried unanimously.**

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#### PUBLIC COMMENT

There was no additional public comment.

#### ADJOURNMENT

**MOTION: Move to Adjourn.**

**On Motion duly made (Combs) and supported (Elhasan), the meeting of the Michigan Civil Rights Commission Adjourned at 2:13 P.M. Motion carried unanimously.**

*The next special meeting of the Michigan Civil Rights Commission will convene virtually on August 24, 2020 at 5:00 P.M.*

MINUTES APPROVED AT AUGUST 24, 2020 SPECIAL MEETING.

## **MICHIGAN CIVIL RIGHTS COMMISSION SPECIAL MEETING**

Monday, August 24, 2020 ~ 5:00 P.M.

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

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### **MINUTES**

PRESENT: Commission Chair Stacie Clayton  
Commission Vice Chair Laura Reyes Kopack  
Commission Secretary Jeff Sakwa  
Commissioner Ira Combs, Jr.  
Commissioner Zenna Elhasan  
Commissioner Regina Gasco Bentley  
Commissioner Denise Grim  
Commissioner Portia Roberson

#### CALL TO ORDER / ROLL CALL

The meeting of the Michigan Civil Rights Commission was called to order by Chair Clayton at 5:01 P.M. Roll Call of the Commissioners was taken by Clerk Dan Levy to determine a quorum. Commissioner Clayton, Commissioner Combs, Commissioner Elhasan, Commissioner Gasco-Bentley, Commissioner Grim, Commissioner Kopack, Commissioner Roberson were present. With all Commissioners present, quorum requirements were met. *Commissioner Sakwa joined at 5:05 P.M.*

#### WELCOME

Chair Clayton welcomed participants to the meeting by way of Zoom web conferencing and Facebook / You Tube livestream platforms.

#### HOUSEKEEPING RULES FOR MAKING PUBLIC COMMENT

Interim Executive Director Mary Engelman provided instructions regarding Public Comment.

#### APPROVAL OF MEETING AGENDA

**MOTION: Move to Approve the Meeting Agenda as submitted.**  
**On Motion duly made (Combs) and supported (Grim), the Meeting Agenda was Approved.** *Motion carried unanimously.*

#### APPROVAL OF MINUTES FROM AUGUST 19, 2020 SPECIAL MEETING

**MOTION: Move to Approve the Minutes as submitted.**  
**On Motion duly made (Roberson) and supported (Combs), the Minutes were Approved.** *Motion carried unanimously.*

*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.*

## PUBLIC COMMENT

Tamika Gaines, Detroit – Spoke in support of candidate Nasser Beydoun.  
Treasurer Eric Sabree, Detroit – Spoke in support of candidate John Johnson.  
Teferi Brent, Detroit – Spoke in support of candidate John Johnson, and also brought concerns regarding demonstrations/protests in Harper Woods.  
Darnell Blackburn, Macomb County – Sent correspondence in support of candidate Rhonda Powell.  
Kevin Roach, Detroit – Sent correspondence in support of candidate Rhonda Powell.  
Ismael Ahmed, Detroit – Spoke in support of candidate Nasser Beydoun.

## ADOPTION OF VOTING PROCESS

**MOTION: Move to Adopt the voting process as submitted.**  
**On Motion duly made (Combs) and supported (Elhasan), the voting process was Adopted.** *Motion carried unanimously.*

## DELIBERATIONS AND VOTE FOR EXECUTIVE DIRECTOR

Nasser Beydoun: Grim, Elhasan, Combs, Sakwa (4 votes)  
John E. Johnson, Jr.: Combs, Roberson, Elhasan (3 votes)  
Rhonda Powell: 0 votes  
Toni Sellers-Pitts: Clayton, Gasco-Bentley, Roberson, Grim (4 votes)  
Alicia Skillman: 0 votes  
Felipe Lopez Sustatia: Sakwa, Kopack, Gasco-Bentley (3 votes)  
James White: Clayton, Grim, Sakwa, Kopack, Combs (5 votes)

**MOTION: Move to offer the Executive Director position to candidate James White.**  
**On Motion duly made (Sakwa) and supported (Kopack), James White will be offered the MDCR Executive Director position.**

## ROLL CALL VOTE:

**Clayton – Y**  
**Combs – Y**  
**Elhasan – N**  
**Gasco-Bentley – N**  
**Grim – Y**  
**Kopack – Y**  
**Roberson – N**  
**Sakwa – Y**

*With a vote of 5-3, Motion carries by majority vote.*

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#### EDUCATION REPORT UPDATE

Chair Clayton provided an update on the status of the Education Report. The Report should be ready for approval and public presentation at the next Commission meeting on September 28, 2020.

