



**HUMAN RIGHTS COMMISSION**  
**Monday February 28, 2011**  
**REGULAR MEETING**  
**City Hall Council Chambers & Room 1027**  
**First Floor, 301 W. Second Street, Austin, TX 78701**

**MEETING MINUTES**

Chair Judy Cortez called the Board Meeting to order at 5:33 p.m.

**Commission Members in Attendance:**

Judy Cortez - Chair  
Lisa Scheps - Vice-Chair  
Elizabeth Brenner  
Tom Davis  
DeWayne Lofton  
Delia Meyer  
Paul Rhea

**Human Resources Staff Present:**

Yamile M. Ortiz, EE/FHO Staff Liaison  
Tony Robertson, EE/FHO Executive Liaison

**1. APPROVAL OF MINUTES**

The minutes from the meeting of January 28, 2011 were approved - Commissioner Scheps motion, Commissioner Davis second on a 6-0 vote.

**2. CITIZENS COMMUNICATIONS**

None

**3. NEW BUSINESS**

a. **Introduction of Paul Rhea, new Human Rights Commission member.**

Commissioner Rhea thanked all the commissioners for having him as a new member of the Commission. He also thanked Mayor Lee Leffingwell for appointing him to the Commission. Commissioner Rhea mentioned he is originally from Houston but had been living in North West Austin for 25 years. He said he works for The Boon Group, a third party employee benefits administration company.

Commissioner Rhea commented that he wanted to join the Human Rights Commission because he had grown up with the culture of Austin celebrating diversity and fairness.

Commissioner Rhea also stated that Austin has a good reputation as a friendly city to all cultural groups and being part of this commission can help to maintain this reputation across Texas and in the United States.

After his introduction all commissioners congratulated and welcomed Commissioner Rhea.

b. Presentation by the Witness to Innocence, the Campaign to End the Death Penalty CEDP, and/or the Texas Moratorium Members.

Commissioner Meyer introduced the speakers, from Texas Moratorium Network, Allison Dieter and Scott Cobb; from Witness to Innocence, Hooman Hedayati; from Campaign to End Death Penalty, Lily Hughes, and from the public, Delia Perez Meyer.

Ms. Perez Meyer: spoke of behalf her Brother Louis Castro Perez's case of innocence, who was falsely accused and wrongfully convicted of a triple homicide in South Austin on September 10, 1998. She commented that the capital punishment system is fraught with errors and that is unnecessary because it is violent and inhumane. She mentioned that the death penalty should be abolished.

Ms. Perez Meyer said that her brother Louis Castro Perez has been in on death row for 13 years and she stated the details of the terrible homicide and the mistakes made, like the fact his finger prints were not found on a murder weapon. She said her brothers' case is in the federal courts and he has a new lawyer. She mentioned that 150 exonerates have survived.

Ms. Perez Meyer thanked the commissioners for the support given because they had passed several anti death penalty resolutions and now is time for the Austin City Council to work together with our legislators to let them know we not longer need the death penalty in Texas.

Mr. Hedayati: Texas field organizer for Witness to Innocence explained that his group is the Nation's only organization to support the death row survivors and their families. This organization challenges the American public to see the problems of a fatality flawed criminal justice system that sends innocent people to die. He added that the Witness to Innocence brings a human face to the death penalty that no one else can.

Mr. Hedayati apologized on behalf of the absence of Clarence Brandley who was exonerated and was invited to speak to the commission and the public, but due to a health condition he could not attend. Mr. Brandley lives in Conroe Texas and he advocates for abolition of the death penalty by telling his story of racial bigotry and the unfair conviction of a crime he did not commit.

Mr. Hedayati commented that Clarence Brandley spent 9 years, 5 months and 23 days in prison and he is one of the 137 exonerated in the country. He mentioned a few more exonerated individuals like Anthony Graves who was on death row since 1994 and was one of the 12 exonerated in Texas who was released in October 2010. The exoneration of

Robert Springsteen, he was released from death row in 2009 for the conviction of the murderers of the Austin yogurt shop in 1991. Cameron Willingham was proven innocent and also was exonerated in December 2004 after being executed in February 2004. Mr. Hedayati stated because of the wrongful convictions the local taxpayers had to pay over 14 million dollars in 3 lawsuits in 2003 and taxes for 2000 were increased to prosecute capital punishment cases.

Mr. Hedayati ended his presentation by saying that on behalf of Clarence Brandley and members of the Witness to Innocence around the country and in Texas, we are asking the Commissioners to vote in favor of abolishing death penalty and recommend the City of Austin adopt a resolution calling for a Moratorium on Death Penalty. In addition he recommended the City Council to do the same.

Mr. Scott Cobb: President of the Texas Moratorium Network; he talked about the time he was before the Commission in 2005 and 2009 when the commission passed the resolution calling for the Moratorium on Executions in Texas. He also stated on 2007 the Commission passed one resolution on the Abolition on Death Penalty.

