

U.S. COMMISSION ON CIVIL RIGHTS

+ + + + + **EDITED**

TELEPHONIC BUSINESS MEETING

+ + + + +

THURSDAY, AUGUST 22, 2019

+ + + + +

The Commission convened via teleconference at 10:30 a.m., Catherine Lhamon, Chair, presiding.

PRESENT:

CATHERINE E. LHAMON, Chair

PATRICIA TIMMONS-GOODSON, Vice Chair

DEBO P. ADEGBILE, Commissioner

GAIL HERIOT, Commissioner

DAVID KLADNEY, Commissioner

KAREN K. NARASAKI, Commissioner

MICHAEL YAKI, Commissioner

MAURO MORALES, Staff Director

MAUREEN RUDOLPH, General Counsel

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STAFF PRESENT:

EVELYN BOHOR
LASHONDA BRENSON
PAMELA DUNSTON, Chief ASCD
ALFREDA GREENE
LENORE OSTROWSKY
MICHELE RAMEY
JOHN RATCLIFFE
SARALE SEWELL
JUANDA SMITH
BRIAN WALCH
MARIK XAVIER-BRIER

COMMISSIONER ASSISTANTS PRESENT:

SHERYL COZART
JASON LAGRIA
CARISSA MULDER
AMY ROYCE
RUKKU SINGLA
ALISON SOMIN
IRENA VIDULOVIC

T-A-B-L-E O-F C-O-N-T-E-N-T-S

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1 P-R-O-C-E-E-D-I-N-G-S

2 (10:32 a.m.)

3 CHAIRPERSON LHAMON: This meeting of
4 the U.S. Commission on Civil Rights comes to order
5 at 10:32 a.m. Eastern Time on August 22nd, 2019.
6 The meeting takes place over the phone.

7 I'm Chair Catherine Lhamon. I'd like
8 to confirm each of the Commissioners who's on the
9 line, so I'll take a roll call here at the outset.
10 Please say present when I say your name if you are
11 on the line.

12 Vice Chair Timmons-Goodson?

13 VICE CHAIR TIMMONS-GOODSON: Present.

14 CHAIRPERSON LHAMON: Commissioner
15 Adegbile?

16 COMMISSIONER ADEGBILE: Present.

17 CHAIRPERSON LHAMON: Commissioner

18 Heriot?

19 COMMISSIONER HERIOT: Here.

20 CHAIRPERSON LHAMON: Commissioner

21 Kirsanow?

22 (No audible response.)

23 CHAIRPERSON LHAMON: Commissioner

24 Kladney?

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1 COMMISSIONER KLADNEY: Here.

2 CHAIRPERSON LHAMON: Commissioner

3 Narasaki?

4 COMMISSIONER NARASAKI: Present.

5 CHAIRPERSON LHAMON: Commissioner Yaki?

6 COMMISSIONER YAKI: Here.

7 CHAIRPERSON LHAMON: Thank you. Based

8 on that a quorum of the Commission is present.

9 Is the court reporter present?

10 COURT REPORTER: The court reporter is
11 present.

12 CHAIRPERSON LHAMON: Thank you. Is the
13 staff director present?

14 (No audible response.)

15 CHAIRPERSON LHAMON: All right. When
16 the staff director joins us, he will announce
17 himself.

18 CHAIRPERSON LHAMON: The meeting shall
19 now come to order.

20 **I. APPROVAL OF AGENDA**

21 CHAIRPERSON LHAMON: Is there a motion
22 to approve the agenda for this business meeting?

23 COMMISSIONER ADEGBILE: Commissioner
24 Adebile. So moved.

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1 CHAIRPERSON LHAMON: Thank you. Is
2 there a second?

3 COMMISSIONER NARASAKI: Commissioner
4 Narasaki. Second.

5 CHAIRPERSON LHAMON: Thank you. Are
6 there any amendments to the agenda?

7 (No audible response.)

8 CHAIRPERSON LHAMON: Hearing none,
9 let's vote to approve the agenda. All those in
10 favor, say aye?

11 (Chorus of aye.)

12 CHAIRPERSON LHAMON: Any opposed?

13 (No audible response.)

14 CHAIRPERSON LHAMON: Any abstentions?

15 (No audible response.)

16 CHAIRPERSON LHAMON: The motion passes
17 unanimously.

18 **II. BUSINESS MEETING**

19 **A. DISCUSSION AND VOTE ON COMMISSION'S REPORT, IN**
20 **THE NAME OF HATE: EXAMINING THE FEDERAL**
21 **GOVERNMENT'S ROLE IN RESPONDING TO HATE CRIMES.**

22 CHAIRPERSON LHAMON: The first item on
23 the agenda is a discussion and vote on the
24 Commission's Report titled In the Name of Hate:

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1 Examining the Federal Government's Role in Responding
2 to Hate Crimes.

