

*In accordance with Virginia Code § 2.2-3708.2, Virginia Code § 15.2-1413 and the City's Continuity of Government Ordinance adopted on March 31, 2020, and Chapter 1289 of the 2020 Acts of Assembly as amended, I hereby call for a **MEETING BY ELECTRONIC COMMUNICATION MEANS** of the Human Rights Commission. This meeting was held by electronic means using the Webex videoconferencing platform because of the COVID-19 Pandemic emergency.*

**July 9, 2020**  
**4pm**

*The purpose of the meeting is to discuss and transact the business of the Commission.*

**Members Present:** Sylvia Nery-Strickland (Chairwoman), Dr. Virginia Jenkot (Vice Chairwoman), Beatriz Amberman, Joe Burnsworth, David Calliott, Thomasine Cubine, Jamal Gunn, Carla Hesseltine, Jojo Orenica, Luis Rivera, Teresa Stanley, Mark Stevens, Ron Taylor, Frances Knight-Thompson, Rabbi Israel Zoberman

**Members Absent:** Allison White, Cheryl Caalim and Pearl Renwick

**Staff Present:** Regina Hilliard (Human Resources), Stacy Hawks (Human Resources), Dominique McKinnon (HRC Liaison)

**Liaisons Present:** Mayor Robert Dyer, Councilman Michael Berlucchi, Interim Chief Tony Zucaro, Captain Henri Norris, Lieutenant Lois Thompson, Rod Ingram (Deputy City Attorney), Dr. LaQuiche Parrot

## **I. Call to Order/Roll Call**

The meeting was called to order by Chairwoman Nery-Strickland at 4:05 p.m.

Roll call of the Commissioners was taken. Commissioner White, Student Commissioners Caalim and Renwick were absent.

## **II. Remarks from Mayor Robert Dyer**

Mayor Robert Dyer joined the meeting and spoke on the potential Virginia Beach has to be a model of how the country can get through these turbulent times. He attributed that to the strength of the people in Virginia Beach, including members of the Human Rights Commission. He highlighted Chief Zucaro's presentation to City Council and how the department's performance is ahead of the curve in comparison to others.

He commended the Human Rights Commission's implementation of the two task forces – Racial Tension Taskforce and COVID-19 Taskforce. In relation to COVID-19, he spoke on how it was important for the City to reopen safely to help with issues such as mental health, substance abuse, and domestic violence.

He offered any help that he could provide to the Racial Tension Taskforce. He reported that there will be a mandatory public hearing to address the Confederate monument now that the law has changed as of July 1. The public hearing will be at the Virginia Beach Convention Center on July 23 to hear all voices regarding the matter. He commended the Human Rights Commission on its recommendation and action in support of the removal of the Confederate monument.

He thanked the Human Rights Commission for its dedication and hard work in helping the City get through these difficult times.

### **III. Remarks from Sheriff Kenneth Stolle**

Sheriff Stolle reported that last year, the Sheriff's Office had 305 incidents of use of force in the jails and this year to date, they've had 128 incidents of use of force. Every 6 months or annually, Sheriff Stolle would like to give access to the files to the Human Right Commission and have a small panel of members review the files for any recommendations on disciplinary actions. He believes that the recommendations should be made public in the interest of transparency and the Sheriff's Office would make the decision on following the recommendations.

Chairwoman Nery-Strickland reported that the Commission does have copies of the Sheriff's Office use of force policy that will be reviewed. Commissioner Rivera thanked Sheriff Stolle for his proactiveness in offering the opportunity for the Commission to review their files and practices.

### **IV. Remarks from Assistant Attorney General Mona Siddiqui**

Assistant Attorney General Mona Siddiqui works in the Human Rights and Fair Housing division of the Attorney General's office. She has been visiting Human Rights Commissions within the state of Virginia to introduce herself and inform Commissions of the resources offered by the Attorney General's office. Her office is responsible for enforcing the Virginia Human Values Act and investigating discrimination that violates the state law and the federal Civil Rights Act. A new responsibility that her office has been given, is to take civil action against a person or a group of persons who has a pattern or practice of violating the Virginia Human Values Act.

