

ALEXANDRIA HUMAN RIGHTS COMMISSION
MINUTES OF THE MEETING OF TUESDAY, DECEMBER 15, 2020
7:00 p.m.
VIRTUAL (Zoom)

Members Present

Danielle Beach
Lisl Brunner, Vice Chair
Michelle Cho
Janeka Cogdell
Kevin Edwards, Vice Chair
Chris Harris
Matt Harris, Chair
Alex Howe
Susan Kellom
Michael Kreps
Katherine Loyd
Elizabeth "PJ" Palmer Johnson
David Rigsby

Staff Present

Jean Kelleher, Director
Miladis Martinez Gutierrez

Members Excused

Scott Schwartz

Guests

Michelle Rief & Jacinta Greene
Alexandria School Board

1. Call to Order/Introductions by Chair, Matt Harris

Chair Harris called the meeting to order at 7:03 p.m. Chair Harris welcomed everyone and introduced Katherine Loyd, the new Commissioner representing the Alexandria Commission on Persons with Disabilities (ACPD). Chair Harris asked Commissioner Loyd and Commissioner Cogdell to give an introduction about why they chose to be a liaison to the Human Rights Commission.

Commissioner Lloyd stated that she thinks that both Commissions are very similar and overlap on a lot of their goals. She said that she is trying to get more involved in Alexandria and the community. She said that she is an occupational therapist at INOVA Alexandria, so issues relating to equality and people with disabilities, is very close to her heart. Commissioner Cogdell stated that she is the liaison from Economic Opportunity Commission and said that she just wanted to see and gain some insight and knowledge on how does this work, and how does this affect the vulnerable community, and all those that do not have a voice.

Chair Harris stated that we have two special guests today, Jacinta Greene and Michael Reif, school Board Members. He stated that this started with a question from Vice Chair Edwards at the October Executive Committee meeting. Vice Chair Edwards noticed in the News there were some issues about School Resources Officers (SROs). These are officers from the Alexandria Police Department that are at the schools. He stated that there can be a tendency of biased policing or enforcing disproportionately by targeting kids of color and black students.

2. Michelle Rief & Jacinta Greene

Chair Harris welcomed and thanked Ms. Jacinta Greene and Michelle Rief for coming before the Commission.

Michelle Reif started by saying that the school board was evaluating their Memorandum of Understanding (MOU) with the Alexandria Police Department, which came about because the new legislation that was passed in Virginia, in the 2020 Session. This legislation states that MOU's have to be re-evaluated every two years and that there have to be an opportunity for public input and must be posted on the website. She added that, prior this happening they did not have their MOU posted online. She added that typically the Board did not discuss it, in fact it is unusual for a MOU to be discussed by the Board. It is usually something that is internal to the School division.

Ms Reif said that the legislation change is a good thing, and it really allows them to have a robust process. She said the SROs work for the Alexandria Police Department, and they have a School Resource Unit (SRU). She said that there are about five SRO's and a Sergeant. She said that they serve in the secondary schools, so there are two officers at T.C. Williams, one at Minnie Howard, and then there is one at each middle school: Francis C. Hammond Middle School and George Washington Middle School. She said that this is different than the internal security officers and commented that they have about 44 school security guards.

Ms. Reif stated that the Virginia Department of Criminal Justice Services (DCJS) runs a program called The Virginia Center for Schools and Campus Safety that SROs attend; it is a 40 hours program. SROs are Police Officers that the Police Chief, in consultation with the Schools Administrators, select for the position. She stated the SRO program has been in the School system since 1997. She said that the conversation started by looking at the previous existing MOU. A model MOU is on the criminal justice website and the Alexandria's school system MOU was almost the same. Ms. Reif added that one of their biggest areas of concerns about the MOU was the lack of data collection on the program. She said that there are some reporting requirements to the Department of Education that they had been making, which can be found on the Virginia Department of Education website. She added that people can see the suspension rates and type of criminal offenses. She stated that the School Board had been getting discipline data twice-a-year. Ms. Reif added that there has been disproportionality, but typically, they have not been getting information about the number of students referred to law enforcement. She said that the previous MOU said that the School Board was not supposed to be involved in discipline matters, if a student gets in trouble for something the administrators handle it and they are only supposed to refer to law enforcement if it is a law enforcement related matter. She said that they created a plan for the data collection and reporting, and a new report form. Any contact or interaction with an SRO, the SRO has to fill out the form and submit it to the School Security Services Department. The school security services department will collect the data and report it quarterly. Also, hold quarterly meetings, and then the data is going to be shared annually with the public.

