

Kate Brown
Governor



Oregon Commission on Black Affairs
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MINUTES

Oregon Commission on Black Affairs
Saturday, December 2, 2017
Concordia University
2811 NE Holman Street
George White Library, Room 120
Portland, OR 97211

ATTENDANCE:

Chair: Absent
Vice Chair: Musse Olol
Commissioners: Robin Morris Collin (phone), Mariotta Gary-Smith (phone), Lawanda Manning (phone), Nicole Rowe
Absent: Kayse Jama, James Morris, Senator Monroe
Guests: David Rogers, Executive Director, American Civil Liberties union (ACLU) Oregon; Chanpone Sinlapasai-Okamura, Chair Oregon Commission on Asian and Pacific Islander Affairs (OCAPIA), immigration attorney (phone)
Staff: Lucy Baker, Nancy Kramer

I. Meeting Called to Order - Chair Olol brought the meeting to order at 9:13am and a quorum was established.

II.A. Review and approval of agenda

MOTION (Rowe/Bynum): To approve the agenda as written. CARRIED.

B. Review and approval of OCBA August 2017 Minutes

MOTION (Bynum/Gary-Smith): To approve the OCBA August 2017 meeting minutes as written. CARRIED.

C. Review and approval of OCBA October 2017 Meeting notes

MOTION (Collin/Rowe): To approve OCBA October 2017 meeting notes as written. CARRIED.

D. Review and approval of the 10/6/17 Oregon Advocacy Commissions Annual Joint Meeting Minutes

MOTION (Collin/Gary-Smith): To approve the Annual Joint meeting minutes of October 6th as written. CARRIED.

III. Public Comment – There was no public comment.

IV. UNFINISHED BUSINESS

A. Ratification of OCBA's recommendation for ODE Ethnic Studies Advisory Group

MOTION (Collin/Bynum): To ratify OCBA's e-poll prioritizing Irvin Brown for appointee to the Ethnic Studies Advisory Group. CARRIED.

B. OAC's Annual Joint meeting review

The Annual meeting held on October 6th was well attended. Commissioners focused on four topics during the day-long meeting: Intersectionality, growing partnerships in research and leadership development, how rural areas are impacted differently than urban areas in the OAC's seven strategic priority areas, and the emerging role of the OACs in the Policy Arc.

Action items include:

1. The every other month OAC Leadership meeting will discuss Intersectionality as the OAC's consider their next steps which will include ways to staff a potential joint committee structure for the Commissions;
2. A visual representation of the OAC's role in the Policy Arc will be developed before the Oregon Legislative Assembly opens in February 2018. It will help the OAC's plan for the full, multi-year process for emerging issues as they are researched and move toward becoming policy, and make the OACs' process of identifying and approving their joint support for shared legislative issues more efficient.;
3. The OAC's will focus on methods to elevate the voices of their members in rural communities, and adding analysis of issues that affect their communities in rural areas;
4. A long-term plan to restore the staffing levels of the OAC Office.

Lucy will reach out to the Planning Committee for the Annual meeting and interested Commissioners, to debrief and plan next steps in December or January. OACO's strategic plan will be updated to support intersectional work and Lucy and Nancy will develop recommendations for how to incorporate the four new ideas above into OACO's strategic plan. Commissioners agreed that the proposal of a committee structure is an excellent option for public policy research and advocacy, and they will consider ideas on how to staff committee meetings focused on intersectionality.

Commissioner Collin commended Lucy and Nancy for creating an environment for the robust discussion Commissioners had at the Annual Joint meeting. Regarding Intersectionality, she quoted Audre Lorde, "There is no thing as a single-issue struggle because we do not live single-issue lives."

Commissioner Collin also requested that the Advocacy Commissions make sure their communities are represented on the Environmental Justice Task Force, and become part of the long-term strategy of the OACs. Historically, underrepresented communities are most impacted by toxics in the environment.

