

Berea Human Rights Commission
Regular Meeting
January 4, 2016
6:30 PM
Berea City Hall, Community Room

Present: Rev. Carla Gilbert (Chair), Dave Shroyer (Vice-Chair), Ali Blair (Secretary), Gene Stinchcomb (Treasurer), Dr. Janice Blythe, Mim Pride, Eef Fontanez

Michael Harrington (Administrative Assistant), Mayor Steve Connelly, Chief of Police David Gregory, Shannon Wilson (AVP Organizer)

Summary of Actions Taken:

- Pride DESIGNATED to follow-up with Chief of Police Gregory's office to confirm that a designee from his office scheduled to attend next month's regular meeting to educate Commission concerning Berea Police Department procedures concerning harassment.
- Chair confirms Commission's main AGENDA item for following regular meeting will be educating Commissioners about harassment and cyber-harassment.
- Dr. Blythe MOVES to amend previous month's minutes to include page numbers. Shroyer MOVES to amend to previous month's minutes to change "MOTIONS" to "MOVES" as per language of Roberts Rules of Order. Blair MOVES to amend to previous month's minutes to correct spelling of David Rowlette's name to add final "e."
- Shroyer MOVES to adopt previous meeting's minutes as amended: MOTION CARRIED.
- Stinchcomb DESIGNATED to draft letter to Kentucky House Representative Marie Rader concerning sponsorship of pre-filed bill BR 102 for Commission to review at next meeting.
- Harrington INTRODUCES Administrator's review of the Commission's by-laws as per Chair's request.
- Stinchcomb and Harrington DESIGNATED to draft language for amendments to by-laws for Commission to review, introduce, and vote at next regular meeting.
- Dr. Blythe MOVES adoption of resolution to seek guidance from City Attorney concerning the advisability of using recording devices during regular meetings to assist with the drafting of the official record and minutes: MOTION CARRIED.
- Chair DESIGNATED to coordinate with Harrington to draft questions to pose to the City Attorney.
- Blair DESIGNATED to contact attendees of the Commission's summer community forum informing them of the upcoming Berea Friends Meeting's Alternatives to Violence (AVP) workshop co-sponsored by Commission.

- Blair DESIGNATED to contact Dr. Monica Jones to inform Berea College students about February meeting educational presentation conducted by designee from Chief of Police Gregory's office.
- Pride DESIGNATED to draft a letter to the editor of the Berea Citizen on behalf of the Commission concerning the upcoming AVP workshop.
- Dr. Blythe MOVES to adjourn meeting: MOTION CARRIED, 8:30 PM.

Body:

Meeting called to Order by Chair, Rev. Gilbert.

After brief introduction of those in attendance, Stinchcomb request that the Chair send agenda to Commissioners prior to the Regular Meeting so that Commissioners may have time to review items that will be discussed.

Rev. Gilbert explains that the meeting agenda was not finalized until immediately prior to the meeting due to a developing incident that might have become an item on the agenda.

Mayor Connelly addressed Commission to inform Commissioners steps the City has been taking to address the sale of Confederate flag merchandise during the Spoonbread Festival. Mayor attends in order to distribute a revised Agreement For Appropriation and Disbursement of Money to evince to the Commission that the City is taking issue seriously.

Further, the Mayor informs the Commission that Chief of Police Gregory is in attendance because the Berea Police Department is presently investigating a complaint alleging discourteous behavior against an officer.

Rev. Gilbert informs the Commission that she had been made aware of this allegation and had subsequently been in discussion with City officials and complainant. Complainant will work to resolve issue directly with the Mayor and Chief of Police to find administrative resolution to incident as per the outlines of administrative policy and any relevant statutes.

Shroyer informs the Mayor that the Commission has heard a number of claims concerning discourtesy on behalf of Berea Police Officers.

Mayor Connelly assures Commissioners that it is important to let administrative processes run whenever an allegation is made, emphasizing that the normal administrative process is designed to ensure that everyone receive proper treatment. Further, he adds, it is an important role of the Commission to exercise patience until a record of events and facts are established.

