

*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.*

August 13, 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 Hesselstine, Frances Knight Thompson, Luis Rivera, Teresa Stanley, Mark Stevens, Ron Taylor, Allison White, Rabbi Israel Zoberman

Members Absent: Emiliano "Jojo" Orenca, Cheryl Caalim and Pearl Renwick

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

Liaisons Present: Councilman Michael Berlucchi, Interim Chief Tony Zucaro, Lieutenant Michelle Meister, Sheriff Kenneth Stolle, Captain Henri Norris, Lieutenant Lois Thompson, Rod Ingram (Deputy City Attorney), Dr. LaQuiche Parrott, Orelious Walker

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 Orenca, Student Commissioners Caalim and Renwick were absent.

II. Membership Discussion

Councilman Berlucchi spoke about the composition of the Commission, specifically the 19th appointment and the two student Commissioners. The Commission was originally made up of 11 members and progressively grew. The 19th appointment was added due to a clerical error and now there has been some discussion about potentially changing the ordinance to state that the composition of the HRC is 18 members. Other members of City Council have inquired about appointments for the 19th Commissioner and Councilman Berlucchi would like to give them an update by their next meeting.

Councilman Berlucchi stated that the student Commissioner positions are an important educational tool and an important part of the Commission's process; therefore, he is hesitant to remove the positions or their voting rights. He suggested reducing the number of student commissioners from 2 to 1. This would make managing a quorum and the logistics of the HRC meetings easier.

By a vote of 14-0 (1 abstention due to technical difficulties), the Human Rights Commission approved the retention of the 19th Commissioner appointment.

On the matter of student Commissioners, Commissioner White made a motion to maintain the two student Commissioners, but they would not count towards the quorum or have voting rights. Vice Chair Jenkot seconded the motion. By a vote of 6-8 (1 abstention), the motion failed.

Commissioner Hesseltine made a motion to reduce the student representation to 1 student commissioner with all the rights and responsibilities of an adult Commissioner. Commissioner Amberman seconded the motion. By a vote of 7-7 (1 abstention), the motion failed.

Commissioner Amberman made a motion to table the discussion on student Commissioners. Commissioner Thompson seconded the motion. She suggested that the Commission do some research on the purpose of the student Commissioners before the next discussion on the matter. There was a consensus by the Commission to table the discussion on the student Commissioners for another time.

III. Sheriff's Office Update

Chair Nery-Strickland introduced Sheriff Kenneth Stolle and he spoke on the two recent prisoners' deaths in the city jail. Sheriff Stolle provided the following statistics on the composition of the inmates as of August 1st:

- 355 inmates with chronic medical conditions
- 5 pregnant inmates
- 740 inmates on medication
- 472 inmates on mental health medication
- 14 inmates with HIV
- Some inmates going through withdrawals

The first inmate who died was discovered by a deputy during a routine check at 2:45 am when he was found to be having difficulty breathing. The jail medical staff, rescue squad and fire department responded, and he was declared dead at 3:20 am. The inmate had chronic kidney disease and was reported to have refused medication for the last two years. The report from the medical examiner has not come back yet, but preliminary indications show that the cause of death was acute kidney failure.

Commissioner Calliott asked why the inmate was in jail, and Sheriff Stolle reported that he was there for failure to appear in court for a misdemeanor and could not afford the bond. Commissioner Calliott stated that perhaps the inmate would not have been in jail if he had more money and that the bond system may be flawed.

Commissioner Hesseltine asked the Sheriff when the inmate was previously checked, and had he complained of any problems. Sheriff Stolle stated that the inmate was in the quarantine block, which was created to keep COVID-19 out of the jail. Per policy, inmates are checked on twice per hour. It had been discovered that he was not feeling well during an earlier check and the nurse that examined him reported that he did not need any further medical assistance. Her findings are currently under

investigation. The Police Department and Department of Corrections are investigating this death as well as the second death.

The second inmate who died was found by a deputy on August 9th. He had hung himself with a bed sheet. The jail medical staff, rescue squad and fire department responded, and he was declared dead at 1am. He was in prison for his third offense, felony DUI, and had gone through the jail's detox program. It was discovered that he tried to commit suicide in jail 10 years ago. The Sheriff's Office does a 3-4-year review of past suicidal incidents and Sheriff Stolle has decided to extend the review indefinitely for any history of suicide attempts. The inmate did not classify as suicidal during his intake psychological exam.