#### COMMISSIONER COMMENT

Chair Clayton thanked the Department for their work and their patience through this lengthy process; indicated that Mr. White would be offered the Executive Director position this Friday, August 28, 2020; the start date will be September 21, 2020; thanked Sylvia Elliott, Stephanie Lenneman, Mary Engelman and Shawn Sanford, and all others who contributed their time and efforts to this process.

#### ADJOURNMENT

**MOTION: Move to Adjourn.**

**On Motion duly made (Roberson) and supported (Combs), the meeting of the Michigan Civil Rights Commission Adjourned at 5:35 P.M. Motion carried unanimously.**

*The next regular meeting of the Michigan Civil Rights Commission will convene virtually on September 28, 2020 at a time to be determined.*

MINUTES APPROVED AT SEPTEMBER 30, 2020 MEETING.



## **MICHIGAN CIVIL RIGHTS COMMISSION SPECIAL MEETING**

Wednesday, September 30, 2020 ~ 5:00 P.M.

Virtual 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 Stacie Clayton  
Commission Vice Chair Laura Reyes Kopack  
Commission Secretary Jeff Sakwa  
Commissioner Ira Combs, Jr.  
Commissioner Denise Grim  
Commissioner Zenna Elhasan  
Commissioner Portia Roberson

EXCUSED: Commissioner Regina Gasco Bentley

#### CALL TO ORDER / ROLL CALL

The meeting of the Michigan Civil Rights Commission was called to order by Chair Clayton at 5:01 P.M. Roll Call of the Commissioners was taken by Clerk Dan Levy to determine a quorum. Commissioner Clayton, Commissioner Kopack, Commissioner Sakwa, Commissioner Grim, Commissioner Elhasan, Commissioner Roberson were present. With five of eight Commissioners present, quorum requirements were met. *Commissioner Combs and Commissioner Roberson joined the meeting shortly after the roll was called and before any votes.*

#### WELCOME

Chair Clayton welcomed participants to the meeting by way of Zoom web conferencing and Facebook / You Tube livestream platforms.

Chair Clayton called for a moment of silence to honor the life of United States Supreme Court Justice Ruth Bader Ginsburg, who passed away on September 18, 2020.

Chair Clayton welcomed the new Department Director, James White; Mary Engelman was also recognized for her service as Interim Executive Director.

#### HOUSEKEEPING RULES FOR MAKING PUBLIC COMMENT

Interim Executive Director Mary Engelman provided instructions regarding Public Comment.

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#### APPROVAL OF MEETING AGENDA

**MOTION: Move to Amend the Meeting Agenda by moving Agenda Item X to follow Item VII. Following discussion, on Motion duly made (Kopack) and supported (Combs), the Meeting Agenda was Amended. Motion carried unanimously.**

#### ADOPTION OF CONSENT AGENDA

**MOTION: Move to Adopt the Consent Agenda as submitted. No discussion initiated. On Motion duly made (Combs) and supported (Roberson), the Consent Agenda was Adopted. Motion carried unanimously.**

#### APPROVAL OF MINUTES FROM AUGUST 24, 2020 MEETING

**MOTION: Move to Approve the Minutes as submitted. No discussion initiated. On Motion duly made (Sakwa) and supported (Combs), the August 24, 2020 Commission meeting Minutes were Approved. Motion carried unanimously.**

#### PUBLIC COMMENT

Chuck Heit, Undersheriff, Berrien County Sheriff's Office  
Mr. Heit spoke in support of Senate Bill 321 regarding the Michigan Law Enforcement Memorial Wall, 2 Berrien County officers killed in the line of duty have not been added to the Memorial Wall because they were not MCOLES certified.

Rebecca Cory  
Ms. Cory is a claimant who filed an age discrimination complaint with the MDCR, and brought concerns about the handling of the investigation.

