U.S. COMMISSION ON CIVIL RIGHTS

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50 YEARS LATER: REFLECTING ON THE 1968 U.S. COMMISSION ON CIVIL RIGHTS OF MEXICAN-AMERICANS

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FRIDAY, JUNE 15, 2018

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The Commission convened in Suite 1150 at 1331 Pennsylvania Avenue, Northwest, Washington, D.C. at 12:00 p.m., Catherine Lhamon, Chair, presiding.

PRESENT:

CATHERINE E. LHAMON, Chair

PATRICIA TIMMONS-GOODSON, Vice Chair

DEBO P. ADEGBILE, Commissioner

GAIL HERIOT, Commissioner

PETER N. KIRSANOW, Commissioner*

DAVID KLADNEY, Commissioner*

KAREN K. NARASAKI, Commissioner

MICHAEL YAKI, Commissioner*

MAURO MORALES, Staff Director

MAUREEN RUDOLPH, General Counsel

** Present via telephone*

STAFF PRESENT:

ROBERT AMARTEY
LASHONDRA BRENSON
EVELYN BOHOR
KATHERINE CULLITON-GONZALEZ, Director, OCRE
BARBARA DELAVIEZ
PAMELA DUNSTON, Chief, ASCD
LATRICE FOSHEE
ALFREDA GREENE
TINALOUISE MARTIN, Director, Office of Management
DAVID MUSSATT, Regional Programs Unit
SARALE SEWELL
MICHELE RAMEY
BRIAN WALCH
MARIK XAVIER-BRIER

COMMISSIONER ASSISTANTS PRESENT:

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

INTERNS PRESENT:

VALENTINA CANNAVO
NICOLE CARROLL
MADELINE COOK
SABRINA ESCALERA-FLEXHAUG
JAKE GOLDBERG
AARON HURD
AMY JEANNERET
AIME JOO
ZAK LUTZ
SCOTT POLLINS
MATT ROBINSON
SHIMENG ZHANG

A G E N D A

P R O C E E D I N G S

(12:00 p.m.)

VICE CHAIR TIMMONS-GOODSON: Good morning. This meeting of the U.S. Commission on Civil Rights comes to order at 12:00 noon on the 15th of June, 2018. The meeting takes place at the Commission's headquarters located at 1331 Pennsylvania Avenue, Northwest, Washington, D.C.

I am Vice Chair Timmons-Goodson. Other Commissioners present at this meeting are Commissioner Narasaki, Commissioner Heriot. I believe that Commissioner Adegbile is in the building. A number of Commissioners are participating by telephone. If you could confirm you're on the line after I say your name. I believe that we have on the phone Chair Lhamon.

CHAIR LHAMON: I'm here. Thank you.

VICE CHAIR TIMMONS-GOODSON: Commissioner Yaki?

COMMISSIONER YAKI: I am here.

VICE CHAIR TIMMONS-GOODSON: Commissioner Kirsanow?

COMMISSIONER KIRSANOW: Here. In addition to Debo, is Elvis in the building?

(Laughter.)

VICE CHAIR TIMMONS-GOODSON: He has not yet arrived, sir.

(Laughter.)

VICE CHAIR TIMMONS-GOODSON: Commissioner Kirsanow, I've heard your voice. Commissioner Kladney?

COMMISSIONER KLADNEY: Yes, I'm here.

VICE CHAIR TIMMONS-GOODSON: Yes. All right. Thus, we have a quorum of Commissioners present. Is the court reporter present?

COURT REPORTER: Yes.

VICE CHAIR TIMMONS-GOODSON: Is the Staff Director present?

STAFF DIRECTOR MORALES: Yes.

VICE CHAIR TIMMONS-GOODSON: This meeting shall now come to order. Commissioner Adegbile is now present with us.

Is there a motion to approve the agenda for the business meeting?

I. APPROVAL OF AGENDA

COMMISSIONER NARASAKI: So moved.

VICE CHAIR TIMMONS-GOODSON: Having been moved by Commissioner Narasaki, is there a second?

COMMISSIONER ADEGBILE: Second.

VICE CHAIR TIMMONS-GOODSON: Okay. All in favor of approving the agenda, say aye?

COMMISSIONER HERIOT: Madam --

COMMISSIONER NARASAKI: Do we need to move to amend?

COMMISSIONER HERIOT: Do you want motions to amend before or after?

VICE CHAIR TIMMONS-GOODSON: I was going to approve the agenda and then go forward with amendments --

COMMISSIONER HERIOT: Okay.

VICE CHAIR TIMMONS-GOODSON: -- if that's all right with everybody. All right. All in favor of approving the agenda, say aye.

(Chorus of ayes.)

VICE CHAIR TIMMONS-GOODSON: If there is any in opposition, I don't hear that. Any abstentions? Okay. Are there any amendments to the agenda? Any motions to amend?

COMMISSIONER NARASAKI: Yes, Madam Chair.

VICE CHAIR TIMMONS-GOODSON: Yes, ma'am.

COMMISSIONER NARASAKI: I would like to move to amend the agenda to remove the discussion and vote on the Commission report: "An Examination of Excessive Force and Modern Policing Practices."

COMMISSIONER HERIOT: Second.

VICE CHAIR TIMMONS-GOODSON: All right.

And are there any other amendments?

COMMISSIONER HERIOT: Madam Chair.

VICE CHAIR TIMMONS-GOODSON: Yes.

COMMISSIONER HERIOT: I would like to amend the agenda to include a discussion and possible motion on printing reports.

VICE CHAIR TIMMONS-GOODSON: All right. Is there a second to that motion to amend?

COMMISSIONER KIRSANOW: Kirsanow, second.

VICE CHAIR TIMMONS-GOODSON: Okay. Are there any other motions to amend?

CHAIR LHAMON: Madam Vice Chair, I'd like to --

VICE CHAIR TIMMONS-GOODSON: Yes, Chair Lhamon.

CHAIR LHAMON: -- move to amend the agenda to introduce a letter on separation of families at the border.

VICE CHAIR TIMMONS-GOODSON: All right. Did everyone hear that? Her motion is to amend the agenda to include the introduction of a letter on separation of families at the border. Is there a second?

COMMISSIONER YAKI: Second.

VICE CHAIR TIMMONS-GOODSON: All right. I

believe heard Commissioner Yaki seconding that. Are there any other amendments?

COMMISSIONER KIRSANOW: Madam Chair, Kirsanow here.

VICE CHAIR TIMMONS-GOODSON: Yes, sir.

COMMISSIONER KIRSANOW: I'd like to amend the agenda to include a discussion on a statement regarding the recognition of Jack Johnson or the pardon of Jack Johnson.

COMMISSIONER HERIOT: Second.

VICE CHAIR TIMMONS-GOODSON: All right. And so we have a number of amendments to the agenda that are now up for a vote. The first -- well, I'll just read all of them. We'll be voting on all of them at one time, if there's no objection to that. All right.

The first being a motion to remove the discussion of the report, "Examination of Excessive Force and Modern Police Practices".

A second amendment would be to discuss printing of our reports.

A third involving the introduction of a letter on the separation of families at the border.

And finally, a statement regarding the pardoning of Jack Johnson.

All in favor of the agenda being amended as I have set forth, let me hear you say aye.

(Chorus of ayes.)

VICE CHAIR TIMMONS-GOODSON: Are there any Commissioners opposing the amendments to the agenda? Any abstentions? All right. It sounds as if it's unanimous then.

Now, let us move to the speaker series.

II. BUSINESS MEETING

A. SPEAKER SERIES

VICE CHAIR TIMMONS-GOODSON: We have the pleasure of hearing from three speakers today as part of our continuing speaker series. Today's topic is, 50 Years Later: Reflecting on the 1968 U.S. Commission on Civil Rights Hearings on the Civil Rights of Mexican-Americans. Our Staff Director, Mr. Mauro Morales, arranged today's presentation. We'll turn to him now for some opening remarks before introducing the speakers.

Mr. Morales?

STAFF DIRECTOR MORALES: Thank you, Madam Chair, Madam Vice Chair, and Commissioners. I'm proud to be an American and a Latino Staff Director of the Commission, and I'm grateful for this opportunity to make a statement.

In a moment, you'll hear from a former staff member of the Commissioner as well as distinguished scholars about a historic hearing the Commission held 50 years ago in San Antonio, Texas. These presentations that the Commission has been holding for the past year and a half have allowed us to learn about civil rights history. We have heard about the creation of the Commission, the fight to end separate but equal schools, the struggles for equality for women, the disabled, gender issues, and challenges to racial and ethnic communities.

I encourage the public and Commissioners, if they haven't already done so, to read "A Stranger in One's Land" published by our agency in 1970. The report documents the week of hearings this Commission held 50 years ago in San Antonio, Texas. These hearings took place in 1968 during a dramatic time of change in our country.

When I received this account that we published, I was shocked but not surprised to read the comments of a principal in charge of a San Antonio Junior High School. This individual stated his belief that there is something in the background or characteristics of Mexican-Americans that inhibits high achievement. He agreed that genetic factors

account for differences in student achievement.

I am a graduate of Georgetown University and the law school at the University of Southern California. I'm a member of the California and District of Columbia bars as well as the presidentially appointed staff director of this agency. I am proof that such a statement was and remains pseudoscientific nonsense and is patently false. We can all agree that so much has changed when such an ignorant belief that like was publically expressed. And yet, we still have a long way to go.

Four weeks ago, the Commission held a briefing about the rise of hate crimes being experienced in this country. We heard about hatred being directed at people because of what they were wearing, what language they spoke in public, who they chose to love, because they had a disability, their gender, or their racial or ethnic background. It was compelling and heartbreaking testimony.

At no time since the San Antonio hearings 50 years ago have Americans of Latino heritage felt more challenges to our right to be a part of this nation than right now. Our community regularly reads, hears, or are subject to attacks over our right to speak another language in addition to English, our

presence as citizens, and even our patriotism.

I am honored to serve as a director of this esteemed 60-year-old institution where it is our mission to research and investigate civil rights policy and enhance the enforcement of federal civil rights law. The Commission is a jewel and a national treasure. It is precious because of its independence and bipartisan nature and because we can take the time to examine and understand how to address pressing civil rights issues. And our briefings and published reports have led to changes in federal civil rights law that have had lasting impact for our nation.

Each Commissioner, their special assistants, and all the men and women who work at this agency are dedicated to civil rights. Today, we'll learn how 50 years ago, the Commission successfully exposed civil rights challenges faced by Mexican-Americans in the Southwest.

Obtaining knowledge from history is essential if we are to grow as a nation and as a people. I look forward to hearing from our speakers today.

Thank you, Madam Vice Chair.

VICE CHAIR TIMMONS-GOODSON: And thank you, Mr. Morales. You are a jewel and a treasure of the

U.S. Commission on Civil Rights. We thank you for bringing this program to us today.

Our first speaker is J. Richard Avena, former director of the U.S. Commission on Civil Rights then-field office in San Antonio, Texas. Mr. Avena drafted text used in the Commission report entitled, "The Tarnished Golden Door: Civil Rights Issues in Immigration". He was formerly employed in the Legislative Reference Department in the Library of Congress and taught for seven years at the University of San Carlos.

Our second speaker is Robert Brischetto, Ph.D., Founding Executive Director, Southwest Voter Research Institute. He taught for 12 years in Texas at University of Texas at El Paso, Our Lady of the Lake University, and Trinity University.

Working with William Velasquez at the Southwest Voter Registration Education Project, he established the Southwest Voter Research Institute and served as its executive director from 1986 to 1995. At the request of the director of the Bureau of the Census, he launched one of the first census information centers after the 1990 census for minority researchers to access and use census data. He has also served as an expert witness in more than six --

excuse me -- more than 40 voting rights cases throughout the southwestern part of the United States.

As the research consultant to the Annie E. Casey Foundation, he conducted evaluations of low-income neighborhoods in San Antonio from 2000 to 2008. Since 2009, he's been a regular contributor of op-ed pieces to the San Antonio Express News on current issues, especially those affecting minorities. He is also author of more than five dozen publications, both academic and popular, throughout his career.

And our third speaker is Candace de Leon-Zepeda, Ph.D., Chair of the Department of English, Mass Communication, and Drama at Our Lady of the Lake University in San Antonio, Texas. Her field of study is in both Latino-Latina literary cultural studies and rhetorical and written studies. Her scholarship is currently focused on how Hispanic-serving institutions can better serve students of color with inclusive program design, curriculum, assessment, and culturally relevant pedagogies.

She's the author of six book chapters related to these topics and is currently co-editing a book related to teaching practices for students of color. Dr. Zepeda joined the 50th Anniversary event's Executive Committee two years ago and is currently a

conference planning committee member.

We will have questions and answers after all of our speakers have presented. And thus, we will begin with Mr. Avena.

SPEAKER SERIES

J. RICHARD AVENA

MR. AVENA: Thank you very much. I want to thank the Commission, the Staff Director Morales for your invitation because those of us that are working on this project really believe it's historic in nature. And as I go through my material, I think you'll understand what I'm saying.

