



HUMAN RIGHTS COMMISSION

MEETING MINUTES

**Monday June 27, 2011
REGULAR MEETING
City Hall Council Chambers & Room 1027
First Floor, 301 W. Second Street, Austin, TX 78701**

Chair Judy Cortez called the Board Meeting to order at 5:31 p.m.

Commission Members in Attendance:

Judy Cortez – Chair
Tom Davis – Vice Chair
DeWayne Lofton
Paul Rhea
L. George Reynolds

Human Resources Staff Present:

Tony Robertson, EE/FHO Executive Liaison

1. APPROVAL OF MINUTES

The May meeting minutes were not available for review and approval. Mr. Robertson indicated that Commissioners be prepared to discuss, review and approve those minutes during their July monthly meeting.

2. CITIZENS COMMUNICATIONS

Susan Litz, representing the Carpenters Union in Austin. She shared with the Commissioners concerns about a public awareness campaign in reference to Contractors paying constructions workers off their books, either by under the table methods or 1099s and their organization is trying to clean up this wrong through legislation. They have had several incidents where they have intervned and corrected issues with Contractors on their payments for work to laborers to ensure the unemployment taxes are taken out properly and correctly, SSI and other required taxes are done, and to ensure that contractors do not lower the wages of their labor force due to their sly operating procedures. The Carpenters Union is also having problems retaining and obtaining quality laborers and skilled crafts because of these practices as well. They have posted banners in strategic locations to make their public awareness known throughout the Austin community.

Chair Cortez asks the question of where their locations were and where they will be bringing the message to the public on this concern and campaign. Ms. Litz indicated that they will be

located at the Highland Mall area, 11th Street and Congress, Fast Eddy's, Dillard's, and numerous other locations.

3. NEW BUSINESS

a. Discussion and Possible Action regarding the Senate Bill 9 relating to the Sanctuary Cities.

Art Acevedo – Austin Police Chief. First he introduced one of his commanders who is over the community issues with the police department. He went on to say that this SB9 is a major concern to his department and other departments around the state. He said that the people who lead the nation in public safety are all adamantly opposed of this type of legislation. He stated that although it was killed in the House and brought up again in the Senate, he felt it would not get the votes to pass. APD already targets individuals who are conducting criminal activity. He asked an ICE representative during a conference he had attended a question about deportations. He asked, “Does all law enforcement currently go after those folks who are breaking the laws?” He then asked the ICE representative, “Who is going to pay for this and the resources that will go with it?” The response was that all local authorities and state authorities will provide their own resources; Chief Acevedo indicated that we just do not have the resources to do this. Currently in Arizona under their State Law on Immigration, they are approximately two years behind on processing their deportation hearings. Reasons are due to economic issues based on housing these folks. Economic immigrants provide no resources to support enforcement of this bill.

Louis Figueroa – Legislative Attorney for MALDEF, Mexican American Legal Defense and Education Fund. His group is based in San Antonio and is nationwide; he indicated that his group has very serious concerns about SB9. He reiterated that all police departments are against this bill and how it can undermine their ability to enforce the laws. Recently Georgia and other states have passed anti-immigration legislation but so any immigrants left Georgia as a result that farmers cannot find a workforce to work their fields. The reason for departure was constant questions about their immigration status. Another area of focus is the legal implications. This can include racial profiling and violating Constitutional mandates. He went on to say that this can result in a discrimination lawsuit which can and will affect the loss of state funding. He discussed 4th and 5th amendment rights and litigation and he pointed out the moral implication this will have on various churches and organizations who opposed and condemn such a law. Laws like SB9 have resulted in US citizens' and lawfully residing immigrants' are being profiled and having an ICE hold placed on them. Mr. Figueroa went on to say that these persons end up in jail for no reason. He asked the Commission to draft a resolution to fight this bill and support that it not be passed.

Chair Cortez asked a question about the prohibition of racial profiling. Obviously this is a misconception and misleads this legislation. She thanked Mr. Figueroa and indicated that the HRC plans to draft a Resolution opposing this bill and the economic impact on Austin. Chair Cortez goes on to state that Hispanics are not the only ones impacted and she mentioned the North like Canada, Eastern Europe and the West. So the South Border is not unique. We have undocumented immigrants of all races, ethnicity, and of all colors so to profile Hispanics only, leads to violations of the law.

Mr. Figueroa agreed and stated that the bill prohibits a police chief from setting up guidelines that can be construed as profiling or discrimination.

Teresa Perez-Wisely – LULAC: She spoke on her own behalf as a grandparent. She said that as a PTA activist, she sees a lot of non-participation from Hispanic parents. She mentioned all different types of National Origins as well. She spoke about how most Hispanics do not volunteer do not adhere to the language barrier for fear of immigration concerns. She stated that documented children may have undocumented parents and bills like SB9 affect children by removing bilingual education. She spoke about a newspaper article in Minnesota where 250 adults were arrested. She states it left 250 children whose parents would not be there for them. She discussed the issues of income taxes' not being paid because the workers are undocumented. SB9 is making things worse.