Ms. George, Advance Practice Registered Nurse  
Ms. George brought concerns about the impacts of structural racism on the African-American Community.

The Honorable Gary Bruce, Berrien County Trial Court Justice, Criminal Division  
Judge Bruce spoke in support of Senate Bill 321 noting the omission of the names of the Berrien County Court officers killed in the line of duty in 2016, from the Michigan State Law Enforcement Memorial Wall, as they were not MCOLES certified.

Diana Marin, Attorney, Michigan Immigrant Rights Center  
Ms. Marin brought concerns regarding the impact of the COVID-19 pandemic on the MSFW community. Ms. Marin asked the Commission to investigate non-compliance of the implementation of the Governor's Executive Order for free COVID-19 testing, which violates the ELCRA.

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#### PRESENTATION ON SB-321, John F. Szczubelek

Mr. Szczubelek's presentation focused on his opposition of Senate Bill 321, which he believes violates the ELCRA in that criteria to qualify for the names of law enforcement officers killed in the line of duty being inscribed to the Michigan State Law Enforcement Memorial Monument is discriminatory. Mr. Szczubelek asked the Commission to consider communicating to the Governor the Commission's opposition to SB-321. SB-321 has already passed the legislature.

Dan Levy provided an analysis of SB-321 for the Commission.

There was no action taken by the Commission.

#### DELIBERATIONS AND VOTE FOR EDUCATION EQUITY IN MICHIGAN REPORT

Chair Clayton called upon consultants Teresa Bingman and TJ Bucholz of Vanguard Public Affairs and Alfredo Hernandez of MDCR to provide brief remarks and were on hand for questions from Commissioners. Dr. Michael Rice, Superintendent of the Michigan Department of Education and Kyle Guarrant, Deputy Superintendent of Finance and Operations for the Michigan Department of Education also provided brief remarks. Former commissioners Rasha Demashkieh and Mumtaz Haque were acknowledged for their work on the report during their term, and were brought online for brief remarks.

**MOTION: Move to Adopt the Education Equity in Michigan Report. No discussion initiated. On Motion duly made (Combs) and supported (Elhasan), the Education Equity in Michigan Report was Adopted. Motion carried unanimously.**

#### **Roll Call:**

**Chair Clayton – Y**

**Commissioner Kopack – Y**

**Commissioner Sakwa - Y**

**Commissioner Combs - Y**

**Commissioner Grim - Y**

**Commissioner Elhasan - Y**

**Commissioner Roberson - Y**

#### DIVISION REPORTS

Director's Report, James White, Executive Director

Director White was appointed on August 24, 2020, and his term began September 21, 2020, Director White provided brief introductory remarks, and reported on his activity with the Department thus far.

Budget Report, Mary Engelman, Deputy Director

Ms. Engelman provided a brief report on the Department's budget.

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## COMMISSION BUSINESS

Chair Report, Stacie Clayton

Chair Clayton was joined by Sylvia Elliott to acknowledge her service as Senior Advisor to the Commission. Ms. Elliott retired September 4, 2020 following 23 years of service.

Attorney General Report, Ron Robinson, Assistant Attorney General

Mr. Robinson provided status updates on the following cases: ***American Freedom Law Center v. Michigan Department of Civil Rights and the Michigan Attorney General; Roush World v. Uproot Electrolysis; Defillippis v. City of Redford and the Michigan Department of Civil Rights.***

Proposed 2021 Commission Meeting Schedule

Chair Clayton proposed the following dates for consideration for the 2021 Commission Meeting Schedule: January 25, 2021; March 22, 2021; May 24, 2021; July 26, 2021; September 27, 2021, November 22, 2021. These dates will be deliberated and voted on at the next Commission meeting.

## ONGOING BUSINESS

There was no ongoing business.

## NEW BUSINESS

There was no new business.

## COMMISSIONER COMMENT

Commissioner Roberson announced that FOCUS: HOPE is hosting a community event entitled "Virtual Weekend of HOPE" October 9-11, 2020. All are welcome to participate. More information may be found on the website: [www.focushope.edu/weekend](http://www.focushope.edu/weekend) .