3 We'll hold two votes: First, we will
4 consider the report, and second we will consider the
5 findings and recommendations.

6 To open the floor for discussion, is
7 there a motion?

8 VICE CHAIR TIMMONS-GOODSON: Vice Chair
9 Timmons-Goodson. So moved.

10 COMMISSIONER KLADNEY: Second. Kladney.

11 CHAIRPERSON LHAMON: Thank you. I'll
12 offer a few points to begin our discussion.

13 First, I thank Vice Chair Timmons-Goodson
14 for her leadership with this project as well as my
15 fellow co-sponsors, Commissioners Adegbile and
16 Narasaki. I think our staff, particularly Katherine
17 Culliton-Gonzalez and Marik Xavier-Brier, as well as
18 all the other members of our staff who pitched in
19 during the research and development of this project.
20 Thanks to all of their efforts we today consider a
21 report that delves into an issue that feels
22 distressingly topical nearly every week: the
23 manifestation of hate in our communities including
24 our schools.

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1 The text we vote on today reads the
2 history of hate in this country with a wide and modern
3 lens that captures the varying ways that perpetrators
4 attack people based on how they look, their faith and
5 whom they love. The report comprehensively assesses
6 the work of the Departments of Education and Justice
7 to investigate, prosecute and prevent hate crimes and
8 bias-motivated incidents. We also dive into the
9 practices of five local cities because their research
10 showed that it is a necessary goal for the Federal
11 Government, local and state communities are central
12 partners in this work.

13 I'll open the floor for discussion
14 beginning with Vice Chair Timmons-Goodson as the lead
15 co-sponsor of this project.

16 VICE CHAIR TIMMONS-GOODSON: Thank you
17 very much, Madam Chair.

18 It seems at times that our country is
19 hopelessly divided, but I believe that all Americans
20 can agree that hate crimes have no place in this
21 country. Not only do hate crimes harm individuals
22 and communities, but hate crimes also tear the very
23 fabric of our nation. They undermine the promise of
24 equality.

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1 Alarmed by numerous reports of a
2 significant increase in hate crimes and incidents
3 across the country, the Commission has examined the
4 impact of these heinous crimes and the efforts to
5 stem their rise.

6 Back on the 11th of May of 2018 we heard
7 from hate crime survivors, local law enforcement,
8 community stakeholders, legal experts and current and
9 former federal officials. In our open comment
10 session we also heard from members of the public.

11 I believe that this report, that you've
12 all received a copy of, has come about through the
13 very hard work of many as you have already singled
14 out, Madam Chair. I believe that the report does a
15 good job and I believe that it's going to be of value
16 as our nation comes to grips with the frequent,
17 unfortunately, frequent occurrences of crimes that
18 are motivated by hate. The Commission's role is to
19 stand up against that which assaults the rights we
20 all hold so dear. Left unaddressed hate crimes and
21 bias-related incidents prevent Americans from living
22 up to the democratic ideals we revere.

23 I believe that we've done a good job with
24 this report and I will be supporting it and hope that

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1 all others will as well. Thank you.

2 CHAIRPERSON LHAMON: Thank you. Any
3 other discussion or amendments?

4 COMMISSIONER NARASAKI: Yes, this is
5 Commissioner Narasaki. Madam Chair, I move to amend
6 the text of the report and the findings and
7 recommendations so that they conform with the text my
8 special assistant circulated by email last night,
9 August 21st at 8:45 p.m. For the sake of efficiency
10 I will not read each amendment unless one of the
11 Commissioners would prefer I do so.

12 CHAIRPERSON LHAMON: Thank you,
13 Commissioner Narasaki. A friendly an amendment to
14 your amendment. This motion is about the report
15 itself, so if you wouldn't mind making a motion to
16 amend the report text as circulated by your special
17 assistant last night -- to amend the findings and
18 recommendations section, I'd appreciate it.

19 COMMISSIONER NARASAKI: Happy to do that.

20 So I'd move to amend the text of the
21 report to conform with the text that was circulated
22 last night at 8:45 p.m.

23 CHAIRPERSON LHAMON: Thank you. Is there
24 a second?

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1 COMMISSIONER ADEGBILE: Commissioner
2 Adegbile.

3 VICE CHAIR TIMMONS-GOODSON: If
4 appropriate --

5 I'm sorry. Go ahead, Commissioner
6 Adegbile.

7 COMMISSIONER ADEGBILE: Apologies, Madam
8 Vice Chair. I was just intending to second the motion
9 of Commissioner Narasaki to amend the text of the
10 report consistent with the revisions that were
11 circulated by email last night.