V. NEW BUSINESS

A. David Rogers, Executive Director, American Civil Liberties Union (ACLU) of Oregon District Attorney accountability campaign

David introduced himself and presented the “[They Report to You Campaign](#)” that the ACLU launched at the end of August 2017. It is a multi-faceted multi-year campaign to raise Oregonians’ awareness about the important role District Attorneys have in sentencing and the relatively low level of accountability of DAs’ actions. DAs do not always appear to serve the interests of an entire community, although they are supposed to report to their constituency.

He shared with Commissioners three short videos on the website and then shared some statistics. DAs are elected officials and typically they run uncontested. More than half the people surveyed in Washington and Marion Counties believed DAs were appointed and were in favor of rehabilitation and treatment programs for addicts rather than harsher sentencing. The DAs Association has been the biggest, strongest opposition to sentencing reforms and new ideas. The ACLU’s goal is to increase voter engagement, particularly for elections for DAs, and to reframe what it means to be a successful District Attorney. Currently the metrics used are the number of people moving through the justice system. In an election year, a DA’s successor is often handpicked and because the race is usually uncontested, campaign funds are rarely an issue.

Another major focus is to institute training for District Attorneys. Every other criminal justice staff person (parole officer, police, deputies, etc) must go through training to be accredited, but DAs are not required to complete any training or to be accredited by the state’s Department of Public Safety Training and Standards. The Oregon State Bar (OSB) has a code of conduct, for some level of accountability of DAs, but the Bar’s ethical standards are the lowest in the country. The ACLU is conducting research on the best strategy to initiate training requirements for DAs.

Many DA’s run unopposed and have held their offices for many election cycles. Discussion followed.

Mr. Rogers would like to stay in touch and present at a future OCBA meeting. Acting Chair Olol and the Commissioners thanked Mr. Rogers for his informative presentation.

B. Public Policy Research Internships update

1. OCBA Public Policy Research – Commissioner Collin

i. The role of Ethnic Studies improving other factors that affect graduation rates of students of color

Layan Ammouri is OCBA’s research student, working with Dr. Patrick Burk at Portland State University on this new project. Dr. Burk brings extraordinary expertise. Layan has completed one project for OCBA already, focusing on the next phase of disproportionate discipline of students of color in Portland Public Schools.

ii. Discussion with OSU researcher Dr. John English

Dr. English is very appreciative of previous OCBA Public Policy Research project collaborations. He recently received a large grant at Oregon State University to explore restorative justice in high schools. His work may overlap with Dr. Tukufu’s, Assistant Superintendent at the Oregon Department of Education (ODE) Office of Equity & Inclusion. There is a strong possibility he will wish to engage additional 3L student researchers, through Commissioner Collin/OCBA, at Willamette University’s Law School, and is giving consideration to becoming a research partner with the OACs, as a consortium. Commissioners would like Dr. English to present at a future OCBA meeting.

Regarding disproportionate discipline, Vice Chair Olol noted Portland Public Schools discipline statistics confirmed that teachers and other school disciplinarians respond with the same disproportionality to African immigrant students whose first language is not English as students born in the U.S. who grew up speaking English. He is interested in a future Public Policy Research project on this topic that highlights the granular data and considers best practices.

Rep Bynum thanked Commissioner Collin for providing social justice internship opportunities to law students, including in her office.

- iii. Discussion with Dr. Tukufu regarding the Oregon Department of Education
This was covered earlier in the meeting.

2. OCAPIA Public Policy Research Internship: Integrating immigrant professionals' credentials in Oregon's workforce

OCAPIA is ready to explore next steps for this internship:

- a. Master Linguistics students at PSU conduct a national review of how community colleges prepare immigrants for the TOEFL (Test of English as a Foreign Language)
- b. Best practices, state-by-state. In Michigan, the Governor' created an Executive Order, whereby licensing boards have to show how they provide and plan for pathways into their professions for immigrants with credentials in their fields.

C. New Commissioner recruitment

- 1. OCBA would like to have a second attorney on the Commission. Commissioner Collin suggested Glen Banfield, Senior Deputy District Attorney, Multnomah County. He is a former student of hers. Vice Chair Olol also knows Mr. Banfield. Commissioner Collin will arrange a meeting for the three to meet. Representative Bynum suggested also contacting Judge Adrienne Nelson for recommendations. Lucy noted that Chair Morris also has a suggestion.

