

**Human Right Commission
May 26, 2004 Meeting Minutes**

Members Present: Dee Campbell-Carter, David Finke, Glenn Glasgow, Lawrence Morganfield III, Valeta Snell-Smith

Members Excused: Marie Glaze

Members Absent: None.

Staff Present: Phil Steinhaus, Fred Boeckmann, Nanette C.M. Ward

- I. **Call to Order/Introductions:** Finke called the meeting to order and introductions were made.
- II. **Approval of Agenda:** Blum asked to add an item after approval of the minutes so that he could address the commission. Campbell-Carter moved to approve the agenda as amended. The motion was seconded by Glasgow and passed by a unanimous vote.
- III. **Approval of 3/17/04 and 4/28/04 Meeting Minutes:** Blum moved to accept the 3/17/04 minutes as amended. The motion was seconded by Campbell-Carter and passed by a unanimous vote. Campbell-Carter made a motion to approve the minutes from the 4/28/04 meeting. Motion was seconded by Snell-Smith and passed by a unanimous vote.
- IV. **Comments by Mike Blum:** Blum read his letter of resignation and asked that the resignation be effective immediately. He expressed his appreciation for his opportunity to work with the commission and staff. Finke said that he received the resignation with regret and appreciation of service.
- V. **Old Business**
 - A. **Impediments to Fair Housing Choice Report:** Finke suggested several ways to approach the report, the commission could approve the whole document or just sections of the report. Another option would be to consider the endorsement of several recommendations contained in the report. Glasgow said he feels that the report is a scholarly work but doesn't hold much hope for the homeless person. He asked what happens if the report is not approved? Steinhaus gave an overview of the 5 year consolidated plan and available grant funding for needs identified in the plan.

Finke said if the commission does not approve the plan it would move forward anyway, being noted that the plan was not approved. The general merits and purpose of the plan were discussed. Campbell-Carter made a motion for approval. Glasgow seconded the motion and it passed by a unanimous vote.
 - B. **Community Study Circles Program Report:** Steinhaus reviewed the report on the Study Circles Program to be presented to the City Council on 6/21/04. He said the report is about the impact the program has had in the community and is not requesting any City Council action. Snell-Smith shared that she is frustrated that the City Council doesn't approve other actions recommended by the commission. Campbell-Carter agreed with Snell-Smith.

Ward reported that "Community Circle" programs have been scheduled on June 30 and July 21 at the public library. The June program will feature teens and their perspectives on race, diversity and other issues. She added that at the May 20 Community Circle program a reunion of May 1 and 2 participants was held. The group that attended discussed what community and personal action they would take as a result of their experience.

Ward also reported that seven students from Hickman High School will help with the June Community Circle program. She shared that Phoenix Programs held a four hour staff diversity training session using the study circle model and materials. Greg Allen helped to facilitate the program. He is a member of the Action Team, a trained facilitator and works at Phoenix Programs. Ward added that transportation is available for the June and July Community Circle programs.

- C. "USA-PATRIOT" Act:** Finke briefly reviewed his report/memo to the City Council and asked for discussion. [Attached] Morganfield said he thought the issue was worth exploring but he's not sure where to go or what to do at this point in time. Glasgow said cities have certain jobs to do and he doesn't feel this issue is within their purview. He said he thought the City Council was very clear regarding their stance on the issue.

Sending a letter to federal legislators was discussed. Staff said that any official action would need to have the City Council's approval. Personal correspondence would be up to each individual commission member. Finke said he sees two constituencies: 1) serving the general public which might use the commission as an avenue to express grievances; and 2) advising the City Council about any local impact from this act. He feels it would be important to hear from those aggrieved by the act.

The commission discussed whether there were other community groups that might be interested in holding public hearings on the impact of the act. Snell-Smith suggested speaking directly with Mayor Hindman about the commission's concerns. Morganfield made a motion to research what other cities have done to get the issue off the ground. He thought the commission should find out what others did to motivate their community to take action. Campbell-Carter seconded the motion and it passed by a unanimous vote.

- D. FY2005 Budget Committee Report:** Steinhaus reviewed the FY2005 budget prepared by the budget committee. The most significant budget increase was a request to increase the advertising budget by \$1,300 to help promote the monthly Community Circles program. A motion to accept the budget came from the budget committee. The motion was seconded by Morganfield and passed by a unanimous vote. Steinhaus reviewed FY2004 budget year to date expenditures and projected expenses through the end of the current fiscal year.

