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U.S. COMMISSION ON CIVIL RIGHTS

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MEETING

UNEDITED

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FRIDAY, DECEMBER 2, 2016

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The Commission convened in Suite 1150 at
1331 Pennsylvania Avenue, NW, Washington, DC at 11:00
a.m., Martin R. Castro, Chairman, presiding.

PRESENT:

MARTIN R. CASTRO, Chairman
PATRICIA TIMMONS-GOODSON, Vice Chair
ROBERTA ACHTENBERG, 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

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STAFF PRESENT:

EVELYN BOHOR, RMRO
DONNA BUDNICK, Michigan SAC Chair*
MALEE CRAFT
MATTHEW DIAL
PAMELA DUNSTON, Chief, ASCD
LATRICE FOSHEE
ALFREDA GREENE
SIABHAN HAWKINS, Intern, OGC
JENNIFER HELPER, Parliamentarian
TINALOUISE MARTIN, Director, OM
DAVID MUSSATT, Director, RPCU
MICHELE RAMEY
CORRINE SANDERS, CRO
JUANDA SMITH
BRIAN WALCH
MELISSA WOJNAROSKI, MWRO

COMMISSIONER ASSISTANTS PRESENT:

SHERYL COZART
ALEC DEULL
JASON LAGRIA
CARISSA MULDER
AMY ROYCE
ALISON SOMIN
KIMBERLY TOLHURST
IRENA VIDULOVIC

* *Present via telephone*

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P R O C E E D I N G S

11:02 a.m.

CHAIR CASTRO: This meeting will come to order. I am Marty Castro, Chair of the U.S. Commission on Civil Rights. Today is December 2, 2016. I am calling this meeting to order at 11:02 a.m. Eastern Time. This meeting is taking place at the Commission's Headquarters, located at 1331 Pennsylvania Avenue Northwest in Chicago. My name is Marty Castro --

COMMISSIONER ACHTENBERG: We're not in Washington DC?

CHAIR CASTRO: -- as I mentioned earlier. I am the Chairman -- pardon me?

COMMISSIONER ACHTENBERG: You said Chicago.

CHAIR CASTRO: Did I say Chicago?

COMMISSIONER ACHTENBERG: You did.

CHAIR CASTRO: Oh, see, the fact that this is probably my last Commission meeting has already got me pining for home. I'm sorry, we're in Washington, DC, not Chicago. But should you ever want to move the Commission to Chicago, David, right, we remain open to housing it.

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A quorum of the Commissioners is present, even though my mind is not. But we have present with us, myself, Vice Chair Timmons-Goodson, Commissioners Achtenberg, Heriot, and Narasaki. On the phone participating are Commissioners Yaki and Kladney. And we understand that Commissioner Kirsanow will join us by telephone, if he's not there already. So, we do have --

COMMISSIONER KIRSANOW: I'm here.

CHAIR CASTRO: Okay. Commissioner Kirsanow joins us, so we do have a quorum present. Is the court reporter present? Yes, she waved her hand. Is the Staff Director present?

MR. MORALES: Yes.

CHAIR CASTRO: Okay. So, the meeting is now coming to order.

I. APPROVAL OF AGENDA

CHAIR CASTRO: The first item is the approval of the agenda. Is there a second?

COMMISSIONER ACHTENBERG: Second.

CHAIR CASTRO: Okay. I know that we have some amendments. So, let me actually make some motions here and get them seconded. I move to amend the agenda to add a discussion and vote on the approval of a hate

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crime statement by the Commission. Is there a second?

COMMISSIONER ACHTENBERG: Second.

CHAIR CASTRO: I also move to amend the agenda to add a discussion and vote on the 2017 concept papers. Is there a second to that?

COMMISSIONER ACHTENBERG: Second.

CHAIR CASTRO: Okay. And we'll discuss them all. And I also move to amend the agenda to add a discussion and vote on the invitation by the Standing Rock Sioux Tribe Chairman, David Archambault, to witness firsthand the situation on the ground in Cannon Ball. Is there a second?

COMMISSIONER ACHTENBERG: Second.

CHAIR CASTRO: Okay. So, with such amendments, I'm going to move to approve the agenda, unless there's any discussion. Okay. All those in favor, say aye.

(Chorus of ayes.)

CHAIR CASTRO: All those opposed? Any abstentions? So, the agenda as amended passes unanimously.

II. 2017 CONCEPT PAPERS

CHAIR CASTRO: Let us first move on to a discussion and vote on the 2017 concept papers. All

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drafts of those have been circulated to Commissioners in advance of today. We have items, topics to consider, concept papers on the following topics: Discrimination Against Asian Americans in College Admissions; the School to Prison Pipeline: the Intersection of Students of Color and Children with Disabilities; and Diversity in High Tech, which is a request from Congressman Bobby Scott.

I did say collateral -- didn't I say it? It's not on my agenda here. Collateral Consequences -- yes, I did say that. But if I didn't, Collateral Consequences. Would the Commissioners like to discuss those one by one again? I know we had a meeting a few months ago where we discussed it, but -- Commissioner Narasaki?

COMMISSIONER NARASAKI: I had discussed my concept paper on the School to Prison Pipeline, Children with Disabilities paper last time. I'm happy to entertain any questions about that. The high tech -- evaluation of diversity in the high tech industry and the Office of Federal Contract Compliance programs is new, I had noted last time that I would be presenting one.

And this is in response to the request made

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by Congressman Bobby Scott, that the Commission examine the lack of gender and racial diversity in the high tech sector and certain federal efforts, particularly that of the Office of Federal Contract Compliance and the Department of Labor, in their efforts to help promote diversity as required under Federal Contracting.

The EEOC had actually responded to an earlier request from the Congressman and recently issued a report that showed that the high tech industry is disproportionately made up of white, Asian Americans, and men. And particularly, when you look at the executive leadership, it is disproportionately white and male.

We believe that working with the industry to eliminate workplace barriers for women and minorities would be in the economic industry of both those communities, as well as for companies and the clients that they serve and the consumers that they serve. So, the concept paper basically proposes that we examine what OFCCP has done and plans to do and to look at some of the largest companies in Silicon Valley with federal contracts.

CHAIR CASTRO: Okay. Any questions for Commissioner Narasaki? Hearing none, does any other

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Commissioner want to discuss their concept papers before we vote?

COMMISSIONER ACHTENBERG: Point of clarification, Mr. Chairman, could you delineate which concept papers have already been adopted --

COMMISSIONER KLADNEY: This is Commissioner Kladney.

COMMISSIONER ACHTENBERG: -- and how many --

CHAIR CASTRO: Commissioner Kladney, Commissioner Achtenberg is speaking right now.

COMMISSIONER ACHTENBERG: I'm sorry --

COMMISSIONER KLADNEY: Oh, I can't hear her, I'm sorry.

COMMISSIONER ACHTENBERG: Could you delineate which ones have already been adopted and how many concept papers are under consideration for our vote this morning, so that we can better understand what it is --

CHAIR CASTRO: Sure.

COMMISSIONER ACHTENBERG: -- we're going to be.

CHAIR CASTRO: And somebody on staff, correct me if I'm wrong. We have determined that our

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Statutory Enforcement Report for the year, 2017 Fiscal Year, will be municipal fees. As you know, we've already conducted an initial hearing on that last year, or earlier this year, I should say, but last fiscal year.

And we have voted to make that our statutory report and also to conduct an additional hearing on that, now that it is our statutory enforcement report. So, we have that. And we also voted to conduct a hearing and issue a report on women in federal prisons.

We also determined that we wanted to put forward at least one or two additional concept papers today, in the event that, for whatever reasons, our appointing authorities do not appoint in a timely fashion and there's lack of quorum or, alternatively, to ensure that there is work in the pipeline for the Commission to do until it is fully staffed at the Commissioner level.

That we would vote on one or two more today, I think the inclination of the Commissioners I spoke with informally over the last couple weeks has been that they would like to vote on two today, so I imagine we'll have a motion either for two individuals or a joint

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motion for two concept papers, as you may deem to see fit. Have I covered the ones we voted on to examine this year? Okay.

COMMISSIONER ACHTENBERG: Thank you, Mr. Chairman.

CHAIR CASTRO: You're welcome. If no other questions or presentations -- oh, Commissioner Narasaki again. And then, Commissioner Kladney. Actually, Commissioner Kladney first, because he did want to say something and then, you, Commissioner Narasaki. Go ahead, Commissioner Kladney.

COMMISSIONER KLADNEY: I just, Mr. Chairman, I just wanted to renew my support for my concept paper on Collateral Consequences. I've spoken about it many times before, I don't think I really need to go over the reasons why. And I just ask everyone for their support for that paper. Thank you.

CHAIR CASTRO: Thank you, Commissioner. Commissioner Narasaki?

COMMISSIONER NARASAKI: Yes. And I just wanted to add my recommendation to, partly to assure staff that we are cognizant of our resources and also the uncertainty we face in terms of what our budget will be into 2017.

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And so, my recommendation is that, even though we're going to vote on two, that we identify one of them that would, at least one of them that would be subject to having sufficient resources and capacity to actually move it forward.

CHAIR CASTRO: Okay. Any other comments? If not, let me suggest -- oh, I'm sorry, Commissioner Heriot, I didn't see you there. Go ahead.

COMMISSIONER HERIOT: I just wanted us to -- I don't think we should do any of these, I think we need to get reports out and we should be choosing this later on, rather than doing it now.

CHAIR CASTRO: Thank you, Commissioner Heriot. Any other Commissioners? Then, let me say, I'll entertain a motion that we approve Collateral Consequences and the Diversity in High Tech report. Is there a motion to that effect?

COMMISSIONER NARASAKI: So moved.

CHAIR CASTRO: And then, Commissioner Achtenberg seconds it. Any discussion around that? Hearing none, I will call a roll call vote on this. Commissioner Kirsanow, how do you vote?

COMMISSIONER KIRSANOW: For the reason that was just stated by Commissioner Heriot, I will vote no.

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CHAIR CASTRO: Commissioner Heriot, how do you vote?

COMMISSIONER HERIOT: I'm going to vote no, although I think some of these topics are very good topics. I'm just not in favor of doing this at this time.

CHAIR CASTRO: Commissioner Narasaki, how do you vote?

COMMISSIONER NARASAKI: Yes, with the -- subject to what I noted earlier, that I think the diversity, high tech diversity should be subject to our having sufficient capacity to move forward.

CHAIR CASTRO: Understood. Commissioner Kladney, how do you vote?

COMMISSIONER KLADNEY: Yes.

CHAIR CASTRO: Commissioner Achtenberg, how do you vote?

COMMISSIONER ACHTENBERG: Yes.

CHAIR CASTRO: Commissioner Yaki, how do you vote?

COMMISSIONER YAKI: Aye.

CHAIR CASTRO: Madam Vice Chair, how do you vote?

VICE CHAIR TIMMONS-GOODSON: Yes.

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CHAIR CASTRO: I vote yes. It's six yeases to two noes, the motion passes. Thank you.

III. HATE CRIMES STATEMENT

CHAIR CASTRO: Next, we're going to discuss and have a vote on the hate crimes statement. You all should have seen a draft of that, I understand that there have been various edits that have been made or suggested over the course of the last few days, and so, what you have in front of you should be, as my understanding, the current version.