I want to end -- before I finish, let me tell you this. I have two stories to tell you. They're both true. One happened back in '68-'67, and one happened this year. And they'll give you an idea of the changes that have been made or that we're making. I have some handouts here. I don't know if somebody could -- thank you.

I haven't been back to this city for 15 years. I've never been to Europe. I've been to Latin America. But I still think Washington is the greatest, most beautiful city in the world. I drove a taxicab here. I sold encyclopedias. You all don't remember what encyclopedias are. You do?

(Laughter.)

MR. AVENA: Some of you do, to get through school. And in 1968, the Civil Rights Commissions said, well, Richard, we're going to hold a hearing in San Antonio. Can you go down there for six months, six months, and work on the hearing then come back? Oh, yes. I'm from El Paso, so I'll be able to see mom and dad. And six months turned into 50 years, and here I am.

Nothing to do with civil rights, but to dramatize the difference. If you worked for the government in '68, whether you went to New York, Chicago, Atlanta, San Antonio, or Washington, after paying for your airfare, your per diem was 16 dollars a day, 16 -- eight for your three meals and eight for your hotel. So you can see what difference that has made. I barely make the tip with eight dollars.

But anyway, in April of 1968, the New Mexico Advisory Committee to the Civil Rights Commission was holding a hearing in a little town I'm sure nobody has ever heard of called Clovis, New Mexico. Clovis, New Mexico is in the northern-eastern part of the state. The reputation was so egregious as being racist against -- there are very few blacks but a lot of Mexican-Americans. It was so bad that people

gave it the ultimate insult. What is the ultimate insult you can give a little community? They called it Little Texas. Little Texas, it was so bad. It's close to the panhandle of Texas.

The night before the hearing, we were sitting around the hotel waiting for a hearing. Our court reporter was there. Sterling Black, the son of Supreme Court Justice Black, was the chairman of the committee. When we got the word that Dr. Martin Luther King had been shot and killed in Memphis, we huddled around and we didn't know what to do. Our first thought was to cancel the hearing. Then we thought, no, if Dr. King was still living, he'd want us to go ahead with the hearing.

So we held the hearing. I made my way back. I flew to Atlanta and was able to march with my sister in the King funeral march from the church, and then I flew back to Washington. When I got off of the airplane at National Airport, the first thing that hit me was the smoke -- the smell of the smoke of the homes and businesses burning down over and around Georgia Avenue.

So we kind of settled down. And then two months after that, I was living over here by Arena Stage in a little apartment. Two months after that,

at 3:00 in the morning -- and I can remember it was 3:00 because I looked at my watch -- I get a call from Esteban Torres, who used to work for United Auto Workers and later became a Congressman from L.A., telling me that Robert Kennedy had been shot and killed in Los Angeles.

The third thing that happened before I left was the Poor People's Campaign. The Poor People's Campaign was something else, probably the first time in history that a great influx of Hispanics, Mexican-Americans, Spanish-Americans as people from New Mexico like to call themselves Spanish-Americans, not Mexican-Americans, and blacks convened in one place.

And I remember it well because Resurrection City was established, and the Mexicans and Hispanics didn't want to live in Resurrection City. And so we found them a school where they could live in, Hawthorne School. And so that was the third big major event that happened before I left. I left in August of '68 to go to San Antonio.

Now, when we got to San Antonio, you have to realize that Mexican-Americans were not known throughout the country. The census counted us as white, Caucasian. And so what was missing were demographics, drop-out rates, unemployment rates,

things like that, that nobody ever knew of because we were kind of in the lump sum of being white.

There were a lot of unrests around California, Colorado, Arizona. And so the Commission decided to hold a hearing looking at the civil rights issues of Mexican-Americans. The next big debate was where to have it. It came down to Los Angeles or San Antonio. Oh, my God. Nobody -- Los Angeles? Are you out of your mind? Those crazy people, they're going to disrupt the hearing.

CHAIR LHAMON: We have a rule against defaming and degrading. And as someone from --

MR. AVENA: There'll be no -- there'll be violence. There'll be no peace and --

CHAIR LHAMON: -- Los Angeles, I have to address it.

(Laughter.)

MR. AVENA: I'm sure some of you -- and I'm sure Los Angeles has changed, right?

(Laughter.)

MR. AVENA: But anyway, so then I'm not from San Antonio, and I'd only been through there. I never -- they said, San Antonio. Oh, yes. That's more of a farm mentality, a rural mentality. People aren't so violent. So we'll go to San Antonio. I was

listening to that debate while they were having it.

I know that Mexican-Americans were not known because in my job at the Library of Congress, I worked for Legislative Reference which I was hired as a translator, the only Mexican-American in Legislative Reference. And all of the scholars, I mean, they had -- you think Bob's a scholar. They doubled here. They had four or five Ph.D.'s, I mean, really smart people.

And then members of Congress started asking, who are these Mexicans? Who are they? What are their conditions? Nobody thought they were victims of discrimination, and I remember well some of those real scholars would come and look for me in my basement office at the Library of Congress. Richard, do you know anything about Mexicans? What am I going to say? Well, I am one. But I wasn't hired as a researcher, so I didn't know the demographics. But I do know that the government really didn't know a lot about Mexican-Americans.

My first story, which is really going to give you a feeling for what happened around '67-'68, Henry Ramirez, who directed our first education study, tells a story of going to visit a public school in and around Kingsville, Texas. And he was talking to the teachers, the principal, and some of the students.

And as he was getting ready to leave, the janitor called him over -- a Mexican-American janitor. He said, come here.

So Henry followed him and he led him out to the back of the school where he had his tool shed -- the janitor had his tool shed. He asked Henry to step up on a little wooden stool. Henry didn't know what was going on. He said, look out that window -- mira por la ventana. And Henry told the story of looking out the window. And in the playground was a white Anglo female teacher holding a little Mexican girl by her ankles and whacking her on the butt, I mean, physically. Can anybody guess what her crime was? They caught her speaking Spanish. In Texas, it was in the constitution that it was a crime to speak Spanish on public school property or activities.

So Henry went on and he developed the education study. The education study, by the way, was a real, real success. By the way, all those studies that were done by the Commission, the Commission held the hearings in '68 in employment, education, administration of justice, economic security. And then the Commission wrote their statutory reports. They all went through legal sufficiency and they were used as evidence in lawsuits. I'm sure Bob knows a

lot about this. They were used in school desegregation lawsuits. They were used in school financing lawsuits.

There's something impressive, okay, that says, the United States Commission on Civil Rights says. And when you present that in a court of law to a judge or to a jury, there's something impressive about that. So what you were saying, Mr. Morales, earlier is that this is truly a unique institution. And I hope you're around forever, and I hope you're always bipartisan. I hope you're always bipartisan.

The Commission accomplished a lot. It gave legitimacy to the issues of Mexican-Americans. The reports, as I mentioned, were used as evidence and in trials and so forth. And this leads me to my last story. The decision was made in '68 to call the NAACP. It was hearing on Mexican-American civil rights issues. But the decision was made to call the NAACP and make a presentation. The black population of San Antonio was not that big.

So two or three members of reverends came and presented before the Commission, and one of the things they complained about, they said, we have a hard time getting jobs with the city. And we have our utility called the Public Service Commission -- Public

Service Commission, yes. And we can't get jobs there. But you know what? Very few black men are hired, but there are no black women at all. For some reason, they don't hire black women. Okay, so they said this to the Commission in '68.

Time goes by. I come back from Guatemala where I'd been spending time teaching. And I pick up the newspaper, and this is this year. I see an article where there is a new CEO of the city Public Service Commission in San Antonio, a new CEO. All right. This year, before bonuses, before anything, her salary was 730,000 dollars. And you know what? She's an African-American woman. She's an African-American woman.

So when things like that -- you see things like that happening, you see that there may be hope. And I would love to have left you on a positive note except for this handout that I gave you. These are babies. They're not in the United States. They're on the bridge coming from Mexico. They can't get in to claim asylum because there's no room. The U.S. side says there's no room. There's too much activity. They can't let them in yet, so they have to sleep and find places to eat on the bridge.

Now, let me ask you. I talked to somebody

yesterday about this. I said, now, look at these children. Can you believe that this would be happening if these children were white? Just answer yourself that question. If these were white kids, would our government let them be and exist like that?

Thank you very much for your time, and I'll be happy to answer any questions afterwards.

CHAIR LHAMON: Thank you, Mr. Avena. Mr. Brischetto?

SPEAKER SERIES

ROBERT BRISCHETTO, Ph.D.

DR. BRISCHETTO: Thank you.

CHAIR LHAMON: Your mic is not on, if you wouldn't mind pushing the talk button.

DR. BRISCHETTO: I have to turn the mic on.

CHAIR LHAMON: Thank you.

DR. BRISCHETTO: Commissioners, thank you for inviting us. And I know 1968 was a year that brought attention to race and ethnic relations.

As Richard mentioned, there was a march in Los Angeles, 15,000 Latino high school students walked out of their classes to demand a better education. In April of that year, Reverend Martin Luther King was murdered in Memphis, followed by race riots, Detroit, Chicago, Washington, D.C. In June of that year, civil

rights advocate Bobby Kennedy was assassinated in Los Angeles while he was campaigning to be President.

And Americans wanted answers and they wanted government action. And President Lyndon Johnson signed the Civil Rights Act of 1968 to end housing discrimination, and he proclaimed the first National Hispanic Heritage Week, put a positive focus on America's fastest growing ethnic group.

It was also a time for reflection, reflection on race relations. The Kerner Commission Report came out, released to try to understand the root causes of the riots. The U.S. Commission on Civil Rights then held a hearing in San Antonio, Our Lady of the Lake University. For six days, the Commissioners heard challenges facing Mexican-Americans in Texas and other southwestern states.

Now, here we are, 50 years later, and a time when civil and human rights of Latinos are very much in peril. And so it's a number of leaders in San Antonio and scholars have taken it upon their own initiative to come together and in the same place in San Antonio in November of this year to hold up the mirror and reflect once again with a conference exploring what has happened since the 1968 Commission hearings.

And it's my job here today to tell you about a report that hopefully will become a published book that will explore the progress and the challenges that still remain for Mexican-Americans. I'd like to tell you about each of the 15 authors and the chapters that they've written or are writing -- it's a book in progress -- but I don't have the time. So I'm going to focus on an example of one of the chapters on education. It'll give you an idea of what we're trying to accomplish with this volume.

During his time as superintendent of Edgewood School District -- which, by the way, was the poorest school district in the state -- Dr. Jose Cardenas, who, by the way, the year before had testified before the hearings of the Commission in '68. He helped launch the Rodriguez case which challenged school finance system in Texas, and it was lost before the Supreme Court in 1973.

But Cardenas went on from there to form the Intercultural Development Research Association, IDRA, with the goal of improving the educational opportunity of Latino students, in Texas particularly. I worked for him and am proud to say as his first research director.

There are three IDRA researchers that we

have now who are collaborating to produce a chapter that traces the progress and the difficulties in achieving educational equity in Texas: David Hinojosa, who's a civil rights attorney, works full time at IDRA on education, Maria "Cuca" Robledo Montecel, who succeeded Cardenas as the president of IDRA, and Aurelio Montemayor, who is their lead trainer of educators, who also, by the way, testified in the 1968 hearings of the Commission.

They're writing about the battles that were fought for equity in funding education with the help of the Mexican-American Legal Defense and Educational Fund, MALDEF, both in the courthouse and the statehouse. They write about the progress that's made through litigation and policy changes in bilingual and multicultural education.

They write about establishing the right of immigrant children, regardless of their legal status, to free public education. They write about the miseducation of migrant children and how advocacy groups emerged in the '70s to support better educational services for these needy students. They write about the improvement of college access and preparedness and the challenges of the rising tuition costs and the declining of state funding for higher

education. They conclude with recommendations for equity-based remedies, improving the pipeline of K through 20 for all school children.

So today, if you look at San Antonio, much as in other cities in the Southwest and as it was in 1968 with 17 mostly segregated school districts, we find that some of the same problems exist. We find school districts that are 97 percent Mexican-American student enrollment in segregated neighborhoods with poverty rates exceeding 40 percent, some of the same challenges.

Education, by the way, is just one of the eight areas that our experts are exploring in the study of civil rights of Texas Latinos. And from the indicators over the 50 years on population, employment, economic security, farm workers, and the justice system, they trace the changes and the progress and the problems over that period of time, and even issues that were not treated in depth in your 1968 hearings, like housing and immigration. We have Henry Cisneros is one of our experts, and we're all working with one of his experts at HUD to examine fair housing and affordable housing.

We have Lee Teran, a professor of law at St. Mary's University School of Law and lifelong

litigator on immigration and human rights who writes about the dramatic changes that have taken place in immigration policies and immigration practice. And by tracking the numbers, she has found that the federal government has arrested, detained, and deported more Latinos than at any time in history.