Ms. Reif explained that they clarified rolls of the SROs and the school security officers, and there is a fair treatment statement in it, so that it should be applied equally and fairly to everyone. She said that they also received feedback from the community about the document saying that SROs can have access to educational records, because they were considered part of the

educational staff, but she said that they took that part out of the document and SROs will only have access to school records if there is parental consent. Also, if a student ever questions that their parent has been contacted in advance, the SRO can confirm that they have had made contact with the parent. She said that there is a kind of like Miranda rights, that is explained to the student, but the wording is loose. She said that she spoke with the Police Chief just to try to understand, and what the Chief told her was that the police officers are trained to follow their protocol. She stated that she found this a little surprising, because the MOU technically comes out of the DCJS. It was surprising to her, but they made the changes, and she thinks it is a much better document now.

Ms. Green stated that Ms. Reif outlined the changes that happened with the MOU. She stated that schools are some of our most important civic institutions and that our kids should feel safe underneath the rules of our schools. She said that she thinks it is great that this came up with the mandate to review every two years, because their contract was up in 2020. She also stated that Minnesota, got rid of their SRO program, along with many big cities around the country, but others are still weighing whether they should do it or not.

Ms. Green stated that she is of the belief that they can protect our schools on their own with their own school security system, and ramping that up, she stated that the city pays for the SROs, so that totally comes from the city's side, the schools do not fund that. She stated that with the new contract, they will have better oversight, and with the School Board focusing very clearly on what they want, and the data that they will be getting now that is going to help them tremendously with looking at this in the next two years.

She stated that with the Police Chief's change in SROs constantly, it is something that they really have to be on top of it, particularly with the racial inequities that do exist in the school system.

She stated that the reason that people voted to keep the SROs was because of the relationships that the SROs have developed with the students, but that she believes that they do not have to be in the schools to develop a relationship with the students. That can be done outside the doors and if they need them, they know that they can get to the schools very quickly. She stated that they are very happy with the measures that have been put in place with the new MOU.

Commissioners asked questions and were concerned about the budget issue and whether they could afford ramping up the school's security department.

Ms. Greene stated that they can always find the money, but that, that was the argument, particularly around Covid-19 right now and the fact that they don't know where their budget stands or will stand going into the next fiscal year, and also what it will take putting a whole new plan in place on how to train those school security officer as well. She said that those that voted for it were content with leaving it in place, but two years from now, they could start putting a plan together that would include the funding and the training for those officers.

Ms. Rief said in 1999 is when Columbine took place, and so she thinks that this issue with the school shootings have absolutely contributed to SROs being in schools. She stated that her decision for not supporting continuing the program is not to take security out of the school,

because we do have security in the school. The schools have their own school security officers, but this is about law enforcement, and does law enforcement really need to be in our schools. She feels like she has heard the argument, like maybe people feel safer with the SROs being there, and so to her that speaks to maybe some training that they need to do for the school security officers so that people see them as really protecting the safety of the building.

She also mentioned a couple other points for the Human Rights Commission that they might be interested in, which is the SROs selection process. Right now, Chief Brown, makes recommendations and the officers meet with the administrator of the school and make sure that they can have a good working relationship and they had their administrators come to the School Board and they all said that they had really good working relationships with the SROs, and that they do like mentoring in the school and that at T.C. they run an after-school soccer program. It is an interesting issue, how are they selected, and then this issue of discretion, the discretion in terms of suspensions, as well as who is referred to law enforcement. She said they do have mandatory reporting around certain activities, and any kind of act that could be a felony. There is mandatory reporting around that regardless of what the outcome is, but she still thinks that discretion piece is where that intrinsic bias can come in, and so she thinks that the training around that is really critical. She also stated that they asked for a strategic plan at the end of the last school year, which makes racial equity the center of their plan and really trying to address systemic racism within the school division.