So, actually, let me just read it so that everyone knows we're on the same page, it's not some other version that you may have in your binder. I'm going to read you what I have in my binder. We're proposing -- I will entertain a motion that we pass the following statement of the U.S. Commission on Civil Rights.

The U.S. Commission on Civil Rights expresses deep concern about the rise in reported hate crimes cited in the FBI's November 2016 report "Hate Crimes Statistics 2015". Since last month's election, there have also been an alarming number of hate crimes and incidents reported.

The FBI's recent hate crimes report

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revealed that after years of declining hate crimes incidents, there has been 6.7 percent increase in reported hate crimes since the prior year, one of the largest one year increases since after the 9/11 attacks.

Alarming, that number includes a 67 percent increase in anti-Muslim hate crimes reported to the FBI. Anti-Muslim hate crimes were more numerous in 2015 than in any other year since September 11, 2001.

Hundreds of cases of harassment based upon immigrant status, race, ethnicity, religion, LGBTQ status, and gender have been reported since Election Day. Prejudice has reared its ugly head in public elementary and secondary schools, universities, businesses, in public on our streets, as well as on private property. Hate groups appear to be increasing their recruiting efforts.

The Commission has long been focused on hate crimes and the experience of prejudice in our communities. In recent years, we published a report, Peer-to-Peer Violence and Bullying: Examining the Federal Response, as well as Federal Civil Rights engagement with Arab and Muslim American communities post-9/11.

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Intimidation, bullying, assault, murder, destruction of property, crimes motivated by animus and bigotry due to race, ethnicity, gender, immigration status, religion, LGBTQ identity, disability status, have no place in our nation. They are insidious and cowardly attacks upon any free society and run counter to the goals of our democracy.

We call upon law enforcement officials at every level to remain vigilant, promptly and thoroughly investigate all hate crimes reports, and pursue criminal charges when appropriate. The act of collection and reporting of hate crimes data remains critical in fighting the scourge of hate crimes and our law enforcement agencies need sufficient funding to carry out their responsibilities.

The Department of Justice must also maintain sufficient staffing levels to fulfill its mission to investigate and prosecute these crimes and provide technical assistance and training to local law enforcement.

As a country, we cannot yield to bigotry or be daunted in the face of a wave of attacks. Chairman Martin R. Castro states, "Crimes motivated in whole or in part by animus, bias, or hate towards

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another should not be tolerated in our nation. Hate injures the victim, but it also injures the perpetrator and the community.

As such, these acts are not isolated individual harms, but harms to us all and we must respond to them with the force of law, but also with the strength of community and come together to find solutions to intolerance that are lasting." Do I have a motion?

COMMISSIONER NARASAKI: I move that we adopt this statement.

CHAIR CASTRO: Is there a second?

COMMISSIONER ACHTENBERG: Second.

CHAIR CASTRO: Any discussion? Any comments? Commissioner Heriot, I see your light going on.

COMMISSIONER HERIOT: Yes. Yes, I think I probably need to say something here. I mean, I agree, of course, with the sentiment that we need to condemn hate crimes, but there are a number of concerns I have here. One is that I think the uptick in reported hate crimes between 2014 and 2015 may just be ordinary statistical variation here. We've now noted in the second draft here, I think, the number --

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COMMISSIONER KLADNEY: Commissioner Heriot, what did you say, ordinary what?

COMMISSIONER HERIOT: Statistical --

COMMISSIONER KLADNEY: I didn't hear that part.

COMMISSIONER HERIOT: -- variation. The number of hate crimes a few years back was much, much higher than it is now. And I don't think that there was much in the way of argument at that point that the world was getting better, there are fewer hate crimes.

You just get variations here, in part because of greater or lesser pressure to report. So, I'm not certain that we really have a difference between 2014 and 2015. Also, the letter is written in such a way that it's easy for the reader to get mixed up here.

This is a distinction between 2014 and 2015, and yet, it brings in the recent election and I think some readers are going to read that -- they're going to understand that as, this is all happening right now. And that's not the case, that's not what these numbers say.

Whether there has been an uptick in the last month that is connected to the election, it's hard to know when we don't have real statistics there, is

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there a change or is it simply an artifact of media interest? I don't know and I'm very happy to say that, like, if somebody wants to examine that question in a systematic way, I'd be for that.

But I don't think we can take the media's word for this, we're supposed to be the ones that actually examine the facts, not the ones who simply comment on the news stories.

CHAIR CASTRO: Commissioner Narasaki?

COMMISSIONER NARASAKI: Yes. I would just like to note that the Southern Poverty Law Center has been collecting data on incidents of harassment and hate crimes for decades. And they have been tracking over the last couple of weeks reports of incidents that are being made to them and that they see.

And the last report I saw was a couple of days ago and it was over 800, which they were noting was incredibly high, in just a few weeks to have that many hate crimes reported, given the whole historical pattern that they have been tracking for decades. So, I feel comfortable with this statement and I think it is important for us to make it.

COMMISSIONER HERIOT: I have got one --

CHAIR CASTRO: Commissioner --

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COMMISSIONER HERIOT: -- more sentence here
and that is --

CHAIR CASTRO: Go ahead.

COMMISSIONER HERIOT: -- the Southern
Poverty Law Center actually has a very bad reputation
in its statistical analysis. So, that's one of the
reasons I'm not comfortable with this statement.

CHAIR CASTRO: Commissioner Kladney, I
think you were about to say something? Unless I
misheard.

COMMISSIONER KIRSANOW: This is Kirsanow.

CHAIR CASTRO: Oh, I'm sorry, Kirsanow.

COMMISSIONER KIRSANOW: Yes, thank you, Mr.
Chair. I agree with much of what Commissioner Heriot
has to say. I could concur with 90 percent of this
letter. I think we should, when possible, avoid using
statistics that are not official statistics. If we
could limit ourselves to the FBI's statistics, I would
be happy to do so.

I took a look at some of the alleged hate
crimes that have been reported to the Southern Poverty
Law Center and a large number of them actually turned
out to be false and were proven false within a day of
the report. And some of them, many of them, were proven

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to be hoaxes. Now, I suspect that most of them were not hoaxes or false, but I prefer to use official data.

In addition to that, I think that Commissioner Heriot is correct that some of this could be statistical background noise, when we have actually a lower number of hate crimes than in many of the preceding years.

Taking a look at the spike in overall crime, let alone hate crimes, is not that much different from the increase in reported hate crimes. We've got a spike this year of about four percent. And to single out certain groups, again, I'm not doubting that there may be an increase in hate crimes directed at Muslims, but the increase in hate crimes against Jews is nearly as significant and, overall, three times as large.

So, I don't know that it makes sense to single out any particular ethnicity, religion, or race when there seems to be no peculiar increase among any of those discrete groups. And also, because as I indicated before, this seems to be commiserate with an uptick in crimes.

The one difference is there's an extraordinary uptick in the number of hate crimes, if you call it that and I would call it that, against law

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enforcement officers, which has increased 67 percent. In our review of the data, that's far greater than any discrete protected class. So, if we could simply confine ourselves to FBI crime statistics, I would be more comfortable doing that.

CHAIR CASTRO: This is the Chairman. I appreciate what you're saying, because I expected that's what you and Commissioner Heriot were going to say, since we have been discussing something like this since the last meeting, but I think anyone who does not acknowledge, particularly in the last 30 days, that there has been a rise in hate conduct, it doesn't have to be a hate crime, it's bias and bullying and intimidation and harassment, revolving around all of these protected classes, are closing their eyes to reality.

And I don't say this by having read a hate crimes report from 2014 and 2015, I haven't even read the Southern Poverty Law Center's report. I've talked to mothers whose children are being bullied in schools because those children are immigrant children.

I've talked to friends whose sisters and brothers are being harassed and intimidated when trying to park a car and told to go home and we're going to

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build a wall and get out of here you dirty Mexican. I've heard of -- I've seen firsthand the impact that that has on people.

And I've seen from reliable media sources in my hometown of Chicago where a group of African Americans beat up a white person claiming he voted for Trump because of a traffic incident. And that's wrong too. So, it is clear for those who wish to see it that the reality in this country right now is that we are living in a state of, unfortunate, greater increase in animus and bias.

It is our hope that that goes away and we have to be part of that solution, but for us not to acknowledge it and say that it is some kind of statistical background noise, I'm sorry, that's wrong. Commissioner Narasaki?

COMMISSIONER YAKI: This is Commissioner Yaki.

CHAIR CASTRO: Commissioner Narasaki, and then, was that you, Kirsanow?

COMMISSIONER YAKI: It's Commissioner Yaki.

CHAIR CASTRO: Okay. Narasaki, Yaki, Kirsanow.

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COMMISSIONER NARASAKI: So, I just wanted to add two points. It's not just the FBI report, but also the LA Commission on Human Rights had similarly reported a significant increase in hate crimes that they were tracking for their region.

And the second thing is, I began my career focusing on anti-Asian violence and actually we reported on anti-Asian violence for a decade. And I can tell you that the experience is actually that reports are, hate crimes are largely unreported, under-reported, and I suspect that the FBI numbers only scratch the surface.

And that's for a couple of reasons. One, because victims don't know that they should report it, particularly those who are immigrants or people who speak other languages. And the second is because many police departments either don't have -- haven't made it priority either because they don't have sufficient funding or it is not important to them.

And if you look at the FBI reports, many police departments don't report at all, and particularly from places where you would expect to see at least a few hate crimes. So, I suspect that, in fact, this data is under-reported and, again, I feel

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very confident about the statement.

CHAIR CASTRO: Commissioner Yaki, then Commissioner Kirsanow.

COMMISSIONER YAKI: Well, I mean, I just think that it would defy common sense to try and separate it out from recent events. And I would just point to the letters that were sent to at least ten mosques across this country, including one in my father-in-law's hometown of Harrisburg, Pennsylvania, which is where, unfortunately, I'm laid up with the flu right now.

But even here in Pennsylvania, and god knows where they, how they figured out who they were going to send it to, these letters and I don't know how many of you have seen or read them, but it's all over the news here and I've seen the letter 15 times at least.

And it directly ties the recent election to threats of genocide against Muslim Americans, saying that the President, I'm sure the President, and I know the President disavows this, but this person writes saying that he's going to do to you, Muslims, what Hitler did to the Jews.

I mean, this is out there, it is unmistakable, it is something that all Americans of

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good countenance need to unite against. We need to draw attention to this, we can't bury it or sweep it under the rug.

The President made statements last night, President-Elect made statements about this last night in Ohio, and I think more statements need to be made in light of these letters and these statistics that continue to be reported on an almost daily basis. So, I think it defies common sense to think that we shouldn't do this letter and that there isn't a correlation.

CHAIR CASTRO: Commission Kirsanow, and then Commissioner Heriot.

COMMISSIONER KIRSANOW: Yes. I, again, am not unsympathetic to the possibility that there is an increase in hate crimes. I see the anecdotal evidence on television, but that's simply it. I generally don't try to come to conclusions based on what I see on TV.