12 CHAIRPERSON LHAMON: And, Madam Vice
13 Chair, do you accept the amendments motion and
14 therefore incorporated?

15 VICE CHAIR TIMMONS-GOODSON: What I was
16 going to say is if appropriate I -- at this time I
17 would express that as a friendly amendment.

18 CHAIRPERSON LHAMON: Thank you.

19 Any further discussion on our now-amended
20 motion to approve the text of the Hate Crimes Report
21 as amended -- as recommended and circulated last
22 night?

23 (No audible response.)

24 CHAIRPERSON LHAMON: All right. Unless

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1 there's further discussion, I'll call the
2 discussion -- call the question, take a roll call
3 vote.

4 Commissioner Adegbile, how do you vote?

5 COMMISSIONER ADEGBILE: Aye.

6 CHAIRPERSON LHAMON: Commissioner

7 Heriot?

8 COMMISSIONER HERIOT: I don't know.

9 CHAIRPERSON LHAMON: Commissioner

10 Kirsanow?

11 (No audible response.)

12 CHAIRPERSON LHAMON: Commissioner

13 Kladney?

14 COMMISSIONER KLADNEY: Yes.

15 CHAIRPERSON LHAMON: Commissioner

16 Narasaki?

17 COMMISSIONER NARASAKI: I vote yes.

18 CHAIRPERSON LHAMON: Commissioner Yaki?

19 COMMISSIONER YAKI: Aye.

20 CHAIRPERSON LHAMON: Vice Chair Timmons-

21 Goodson?

22 VICE CHAIR TIMMONS-GOODSON: Yes.

23 CHAIRPERSON LHAMON: And I vote yes. The

24 motion passes. One Commissioner opposed; no

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1 Commissioner abstained, all others were in favor.

2 I'll also note I understand that the
3 staff director has been on the line the whole time
4 unable to speak and is now on with us on a speaking
5 line.

6 Staff Director Morales, would you mind
7 confirming that you are on and able to speak?

8 MR. MORALES: I am on the line now. Thank
9 you.

10 CHAIRPERSON LHAMON: Okay. Thank you.

11 So next we'll consider the findings and
12 recommendations to the report.

13 To open the floor for discussion is there
14 a motion?

15 VICE CHAIR TIMMONS-GOODSON: Madam Chair,
16 Vice Chair Timmons-Goodson. I so move.

17 CHAIRPERSON LHAMON: Thank you.

18 So there's a motion to approve the
19 findings and recommendations. Is there a second?

20 COMMISSIONER ADEGBILE: Commissioner
21 Adebile. Second.

22 COMMISSIONER NARASAKI: Commissioner
23 Narasaki -- oh, go ahead, Debo.

24 COMMISSIONER ADEGBILE: Sorry. Sorry. I

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1 yield to Commissioner Narasaki.

2 COMMISSIONER NARASAKI: I second the
3 motion.

4 CHAIRPERSON LHAMON: Appreciate that
5 you're seconding.

6 Is there any discussion around my -- to
7 this motion?

8 COMMISSIONER NARASAKI: Yes, Madam Chair.
9 This is Commissioner Narasaki. I move to amend the
10 findings and recommendations to conform with the text
11 that my special assistant circulated via email last
12 night, August 21st at 8:45 p.m.

13 CHAIRPERSON LHAMON: Thank you, Madam
14 Vice Chair. Do you accept those amendments as
15 friendly to your motion and therefore incorporated?

16 COMMISSIONER NARASAKI: I do accept them
17 as friendly to my motion.

18 CHAIRPERSON LHAMON: Thank you.

19 Any further discussion on our now amended
20 motion?

21 (No audible response.)

22 VICE CHAIR TIMMONS-GOODSON: Vice Chair
23 Timmons-Goodson. The only thing that I have to add
24 is again that no one in this country should have to

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1 live in fear because of their race or religion,
2 disability, sexual orientation, ethnicity or national
3 origin. And we've taken up this topic and we've
4 offered what I feel to be good recommendations and --
5 that are so critical to the challenge that's before
6 us, and thus I'll be supporting the findings and
7 recommendations.

8 COMMISSIONER NARASAKI: Madam Chair,
9 this is Commissioner Narasaki. I want to add my
10 thanks to my fellow Commissioners and the staff. We
11 had a very ambitious research project for this
12 report. This is an area of work that I have spent
13 most of my professional life working on, so it's been
14 very personal to me. And I agree with the Vice Chair
15 that we have some very strong recommendations that
16 hopefully can begin to move us forward to be able to
17 more strongly address this issue.

18 CHAIRPERSON LHAMON: Thank you.

19 Unless there's further discussion, I'll
20 call the question. We can take a roll call vote.

21 Commissioner Adegbile, how do you vote?

22 COMMISSIONER ADEGBILE: Aye.

23 CHAIRPERSON LHAMON: Commissioner
24 Heriot?

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1 COMMISSIONER HERIOT: I vote no.