Chair Cortez requested clarification of the bill- in reference to the statutory issue from DPS. Mr. Figueroa indicated that there are three provisions of the bill which were (1) sanctuary city provision (2) Driver's license provision and (3) Secure communities on dealing with arrests and being run through the crime database. Chair Cortez asks a question on Temporary Visitor stations. Mr. Figueroa defined those stations as an expert station as a support station to DPS to help with information gathering to address questions on this bill. The support mission is to provide expert response on the bill.

4. OLD BUSINESS

- a. Update on working Committees, discussion on the Sheraton Hotel and LBJ Library Contracts, and other areas of responsibility for the 2011 International Association of Official Human Rights Agency (IAOHRA) - Conference in Austin.

Commissioner Cortez indicated that discussion on where we are on IAOHRA will be discussed at this time and provided a status on the Mayor's acceptance and county commissioners' attendance. She also heard from the City Manager.

Ms. Scales asked who Chair Cortez heard from in reference to Mr. Ott. Mr. Ott cannot be in attendance due to Budget season. Chair Cortez discussed her contacts with the group in reference to her portion of the conference. She then wanted to know when the next conference call with the IOAHRA Planning Committee will be and the Mr. Robertson indicated the 6th of July.

Mr. Robertson briefed Commissioners on status of conference deliverables and our part as the host committee. He discussed the bios being received, Ads, and the continued request to receive these items as we draw closer to July 15th. Mr. Robertson wanted to discuss with Commission their portion on providing an Ad and welcome letter for the program book. Mr. Robertson shared the cost of Ads with the Commission.

Mr. Robertson discussed the hotel-library transportation contract and invoice information update. He let everyone know that IAOHRA President Russell will sign the contract.

Volunteer Committee: Commissioner Rhea discussed his committee's workings and let the group know where they were on gifts for VIPs. Commissioner Lofton indicated that if Logos are acceptable, he could get a group of lawyers to donate or provide some nice conference bags as well. Mr. Robertson indicated that any donations we can receive will be gratefully appreciated and accepted. 100 bags would be nice to receive. We want to

ensure the attendees have something from Austin to remember their time here. Mr. Robertson discussed how St. Edwards University and its group of colleges will be providing exhibits during the conference and possible sponsorship opportunities as well. Mr. Robertson went on to discuss the items we have received by way of goodies that will go inside the conference bags.

Chair Cortez, discussed her reasons for using the different conference bags from previous conferences.

Vice Chair Davis wanted to find out more detail on the Cyber Café for use of Laptops for attendees during the conference. Ms. Scales indicated that she would contact Steve Elkins and provide him or let him know that she would be giving his number to Vice Chair Davis for contact.

Ms. Scales informed the group that we are at 99% of UT sponsoring the LBJ event and that we have changed the menu to a Texas Style meal. (BBQ, potato salad, tea, etc.).

We have been working with Flynn and Commissioner Lofton on the Entertainment for the conference on Monday night.

Chair Cortez wanted to know if the LGBT panel is confirmed. Administrator states that it is almost confirmed and completed.

5. STAFF BRIEFINGS

- Commissioner Cortez introduced Associate Municipal Court Judge Ramey Ko, currently sits on the public safety commission and former Chair of Immigrant Affairs. He shared his thoughts on the SB9 and how the HRC does have a voice on disputing this legislation.
- Mr. Robertson discussed the Community Event on July 16th, 2011 called DREAM and how it will allow for exposure for the HRC and our office on who we are and what we do. The event does not violate the open meetings act since it is an event. Mr. Robertson provided a flyer to all. Ms. Scales wanted to let the HRC know that the EE/FHO office has a community outreach initiative and the importance of this effort. Mr. Robertson discussed the HRC brochure and the fact that they need to get it printed and ready for the event.
- Commissioner Reynolds provided input on the brochure, with recommendations of things he would like to see in it. Because of the limited space in the brochure, it was agreed that most of Commissioner Reynolds' suggestions should be included in the Commission's web page, but that there was space to include some of them in the brochure
- Commissioner Davis indicated that he would add Commissioner Reynolds' comments to the brochure. Mr. Robertson informed the Commissioners that they can discuss their Brochures with the Chair and Vice Chair but not as a group discussion. They cannot come together in discussions as that would form a "walking quorum."
- Chair Cortez will get the final brochure to Mr. Robertson, who will get it to the printer. Mr. Robertson assured the HRC that they are a value-add entity, and that partnering with them is a welcome opportunity to put the word out to the community to come and meet us. The DREAM event will also give the HRC more visibility.

- Ms. Scales added that the Human Resources Department–Equal Employment Fair Housing Office is working on informing the public that the Human Rights Commission exists and suggested that the Commission itself should work on their in put.

6. FUTURE AGENDA ITEMS

- For discussion and possible action regarding the State Senate Bill 9 resolution by the HRC relating to the Sanctuary Cities
- Commissioners will discuss same items noted in the Old Business section.

ADJOURN

Chair Judy Cortez adjourned the meeting at 7:43 pm without objection.