Now, during the past 50 years, Latinos have grown to become the largest ethnic minority in the United States. They're already a majority population in large cities like San Antonio, but they still suffer high poverty rates and they have fewer educational opportunities than Anglos. And by the year 2060, the Census Bureau projects Hispanics will number about 119 million, and they'll be nearly 30 percent of our country's population.

How can America thrive without removing all barriers to success for so many million fellow citizens? This new book will look back at the 50 years since the last Commission hearing in '68 in San Antonio and what has happened to Mexican-Americans since then.

The idea for the book comes from Richard Avena. He's going to be writing the preface, and he started this with an idea, no money, just an idea. And now, he involved many, many important people in

the development of both a conference and a book, both academicians and activists. And they've been meeting each month now for about over two years. And they will hopefully create a blueprint for positive, lasting change.

Thank you.

CHAIR LHAMON: Thank you, Dr. Brischetto. Dr. Zepeda?

SPEAKER SERIES

CANDACE DE LEON-ZEPEDA,Ph.D.

DR. ZEPEDA: Well, I want to thank the Commission for inviting us. I also want to acknowledge Richard, as Bob said, for starting us off with a pretty profound idea, where we come 50 years later.

Richard ended his introduction with saying he wished he would leave on a high note. Hopefully, I will conclude on that high note that this conference, as a Conference Planning Committee member, is ultimately about advocacy and civil rights. And which is why I was drawn to work with Richard when, two and a half years ago, our campus president at Our Lady of the Lake University, Diane Melby, and our provost, Dr. Marcheta Evans, reached out to me to participate as a point of contact for our university to work with the

executive committee.

So I will speak mostly about the conference and the conference committee and where we are at, and then afterwards, be happy to take any questions that you may have. And I know that the committee does have copies of sort of what I'm going to highlight. But I will go ahead and read some of this for those in the audience.

So the Conference Planning Committee role was ultimately to organize a call for papers. This is at the point in time where I was brought in to work with the executive committee.

Our role was not only to craft and draft and write the call for proposals which probably went through 10 or 11 drafts. But it was also to circulate the call for papers to not only universities and community colleges but to social media sites, local and national community organizations, and our own individual points of contact. It was an exhausting experience to get the news out for those to participate in this conference.

We also developed the conference agenda, secured conference space at Our Lady of the Lake University, and curate the concurrent sessions as well as work with other subcommittee members to finalize

the agenda.

I am proud to say that I am working with eight fierce and amazing Latina scholars and activists and community leaders that include Rosie Castro who's also a civil rights executive committee member. Maria Antoinette Berriozabal who's a civil rights executive committee member, a former City Council member, and she's currently part of the Housing Policy Task Force for San Antonio.

Dr. Berta Perez, who is a retired professor out of University of Texas at San Antonio. Nicole Monsibais, who is at Our Lady of the Lake University and she's our JD, ADA coordinator for services to students with disabilities. Barbara, the executive committee couldn't actually live without, she's the executive assistant to the 50th Anniversary committee. Maria Vasquez, who's a program director of ACT Center for Equity and Learning. And Rebecca Flores, who's an activist and community leader. She's also the Texas Director of the United Farm Workers Association.

So I thought it was important to share with you a brief blurb. It's not the entire one of the call for papers that went out nationally. In 1968, the U.S. Commission in Civil Rights held a six-day hearing in San Antonio, Texas to examine civil rights

issues facing Mexican-Americans in the U.S. Southwest. The hearings held at Our Lady of the Lake University examined education, employment, administration of justice, and economic issues.

When the Commission came under severe criticism from the established leadership in the local community, Reverend Theodore Hesburgh, president then of Notre Dame University and Vice Chairman of the Commission, responded, quote, "We are not an enforcement agency. We make reports to the President and to Congress. All we do is hold up a mirror to the community and let them tell us if there are any problems, and that's what we're doing here," end quote. Hence, the name of our conference.

In November 2018, we return 50 years later to Our Lady of the Lake University in San Antonio, Texas. Our goal is to examine our past and progress since the landmark hearings in Texas and explore the path forward for all Mexican-American and Latino populations in the U.S. This conference will address changing civil rights, demographics, education, the administration of justice, economics, employment, immigration, political participation, and voting rights issues.

We will also celebrate Mexican-American

contributions to the art and culture. The conference is open to civil rights leaders, historians, and representatives of academic, civic, and social civil rights and leaders as well as arts and culture and student organizations in Texas and throughout.

Our Lady of the Lake University is in San Antonio, Texas situated in the west side and located by the beautiful Elmendorf Lake. Our Lady of the Lake was founded in 1895 by the Congregation of Divine Providence, is a co-educational liberal arts institution with an enrollment of approximately 3,300 students. A multi-campus regional university, Our Lady of the Lake has locations in San Antonio, Houston, and the Rio Grande Valley. And we are currently moving towards an extensive online presence.

So the conference is this November, November 15th through Saturday, the 17th. So just briefly to kind of give you an idea of some keynote speakers that are speaking on those separate dates.

On Thursday, there is going to be planned an art opening reception. Our keynote speaker will be San Antonio's first lady, Erica Prosper. We will also have a reading by San Antonio's first Latino male poet laureate, Dr. Octavio Quintanilla. And we also have other tentative readings by other area poets and

literary authors as well as an art reception. This event will be open to the entire community.

On Friday, we will have a welcome by our university's president, Dr. Diane Melby, an introduction of keynote speaker by our own mayor, Ron Nirenberg. The keynote morning speakers will include former Secretary of Housing and Urban Development Julian Castro, our Congressman Joaquin Castro, and their mother, Rosie.

Our lunch keynote tentative speakers include U.S. Senator of Nevada Catherine Cortez Masto and retired University of Texas Pan American president and first Latina college president of University of Texas System's Dr. Bambi Cardenas. And on Saturday, our tentative speakers includes City Council member Ana Sandoval and immigration rights leader Gaby Pacheco.

So just for a couple, for those in the audience, to get an idea of our conference concurrent session, some of the themes right now that we're organizing include: Chicana activism and leadership; education, the great equalizer in the unequal Texas; constructing Chicano Latino educational pipelines, a critical race conversation and analysis; family engagement in Chicano education.

Immigration discussing Senate Bill 4; language rights, policy and leadership; historical reoccurring and new dynamics in civil rights from a political point of view; voting rights; urban housing; economic development; economic security and digital equity; bilingual education and San Antonio history in context; Mexican-American studies for the masses; San Antonio eastside transition from African-American to Mexican-American; Mexican-American community and public health; the critical significance of the 1975 Voting Rights Act.

And we will have a significant amount of roundtable sessions focused on civic activism and civil rights. It is a big honor for me to serve with the executive leaders on this particular conference. As Bob can tell you and as academics, we attend many conferences. It's part of our role as a faculty member. But this particular conference really holds a special place in my heart because, again, considering where we have come, sometimes I question how far we've come. And it's important we have these conversations to bring to light the injustices that are currently happening in the United States.

Thank you.

CHAIR LHAMON: Thank you to each of our

speakers because I very much appreciate your presentation. In just a moment, I'm going to open it up for questions and conversation with my fellow Commissioners. I do want to apologize to you for not having been here in person at the beginning of your presentation. My daughter graduated eighth grade this morning, so I rushed here from that graduation to be with you. So terrific, thank you.

So I'll open it for questions from my fellow Commissioners.

SPEAKER SERIES

QUESTIONS AND DISCUSSION

CHAIR LHAMON: Commissioner Adegbile?

COMMISSIONER ADEGBILE: Yes, thank you for the wonderful presentations. I'm interested in taking us back to that time in 1968 when the original convening happened and to understand what, if any, changes did you see that came out in the immediate aftermath? It's my experience that sometimes change in the area of civil rights has a longer breathe, and you have to plant seeds that get cultivated in a different time. But I'm interested to hear whether or not there were any immediate impacts and then more broadly how the work has continued.

MR. AVENA: Is that for me?

COMMISSIONER ADEGBILE: You can decide who wants to take it first.

MR. AVENA: I just want to mention a couple of things that are so visible. There are visible things and then there are not so visible things. But I always had this thing about, in 1968, the Texas Department of Public Safety testified. And it was a big thing because of the farm worker movement in South Texas.

Texas Rangers had no Mexican-Americans, of course, no blacks, no women. Texas Rangers were found to have really brutalized the organizing efforts in South Texas of the farm workers. The United Farm Workers under Cesar Chavez had their branch there. And this is another one of the main reasons the Commission decided to go to Texas. And I'm not an attorney and I really respect attorneys, but the attorneys didn't want to deal with the Texas Ranger issues. I remember they said, no, no, no, that's too controversial. And my director, Sam Simmons, and Howard Lichtenstein, who was the acting staff director, said, oh, no, you can't go to San Antonio, Texas and not deal with the Texas Rangers. So they were done. That was '68.

In '72, the Texas Rangers underwent a

reorganization and they hired two Mexican-American Texas Rangers. We're going to have a count, but I don't know. But you know what? I have seen African-American Texas Rangers. I have seen Hispanic Texans. I haven't seen any women, but there are probably some women.

So in the area of employment, I would say that there's some dramatic changes. I watch a lot of cable news, and we recently had that bombing in Austin. I don't know if you all heard about that. And there was a -- it's a FedEx near San Antonio in a church. There was a bomb found. And so they're showing on the television -- they're showing the head of the local FBI office, either the director or assistant director, tall, very dark-complected African-American man is the head of the FBI office. That just doesn't happen.

Next to him was a tall -- and I keep emphasizing tall, dark-complected Mexican-American who's the head of ATF. And they were in a press conference. Nobody said anything. Just, oh, hey, that's great. That's wonderful. But always think back -- always think back to 1968. And so I think, in my opinion, employment has been some of the more recent and more rapid changes.

DR. BRISCHETTO: Yes, I would add to that. Yes, there has been some advancement considerably in employment. There's been advances in education. You can tell by just looking at the list of authors on the handout that I gave you for the book and what do you see, well, you see progress. You see 15 -- 14 of those 15, I think it is, with Spanish surname, a higher education advancement and so forth.

But there are some areas that I think that while certainly there was some advances made, there's areas where there's regression and need for more advancement. Let me give you one of them.

The farm workers at that time were a flashpoint in our history. They had strike -- well, Cesar Chavez had stricken in 1965 over in California, brought the strike to the valley in Texas in 1966. The farm workers came and testified at your hearings at that time along with Commissioner Ali who was head of the Texas Rangers. And there was a tremendous amount of conflict going on with regard to the farm worker issue.

Well, the farm workers today have almost been driven out of their work by, maybe, globalization is part of the reason. But I asked one of our authors of that chapter. Her name is Rebecca Flores who, at

that time, was an organizer and was trained by Cesar Chavez, was organizing in the valley and started an organization at that time called LUPE, La Union Del Pueblo Entero, which was really a means of organizing colonias in the valley, these poor communities that are unincorporated, substandard housing. Some of them don't even have potable water and electricity.

And she continued after the strike ended and even after many of the workers no longer had jobs in the fields and so forth to organize these colonias. We still have, of course, colonias today in Texas and we still have problems of housing.

And 1968 was a year when we passed the Fair Housing Act. And indeed, it was a time of great hope for achieving fair housing. When we say "fair", we mean affordable housing, too. We still have tremendous challenges in regard to providing fair, affordable housing in this country. And segregation in the neighborhoods is still very, very evident.

So there's some areas. Voting rights is one. If you recall back at that time in '68, we just had passed three years earlier the Voting Rights Act, particularly impacting blacks in the South, but also, in 1975, extended to language minorities. Many provisions of the Voting Rights Act extended to

language minorities. And we brought a lawsuit then against San Antonio for discriminatory election system -- at large election system.

Many changes occurred after the Voting Rights Act was applied to Mexican-Americans. It's almost been a major transformation of the types of election systems in Texas that are now fairer, and that's why you see more elected officials that are Mexican-American.

So there's been challenges and successes. And I think that's our point of this conference and of documenting all of this and trying to track those types of changes that have occurred over the 50 years to see what needs to be done and to look to the future.

DR. ZEPEDA: Actually, I just have one brief to address that. There are some areas that are significantly improved, but we still have a long way to go in higher education. So although Hispanic-serving institutions also under the umbrella of a minority-serving institutions have significantly increased over the last ten years with I think we're close to, like, 450 HSIs throughout the Southwest.

Full-time faculty who identify as Latina or Latino still make up only 3 percent of faculty at

universities nationwide. Latinas make up only 1.5 percent of faculty members at all university. And even though we're seeing a steady increase of Latino students going to universities, they're still not graduating at the same rate as non-Latinos. It's significantly typically by their junior-senior year, they don't complete their education.

And so there's still room for improvement, but I think even in higher ed, we need to look at how our universities could better serve the students who are populating them, particularly with administrators or faculty.

COMMISSIONER ADEGBILE: One more. I note that MALDEF and La Raza Unida were founded at about that time. Was there a relationship between the convenings and the community coming together and the growth of these groups that would carry the message and the advocacy further?