Vice Chairwoman Jenkot asked what conversations are occurring in the Assistant Attorney General's office regarding the increase in anti-Asian racism and hate crimes. Assistant Attorney General Siddiqui stated that her division has been working with the Virginia Asian Advisory Board to provide resources for reporting incidents of hate or discrimination. Vice Chairwoman Jenkot asked about plans to provide guidance to localities on updated training and consistency of reporting discrimination against the LGBTQ community that is now a protected class. Assistant Attorney General Siddiqui stated that there is a 2019 Annual Report that details the statistics of discrimination reporting. She offered to send that information to the HRC liaison, Dominique McKinnon. She stated that her office is responsible for taking civil action against those who discriminate, they do not take criminal action against people who commit hate crimes. She would take Vice Chairwoman Jenkot's inquiry about collecting data for both civil and criminal violations on LGBTQ individuals back to her division.

Commissioner Amberman asked Assistant Attorney General Siddiqui what the process is for a person presenting a complaint to her office and if there are community representatives within her office. Assistant Attorney General Siddiqui stated that her office has a constituent services person who answers complaints and refers them to the appropriate entity that can address constituent concerns. Her office does not have constituent representation, it consists of attorneys, investigators and support staff. Commissioner Amberman asked what the relationship is between her office and the department of Inclusion and Equity lead by Director Underwood. Assistant Attorney General Siddiqui reported that with Dr. Underwood being a new member of the Governor's Cabinet, they are working on building their relationship with that department. Complaints received by the department of Inclusion and Equity are referred to local Commissions or her office if they don't fall under the jurisdiction of a local Commission.

Commissioner Rivera asked about restitution for members of the Hispanic community who are not being paid for their work and being threatened because they are undocumented. Assistant Attorney General Siddiqui said that would fall under her purview, but in her time with the Attorney General's office, they have not had a case of that nature. She believes that it is because these workers don't know about the resources that are available to them, in addition to language barriers. She said that her office is available as a resource, as well as organizations such as Legal Aid Society. Currently her office does not have a Spanish speaking investigator, but they are working on recruiting a new investigator and being bilingual is a top criteria for the position.

## **V. Minutes Approval**

The February 13<sup>th</sup> meeting minutes were reviewed. Commissioner Stanley suggested one correction to the minutes. Commissioner Amberman made a motion to approve the minutes with one correction and Commissioner Rivera seconded the motion. The February 13<sup>th</sup> minutes with one correction were approved.

## **VI. Officer Election**

Commissioner Orenca presented the slate for Officers with Chairwoman Sylvia Nery-Strickland as the nominee of Chair and Vice Chairwoman Virginia Jenkot as nominee for Vice Chair. By a vote of 13-0 (1 abstention due to technical difficulties and 1 abstention due to absence at the time of voting), Chairwoman Nery-Strickland and Vice Chairwoman Jenkot were re-elected to office for the Human Rights Commission.

## **VII. A Presentation of the Virginia Beach Police Department's Performance**

Chief Zucaro showed the Human Rights Commission an abridged version of the presentation that was shown to the City Council. The presentation included:

- Crime statistics of Virginia Beach
- Virginia Beach Police department statistics for complaints
- Recruitment challenges and efforts to meet these challenges
- Community outreach
- Department accountability
- Use of force review
- Crisis Intervention Team
- The Investigation Review Panel

Chief Zucaro spoke on the extensive recruitment process for police officers that includes questioning to identify open and overt bias, a polygraph test, physical and mental screening. The academy covers training on inclusion and diversity training, communication and problem solving. There are minority officers that participate in the academy training and supervisors within the academy that are part of the minority community. He reported that they hosted an implicit bias training and members of the Human Rights Commission were present.