2 CHAIRPERSON LHAMON: Commissioner

3 Kirsanow?

4 (No audible response.)

5 CHAIRPERSON LHAMON: Commissioner

6 Kladney?

7 COMMISSIONER KLADNEY: Yes.

8 CHAIRPERSON LHAMON: Commissioner

9 Narasaki?

10 COMMISSIONER NARASAKI: Yes.

11 CHAIRPERSON LHAMON: Commissioner Yaki?

12 COMMISSIONER YAKI: Aye.

13 CHAIRPERSON LHAMON: Vice Chair Timmons-

14 Goodson?

15 VICE CHAIR TIMMONS-GOODSON: Yes.

16 CHAIRPERSON LHAMON: And I vote yes. The

17 motion passes. One Commissioner opposed; no

18 Commissioner abstained. All others were in favor.

19 I'll note now that with the adoption of

20 the report and the findings and recommendations the

21 clock begins ticking with respect to the deadlines

22 for statements in rebuttal. Statements will be due

23 on Monday, September 23 with rebuttals due on

24 Wednesday, October 23. Commissioners must file

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1 notice of their intention to file a surrebuttal by
2 Wednesday, October 30 and then must file the text of
3 their surrebuttal on Wednesday, November 6.

4 **B. DISCUSSION AND VOTE ON CHAIR FOR NORTH DAKOTA**

5 **STATE ADVISORY COMMITTEE**

6 CHAIRPERSON LHAMON: The next item on our
7 agenda is to consider the recommendation from the
8 staff director for the appointment of a new chair for
9 our North Dakota Advisory Committee that the previous
10 chair resigned.

11 To open the floor for discussion I move
12 that the Commission accept the staff director's
13 recommendation and appoint Michelle Rydz to serve as
14 the chair of the North Dakota Advisory Committee. Do
15 I have a second?

16 COMMISSIONER HERIOT: Second. Gail
17 Heriot. Second.

18 CHAIRPERSON LHAMON: Commissioner
19 Heriot, thank you for the second.

20 Any discussion?

21 (No audible response.)

22 CHAIRPERSON LHAMON: Okay. I'll call the
23 question and take a roll call vote.

24 Commissioner Adegbile, how do you vote?

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1 COMMISSIONER ADEGBILE: Aye.

2 CHAIRPERSON LHAMON: Commissioner

3 Heriot?

4 COMMISSIONER HERIOT: I vote yes.

5 CHAIRPERSON LHAMON: Commissioner

6 Kirsanow?

7 (No audible response.)

8 CHAIRPERSON LHAMON: Commissioner

9 Kladney?

10 COMMISSIONER KLADNEY: Yes.

11 CHAIRPERSON LHAMON: Commissioner

12 Narasaki?

13 COMMISSIONER NARASAKI: Yes.

14 CHAIRPERSON LHAMON: Commissioner Yaki?

15 COMMISSIONER YAKI: Aye.

16 CHAIRPERSON LHAMON: Vice Chair Timmons-

17 Goodson?

18 VICE CHAIR TIMMONS-GOODSON: Yes.

19 CHAIRPERSON LHAMON: And I vote yes. The
20 motion passes unanimously.

21 **C. DISCUSSION AND VOTE ON 2020 BUSINESS MEETING**

22 **CALENDAR**

23 CHAIRPERSON LHAMON: We'll now discuss

24 and vote on the schedule for business meetings in

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1 2020. Everyone should have a proposed list of
2 dates for meetings next year, which I'll read out
3 loud now just for clarity.

4 Friday, January 24; Friday, February 28;
5 Friday, March 20; Friday, April 17; Friday, May 8;
6 Friday, June 5; Friday, July 17; Friday, August 14;
7 Friday, September 11; Friday, October 16; Friday,
8 November 13; and Friday, December 4.

9 To open the floor for discussion I move
10 that the Commission adopts the schedule as I have
11 just read. Do I have a second?

12 COMMISSIONER HERIOT: I second. Gail
13 Heriot.

14 COMMISSIONER KLADNEY: I second.

15 CHAIRPERSON LHAMON: Thank you for those
16 enthusiastic seconds.

17 Is there any discussion?

18 COMMISSIONER NARASAKI: We love those
19 Fridays.

20 CHAIRPERSON LHAMON: Yes. I love being
21 together with you all once a month.

22 Unless there's further discussion, I'll
23 call the question and take a roll call vote.

24 Commissioner Adegbile, how do you vote?

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1 COMMISSIONER ADEGBILE: Aye.