MR. AVENA: Well, you know MALDEF was founded in 1968, and the first executive director and legal director, Pete Tijerina, testified at the hearing. And I remember he testified along with another attorney, Matt Garcia, about the lack of Mexican-Americans on juries. They said conducted or filed many lawsuits where in deep South Texas where

the Mexican-American population was 70-80 percent and there were no Mexican-Americans on the jury. So they discussed that.

One of the things that Pete Tijerina talked about and he announced was that they had just filed one of their very first lawsuits in Texas, and the Commissioners asked him, where was this? He said, we sued the city of Marlin -- Marlin, Texas. And what was that suit about? They had the director or the man who ran the swimming pool as saying -- and the witness was saying, I would rather close the swimming pool than let Mexicans swim in it.

Now, to me, that goes back to the Deep South because I had some experience in civil rights in the South as well. And I kept thinking of those kinds of things. Now, I haven't been to Marlin. I don't think I've ever been through Marlin. It can't be that big of a town. But you can't go there now or you can't go to any swimming pool but you see everybody swimming in it. So those are the kinds of things at MALDEF.

Southwest Voter was established when --

DR. BRISCHETTO: Well, let me tell you about that one. That's interesting. Early 1970s, Willie Velasquez formed --

MR. AVENA: By the way, excuse me, Bob. I've got to get this in. Willie Velasquez was a member of the Texas Advisory Committee to the U.S. Civil Rights Commissioner. Rosie Castro was a member of the Texas Advisory Committee as was Maria Berriozabal. And so I want to give a plug to the advisory committees. They do a hell of a job. Okay.

DR. BRISCHETTO: That's very good, and they're all a part of that history.

MR. AVENA: Yes, they are.

DR. BRISCHETTO: I was just going to tell you about how they work together which was your question. There's three organizations, for example, that were working on voting rights back then. Willie Velasquez has formed the Southwest Voter Registration Education Project in the early '70s -- 1973.

And then they began to establish an office in the same building on the same floor as MALDEF, the Mexican-American Legal Defense and Educational Fund. I joined them in the early '80s -- '82. And then there was a third organization that was actually a part of -- at that time, it was Texas Rural Legal Aid was on the next floor up.

And the three of them worked together to file lawsuits challenging election systems that

discriminated. And so they began making lists and doing the research, and that's why they hired me to dig into some of the research and that they get the data on what we could use to bring into these lawsuits and us serving as an expert witness, challenging the at-large election systems.

For example, our very suit that we worked with, with MALDEF was in San Antonio challenging the at-large election system of electing City Council members, 1975, and right as soon as the Voting Rights Act was extended to language minorities. They worked together.

And now, in this book, we hope to enumerate. The authors a working on a list, an inventory of all those suits in Texas that were filed and brought about changes in the way in which we elect our public officials, not only in the cities but also in school districts and in other public government offices, county level as well as state representatives in state offices.

So I think that's really part of the job here in trying to see how these organizations work together to bring a transformation that wouldn't have been possible if we didn't have the types of laws like the Voting Rights Act to help.

And now, we see a tax on that very law that were made, the Section 5, which was essentially disabled was the way in which we often -- and this was done in the City of San Antonio case where it was brought where the Justice Department would be involved in pre-clearing any changes that were to be made in election systems.

And at that time, it was a very powerful tool for bringing about changes. That is no longer available to us, so it's up to the Congress now to replace, if you want, Section 5 with a formula that would say, which states are to be pre-cleared and so forth? That is something that, indeed, we certainly need at this time.

And so there's a lot of things that where we've made some great progress then. We need to go back and revisit them and make sure that we shore up our civil rights tools to continue to bring about change.

CHAIR LHAMON: Thank you, Dr. Brischetto. Mindful of time, I understand that the Vice Chair had some questions as well.

VICE CHAIR TIMMONS-GOODSON: Just very quickly, I'm fascinated with holding up a mirror. And so I was wondering, holding up the mirror to an issue,

for example, in the area of administration of justice. What do you have to share about current juries, Mexican-Americans serving on juries, the number of prosecutors -- elected prosecutors, and also, just holding up that mirror to voting as it relates to voter IDs, if you'll just say a word or two about those.

MR. AVENA: We have -- and one of the attorneys that actually worked for the Commission at one time who worked for MALDEF is putting together the information on the current juries. But anywhere you go in South Texas, I see -- I think and I see anyway a large number of Mexican-Americans on juries.

Now, the grand jury system was changed. I think George Corbett was telling us. A grand jury in Texas has always been the elite. You pick the elite people to be the grand jurors. But the regular juries that serve on the lower courts, I think that now as far as African-American participation, like, in Houston, Dallas, or wherever, I really couldn't say. But just from observing, I think there's been a big increase, yes.

And by the way, mentioning holding up the mirror, when the Commission opened its hearings in San Antonio, we were attacked by everybody -- not

everybody but virtually everybody. And you know who one of our biggest opponents was? The local Congressman Henry B. Gonzalez.

I mean, he went after the big shots like Howard Lichtenstein. But I remember riding around and listening. He came after me personally. He didn't know who I was, but he said, you're wasting money. Why are you spending a little bit of information? The hearings cost between 250-300,000 dollars to put on. That was a lot of money in those days.

But I'll never forget that. He came after us. And Father Hesburgh said, well, we're just holding up the mirror. That's all we're doing. The people are doing the talking. But that's part of the history. That's got to be part of our history. That's why we're looking so forward to this conference.

DR. BRISCHETTO: Just a little something on the key man system of jury selection which existed in Texas until just -- I think it was a year ago or this year. We called it a pick-a-pal system of choosing grand juries because they would select friends of theirs. The key man system was selecting others who were in the community to serve on the jury. And what you'd end up with, of course, was a jury that was very

lopsided in favor of one group of prominent individuals in the community who were often white men.

Now, I think that's going to be changing. We certainly have challenged it in court in many ways and able to show statistically that this is not something that could happen by chance if you pick jurors out of the jury pool of voters, for example.

CHAIR LHAMON: Thank you. Commissioner Narasaki.

COMMISSIONER NARASAKI: So many questions. So one quick one. I'm very curious because we are getting ready to pick hearing topics for the next year. So where did the idea come to hold -- because that's a long hearing. That was a week-long hearing, right?

MR. AVENA: Yes.

COMMISSIONER NARASAKI: We struggle over doing something more than four hours with our resources. So I'm just wondering, who was driving that since MALDEF hadn't organized and a lot of the infrastructure that exists today did not exist then? Was it Father Hesburgh? Was it someone on the Commission? Was it the State Advisory Committee?

MR. AVENA: No, Dr. Hector Garcia was appointed right before the Commission, the first

Mexican-American on the Commission. I think part of it had to do with the President, LBJ. I think part of it had to do with the uprising of the Mexican-American who, having had experience in the black civil rights and then the Mexican-American civil rights, there was an impact. There was an influence of the black militant civil rights movement that affected the Chicano Movement in the Southwest. And the Chicano Movement was looking to see what's going on, what's happening there.

And by the way, many Mexican-American organizations and Mexican-American people that I talked to, they didn't believe the civil rights laws were for them. They said, oh, yes. Well, that's for the blacks, right? Well, they didn't understand that. And so I think it just kind of built up.

I'll tell you the Commission held a hearing in San Francisco where -- and I don't have my facts accurate. But the story was that Father Hesburgh -- there was some militant student up in, of course, Berkeley, right?

(Laughter.)

COMMISSIONER NARASAKI: Still the case.

MR. AVENA: And the Commission was holding a hearing on education. And some Chicano students got

up and raising hell about education and so forth. And I have to be very careful because I'm not sure if it was Dr. Hesburgh. But one of the Commissioners got up and said, well, you know what? You people should be -- you should be thinking about this because I just came back from Peru, and you should see the conditions those Peruvians have down there. And that proverbial you know what hit the fan. And they jumped. They said, we're not Peruvians. We're Americans.

And so I think all of that combination, and I don't know of any one person but I would say the collective wisdom of the Commission at that time led by Dr. Hannah, I think, from Michigan State, Father Hesburgh from Notre Dame. And they just said, we better do something.

CHAIR LHAMON: Can you lean forward closer to your microphone just so we can record?

MR. AVENA: What's that?

CHAIR LHAMON: Could you lean forward closer to your microphone so we can record the testimony? Thank you.

COMMISSIONER NARASAKI: Yes, so there's a documentary about Father Hesburgh that's just been finished that I'm going to go see. So maybe we'll see --

MR. AVENA: Oh, wonderful.

COMMISSIONER NARASAKI: -- in that. I just had two other short questions.

CHAIR LHAMON: Commissioner Yaki has a question as well and we're also over time so maybe one.

COMMISSIONER NARASAKI: Okay. I don't know which one to choose because I wanted to ask about the high school students. But I will ask about Section 203 because we're getting ready to issue our report on the Voting Rights Act. And we're looking at all these sections and no one's really been able to tell me how this Section 203, the language assistance provisions, came to be that really added in protection for Latinos but also Native Americans and --

MR. AVENA: Asian-Americans --

COMMISSIONER NARASAKI: -- Asians.

MR. AVENA: -- and Native, yes.

COMMISSIONER NARASAKI: And I've always been curious. I could sort of see how Latinos, but I've always been curious how Asians got thrown in because Asians did not have much political power at that point, so --

MR. AVENA: Do you know that, Bob? I attended a voting rights conference in 2015 in Austin,

and a lot of that came out. There was a woman who worked for us, Pat Villareal, who is an attorney. She worked both in San Antonio and here. And she worked for Don Edwards from California. And the story was that she actually helped write that and started pushing Congressman Edwards. I really don't know all the details, but also MALDEF was involved, I think.

DR. BRISCHETTO: I don't know the details on that either. I'm sorry. But I do know that language minorities were certainly brought in at that time in '75, and I'm sure there was a strong push to look at questions that had to do with fairness at the ballot box at that time.

MR. AVENA: Yes.

CHAIR LHAMON: So we'll turn to Commissioner Yaki for the last question.

COMMISSIONER YAKI: Thank you very much, and thank you, Panel, for some amazing words of wisdom and reflection.

I've got to say that I'm sort of the -- someone who delves a little bit more into the politics having been in politics most of my life. And one of the things that has struck me is that frequently people have been commentators and analysts have talked about Latinos as the sleeping giant of electoral

politics.

But every year, it seems to not be the case. And I'm just wondering what is it that you think that -- and maybe this follows up a little bit from Karen's question, but -- from Commissioner Narasaki. But what do you think of that perception and how you explain either it's -- is it accurate or is it not accurate? And I'd just like to get your thoughts on that.

Because again, every election cycle, people talk about, given the growth of the Latino community and given the presence in a lot of key areas of this nation that this will be the year that their influence as a voting block comes to pass and each year it seems not to be, at least the perception is. So your thoughts?

DR. BRISCHETTO: Well, one thing I've noticed in working with Willie Velasquez and working on voting rights and voter mobilization was that when we began to organize in local communities, on local elections where Latinos could actually run as candidates, that's when Latinos began to participate in the voting and turning out at the polls. Willie Velasquez had sort of an approach that he used that involved several steps.

The first step was to challenge the election system that was discriminating, get rid of it, change it. If it was an at-large election, you needed a majority to win and you were a minority of the population. People were voting along racial lines. You were discriminated against.

So we challenge that large election systems in the courts. Once that was changed and those barriers were removed, you then registered voters. And the way you ran a registration project was to get Latinos themselves to recruit and set up an office in the town. You get them to recruit locally to get people involved and registered.

And that same group then, you would step out at that point. The third step was that group that had been registering voters could now pick their own candidates and make sure they had someone that they could support for that position on the City Council or the school board on the local level. And they would get them out to vote in those elections.

So it really involved getting people engaged in the electoral process at each level, not only in registering and voting, but also in supporting a candidate and getting people to participate in their actual government system. I think that was kind of

key. And if you don't see participation by an ethnic group in an election, it's probably because they don't see that their interests are represented in that election.

DR. ZEPEDA: Just briefly, to address that. Texas recently adopted high schools could participate in electing their own ethnic studies course. Well, this past week, it changed the name from ethnic studies to Mexican-American studies. And some students in the high school systems will now be able to learn their history. And I think part of what Bob and Richard is addressing also involves having students early enough learn their history to, if anything, have their civic consciousness, at least move towards participating in knowing how to be involved.

And so hopefully, we can start educating our youth to understand how to be more actively involved in their own communities to be awoken in political structures.

CHAIR LHAMON: Thanks very much to each of really appreciate this lively conversation. And we will take a break now before reconvening for the rest of the business meeting for today. We'll take a ten-minute break and come back at 1:30.

Thank you very much.

(Whereupon, the above-entitled matter went off the record at 1:19 p.m. and resumed at 1:29 p.m.)

CHAIR LHAMON: Okay. I will call us back to order for the next part of our business meeting. The next item on our agenda is the discussion and vote on the State Advisory Committee Chair nominations.