## ADJOURNMENT

**MOTION: Move to Adjourn. No discussion initiated.**

**On Motion duly made (Combs) and supported (Sakwa), the meeting of the Michigan Civil Rights Commission Adjourned at 6:39 P.M. Motion carried unanimously.**

*The next regular meeting of the Michigan Civil Rights Commission will convene on November 23, 2020 at 5:00 P.M. at a location to be determined.*

MINUTES APPROVED AT NOVEMBER 23, 2020 MEETING.

## **MICHIGAN CIVIL RIGHTS COMMISSION MEETING**

Monday, November 23, 2020 ~ 4:00 P.M.

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

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### **MINUTES**

PRESENT: Commission Chair Stacie Clayton  
Commission Vice Chair Laura Reyes Kopack  
Commission Secretary Jeff Sakwa  
Commissioner Ira Combs, Jr.  
Commissioner Regina Gasco Bentley  
Commissioner Denise Grim  
Commissioner Zenna Elhasan

EXCUSED: Commissioner Portia Roberson

#### CALL TO ORDER / ROLL CALL

The meeting of the Michigan Civil Rights Commission was called to order by Chair Clayton at 4:01 P.M. Roll Call of the Commissioners was taken by Clerk Dan Levy to determine a quorum. Commissioner Clayton, Commissioner Kopack, Commissioner Sakwa, Commissioner Grim, Commissioner Elhasan were present. With five of eight Commissioners present, quorum requirements were met.

#### WELCOME

Chair Clayton welcomed participants to the meeting by way of Zoom web conferencing and Facebook / You Tube livestream platforms.

#### OPEN MEETINGS ACT RESOLUTION

Chair Clayton asked Dan Levy to provide an overview for the Commission.

*(4:03 p.m. - Commissioner Gasco Bentley joined the meeting.)*

**MOTION: Move to Adopt the Resolution to allow the MCRC to meet remotely through December 31, 2021, and to update the MCRC meeting guidelines.**

#### ROLL-CALL VOTE

Clayton – Y	Combs – Not Present
Kopack – Y	Roberson – Not Present
Sakwa - Y	
Gasco Bentley - Y	
Grim - Y	
Elhasan - Y	

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**On Motion duly made (Elhasan) and supported (Grim), the Resolution was Adopted. Motion carried unanimously.**

#### MOMENT OF SILENCE

Chair Clayton called for a moment of silence to honor the life of Justice Dalton Roberson, Sr., who passed away on November 10, 2020.

*"Judge Roberson was appointed to lead the Michigan Civil Rights Commission in 1972 by Lieutenant Governor James Brickley. The state has lost an icon of Michigan jurisprudence, and Commission members -- past and present -- are mourning the loss of one of our own. Judge Roberson was a man of deep convictions, whose commitment to justice, fairness and equity guided his actions throughout his remarkable life. He will be remembered as a mentor to many, generously guiding young lawyers and aspiring leaders, always looking to lift up those who followed after him. His generous spirit and dedication to helping others ensures his reach will extend long past his lifetime and into the future. We are grateful for his leadership on our Commission and to his lifetime of service to the people of Detroit and the State of Michigan. We extend our deepest sympathies to Judge Roberson's family, especially his beloved daughter and our esteemed colleague on the Commission, Portia Roberson."*

#### HOUSEKEEPING RULES FOR MAKING PUBLIC COMMENT

Deputy Director Mary Engelman provided instructions regarding Public Comment.

#### APPROVAL OF MEETING AGENDA

**MOTION: Move to Approve the Meeting Agenda as submitted. No discussion initiated. On Motion duly made (Sakwa) and supported (Kopack), the Meeting Agenda was Approved. Motion carried unanimously.**

*(4:10 p.m. - Commissioner Combs joined the meeting.)*

#### ADOPTION OF CONSENT AGENDA

**MOTION: Move to Adopt the Consent Agenda as submitted. No discussion initiated. On Motion duly made (Gasco Bentley) and supported (Elhasan), the Consent Agenda was Adopted. Motion carried unanimously.**

#### APPROVAL OF MINUTES FROM SEPTEMBER 30, 2020 MEETING

**MOTION: Move to Approve the Minutes as submitted. No discussion initiated. On Motion duly made (Grim) and supported (Kopack), the September 30, 2020 Commission Meeting Minutes were Approved. Motion carried unanimously.**

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## PUBLIC COMMENT

Michelle George – Ms. George, representing an organization of registered nurses brought concerns regarding wrongful arrests and discrimination due to Facial Recognition, and requested that the Commission consider holding a hearing.

