



January 2017-June 2018 Report Tacoma Human Rights Commission

*Presented to the City Council's
Community Vitality and Safety Committee
July 12, 2018*

THE CITIZEN-ADVISORY ROLE

"Volunteer citizen advisory boards' ... primary purpose is to provide judicious advice from a citizen perspective [to] build public consensus on controversial issues before elected officials make a decision. The activities of an advisory board may include the study of critical issues, taking public testimony, performing independent research, and reviewing staff reports and recommendations." (Bold added.)

<http://mrsc.org/getmedia/72061479-9ba8-48b4-ab1f-cfa62cf7d4f1/Local-Government-Citizen-Advisory-Boards.pdf.aspx?ext=.pdf>, p. 1

THE COMMISSION'S PURPOSE

Tacoma Municipal Code (TMC) 1.29.010 provides:

"[T]he City Council hereby creates and empowers a commission [of fifteen members] **to study and investigate problems of prejudice, bigotry, and discrimination, and to encourage and coordinate the implementation of programs** consistent with the needs and the rights of all residents of the City Of Tacoma." (Bold added.)

CURRENT PROTECTED CATEGORIES

"[T]he City Council of the City of Tacoma hereby finds that unlawful discrimination on the basis of **race, religion, color, national origin or ancestry, sex, gender identity, sexual orientation, marital status, familial status, honorably discharged veteran or military status, or disability** is inimical to the public welfare and good order of the City of Tacoma." *TMC 1.29.010.* (Bold added.)

PRINCIPAL DUTIES AND POWERS

The Human Rights Commission (HRC) can:

- **Initiate complaints** of alleged unlawful discrimination
- **Review, act upon** staff's case-closure recommendations
- **Study, mediate, hold public meetings** on community tensions
- **Consult with public and private entities** to further objectives
- **Make recommendations** to elected and administrative officials
- **Form committees** to assist in the Commission's work
- **Perform other functions as directed** or authorized by the Council

TMC 1.29.020

SNAPSHOT: SIGNIFICANT EVENTS IN HRC'S 50-YEAR HISTORY

- **May 31, 1967:** The City Council established the "Human *Relations* Commission" to protect residents from discrimination based on color, religion, and descent.
- **April 19, 1983:** The Council changed the name to "Human *Rights* Commission" and added marital status and disability as protected categories.
- **May 23, 1989:** The Council accepted HRC's recommendations to add sexual orientation and familial status to TMC 1.29's protections.
- **Nov. 7, 1989:** Tacoma voters repeal sexual orientation as a protected class.
- **April 23, 2002:** Acting on HRC's recommendations, the Council added sexual orientation and gender identity, and a later repeal-attempt failed.

**ACCOMPLISHMENTS:
JANUARY 2017-JUNE 2018**

- **Established three standing Committees:** Education & Outreach, Policy & Advocacy, Prevention & Intervention Committee (renamed Commission Operations & Quality Assurance in May 2018).
- **Recommended amending TMC 1.29** to specify Office of Equity & Human Rights (OEHR) as HRC's supporting administrative office (approved by the Council on July 17, 2017).
- **Recommended revising** several of HRC's administrative rules (approved by the Council on July 17, 2017).

**ACCOMPLISHMENTS:
JANUARY 2017-JUNE 2018 (continued)**

- **Prepared and recommended one new and two revised** outreach cards (adopted by OEHR in fall 2017).
- **Prepared a press release** to reassure residents that Tacoma is a Welcoming City following the Arpaio pardon (approved by HRC on September 21, 2017, not issued by MCO).
- **Created a policy and procedure** for issuing written statements with specific criteria for City review and turnaround deadlines (approved by HRC on January 18, 2018).

**ACCOMPLISHMENTS:
JANUARY 2017-JUNE 2018 (continued)**

- **Proposed having regular meetings** between the Commission on Immigrant and Refugee Affairs (CIRA) and HRC (in CIRA resolution passed on December 12, 2017).
- **Suggested CIRA resolution's list of protected statuses** match TMC 1.29's list (not in passed resolution).
- **Organized five-hour retreat to promote team-building** and prepare work plans for three standing committees and three 2018 project task forces.