She stated that right now they have a committee that is working on doing an equity audit of the School Board all of their policies. She said that she thinks that they have a lot of really positive momentum. She added that they will be revisiting the SRO issue in two years.

Ms. Greene also add that, there has been many studies done to actually see if having SROs in our school truly makes our schools safer, and that just has not been proven.

Chair Harris asked Director Kelleher if the Commission has jurisdiction over the SROs, since the Police are footing the bill for the SRO program. Director Kelleher stated that those are sworn officers and they are part of the Alexandria Police Department and the Commission can talk to the Chief about that.

Chair Harris asked what kind of data reporting they do and what is required and how is that working at the school, if there is data reporting.

Ms. Rief mentioned the Virginia School quality profiles, because that is what the head of security services shared with them and there is also something called the school climate survey that are required to do every year. She said that what is interesting about that is, they can survey the whole school, or they can pick a sample of 100 students. She said that in the last one that they did last school year, they did a sample of 160 students at the high school and the school has 4,000 students, but this was a random sample, and it was like split across all the grades 9, 10, 11 and 12. She said that 50% of students said they did not think consequences were the same for all students and over one third of students said that students are not treated fairly, regardless of their race. That is the data that the Alexandria City Public Schools is required to do for the state. She added that there is a new report form that was newly created this year, which is going to be used

to collect the data and it asks for the student ID number that the school security services who collects the form will get and then they can match up the demographic data and the school board will be able to see that.

Director Kelleher stated that as they focus on racial equity, doing an equity audit regularly will reveal some of these implicit biases that might come forward. She said that it is important that we do have data, and that it will show what is happening in the city.

Chair Harris asked if they have any issue during Covid-19 with kids who are not accounted by learning at home. Ms. Greene stated that they have been asking about it and will let the Commission know when they get that information. She said that the information is supposed to be coming to them on Friday, so it will be posted for the public and the school board on Friday.

Chair Harris thanked Ms. Green and Ms. Rief for coming before the Commission.

3. Approval of November Minutes

Upon a motion by Commissioner Palmer Johnson, seconded by Vice Chair Edwards, the Commission approved the minutes of the November meeting with minor changes. All Commissioners present voted aye.

4. Executive Committee / Upcoming Meetings

Chair Harris stated that the Executive Committee met virtually last Monday and said that they met with Dr. Goodman, who does the Fair Housing Testing for the City. Chair Harris explained that each year the Office of Housing test for different criteria that are cover under the Human Rights Code and he brings the result of the test in the Spring. Chair Harris stated that it is an exciting topic that they are testing on this year and hopefully will have the results in the springs.

He added that they have sent an invitation to the Alexandria Police Department and said that they will be giving their quarterly report to the Executive Committee in January. He added the Police Chief has confirmed that he will be presenting to Commission in February. Chair Harris stated that at the January meeting the Commission will having Claire Garvey from the Georgetown University to discuss facial recognition software.

Chair Harris stated that one item that was discussed at the Executive Committee was dealing with the issue of vaccination and getting notice out to the black and brown communities with the historic ambivalence, or even, opposition to vaccines. Chair Harris asked Commissioner Harris if they can discuss a way to get the word out at a NAACP meeting. Commissioner Harris stated that he thinks that they should do it sooner rather than later, because speaking with his membership, there is a lot of skepticism, and he thinks a lot of it is because of the lack of education. Commissioner Harris stated that he can put a call together, where they can invite the community, invite the membership and they can address it. Commissioner Harris suggesting doing it before New Year's Eve. Chair Harris agreed and suggested doing a follow up around Dr. Martin Luther King Day. Commissioner Palmer Johnson suggested engaging the Faith Community.