Chair Nery-Strickland reported that the Commission now has a Law Enforcement Oversight Committee and looks forward to working with the Sheriff on the committee.

IV. Minutes Approval

Rod Ingram stated that there has been a change to the statutory provisions for conducting virtual meetings and asked that the Commission consider approving the minutes with the stipulation that he will be providing some minor edits to the provisions. Commissioner Hesseltine made a motion to approve the minutes with the minor corrections to the provisions. Vice Chair Jenkot seconded the motion. By a vote of 15-0 the minutes from the July 9th meeting with minor corrections to the statutory provisions were approved.

V. Remarks from Rod Ingram

Rod Ingram clarified the requirements for public notice when three or more Commissioners attend a meeting. He stated that if Commissioners do not discuss HRC business at a third-party meeting or webinar, public notice is not required. He stated that if you know you need to discuss HRC business at one of these meetings, notify Chair Nery-Strickland and HRC Liaison, Dominique McKinnon, as soon as possible to get a public notice posted. There is a statutory duty to have the public notice posted three business days in advance of the meeting.

VI. VYPD Recruitment Presentation

Due to time constraints the presentation by Chief Zucaro was postponed until the next meeting on September 10th.

VII. Chairman's Report

Chair Nery-Strickland reported that she has been contacted by the head of the Listen, Learn, Love group. The organizer wants to make a presentation to the Commission and has asked for someone from the HRC to speak on the Commission's behalf to support an affordable housing apartment community. Chair Nery-Strickland stated that the group has also changed the City Seal to state that Virginia Beach is a sanctuary city for human rights.

Rod Ingram stated that third parties cannot change the City Seal but are welcome to share their ideas with City Council.

Commissioner Amberman stated her concern with the HRC being associated with the Listen, Learn, Love group. The use of the term "sanctuary" attracts negativity and their presentation to the Commission could be perceived as the HRC supporting their efforts.

Vice Chair Jenkot stated that an association with the group blurs the line between the business community and HRC because the apartment property is owned by Venture Realty.

Chair Nery-Strickland will reach out to the organizer of Listen, Learn, Love to decline their request to make a presentation to the Commission.

VIII. Committee Reports

Forums/Dialogue Committee

Commissioner Amberman reported that the Forums Committee would like to schedule a meeting to discuss the status of the Human Rights and Race Relations forum that was planned for March 31st. She reported on the details of the originally planned forum:

Keynote Speaker – Jessica Killeen, Deputy Counsel to Governor Ralph Northam
Grace Kelly

Panelists:

- Claire Guthrie-Gastanaga, Executive Director, American Civil Liberties Union of Virginia
- Paula Bazemore, Hampton Roads Program Manager - Virginia Center for Inclusive Communities
- Dr. Amelia Ross-Hammond, Founder & Chairman, Virginia African American Cultural Center, Inc.
- Jackie Glass, Navy Veteran, Podcaster, Social Entrepreneur
- Rabbi Dr. Israel Zoberman, Founder, Temple Lev Tikvah
- Michael Cloud-Butler, Ojibwe Tribal Member, American Indian Activist

Commissioner Amberman wants input from the Commission on whether to proceed with the planned forum or take another approach based on the current events involving racial tensions. She would like to have a virtual meeting for the committee to discuss this matter further.

Racial Tension Taskforce

Commissioner Thompson reported that she has participated in workshops based on the protocols outlined in the book *Courageous Conversations About Race*, to help people feel comfortable with sharing their experiences. She is collaborating with Allison Zmuda, an education consultant who co-lead those workshops, to bring community leaders and citizens together to have these courageous conversations. She has a meeting with Allison on August 21st. They want to start the conversations with city leaders before expanding out into a public forum.

Law Enforcement Oversight Committee

Commissioner Hesselstine reported that she had a conversation with Chief Zucaro and Chair Nery-Strickland about reshaping community policing in the 21st century. She asked Chief Zucaro about applications and training, officer wellness and leadership. She will be compiling the questions and answers to present to everyone and will be having a committee meeting soon. She thanked Chief Zucaro for taking the time to meet with her and Chair Nery-Strickland.