Gwen Swanigan, CEO and Founder of S.H.A.R.P. (Society Harmonizing Against Racial Profiling) Foundation, Benton Harbor – Ms. Swanigan brought concerns regarding starting a citizens' review board on Racial Profiling; Ms. Swanigan asked that the Commission support this effort. This issue will be taken up on the agenda during the Benton Harbor City Commission's next meeting.

Sean Bennett – Mr. Bennett brought concerns regarding the function and performance of the Department in handling of complaints, asked that the complaint process be reviewed.

## PRESENTATION BY POPPY HERNANDEZ, Equity and Inclusion Officer, Governor Whitmer's Executive Office

Ms. Hernandez described her position and goals as Equity and Inclusion Officer in the Governor's Office; shared that the Governor and Lieutenant Governor are committed to creating a more equitable and inclusive workforce and state; discussed collaborative efforts with multiple task forces, advisory boards, and equity officers in each state department.

## DIVISION REPORTS

Director's Report, James White, Executive Director

Director White submitted his written report to the Commission; reported on the Director's activity from September to November.

## COMMISSION BUSINESS

Chair Report, Stacie Clayton

Chair Clayton gave an overview of the Commission's major priorities and accomplishments for 2020 (Education Report-completed, Contract Compliance-not completed, Minority Women Owned Businesses-not completed); offered the option of carrying over incomplete priorities from 2020 as goals for 2021:

- Look to see which state departments have Title VI programs and how they are used and how those programs differ or complement the MDCR statutory requirements for contract compliance
- Research into possible legal avenues for implementation of a Women and Minority Business Program in the state of Michigan.

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#### 2021 Commission Meeting Schedule

**MOTION: Move to Adopt the 2021 Commission Meeting Schedule as submitted. Following discussion, on Motion duly made (Sakwa) and supported (Elhasan), the 2021 Commission Meeting Schedule was Adopted. Motion carried unanimously.**

Meeting Dates are as follows: January 25, 2021; March 22, 2021; May 24, 2021; July 26, 2021; September 27, 2021, November 22, 2021. These dates will be posted to the Commission's webpage.

Appointment of Nominating Committee for January 2021 Election of Officers  
Commissioner Kopack (Chair), Commissioner Elhasan and Commissioner Sakwa volunteered to serve on the Nominating Committee for the January 2021 Election of Officers.

Attorney General Report, Ron Robinson, Assistant Attorney General  
Mr. Robinson submitted his written report to the Commission; provided a status update on the following case: **Riverbrook v. Fabode**.

Amicus Brief Proposal: **Riverbrook v. Fabode**, Court of Appeals  
**MOTION: Move to Approve the Commission's submission of an Amicus Brief in the case of Riverbrook v. Fabode.**

#### ROLL CALL VOTE

Clayton – Y	Roberson – Not Present
Kopack - Y	
Sakwa - Y	
Combs - Y	
Gasco Bentley - Y	
Grim - Y	
Elhasan – Y	

**Following discussion, on Motion duly made (Gasco Bentley) and supported (Kopack), the Amicus Brief Proposal was Approved. Motion carried unanimously.**

#### ONGOING BUSINESS

There was no ongoing business.

#### NEW BUSINESS

There was no new business.



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#### COMMISSIONER COMMENT

Commissioners provided remarks congratulating Denise Grim on her retirement after 34 years of public service, as she resigns from the Commission.

#### ADJOURNMENT

**MOTION: Move to Adjourn. No discussion initiated. On Motion duly made (Kopack) and supported (Grim), the meeting of the Michigan Civil Rights Commission Adjourned at 5:04 P.M. Motion carried unanimously.**

*A Special Meeting: "Continuing the Conversation on Education Equity in Michigan" will follow immediately at 5:00 p.m. The next regular meeting of the Michigan Civil Rights Commission will convene on January 25, 2021 at a time and location to be determined.*

MINUTES APPROVED AT JANUARY 25, 2021 MEETING.