B. STATE ADVISORY COMMITTEE APPOINTMENTS

CHAIR LHAMON: Before we begin the discussion, I remind my fellow Commissioners that the Commission has a policy not to defame, degrade, or incriminate any person. Each of these individuals has agreed to volunteer time and energy in the pursuit of the protection of civil rights. We appreciate it.

I also understand that the Commissioner requested that we table for our next meeting a discussion and vote on the D.C. State Advisory Committee Chair. So we'll proceed only with discussion of the other three.

So with that, I'll begin with the Arkansas Advisory Committee.

ARKANSAS

CHAIR LHAMON: The Staff Director has recommended for appointment Carol Johnson as Chair of the Arkansas Advisory Committee. To open the floor

for discussion, I move that we approve this appointment. Do I have a second?

VICE CHAIR TIMMONS-GOODSON: Madam Chair, I second.

CHAIR LHAMON: Thank you. Is there any discussion on this appointment? Hearing none, I'll call the question and take a roll call vote.

Commissioner Adegbile, how do you vote?

COMMISSIONER ADEGBILE: Aye.

CHAIR LHAMON: Commissioner Heriot?

COMMISSIONER HERIOT: Aye.

CHAIR LHAMON: Commissioner Kirsanow? Commissioner Kirsanow, are you on the phone? We'll come back. Commissioner Kladney?

COMMISSIONER YAKI: You're on mute, Peter.

CHAIR LHAMON: Or not present at the moment. Okay.

Commissioner Kladney, how do you vote?

I vote yes.

Commissioner Narasaki, how do you vote?

COMMISSIONER NARASAKI: I vote yes.

CHAIR LHAMON: Commissioner Yaki?

COMMISSIONER YAKI: I'm here, so I'm voting yes.

CHAIR LHAMON: Okay. The motion passes.

VICE CHAIR TIMMONS-GOODSON: I don't think I voted.

CHAIR LHAMON: Oh, I'm sorry. Vice Chair, how are you voting?

(Laughter.)

VICE CHAIR TIMMONS-GOODSON: And I'd like to register a yes.

COMMISSIONER ADEGBILE: It passes by a larger margin.

CHAIR LHAMON: Thank you. Apologies. The motion passes. No Commissioner opposed. Two Commissioners did not answer and so therefore abstained. And all of us were in favor.

Next, we'll turn to the District -- oh, we'll skip the District of Columbia for the moment. Next, we will turn to the Florida Advisory Committee.

FLORIDA

CHAIR LHAMON: And the Staff Director has recommended for appointment Nadine Smith as chair of that committee. To open the floor for discussion, I move that we approve this appointment. Do I have a second?

VICE CHAIR TIMMONS-GOODSON: I second.

CHAIR LHAMON: Thank you. Is there any discussion of this appointment?

COMMISSIONER HERIOT: I'm just curious why we skipped John Malcolm for the D.C. Advisory Committee. And part of the reason I'm willing to vote yes is that John Malcolm is on the list here.

CHAIR LHAMON: Thank you. As I mentioned, and perhaps you didn't hear me, but --

COMMISSIONER HERIOT: Sorry, I must not have.

CHAIR LHAMON: -- one of the Commissioners has requested that we table that discussion for the next business meeting. And so we'll table that one and proceed with the other State Advisory Committees.

So is there any discussion about the Florida State Advisory Committee Chair? Hearing none, Commissioner Adegbile, how do you vote?

COMMISSIONER ADEGBILE: Aye.

CHAIR LHAMON: Commissioner Heriot?

COMMISSIONER HERIOT: I had intended to vote yes because I thought that this was a situation where we were willing to go forward with an advisory committee chair who was not on the far left. But since that's been tabled, then I am going to abstain.

CHAIR LHAMON: Okay. Commissioner Kirsanow, how do you vote?

COMMISSIONER KIRSANOW: Abstain.

CHAIR LHAMON: I'm sorry. Did you say abstain?

COMMISSIONER KIRSANOW: Yes.

CHAIR LHAMON: Thank you. Commissioner Kladney, how do you vote? Commissioner Kladney, are you there?

Vice Chair, how do you vote?

VICE CHAIR TIMMONS-GOODSON: Yes.

CHAIR LHAMON: Commissioner Narasaki, how do you vote?

COMMISSIONER NARASAKI: Yes.

CHAIR LHAMON: Commissioner Yaki?

COMMISSIONER YAKI: Aye.

CHAIR LHAMON: And I vote yes. The motion passes. Two Commissioners abstained, no Commissioner opposed, and all others were in favor.

WYOMING

CHAIR LHAMON: Finally, the Staff Director has recommended for appointment Melanie Vigil -- I apologize, Melanie Vigil as Chair of the Wyoming Advisory Committee. To open the floor for discussion, I move that we approve this appointment. Do I have a second?

COMMISSIONER ADEGBILE: Second.

CHAIR LHAMON: Thank you. Is there any

discussion of this appointment? Hearing none, I'll call the question and take a roll call vote.

Commissioner Adegbile, how do you vote?

COMMISSIONER ADEGBILE: Aye.

CHAIR LHAMON: Commissioner Heriot?

COMMISSIONER HERIOT: I abstain.

CHAIR LHAMON: Commissioner Kirsanow?

COMMISSIONER KIRSANOW: No.

CHAIR LHAMON: Commissioner Kladney?

COMMISSIONER KLADNEY: Yes.

CHAIR LHAMON: Thank you. Vice Chair Timmons-Goodson?

VICE CHAIR TIMMONS-GOODSON: Yes.

CHAIR LHAMON: Commissioner Narasaki?

COMMISSIONER NARASAKI: Yes.

CHAIR LHAMON: Commissioner Yaki?

COMMISSIONER YAKI: Aye.

CHAIR LHAMON: And I vote yes. The motion passes. One Commissioner abstained, one Commissioner opposed, and all other Commissioners were in favor.

We'll now turn to our State Advisory Committee presentations.

C. PRESENTATION BY THE CHAIR OF THE NEW YORK ADVISORY COMMITTEE

CHAIR LHAMON: We will hear first from the

New York State Advisory Committee Chair Alexandra Korry. And the Committee released a report titled, "The Civil Rights Implications of 'Broken Windows' Policing in New York City and General NYPD Accountability to the Public".

Chair Korry, we are looking forward hearing from you.

MS. KORRY: Great. Well, thank you very much. Good afternoon. I apologize in advance if I exceed my allotted time.

CHAIR LHAMON: I'll be happy to cut you off if that happens.

(Laughter.)

MS. KORRY: Feel free. As you know -- as you just have said, we released our report in March of this year. The Committee focused its inquiry on whether low-level NYPD enforcement disproportionately affects communities of color in New York City and particularly the youth in those communities. At the same time, the Committee invited comment on the accountability structures and mechanisms of the NYPD and how they affect both police officer behavior and the public's perception of the NYPD.

The NYPD is a huge organization with a 2018 fiscal year budget of 5.6 billion, and so this report

was no easy task. The Committee help two days of public briefings and we also held three different meetings with senior leadership of the NYPD to understand their point of view.

Our bottom line conclusion was that broken windows, as a policy, is broken. Beginning with the Floyd mandated stop-and-frisk reforms and accelerating in the last two years with a host of other reforms, the NYPD has taken huge steps towards 21st century policing. However, arresting or providing summonses to New Yorkers, particularly black and Hispanic youth, for low-level, nonviolent offenses we believe disproportionately affects those communities least able to endure the consequences of that enforcement and ought not to be part of an enlightenment government's policing.

Broken windows policing began in New York City in the early '90s. It's based on an academic theory that postulated that strict enforcement of low-level crimes known as quality-of-life offenses would reduce the likelihood of serious crimes. The policy resulted in New York City in a high number of summonses and arrests for individuals engaged in such activity as hopping a subway turnstile, smoking marijuana, riding bicycles on sidewalks, disorderly

conduct, urinating in public, consuming alcohol in public or loitering in the park.

There's significant collateral consequences to this type of enforcement. Among them, arrestees who languish in jail awaiting prosecution because of their inability to make bail which is a subject for another time.

As a result of broken windows policing, misdemeanor arrests in New York City increased drastically from 1994 to 2010 in which there were approximately 292,000 arrests for misdemeanors. The NYPD claims that its policing was responsible in large part for New York City going from a city that in 1990 had 9.6 percent of the nation's homicide to one in 2013 that had 2.4 percent of the nation's homicide.

But since 2010, the number of misdemeanor arrests has steadily declined each year and we're now at pre-broken windows levels of about 179,000 per year which is still a very high number. And yet, in 2017, New York City achieved the lowest per capita murder rate since 1951, experienced the fewest shootings in the modern era, and saw robberies drop to their lowest levels since 1965.

At the same time, the number of criminal summonses also declined every year, but still at a

very high number of 296,000 in 2016. The most frequently charged criminal summons offenses were consumption of alcohol on the street, disorderly conduct, and possession of marijuana, all those together comprising about 120,000 of criminal summons offenses in 2016. In the recently released second quarterly NYPD report on summonses issued in New York City, the most frequently charged non-vehicular, non-administrative criminal summonses continue to be marijuana use and consumption of alcohol.

Critics of broken windows policing argue that there's no statistical correlation between quality-of-life enforcement and serious crime reduction, a point of view seemingly supported by the statistics I just cited as well as by the New York City Office of the Inspector General for the NYPD which issued a report in 2016 that found no empirical evidence demonstrating a clear and direct link between an increase in summons and misdemeanor arrest activity by the NYPD and a related drop in felony crime.

The OIG did, however, note that the rate of quality-of-life enforcement citywide was positively correlated with higher proportions of black and Hispanic residents and requested that the NYPD release several sets of data regarding the effect on the

broken windows enforcement and its impact on specific demographic groups who were disproportionately affected by the enforcement. The NYPD has chosen not to take on these recommendations.

Irrespective of the merits of the underlying policy, the record seems to indicate that broken windows policing does disproportionately affect communities of color. Critics argue that NYPD officers are more likely to issue low-level summonses and make arrests in predominately black or Hispanic neighborhoods, and the statistics seem to support them.

In 2015, over 90 percent of the approximately 315,000 people arraigned in New York City criminal courts were black or Hispanic and roughly 80 percent of those arraignments were from misdemeanors or violations. And according to 2016 census data, the population of New York City is 32 percent white, 29 Hispanic, 22 percent black, and 14 percent Asian.

2016 data shows that for each misdemeanor category in which the NYPD reports statistics, blacks and Hispanics made up between 75 percent and 83 percent of those arrested. Moreover, during the fourth quarter of 2017, at least 61 percent of

criminal summonses issued in New York City were issued to people who were either black or Hispanic and at least 67 percent of criminal summonses were issued to people of color with the remaining being issued to either whites or, quote, people of unknown race.

Between 1997 and 2016 as well, approximately 85 percent of the 700,000 individuals arrested for low-level possession of marijuana were black or Hispanic. At a time where there's substantial evidence that white's usage of marijuana is at least equal to if not greater than marijuana usage by people of color. In 2017, the NYPD still made 17,000 marijuana-related arrests, 86 percent of which were of black or Hispanic people. And the number of criminal summonses mirrors those numbers.

It's also the case that blacks are more likely than whites to be taken into custody rather than being given what is called a desk appearance ticket in New York which allows the person being arrested to avoid being placed into custody until arraignment for misdemeanor violation arrests.

In the fourth quarter of 2017, blacks were given desk appearance tickets for 34 percent of arrests in which one could've been given while whites were given desk appearance tickets in lieu of

custodial arrests for 47 percent of arrests in which one could have been given. Likewise, 92 percent individuals ticketed or arrested for subway fare evasion each year are people of color.

The NYPD makes a big point that the data merely reflects the makeup of the population that commits the crimes and is based on those that report them. And it says that it's an entirely false narrative to imply that the disproportionality in the statistics demonstrates that the NYPD's methods of enforcement are in any way discriminatory.

It should be noted that in the Floyd case, Judge Scheindlin concluded that the NYPD stop-and-frisk policy was tantamount to indirect racial profiling and that senior NYPD officials, quote, acted with deliberate indifference, the NYPD's practice of making unconstitutional stops and conducting unconstitutional frisks.

Whether it's a function of court mandates or political pressure from advocates or just internally generated changes, the NYPD has recently instituted a series of reforms that seem to pay heed to some of the data as well as the import of cases like Floyd among other things.

As we noted in the report, the NYPD has

reformed officer evaluation metrics so that officers are no longer evaluated by the number of arrests they make but rather on their ability to solve problems creatively. They've also been given discretion to issue civil summonses rather than criminal summonses.

The NYPD says that it's really focused now on training their officers to address implicit bias and improve their problem solving skills and they've also been publicizing their neighborhood policing and precision policing which is aimed at getting to know the neighborhood better and tracking individual criminals and guns and not just stopping whoever they think may be about to commit a crime.