And we have a proliferation of social media these days, that we're all aware of, that heightens, exacerbates, in many cases twists the actual facts. So, I'm usually -- I try to be a little bit more reticent in jumping to -- I'm not suggesting anyone here is jumping to conclusions, but simply because there are

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things being reported in the hot house atmosphere of a very heated election campaign, does not necessarily mean that there has been a true increase.

And I'll point back to 2001, when we, and I was the only one on the Commission at that time, as a current member of the Commission on the Commission at that time, we had a spike in reported hate crimes that then, on reflection, turned out to be not as great as we thought it was. These things kind of work themselves out.

So, I have no problems with issuing a letter, I just think it's more prudent to rely -- to take a breath, wait to see how the data shakes out, rely on official data as opposed to data from any other source, and I think we will have served our purpose there.

Again, if you take a look at the data that we look at, there's an increase in crime across the board, whether it's hate crime or any other kind of crime, especially violent crimes. The number of hate crimes against Jews last year was 664 incidents, whereas the preceding year, it was 609. The number of incidents against Muslims last year was 257 and the preceding year, it was 214.

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So, there has been an increase, but it seems to be there's an increase that is across the board and I don't have any problems condemning the increase that was reported in the FBI statistics I've just cited, but I think it's more prudent to rely on data that's been verified as opposed to data based on newspaper reports in a hot house atmosphere.

CHAIR CASTRO: Commissioner Heriot, then the Vice Chair, and then, unless any other Commissioner who has not yet spoken has something to say, I'm going to call the question. Commissioner Heriot, then the Vice Chair.

COMMISSIONER HERIOT: Okay. I just wanted to say that I'm very happy to study the issue of whether or not there has been an uptick in hate crimes over the last month, that is, since the election. I am, of course, happy to condemn any incident of hate crime, specific incidents or just hate crimes in general.

What I'm not happy to do is endorse statistics that have been gathered on the fly by an advocacy organization over the last couple of weeks. I think that's very much the role of the Commission on Civil Rights to get numbers like this right and not to depend upon advocacy organizations or the media to feed

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us those numbers.

So, that's my problem here. If we want to pare it down to where we're not doing that, I'm happy to vote for it. But I'm sensing that the group doesn't want to do that.

CHAIR CASTRO: Madam Vice Chair?

VICE CHAIR TIMMONS-GOODSON: Yes. I support the letter and if nothing else, I believe that it will do, as what has been done here this morning, engendered further discussion. Perhaps it will prompt some folks to investigate it and we'll see what's there. And it would not surprise me that what we will see is exactly what we've detailed in the letter.

CHAIR CASTRO: Unless Commissioners Kladney and Achtenberg have something to add, we're going to vote on this. So, hearing nothing, I will then take a roll call vote. Commissioner Kirsanow, how do you vote?

COMMISSIONER KIRSANOW: Well, for the concerns that I mentioned, I vote no.

CHAIR CASTRO: Commissioner Heriot, how do you vote?

COMMISSIONER HERIOT: Alas, I'm going to have to vote no on this.

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CHAIR CASTRO: Commissioner Narasaki, how do you vote?

COMMISSIONER NARASAKI: I vote yes.

CHAIR CASTRO: Commissioner Kladney, how do you vote?

COMMISSIONER KLADNEY: Yes.

CHAIR CASTRO: Commissioner Achtenberg, how do you vote?

COMMISSIONER ACHTENBERG: Yes.

CHAIR CASTRO: Commissioner Yaki, how do you vote?

COMMISSIONER YAKI: Aye.

CHAIR CASTRO: Madam Vice Chair, how do you vote?

VICE CHAIR TIMMONS-GOODSON: Yes.

CHAIR CASTRO: And I vote yes. That's six yeases to two noes, the motion passes. I will direct our staff to issue that statement publicly as soon as possible. Thank you.

IV. STANDING ROCK INVITATION TO SEND A DELEGATION

CHAIR CASTRO: Next, we will discuss and vote on the issue that's come before us on Standing Rock. Let me give you a little bit of background and then, I will also ask our General Counsel to fill you

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in on some of the happenings of the last couple of days.

In keeping with the work that we've been doing on updating the Quiet Crisis: Unmet Needs in Indian Country, we have, myself and some other Commissioners have had the opportunity to engage with Native American leadership since the hearing we held on this topic, including the opportunity that I've had to, along with some of our Commissioners, to visit the Quinault Reservation in Washington State, visiting with some tribes, the Arapaho and the Eastern Shoshone in Wyoming.

And recently, maybe about two months ago, I was invited to participate in a meeting of the National Council of American Indians as they prepared for their annual White House briefing, to bring them up to speed on where we were with our project.

And at that meeting, the Standing Rock Sioux Chairman, Chairman David Archambault II, asked me if I would come down to see what was going on at Standing Rock, and I indicated to him that if they wanted us to come visit, they should send us a formal invitation, but certainly, it was in keeping with the work that we're doing on the Quiet Crisis.

Last week, when we issued the statement on

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the Dakota Access Pipeline, I shared that with Chairman Archambault and I have a number of friends who are out in Standing Rock and began to receive inquiries about coming out, having myself or a delegation of the Commission come out.

So, I asked them numerous times to send us a formal request to do that and we received that a day and a half ago. In addition, we've also received requests for participating in some form of a delegation coming to Standing Rock from the Office of Tribal Justice, at the Department of Justice, as well as Senator Sanders' Office.

Our General Counsel, Maureen Rudolph, has been dealing with those two arms of communication, as well as now the formal communication we received from Standing Rock. And, if you've been watching in the news, you've seen that there's been an increase in tensions, and I'm putting that mildly, in what's going on at Standing Rock.

We've seen the militarization of the police, we've seen people who are peacefully protesting being hit by water cannons in freezing temperatures, we've seen tear gas being used, we have seen now threats and actual violence that is occurring. So, folks want

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us to come down and look at what's happening on the ground.

And so, with that said, I want to bring the formal invitation, I think -- was it handed to everybody? -- to the Commissioners and request that we send the delegation to Standing Rock. And I want to bring our General Counsel here to answer any questions.

Now, just given the timing of the terms of a couple of us expiring, I've suggested that perhaps if we do send a delegation that it be, even though I've been invited, I would suggest our Vice Chair lead such delegation. But I want to have a conversation about it and I really do want to encourage us to do this.

This is, for the Native American community, this is the seminal civil rights and human rights and tribal rights issue of the 21st Century. And I can't imagine that we're involved in updating a report, which we're hoping to have done this fiscal year, and not engage in this process and not be there doing what we're supposed to do as a Civil Rights Commission, shining our light on issues of civil rights and civil justice issues in this country, particularly for the first Americans of this nation.

So, with that, I want to open it up for

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discussion and, again, Maureen is here to answer any specific questions about her communications with the various other entities and what something like this might look like. And of course, obviously, budgetary concerns, so our Staff Director can give us some outlines there. But with that table laid, I'd like to have a conversation.

VICE CHAIR TIMMONS-GOODSON: Will we perhaps hear from -- may we hear from our General Counsel providing additional information before we go any further?

CHAIR CASTRO: Sure. Madam General Counsel, would you like to tell us about your communications and where we are at this point and the situation on the ground that we're aware of?

MS. RUDOLPH: Yes. So, as the Chair has said, we've received some various different inquiries asking whether the Commission would be interested in assigning a delegation to observe what's going on in Cannon Ball, North Dakota and the situation that's going on there.

I had some preliminary conversations with those various entities to get some information to share with you all so that you guys can make a bit of a more

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informed decision about sort of what others may see the Commission's role being and how we could be helpful to what's going on out there.

So, based on those conversations, there was a unanimous view, frankly, that, and I believe that a visit by the Commission to Cannon Ball, North Dakota and to Standing Rock would be helpful. I think that the motivation and the intent behind that was coming from a place of wanting to have, frankly, some independent observers on the ground.

There are a lot of various different narratives that have been coming from the area as to what is occurring. And so, we were looked to as somebody who could provide potentially some firsthand account and some firsthand accounts that are a bit more independent, that was the wording that was used with regard to the individuals that I spoke with.

We've also been told that, if there is a decision to go, that there will be -- background will be provided to us from these various groups to help prepare everyone with what they know to be going on. And so, we would have that information available.

In terms of timing, there's quite a bit that's going on sort of, frankly, every day, is what

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I've been told. There's an expectation that there will be potentially thousands of veterans arriving this particular weekend.

There have been some decrees that have been made by the Governor of North Dakota about the conditions in the camp, some other discussions by the Sheriff of Morton County, and also the Corps of Engineers has sort of issued sort of some very timely discussions about how long they want, frankly, people in the camps that are out there right now.

And so, those things are sort of coming to a head this weekend and there's a deadline that's been set for Monday with regard to when the Corps has asked people to sort of leave the camp. So, those are sort of some very coming up quickly kind of dates just in terms of the timing that's going on.

And that's pretty much the, sort of, what I've learned in a nutshell. I'm happy to, of course, answer any questions, I don't want to get in the way of the discussion that you all need to have.

CHAIR CASTRO: Thank you. Thank you, Madam General Counsel. Madam Vice Chair?

VICE CHAIR TIMMONS-GOODSON: That's a lot.

CHAIR CASTRO: Yes.

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VICE CHAIR TIMMONS-GOODSON: A lot of information. If there --

COMMISSIONER KLADNEY: Could you speak up, please?

VICE CHAIR TIMMONS-GOODSON: Yes. If there is a decision to go, would this be a coordinated effort? In other words, others leaving with the Commissioners or our Commission delegation, who would organize it?

MS. RUDOLPH: That's a very good question. I think that we would organize it. I think it would behoove us to coordinate with -- we need to do a coordination effort and make sure that, for example, the Governor and the Sheriff's Office is aware that we're coming.

Obviously, we would obviously coordinate with the Tribes as well, of course, it's their invitation. We would also, I think, want to coordinate with various folks at the Department of Justice.

The Community Relations Service, for example, has had some folks on the ground, I think they can provide us some helpful background about what their efforts have been. And also, the Office of Tribal Justice has offered to provide us some assistance if

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we would like it.

I think that's a discussion that you guys need to have, but I think that there is that opportunity to have -- to go with some people who've been on this and involved in this matter from the beginning.

CHAIR CASTRO: Mr. Staff Director?

MR. MORALES: Yes, sir. We -- given the urgency of this and the quick turnaround and potentially going either this Saturday, Monday, or Tuesday, as soon as those days, I believe is what we've been asked, our view is, it's going to cost us anywhere between \$1,000 to \$1,300 per Commissioner to go.

So, we would -- I would remind folks, we're under a continuing resolution and our -- what the budget's going to look like after that remains to be seen. But we do have some money. I wouldn't say we could take the entire delegation, but a sub-part of key individuals who would be available to go out on Monday or Tuesday would probably be the best option.

CHAIR CASTRO: Well, timing obviously is going to be important here. From what we hear and I know from the folks on the ground that have been reaching out to me, in fact, as most recently as of this morning, they'd like us out there tomorrow. Actually,

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they'd like us out there yesterday.

So, clearly, the sooner, if we do this, the sooner the better. As I've indicated, this is something I would very much like to be a part of, however, my term expires on Monday. The White House will meet and be making appointments, we don't know if they'll be reappointments or new appointments.