V. New Business

- A. ABC Teach Human Rights Report from Centro Latino:** Steinhaus passed around the final report submitted by Centro Latino. This program was funded in part by through the Human Rights Enhancement Program. The commission expressed their appreciation for the final report.

- B. **IAOHRA Conference:** Steinhaus passed around about the upcoming International Association of Official Human Rights Agencies Conference. Finke will consider attending as a representative from the commission.

VI. Staff Reports

- A. **Community Services:** Steinhaus briefly reviewed news articles that were included in commissioner folders. The news articles covered the following topics: racial profiling, City Council discussion of the USA-PATRIOT Act, a five-part series on desegregation in Columbia, search warrants, MU campus accessibility, and the MU campus diversity report.
- B. **Law Department:** No report.
- C. **Investigator/Community Educator:** Ward shared a copy of the citizen complaint form used by the Columbia Police Department. She also reported that she will be making a presentation to a group of Chinese officials about the work of the commission.

- VII. **Closed Session:** Campbell-Carter moved to go into closed session to discuss pending cases. Motion was seconded by Glasgow and a roll-call vote was taken. Snell-Smith called the roll with the following vote: Glasgow-yes; Finke-yes; Snell-Smith-yes; Campbell-Carter-yes; Morganfield-yes.

During the closed session the commission voted unanimously for the administrative closure of Case #E-03/04-RP.

Campbell-Carter made a motion to go out of closed session. The motion was seconded by Glasgow and passed by a unanimous vote.

- IX. **Public Comment:** None.

- X. **Commissioner Comment:** Campbell-Carter offered comment on a public forum held by the NAACP last night. She expressed concerns that the press was not allowed in the meeting. Campbell-Carter said it was difficult to sit and hear the Columbia Police say things that she felt were untrue. She asked Captain McCrary whether he thought there was racism in the Columbia Police Department (CPD). She said that Captain McCrary denied any racism exists in the CPD. She also reported Chief Boehm shared a racial profiling report which indicated more calls come from the First Ward area.

Campbell-Carter shared that the issue of a community review board for the CPD was discussed. She indicated that there was a good turnout at the meeting with 40 or more people in attendance and possibly up to 100 during the whole evening. She said that many people shared their stories. She didn't feel there was any resolution to the discussion. She said she appreciates the discussion though there was no resolution or admittance that there is a racial issue with police. She shared that a foreign person now living in Columbia said this is most oppressive community she has ever lived in. Campbell-Carter said Captain McCrary did not agree. Campbell-

Carter shared her heart is hurting and the community is not giving children any solutions to the problem.

Finke asked if any other solutions were discussed besides the citizen review board.

Campbell-Carter said there were concerns expressed about who would choose members of the review board, particularly if the CPD were involved in the process. Ward added that the group still felt it was an issue worth pursuing. She said diversity training for the CPD was also discussion. The group expressed concerns that the current CPD training program was not adequate. Snell-Smith and Campbell-Carter both expressed concerns that Chief Boehm had basically said the same thing 1½ years ago when he met with the commission regarding that year's racial profiling report.

Boeckmann told Campbell-Carter that if she knows of a problem with a complaint not being investigated by the CPD properly that she should call him and he will contact Chief Boehm to discuss the matter.

Campbell-Carter shared a story from the meeting about a family which was sitting by a car on the curb when the police stopped. Members of the family were hand-cuffed, searched and then released. She added that she felt Chief Boehm spoke in generalities about issues, and did not speak directly about the particulars of the incident.

John Sullivan from the *Columbia Daily Tribune* shared that an issue that came up was the individual records of officers. Campbell-Carter said she was concerned that parents can't allow their children to go out at night without fear of being arrested. She said she doesn't feel like she can let her 18 year old son go out after 10:00 p.m. She added that at the meeting Councilwoman Almeta Crayton said that unless the situation improves, youth in the community are going to get violent about the issue.

X. Adjournment: The meeting was adjourned.

Respectfully Submitted,

Phil Steinhaus, Manager
Office of Community Services

March 17, 2004

Dear Members of the City Council:

Among the powers and responsibilities given us in the 1991 ordinance establishing the Commission, we are charged "to encourage fair treatment for all persons," "to advise the City Council on human rights issues," and "to hold public hearings on the state of human rights and relations in the city and on specific human rights issues."

With this in mind, we have since November 2003 been discussing how we might most effectively look into the probable effects of certain federal legislation (known by the acronym "USA-PATRIOT Act") on various groups in Columbia. We want to learn whether, because of this Act, violations of basic human rights are now occurring or are likely to occur. In a series of decisions, we have indicated our desire to hold public hearing(s) on these matters, keeping the City Council informed as we proceed. We have minuted our clear intention to carry this out in partnership with your Body, seeking a reasonable division of labor.