So commentators argue that the improvements and training have not yet translated into improved relations with the community because NYPD officers are still not held to the standards that are imparted upon them in training. Critics also contend that while the NYPD says it no longer evaluates officer on the basis of quotas, there is reason to believe that the NYPD historically employed quotas and continues to employ de facto quota systems, particularly in communities of color, a contention that the NYPD vehemently denies.

CHAIR LHAMON: Chair Korry, thank you very much for the presentation. I want to make sure that

there's time for questions and comments from the Commission. So I'm going to open it for that now.

MS. KORRY: Sure. Go ahead.

CHAIR LHAMON: Thank you. Commissioner Narasaki?

COMMISSIONER NARASAKI: Thank you for the very thorough work that your State Advisory Committee did. We did a hearing up there as well on a similar topic. And so some of the things that you were talking about reminded me of that and the testimony that we had from one former law enforcement person who said that the reason why there were so much more drug arrests for minorities was because the officers had quotas.

And if they tried to arrest middle class or wealthier people who had the means to complain politically to the mayor, then they knew they would get in trouble. So they went after people who they knew would not be able to be similarly situated politically. So the data seems to bear out that testimony.

MS. KORRY: Yes, Commissioner Narasaki.

COMMISSIONER NARASAKI: I'm very --

MS. KORRY: I think the same issue applies to marijuana enforcement because obviously they've

been enforcing marijuana smoking in the streets particularly. And it's the case that in white neighborhoods that there's less of a police -- police presence. And also, people don't tend to smoke on the street as much as in whatever places they can find indoors. So I think that's another factor.

COMMISSIONER NARASAKI: Yes, I was very interested in your recommendations. So one of them was that the NYPD should incentivize the supervising officers to accurately review their subordinates' performance and create clear, widely publicized punitive consequences for supervising officers failure to comply.

So was there a widespread -- was there a finding that there is a widespread issue? And what would the incentivizing be?

MS. KORRY: Well, I think one of the problems, as we point out in the report, is that there are very few who complain. There's a complaint process and there are a very few complaints that end up with any police officer being disciplined. And it's sort of hard to get to that point. People are intimidated about filing a complaint because of what they have to go through in order to prosecute that complaint or to continue to pursue the complaint.

And so one of the things I think that we would want to see is specific changes in the patrol guide rules and then with those changes, real consequences being spelled out for what happens when somebody has actually broken those rules. The CCRB -- it takes a long time to get a case through just the CCRB. And when they come out, many times, those cases are changed or the outcomes are changed. And the public never really kind of hears about them.

And one of the things that we would be looking for is greater transparency because once people feel that there's actually an outcome that's happened, you know, there are very few bad apples probably amongst the NYPD. But when there are bad apples, then what happens is that those consequences -- if there are no consequences that are shown, then the public, I think, loses its trust in the process and in the institution.

So we would be hoping to have something with greater transparency and with more clear rules so that the infractions don't become systemwide.

CHAIR LHAMON: I know Commissioner Kladney has a question, but go ahead Commissioner Narasaki, if you have one. I think your mic is on, sorry.

COMMISSIONER NARASAKI: And then also one

of your recommendations was about the early warning detection system and the data collection that done on each officer because we have, ourselves, heard testimony about the fact that it's really only a very small percentage of officers who are repeatedly having issues. And one of the things that we could do to solve some of the misuse of force is to try to identify those officers early and either give them retraining or move them on to a job that might suit them better.

And your recommendation was to incorporate better data on level of arrests and summons, number of resisting arrests, number of obstruction of governmental administration, number of disorderly conduct, adverse suppression rulings and adverse credibility rulings. And I was very interested where that came from. That's the first I've seen that kind of recommendation and it sounds like it makes sense.

MS. KORRY: Well, a couple of things. I mean, we don't, I think, actually know whether it's just a few bad apples. I mean, that is the statement that the NYPD makes. That's the statement that's backed up by, I think, the number of cases that are actually brought to fruition from the CCRB's point of view.

But, you know, before Floyd and before body worn cameras, I think that we have a dearth of information on the last few years, the amount of data that's going up as a result partially of legislation is increasing. And so people could actually try to start to track that stuff. But as I mention in the report and the New York Times followed up last week with a story on Section 50A of the statutes -- New York state statutes, there is a prohibition on disclosing confidential information about police officers.

And so we don't necessarily know what kind of disciplinary action has been taken by officers that rise to the level of sort of the CCRB action. And I think there's a move for it to try to change that and it's certainly one of our recommendation is to change that law so that we have greater visibility on whether or not it's just a few bad apples.

But as to your question on early warning -- the early warning system, there was this specific -- and I don't quite remember at the time the particular individual who testified before us but who is an expert in sort of risk systems and who argued in favor of those specific types of early warning sort of inputs into the system.

CHAIR LHAMON: Thank you.

MS. KORRY: I know I read in this year's police report -- NYPD's annual report that they are moving towards implementing a more sophisticated early warning system this year. But those inputs still are an open question.

CHAIR LHAMON: Thank you. Commissioner Kladney, I understand you have a question.

COMMISSIONER KLADNEY: Yes, thank you, Madam Chair.

I would like to thank your SAC. Commissioner Adegbile and I attended these hearings and I just thought they were excellent, well done. And the participation there are the Commission was just superb.

MS. KORRY: Thank you, Commissioner.

COMMISSIONER KLADNEY: One of your statements had to do with jumping subway turnstiles. And as I recall when I was at the meeting, it was mostly juveniles. And they were to be arrested for this offence. And that would affect their schooling and sometimes they would become suspended as a result. Was there a crossover there? And if so, can you expound on that?

MS. KORRY: Well, I think there's crossover

to this extent, I mean, that there are two factors. One is either you're arrested or you're given a criminal summons. In either case, you're absent from school which is not necessarily the best objective for our youth.

I don't know that there's a specific crossover. But I will say this, that you may have read in the New York Times that there's been a lot of discussion about how subway fares are high for low-income New Yorkers and that many of the subway evaders and the turnstile jumpers are really youth who can't really afford to keep paying the subway fares. And the city council and Mayor de Blasio just reached an agreement in which they're going to subsidize safe subway fares for those individuals who are under the poverty line. They're going to pay half of the fares.

But I see your question as crossover. I don't know specifically that crossover question. I do know that missing school is obviously an issue. And whenever you have a criminal summons or you're arrested, you're missing a lot of school.

COMMISSIONER KLADNEY: Thank you.

CHAIR LHAMON: Thanks very much. Chair Korry, we really appreciate your presentation to us and also the work of the State Advisory Committee on

this topic. Thank you very much.

MS. KORRY: Thank you very much.

CHAIR LHAMON: We'll turn next to a presentation from our Minnesota Advisory Committee Chair Velma Korbel on their recently released report titled Civil Rights and Policing Practices in Minnesota.

D. PRESENTATION BY THE CHAIR OF THE MINNESOTA ADVISORY COMMITTEE

CHAIR LHAMON: Ms. Korbel?

MS. KORBEL: Thank you, Madam Chair and Commissioners. Thank you for allowing me to present today.

First of all, I would let the Commission know that we chose the topic Policing Practices in Minnesota after a lot of discussion and a lot of winnowing down of several topics. But this is the one that, at the time, was the most compelling for us as a community and was most relevant at the time because there had been recent events in the state of Minnesota. We have recent police shootings in the state of Minnesota. And also, it was consistent with the conversation that was occurring on a national level.

So we had, in 2015, Jamar Clark was shot

and killed by a white police officer. And that was very controversial and included protests subsequent to that shooting. In 2016, there was another police shooting somewhere outside St. Paul, Minnesota. It received some national attention. Philando Castile was shot and killed inside his vehicle by a police officer.

And then while we were in the process of producing this report, there was a police shooting. A black Somali police officer shot Justine Damond, a white woman. But needless to say, there was tension and pain and a lot of discussion ongoing about the topic of police-community relations as we were preparing our report.

One of the other challenges in selecting this topic, in all of this, with all of this in the dynamic, we're really looking for speakers and testifiers and subject matter experts that can provide a balance in light of the pain and trauma going on in the community.

And so we spent a great deal of time just trying to identify testifiers that could represent the perspective, especially around the base of our report which was President Obama's 21st century policing task force and looking at those six pillars. It was

extremely important to us to find individuals from community, from academia, from law enforcement and from the policy makers who provide that perspective over a myriad of those issues.

Probably some of the testimony that was relevant to the formulation of our findings and recommendations came from individuals both from community, from academia, and from our policy makers. And that testimony from Dr. Ebony Ruhland regarding the experiences that people of color have had with police here in the Metro area and she explained that distrust around the community's reaction to police response when calls for serviceman are from individuals from communities of color.

It was ironic that one of the policy makers, then -- we had the City Council President Barbara Johnson talked about police mistrust, using an example of a woman who did not wish to call police for service because of an interaction this woman, one of her constituents, had had with police when she was a young person.

So although we had different individuals from different perspectives talking about the trust between police and community, they both identified the distrust and mistrust of police as one of the key

issues. And that really sort of bubbled to the surface as one of our key things. And that is the trust is fragile between police and community in the state of Minnesota and certainly in the Metro area where these incidents had occurred and that trust needs to continue to be built.

One of the other things that rose to the surface was that, you know, police departments in Minnesota are being provided more tools and technology. And the debate is on whether or not that those tools and technology are a help or a hindrance to police-community relations. And some of those tools and technology that people pointed out were body worn cameras, tasers, use of chemical irritants. And one of our recommendations speaks directly to that.

One of the other things that bubbled to the surface as we were hearing from testifiers from community and police which was it's really ironic because even though people believed they're really far away sometimes on this topic.

They are really much closer together than they would realize because both police and community talked about the recognition that trauma plays both in the community but also with regards to trauma in the police department and identified a need for that to be

acknowledged. But also for things to be put in place that would address those things.

One of the police chiefs from the two largest cities in Minnesota, former Chief Janee Harteau who was then police chief of Minneapolis and police chief from St. Paul, Todd Axtell, talked about the 21st century policing recommendations that two of the police departments that were actually committed to improving their police departments using those pillars and identified a training and diversification of their police forces as key components that they were using to improve police-community relations in their respective jurisdictions.

And one of the other things that bubbled to the surface was how police departments, in using their tools and resource, also need to be using the data to drive their decision making. There are a lot of numbers and trends and data being collected by police departments. And the testifiers, especially those from the community, suggested that the police department actually use what they were collecting to make sure that things were being done well for people in the community.

We have several recommendations that we've identified in the report that I'm sure you all have

seen. The Committee has not prioritized those recommendations. We have a meeting that's coming up where we plan on talking about what to do with this report because we think there's good information in this report that needs to be shared on a wider basis.

So I'd like to thank you, the Commission, for sending letters to the individuals and organizations that we had identified in the report and the recommendation needed to be forwarded to. And so we're going to talk about how to circle back on that and follow up with those individuals and organizations and also talk about some of the other data points in this study that we need to drill down on.

And so I will stop there to allow time for questions.

CHAIR LHAMON: Thank you very much, Chair Korbel. I really appreciate it. And I'm going to open for questions and comments from my fellow Commissioners. Commissioner Narasaki?

COMMISSIONER NARASAKI: Thank you, Madam Chair. And I really want to appreciate the State Advisory Committee of Minnesota. I had the honor of actually attending that hearing, and there was incredible testimony, both by the police who came out to their credit in full force to talk about what they

were trying to do to improve the situation as well as by the community.

And I was particularly struck by one of the stories that you do document in the report about an African-American woman who actually did a lot of work with the police doing some training with them actually on many issues. And she, herself, had been stopped four times, once for having snow on her window and once for having an air freshener tag hanging from her mirror.

And she was trying to make the point that if she who works with the police, counts many of them as her friends, gets stopped in that way and she feels that it erodes her trust, can you imagine how someone who, in fact, doesn't have police as friends would feel. So it was a very powerful day, and I want to appreciate your work.

I was very interested in a lot of the discussion around who makes up the police force and how does that impact policing. And the fact that in the city, the residency requirement got struck out. And so that in fact, the vast majority of police do not live in the communities that they police. And also that in your report, I think it said that only one African-American had been graduated in one of the

police academy forces.

So I'm particularly interested in your recommendations around addressing that particular issue.

MS. KORBEL: Madam Chair, thank you, Commissioner, for the compliment. And thank you for coming out and joining us at that hearing.

There are 800 or so police officers in the Minneapolis Police Department. It probably is one of the most diverse police departments in the state. It ought to be since Minneapolis is the most diverse city in the state. It's the largest city and the most diverse city in the state.

I don't recall which police department said that only one person of color had graduated from its police academy. But I do know that that is -- recalling from the testimony of Chief Axtell and also from Chief Harteau that is a focus of theirs. And I know now with the new police chief, Medaria Arradondo here in Minneapolis who happens to be an African-American man, that is a focus for his work going forward as well.

In terms of the makeup of the police departments in the state of Minnesota, 60 percent of the population in Minnesota resides here in the metro

area. So of course, the police departments are larger in Minneapolis and St. Paul. Bloomington also is one of those cities that make up the metro area.

