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| MINUTES | Thursday, March 11, 2021 at 12:00 PM |  |
| Human Relations Commission Meeting | Commission Room 1st Floor—City Hall 224 West Ninth Street Sioux Falls, South Dakota or by teleconference at (605) 367- 8898 Code 806-0076 | |

BOARD MEMBERS PRESENT: Nassir Yemam, Bill Wood, Alex Ramirez, Karen Gourley, Kassidi Smith
PRESENT BY PHONE: Anny Libengood, Megan Myers, Justine Schoolmeester, Ryan Chase, Megan Grode Wolters
STAFF PRESENT: Sharla Svenes

CALL TO ORDER

A quorum being present, the meeting was called to order at 12:02 p.m.

ADOPT THE AGENDA

A motion was made by Wood and seconded by Myers to add to the agenda a discussion regarding the Equality Act currently being considered at the national level. Motion passed by a vote of 9-0.

A motion was made by Gourley and seconded by Ramirez to adopt the agenda as amended. Motion passed by a vote of 9-0.

APPROVAL OF MINUTES

A motion was made by Wood and seconded by Yemam to approve the minutes from the February 2021 meeting. Motion passed by a vote of 9-0.

BUSINESS OR PENDING ISSUES BROUGHT BEFORE THE BOARD

Review and Discussion regarding Human Relations Intake Questionnaire: Ramirez stated that he is interested in adding question in top section of questionnaire to inquire about complainant’s race, to help Commission better understand who they are helping and which groups of people may either be unaware of or simply not utilizing the Commission’s services. He noted that currently the questionnaire only asks people to indicate their race if that’s the basis of their complaint. Smith indicated understanding regarding why Ramirez wants to add this but asked why they would add this question and not questions regarding other characteristics, such as age. Wood stated that he has concerns about people being asked to complete the questionnaire on their own because some people may be confused by it.

Libengood moved to create a subcommittee to review the Intake Questionnaire in its entirety and make recommendations, and Smith seconded the motion. Motion passed by a vote of 9-0. The Commission designated Ramirez, Wood, and Schoolmeester as members of such committee.

Discussion regarding Possible Renaming of Commission to Better Reflect its Purpose: Svenes stated that Human Relations Office regularly receives phone calls and emails clearly intended for the Human Resources Department, which demonstrates that many members of the community do not understand the purpose of the office or Commission. She requested that the Commission members consider possibly recommending a new name, or new name options, for the office and Commission that more clearly conveys their role and purpose. Ramirez stated that he and Wood are supportive and had raised this idea previously, but no action was taken on it. Myers indicated that she was not previously aware of the confusion but glad to know about it and consider possible solutions. Libengood stated that she works for the “Human Services” office, and they also regularly get confused with Human Resources. The Commission concluded that it will give this matter thought over the next month and would like to provide and vote on name recommendations at next month’s meeting.

Update from Board Diversity Recruitment Committee: Libengood stated that Svenes presented the committee’s proposal to the mayor and received positive feedback. Svenes added that the mayor sees great value in the Commission serving as a resource for recruiting qualified, diverse applicants for the City’s various volunteer boards, as well as an example to other boards and commissions regarding how to create a board that is representative of the community it serves. Ramirez stated that he recognizes the difficulty of drawing qualified diverse applicants, as well as the challenge of knowing whether a candidate is qualified and suited for a board. He indicated that perhaps the Commission could help with learning more about applicants who apply for a position on a board, to make recommendations to the mayor regarding whether they are suited for the role. Libengood stated that the next step for the committee is to discuss ideas and subsequent steps, and she would reach out to the committee members to get that meeting scheduled. She added that any other Commission members interested in the initiative should email her.

Update from Communications and Outreach Committee: Ramirez stated that the committee had not been able to meet since the February meeting.