So, as far as I have to operate under, I operate under the assumption that myself and possibly Commissioner Achtenberg, our terms expire on Monday. So, if it was something that would be Sunday, Monday, I know I would like to accompany.

But I think in either event, the Vice Chair needs to be there, because she will be, in my absence or the absence of an appointed Chairperson, she will be the acting Chairperson who will need to lead this on until reappointments are made or appointments are made.

So, I think it's important that she be part of the delegation and lead that delegation. So, timing is contingent, I think, a lot on your schedule, Madam Vice Chair.

VICE CHAIR TIMMONS-GOODSON: Yes. I am willing to go and can go as early as Monday. I do

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believe that it would be important for it to be a bipartisan effort. This is the kind of work that the Commission should be about. And would ask Commissioner Heriot and Commissioner Kirsanow about their schedules and willingness to go.

COMMISSIONER HERIOT: I agree with the Vice Chair, that this is something the Commission should be doing. That this is the kind of stuff that I think we would be good at. I also agree with the Vice Chair that it should be bipartisan.

And I had told Ms. Somin that I thought maybe I could do this and then, like, I've got demands as a law professor that I didn't think I was going to have on Monday and on Tuesday. And I don't know if I can do this. Can we, like, take a break for a few minutes?

CHAIR CASTRO: Sure.

COMMISSIONER HERIOT: I would like to talk to Ms. Somin --

CHAIR CASTRO: Okay.

COMMISSIONER HERIOT: -- and Ms. Mulder.

CHAIR CASTRO: Can we take a ten minute recess, does that work for folks?

COMMISSIONER HERIOT: Five minutes, it

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shouldn't take me --

CHAIR CASTRO: Yes? Okay. Five minutes, okay.

COMMISSIONER HERIOT: -- five minutes.

CHAIR CASTRO: Five minute recess. It is 11:44, so five minutes, we'll come back at 11:50, I'll give you six minutes, how's that?

(Whereupon, the above-referenced matter went off the record at 11:44 a.m. and resumed at 11:49 a.m.)

CHAIR CASTRO: All right. Back on the record. We've had some logistical conversations among Commissioners and staff. And we agree, it needs to be bipartisan, so let me just kind of walk through some of what we would like to do and then entertain a motion.

As we indicated, myself and Commissioner Achtenberg, our term expires Monday, December 5 at midnight. That is that midnight, that night. So, we would -- West Coast time.

(Laughter.)

CHAIR CASTRO: That's our story, we're sticking to it. And we would very much like to be part of that delegation. So, we're amenable and available to leave Sunday. Again, there is an urgency to this.

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We also understand the Vice Chair, who would be ultimately leading the delegation because she will become acting Chair shortly after Monday at midnight, and obviously, this is something that we're going to continue to pursue beyond Monday, so we would -- those of us who could arrive on Sunday, would arrive Sunday. Those who could arrive Monday, would do so.

We understand Commissioner Heriot would like to participate, but she may not be able to participate until later. So, to the extent that either her or Commissioner Kirsanow's Special Assistants would like to attend representing their caucus, we would welcome that.

The details of which we'll work out over the next few hours, 24 hours, whatever it may be, as this is moving quickly, but the intention here is to have a bipartisan representation, whether of Commissioners and/or Special Assistants, and to do it so that there is continuity of leadership, even though Monday there will be some of us who may or may not be back.

And so, that we would make -- I would entertain a motion that we would send a delegation of the U.S. Commission on Civil Rights to Cannon Ball to

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investigate this as soon as possible, under the terms that I just outlined here in terms of bipartisanship and participation of staff and Commissioners. Anything the Vice Chair would like to add?

VICE CHAIR TIMMONS-GOODSON: I think I want to ask a point of clarification, Mr. Chair. I believe that the request that was made to us was that we come out and observe.

CHAIR CASTRO: Correct.

VICE CHAIR TIMMONS-GOODSON: I think there's a difference in investigating and --

CHAIR CASTRO: Did I say investigating?

VICE CHAIR TIMMONS-GOODSON: -- observing.

CHAIR CASTRO: Okay, observe.

VICE CHAIR TIMMONS-GOODSON: And I don't know to what extent this delegation would be in a position to investigate anything, given all of the action of the various parties on the ground. So --

CHAIR CASTRO: So, we'll say observe, we'll make that very clear. And also, directing our staff to coordinate our efforts with those of the Office of Tribal Justice and other interested stakeholders who have contacted us to come out and be observers. So, that's the --

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COMMISSIONER YAKI: Are we also going to meet with governmental entities as well?

CHAIR CASTRO: Yes. The plan is to go out there and talk to and meet with all players.

COMMISSIONER NARASAKI: So, Gail moved and I second.

CHAIR CASTRO: Okay. Any additional discussion? If not, let me take a roll call vote. Commissioner Kirsanow, how do you vote?

COMMISSIONER KIRSANOW: Yes.

CHAIR CASTRO: Commissioner Heriot, how do you vote?

COMMISSIONER HERIOT: Yes.

CHAIR CASTRO: Commissioner Narasaki, how do you vote?

COMMISSIONER NARASAKI: Yes.

CHAIR CASTRO: Commissioner Kladney, how do you vote?

COMMISSIONER KLADNEY: Yes.

CHAIR CASTRO: Commissioner Achtenberg, how do you vote?

COMMISSIONER ACHTENBERG: Yes.

CHAIR CASTRO: Commissioner Yaki, how do you vote?

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COMMISSIONER YAKI: Aye.

CHAIR CASTRO: Madam Vice Chair, how do you vote?

VICE CHAIR TIMMONS-GOODSON: Yes.

CHAIR CASTRO: And I vote yes. It is unanimous, the motion passes. Thank you very much. This is important. I really appreciate the way we've handled this, so, thanks. We'll be seeing each other very shortly then.

V. BUSINESS MEETING

A. PROGRAM PLANNING

UPDATE ON STATUS OF 60TH ANNIVERSARY PLANS

CHAIR CASTRO: Next, we move on to the status of our 60th Anniversary plan for this coming year. As you know, we've received periodic status reports from Brian Walch, who is going to now present us with a current update on where we are in planning our anniversary festivities.

MR. WALCH: Thank you, Chairman --

CHAIR CASTRO: You're welcome.

MR. WALCH: -- Commissioners, Staff Director. Just a couple of things real quick in the interest of time. Our internal planning group is moving ahead apace with planning.

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Date, probably make a formal recommendation to you all next month. Really, it's between September and October, as dates. One of the issues that comes into play is staff resources. As you know, the Act was signed September 7, so it would either be September or October, and we'll make a more formal proposal --

CHAIR CASTRO: Okay.

MR. WALCH: -- next month. Location, there's still a little bit of discussion about location, whether it be at the Commission or another site. I believe, and the Staff Director will agree, that the resources of the Commission come into play.

Then, a couple of things we've discussed as a group, the planning group, as possibilities, and again, just real briefly, obviously we think we should select keynote speaker and have some kind of a panel after a keynote, which would involve the speaker and other players, Commissioners as well as external stakeholders. Perhaps create a welcome video, a short video that has messages as well as a real brief overview of some of the Commission's history.

Another option that's been considered is to at least consider on your part a first Civil Rights

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Award, which could be, obviously, to someone that's of statute in the civil rights community, obviously that's something you all have to decide upon.

And then, one other suggestion that I think as a group we think is really a strong pitch to bring in more attention, more media and so forth, is to try to have some kind of a session that reaches out to the new generation or the newer generations, Millennials. I think that bringing them into the picture more of civil rights activity is very important.

One thing we've discussed, for example, would be to have a session or two sessions that would involve civics class or classes from D.C. and maybe Maryland and Virginia. Middle school civics might be a good idea, because that's where they really get into a discussion starting on civil rights.

I think the good thing about some kind of a session like that is it tells a story, probably brings in a lot more media possibility. Also, maybe a law school class, UDC comes to mind because of their public interest focus, perhaps as another session.

And just one other thing, going back to the civics, I know, for example, that the Teacher of the Year in Virginia this year or past year is a middle

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school civics teacher. And I think someone like that that could be involved with a class would be a very -- not only important for substance, but also for a little more pull in of the stature and the dynamic of what we're trying to do and what we're trying to do going forward.

And probably also, one last thing, is a save the date message, which goes without saying, we'd send that out to a lot of our stakeholders. That would probably, I think, go out in January. So, if there's any questions, glad to entertain them.

CHAIR CASTRO: Yes. Those are great ideas, thank you. And for me, the thing that jumped out was this idea of an award, that sounds great. Do we need to do anything? Are there things we're going to at some point either vote on in order to authorize or do you need anything from us at this point?

MR. WALCH: I think, at this point, we're not there yet.

CHAIR CASTRO: Okay.

MR. WALCH: But I just wanted to have it out there for discussion and --

CHAIR CASTRO: All right.

MR. WALCH: -- we do have, in our internal planning team of staff, we have a representation, I

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would say, of all parties, individuals, that wanted to be in on it, staff as well as Special Assistants. So, I think we, at that level, will have more of a discussion on that and then, I believe, staff and/or Special Assistants would probably propose a little more on that subject maybe next month or shortly thereafter.

CHAIR CASTRO: Right. Well, thank all the staff members who are participating, these are great ideas. Anybody have any questions or comments? Commissioner Heriot, I see your --

COMMISSIONER KLADNEY: So, we'll have a proposal in writing before we vote on this?

CHAIR CASTRO: Yes. Commissioner Achtenberg? And then, Commissioner --

COMMISSIONER ACHTENBERG: Commissioner Heriot and I were very, very actively involved in a program we undertook at the Lincoln Cottage to commemorate the adoption of the Emancipation Proclamation and attempted, albeit in vain, to put together a bipartisan panel of former presidents to discuss the impact and were sort of strung along for a while, each of us, very evenhandedly, on both sides of the aisle, and were never able in the end to make anything come to pass.

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The only thing I would -- I thought all the ideas that you expressed sound marvelous and I would urge the Commission not to depend on any particular named participant, because in the end, their schedules might coincide with ours, but I wouldn't build anything around them, because that will not come to pass, or may not come to pass.

CHAIR CASTRO: Commissioner Kladney, could you mute your phone when you're not speaking on the record? Commissioner Heriot and then, Narasaki.

COMMISSIONER HERIOT: I just want to agree with everything that Commissioner Achtenberg just said. And also, that is including the part that, what you're saying sounds good to me.

CHAIR CASTRO: Commissioner Narasaki?

COMMISSIONER NARASAKI: I know we have budget constraints, but having just gone to the National Museum on African American History and Culture, it struck some of us that that would, if we could afford it, be a great site to consider having some event there, particularly since they have that large auditorium. But, again, I know we might not be able to afford it on our budget.

The second thing is, in previous meetings,

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we have talked about, I think, Commissioner Heriot and I have talked about that it might be interesting to have a discussion about what is the vision now for civil rights and have a diverse array of viewpoints.

So, I hope that you will consider that, rather than have one single keynote, because I think that's hard, because if you have only one keynote, then you're going to have one perspective. But, anyways, so I invite you to -- the team to think about that.

CHAIR CASTRO: Mr. Staff Director, were you going to say something? No? Any Commissioner want to -- oh, Commissioner Heriot, go ahead.