2 CHAIRPERSON LHAMON: Commissioner

3 Heriot?

4 COMMISSIONER HERIOT: Yes.

5 CHAIRPERSON LHAMON: Commissioner

6 Kirsanow?

7 (No audible response.)

8 CHAIRPERSON LHAMON: Commissioner

9 Kladney?

10 COMMISSIONER KLADNEY: Yes.

11 CHAIRPERSON LHAMON: Commissioner

12 Narasaki?

13 COMMISSIONER NARASAKI: Yes.

14 CHAIRPERSON LHAMON: Commissioner Yaki?

15 COMMISSIONER YAKI: I have a question.

16 Given that we always meet on Fridays, do I have my

17 date wrong and today's actually Friday and not

18 Thursday?

19 (Laughter.)

20 CHAIRPERSON LHAMON: Let's first vote and

21 I'm happy to discuss your dates. How do you vote on

22 these dates?

23 COMMISSIONER YAKI: Aye.

24 CHAIRPERSON LHAMON: Thank you.

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1 Vice Chair Timmons-Goodson?

2 VICE CHAIR TIMMONS-GOODSON: Yes.

3 CHAIRPERSON LHAMON: And I vote yes. The
4 motion passes unanimously.

5 And for the record today is Thursday.
6 We're off of our regular schedule and I appreciate
7 everyone's accommodation.

8 (Laughter.)

9 **D. MANAGEMENT AND OPERATIONS - STAFF DIRECTOR'S**

10 **REPORT**

11 CHAIRPERSON LHAMON: Next we'll hear from
12 staff director Mauro Morales for the monthly staff
13 director's report.

14 MR. MORALES: Thank you, Madam Chair. In
15 the interest of everyone's time I'll not go into any
16 details of the report, however, I'm always available
17 to discuss a specific item or question that a
18 Commissioner may have. Thank you, Madam Chair.

19 CHAIRPERSON LHAMON: Thank you, Mr. Staff
20 Director.

21 Just a point of personal privilege, I
22 understand that tomorrow will be the last day for
23 Special Assistance Sheryl Cozart who has ably served
24 the Vice Chair for the duration of time I have been

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1 on who proceeds my service on the Commission.

2 I just want to say how much I will miss
3 you, Sheryl, how very much I have relied on your help
4 and assistance including before I had a special
5 assistant to work with me and ever since you have
6 been an extraordinary assist for the Commission.
7 Your expertise across lots of area, your beautiful
8 writing, your relentless research, your lovely
9 support and personality have been a real benefit. I
10 am so sorry to see you go, but very glad to see that
11 you will be able to use your expertise in your next
12 endeavors and I look forward to being able to benefit
13 from them. Thank you for your service to the
14 Commission and to our country.

15 VICE CHAIR TIMMONS-GOODSON: Madam Chair,
16 when appropriate I'd like to say a word or two.

17 CHAIRPERSON LHAMON: Please go ahead,
18 Madam Vice Chair.

19 VICE CHAIR TIMMONS-GOODSON: Thank you
20 very much.

21 I have been -- since learning that Sheryl
22 would be leaving been in a bit of a depression. As
23 I told her, it's rare that you just click with someone
24 in the way that we have clicked. She has been not

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1 only my right hand, at times I felt that she was my
2 left hand as well. She has the disposition, the
3 heart, the ability and her passion for what we do at
4 the Commission that has really helped us along. And
5 frankly, I don't know what I'm going to do without
6 her, but she has earned the opportunity that she now
7 has to continue serving.

8 And, Sheryl, just know that I and we at
9 the Commission are going to miss you and appreciate
10 so very much all that you have meant to us and to our
11 work. It speaks for itself. And there's a song now
12 that says I'm expecting great things. Anyway, we
13 are. And we'll hear more from you I'm sure. Thank
14 you.

15 COMMISSIONER NARASAKI: Madam Chair, this
16 is Commissioner Narasaki.

17 CHAIRPERSON LHAMON: Go ahead,
18 Commissioner Narasaki.

19 COMMISSIONER NARASAKI: I would just like
20 to add my thanks and appreciation to Sheryl. She's
21 been an amazing colleague. And we are a very tiny
22 crew at the Commission because of the size of our
23 staff and have put out I think an amazing level of
24 work. and it requires a lot of teamwork, and she has

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1 been the ultimate in terms of a leader and team player
2 and a joy to work with.

3 So I very much wish you well. I look
4 forward to seeing how you rise further in your career.

5 COMMISSIONER ADEGBILE: Madam Chair,
6 Commissioner Adegbile.

7 CHAIRPERSON LHAMON: Go ahead
8 Commissioner Adegbile.

9 COMMISSIONER ADEGBILE: Sheryl, I would
10 just like to join the commendations of the Vice Chair
11 and Commissioner Narasaki and the Chair thanking you
12 for your work and efforts. When I think of you and
13 I think of your contributions to the Commission, I'm
14 reminded of the quiet resolve that so many people who
15 have fought for civil rights have had where they are
16 moored with their feet on the ground and they're
17 committed to justice and quietly pushing constantly
18 in that direction.