Pride expands that when viewed from a larger context of the social mood and climate within the city as indicated by those residents who come to the Commission with misgivings, the body hears mention of issues of harassment, racial intimidation, among other issues, at the forefront of some residents' perceptions. Additionally, there is a common sentiment that the City is not effectively

addressing these issues. Further, she asks if there are ways that the Commission can meet with the Berea Police Department consistently so that the Commission can help dispel perceptions of inaction.

Mayor Connelly, by highlighting the difference between sensitivity to perceived social moods and an established factual record, clarifies that it is very important to appreciate that there hasn't been a lot of information developed and established. It would be helpful for the City to move forward to work to develop and establish a factual record.

Pride concurs that there is a lot of noise, and asks how the Commission may best work to substantiate a body of facts from the noise. Pride continues that there seems to be a significant number of residents and a high level emotion surrounding murmured reports. Commission members have offered to accompany residents to the Berea Police Department while residents make reports of harassment based on protected class status to officers.

Chief of Police Gregory assures that the Berea Police Department handles all allegations of harassment appropriately and is continuing work on addressing allegations of harassment made by Berea College Students at a previous City Council meeting. Additionally, he avers that the Berea Police Department often discussed with frustration by residents, but he maintains that the Department addresses all formal complaints appropriately.

Stinchcomb affirms Chief of Police Gregory's point and states that the Commission appreciates that the Berea Police Department must follow statutory and explicit civil procedure when addressing complaints alleged against officers.

Pride avows as she sits in the Commission's meetings, she hears a lot of frustration. She asks what the Commission might do to help and what are good ways to gather hard data on alleged incidents.

Mayor Connelly says that the most important thing for Commissioners as City officials to ask themselves is to clearly define what you want from public administration and policy, and what can officials do to pursue those goals? He ensures that the is eager to help and work with anyone who needs assistance resolving an issue, maintaining that the City wants residents to be proud of where they live and their government and to be comfortable to come to the City to resolve issues.

Blair holds that public education campaigns are a key component to implementing the Commission's goals. She informs Mayor Connelly and Chief Gregory that the Commission has had to educate residents about how to file an official complaint to the Commission as well as the proper procedures for filing a police report with the BPD. She states that Commissioners receive many third-party and second-hand reports of alleged incidents while further highlighting that often individuals are hesitant to file official complaints and sacrifice their privacy in a small town.

Dr. Blythe highlights that it is important for the Commission's public education efforts to inform residents about what specific issues that the Commission is able to resolve and what issues the

Commission is unable to address. She further holds that it would be beneficial for the Commission to be educated about how incidents of all types are handled and then the Commission can work to educate the public as well.

Mayor Connelly holds that it would be great for the Commission to develop a procedure that would educate the public about rights and responsibilities. More often than not, residents have incomplete information and a significant inconvenience that gives rise to very real questions. Accordingly, the Mayor asks how the Commission can instruct and inform the public concerning these matters.

Chief Gregory maintains that he will ensure that the Commission is educated about the policies that the Berea Police Department must follow when addressing complaints.

Mayor Connelly mentions that it would be wise to include information about the differences between the Berea Police Department and Berea College Public Safety in the Commission's educational instruction.

Dr. Blythe holds that the Commission can be an important resource for the community that works to reduce tensions within the community without sweeping important issues under the rug.

Pride highlights that, in general, whenever the Commission or City officials hear the same story often, it is important to investigate further to assess whether there are any underlying issues.

Blair informs guests that the issue the Commission hears about most frequently is harassment. It is important for the Commission to know what constitutes harassment, what is being done within various City departments to address harassment, and how the City handles cyber harassment.

Rev. Gilbert holds that although residents come to the Commission with issues of harassment, the Commission can redirect individuals with complaints to the Berea Police Department appropriately. It is important for the Commission to educate the public about what departments are designated to address specific issues.