COMMISSIONER HERIOT: I was just thinking that the Civil Rights Division was created at the same time that the Commission was created and we might want to coordinate with them on how to celebrate this. Because the 1957 Act was, of course, the first item of legislation along these lines, during that year. It was very, very important as a building block of creating institutions and the Civil Rights Division is a very important institution as well.

CHAIR CASTRO: Anybody else? Okay. Thank you. Appreciate it.

B. STATE ADVISORY COMMITTEES (SACS)

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**PRESENTATION BY THE CHAIR OF THE MICHIGAN ADVISORY
COMMITTEE ON THE COMMITTEE'S REPORT ON CIVIL FORFEITURE
IN MICHIGAN**

CHAIR CASTRO: Next, we move on to the advisory committee portion of our agenda. And we are very fortunate that this month, our microphones seem to be working. So, we're happy to have back the Chair of the Michigan Advisory Committee, Donna Budnick, who is going to report to us on the Committee's report on civil forfeiture in Michigan.

And, again, we want to thank you for your indulgence of us and apologize for any inconvenience in having to come back again, but we wanted to hear what you had to say and we were just having a little bit of technical difficulties last month. So, Madam Chair, the floor is yours.

MS. BUDNICK: Thank you.

CHAIR CASTRO: You're welcome.

MS. BUDNICK: As you mentioned, my name is Donna Budnick. I'm a tribal citizen with the Little Traverse Bay Bands of Odawa Indians in Harbor Springs, Northern Michigan.

First of all, before I talk about this report, I want to say thank you to David Mussatt,

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Melissa Wojnaroski, and Carolyn Allen of the Central Regional Office, as well as my fellow Committee members, for making this report possible, and as well as the members of the public and the experts who participated in our two hearings. We had two hearings, one by video and the other was held in Lansing, Michigan.

First of all, I want to explain to you that prior to the Committee taking up the issue of civil forfeiture in Michigan, I was not very familiar with the background and the implications of civil forfeiture.

I had heard, like most people, of the raids that took place at the Contemporary Art Institute, where Detroit law enforcement became aware that the facility had been serving liquor to guests without a proper liquor license. As a result, the police seized more than 100 cars of the guests that were in attendance. The guests were told that they could either pay \$900 fee for the return of their vehicles or challenge the forfeiture in court.

What we did not know was what was the impact this was having on African Americans, Latinos, and other racial and ethnic minorities in Michigan. After

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a little bit of research, we found that the Institute of Justice's 2015 Assessment of State Forfeiture Laws, that Michigan earned a D minus grade and was placed 44th in the nationwide ranking.

And according to a joint report coauthored and published by the Mackinac Center for Public Policy and the American Civil Liberties Union of Michigan, Michigan civil forfeiture laws, which enable law enforcement agencies to seize assets from people who will never be convicted of a crime and, in many cases, never even charged with a crime, were among the worst rated in the nation and that they should be changed.

As we were going through and looking at this issue, the Committee wanted to know if the reform laws that were passed in October of 2015 by Michigan State Legislature went far enough to ensure that the laws would not produce a disparate impact on the basis of race or color. What they did is they raised the burden of proof from preponderance of the evidence to clear and convincing evidence. We wanted to know if this would fix the problem here in Michigan.

Given the disproportionately high rate of contact with law enforcement by communities in color in general and the limited due process rights afforded

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to those subject to forfeiture under the current practices, and also the financial incentive facing law enforcement, about \$19 million a year, we felt we needed to shine a light on this practice.

As you can see from our report, Michigan's civil forfeiture laws allow police agencies and sheriffs to keep 100 percent of the proceeds from the items their officers seize. This was a concern to the Committee. Also, the lack of legal representation and the obstacles to challenge a forfeiture action were so high that many people just walked away from their property.

When given the disproportionately high rate of contact with law enforcement in communities of color in general and the devastating chain impact that can result from low value forfeitures, such as a car for someone with limited resources, it can often lead to a loss of job and, consequently, the loss of a home.

I wanted to share one more point from the report, and that was in 2014, the Federal Reserve System Report on Economic Well-Being in the United States Household found that 47 percent of the surveyed respondents said they could either not cover an emergency expense costing \$400 or would cover it by

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selling something or borrowing money.

These percentages were sharply divided among racial lines, with 38 percent of white respondents making less than \$40,000 a year stating they could not cover such expense, compared to 18 percent of the non-Hispanic black respondents.

So, even if law enforcement is seizing small amounts of cash or low valued items, it could potentially have a devastating impact on Michigan citizens with limited resources. Dan Korobkin, one of the expert witnesses, added, people living in low income communities of color are less likely able to take time off work, to go without a car, to navigate a complex legal system.

Finally, the Committee recognized the importance of civil forfeiture in some cases as a tool for law enforcement to detour or de incentivize crime. The testimony gathered indicated that further studies and perhaps additional reforms are necessary to ensure this does not need to impinge on constitutionally guaranteed civil protections, such as the right to due process and equal protection law.

As part of the report, the Committee made recommendations and is requesting you, the U.S. Civil

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Rights Commission, to issue a formal request to the U.S. Department of Justice, to the Michigan Governor, and to the Michigan Legislature urging them to require consistent complete reporting of civil forfeiture data by state and local law enforcement and, where possible, such data should include the number and the value of the individual property seized, the demographics of the property owner, and such data should be publicly available and it should identify the individual seizure level.

And also require the property owner to be afforded the right to a court appointed counsel in civil forfeiture cases, where basic needs are at risk, such as shelter, sustenance, safety, health, and child custody. Require that all law enforcement agencies return forfeiture proceedings to a state general fund.

Require that an independent appraiser value seized property, rather than the law enforcement directly. Eliminate the requirements of property owners to post a bond prior to contesting the seizure of their property.

Institute a minimal net equitable value for property seizures at the state level, according to current federal guidelines as set by the U.S.

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Attorney's Manual. And require fee shifting provisions to allow claimants, the property owners, in civil forfeiture cases to recover reasonable legal costs if the courts rule in their favor.

And, lastly on that, commission a study regarding the impact on criminal activity and law enforcement financing in states that have eliminated civil asset forfeiture, utilizing only criminal forfeiture. Such a study should include a consideration of exceptions for certain cases that cannot be prosecuted criminally, such as when the defendant has fled the jurisdiction.

In addition, we would ask that the Commission urge the U.S. Department of Justice to prohibit the use of equitable sharing with state and local jurisdictions that do not comply with minimal federal guidance regarding reporting and due process protections.

And, finally, we ask the Commission if you would recommend to the Governor in the State of Michigan two points. One, institute increased mandatory training for all law enforcement agencies utilizing civil asset forfeiture to ensure that there is consistent application across the jurisdiction and

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within and across departments. Such training should involve command staff and supervisors, as well as street and patrol officers.

And secondarily, prohibit state and local law enforcement agencies that do not comply with minimal state standards from participating in equitable sharing of asset forfeitures with federal law enforcement. I would like to thank you for your time and I respectfully present this report.

CHAIR CASTRO: Thank you, Madam Chair. That's an excellent report and it's one of those topics that we often don't think about in the sphere of civil rights, just like the municipal fees issue that we're looking here at the national level, this has very similar implications. So, we are very pleased that Michigan has taken this on and helped shine a light on the issue.

I'll open the floor to my fellow Commissioners in the event that they have any specific questions. And I know, obviously, you got a request of us in terms of sharing this data and information with others, which we'll want to explore taking that up. So, any questions from among the Commissioners? Hearing none -- Commissioner Narasaki?

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COMMISSIONER NARASAKI: I just wanted to really thank the Michigan State Advisory Committee for, as the Chairman said, an excellent report on an issue, and note that my personal perspective is, it's of course bad that there's a disparate impact on low income minorities, but I think that this is an issue that impacts all low income people and whether there was a disproportionate impact or not, I think an appropriate issue for us to be looking at and thinking about what kinds of recommendations we want to, based on this report, send to the Department of Justice.

CHAIR CASTRO: Any other Commissioners --

COMMISSIONER KLADNEY: Mr. Chairman?

CHAIR CASTRO: Yes, Commissioner Kladney?

COMMISSIONER KLADNEY: I would also add my thanks to the Michigan State Advisory Board. This is a subject that actually affects people of -- all Americans. We had an incident in Nevada where a lawyer brought a class action against the Sheriff's Office in Winnemucca, who, on Interstate 80, had a, like, for lack of a better term, a stop and search zone and if they would find people with quantities of money, \$5,000, \$10,000, or whatever, they would just seize the money.

And as stated, you can't afford to defend

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a case like that, especially when it's the jurisdiction that's the middle of Nevada and you're traveling through. But the idea is, is that there's all -- as most of these started out as deodands when the old whaling ships and pirates were on the seas, but it came to fruition during the drug wars.

And now, all these forfeitures are done for any type of crime, white collar, high dollar crime, whatever, and many people of poverty. So, I think that this is an excellent report and I think that we should try and follow through on what the State Advisory Commission has asked us to do. Thank you very much.

CHAIR CASTRO: Thank you, Commissioner Kladney. Any other Commissioners? Hearing none, Madam Chair, we will review, in light of your presentation today, your requests that we follow up and I'm sure that the Commission will, in the next meetings or so, follow up with you on anything that we may determine that we'll be doing relative to the DOJ and Michigan leadership, as you've suggested you'd like us to do.

Thank you very much for, not only participating today, but more importantly, for your leadership and volunteerism on the State Advisory

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Committee. We could not do what we do at the Civil Rights Commission without the volunteer work of the SACs and the members of the SACs are really the heart and soul of what we do outside of Washington, D.C. and really inform what we do here in Washington. So, thank you for your service.

MS. BUDNICK: Thank you and you're welcome.

**PRESENTATION BY REGIONAL PROGRAM UNIT COORDINATOR
DAVID MUSSATT ON STATUS OF REGIONAL PROGRAM OFFICES**

CHAIR CASTRO: And with that in mind, we've got some more information about what we're doing in our regions. David Mussatt, our Regional Program Unit Coordinator, is going to report to us on the status of Regional Program Offices. So, David, please join us. It's always good to see you.

And I think it's kind of nice to have you here today, this being my last meeting and all, since we worked together when I was on the Illinois State Advisory Committee, but we came down here together one day for SAC chairs meetings in D.C. and it was you putting that little buzz in my ear that caused me to sit in this chair for the last five and a half years. So, I'm looking for somebody to blame, so it's you. So, thank you. Go ahead.

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MR. MUSSATT: Okay. Well, Chairman Castro and Vice Chair Timmons-Goodson, and Commissioners, thank you so much for allowing me the time to provide an update on the work of the Agency's advisory committees. Thanks also to Irena for arranging the amazing tour of the African American History and Culture Museum this morning, it was a really great experience.

And also, I thank Staff Director Mauro Morales for allowing the Regional Staff to be here with us today, which is a treat to have everybody here in the same location. I would like to recognize these people and personally thank them for the work they do. Most of you, of course, know Ivy Davis and Barbara Delaviez, who are here in the D.C. Office and support the work of 14 advisory committees, which is the largest Regional Office.

Corinne Sanders is here, who works alone in Kansas City. She's doing the admin work for nine committees out of that office, plus she also provides the administrative support for the Atlanta Office. She actually provided the support for the North Carolina meeting that was so successful last spring.

