



JULY - SEPTEMBER 2018 NEWSLETTER

STATE ADVISORY COMMITTEE (SAC) ACTIVITY

Our state Advisory Committees (SACs) continue to be incredibly active in investigating and reporting on civil rights issues in their states. We thank the members of all SACs for selecting critical topics for investigation, hosting briefings, and issuing reports and advisory memoranda on important topics.

In September, we issued a [report](#), *Contemporary Civil Rights Challenges: A View from the States*, highlighting the results of our survey of SAC members. The survey identified the civil rights concerns – at state and local levels – that members view as most critical. We thank all members who took the time to respond to the survey. It will greatly assist the Commission as we address the most important civil rights challenges of our day.

Extensive multi-state activities on voting rights:

Twelve Commission SACs – [Alabama](#), [Alaska](#), [Arizona](#), [California](#), [Illinois](#), [Indiana](#), [Kansas](#), [Louisiana](#), [Maine](#), [New Hampshire](#), [Ohio](#), and [Texas](#) – have recently investigated voting rights in their states, on which the Commission relied in the Commission’s recently issued [report](#), *An Assessment of Minority Voting Rights Access in the United States*. Last month we issued a [compendium](#) of these reports and advisory memoranda as a resource for the public. The details of those issued during this quarter are included below.

Reports and Advisory Memoranda:

- Our Arizona SAC [issued](#) an [advisory memorandum](#) on voting rights.
- Our Colorado SAC issued a [report](#) on the Colorado Constitution’s No Aid to Sectarian Institutions Clause and its impact on civil rights.
- Our Indiana SAC [issued](#) an [advisory memorandum](#) on voting rights.
- Our Louisiana SAC [issued](#) a [briefing paper](#) on barriers to voting.
- Our New Mexico SAC [issued](#) a [report](#) on elder abuse.
- Our Rhode Island SAC issued a [report](#) on payday lending.
- Our Tennessee SAC [issued](#) a [report](#) on civil asset forfeiture laws and practices.

- Our Texas SAC [issued](#) an [advisory memorandum](#) on voting rights.
- Our Vermont SAC issued an [advisory memorandum](#) on housing discrimination.

Briefings:

- Our Arkansas SAC [held](#) a [public meeting](#) on mass incarceration.
- Our Maryland SAC held a [public briefing](#) on disproportionate discipline in schools. The Commission will incorporate information from this briefing into its forthcoming report on school discipline policies and their impact on students of color with disabilities.
- Our [Nevada](#) SAC held a [public briefing](#) on the impact of policing practices on the administration of justice. Commissioner Kladney joined the SAC for this briefing.
- Our [Ohio](#) SAC held a [public briefing](#) on funding for education.
- The [South Dakota](#) SAC held two public briefings on the subtle forms of racism. Commissioner Narasaki joined the SAC in Pine Ridge, and Chair Lhamon joined the SAC in Pierre. The Commission incorporated information from these briefings into its forthcoming report on Native American rights.
- The [West Virginia](#) SAC held a [public briefing](#) on the collateral consequences of criminal convictions. Commissioner Kladney joined the SAC for this briefing. The Commission will incorporate information from this briefing into its forthcoming report on collateral consequences.

Correspondence:

Chair Lhamon, on behalf of the Commission, sent letters to federal, state, and local government entities, transmitting the findings and recommendations from recent SAC reports:

- [Maine's advisory memorandum](#) on racial discrimination in prosecution and sentencing; and
- [Maryland's advisory memorandum](#) on fines and fees and bail reform. In response to this letter, the Maryland Administrative Office of the Courts responded to share Maryland's recent court rule change regarding pretrial release, and stating that the Maryland Judiciary is "committed to fair, efficient, and effective justice for all persons that interact with the Maryland court system."

Our Advisory Committees will continue to gather information and report on a wide range of crucial civil rights issues. *Stay abreast of SAC activities on our [website](#) and on [Twitter](#) and [Facebook](#).*



Chair Catherine E. Lhamon with members of our Maryland state Advisory Committee, at its August 2018 briefing on discipline in schools



Chair Catherine E. Lhamon with members of our South Dakota Committee, at its July 2018 hearing on subtle forms of racism



Commissioner David Kladney joins our Nevada Committee for its briefing on policing practices and administration of justice, August 2018



Commissioner Karen K. Naraski joins our South Dakota Committee for its briefing on subtle forms of racism, July 2018



Commissioner David Kladney joins our West Virginia Committee for its briefing on collateral consequences of felony convictions, July 2018



Our Ohio Committee held a public briefing on education funding in the state, September 2018

COMMISSION ACTIVITY

July

Commissioners, by majority vote, issued a [statement](#) decrying the Supreme Court decision in the Muslim ban case.