Part of our thinking has been motivated by the realization that, as of this date, at least 266 municipalities (most recently Kansas City) have officially expressed concern about civil-liberty implications of the USA-PATRIOT act; three state governments have similarly adopted resolutions. As a commission, we envision no particular outcome in terms of city legislation, but rather seek to gather information and present it in an orderly way to you after a thorough process.

As we began to look into this particular law and its proposed extension, and as we read of responses from many other communities similar to ours, we learned of tremendous potential for abuse, striking at the heart of sacred liberties we take for granted. We now have reason to believe that many of the groups most fearing such misuse of federal powers are represented here in our community and deserve to be heard. We feel an obligation to hear their voice.

Up to this time, we have made no approaches to any whom we believe can help broaden our understanding, but rather have been seeking how we may proceed with fairness and deliberation in carrying out what we believe is our task. We understand that you have heard something of our work via city staff . We hope you have also sensed our desire, reaffirmed at our last meeting, to "welcome the City Council as participants in the process..."

Our commission believes this is indeed a relevant local issue (see attached summary memorandum) and would like to explain in person why we believe this is the case. A sheet of paper is no substitute for our hearing each other's concerns face to face. We deeply respect that you have many demands on your time, and we would hope to be economical in its use. Therefore we propose that, at your earliest convenience, we as a Commission (or designated members) be able to converse with you at a pre-Council Meeting worksession. (In the past, we found this very valuable.) Our staff is ready to help facilitate the communicating and planning. Would you please give us this opportunity?

On behalf of the City of Columbia Human Rights Commission,

David Finke, subcommittee chair

Why is this an important issue for our community?

1. The USA-PATRIOT Act, hastily passed with many Congressmen never having read it, creates vastly expanded powers for the federal government. Many of these, particularly in Section 215, circumvent any judicial review of the Executive. They appear to violate many sections of our Bill of Rights, particularly the First, Fourth, Fifth and Eighth Amendments. Most citizens have no idea of these radical changes in the law, or how it might affect them.

2. This Act directly subverts citizens' right to privacy and enjoyment of their peaceable freedoms. Under it, FBI or CIA agents can break into homes or offices, seize records (or books or computers,) plant listening devices, monitor postal and electronic mail -- all without ever having to show "probable cause" in a court of law for a warrant.

3. The Act provides automatic "gag orders" that prohibit anyone from disclosing that they know about these activities: Librarians, booksellers, officials of religious organizations, etc., must yield up records and under threat of imprisonment never reveal that such demands have been made.

4. Members of minority groups may have the most to fear: those from Middle Eastern countries, those of Islamic faith, those recently moving here to enjoy liberty, are most likely to be "profiled" and targeted. Initial indications have shown a great hesitation to exercise free-speech rights, or engage in travel, by citizens in these groups. A stifling, chilling, atmosphere seems to have been created under the guise of "fighting terrorism," which affects valued, law-abiding members of our community. We want to hear from them directly.

5. Under this Act, demands can be made upon local law enforcement to cooperate with federal inquiries or actions which circumvent local accountability, and without regard to possible state and federal Constitutional violations. Local authorities may be placed under a "gag order" against revealing what is asked of them. Many municipalities have objected to the "unfunded mandate" aspect of these intrusions. We should be able to hear how our local police are prepared to cope with possible conflicts of loyalty, and what resources they need to help them protect the rights of all.

6. As a university community, we should be aware of the dangerous precedent last month in Des Moines, Iowa, when the U.S. Attorney attempted to subpoena records of a student group which organized a conference and a peaceable demonstration. (After protests involving both U.S. senators and the local daily press, the federal government backed down.) The rights of free inquiry and political dissent may be under attack in times of fear and uncertainty.

7. Patrons of libraries and bookstores can have no assurance that their reading habits are not being secretly monitored; those spying upon them are not, under this Act, required to "show cause" as to why privacy is being violated.

8. People of minority status may be most vulnerable. If their rights are not vigorously upheld, the overall situation of Liberty is eroded for all and later protest may be too late.

9. Citizens deserve to be able to express themselves, and to know that local government and its agencies are there for them, responsive to their concerns. The Human Rights Commission wishes to hear from people in their own words, so that we can discern what the actual impact of this Act has been thus far. We will then be able to advise the City Council out of factual knowledge, not conjecture. Even when we have limited power as a Commission, we've found we can be a "safety valve" for those whose grievances need to be heard.