**ACCOMPLISHMENTS:
JANUARY 2017-JUNE 2018 (continued)**

- **Created three task forces for 2018:** Charity Care language access; amending TMC 1.29; Racial Justice & Equity.
- **Attended Seattle HRC meeting** to observe and explore potential opportunities for collaboration.
- **Prepared a comparison chart** of information on webpages of HRC and other PNW human rights commissions.
- **Met with state legislators Jinkins and Darneille** re work of Charity Care and Amending TMC 1.29 Task Forces.

**ACCOMPLISHMENTS:
JANUARY 2017-JUNE 2018 (continued)**

- **Prepared a 30-page report** on Charity Care Task Force's outreach, research, & proposed training for hospital navigators.
- **Drafted Indigenous People's Day resolution at Chair Blocker's request** and are contacting stakeholders for input.
- **Drafted resolution on family-separation border policy** for expedited City Council consideration.
- **Reviewed approximately 45 case** recommendations from OEHR staff (through June 2018).

**CURRENT WORK:
STANDING COMMITTEES**

- **Education and Outreach Committee**
 - Focuses on engaging directly with Tacoma residents and entities regarding communitywide problems, and empowering the community through the sharing of resources and information.
- **Policy and Advocacy Committee**
 - Focuses on identifying, studying, and analyzing human rights issues in the community, and recommending code amendments and new policies to the Council related to such issues.
- **Commission Operations & Quality Assurance Committee**
 - Focuses on operations and quality assurance of Commission's work including making recommendations regarding training, outreach information, webpages, other communication platforms, and forms.

CURRENT WORK: 2018 TASK FORCES

- **Charity Care Access for Non-English Speakers**
 - Studying disparate access to medical financial assistance based on language, and intervening and monitoring to ensure access is equitable
- **Amend TMC 1.29 to protect certain vulnerable residents**
 - Studying feasibility of adding immigration status, citizenship, primary language, and source of income protection
- **Racial Justice and Equity Initiative with initial focus on education**
 - Studying racial justice and equity programs and potentially partnering with area educational institutions to provide for racial justice and equity training

CLOSEUP: TASK FORCE ON CHARITY CARE ACCESS FOR NON-ENGLISH SPEAKERS

STUDY

- Prior white papers, AG lawsuit, & relevant legislation
- Hospital websites & public spaces
- Local stakeholders

INTERVENE

- Agencies & residents: inform re charity care law & application process, language accommodations, deportation safeguards, & filing discrimination complaints
- Hospitals: encourage to improve interpretation services & prominently post non-English notifications regarding medical financial assistance

MONITOR

- Health Dept: disaggregate charity care by ethnicity, national origin, & language
- Equal Rights Center: compliance study
- Hospitals/clinics: website reviews & site visits

CONCERNS: HIGH TURNOVER AND ABSENTEEISM

- **Absenteeism and resignations in 2017**
 - Five of twelve business meetings lacked a quorum
 - At least five Commissioners missed one-third of meetings
 - Three officers elected in 2016 departed by September 2017
- **Fifteen (15) vacancies from April 2017 to April 2018**
 - Five new Commissioners appointed in April 2017
 - Seven new Commissioners appointed in November 2017
 - Three new Commissioners appointed in April 2018

POSSIBLE CAUSES: HIGH TURNOVER AND ABSENTEEISM

Commissioners' observations of principal causes:

- **Minimal training and information for some case reviews**
 - Lack of discrimination-law training and little background information can sometimes impede meaningful review
- **Shrinking citizen-advisory role for HRC**
 - Misperception case review is primary function
 - Inconsistent inclusion in City's human-rights activities
 - HRC's existence not mentioned in 2014 E & E Initiative
 - No established communication paths with Councilmembers
 - MCO's strict policy-alignment & no deadlines hinder advice

**RECOMMENDATION: AFFIRM HRC'S
CITIZEN-ADVISORY ROLE**

- **Foster communication between HRC and Council**
 - Designate a Councilmember to meet with HRC at least annually and have informal communications with HRC officers
 - Request HRC input on key or emerging human-rights issues

- **Promote OEHR-Commission collaboration**
 - Seek input from both entities on human-rights topics
 - Encourage working together in community outreach

- **Ensure HRC's essential public voice**
 - Support statement autonomy and City-review deadlines
 - Approve a pilot Facebook page for agendas and events