

*In accordance with Virginia Code § 2.2-3708.2, Virginia Code § 15.2-1413 and the City's Continuity of Government Ordinance adopted on September 15, 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.*

December 10, 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, Zakkiyya Anderson, Joe Burnsworth, David Calliott, Thomasine Cubine, Morgan Ellis, Jamal Gunn, Carla Hesseltine, Hannah Mancoll, Emiliano "Jo Jo" Orenca, Luis Rivera, Teresa Stanley, Mark Stevens, Ron Taylor, Frances Knight Thompson, Allison White, Rabbi Israel Zoberman

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

Liaisons Present: Councilman Michael Berlucchi, Dorothy Holtz, Rod Ingram (Deputy City Attorney), Captain Henri Norris, Lieutenant Lois Thompson, Orelious Walker (STiR Liaison), Lieutenant Scott Wichtendahl

I. Call to Order/Roll Call

The meeting was called to order by Chairwoman Nery-Strickland at 4:06 p.m.

Roll Call of the Commissioners was taken. All Commissioners were present.

Chair Nery-Strickland reported a change to the agenda. The presentation from the VBPD on recruitment efforts will be postponed until the next meeting in January.

II. Minutes Approval

Vice Chair Jenkot made a motion to approve the minutes from the November 12th meeting. Commissioner Burnsworth seconded the motion. By a vote of 18-0, the minutes for the November 12th meeting were approved.

III. HRC Retreat Facilitator Conclusion

STiR Liaison Orelious Walker reported that there were three items within the 2020-2021 Work Plan that needed to be discussed by the full body of the Commission before it would be ready for a final vote. One of the discussion points was the addition of the School Board as a partnership with Commissioner Frances Knight Thompson as the liaison and Commissioner Luis Rivera as the backup. Commissioner Stanley asked if this partnership nullifies the positions of the two liaisons from the School Board – Dottie Holtz and an alternate. Chair Nery-Strickland confirmed that it does not nullify those liaisons, it is a trade. Two liaisons for the School Board to the HRC and two liaisons from the HRC to the School

Board. Commissioner Thompson stated that she welcomed the role as liaison to the School Board.

STiR Liaison Walker reported that the next point of discussion was the partnership of the Hampton Roads Legislative Collaborative Table. Chair Nery-Strickland stated that it is an important partnership because the HRC contributes to the City's legislative package that goes to the General Assembly.

Vice Chair Jenkot made a motion to approve the Hampton Roads Legislative Collaborative Table as a partnership for the Human Rights Commission. Commissioner Amberman seconded the motion. By a vote of 18-0, the Hampton Roads Legislative Collaborative Table was approved as a partnership.

STiR Liaison Walker reported that the last point of discussion was a request by Commissioner Cubine to include the community members of the Mental Health Taskforce in the Work Plan. Chair Nery-Strickland reminded that these members are volunteers and if they are regularly attending the meeting, they deserve some recognition. She suggested that they be listed as members of the Mental Health Taskforce. Vice Chair Jenkot stated that these members are critical for the work that the taskforce does and suggested their addition. Commissioner Cubine added that Valerie Myers should be included as a member of the taskforce. There was no opposition from the Commission for the addition of these community members to the Mental Health Taskforce.

STiR Liaison Walker concluded that all input from the Commission, provided in meeting or by writing, have been included and discussed; therefore, the 2020-2021 Work Plan is complete. Chair Nery-Strickland reminded the Commission that the Work Plan is a living document and can be changed at any time. Commissioner Gunn asked if these potential changes are wholesale, minor or both. Chair Nery-Strickland clarified that they are both, but if it is a big change it would have to be voted on by the Commission. Commissioner Thompson suggested a periodic review of the Work Plan, possibly every quarter. Commissioner Cubine asked about job descriptions for the liaison and if that would be included in the Work Plan or if it was reported elsewhere. Vice Chair Jenkot stated that a job description of the liaison is included in the procedure manual that Commissioner Burnsworth and Commissioner Rivera created.

Commissioner Amberman made a motion to approve the 2020-2021 Work Plan. Commissioner Stanley seconded the motion. By a vote of 18-0, the 2020-2021 Work Plan was approved.

