

**Washington State Human Rights Commission
Minutes**

**September 28, 2006
Washington Middle School
Yakima, WA**

ATTENDANCE:

Commissioners: Kathy Baros Friedt, Commission Chair; Ellis Casson; Jerry Hebert; and Shawn Murinko.

Staff: Marc Brenman, Executive Director; Idolina Reta, Deputy Director; Tanya Calahan, Executive Assistant to the Commissioners; Sharon Ortiz, Operations Manager; and S. Juanita Soto; Civil Rights Specialist.

Guests: Pat and Andres Garcia, Maribel Mendoza, Pat Brown, Daniel Martin, Jose Sanchez, Rinda Followell, Chris Dawn Eades, Ron Bowlender, Rosie Sanchez, Dori Baker, Carlos Mendez, Lyle & Vicky Whiteman, Norman Martinez, Leroy Whitekiller, Rosemary Salinas, Dorinda Baker, Rick DeVilla, Kurt Reesr, Mike Alread, Kim Tully, Heidi Bolong, Jose Guzman, Billie Cox, Brennan Cooper, Gabriel Martinez, Frank Cohen, Ken Lewis, Miguel Juarez, Brenda Razo, Dave Wells, Derel Olson, Larry Sanchez, Gina Perez, David Weyeneth, Father Ernie Harrelson, Patsy Whitefoot, Zacharey Padilla, Silvia Giannahasio, Carlos Lugo.

OPENING AND WELCOME

Commissioner Baros Friedt called the meeting to order at 7:17 p.m.

She introduced the Commissioners and staff. Commissioner Lee was unable to attend the meeting because of a family commitment. She then spoke about the various purposes which a WSHRC public forum can accomplish. In the instance of Yakima, there were several community members who had asked for some assistance in bringing visibility to the need for some sort of local human rights council. Commissioner Jerry Hebert had the lead to bring the concept of “study circles” to see if this would be one model the community might consider.

Executive Director Marc Brenman provided an overview of the Washington Law Against Discrimination.

Yakima City Councilmember Ron Bolender said a few words. He welcomed WSHRC Commissioners and staff to Yakima.

STUDY CIRCLES PRESENTATION

Kathy Baros Friedt introduced Barbara Yasui of the Study Circles Resource Center. Ms. Yasui proceeded showed a video on how local communities can utilize study circles to deal with community problems. She spoke about the work that she did in Snohomish County. That community realized success by establishing study circles.

She then showed a Powerpoint presentation about Study Circles. She highlighted the principles of study circles which include: involving everyone; embracing diversity; sharing knowledge; resources; power; and decision making; combining dialogue and deliberation; and connecting deliberative dialogue to social, political and policy change.

Ms. Yasui shared that interested community members in Yakima could start a study circle and could realize many benefits by doing so. She encouraged local leadership and that they start small to test interest and commitment to the model. The Study Circles Resource Center could be a resource. Material and web information was shared. Materials are also available in Spanish.

OPEN FORUM

The public provided comments regarding various concerns including; farm worker issues; problems with the Yakima Police Department, Yakima City Council, Yakima Schools, and minutemen activities.

Earl Lee spoke. He works on technological programs with schools. He has concerns about problems with lack of adequate housing in Yakima. He doesn't like to see people in the street. He commented about immigration and that people are people regardless of their immigration status.

Dorin Baker commented that the community needs a local human rights council in Yakima.

Brenan Cooper attends Davis High School and he is involved with the Gay - Straight Alliance. He spoke about discrimination against gay students and Hispanic students. Theater students are trying to put on a production of "The Laramie Project" but they're running into problems from the Yakima School District Administration. The Administration is stating that Yakima is not ready for a play of this nature.

Ken Lewis spoke. He is a community activist who works on senior, Gay, Lesbian, Bisexual, and Transgender, and HIV and AIDS issues.

Other members of the community spoke about immigration and how it has polarized people. Translating equipment and an in-person interpreter were used to assist Spanish-speaking participants.