19 And when I think of the contributions
20 that you've brought to the Commission with your quiet
21 ways but your centered focus on doing what's right
22 and justice, I know that we all have benefitted from
23 it. And I have heard from the other SAs how much
24 they value you as a colleague and I hope you now know

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1 that we as Commissioners share that appreciation and
2 wish you every success as you continue in your career.
3 God speed.

4 COMMISSIONER HERIOT: Madam Chair?

5 CHAIRPERSON LHAMON: Go ahead,
6 Commissioner Heriot.

7 COMMISSIONER HERIOT: I just wanted to
8 add my thoughts.

9 Sheryl, it has been great having you with
10 us. You have been a perfectly matched pair with the
11 Vice Chair. It's really quite amazing. Both of you
12 so sweet, hard-working. I will miss you. And indeed
13 we are all expecting great things from you in the
14 future. Maybe, just maybe the Commission one day.
15 So thank you for all you've done.

16 CHAIRPERSON LHAMON: Commissioner
17 Kladney?

18 COMMISSIONER KLADNEY: Madam Chair, David
19 Kladney here.

20 CHAIRPERSON LHAMON: Go ahead.

21 COMMISSIONER KLADNEY: Yes, thank you.

22 Sheryl, I'd really like to thank you.
23 Your teamwork and your contributions have been
24 phenomenal to the team. And I understand that your

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1 future position sounds so exciting to be able to add
2 to our country's best interests, but I'd really like
3 to thank you for your calmness when I would be like
4 running up and down the hall and I'd stick my head in
5 and you would calm me down. I always thought, boy,
6 this is a great person.

7 And so I'd really like to thank you. Your
8 work has been phenomenal. I know Amy has appreciated
9 you tremendously as have I. So thank you very much
10 and great luck in the future. Thank you.

11 MR. MORALES: Madam Chair, if I may make
12 a statement on behalf of the staff?

13 CHAIRPERSON LHAMON: Go ahead, Mr. Staff
14 Director.

15 MR. MORALES: Thank you.

16 Sheryl, just wanted you to know on behalf
17 of the entire staff how much you will be missed. You
18 are a team player. You stepped in multiple roles
19 over the years and I can't thank you enough for the
20 work. And personally I can't think you enough for
21 the advice and work you've provided and the
22 assistance you've given me to make my job -- I'm able
23 to do my job. So thank you. We're going to be seeing
24 you through the rest of the day and celebrating with

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1 you and I just want you to know I'm -- thank you from
2 the entire staff of the U.S. Commission on Civil
3 Rights.

4 COMMISSIONER YAKI: And, Sheryl --

5 CHAIRPERSON LHAMON: As well I'll note --
6 oh, go ahead, Commissioner Yaki.

7 COMMISSIONER YAKI: Thank you very much,
8 Madam Chair.

9 I just want to add my kudos, praise,
10 thanks, amens, hallelujahs to the chorus for Sheryl.
11 She was part of the crew that helped in and enabled
12 me to steer the course with all of you, but really in
13 a -- that's just a minor part of everything that is
14 great and good about her and her demeanor and her
15 hard work and her intelligence.

16 And congratulations to you, Sheryl,
17 for -- on the next step of your career. With
18 everyone, I think we all not only expect, but we know
19 we will see great things from you.

20 CHAIRPERSON LHAMON: Thank you, all.

21 At this time -- well, let me note first
22 that Sheryl is not on the speaker line, so I imagine
23 that it's been uncomfortable to listen to all of us
24 sing your praises and I hope you have enjoyed and I

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1 know that you couldn't say anything back to us.

2 **E. MEETING OF THE COMMISSION'S SUBCOMMITTEE ON**
3 **CONDITION OF IMMIGRATION DETENTION CENTERS AND**
4 **TREATMENT OF IMMIGRANTS IN DETENTION - DISCUSSION**
5 **AND VOTE ON SUBCOMMITTEE'S REPORT TO COMMISSION**

6 CHAIRPERSON LHAMON: At this time the
7 Commission will now move to a meeting of our
8 Subcommittee on Immigration Detention. Since I'm not
9 on that subcommittee and I'm recused from its work,
10 I will now turn the gavel over to Commissioner Yaki
11 and I will exit the room. Thank you, all.

12 COMMISSIONER YAKI: Thank you very much,
13 Madam Chair, and good luck wherever you are going
14 right now. Hopefully it is a nice and comfortable
15 warm place, like back to sleep.