IV. Committee Reports

Chair Nery-Strickland reported that at the last City Council meeting, our VBPD liaison, Deputy Chief Zucaro was named honorary Chief of Police by the City Manager. Councilman Berlucchi stated that five Virginia Beach City government veterans, who retired after many years of service, were recognized at the City Council meeting. He stated that Councilwoman Wilson added up the years and it was over 200 years of service by these five retirees. The recognition that they received through the letters from the Human Rights Commission shows the commitment to establishing good relationships with the people who serve Virginia Beach. Councilman Berlucchi stated that naming Deputy Chief Zucaro as Chief was a deserved honor for assuming that role during such a challenging time for law enforcement

and our community. He stated that Chief Zucaro will be missed, but with change, there is opportunity and the HRC can help shape the path for the future with new leadership.

Lieutenant Scott Wichtendahl shared that Chief Zucaro was very appreciative and touched by the letter and the card that he received from the HRC.

Chair Nery-Strickland reported that the Human Rights Day celebration video was released today, and it is posted on Facebook. There was one negative comment and Chair Nery-Strickland stated that the Commission previously decided to keep their social media open for public comments. City Deputy Attorney Ingram stated that part of the HRC's mission is to be a forum for discussion of human right issues. There are terms of use that allow for deleting or hiding comments in certain extreme circumstances, but those are very narrow. In this circumstance where something offensive was posted, it cannot be deleted or hidden because the 1st Amendment protects citizens who speak in a government forum on matters of public concern. City Deputy Attorney Ingram suggested that when someone posts something negative, commissioners can post something positive and consistent with the HRC's mission.

Commissioner Hesseltine reported that the next Law Enforcement Oversight Committee meeting will be on December 16th and they will be reviewing the Use of Force policies for the Virginia Beach Sherriff's Office and the Virginia Beach Police Department.

Chair Nery-Strickland reported that the Governor announced new COVID-19 restrictions today. Vice Chair Jenkot reported that the number of cases, testing and deaths are climbing. She stated that she has been attending Virginia Department of Health virtual meetings that have been focusing on different marginalized groups. The biggest takeaway from these meetings is information on the vaccine. The Virginia Department of Health is favoring a messenger RNA vaccine, which is not a live virus injection. She reported that the state will be receiving 480,000 doses of the vaccine by December 31st. They will first go to healthcare workers and then persons in senior living facilities and nursing homes. She will continue to share these updates. Chair Nery-Strickland reported that a member of the Resort Advisory Commission, Preston Midgett, is battling COVID-19. Businesses at the Oceanfront and around the City are putting up messages of support for him.

Commissioner Amberman reported that 20,000 individuals are being tested per day and the Virginia Department of Health is sure that they have enough supplies. The turnaround time for testing is two days. She reported that people will need two doses of the vaccine so the 480,000 doses that Virginia is set to received will be reduced by half. She added that during the community conversation on the vaccine, the Norfolk Sherriff asked that they take into consideration the jails and the prisoners who have no choice.

Commissioner Amberman reminded the Commission that she distributed a flyer about the schedule for the vaccination community conversations. She provided the following dates:

- 12/10 - LGBTQ community
- 12/15 - African American community
- 12/16 - Disabled community
- 12/17 - Rural community

Chair Nery-Strickland stated that Vice Chair Jenkot continues to send out the weekly COVID-19 stats to show that combining the data for all the marginalized minority group, they represent over 50% of the cases. Commissioner Stanley asked if the taskforce is

considering efforts to raise the awareness of the vaccine in minority communities, specifically the African American community. She asked if respected leaders in these communities will be working to deliver the vaccine information. Chair Nery-Strickland suggested the taskforce could do promotion for the vaccine.

Commissioner Amberman reported that for example, during the vaccine community conversation for Latinos, they had over 200 Latino leaders, organizations and healthcare providers participating. She stated that these conversations are working to make sure the outreach goes to these communities with voices from respected healthcare professionals and leaders, so people don't think they are being used as guinea pigs. The Governor and other leaders are willing to take the vaccination to demonstrate the safety and importance of the vaccine. She reported that the Governor's Vaccination Taskforce will be meeting tomorrow, and she will forward any new information that she receives.

Commissioner Gunn suggested that the HRC could publicly take the vaccine. Chair Nery-Strickland supported the suggestion, stating that each commissioner could record themselves getting the vaccine. Deputy City Attorney Ingram also supported the suggestion of commissioners individually posting their vaccination on social media once the vaccine becomes widely available.