So the metro has the most diverse police department in the state. But also, ironically, there are over 400 police agencies in the state of Minnesota. About half of them have fewer than 25 officers in their police force, and that includes tribal police forces, non-municipal police forces, those at parks or colleges, transit police, et cetera.

And so the farther you get out from the Twin Cities area, the less diverse the population becomes. The less diverse, of course, the police departments become. There are probably five and a half million people in the state of Minnesota. The 85 percent of the people in the state are white. The largest minority group here are African-Americans -- black and African-Americans. That's only about five percent of the population. And then smaller percentages of racial and ethnic minorities as you look at the groups.

So to have the recruitment effort and the focus to diversify these police forces is laudable. Not enough is happening quickly enough. But it is --- so that's some of the reality that they're dealing

with.

COMMISSIONER NARASAKI: The second narrative that I was really struck with when I was there was the story that was told by Emily Baxter of contrasting an 18-year-old young African-American man who stole a single bottle of beer and was charged with petty theft and then was later denied entrance to a career as a police officer. And the second who was a 17-year-old who actually broke into a local liquor distribution plant building and threw a party and he was now currently chief of police. And she told that story to make the point to counter what she believed is the false narrative of the reason that minorities are overly present is because they're bad -- they're more bad than whites.

And in fact, she had been studying for five years comparing youths who had committed similar nonviolent criminal activity and documenting how white youth were more often given a warning and another opportunity to correct their behavior while youth of color were not. And that the difference was not in who was committing some of these low-level petty crimes but what kind of second chances people are giving and how they're being treated in the system.

So I was very interested in that research.

And if something like that is available, I would hope that that could be shared with the Commission.

MS. KORBEL: We certainly can pull that testimony from Ms. Baxter. And if we do have that report, we'll make sure we get that. But, you know, along those same lines, that's one of the issues that we will be looking at here in Minneapolis in particular. Now, in my regular job, I'm also the civil rights director for the City of Minneapolis. Because one of the points raised in this study was the disproportionate number of low-level offenses that people of color are charged with, relative to their representation in the population. And so there's a disparate impact there.

So there's work to be done. The data has given us some things to work with. And so we do plan on looking at that as we move forward.

CHAIR LHAMON: Ms. Korbel, the ninth and the tenth recommendations in your report are to continue the 21st century task force that had begun in the prior administration and also to create an effective civilian oversight body for the state of Minnesota. And I wondered if you could expand on your views or the Committee's views on the value of both recommendations.

MS. KORBEL: Yes, thank you for that question. One of the challenges that we found with this report is that in trying to do a report that covered the entire state of Minnesota, we found that we were somewhat limited by the fact that the majority of the population and the police force are here in the metro area as I had mentioned.

We actually attempted to do survey of police forces in rural Minnesota. And the limitation was kind of twofold. First was the Paperwork Reduction Act, so we only were able to send surveys out to nine police agencies. But then even given that, the response was so low that the information collected was actually pretty unsubstantial.

And so one of the reasons that we proposed this recommendation is that if we had a police oversight mechanism in the state of Minnesota, then someone who had that responsibility could look across all of these 400 or so agencies and hold them accountable to a certain set of standards. And so that's the rationale behind that recommendation.

So the second part of your question on continuing an entity similar to the President's task force on 21st century policing, both here in the state of Minnesota but it sure wouldn't hurt on a national

level either is because the memories -- people have short memories. Because if you read in our study where we talk about implicit bias training where when people go back and do surveys on how well people are attending to the filters that they're using with which to judge people of color, women, immigrants, et cetera.

The closer they are to the implicit bias training, the more likely they are to say that implicit bias training works. The farther you get away from that, the improvements are minimal. I think negligible is the word that the doctor used in the testimony that he provided. So similarly, if there's no one providing this oversight mechanism on a broader scale, both here in Minnesota and also on a national level, people will forget until the next tragedy. So that's the reason for that recommendation.

CHAIR LHAMON: Thanks very much. Are there questions or comments from fellow Commissioners? Okay. Ms. Korbel, thank you to you, and also again, thank you to Ms. Korry. These are both thorough, comprehensive reports. I really appreciate the work that your Committees have done and very much appreciate your presentation and the time for the presentation today.

MS. KORBEL: It was a pleasure. Thank you very much for having me.

MS. KORRY: Thank you.

CHAIR LHAMON: Thank you. We'll now consider our amended business items beginning first with the proposed letter on the separation of children from their families after crossing the southern border.

E. PROPOSED LETTER ON THE SEPARATION OF CHILDREN FROM THEIR FAMILIES AT THE SOUTHERN BORDER

CHAIR LHAMON: I'm going to read the letter as it's drafted so that we know what it is that we might vote on, and then I'll move to open the floor for discussion. So the text of the letter is to the Attorney General and to the Department of Homeland Security Secretary. And is our convention, I won't read the footnotes just in the interest of time.

So Dear Attorney General Sessions and Secretary Nielson, the U.S. Commission on Civil Rights writes to urge the Departments of Justice and Homeland Security to stop separating children from their families after crossing our southern board. In 2015, the Commission reported on immigrant detainee facilities, including the policies that separated children from families and placed those children in

separate detention centers. We were concerned then that the government provided inadequate or inappropriate care when it took charge of undocumented children.

Given recent reports, the Commission once again has grave concerns about the fair administration of justice due to coercive tactics and lack of due process afforded to these families. Reportedly, families seeking refuge are separated and children and shuffled into detention centers in what one judge stated was, quote, if true, brutal, offensive, and fails to comport with traditional notions of fair play and decency, end quote.

The policies can coerce parents into withdrawing what may be valid asylum applications or otherwise impairing their immigration proceedings for fear of what may be happening to their children. The Commission's concerns are exacerbated by the apparent animus directed at Mexican and Central American immigrants by the Administration, giving rise to questions of unwarranted discrimination on the basis of national origin.

In the last two months, the Departments of Justice and Homeland Security have issued new directives instituting a zero-tolerance policy that

has led to the increased separation of families. On May 4, 2018, the Department of Homeland Security issued an internal memorandum directing agents to prosecute all individuals crossing the border, even if that required separating children from their families. On May 7, 2018, Attorney General Sessions announced that the Department of Justice would pursue the policy.

These recent policy directives changed longstanding border enforcement practices. The new policy unnecessarily separates families with no clear evidence that it increases border security. The Commission notes that a prior joint initiative of the Departments of Justice and Homeland Security that instituted a similar zero-tolerance approach did not reduce illegal border crossings as verified by the Department of Homeland Security.

The policy ignores the reality that many of those coming to the border are desperately seeking asylum fully within the parameters of our nation's immigration laws. The policy is inhumane and against the best interest of the children. By separating children from their families, the policy causes irreparable harm to children and families. International authorities are taking note and

disapproving of the U.S. government's actions. There is also bipartisan agreement that keeping families together is the best policy.

The Commission calls on the Departments of Justice and Homeland Security to stop this approach which subverts the fair administration of justice and appears to discriminate against families on the basis of their national origin.

Thank you for your consideration, and we look forward to your response. Sincerely -- and it would be signed by members of the Commission.

So I move that we open the floor for a discussion and a vote to approve this letter to the Attorney General and to the Secretary of Homeland Security. Do I have a second?

COMMISSIONER KLADNEY: Second.

CHAIR LHAMON: Thank you. Is there any discussion on this statement? Commissioner Narasaki?

COMMISSIONER NARASAKI: I support this statement. I am horrified by the fact that we are taking children as young as babies, infant children away from their parents and basically holding them hostage in order to coerce their parents into giving up whatever claims of asylum they have. That is not the behavior of a civilized nation that professes to

be committed to the rule of law and to human rights. And I strongly support this statement.

VICE CHAIR TIMMONS-GOODSON: Madam Chair, I strongly support this statement. As I understand it, many of these individuals are following the law. They're showing up at the border seeking asylum, as set out in our laws. And to be processed, handled in this way, I just don't understand it. And I'm a mother myself, and I can't imagine complying with the law and my child or children being removed from me.

And if even a fraction of these reports that we're getting are true, it rips my heart open. And I believe that there are millions in the nation that share that. And we must speak up and out. Thank you.

CHAIR LHAMON: Thank you. Commissioner Heriot?

COMMISSIONER HERIOT: There are many points made in this letter that I have sympathy for, but there are too many points that I can't sign onto. So I'm going to say no on this one.

CHAIR LHAMON: Thank you. Commissioner Adegbile?

COMMISSIONER ADEGBILE: Yes, Madam Chair. Of course, the rule of law is important. It's

important to everybody on this Commission. I think it's also important that we understand that a great nation must also think about temperance and think about policy judgments about how the law is enforced such that our policy choices about how laws are enforced don't have the effect of undermining the appreciate of the rule of law and visiting harsh outcomes on people that are not in a position to defend themselves. And I think the rule of law in America, and it's embraced traditionally, of human rights is important. This is not our finest hour, and I hope the policy is revisited.

CHAIR LHAMON: Thank you. Any further discussion?

COMMISSIONER YAKI: Yes, Commissioner Yaki.

CHAIR LHAMON: Commissioner Yaki?

COMMISSIONER YAKI: Oh, go ahead, Commissioner Kirsanow.

CHAIR LHAMON: Commissioner Kirsanow?

COMMISSIONER KIRSANOW: Thank you, Commissioner Yaki. I support changing the law. But as the law stands currently, the reason parents and children are separated is because of, among other things, the Flores consent decree of 1977, Ninth Circuit's interpretation thereof, which virtually

mandates that there is going to be separation given that children can only be detained for 20 days. I support changing that.

But one of the ironic things about this, we've been talking about the rule of law. One of the reasons many immigrants come to this country is because we have the rule of law as opposed to the countries from which they have fled.

And it's not simply a matter of maintaining the rule of law for the rule of law's sake. There are many things that flow from not maintaining the rule of law. A nation devolves into the kind of nation from which they are fleeing. And to which they are seeking asylum is the nation that preserves the rule of law and all that flows therefrom.

So my preference is let's change the law. But I will be voting against this particular resolution despite, as Commissioner Heriot said, I share many of the sympathies reflected in this letter.

CHAIR LHAMON: Thank you, Commissioner Kirsanow. I will say my colleagues at the National Center for Youth Law where I litigate are counsel in the Flores consent decree. And it will not be a surprise to you that it's not my case and I don't have intimate knowledge of the inside of that case. But it

strongly not their view that the Flores consent decree mandates this action. So at best, reasonable minds could differ about at least that component.

Commissioner Yaki?

COMMISSIONER YAKI: Yes, I just wanted to echo your statement as well as Commissioner Narasaki's and others. And to make the point about the dangers of sort of whether or not this requires any law change or not, which I do not believe it does, there are those who would seek to package a law change that would, they say, deal with this issue in the context of other laws enacted at the same time which would devastate immigration as we know it in this country and effectively close our borders to all but those who are rich enough to make it through.

So I would just like to note that this letter makes a statement that these actions are not needed, that the law, as it stands now, can allow these families to be together. There's no need for a fix, and there's certainly no need for a fix that seeks to play upon the well-founded concerns, fears of people by then using it to piggyback in a draconian change in our immigration law.

CHAIR LHAMON: Thank you. Unless there's further discussion on the statement, I'll call for a

roll call vote.

Commissioner Adegbile, how do you vote?

COMMISSIONER ADEGBILE: Aye.

CHAIR LHAMON: Commissioner Heriot?

COMMISSIONER KIRSANOW: No.

CHAIR LHAMON: Commissioner Kirsanow?

COMMISSIONER KIRSANOW: No.

CHAIR LHAMON: Commissioner Kladney?

COMMISSIONER KLADNEY: Yes.

CHAIR LHAMON: Vice Chair Timmons-Goodson?

VICE CHAIR TIMMONS-GOODSON: Yes.

CHAIR LHAMON: Commissioner Narasaki?

COMMISSIONER NARASAKI: Yes.

CHAIR LHAMON: Commissioner Yaki?

COMMISSIONER YAKI: Aye.

CHAIR LHAMON: And I vote yes. The motion passes. Two Commissioners opposed, no Commissioner abstained, and all others were in favor.

Our next items is the statement about the pardon of Jack Johnson.

F. STATEMENT REGARDING THE PARDON OF JACK JOHNSON

CHAIR LHAMON: And I turn it over to Commissioner Kirsanow to read the statement so we are clear about what we're voting on.

COMMISSIONER KIRSANOW: Thank you, Madam

Chair. The statement is very brief.

It says, the U.S. Commission on Civil Rights applauds President Donald Trump's posthumous pardon of boxing great Jack Johnson. Mr. Johnson was an African-American who was the 1908 heavyweight champion of the world.

He was subjected to racially motivated prosecutions for his relationships with white women, including a woman who later became his wife. Mr. Johnson fled the country to avoid imprisonment and made a return to the United States to serve his sentence but the conviction irrevocably damaged his career and he was unable to regain the heavyweight title.