Melissa Wojnaroski is in the Chicago

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Office and she's worked with numerous committees throughout regions, delivered six advisory committee reports to you this past fiscal year, and she also worked on the Commission report you just heard about just now for this fiscal year. She also supervises the University of Chicago interns in her office, who have really contributed a lot to her unit.

Evelyn Bohor provides administrative support in the Denver Office and she also provides support to the Eastern Regional Office too, so she's very helpful with a lot of committees.

And finally, Malee Craft is the Regional Director of the Denver Office. She will be retiring this March after 25 years with the Commission. So, although we have her for a few more months, I want to thank her today publicly for her service, her support, and her friendship over the last 15 years that I've been working with her, and wish her well and happiness in retirement.

(Applause.)

MR. MUSSATT: I would also like to mention, just briefly, staff who aren't here today, Jeff Hinton, the Atlanta Office, he put together that North Carolina briefing last year. Angelica Trevino in the Las

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Angeles Office. Victoria Moreno and Olivia Wilkes are the UC interns that I mentioned that will be with us this school year.

And finally, as the -- I wanted to share my deepest sympathies, because my administrative assistant and dear friend, Carolyn Allen, was supposed to be here, but is not here today, because her nephew was tragically shot and killed Wednesday night near her home in Chicago. She was really close to her nephew and so, she's having a hard time the last few days. So, we wish her well and send her our prayers.

I submitted the monthly report for your review, as we do every month, but today, I thought it might be more useful to give you a little recap of Fiscal Year 2016 and some of the progress we've made. In short, I think the last fiscal year was very successful for advisory committees towards achieving their mission, although there is still plenty of room to fulfill that Congressional mandate.

Congress, through the Federal Advisory Committee Act, provides us with principles from which we can assess how successful we are and I think these reinforce that we have been seeing the success. First, advisory committees are mandated to provide advice to

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agencies. And in Fiscal 2016, our advisory committees submitted advisory committee reports for your consideration.

Second, the advice that advisory committees provide should be balanced in terms of point of view. And the committees that produced these reports were truly diverse, including in political ideology, of course, and displayed impression cooperation to arrive at the advice provided to you. In addition, the work that staff and Special Assistants did to draft the new AI that you approved last year is improving the balance of advisory committees and I think the process for getting them appointed. So, thank you for that.

Third, the advice of the advisory committees should not be inappropriately influenced by the agency and, instead, should reflect their independent judgment. And in Fiscal Year 2016, I believe new levels of committee involvement occurred in not only the drafting of the reports, but in the development of the panelist testimony for committee briefings, which forms the basis of their reports. They've been just more involved from every stage of the process, which I think is really important to that.

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Fourth, the meetings and deliberations of advisory committees should be open to the public. And by conducting 126 public meetings in Fiscal Year 2016, we likely conducted the most public meetings of advisory committees in decades, probably since I've been here at least.

This has been achieved primarily through much greater and more effective use of conference calls and web conferences. As the Michigan Chair mentioned, one of their briefings was done via web conference, so this is having a big influence on how much work we can get done.

We've also seen an increase in public participation in the meetings. At the North Carolina meeting, I don't remember how many people were there, but it was a roomful. So, this is much credit to the staff for all the work and all the outreach they're doing, as well as the research and writing and all those other parts that go into the job.

And finally, GSA, which oversees all federal advisory committees, tracks success by the number of advisory committee recommendations that are partly or fully implemented by the parent agency. And thanks to the Chair and to you, the Commissioners, seven

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SACs presented their reports to you last year in person or over the phone and, in some cases, these presentations resulted in actions taken by you.

So, again, I don't remember, I mean, I think last year you did a few, but this has really been the first couple years where we have been able to report in our comprehensive annual review to the GSA that advisory committee recommendations have been implemented. So, thank you again. And, by the way, all these accomplishments have occurred without an increase in funding and actually a decrease in staffing.

But as many of you know, one remaining challenge we have is getting all the advisory committees appointed and possibly more daunting, getting these advisory committees to fulfill their Congressional mandate once they are appointed.

This past June, I reported to you that we would set a goal of getting all advisory committees appointed by the end of calendar year 2016. At that time, there were 24 advisory committees that had expired appointments. Hopefully, after today, there will be 15 committees still needing to be appointed.

Nine of these committees that aren't

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appointed do not have a DFO currently assigned to them, as a result of three developments. One is the lingering staff shortage. Two, one DFO left the Agency at the beginning of August. And, three, a Pathways intern that we were going to have ended up not getting hired.

We have also been having some growing pains in terms of adapting to the new AI and more cooperative, transparent process of developing the appointment packages, like developing those spreadsheets that we're going to try to provide to you. Despite these significant bumps, I feel progress is being made.

With very few committees expiring in the next coming months, actually in the next coming years really, we should be able to make significantly more progress to achieving your goal of getting all committees appointed as soon as possible. The challenge will then be, how do we get all those advisory committees to fulfill their mission?

And the good news is that we have posted openings for two civil rights analysts, who, if hired, will definitely help ease that burden. I mean, by March, when Malee retires, we would have 25 unassigned committees, so we definitely will need that support,

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those people hired.

We also will be assessing the report of the consultants that we obtained this fall in the coming weeks to look at potential cost-neutral ways of improving our unit's efficiency and the effectiveness of our committees. So, thank you, that's my report. I'm happy to answer any questions.

CHAIR CASTRO: Thank you, Mr. Mussatt. I just want to thank all the members of the Regional Staff and your volunteers and your interns for all the work that you've done. The RPU, the Regional Programs today, I believe, is much stronger and much more impactful than it was six years ago.

I think some of the things that we've been able to do, like give you universal charter as opposed to have your charter every SAC every year and now extension to four years, has made those SACs not only more stable, but also given you all more opportunity to work. And we thank you for doing it under limited resources and difficult times.

But it just goes to show that the heart and soul of this organization are its staff people. And we very much appreciate all the sacrifices you all have been making to make the Regional Programs run as they're

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running.

And I just want to tell you that I very much appreciate that as Chair and I know, I won't speak for my other Commissioners, but I'm sure they would echo that. But I'd like for them to have an opportunity to ask you questions or say anything they'd like. Madam Vice Chair?

VICE CHAIR TIMMONS-GOODSON: Yes. Mr. Mussatt, I share the thoughts just expressed by our Chair. We do appreciate all that you and our Regional Staff do for us. My question is a simple one, what else can we do to assist you with your mission? Short of giving you money that we don't have.

(Laughter.)

MR. MUSSATT: There's a simple answer --

CHAIR CASTRO: And, by the way, that's what Congressmen and Women and Senators say to us when we go visit them.

MR. MUSSATT: Right.

CHAIR CASTRO: Short of the extra money you're about to ask us for, what else can we do for you? It's a short meeting after that.

(Laughter.)

VICE CHAIR TIMMONS-GOODSON: No, but

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seriously, we made some policy changes that I think, as you've correctly pointed out, that have already and will make a big difference. So, the term extensions. But are there any other policy notions or things that you've been thinking about, whether you've thought them completely through or not, but give us the benefit of your thoughts so that perhaps we can take them and work a little further.

MR. MUSSATT: No, I appreciate the question, and I wasn't trying to be snarky. But it -- yes, I think that one thing that we need to explore, and I don't have the answer, but I think that the efforts last year, which I did mention in the report, to get the North Carolina Advisory Committee and the Illinois Advisory Committee involved in the Statutory Enforcement Report was, I think, a great experience for the Advisory Committees, maybe not such a great experience for OCRE sometimes.

But we -- I think we need to explore that more and try to figure out maybe a more effective way to get advisory committees involved to help you all out in the regions. Unfortunately, right now, I mean, obviously I think this is a different level than most, but the North Dakota, what's going on, we don't have

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an advisory committee, unfortunately, appointed right now, but these things happen all the time and advisory committees, although they are autonomous and they decide what they want to study, I think they like knowing that you make requests or they want to be involved with the Agency as a whole and are usually willing to help.

For example, I know Nevada, Commissioner Kladney mentioned civil forfeiture, they actually will be next week to discuss trying to help with the municipal fees project. Which, I think, again, this is where advisory committees are great, because they can kind of add their own wrinkle to things and they might decide that civil asset forfeiture is part of the municipal fees scope.

So, other than that, I think providing good members, the nominations are really, really helpful. We always can use good members on the advisory committees and that's time consuming, it's difficult sometimes. We have a state, like Louisiana, that's -- we've been kind of at a standstill for three months now, because we don't have, we can't get people to apply.

We have a whole list of 40 names, 30-some names, but we can't get enough conservative members

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right now to apply. So, just keep on feeding us names for those committees that are appointed is a big help as well. But I'd love to keep on talking about how --

CHAIR CASTRO: Yes.

MR. MUSSATT: -- we can better use them.

CHAIR CASTRO: Commissioner Heriot, and then Commissioner Narasaki.

COMMISSIONER HERIOT: I want to join my colleagues in thanking you and the rest of the Regional Staff for doing a lot of work. I just wanted to clarify on one of the statistics that you said and make sure I understand this. At some point recently we had 24 expired SACs and now we're at 15?

MR. MUSSATT: Well, if you approve the ones today, yes.

COMMISSIONER HERIOT: That'll be after today, 15?

MR. MUSSATT: If they get approved.

COMMISSIONER HERIOT: I just wonder, some of those I assume we fill them and then another SAC --

MR. MUSSATT: Yes.

COMMISSIONER HERIOT: -- expired.

MR. MUSSATT: Right, yes.

COMMISSIONER HERIOT: Do you know how many

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are in that middle category of --

MR. MUSSATT: That expired after June and that --

COMMISSIONER HERIOT: Yes, like --

MR. MUSSATT: -- basically -- yes.

COMMISSIONER HERIOT: -- how much work did we all do and then, like --

COMMISSIONER NARASAKI: How many have we filled versus how many have expired this year?

MR. MUSSATT: I don't have that information in front of me, I can get that to you no problem. I mean, I know, like --

COMMISSIONER HERIOT: Okay, at your convenience.

MR. MUSSATT: Yes. I know, like, three just expired November 20 --

COMMISSIONER HERIOT: Okay.

MR. MUSSATT: -- for example, but I don't know, I have to go back and look at the --

COMMISSIONER HERIOT: Okay, sure.

MR. MUSSATT: Sorry.

COMMISSIONER HERIOT: Thank you.

MR. MUSSATT: I was going to bring my spreadsheet and I didn't have it, sorry.

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CHAIR CASTRO: Don't worry, you can send it

--

MR. MUSSATT: Yes, I'll send it.

CHAIR CASTRO: -- later.

MR. MUSSATT: Okay.

CHAIR CASTRO: Anything else, Commissioner Heriot?

COMMISSIONER HERIOT: No, that's it.

CHAIR CASTRO: Commissioner Narasaki?

COMMISSIONER NARASAKI: Yes. I want to appreciate the fact that we have some of the SAC, the Regional Staff here, because it's -- I've been on the Commission now for two years and I've only gotten to see a few of them, and particularly enjoyed the North Carolina hearing and thought staff did just an incredible job with that hearing. It was extremely powerful.