Chief Zucaro explained that body cams are only altered for very isolated circumstances such as confidential information recorded from a sexual assault victim. He stated that there are only two people that have access to deleting body cam footage - the Executive Officer of Internal Affairs and a supervisor in the IT department. He is not aware of any videos having been edited or deleted since the start of the program.

Chief Zucaro reported that the investigations of the Internal Affairs can be handled at the precinct level or at the office of Internal Affairs. The office of Internal Affairs investigates all use of force and violations of conformance to law. The investigation includes speaking to the citizen involved, witnesses, officers and collecting evidence. By policy, Internal Affairs has 45 days to complete the investigation and the actions of the officer involved is reviewed by their Command. Once the findings are determined based on the rule violated or the nature of the rule violated, it is up to the Command what type of corrective action is required, including separation. Workforce accountability is a daily practice in the police department, as well as recognition for positive accomplishments.

Chief Zucaro stated that complaints can be in-person, by telephone, email or letter and they are all investigated.

Commissioner Amberman praised the police department for their transparency and that there is a need to keep the community informed on the department's efforts.

Commissioner Hesseltine asked about on-going training in the department. Chief Zucaro stated that the department trains twice as much as what is required by the Department of Justice.

Commissioner Taylor stated that supporting current minority police officers is important for recruiting new minority officers. Chief Zucaro stated that through their professional development program, they are taking action to improve workplace satisfaction. Commissioner Taylor asked about the use of CS gas as opposed to pepper spray during public disruptions. Chief Zucaro stated that in his 42 years of service with the department, tear gas has only been used twice. His decision to deploy the tear gas on May 31st was made with due deliberation, and only made after the crowd became combative and refused to disperse. He stated that he is open to conversations on the use of the pepper spray in place of tear gas.

Commissioner Stanley commended the department and Chief Zucaro on his work with the community, and his partnership with the Commission. She asked of the 3,300 CIT calls, what was the annual percentage and Chief Zucaro stated that annually they have about 170,000 calls for CIT services. Commissioner Stanley stated that those statistics show the integrated services of the police department.

Commissioner Gunn asked about the defunding or dismantling of the police department. Chief Zucaro stated that the police department has been engaged in non-traditional service deliveries to help with homelessness, substance abuse and mental health. There is a difference between diverting funds to community initiatives and eliminating funds. Funding for the police department is 5% of the City's budget. Chief Zucaro stated that it is an on-going national conversation right now.

Commissioner Stevens asked why the public isn't aware of all the good work of the police department. Chief Zucaro stated that he is working with his staff to get the message about their work out into the public via social media. He is working with the media communications director to formulate some community dialogues. Chief Zucaro stated that having advocates within the community helps to get their message heard.

## **VIII. Awards Committee**

Co-Chairs of the Awards Committee, Commissioner Calliott and Chairwoman Nery-Strickland, presented the committee's recommendation to cancel the in-person Awards Ceremony and to do a virtual event in its place, the format undetermined at this time. Commissioner Amberman clarified that the virtual event would occur during International Human Rights week.

Commissioner Amberman made a motion to accept the committee's recommendation to cancel the in-person Awards Ceremony and replace it with a virtual recognition event during Human Rights week. Commissioner Burnsworth seconded the motion. By a vote of 14-0 (1 abstention due to technical difficulties), the Awards Committee's recommendation to cancel the in-person Awards Ceremony and replace it with a virtual recognition event during Human Rights week was approved.

Chairwoman Nery-Strickland asked that the HRC liaison, Dominique McKinnon, send out a Doodle poll for the next Awards Committee.

#### **IX. Adjournment**

Chairwoman Nery-Strickland adjourned the meeting at 6:34 p.m.

**Next Meeting:**  
Thursday, August 13, 2020 @ 4:00 p.m.  
Virtual Meeting