The Commission received replies from three U.S. federal agencies, responding to our letters expressing concern over critical civil rights challenges:

- A [letter](#) from U.S Immigration and Customs Enforcement (ICE), replying to our March 2018 [letter](#) expressing concern over immigration enforcement at courthouses.
- A [letter](#) from the Department of Homeland Security, replying to our June 2018 [letter](#) expressing concern over immigrant detention and separation of families.
- A [letter](#) from the Department of Commerce, replying to our April 2018 [letter](#) expressing concern over the proposed inclusion of a citizenship question on the 2020 Census.

At our monthly [meeting](#), we heard presentations from the chairs of our [Alaska](#), [New Hampshire](#), and [Ohio](#) Committees on their advisory memoranda and report addressing voting rights. As part of our continuing speakers' series, we heard from Dr. Alan Curtis, President and Chief Executive Officer of the Milton S. Eisenhower Foundation, on the anniversary of the Kerner Commission, established by President Lyndon B. Johnson in July 1967 to investigate the causes of race riots in several major cities, including Detroit. We invite you to view video of the meeting on [YouTube](#).



Commissioners with Dr. Alan Curtis, President and CEO of the Milton S. Eisenhower Foundation

August

At our monthly [meeting](#), we heard presentations from the chair of our [Arizona](#) Committee on its [advisory memorandum](#), and the chair of our [Maine](#) Committees on its [report](#), both addressing voting rights. We invite you to view the meeting on [YouTube](#).

September

The Commission [issued](#) our fiscal year 2018 statutory enforcement [report](#), *An Assessment of Minority Voting Rights Access in the United States*. Based on extensive research and expert and public testimony, the report assesses minority voter access around the country, and evaluates the Department of Justice's enforcement of the Voting Rights Act (VRA) since 2006, in particular since the Supreme Court's *Shelby County v. Holder* decision.

We [announced](#) four briefings – and eventual reports – for fiscal years 2019 and 2020. These include: an evaluation of federal civil rights enforcement (public briefing held earlier this month; see below); women in prison; sexual harassment in federal workplaces; and subminimum wages for people with disabilities.

At our monthly [meeting](#), we heard presentations from the chair of our Alabama Committee on its [summary of testimony](#), the chair of our Indiana Committee on its [advisory memorandum](#), and the chair of our Texas Committee on its [report](#) – all addressing voting rights. You may view the meeting on [YouTube](#).



Alabama Advisory Committee Chair Jenny Carroll presented on access to voting in the state, September 2018

EARLY FOURTH QUARTER

On November 2, in Washington, the Commission held a full-day public [briefing](#), *Are Rights a Reality? Evaluating Federal Civil Rights Enforcement*, hearing from twenty-two [panelists](#) and close to two dozen members of the public. You may view panelists' written testimony [here](#). We will accept written public comment submitted by December 17 to enforcement@usccr.gov. In fall of 2019, the Commission will issue a report from this investigation. We invite you to view the briefing on [YouTube](#).

On November 15, Chair Lhamon and Commissioner David Kladney discussed the Commission's [report](#), *Police Use of Force: An Examination of Modern Policing Practices*, in a public conference call. We investigated whether the rates and usage of excessive force by police violate the civil rights of persons of color, persons with disabilities, and LGBTQ communities. The Commission also evaluated proven or promising policies and practices that may help minimize unnecessary use of force and the perception and reality of unconscious discrimination in police use of force. The report, based on expert and public input, and extensive research and analysis, offers actionable recommendations to the President, Congress, federal agencies, state and local governments, police departments, and other policy/decision makers.

Also last month, at the Commissioners' business meeting, we heard presentations by the Chair of our Louisiana Committee on its [report](#) on barriers to voting, the Chair of our New Mexico Committee on its [report](#) on elder abuse, and by a member of our Colorado Committee on its [report](#) on the state *Constitution's No Aid to Sectarian Institutions Clause*.

DID YOU KNOW?

In our last [newsletter](#), we offered information on the Commission's landmark 1968 hearing, held in San Antonio, on the civil rights of Mexican Americans. Stakeholders and civil society organizations are hosting "[Holding up the Mirror](#)," a commemorative event in San Antonio, November 16-17. Chair Lhamon and Staff Director Mauro Morales will be speaking at the event.

Finally, we thank the interns who provided – and continue to provide – assistance to the Commission as we continue our sixty one-year legacy of safeguarding civil rights.



We thank our incredible group of interns for their work in advancing civil rights

###

The U.S. Commission on Civil Rights, established by the Civil Rights Act of 1957, is the only independent, bipartisan agency charged with advising the President and Congress on civil rights matters and reporting annually on civil rights. Our 51 state Advisory Committees offer a broad perspective on civil rights concerns at state and local levels. The Commission: In our 7th decade, a continuing legacy of influence in civil rights. For more information, please visit <http://www.usccr.gov> and follow us on [Twitter](#) and [Facebook](#).