And also wanted to appreciate the organization that you all have been doing to let us know earlier, before the SACs actually expire, so that we can do earlier recruitment and try to get you names. I wanted to get a sense from you of how that could be improved.

I know -- it seems to me like one of the

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challenges is we may recommend people, but we may not know whether they've applied or not. So, I'm wondering if it would be helpful to have some kind of system so that it's not all on you to pursue people, but that Commissioners who are doing outreach can help with that work.

MR. MUSSATT: Yes.

COMMISSIONER NARASAKI: And the second thing is, I had the opportunity to speak to the initial organizing meeting of the new Maryland SAC and they had lots of questions about how we operate and the relation.

And I'm wondering whether you think it would be a good idea for the Chair or some collection of Commissioners to do a call for either the SAC Chairs or SAC members, both to welcome a lot of the newly or renewed or newly chartered members, as well as just update them on sort of what we're working on.

MR. MUSSATT: Sure. To your first point about the appointments, I think a simple solution may be, and I'd have to check with Pam and Michele if this is possible, but to just give the Special Assistants -- the problem right now, we're in different document sharing systems, but if we can just -- like the spreadsheets that you get when we send it, we just keep

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that accessible throughout the process, so that you -- when you give us names, you can see that names are put in there, you can see that we've reached out and requested that they apply, and then, if they've applied, you can see it any time you want.

But that means us sharing information through some sort of cloud-based system, which I know you're on SecureSync, we're on a different system. So, we'd have to work that out with Michele.

CHAIR CASTRO: Why are we on different systems?

MR. MUSSATT: I don't know.

CHAIR CASTRO: You don't know? Well, that's a question for another day --

MR. MUSSATT: Right.

CHAIR CASTRO: -- and another person.

MR. MUSSATT: That would probably be the easiest way to --

CHAIR CASTRO: Who's to say?

MR. MUSSATT: -- facilitate communication between the Special Assistants and where their nominations are and us.

CHAIR CASTRO: Make a note of that.

MR. MUSSATT: As far as the second point

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goes, yes, I mean, again, I think the advisory committees love to hear from you all, that would be great that you would have a call with SAC Chairs.

Trying to do kind of quarterly newsletters, if you will, just emails that I send out to the SAC members, all of them, just giving them what you are doing, what some of the other committees are doing, so it would be easy to -- hey, on this date, we're going to have a call. Give them a heads up a month or two in advance. But we can talk about that, I think that's a good idea.

COMMISSIONER NARASAKI: Great. And I don't mean to be creating extra work for you in terms of any follow-up, I just feel that sometimes we get presented with a slate and various Commissioners are going, well, what happened to this person, and then it's sort of too late. So, I just want to figure out how we can get ahead of that.

MR. MUSSATT: No, and that's why I suggest that, because that wouldn't be extra work, that's just --

COMMISSIONER NARASAKI: Great.

MR. MUSSATT: -- it's just putting the document in a different folder. So, that's no big

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deal. Thank you.

CHAIR CASTRO: Any other -- yes, Commissioner Achtenberg?

COMMISSIONER ACHTENBERG: Thank you, Mr. Chairman. I wanted to say thank you to Mr. Mussatt and the entire Regional Staff. The increasing excellence of the reports that the SACs have been producing is much appreciated and well noted.

And I also wanted to congratulate the Chairman, at the beginning of his tenure, he expressed desire to make the SAC apparatus much more integral to the functioning of the senior Commission and I had imagined at the outset that that was going to be a pipe dream and actually he and you and the excellent staff have made it a reality.

If we might consider going forward adopting a more formal mechanism for receiving the reports of the SACs as the Commission and committing ourselves to either take action on the various recommendations or to take action in some way, whether it's to decline to act or consider acting on the various recommendations that the SACs do make, so that there's some kind of an official mechanism, it seems to me that that might incline more people to be willing to

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volunteer to participate in the SAC apparatus, if they understand that there's actually some concrete action that might come of it.

I also think that that would provide us with an opportunity to amplify our work. Sometimes when we go up on the Hill and we talk to the members about the reports that the Commission has issued in the prior year, we say we've issued two or three reports and we've made two or three sets of recommendations and, certainly, our capacity to do it on our own is limited. On the other hand, if we more official integrated their work into ours, I think it would amplify the Commission's significance quite a bit.

And the other thing I'll observe is, going forward, there may be reason for us to be glad of our presence on the ground in many of these places and we might be quite happy that we have the SACs in place doing their work so we might more ably and quickly do our work. There may be such a need going forward and you've put together an apparatus that I think might really help us address that need. So, I wanted to express my gratitude for that. Thank you.

CHAIR CASTRO: Thank you for your kind words, Commissioner Achtenberg. Do any other

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Commissioners have any comments or questions?
Commissioner Narasaki, go ahead.

COMMISSIONER NARASAKI: I forgot to ask a question that's been on my mind. As you know, recently we brought on a communications expert for the staff, which I think has, to me has been extremely important, because we can do good reports, but if people don't know we're doing them, it's not going to have the impact that they need to have.

And I'm wondering whether we're doing enough in terms of thinking how we can support the release of reports or the hearings, briefings, that the State Advisory Committees are having and you may already be discussing that with staff, so I apologize if it's something ongoing, but if not, I think that might be worth looking at.

MR. MUSSATT: That's a good point. And committees ask that all the time. And, frankly, we don't probably focus enough on that, because we finish one and then pivot to the next one right away. So, but having Brian has been really helpful --

COMMISSIONER NARASAKI: Yes.

MR. MUSSATT: -- he thinks --

COMMISSIONER NARASAKI: Yes, because

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before, we just didn't even have the capacity to do our own, but now that we do.

CHAIR CASTRO: Yes. In fact, Brian just tweeted that we're talking about that.

(Laughter.)

CHAIR CASTRO: Seriously, it's right there. So, yes, that will help a lot. Mr. Staff Director?

MR. MORALES: Yes, I just wanted to thank David for the work he's done. He and I have worked pretty closely the past year to see how we could streamline putting together the SAC packages. Obviously, the AI, the work that was done over the last year with your concurrence, Commissioners, has helped us move through some challenges. And there's still a lot of bumps in the road.

In the conversations and the points that some of the Commissioners just made, called to mind to me, I think there's a more transparent process that we could have with Special Assistants, because Special Assistants tend to be the first line for all of you as to what we're doing with SAC packages.

And because of the AI, I've been meeting with them on a more regular basis in regards to when the packages are ready and when they get moved forward.

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So, it's not just dumped on you like it was in the past and here it is and nobody really had an understanding of how the package came together.

And so, your input and the recommendations, I think, have helped improve the process. It's not perfect, there's still some challenges with it all, but I think we've made a lot of progress and there's still some steps to take. And David has been a real integral part.

As well as the rest of the Regional Program Staff, because they've had to kind of think outside the box and change how they've done things in the past. And there's been some growing pains with that, but I think people see the value in it and, ultimately, in what we're able to accomplish and what the SACs are able to accomplish. So, with that, I thank you.

CHAIR CASTRO: Thank you. Thank you, Mr. Mussatt --

MR. MUSSATT: Thank you.

CHAIR CASTRO: -- appreciate it.

STATE ADVISORY COMMITTEE APPOINTMENTS

CALIFORNIA

CHAIR CASTRO: And speaking of SAC packages, we will now move on consider and hopefully

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pass a few of those right now. I am making a motion that the Commission appoints the following individuals to the California State Advisory Committee, based upon the recommendation of our Staff Director.

Betty Wilson, James Bolton, Percy Durant, Nancy Eisenhart, Debra Fong, Javier Gonzalez, Susan Jester, Velma Montoya, Maria Morales, Brian Moriguchi, Rogelio Ruiz, Maimon Schwarzschild. Pursuant to this motion, the Commission appoints Betty Wilson as Chair of the California State Advisory Committee.

These members will serve as uncompensated government employees. Under this motion, the Commission authorizes the Staff Director to execute the appropriate paperwork for the appointments. Do I have a second?

COMMISSIONER ACHTENBERG: Second.

CHAIR CASTRO: Commissioner Achtenberg seconds. Any discussion? Hearing none, I will call a vote --

COMMISSIONER NARASAKI: Oh, wait, wait, I'm sorry.

CHAIR CASTRO: Oh, I'm sorry.

COMMISSIONER NARASAKI: Sorry, I was talking to Jason. I want to appreciate the staff's

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work on this. As you know, I've been --

CHAIR CASTRO: Maimon Schwarzschild is the last one I read. According to the list, we also have Rachel Sigman and Robin Toma, they're also returning. They should be on here, so let me amend that to add Rachel Sigman and Robin Toma. And I know Robin very well, he's worked very tirelessly on that State Advisory Committee, so that was clearly an oversight on the paper that's in front of me.

COMMISSIONER HERIOT: Mr. Chairman?

CHAIR CASTRO: Yes?

COMMISSIONER HERIOT: I just want to say something on behalf --

CHAIR CASTRO: Go ahead.

COMMISSIONER HERIOT: -- of my colleague at the University of San Diego, Maimon Schwarzschild, who maybe talked to you about the pronunciation. It's Maimon, like Maimonides.

CHAIR CASTRO: Oh, I pronounced it wrong, I'm sorry.

COMMISSIONER HERIOT: That's okay. It's okay with me, it's not okay with Maimon.

CHAIR CASTRO: Maimon. Okay.

COMMISSIONER HERIOT: Maimon.

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CHAIR CASTRO: Maimon?

COMMISSIONER HERIOT: Yes.

CHAIR CASTRO: Okay. Did you get that, court reporter?

(Laughter.)

CHAIR CASTRO: Commissioner Narasaki?

COMMISSIONER NARASAKI: So, I'm going to vote for the slate, because I know that we want to try to get them done, but I -- and I'm sorry, because I'm paying attention to this so late, but it's partly because I hadn't had time to really look at it. And it may be that these concerns are not founded, but as far as I can tell -- I'm just concerned about whether there's going to be people with LGBT, who are LGBT on this particular set --

CHAIR CASTRO: I believe Robin Toma is a member of the LGBT community, if I'm not mistaken.

COMMISSIONER NARASAKI: Yes, I thought maybe he was.

CHAIR CASTRO: He is, yes.

COMMISSIONER NARASAKI: And the other is the fact that this is California, right, so the fact that we don't have any religious diversity beyond the Christian, Jewish, and no preference, and California

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has one of the largest Muslim, South Asian populations in the country, so I'm kind of surprised that that's the case.

And the last thing is, I've been, as people know, very focused on trying to get younger people's perspective on these advisory councils, just because I feel that the issues of civil rights are seen from slightly different perspectives from the younger generation. So, just wanted to ask staff to continue to think about that as they recruit and if there are things that we can be doing to help recruit, let me know.

CHAIR CASTRO: Of course, youth is a relative thing, but I know Javier Gonzalez, who is one of our up and coming Latino leaders, is there. He's with Google now, so he's kind of in that sort of space, but maybe he's not young enough to be a --

COMMISSIONER NARASAKI: I'm just looking at --

CHAIR CASTRO: -- Millennial or --

COMMISSIONER NARASAKI: I'm just looking at the 35 and under --

CHAIR CASTRO: Okay.

COMMISSIONER NARASAKI: -- category and also there's --

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CHAIR CASTRO: That's young.