## **MICHIGAN CIVIL RIGHTS COMMISSION SPECIAL MEETING**

Monday, November 23, 2020 ~ 5:00 P.M.

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

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### **MINUTES**

**PRESENT:** Commission Chair Stacie Clayton  
Commission Vice Chair Laura Reyes Kopack  
Commission Secretary Jeff Sakwa  
Commissioner Ira Combs, Jr.  
Commissioner Regina Gasco Bentley  
Commissioner Denise Grim  
Commissioner Zenna Elhasan

**EXCUSED:** Commissioner Portia Roberson

#### **CALL TO ORDER / ROLL CALL**

The meeting of the Michigan Civil Rights Commission was called to order by Chair Clayton at 5:10 P.M. Roll Call of the Commissioners was taken by Clerk Dan Levy to determine a quorum. Commissioner Clayton, Commissioner Kopack, Commissioner Sakwa, Commissioner Combs, Commissioner Gasco Bentley, Commissioner Grim, Commissioner Elhasan were present. With seven of eight Commissioners present, quorum requirements were met.

#### **WELCOME**

Chair Clayton welcomed participants to the meeting by way of Zoom web conferencing and Facebook / You Tube livestream platforms. Chair Clayton provided an introduction/background on the purpose of this special meeting; to continue the conversation on Education Equity in Michigan.

#### **HOUSEKEEPING RULES FOR PUBLIC COMMENT**

Deputy Director Mary Engelman provided the Housekeeping Rules for Public Comment.

#### **GUEST SPEAKER – Brandy Johnson, Governor's Policy Advisor on Education**

Ms. Johnson described her role as the Governor's Education Policy Advisor; spoke about the priorities of the Governor's Office concerning Education; discussed the impact of COVID-19 on Education in the State of Michigan. Commissioner Sakwa requested a follow up meeting at a later date.

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**GUEST PRESENTATION – University of Michigan Youth Civil Rights Academy, Anthony Lewis  
*Increasing Equity In Education: A Youth Perspective***

Jordan Solomon, Senior, Grosse Pointe North High School  
Presentation: Equity in School Funding

Ms. Solomon presented regarding the funding disparities between school systems based on location; comparing inner city schools to suburban schools in affluent neighborhoods. “Today, I am asking the Michigan Civil Rights Commission to similarly support our efforts toward equitable funding by writing a resolution that would incorporate a weighted funding formula and possible proposal to increase tax revenues through mechanisms such as a graduated income tax.”

Ely Vasquez, Junior, Detroit Cass Technical High School  
Nilay Mistry, Freshman, University of Michigan  
Presentation: Police In Schools

Mr. Vasquez and Ms. Mistry presented regarding discipline disparities based on racial inequity in schools; schools with predominantly Black and Brown students receive higher levels of discipline, while schools with predominantly White students use lower levels of discipline.

Sunidhi Majalika, Senior, Novi High School  
Presentation: Diversifying School Curricula

Ms. Majalika presented regarding the lack of diversity in school curriculum, namely in the areas of History, English, Art and Health.

**PANEL DISCUSSION MODERATED BY VANGUARD PUBLIC AFFAIRS  
*“UNDERSTANDING URBAN AND RURAL EDUCATION EQUITY”***

Moderators: TJ Bucholz, Teresa Bingman

Panelists:  
Sherry Gay-Dagnogo, State Representative & Detroit School Board Member-Elect

Rep. Gay-Dagnogo spoke on concerns raised in the student panel, regarding inequities in education, school/building environments, and per pupil spending.

Dr. Pamela Pugh, Vice President, State Board of Education

Dr. Pugh spoke regarding the unjust and discriminatory funding practices of the State of Michigan’s education system, and the racial stigma/stereotypes that have come about due to unjust funding.

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David Tebo, Superintendent, Hamilton Community Schools

Superintendent Tebo spoke regarding the disparities that COVID-19 has brought to the forefront, and implicit bias in schools.

Michael Rafferty, President and CEO, New Detroit, A Racial Justice Organization

Mr. Rafferty spoke regarding how systemic racism plays out in education, disparities in funding, standardized testing scores, and day-to-day experiences of students.