Commissioner Hesseltine reported that after the first distribution of the vaccine, the population of 65 and over with health conditions will be the next to receive the vaccine. The members of the HRC will be eligible at different times and the expected timeline is January to May of 2021.

Commissioner Stevens report on the BEACH Committee, stating that they are currently tracking winter shelter for the homeless. He forwarded a plan that the City has created, and it was posted on Facebook. Two staff members are being hired by the Housing Resource Center to help with the homeless on the Oceanfront. He also participated in a virtual meeting with a Los Angeles Human Rights Commission on foster care children who age-out at 18 and end up homeless. Commissioner Stanley reported that with the help of Councilman Berlucchi, they are making sure that the rights of people who are homeless, are being protected. She also reported that the longest night of the year is Monday, December 21st. At 6 pm Commissioner Stevens will be speaking and representing the HRC for the Homeless Vigil. She and Commissioner Stevens will be sure to send the flyer on the event to all the Commissioners.

Chair Nery-Strickland asked the commissioners if anyone had any remarks regarding the November 24th City Council meeting where the IRP recommendations were discussed. She reported that Regina Hilliard gave the presentation where she provided recommended changes to the IRP that could be implemented now by her department with City Council's approval. Changes such as increasing the number of members and increasing the diversity of the panel. Commissioner Hesseltine stated that from her understanding, discussion is ongoing and no decision will be made until January as City Council will not be meeting for the month of December. Commissioner Taylor reported that Mayor Dyer presented a resolution during the City Council meeting that extracted two recommendations from the African American Roundtable. The African American Roundtable has drafted a document regarding a citizen review board and would like to have input from the Human Rights Commission and the Latino and Asian communities. One of the items in the document is that the composition of the board represent the majority of the complainants. He stated that there

needs to be transparency and oversight so that the Virginia Beach Police Department is protected. If someone makes false allegations, the citizen review panel can investigate it.

City Deputy Attorney Ingram reported that no final decision was made by City Council after the presentation. He stated that there are some changes to the IRP that only City Council can make such as the name change and the composition. The new authority granted by the General Assembly doesn't take effect until July 1, 2021. City Deputy Attorney Ingram suggested that the Commissioners watch the November 24th City Council meeting to see the different views and perspectives on changes to the IRP.

Commissioner Hesseltine stated that she viewed the meeting and the recommended change to the composition was one member would be non-City employee or non-immediate family of a City employee, one would be a representative from a racial justice organization or the HRC, and one would be a non-voting member with police expertise. She asked what the African American Roundtable sees as the first step for changing the IRP. Commissioner Taylor stated that they want to lay the foundation for the citizen review oversight by determining what authority they want to give it, and then the policy and procedures. The African American Roundtable wants everyone to come together so they can flush out a good product to prevent any disturbances in our city.

Chair Nery-Strickland stated that during the meeting there was a question regarding the composition of the IRP reflecting the demographic diversity and what demographic diversity means. City Deputy Attorney Ingram stated that the statute does not define demographic diversity and its definition is something City Council will have to decide. He reported that currently the IRP has 6 members with half of them being minorities – two African American members and one Filipino member.

Commissioner Rivera asked about the recommendation of having an HRC member on the IRP and how it will be determined who that person will be. He suggested that the Commission be proactive about that determination.

Commissioner Zoberman stated that he wanted to join the African American Roundtable and Chair Nery-Strickland clarified that only two HRC liaisons were selected due to the public notice requirement. Commissioner Taylor suggested that Commissioner Zoberman provide input on the draft of the African American Roundtable proposal from the Jewish community.

Commissioner Stanley stated that there is concern that the efforts of the African American Roundtable are not being communicated with the Pastors/Leaders Police Relationship Table. She asked if Commissioner Taylor could make sure that the Pastors/Leaders Police Relationship Table be kept in the loop.

Commissioner Thompson reported that the Minority Business Council is in partnership with the Kempsville Entrepreneurship and Business Academy. They have an intern sitting on the Minority Business Council and she can share more information on that if anyone is interested. She reported on the Virginia Beach pandemic relief partnership small business program. It is a grant funding program for minority owned small business. The deadline to apply is December 18th and she will send out information to be shared with anyone that may in need of assistance.

V. Adjournment

Chair Nery-Strickland adjourned the meeting at 6:03pm.

Next Meeting:
Thursday, January 14, 2021 @ 4:00 p.m.
Virtual Meeting