Mr. Devilla urged the Yakima community to use study circles. He comes from Everett and has seen the success of study circles. He is willing to support a human rights council in Yakima. He called for a “cease fire” in the community with the name-calling and urged people to refrain from disrespecting one another.

A young man named Zachary spoke about being openly gay. He shared that there is an amazing amount of hatred in Yakima. He urged all to support human rights and a local human rights council.

The Commissioners gave closing comments. They thanked community members from coming to the forum. They also thanked Barbara Yasui of the Study Circles Resource Center for presenting at the forum and WSHRC staff for their work on the forum. The community was encouraged to pursue coalescence and support to bring about a local human rights council. Other local jurisdictions have samples of what was used for city or council structures. It is important to work with the local jurisdictions.

Many community members expressed interest in participating in a study circle and provided WSHRC with their contact information. A separate list of those individuals was created and will be shared amongst the participants. WSHRC will put those individuals in touch with one another to facilitate the process. Leadership must come locally for the concept to have momentum and credibility.

There being no further business, the meeting adjourned at 9:25 p.m.

Respectfully submitted,

Tanya Y. Calahan
Executive Assistant to the Commissioners

Friday, September 29, 2006
Yakima School District Headquarters

ATTENDANCE:

Commissioners: Kathy Baros Friedt, Commission Chair; Ellis Casson; Jerry Hebert; and Shawn Murinko. A quorum was present.

Staff: Marc Brenman, Executive Director; Idolina Reta, Deputy Director; Tanya Calahan, Executive Assistant to the Commissioners; Sharon Ortiz, Operations Manager; and S. Juanita Soto; Civil Rights Specialist.

OPENING AND WELCOME

Commissioner Baros Friedt called the meeting to order at 9:08 a.m.

APPROVAL OF MINUTES

Commissioner Hebert made a motion to approve the minutes of the August 24-25, 2006 meeting. Commissioner Murinko seconded the motion. MOTION CARRIED.

ACTION ITEM REVIEW

Kathy Baros Friedt reviewed action items from the August 24-25, 2006 meeting.

PUBLIC FORUM ACTION ITEMS

The Commissioners discussed the previous night's forum. Overall, the meeting accomplished its intent. The community was exposed to the study circle model which has worked in other cities, even in Washington. The WSHRC supports a human rights council in Yakima, but the work has to come from and be supported by those locally.

There were approximately 45 community participants at the forum. Of these, there were approximately 23 who signed onto the separate list for those who expressed interest in participating in a study circles. This could comprise the core group for study circle planning in Yakima, as a way to deal with local issues and also to begin creation of a local human rights council. Commissioner Hebert said he had sent an email to everyone on the interested list late last evening. WSHRC will put those individuals in touch with one another to facilitate the process. Action item for the Commission is to have a letter go out to those individuals, attaching the sign up list of the 23, encouraging local action and offering WSHRC support for consultation.

The Chair shared that a new member of the Commission on Hispanic Affairs attended the forum and had asked to speak with her. This individual expressed extreme dissatisfaction about various aspects of WSHRC's materials and the forum itself. The Chair invited her to come into the meeting, look at the materials in Spanish and feel free to make comments. The offer was declined and she left the forum at that point. The Chair and the Executive Director will follow up to assure positive ongoing relationships with the CHA.

CASE CLOSURES

Commissioner Hebert made a motion to approve case closures. Commissioner Murinko seconded the motion. MOTION CARRIED.

The Commissioners thanked Heidi Silver for her good work on a settlement.

UNFINISHED BUSINESS

Commissioner Casson moved to have a one-day meeting on October 27, 2006 in Seattle. Tanya Calahan will check with Department of Services of the Blind on Alaska Way, near Columbia City. Commissioner Casson will chair that meeting because Commissioner Baros Friedt will be out of the state. The Commissioners agreed to hold a one-day meeting on this date in Seattle.