*(6:24 – Commissioner Combs departed the meeting.)*

Chair Clayton indicated the definition of charter schools in the glossary of the **Education Equity in Michigan Report** needed to be revised due to the current definition being inaccurate. The correct definition should read as follows:

*“A charter school is a state-supported public school operating under charter contract issued by a public authorizing body. It offers education ranging in Grades K through 12 without charge to students and is funded with tax dollars. They are generally subject to fewer rules and regulations as traditional public schools. It is required to adhere to Michigan statutes and rules for Special Education as well as the federal requirements.”*

**MOTION: Move to Amend the definition of “charter schools” in the *Education Equity in Michigan Report* glossary.**

**ROLL-CALL VOTE**

Clayton – Y	Combs – Not Present
Kopack – Y	Roberson – Not Present
Sakwa – Y	
Gasco Bentley – Y	
Grim – Y	
Elhasan - Y	

**No discussion initiated. On Motion duly made (Gasco Bentley) and supported (Sakwa), the Commission Approved amending the definition of “charter schools” in the glossary of the *Education Equity in Michigan Report*. Motion carried unanimously.**

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**PANEL DISCUSSION MODERATED BY VANGUARD PUBLIC AFFAIRS  
“CHARTER SCHOOLS ARE PUBLIC SCHOOLS”**

Moderators: TJ Bucholz, Teresa Bingman

Panelists:

Dan Quisenberry, President, Michigan Association of Public School Academies

Mr. Quisenberry spoke regarding the perception of charter schools, and showed a PowerPoint presentation on facts and figures regarding charter school population, and the funding and authoritative differences between charter schools and traditional public schools.

Buzz Thomas, Former State Legislator; Board Chair, Michigan Association of Public School Academies

Mr. Thomas spoke regarding the Commission’s Education Equity Report with regards to charter schools, specifically points that were raised in the report, and how the Commission’s recommendations would impact charter school students.

Destini Caldwell, Student, Jalen Rose Leadership Academy

Ms. Caldwell spoke on her positive experiences as a student at the Jalen Rose Leadership Academy; brought concerns about cutting funding to charter schools and the negative impact it would have on students and learning.

Maurice Morton, CEO, Detroit Academy of Arts and Sciences

Mr. Morton spoke regarding the Commission’s recommendation of three-fourths funding for charter schools in the Education Equity Report, and the impact that funding cuts would have on the students.

Christel Drew, High School Principal, Madison Academy

Ms. Drew spoke regarding distinguishing differences between charter schools and traditional public schools, and that charter schools can offer a more conducive learning environment choice for students, based on their circumstances. Ms. Drew also described the impact of the Flint Water Crisis, and brought concerns regarding funding cuts to charter schools in Flint where special education is needed and would be negatively impacted.

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Lola Hopcraft, Special Education Director, Grand Blanc Academy

Ms. Hopcraft spoke regarding special education state requirements in charter schools, and her work experience in special education in charter schools.

Ali Bazzi, Principal, Star International Academy

Mr. Bazzi spoke regarding funding cuts for charter schools, and the school supplemental supports and programs that would be negatively impacted.

## PUBLIC COMMENT

Ms. Twomey – Ms. Twomey brought concerns regarding inequities in funding and democracy in charter schools.

Caller (last four digits: 8973) – The caller brought concerns regarding inequities in discipline, high suspension rates in charter schools; retaliation against students and teachers who speak out against bullying.

Nawal Hamadeh – a charter school employee, highlighted positives regarding charter schools; indicated that cutting funding would be unfair to charter school students.

KC – The caller identified as “KC” brought concerns regarding the lack of transparency with funding in charter schools.

Fred Borowski – Mr. Borowski, a charter school administrator highlighted positives regarding charter schools; indicated that all students deserve equal education and equal funding. Mr. Borowski is against cutting funding to charter schools.

Sabrina Khan – Ms. Khan is a college sophomore at Wayne State University who earned a full scholarship while attending Star International Academy, a charter school. Ms. Khan highlighted her positive experiences while attending high school, and is concerned about funding being cut, and other students unable to have similar positive experience if funding is cut.