Discussion regarding Equality Act: Wood stated that the Equality Act would provide protection to a lot of individuals, but parts of it have been politicized, so it may be hard to get approved. Wood stating that he is only raising this discussion for people’s awareness. Wood also stated that House Resolution 1, regarding voting, is pending at the federal level. Ramirez indicated that he believes it needs to be easier for low income individuals to vote, as they often face unique challenges such as working during all hours that the polls are open, not having transportation, and/or lack of childcare. Wood stated that he is concerned that some states are not allowing broad use of absentee voting.

UPDATE REGARDING HUMAN RELATIONS OFFICE

Svenes informed Commission that Lyndsey Meier has been hired to fill the Human Relation Specialist role, and she will be a great addition to the office. She stated that Meier is expected to start on March 15th.

HUMAN RELATIONS DIVISION STATISTICS

There are currently 47 active discrimination cases, and the top three bases are race, disability, and retaliation. In February, the Human Relations Office had 17 walk-ins or phone calls regarding housing; six walk-ins or phone calls regarding employment; and eight walk-ins or phone calls regarding other discrimination-related items.

CIVIL RIGHTS UPDATE

- March 2, 2021 – DOJ announced settlement agreement with Tallahatchie County, Mississippi, resolving allegations that County intentionally discriminated against Black deputy sheriffs based on their race, paying them less than white deputy sheriffs. Under terms of the settlement agreement, County will pay four Black deputy sheriffs back-pay compensation and ensure that pay rates are reviewed and adjusted going forward to ensure no future discrimination.
- March 2, 2021 – DOJ announced settlement agreement with Charleston County School District to resolve investigation into complaints that School District failed to communicate essential information to thousands of Spanish-speaking, limited English proficient parents, denying their children full and equal access to the District’s programs and services. The District cooperated fully in the investigation and committed to improving its practices through revised policies and professional development. The settlement agreement requires the District to use qualified interpreters and translators to communicate with parents about matters essential to their children’s education. The District must also provide access to documents and information about program offerings in a language the parents understand.
- February 18, 2021 – Justice Department announced it reached settlement with State of Michigan and Michigan Department of Corrections to resolve a sex discrimination lawsuit brought by the United States of America. The agreement resolved allegations that the defendants engaged in unlawful employment practices that discriminate against female correctional officers at Women’s Huron Valley Correctional Facility because of sex. Under terms of the settlement, defendants will pay \$750,000 in compensatory damages to eligible female correctional officers who worked at the facility between 2009 and the present. Additionally, the defendants must take a number of actions to remedy the alleged discrimination.
- February 12, 2021 – 51 year old Indiana man, Shepherd Hoehn, pled guilty in federal court to making threats to intimidate and interfere with his neighbor, who is Black, because of the neighbor’s race and because the neighbor was exercising his right to fair housing. Hoehn also pled guilty to unlawfully possessing firearms. According to court documents, Hoehn became angry when his neighbor hired a crew to remove a tree from his property and took steps to threaten and intimidate his neighbor, including placing and burning a cross above the fence line facing the neighbor’s property; displaying a swastika on the outer side of his fence facing the neighbor’s property; displaying a large sign containing a variety of anti-black racial slurs next to the swastika; visibly displaying a machete near the sign with the racial slurs; loudly playing the song “Dixie” on repeat; and throwing eggs at his neighbor’s house. Hoehn has not yet been sentenced. He faces a maximum statutory penalty of ten years in prison and a fine of up to \$250,000 for each of the charged offenses.

PUBLIC INPUT

No members of the public were present either in person or telephonically.

Myers provided an update on South Dakota Senate Bill 190, indicating that it was tabled at the request of a sponsor of the bill. This legislation would have added protected classes to the state statute.

NEXT MEETING

April 8, 2021

ADJOURNMENT

A motion was made by Gourley and seconded by Yemam to adjourn the meeting. Motion passed by a vote of 9-0.

Meeting was adjourned at 12:51 p.m.

Respectfully submitted,

Sharla B. Svenes
Assistant City Attorney
Human Relations/ADA Coordinator