Commissioner Murinko reported on planning for the November 2006 forum. He had a planning meeting that included David Lord of Washington Protection and Advocacy System. At that meeting, they discussed the definition of disability. Commissioner Murinko is trying to identify a speaker from the mental health community. He's also trying to get in touch with disability advocate Joelle Bruenner, Toby Olson of the Governor's Committee on Disability Issues and Employment, and a representative of the the Lifelong AIDS Alliance.

Commissioners Murinko and Baros Friedt will attend a stakeholder meeting in September 2006 regarding the McClarty decision.

RECONSIDERATIONS

After review, Commissioner Hebert made a motion to deny the petitions for reconsideration for **Deanne Zimmerman Brouse v. WA State Department of Social and Health Services** and **Kirk Fraser v. Lower Columbia College**. Commissioner Casson seconded the motion. MOTION CARRIED. The Commissioners thoroughly reviewed the extensive written materials submitted by complainant Fraser.

REPORT OF THE CHAIR

Commissioner Baros Friedt reported about a 1.6 percent COLA cost of living allowance (COLA) for staff. She requested approval by the Commissioners to provide this to the executive director as well. The Governor had approved 1.6 percent COLA for all other executive directors under her authority. Commissioner Casson commented that the raise is minimal and asked if the Commissioners could approve a higher amount. After discussion, the Commissioners agreed to approve the 1.6% COLA for the executive director, effective September 1, 2006. Commissioner Baros Friedt will research the authority and process involved in determining a raise beyond the COLA. Commissioner Hebert made a motion to approve the 1.6 percent COLA for the executive director with the option of providing more at a later date if warranted. Commissioner Casson seconded the motion. MOTION CARRIED.

NEW BUSINESS

Tanya Calahan will be on leave from October 9, 2006 through November 19, 2006. Jean Ciallella will be Acting Clerk during that time frame. Renee Knight will handle Commissioner travel and payroll.

2007 MEETING SCHEDULE

The Commissioners briefly discussed the draft meeting schedule for 2007. They particularly discussed how many forums they should have in 2007 and the time necessary to plan the forums.

The Commissioners will hold special meetings in between regular Commission meetings to approve case closures.

RECONSIDERATIONS CONT..

The Commissioners set aside the Gonzalez reconsideration earlier in the day. The complainant was scheduled to attend the meeting in person and was not present at the scheduled time. The complainant still had not appeared after one and one half hours. Staff made several unsuccessful attempts to reach her by phone. Commissioner Hebert made a motion to deny the petition for reconsideration. Commissioner Murinko seconded the motion. MOTION CARRIED.

There being no further business. The meeting adjourned at 11:27 a.m.

Respectfully submitted,

Tanya Y. Calahan
Executive Assistant to the Commissioners

**Public Forum
Action Items
As of September 28, 2006**

1. Staff will research public assistance statistics in Washington State to obtain real numbers regarding minority public assistance recipients. (April 06)

Status: Deputy Director Idolina Reta is working on a draft. Staff posted immigrant statistics on the agency's website.

2. Marc Brenman suggested using Washington Association of Police Chiefs and Sheriffs as a resource and sending them a cover letter with Access to Justice recommendations and ask them to distribute the information to their members. Commissioner Hebert suggested emphasizing that same interpreter is not appropriate in all settings like legal settings vs. medical services. (June 06)

Status: Marc reported the Grass Roots on Fire matter to Mark Potak at the Southern Poverty Law Center. Marc and Commissioner Baros Friedt agreed that is sufficient action for now.

3. Tanya Calahan will contact Kim Tanaka of Governor Gregoire's Office and provide contact information for the constituent from the Spokane forum who stated that he received no response from the Governor's Office, after several emails. He accessed her thru Gov's website. (July 06)

Status: Tanya Calahan is researching this information by reviewing audio recording of the Spokane meeting. Information is difficult to ascertain on the audio recording. She will continue to research it.

4. Staff will put the FMLA leave table handed out at the August 24, 2006 public forum on WSHRC's website. (August 06)

Status: Not completed yet.

5. Assistant Attorney General Traci Friedl will research relevant breastfeeding case law in Washington State as it might pertain to WSHRC jurisdiction. (August 06)

Status: Ms. Friedl discuss her research at the October 27 Commission meeting.