Rawan Akhdar – Mr. Akhdar is a college sophomore at University of Michigan Ann Arbor who graduated from Star International Academy. Mr. Akhdar highlighted his positive experiences while attending high school, and indicated he has a younger sibling with special needs that now attends Star International Academy. He brought concerns of what will happen if his sibling no longer has access to those resources due to the recommended funding cuts.

*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.*

Althea Kyles – Ms. Kyles indicated that she has a special needs child attending a charter school, and brought concerns regarding what will happen if her daughter no longer has access to those resources due to recommended funding cuts.

Kellie – The caller identified as “Kellie” brought concerns regarding choosing a school for her child; their neighborhood public school is low performing; she decided to place her child in a charter school instead that better accommodated her child. Ms. Kellie is against cutting funding to charter schools.

Jalen Rose, Jalen Rose Learning Academy, Detroit – Mr. Rose recorded a video message expressing his concerns regarding the Commission’s recommendation for a 25% funding reduction for charter schools, asking the Commission to reconsider their stance.

## NEXT STEPS

Council on Government and Education Equity and Inclusion  
MDCR Director James White and MDCR Equity Officer Alfredo Hernandez

Director White indicated that next steps regarding the Commission’s **Education Equity in Michigan Report** will involve support from the Council for Government and Education on Equity and Inclusion. Mr. Hernandez has served in the role of facilitating and advising the Council, and provided information on the purpose and function of the Council, indicating that the Commission’s report directly connects to the work taking place within the Council; they will work towards laying a foundation for increasing equitable access to education in the state of Michigan. Members of the Council were invited to participate virtually this evening; their next meeting is December 11, 2020.

Following discussion regarding whether or not a financial analysis had been done with respect to charter schools and other educational institutions, the following motion was brought forth.

**MOTION: Move to Eliminate the 75% funding recommendation for charter schools in the Education Equity in Michigan Report. (Motion made by Commissioner Sakwa, supported by Commissioner Kopack, with the understanding that there be a more thorough financial analysis.)**

**Following discussion, the Motion was amended by Commissioner Elhasan:**

**MOTION: Move to conduct a comparison analysis of the funding between charter schools and traditional public schools, keep the Motion on the table pending that analysis, and then move forward with a recommendation.**

Following further discussion, the Motion was amended again by Chair Kopack:

*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.*

**MOTION: Pending a thorough financial review of the budgets and educational system and at that point in time, to reconsider the 75% budget of the charter schools recommendation. Move for a thorough analysis of the funding to be conducted at the time that analysis is completed, then a review of the 75% recommendation for funding for charter schools.**

Final Motion after further discussion and amendments:

**MOTION: Move for a comparison analysis on the funding between charter schools and traditional public schools.**

ROLL-CALL VOTE

Clayton – Y                      Combs – Not Present  
Kopack – Y                      Roberson – Not Present  
Sakwa – Y  
Gasco Bentley – Y  
Grim – Y  
Elhasan - Y

**Following discussion, on Motion duly made (Kopack) and supported (Elhasan), the Commission Approved a comparison analysis of the funding between charter schools and traditional public schools. Motion carried unanimously.**

Chair Clayton indicated that there’s an additional needed definition change in the **Education Equity in Michigan Report** glossary regarding a bond issue, that says it requires 55% approval in order to pass; it actually is a simple majority that is required to pass.

**MOTION: Move to Change the definition of “bond proposal” in the Education Equity in Michigan Report glossary that it is a simple majority to pass instead of 55% to pass.**

ROLL-CALL VOTE

Clayton – Y                      Combs – Not Present  
Kopack – Y                      Roberson – Not Present  
Sakwa – Y  
Gasco Bentley – Y  
Grim – Y  
Elhasan - Y

**On Motion duly made (Elhasan) and supported (Kopack), the change of definition for “bond proposal” in the glossary was Approved. Motion carried unanimously.**



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#### ADJOURNMENT

**MOTION: Move to Adjourn. No discussion initiated. On Motion duly made (Kopack) and supported (Elhasan), the Special Meeting of the Michigan Civil Rights Commission was Adjourned at 8:18 P.M. Motion carried unanimously.**

*The next regular meeting of the Michigan Civil Rights Commission will convene on January 25, 2021 at a time and location to be determined.*

MINUTES APPROVED AT JANUARY 25, 2021 MEETING.