Mr. Johnson applied for a pardon in 1920, but the Harding Administration refused to grant the application because of public opposition. Thanks to the efforts of many individuals, including Sylvester Stallone, President Trump pardoned Mr. Johnson on May 24th, 2018, only the third time a President has granted a posthumous pardon.

The Commission expresses its gratitude to President Trump for righting this historic injustice.

CHAIR LHAMON: Thank you. We can discuss the statement. Is there a motion so we can open the

floor for discussion?

COMMISSIONER HERIOT: So moved.

CHAIR LHAMON: Is there a second?

VICE CHAIR TIMMONS-GOODSON: I'll second it.

CHAIR LHAMON: Terrific. Is there any discussion on this statement? Madam Vice Chair?

VICE CHAIR TIMMONS-GOODSON: Yes, I have some concerns and in terms of expressing those concerns, I don't want us to get, as a Commission, to place ourselves in a position where we applaud those pardons that we agree with and then other pardons that we take issue with, speaking out against them. I'm concerned about the process, the policy involved. And so I have some reservations about voting in favor of issuing it.

CHAIR LHAMON: Thank you. Commissioner Adegbile?

COMMISSIONER ADEGBILE: Relatedly, I think that with some time, we might be able to get to a version of this statement that takes account of some broader considerations. But I think that we might want to consider taking some more time to do that. These pardons are happening in a larger context, and I think that the procedural considerations are important

and perhaps if we take some time, as Commissioner Heriot has suggested that we attempt to in some other contexts, we might be able to find our way to consensus the underlying sentiment expressed in Commissioner Kirsanow's resolution is important. There obviously was an unspeakable injustice visited on Mr. Johnson. And I think that, with time, we can probably get there.

CHAIR LHAMON: I'm sorry. I share those sentiments. I am a child of an interracial marriage which is the product of the type of crime for which Mr. Johnson was, I think, unjustly convicted. And I do think it is important to right past injustice, even 105 years later. And I appreciate the sentiment that underlies the proposed statement and also the circulation of the proposed statement two days ago.

But I do think that there's more work to be done consistent with the Vice Chair's views about taking a position about the way that the pardon authority is used. And we have already, as a Commission, expressed very serious concern about the use of the pardon authority in the case of Sheriff Joe Arpaio and we are seeing increasing accentuation of the pardon authority, including as recently as with respect to Jack Johnson or functionally as recently

with respect to Anne-Marie Johnson.

So I, too, would like some time to be able to try to work together on more fulsome text that can express the types of views being discussed.

Commissioner Narasaki?

COMMISSIONER NARASAKI: I would like to thank Commissioner Kirsanow for bringing this up. I was not familiar with the history of Mr. Johnson, and I do believe that the pardon was merited. And I would like to have the Commission make a statement. But I agree with others that would like to see it more fully fleshed out. And I think that we could probably get to a place hopefully where we could have a unanimous statement.

COMMISSIONER KIRSANOW: Madam Chair?

CHAIR LHAMON: Commissioner Kirsanow?

COMMISSIONER KIRSANOW: Thank you. The thanks that Commissioner Narasaki directs to me should appropriately be directed to toward Commissioner Kladney and the rest of the Commission because we voted unanimously to seek such a pardon for Jack Johnson. And Commissioner Kladney introduced that motion.

I am happy to table this until next month's meeting in order to see if we can reach a consensus on

this. So if the majority wishes, I will defer until next month.

CHAIR LHAMON: Okay. Thank you very much. And thank you all for the discussion on this item.

Our next item is Commissioner Heriot's suggestion that we discuss a motion related to printing reports.

G. DISCUSSION ON PRINTING REPORTS

CHAIR LHAMON: Would you like to make the motion yourself?

COMMISSIONER HERIOT: Aren't we better off just with a discussion first? Can we do that? Because --

CHAIR LHAMON: Okay.

COMMISSIONER HERIOT: -- it's not clear to me what the motion should be.

CHAIR LHAMON: Okay.

COMMISSIONER HERIOT: It's just I'm very concerned about the notion of not printing our reports at all. I think that's a mistake. I think there are many people who prefer a written report, and they are more likely to read and they are more likely to keep a report that is printed than something that they read on the internet or something that they even print from the internet.

One problem that we have is simply one of timing here. At this point in time, our website is ghastly. And trying to get a report to download, I have on many occasions simply given up and decided that, well, I guess I don't need to read that report after all. And if I'm willing to do that and, like, I care deeply about our reports.

There are a lot of people who, when told here, use this link. They're not going to even get their computers to download the report, much less, you know, entice them to want to wait for the report to download and to fully print. Many people don't like printing out long documents. I think that we have in the past wasted some money by printing too many reports. But as Commissioner Narasaki pointed out, it's also true that most of the money that has to be spent when you print a report is right up front, whether you're printing one, two, or ten thousand. That's true.

But nevertheless, I think that we need to rethink the notion that we don't need to print reports anymore. I mean, one of the examples I gave when we were meeting informally about the budget this morning was how different it is when you have a printed report with a cover. And when you're done looking at it, I

think many people would put something like that on their bookshelf where they might then forget about it.

But, like, one year, two years, six years later, there it still is and they're reminded of it. If we go to an internet-only way of distributing our reports, that use of the report disappears because once they're done looking at it, if they're lucky enough to have downloaded it from our website, then it goes down the memory hole. They don't recall it anymore, and they won't ever see it again.

And I think something is lost there. I think that this is the core of what the Commission does. It issues reports. And if there are no written reports or if we have to print them up on an ordinary printer, staple them together, it looks very unprofessional. And we need to be taking into consideration the cost of that too.

If we say we're saving money by not printing reports, well, we're going to be paying for that, in part. And it won't be as expensive, but it will nevertheless be a cost of printing up large numbers of these reports, stapling together, and hustling down to House office buildings or to the Department of Justice or to the Department of Education with these unwieldy and very unprofessional-

looking reports. I think that's a loss. And again, that will also be expensive, 300 pages times how many ever get printed up is -- that's money that has to be looked at as counterbalancing the printing costs.

So what I would like to do -- and in fact, in a sense, there's no need for a motion here because the Commission can always do this -- and that is, with each report, make an ad-hoc decision about whether to print that report or whether to -- if so, how many? The problem is if we plan as if there's going to be no printing cost, then we won't be able to make that decision. And I think that's a big mistake. I think we're going to want to print reports in the future.

CHAIR LHAMON: Commissioner Narasaki?

COMMISSIONER NARASAKI: As a daughter of a librarian, I actually like to have printed materials in my hands and appreciate the sentiment that Commissioner Heriot has made.

I think the challenge is, to me, it's all about tradeoffs in the budget. And as we all know, our budget had been virtually flat for 20 years which meant that, in real dollars, we have been losing budget size. And we have managed to survive by cutting staff, by having to shut down regional offices, by having to make a lot of very tough

choices.

And here, we face another one. As Commissioner Heriot notes, our website is barely functional as are our computers and our software which is, like, I think a decade old. I'm not even sure what language our computers speak. But I know that it doesn't speak to my computer which is only five years old.

So -- and that's the challenge. And do we print off nice looking reports in an age where people are really doing their research more and more online? Or do we try to save some of that money and actually improve our website and give our staff the kind of computers and software we need to really be as efficient as possible because we have a shrinking number of staff? And I think that's the challenge. That's the reality of having a fairly flat budget.

Congress was wonderful in giving us some additional money so that we could expand some of our hearings and support better our State Advisory Committees who we heard today are doing incredible work. But they did not allow us to be able to use any of that money to fix some of these operational issues that we really have.

So to me, you can't just look at one part

of the budget in isolation. You need to look at it in the context of our overall budget. And I think staff are really trying to make difficult choices. And I think that Commissioners do not help if we try to just pick off different issues in isolation.

CHAIR LHAMON: Well, I share, I think, all of the sentiments described so far. I, too, very much enjoy having a book to hold in hand and to refer back to and I am sufficiently allowed that I tend to write in the margins. And I like to be able to find those again and see my highlights.

We are in a time where we are in extraordinary fiscal constraint. And in the year and a half that I've had the pleasure and honor to serve on this Commission, I have watched our staff struggle under, I think, enormous, enormous constraints to be able to do the work that they are charged to do. I am very grateful for what they, nonetheless, accomplish. I think that the work that we have been putting out is extraordinary, and I'm very grateful for what that looks like and what I think will continue in these difficult budgetary times. I think we need to be able to support the staff we have and to privilege our output over the production of written, pretty, accessible documents.

I will also say that I think we all would like to see our website updated. I think that's something would be something that is a goal for all of us. And in my experience, I have been able to download all of our reports and have been able to download our past reports as well. And so I appreciate being able to have ready access to them.

COMMISSIONER HERIOT: Well, I'd like to be able to do that too.

(Laughter.)

CHAIR LHAMON: I'm happy to share with you my expert skills.

COMMISSIONER HERIOT: Am I not right, that Congress, in giving us the extra money, wanted it used on reports, including SAC reports but also our reports? So this actually goes with what Congress intended that extra money to go for.

CHAIR LHAMON: I don't agree with that assessment. I think that Congress absolutely wanted us to have more output. I read no text in our appropriations language or the staff report that suggested that Congress wanted us to print them. And in fact, my conversations at the Hill have included Hill staff direct admonishment that we discontinue practices that use our costs that way.

So I think that we need to be very, very cautious about our funds, our fund usage, and also we can all hope for a time when we have fewer fiscal constraints and more opportunities for how we can spend those dollars.

VICE CHAIR TIMMONS-GOODSON: Madam Chair, I am truly torn and a lot of what Commissioner Heriot says makes sense. I wonder whether, in fact, this is an issue that we need to vote on or make a definitive decision at this time. I ask that we consider using our considerable creativity and see if we can't find a way to split the baby. As Commissioner Heriot says, not all of our reports perhaps need to be printed and certainly not in the manner in which we've done it in the past. But there are some, if only the statutory reports, for example. But anyway, I ask that we use our considerable creativity to see if we can't come up with a way to split the baby and have some that are actually printed. But need we make that decision now?

CHAIR LHAMON: Commissioner Heriot?

COMMISSIONER HERIOT: I have to leave in ten minutes. But it makes sense to me that this doesn't have to be decided right now. It can be left up in the air for a while. It's not like we're printing a report today.

And so if we want, we can continue this discussion in July. And if mine doesn't print it then, then we can continue it in August. It's not possible for the Commission to bind itself never to print a report. But we'd like to be a little bit more organized than that and have a policy. So I would propose we continue the discussion at a later meeting in July, and if that's not possible, August.

CHAIR LHAMON: Sure. Thank you for the discussion. I thank you for raising it. And with that, we'll turn to the Staff Director's Staff Director report.

H. MANAGEMENT AND OPERATIONS -

STAFF DIRECTOR'S REPORT

STAFF DIRECTOR MORALES: Thank you, Madam Chair. I have nothing more to discuss beyond what's already contained in the Director's report. As always, I stand available if any Commissioner has a particular question that is in the report.

But I do want to take a moment to acknowledge the coming on board of our law clerks and interns. And I see a lot of their faces out there in the audience at the moment. So I want to take a moment just to read off their names. And as Commissioners cycle through the agency this summer to

introduce themselves and avail themselves of getting to know some incredibly bright minds and a lot of really great hard work that they're already doing for us.

And so I want to say thank you to all of the law clerks and interns. And let me go ahead and read your names. And I apologize if I make a mistake. It's one of the worst characteristics that I have is sometimes I can fumble the name.

But in any case, I want to welcome Scott Pollins. Scott, welcome to here. I want to welcome Valentina Cannavo. I want to welcome Amy Jeanneret. I want to welcome Jake Goldberg. I want to welcome Shimeng Zhang. I want welcome Aaron Hurd. I want to welcome Zak Lutz. Welcome to Madeline Cook. Welcome to Nicole Carroll. Welcome Matt Robinson who I'm just going to do a shout out because you're at USC and I'm a USC alum. I want to say welcome to Sabrina Escalera-Flexhaug. And I want to welcome Aime Joo who is here as well.

So thank you all for the hard work. I look forward to seeing you throughout the summer. Please, my office is open. Anytime you want to chat and have a cup of coffee and kind of talk about the work we're doing and why your involvement is so important. My

door is always open.

So thank you very much, Madam Chair. That's all I have. And so with that, over to you.

III. ADJOURN MEETING

CHAIR LHAMON: Terrific. Well, I will echo the thanks and the gratitude to our interns this summer. You are exponentially increasing our efficacy. We're really thrilled to be able to have you. And that I know it's my hope -- I think I speak for all of our Commissioners in saying that it is our hope that this experience with us this summer will redouble your commitment to civil rights and to public service. And we really very much look forward to continue to work with you and are very grateful that you're here. So thank you very much for that.

And also, very many thanks to our staff for making sure that today's meeting has run as smoothly as it has, which has been my also consistent experience of this staff for which I'm very, very grateful.

So with that, I will hereby adjourn our meeting at 2:43 Eastern Time.

(Whereupon, the above-entitled matter went off the record at 2:43 p.m.)