Chief Gregory informs the Commission that Lt. Bryole from the Berea Police Department will work with the Commission to ensure that the Commissioners are educated about harassment issues.

Mayor Connelly highlights that it is important for government bodies to realize their own limitations. Further, since Commissioners have informed the Mayor that the body often hears of issues that lie outside the scope of the body's charter and less often issues the Commission is mandated to address, then the biggest opportunity for the Commission is to focus on public education and self-directed education about issues of public administration. This opportunity is not incredibly easy to achieve. One of the hardest things for small governments is distribution of information to the public. Further complicating the difficulties is that it can be difficult to get citizens to listen to the information you are making an effort to distribute.

Pride holds that there is a lot of responsibility within the parameters of the Commission's charge and it is important to avoid getting distracted with issues that the Commission is not authorized to handle.

As an example of a possible reason that residents are hesitant to come forward to the Berea Police Department with issues of harassment, Blair informs the Commission and guests that often there are complaints of harassment based on residents' gender identities and they are often hesitant to come forward in a public way about their gender identities. Further, she is encouraged by the City's active social media efforts to distribute information to residents.

Rev. Gilbert confirms that next month's meeting agenda will feature harassment training prominently.

Mayor Connelly distributes a revised Agreement For Appropriation and Disbursement of Money that addresses the sale of Confederate flag merchandise at the Spoonbread Festival, among other issues.

Dr. Blythe raises a POINT OF ORDER to ensure that the meeting minutes from the previous month's meeting are voted upon.

Proposed AMENDMENTS to the previous minutes include the recommendation that the pages be numbered from Dr. Blythe, that previous month's minutes to change "MOTIONS" to "MOVES" as per language of Roberts Rules of Order from Shroyer, and Blair MOVES to amend to previous month's minutes to correct spelling of David Rowlette's name to add final "e."

Shroyer MOVES adoption of the minutes as amended: MOTION CARRIED.

Stinchcomb informs the Commission that there were no changes from the previous meeting's TREASURER'S REPORT. Harrington confirms that the request for \$200 to be donated to the Alternatives to Violence Program has been submitted, but Stinchcomb was unable to get an update from the City as to whether or not that amount had been issued.

Harrington debriefs the Commission with the Administrator's Office Report, detailing:

- the office needs a cross-cut shredder and blinds to complete setting up the new space
- the office's new telephone number is 986-0344
- the Symposium at UK School of Law is on Jan. 27th from 8-4 PM
- the Berea Police Department non-emergency line is 623-1248
- to complete the packet of updates to the Commission's website, Harrington needs the dates for Dr. Blythe, Pride, and Fontanez's terms, as well as the meeting minutes from April, May, and June of 2015
- confirmation that the date for the Carter G. Woodson Center talks are April 6-8
- to change the office's mailing address, Harrington would need to submit a request to the Post Master including a copy of the lease agreement the City has with the Broadway Center

- first drafts of the Commission’s informational brochures
- Harrington has debriefed Chair of the Richmond Human Rights Commission Michael Parker, about the Berea Human Rights Commission policies and funding
 - The Richmond Commission is seeking to expand services and has been in conversation with other local Commission’s to understand how various Cities and Counties institutionally support their Commissions
- as per Stinchcomb’s request, Harrington reports on legislation from the KY General Assembly that may affect City and related to Commission’s charge. Pre-filed bill 102 co-sponsored by Representative Rader (House District 89, encompassing parts of the City) concerns solemnization of same-sex marriages
- as per Rev. Gilbert’s request, Harrington INTRODUCES report on Administrator’s suggested Amendments to the Commission’s By-Laws. Recommending:
 1. Amend Article 10 in order to detail a process for addressing special cases of conflicts of interest by adopting the following:
 “Any matter submitted before the Commission alleging discrimination will automatically be submitted to KCHR if the matter is alleged by or involves a member of the Commission or its Administrators.”
 2. Amend Article 5 to detail the specific process which constitutes the submission of a formal complaint to the Commission alleging that a discriminatory practice has taken place.
 - i. Outline the timeline and procedures for subsequent actions to be taken by the Commission addressing complaints formally received.
 - ii. Adopt the same timeframe for receiving complaints from individuals alleging discrimination that has been adopted by the Kentucky Commission on Human Rights.
 3. Amend Article 6 to detail the administration of Officer Elections: including terms of officers’ service, the duties of officers, the dates for regularly scheduled elections, and rules for governing the conducting of officer elections.
 4. Amend Article 7 to outline a process for setting Regular Meeting Agenda Items.
 5. Amend Article 9 to detail the process for ordering items and a process for spending money from the Commission’s budget.