Mr. Cobb commented that since those times the Austin City Councils and Texas Legislatures have not taken action on the death penalty. Mr. Cobb ended his presentation asking the Commissioners to talk with the District Attorney to review the last resolution. He added we need to educate every one that we are taking the position to investigate, to acknowledge the problem and get solutions.

Commissioners Scheps and Commissioner Davis commented that the resolution needs to be one page prior to presenting it to the council members. Additionally the resolution needs to have more information on the financial impact and the reasons to pass.

Ms. Hughes: Member for the Campaign to End Death Penalty explained this is a national organization dedicated to the grassroots struggle for abolition of the death penalty. Ms. Hughes suggested the money used for capital punishment can be used in education and outreach to work on prevention of crime and poverty.

Ms. Hughes commented the resolution the Commission passed last year was great however the cost impact will make a difference with the new version that is coming up. Once the revisions are made the Austin City Council and the County Commissioners can make a recommendation which will put pressure on the District Attorney's Office not to seek the death penalty in capital cases.

Ms. Hughes ended her presentation saying the group Campaign to End Death Penalty does a lot of advocacy around individual cases in the community.

Commissioner Meyer mentioned that Allison Dieter, a Member of the Texas Moratorium Network was unable to speak but she provided two articles from the Justice Project on Convicting Innocent explaining how Jurors deserve the most reliable evidence and the list of the Texas DNA Exonerated.

- c. Adopt new Bylaws per Ordinance 20101209-003 relating to Boards & Commissions.

Commissioner Cortez stated the new adopted bylaws were approved. Commissioner Meyer motion, Commissioner Rhea second on a 7-0 vote.

#### **4. OLD BUSINESS**

- a. Update on the proposal to host the 2011 International Association of Official Human Rights Agency (IAOHRA) - conference in Austin.

Commissioner Scheps spoke on a meeting that was held at the Equal Employment Fair Housing Office with members of IAOHRA. She stated clarification was given regarding the roles between the national and local groups, the creation of working groups, the logistics and the program for the next International conference and the definition of IAOHRA

Commissioner Scheps mentioned the group met with Cliff Brown and other regarding funding opportunities and support resources. Also, she mentioned the tour to the LBJ Library, IAOHRA definition, and explained the purpose and history to the newest Human Rights Commission's member. Commissioner Scheps gave the conference's dates and explained how we are a host city.

Commissioner Cortez provided some general information about the speakers

Mr. Arron Pyle a graduate student at U.T – who was a guest, offered to take care of the contacts at UT and agreed to join as a volunteer.

Carla Scales offered the Human Resources staff to assist during the conference.

Commissioner Scheps said that “Living the Legacy” is the conference theme from the Civil Rights Act of 1964.

- b. Discussion on the homeless issue in Austin as per our annual work plan and working with the Women's Commission.

Commissioner Scheps discussed the work plan and stated it is a work in progress.

- c. Discussion on the Annual Work Plan

Commissioner Cortez said they are still working on having the HRC retreat on Saturday March 19, 2011. Location will be announced.

Commissioner Cortez requested Tony Robertson have reports regarding mediation cases.

Tony stated he will provide the reports which will help to understand the process.

Commissioner Cortez inquired about business cards for the commissioners and suggested ordering them without the City of Austin seals.

Tony Robertson talked about the hearing process of Marcus Marshall V. Six Lounge and stated the complaint is going to mediation.

Carla Scales clarified that the City of Austin Law Department is working with the Six Lounge concerning the mediation process. The process was on hold during November and December until the Administrator was selected.

## **5. STAFF BRIEFINGS**

- Announcements from Commissioner Lofton; He invited the public and the commissioners to a press conference on Wednesday March 2, 2011 at 12: 00 pm, location at Austin City Hall. The Concerns Citizens of Austin is holding the conference to address the recent comments made by Mayor Lee Leffingwell and Mayor Pro Tem Mike Martinez. These comments made public regarding the Fire Chief, the City Manager, Assistant City Manager and the president of the African American Firefighters Association.
- Announcements from Commissioner Meyer; she spoke about the 2011 Anti-Death Penalty Alternative Spring Break function; details are available on the Texas Students against Death Penalty website.
- Announcements from Commissioner Cortez; she invited the public and the Commissioners to attend on Wednesday March 2, 2011, from 12:00 pm to 2:00 pm to the House State Affairs Committee hearing on immigration.
- Equal Employment Fair Housing Office (EE/FHO) Updates by Tony Robertson, Administrator: Mr. Robertson introduced himself to the Commissioners and informed them of the grand opening, of the EE/FH Office's new location, on March 4, 2011. He invited the Commissioners to join the celebration. Additionally, Mr. Robertson indicated he would schedule ordinance training regarding the processing of Employment and Housing cases after the March 19, 2011 work session.

## **6. FUTURE AGENDA ITEMS**

Commissioner Brenner commented on inviting the two attorneys who participated during the September 27, 2010 hearing to their next commission meeting to speak to the Commission regarding their feed back on the hearing process.

## **ADJOURN**

Chair Judy Cortez adjourned the meeting at 7:05 pm without objection.