D. Black History Month proclamation February 2018

Nancy submitted a request, on behalf of OCBA, for Governor Brown to participate in the 2018 Black History Month proclamation signing. She will notify Commissioners as soon as she hears from the Governor's scheduler. Commissioners agreed to submit the proclamation wording from last year with the addition of the OCBA in the next to last paragraph. Rep Bynum plans to invite students to the signing to promote leadership development.

E. U-Visa Work Group – OCAPIA Chair Chanpone Sinlapasai-Okamura

Oregon's DOJ Immigrant Crimes Victims' Rights Committee created a U-Visa Work Group that is meeting with the goal of passing HB 1006 for Victims of Crimes, an intersection of state and federal law. HB 1006 would create a Task Force, similar to the Notario Fraud Task Force OCHA supported a couple of years ago. This pertains to immigrants and refugees in particular, who are victims of serious crimes. The federal law says that a victim of a serious crime (theft, rape, trafficking, victims of neglect, etc.) that reports the crime to law enforcement (this includes DHS, police, detectives, FBI, Homeland Security, etc.), it is up to law enforcement to certify that the victim is eligible for a U-Visa, which allows them to remain in the United States. Law enforcement is unified in their approach to certification in Multnomah, Washington and Clackamas Counties and surrounding areas, but the rest of

Oregon is inconsistent. The goal is to pass legislation that would require a consistent statewide approach to certifying victims of crimes. This work is part of the Policy Arc and Intersectionality. One Commissioner from each of the other OAC's has joined the Work Group. Vice Chair Olol is interested in representing the OCBA. The next Work Group meeting is in January 2018.

Vice Chair Olol thanked Chanpone for briefing the OCBA on this Work Group.

VI. Commissioners' Reports

Commissioner Collin is tracking the Cleaner Air Oregon project, which will create new air toxics standards. The proposed standards are out for public review and the comment period ends on December 22nd. She asked OCBA to endorse a letter in support of the new standards for communities of color. Commissioners agreed to do so by common consent. Robin will draft the letter and Lucy will circulate it to OCBA for their review before the 22nd.

Representative Bynum asked Governor Brown to review the way Erious Johnson's case was handled to determine if he was treated in a humane manner. Mr. Johnson was the director and sole employee of the DOJ's Civil Rights Unit, and sued the DOJ for racial profiling and won a settlement that included him separating from state employment for 5 years. Rep Bynum expressed concern that this outcome will impact women and communities of color unfairly.

Vice Chair Olol is tracking the reduction of seniors' services due to budget cuts. He is concerned that cuts are not taking into account individual situations, such as dementia cases, where the person's condition will not improve, and service reductions are unrealistic.

VII. Administrator's Report

A. Consideration of increasing Commissioners' terms from 3 years to 4 years - most other commissions have 4 year terms; the OACs 3 year term is unusual in Oregon state government. Commissioners agreed that it takes a year to learn how the Commission works, leaving only 2 years to make lasting change. Commissioners noted that their decision to join OCBA was not based on the length of term. Discussion included whether, if commissioners request appointment for a second term, if eight years is too long. It may be that fewer commissioners would request a 2nd term because they have accomplished their goals in joining the commission in one 4 year term. Lucy will check whether the length of term is in the OCBA's statute or bylaws and report to Commissioners at their February meeting.

B. Hiring for OPA3 position at OACO - The position has been posted and many are circulating it amongst their networks. Commissioners were asked to share the position with their networks if they have not done so already. Lucy will re-circulate it on Monday.

C. OACO approved budget for 2017- 19 - Lucy reviewed with the Commissioners the October projection for the OACO budget which shows all expenditures on track, early in the biennium. Staff travel and Commissioners' travel are areas to watch, and they sustained cuts as part of the legislative budgeting process in this biennium.

VIII. For the Good of the Order:

A. Next mtg Saturday, Feb 17, 2018, Concordia University Campus, 9am-12pm

IX. Adjourn – Acting Chair Olol adjourned the meeting at 11:20am.