Dr. Blythe requests that the minutes reflect that the position of the Commission is that Harrington is doing a wonderful job as the Commission’s new Administrator.

Stinchcomb debriefs Commission concerning various City Codes which may be relevant to URLTA. Stinchcomb highlights that there is an array of Codes which may be relevant. For example, he highlights Codes concerning local rent controls on private property.

Stinchcomb DESIGNATED to draft a letter to Rep. Rader on behalf of Commission for Commission's review concerning pre-filed bill 102.

Shroyer instructs Harrington to monitor the progress of pre-filed bill 102 in the House of Representatives and which Committees will address the legislation as the General Assembly's Legislative Session begins.

Stinchcomb and Harrington DESIGNATED to coordinate in drafting language for AMENDMENTS to the Commission's BY-LAWS so that the Commission may consider, propose, and vote on any changes.

Stinchcomb highlights that he and Harrington should explore AMENDMENT detailing process of signing, and filing official meeting minutes with Cheryl Chasteen, the City Clerk. Dr. Blythe encourages such an effort.

Stinchcomb asks whether the Commission should consider using recording devices at the Regular Meeting to assist with developing and recording the official Meeting Minutes.

Dr. Blythe maintains that Administrative efficiency enables thorough Minute keeping. Further she MOVES that in regards to using recording devices during the Commission's Regular Meeting from which the Minutes would be developed, the Commission seek guidance from the City Attorney concerning issues of confidentiality and open records: MOTION CARRIED.

Rev. Gilbert and Harrington DESIGNATED to draft questions to submit to the City Attorney concerning open meetings, confidentiality, recording devices, and EXECUTIVE SESSIONS.

Pride DESIGNATED to confirm with Chief of Police Gregory's office that Lt. Broyle will attend next month's meeting to educate Commission on harassment issues.

Blair invites representative from Alternatives to Violence Project to discuss developments concerning the upcoming event the Commission is co-sponsoring. The AVP representative confirms that registration is ongoing and that there are approximately 6 spots available. Representative confirms that Berea Friends Meeting, sponsor of the AVP event, passed a resolution in support of the Commission's recent letter concerning the sale of Confederate flag merchandise at the Spoonbread Festival.

Blair DESIGNATED to inform to attendees of last summer's public forum about the upcoming AVP event and to contact Dr. Monica Jones about the Commission's harassment training at next month's Regular Meeting and encourage her to reach out to Berea College students about the Regular Meeting.

Pride DESIGNATED to draft a Letter to the Editor of the Berea Citizen concerning the AVP event.

Blair asks for further information concerning the Commission's John G. Fee Award. Rev. Gilbert informs that the Award has been given twice to honor a resident of Berea who has worked for human rights in the community. The Commission presents the Award before the City Council after soliciting letters from the community for nominations.

Blair asks Commission to consider sponsoring an essay contest about human rights. She has been in contact with the Berea Writer's Circle about such a contest, and members of the organization have expressed interest in participating in such an event.

Dr. Blythe MOVES to adjourn meeting: MOTION CARRIED, 8:30 PM.

Michael Harrington
Berea Human Rights Commission
Administrative Assistant

Minutes recorded: Jan. 4, 2016

Minutes approved: Feb. 1, 2016