16 Thank you, all. We are going to be
17 considering today the -- for lack of -- for shorthand,
18 the Immigration Detention Report, or as it's formally
19 titled, Trauma at the Border: the Human Cost of
20 Inhumane Immigration Policies.

21 I want to first acknowledge two things:
22 One, that the report has been sent out, has received
23 agency review. You received the updated report. The
24 findings and recommendations as amended with a

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1 redline were sent out last night and I know that we
2 may have some adjustments to that later today and
3 perhaps even next week. But this is just for the
4 Subcommittee consideration, not for the Full
5 Committee. So I am going to very quickly call the
6 roll for the Subcommittee and starts with
7 Commissioner Narasaki.

8 Are you present?

9 COMMISSIONER NARASAKI: Present.

10 COMMISSIONER YAKI: Commissioner
11 Kladney, are you present?

12 COMMISSIONER KLADNEY: Yes.

13 COMMISSIONER YAKI: Commissioner
14 Adegbile, are you present?

15 COMMISSIONER ADEGBILE: Present.

16 CHAIRPERSON YAKI: And, Commissioner
17 Kirsanow, are you present?

18 (No audible response.)

19 COMMISSIONER YAKI: For the record I note
20 that Commissioner Kirsanow was not on the previous
21 meeting and is not at this one today.

22 So today, thank you, all, we have a
23 quorum of the Subcommittee.

24 First I want to just briefly -- well,

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1 actually not so briefly, thank one of -- a person who
2 is no longer with the Commission, Jason Lagria, who
3 is -- who was Commissioner Narasaki's special
4 assistant, who really pulled the yeoman's oar on
5 this. I think we all owe him a tremendous debt of
6 gratitude and thanks, as well as to Amy Royce and
7 Carissa Mulder for their hard work, Rukku Singla,
8 Irena Vidulovic, Alison Somin, and at the very last
9 minute my new and old at the same time Special
10 Assistant Todd Dual.

11 I also really want to thank the staff,
12 especially the staff director and the general counsel
13 and the head of OCRE who despite the fact that this
14 was a report that was put together with spit and glue
15 because of the resource constraints, all of them
16 managed to find and carve time out to help with this
17 report, but not at the cost or detriment of our
18 incredibly big workload that we have in turning out
19 other reports.

20 This was an extraordinary undertaking in
21 all aspects of that definition. We did not seek this
22 issue; it sought us. And I just want to thank
23 everyone: the law clerks, interns, everyone who were
24 part of this endeavor. We can talk about this more

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1 next week. I know we're all on a time schedule.

2 So with that I am going to reserve my
3 comments about the issue until next week at the Full
4 Commission and simply use this time to formally move
5 the mechanics of this up to the Full Commission for
6 a report.

7 So unless anyone has any other sort of
8 background remarks, I'd like to move on approving the
9 report for consideration to the Full Commission.

10 COMMISSIONER NARASAKI: This is
11 Commissioner Narasaki. I would just like to
12 acknowledge your leadership of this subcommittee and
13 thank you for that. And also welcome my new special
14 assistant. Thank you for acknowledging Jason
15 Lagria's very hard work. He will be missed. I'm
16 very excited though to introduce everyone to Pete
17 Siltus who has had a wild two first days. So thank
18 you, Michael.

19 COMMISSIONER YAKI: Thank you. Thank
20 you, Commissioner Narasaki.

21 And welcome, Pete. Look forward to
22 meeting you soon and thanks for stepping into the
23 whirlpool.

24 Anything else from the Commissioners? If

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1 not, I'd like a motion to approve the main body of
2 the report for forwarding to the Full Commission.

3 COMMISSIONER NARASAKI: This is
4 Commissioner Narasaki. And sorry, I would like to
5 add also our gratitude to the staff. While the
6 Commissioners and our special assistants agreed to
7 take the oar because of our limited capacity on this
8 report, staff, particularly our general counsel and
9 OCRE director, have been very critical in helping us
10 to get this report to this stage and thank them very
11 much for their hard work. And also the staff who
12 helped organize the briefing, the public briefing
13 which was incredibly moving and very important to
14 this report, and everyone who testified. Thank you.