6. Commissioner Baros Friedt will follow up with L&I on learning modules relating to sexual harassment for high school students. (August 06)

Status: These have been researched and will be factored into a future public forum on youth and employment. Commissioner Baros Friedt will take the lead.

7. Kathy Baros Friedt will follow up with Kim Tanaka of the Governor's Office regarding comments made by a Commissioner from the Commission on Hispanic Affairs at the September 28, 2006 public forum. (September 06)

Status: Commissioner Baros Friedt had a conversation with Kim Tanaka and was contacted by the Chair of the CHA. The point made to each was not the issue of having someone disagree with our approach or have criticisms of our service delivery, but rather the timing of the intrusion. The two organizations have similar objectives.

8. Staff will send a letter with a copy of the public forum sign in sheet to the individuals that signed up for a study circle the September 28, 2006 public forum. Commissioner Hebert already drafted a cover letter. (September 06)

Status: It is Commissioner Friedt's understanding that Commissioner Hebert transmitted an email that evening to all the members. The letter, which Commissioner Hebert may have drafted already, was to come from the Executive Director, Marc Brenman, include the list of names who want to participate in developing the study circle model, encourage their pursuit of the model, etc.

9. Regarding issues raised by Father Harrelson at the public forum on September 28, 2006; Marc Brenman will contact the Yakima Police Chief regarding community concerns regarding the police and contact the US Attorney's Office (Jim McDemmot) regarding minutemen activities that were discussed at the public forum. (September 06)

Status:

10. Jerry Hebert will contact Barbara Yasui of the Study Circles Resource Center and obtain a copy of her Powerpoint presentation. (September 06)

Status:

11. Jerry Hebert will find out whether or not the Study Circles materials are available in other languages and alternative format for persons with disabilities. (September 06)

Status:

**Commission Meeting
Action Items
As of September 29, 2006**

1. The Executive Director will outline when in-person investigations are particularly advised. (March 06)

Status: The ED drafted documents which the Operations Managers and Deputy Director are currently reviewing.

2. Include on WSHRC website, information for referring people to the US Department of Education, Office of Civil Rights regarding overlapping jurisdiction on charges within schools. (March 06)

Status: Not done yet.

3. Executive Director Marc Brenman will clarify the distinctions between whistleblower complaint jurisdiction under the State Auditor vs. whistleblower retaliation under the Washington Law Against Discrimination. (March 06).

Status: That memo is finalized and a copy is included in this section.

4. Marc Brenman will check with Kent community leader Claudia Kauffman Red Morning Star regarding the status of the student handcuffing issue in Kent. (May 06)

Status: Mr. Brenman will contact Ms. Red Morning Star.

5. Marc Brenman will send a cover letter to Small Tribes Organization of WA with a copy of the letter that was sent to United Indians regarding the tribal preference issue. Staff will also send a Technical Assistance Advisory to respondent in the Small Tribes Organization of Washington case. (June 06)

Status: Not completed yet.

6. Marc Brenman will send the Commissioners the action plan from the climate survey when available. (August 06)

Status:

7. Tanya Calahan will check on the availability of the WA State Department of Services for the Blind conference room in Seattle for the October 27, 2006 Commission meeting. (September 06)

Status: Room was available and therefore booked for all day on October 27, 2006.

8. Staff will discuss the 2007 Commission meeting schedule and provide suggestions for cities and forum topics to the Commissioners. (September 06)

Status:

9. Kathy Baros Friedt will research what's entailed in giving the executive director a cost of living adjustment greater than 1.6%. (September 06)

Status: Commissioner Baros Friedt has talked with the salary contact person at the Department of Personnel to identify what, if any, processes or criteria would need to be addressed. Be clear about the authority and protocol. Also discussed with the Governor's Office. Was told to await the return of the Deputy Chief of Staff, the week of October 23. Commissioner Friedt is gone October 24-31, but will make the contact and get back to the Commissioners with a proposed plan.