Awards Committee

Commissioner Calliott reported on the Awards Committee's decision to produce 5 short videos that would be broadcasted each week in the month of December. Each 2 to 3-minute video would have a theme that would recognize a specific group in the following categories:

- Healthcare Workers and First Responders
- Essential Workers and Ordinary Citizens
- Organizations and Non-Profits
- Feeding Each Other and Donation Drives
- Protecting Each Other and Equity and Social Justice

Commissioner Calliott stated that the recommendation for the short videos was based on the thought that people are more likely to view a short 2 to 3-minute video as opposed to a 30-minute video.

Chair Nery-Strickland stated that the Awards Committee needs to schedule a meeting and include Julie Hill with the City's Communications office. HRC Liaison, Dominique McKinnon reported that she has reached out to Julie to see if she is available to join the meeting. Dominique will be scheduling the meetings for the Awards Committee and Law Enforcement Oversight Committee tomorrow.

Commissioner Burnsworth suggested that educators be recognized in one of these categories.

On-Boarding Taskforce

Commissioner Burnsworth reported that the On-Boarding packet is ready to be finalized and is with the HRC Liaison, Dominique McKinnon. Dominique reported that once the Work Plan has been updated, it will be included with the rest of the packet for completion.

Commissioner Burnsworth announced that he will be leading a VBCPS virtual learning center for grades 6 - 8. The Commission congratulated Commissioner Burnsworth on his new position.

Joint RAC/HRC Oceanfront Committee

Chair Nery-Strickland reported that the RAC has drafted a resolution on recommendations to revitalize and maintain the Resort Area. The RAC has asked for the HRC's support of their resolution.

Commissioner Amberman made a motion to approve the HRC's support of the RAC resolution. Commissioner Hesselstine seconded the motion. By a vote of 14-0 (1 abstention due to technical difficulties) the motion to approve the HRC's support of the RAC resolution was approved.

COVID-19 Taskforce

Vice Chair Jenkot continues to provide an email every Friday with the weekly data on COVID-19 cases in Virginia Beach by race and age.

Commissioner Amberman reported that COVID-19 is affecting minority groups more, for example, the Latino community represents 10% of the population, but 60% of the infected population. She stated that the General Assembly will be discussing health coverage for undocumented citizens who are infected with COVID-19. The Office of Equity is promoting the new app, COVID Wise, to help with contact tracking and she could help someone in their working group give a presentation on the application.

Mental Health Committee

Commissioner Cubine reminded the Commission that she provided some facts on COVID-19 and its effect on mental health. She stated that the Virginia Behavioral Health Department, did get a \$2 million federal grant to address behavioral impact of COVID-19. Another grant was given to the state for a warm line that was established to support those struggling with trauma, grief and distress caused by COVID-19. The warm line phone number is on the fact sheet.

Commissioner Cubine asked about the HRC supporting the legislative request to ask the General Assembly to fund STEP-VA. Rod Ingram spoke on communication between Councilman Berlucchi and Bob Matthias, the City Manager's liaison for Legislative Services, on the HRC sponsoring an item on full funding for STEP-VA and another item on diversity on the General District Court. Rod Ingram asked if HRC Liaison, Dominique McKinnon, would send the updated legislative request for STEP-VA to Bob Matthias. With enough consensus, Rod Ingram suggested that the Commission vote to include as a recommendation to the City Council for the legislative package, an item to increase STEP-VA funding and an item to increase diversity on the General District Court. That vote would be sufficient to draft those legislative requests and submit them to Bob Matthias.

Commissioner Stanley stated these two legislative items and a few more are usually part of an agenda that the HRC links with other organizations.

Vice Chair Jenkot made a motion to approve these two items for legislative requests. Commissioner Burnsworth seconded the motion. By a vote of 12-0 (1 abstention due to technical difficulties; 2 Commissioners had left the meeting) the motion passed.

VIV. Adjournment

Chair Nery-Strickland adjourned the meeting at 6:31pm

Next Meeting:
Thursday, September 10, 2020 @ 4:00 p.m.
Virtual Meeting