15 COMMISSIONER YAKI: Thank you.

16 So do I have a motion to approve the
17 report and send it to the Full Commission for
18 consideration?

19 COMMISSIONER NARASAKI: This is
20 Commissioner Narasaki. So moved.

21 COMMISSIONER YAKI: I will -- is there a
22 second?

23 COMMISSIONER ADEGBILE: I'll second it.
24 Commissioner Adegbile seconds, Commissioner Yaki.

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1 CHAIRPERSON YAKI: Thank you,
2 Commissioner Adegbile.
3 Let me call the roll.
4 Commissioner Narasaki?
5 COMMISSIONER NARASAKI: Aye.
6 COMMISSIONER YAKI: Commissioner
7 Adegbile?
8 COMMISSIONER ADEGBILE: Aye.
9 COMMISSIONER YAKI: Commissioner
10 Kladney?
11 COMMISSIONER KLADNEY: Yes.
12 COMMISSIONER YAKI: Commissioner
13 Kirsanow?
14 (No audible response.)
15 COMMISSIONER NARASAKI: Actually I --
16 COMMISSIONER YAKI: And I vote -- oh.
17 COMMISSIONER NARASAKI: Sorry,
18 Commissioner Yaki. This moved so fast. I had an
19 amendment to the findings.
20 COMMISSIONER YAKI: Right, we're just
21 doing the report.
22 COMMISSIONER NARASAKI: So are we --
23 we're just doing the report? Okay. Thank you.
24 COMMISSIONER YAKI: Yes.

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1 COMMISSIONER NARASAKI: Sorry about that.
2 Go ahead.

3 COMMISSIONER YAKI: You're welcome.
4 Commissioner Kirsanow?

5 (No audible response.)

6 COMMISSIONER YAKI: Commissioner
7 Kirsanow not voting. Commissioner Yaki votes aye.
8 The report is approved for consideration of the Full
9 Commission by a four to zero vote.

10 We will now move to the findings and
11 recommendations. Commissioner Narasaki, you --

12 COMMISSIONER ADEGBILE: Sorry.
13 Commissioner Yaki, I --

14 COMMISSIONER YAKI: Yes?

15 COMMISSIONER ADEGBILE: -- think just for
16 clarity of the record, as I understand it
17 Commissioner Kirsanow is not present, not just not
18 voting, but not present as I understand it.

19 COMMISSIONER YAKI: Thank you very much.
20 That will be noted.

21 On the findings and recommendations,
22 Commissioner Narasaki, you had an amendment?

23 (No audible response.)

24 COMMISSIONER YAKI: Commissioner

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1 Narasaki?

2 COMMISSIONER NARASAKI: Sorry, I was on
3 mute. This is Commissioner Narasaki. I would like
4 to move for consideration to the Full Committee the
5 findings and recommendations. I would like offer a
6 friendly amendment that was circulated last night at
7 a little after 9:30 by my Special Assistant Peach
8 Soltis.

9 COMMISSIONER YAKI: Without objection if
10 there -- without objection that amendment will be
11 included in the findings and recommendations and is
12 included in the motion. Seeing no objection, so
13 ordered.

14 We will now move -- is there a second to
15 Commissioner Narasaki's --

16 COMMISSIONER KLADNEY: Mr. Chairman?

17 COMMISSIONER -- motion? Yes,
18 Commissioner Kladney?

19 COMMISSIONER KLADNEY: Mr. Chairman?

20 COMMISSIONER YAKI: Yes.

21 COMMISSIONER KLADNEY: Is it the one
22 where we're adding a single word to the findings and
23 recommendations?

24 COMMISSIONER YAKI: Yes.

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1 COMMISSIONER KLADNEY: Thank you.

2 COMMISSIONER YAKI: The word detention,
3 yes.

4 So with that, having heard no objection
5 about that, it will be amended into it. On the
6 amendment as -- on the findings as amended, is there
7 a second to approve this for consideration by the
8 Full Commission?

9 (No audible response.)

10 COMMISSIONER YAKI: Looking for a second.

11 COMMISSIONER ADEGBILE: Commissioner
12 Adegbile, second.

13 COMMISSIONER YAKI: Commissioner
14 Adegbile seconds the amended motion to the findings
15 and recommendations on the motion as amended. We'll
16 now call the roll.

17 Commissioner Narasaki?

18 COMMISSIONER NARASAKI: Yes.

19 COMMISSIONER YAKI: Commissioner Yaki.
20 Aye.

21 Commissioner Adegbile?

22 COMMISSIONER ADEGBILE: Aye.

23 COMMISSIONER YAKI: Commissioner
24 Kladney?

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1 COMMISSIONER KLADNEY: Yes.

2 COMMISSIONER YAKI: Commissioner
3 Kirsanow?

4 (No audible response.)

5 COMMISSIONER YAKI: Commissioner
6 Kirsanow not present.

7 Commissioner Yaki votes aye. The
8 findings and recommendations as amended are presented
9 to the Full Commission for consideration by a four to
10 zero vote.

11 **III. ADJOURN MEETING**

12 COMMISSIONER YAKI: That concludes the
13 business of the Subcommittee. And I believe that
14 concludes our business today. So thank you very much
15 all of you for your assistance and your hard work on
16 this report. Look forward to discussing it more next
17 week. We are adjourned.

18 (Whereupon, the above-entitled matter
19 went off the record at 11:08 a.m.)

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