5. Old and New Business

Chair Harris recognized Director Kelleher tremendous and tenacious work on getting the equity index with the Human Rights campaign up to 100%. Director Kelleher stated that the City has work on this for years and said that the City started being evaluated in 2012, and said that the City tried to make our programs and policies visible on the website, because the Human Rights campaign uses public available information to evaluate the cities. She said that, because of the Dillon Rule problem, and because we did not have gender identity and transgender status in our Code until 2019, that was an impediment for the City. She added that it is a very meaningful score because they have worked attending webinars that the HTC has just learning what some of the priorities should be. She stated that the City has a very robust LGBTQ+ coordinating group that is led by Erica Callaway Kleiner.

Legislative Package

Director Kelleher stated that the Legislative package went before City Council last week.

Library Fees

Chair Harris stated that they finally heard back about the library fees issue and what they heard back was not what he wanted. He said that since 2011 the Libraries have retained this company called “Unique”, which is a bill collection agency and they have collected \$650,000 in late fees. He added that he thinks this is atrocious that we are actually using an outside vendor to collect money from people who are just using a library and have late fees on the books.

Equity

Director Kelleher stated equity is moving forward and that there is going to be a resolution presented by City Council probably early on, after the first of the year. She stated that there has been some community input, and so that is moving forward. She added that the City has had a 30-day equity challenge with excellent discussion groups among City employees and there is another one tomorrow so, there is a lot happening with equity. She stated that it will be great to invite Jacqueline Tucker sometime in the future.

Equal Justice Initiative

Director Kelleher stated that the Equal Justice Initiative, which they are calling “The Alexandria Community Remembrance Project, is moving forward and that they have begun programming. There are things scheduled in January and in the spring. She stated that she had the privilege of interviewing Phil Hirschkop, who is one of the attorneys who argued the landmark Loving v. Virginia case before the U.S. Supreme Court, but that he talked more expansively about all the civil rights work that he did.

6. Liaison Reports

Commissioner Loyd stated that the ACPD met with Lieutenant Jason North from the Alexandria Police Department. He spoke about what the police department is doing to better train their officers on traffic stops for persons with disabilities. She stated that they are also working on a comprehensive information guide brochure, which is going to be very comprehensive in terms of resources for people with disabilities in Alexandria. She added that there are also ongoing talks about scooter safety in the city, particularly in Old Town and people using the scooters on sidewalks and what the police can and can't do, in terms of what is in their jurisdiction.

Commissioner Palmer Johnson stated that at the Commission for Women meeting they had a planning session and they are completing their plan for the upcoming year. She stated that one of their major plans for the upcoming year is that they will be doing a tribute to Councilwoman Redella S. 'Del' Pepper, who is the longest serving council women, and said that she will be heading that.

Commissioner Kreps stated that Commission on Aging met last week the committees are working that there is a lot of emphasis on affordable housing and pursuing various policies to do have more accessible dwelling units for seniors and persons with disabilities. He said that they also involved in transportation at this point with a focus on some of the upcoming reductions in Dash service and WMATA service which are going to be fairly devastating to a number of people who rely on it to get to work, to get to the doctors and things like that.

Commissioner Howe stated that Landlord and Tenant Relations Board did not meet this month. He asked Chair Harris to talk more about the eviction rates in Alexandria. Chair Harris stated that he heard on the news that there were about 560 folks who were evicted or about to be evicted in Alexandria, and they compared to all the other jurisdictions and the next largest was like 510 in Fairfax County. The news pointed out how much larger, by 10 times, Fairfax County is. Chair Harris will find the clip of the news and email it to Director Kelleher. Commissioner Palmer Johnson asked what is going to happen after the moratorium is over, is the City making any plans. Commissioner Howe stated that as it stands for what he has seen, for the stimulus bill that is being pushed around the best we could look for the CDC is released from the federal levels at the eviction moratorium would be extended to the end of January, the Virginia moratorium is basically tied to the State of Emergency in effect in Virginia, but he thinks that state and the localities are left on their own.

7. Announcements /Adjournment

There were no announcement.

MOTION: adjourn the meeting.

Kellom /Edwards **PASSED** unanimously

The meeting adjourned at 8:49p.m.