COMMISSIONER NARASAKI: Well, for us.

CHAIR CASTRO: Yes.

COMMISSIONER NARASAKI: And then, New Mexico doesn't seem to have anyone --

CHAIR CASTRO: Well, let's get to New Mexico before we --

COMMISSIONER NARASAKI: No, but I just want to say --

CHAIR CASTRO: Let's deal with California --

COMMISSIONER NARASAKI: -- this is a general point --

CHAIR CASTRO: All right.

COMMISSIONER NARASAKI: -- doesn't have anyone younger than 40.

CHAIR CASTRO: Okay. Anything else? I'm going to call the roll. Commissioner Kirsanow, how do you vote? Commissioner Kirsanow, are you there? He might be muted, I'll go on. Commissioner Heriot, how do you vote?

COMMISSIONER HERIOT: I'm going to vote no on this one on the ground of ideological diversity.

CHAIR CASTRO: Commissioner Narasaki, how

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do you vote?

COMMISSIONER NARASAKI: I vote yes.

CHAIR CASTRO: Commissioner Kirsanow, are you there? Okay. Commissioner Kladney, how do you vote?

COMMISSIONER KLADNEY: Yes.

CHAIR CASTRO: Commissioner Achtenberg, how do you vote?

COMMISSIONER ACHTENBERG: Yes.

CHAIR CASTRO: Commissioner Yaki, how do you vote?

COMMISSIONER YAKI: Aye.

CHAIR CASTRO: Madam Vice Chair, how do you vote?

VICE CHAIR TIMMONS-GOODSON: Yes.

CHAIR CASTRO: I vote yes. Commissioner Kirsanow, last call? Okay. So, we have this package passing with six yeses, a no, and a failure to vote or no voting. One non-vote.

COMMISSIONER YAKI: Mr. Chairman?

CHAIR CASTRO: Yes?

COMMISSIONER YAKI: I was on mute or something before when Mr. Mussatt was making his recommendations or giving his presentation. And I was

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wondering if it would be okay if he sent the Commissioners and the SAs his newsletter directly, along with the final reports of any SACs that are issued --

CHAIR CASTRO: He nodded his head yes.

COMMISSIONER YAKI: -- when they are issued?

CHAIR CASTRO: He nodded his head in the affirmative. Yes, he will. Thank you.

COMMISSIONER YAKI: Thank you.

CHAIR CASTRO: I am now going to make a motion that the Commission -- so I'll just make it clear, the California SAC passed.

NEW MEXICO

CHAIR CASTRO: I am now going to make a motion that the Commission appoints the following individuals to the New Mexico State Advisory Committee, based upon the recommendation of our Staff Director.

Sandra Rodriguez, Lilian Apodaca, George Bach, Kenneth Brown, Valerie Webb Jaramillo, Robert Martinez, Roger Michener, Janet Page-Reeves, Hwasoon Sue Thorson, Damon Tobias, Charles Vigil, Francis Williams, Elaine Miller, Monica Youngblood. Do I have all the names? Okay.

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Pursuant to this motion, the Commission appoints Sandra Rodriguez as the Chair of the New Mexico State Advisory Committee. These members will serve as uncompensated government employees. Under this motion, the Commission authorizes the Staff Director to execute the appropriate paperwork for the appointments. Do I have a second?

COMMISSIONER ACHTENBERG: Second.

CHAIR CASTRO: Okay. Any discussion? Commissioner Narasaki?

COMMISSIONER NARASAKI: Again, I plan to vote for this slate. I just want to raise, I think, a need to make sure that the Native American issues and perspectives are somehow included, because I don't see someone from that background and this is New Mexico and I know that there's actually a significant Native American presence in that state.

CHAIR CASTRO: We also need to remember that we should make those recommendations at the very beginning of the pipeline as well.

COMMISSIONER NARASAKI: I -- my understanding is that staff look at what the demographics are of the state and, in this case, Native Americans are ten percent. So --

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CHAIR CASTRO: Okay.

COMMISSIONER NARASAKI: -- I just leave it at that.

CHAIR CASTRO: Right. Anybody else? I will call the vote. Commissioner Kirsanow, are you there yet? Did he get off the line, Carissa?

MS. MULDER: He didn't say anything to me.

CHAIR CASTRO: Okay. All right. Commissioner Heriot, how do you vote?

COMMISSIONER HERIOT: I vote yes.

CHAIR CASTRO: Commissioner Narasaki, how do you vote?

COMMISSIONER NARASAKI: I vote yes.

CHAIR CASTRO: Commissioner Kladney, how do you vote?

COMMISSIONER KLADNEY: Yes.

CHAIR CASTRO: Commissioner Achtenberg, how do you vote?

COMMISSIONER ACHTENBERG: Yes.

CHAIR CASTRO: Commissioner Yaki, how do you vote?

COMMISSIONER YAKI: Aye.

CHAIR CASTRO: Madam Vice Chair, how do you vote?

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VICE CHAIR TIMMONS-GOODSON: Yes.

CHAIR CASTRO: I vote yes. Commissioner Kirsanow? Well, there's seven yeses, unanimous of those voting, and one failure to vote. Okay. The next one is -- here we go.

WYOMING

CHAIR CASTRO: I am now going to move that the Commission appoints the following individuals to the Wyoming State Advisory Committee, based upon the recommendation of our Staff Director.

Anetra Parks, Robert C. Byrd, Affie Ellis, Rodney B. McDowell, Eric W. Nye, Magdaleno J. Ornelas, Gail J. Ridgely, Sara R. Robinson, George Santini, Julian J. Vela, and Melanie A. Vigil. Pursuant to this motion -- is that everybody? Pursuant to this motion, the Commission appoints Anetra Parks as the Chair of the Wyoming State Advisory Committee.

These members will serve as uncompensated government employees. Under this motion, the Commission authorizes the Staff Director to execute the appropriate paperwork for the appointments. Do I have a second?

VICE CHAIR TIMMONS-GOODSON: Second.

CHAIR CASTRO: Second from the Vice Chair.

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Any discussion? Any questions? This is a good group of people, I got a chance to meet many of them when I was in Wyoming earlier this year at the SAC meeting. So, I think we're in good stead there. I'm going to call the vote then. Commissioner Kirsanow? Not voting. Commissioner Heriot?

COMMISSIONER HERIOT: I vote yes.

CHAIR CASTRO: Commissioner Narasaki?

COMMISSIONER NARASAKI: I vote yes and I appreciate the age distribution.

CHAIR CASTRO: Good. Commissioner Kladney, how do you vote?

COMMISSIONER KLADNEY: Yes.

CHAIR CASTRO: Commissioner Achtenberg, how do you vote?

COMMISSIONER ACHTENBERG: Yes.

CHAIR CASTRO: Commissioner Yaki, how do you vote?

COMMISSIONER YAKI: Aye.

CHAIR CASTRO: Madam Vice Chair, how do you vote?

VICE CHAIR TIMMONS-GOODSON: Yes.

CHAIR CASTRO: And I vote yes. So, it's passage is unanimous, with seven votes, of those

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voting.

INDIANA

CHAIR CASTRO: Next, I am moving that the Commission appoint the following individuals to the Indiana State Advisory Committee, based upon the recommendation of our Staff Director.

Diane Clements, Elizabeth Cierzniak, Tammi Davis, Robert Dion, Christopher Douglas, Richard Garnett, James Haigh, Tony Kirkland, Billy McGill, Patti O'Callaghan, Ernesto Palomo, Carlton Waterhouse, and Ellen Wu. Is that everybody? Okay. Pursuant to this motion, the Commission appoints Diane Clements as the Chair of the Indiana State Advisory Committee.

These members will serve as uncompensated government employees. Under this motion, the Commission authorizes the Staff Director to execute the appropriate paperwork for the appointments. The Indiana Advisory Committee appointments will commence on December 12, 2016 as the current term expires on December 11, 2016. Is there a second?

VICE CHAIR TIMMONS-GOODSON: Second.

CHAIR CASTRO: Madam Vice Chair seconds. Discussion? Questions? None? I'll also say, I've worked with -- I observed the work of the Indiana State

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Advisory Committee members up close in visits there and I'm really proud of this team that we have here. So, Indiana will be served well, as will we, by them. Call the vote. Commissioner Kirsanow? Not voting. Commissioner Heriot, how do you vote?

COMMISSIONER HERIOT: I'm a no on this one for lack of ideological balance.

CHAIR CASTRO: Commissioner Narasaki, how do you vote?

COMMISSIONER NARASAKI: I vote yes.

CHAIR CASTRO: Commissioner Kladney, how do you vote?

COMMISSIONER KLADNEY: Yes.

CHAIR CASTRO: Commissioner Achtenberg, how do you vote?

COMMISSIONER ACHTENBERG: Yes.

CHAIR CASTRO: Commissioner Yaki, how do you vote?

COMMISSIONER YAKI: Aye.

CHAIR CASTRO: Madam Vice Chair, how do you vote?

VICE CHAIR TIMMONS-GOODSON: Yes.

CHAIR CASTRO: And I vote yes. So, it is six to one, and one not voting, so the package passes.

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Thank you.

C. MANAGEMENT AND OPERATIONS

STAFF DIRECTOR'S REPORT

CHAIR CASTRO: I now move on to management and operations and give the floor to the Staff Director to report. Mr. Staff Director? Then after that, I have a few words I want to share.

MR. MORALES: Absolutely. Thank you, Mr. Chairman and Commissioners, thank you for this opportunity. You have the Staff Director's Report, I won't go into any detail on it at this time. I will tell you two things that I know Commissioners have been interested in, maybe three now that I think about it.

One is staffing at the OCRE. We have made and had offer accepted, we have a detail that will start on December 12 at OCRE. We have another offer that's outstanding for OCRE we're hoping to fill, and we may have a third opportunity there, where we've got two vacancies in the Regional Programs Unit Office, that David had mentioned. The vacancy closes today for individuals.

And we also have some assistants that -- we're making our Budget Office, because of challenges we've had with our audits in the past. And so, these

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are all significant hires we're trying to make, because we've heard that there may be at some point in the next few months a potential hiring freeze.

And as you know, during the course of the year, at any given time, we'll lose one to two individuals. And our personnel situation is so precarious that just losing one or two individuals can really hurt and undermine our mission. So, we're cognizant of that and we're taking steps in that direction.

Lastly, or in addition to all that, I want to tell you that we just received a, as I had mentioned to you before, a contractor to look at reorganizational assessment of our Regional Programs Office. And they just provided us with the draft of -- we're looking at the draft, we've met with them, we think there's some changes that need to be made to that draft.

Once we have that finalized, we'll be bringing that forward to the Commissioners to share with you as to what their findings and recommendations are and, hopefully, get your input as to which direction we should go.

Lastly, I want to thank Irena Vidulovic, who has helped us this morning with our tour, and she

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was instrumental in having the entire Commission take a tour of the Museum of African Americans and it was moving and touching and poignant in so many ways.

I also want to thank Tina Louise Martin for the work she's done, and her staff, in preparing for the gathering we're going to have after this meeting, did a lot of work and it should be enjoyable for all of us.

And lastly, I want to thank, I know the Chair and Commissioner Achtenberg's tenure may be ending on Monday, we're not clear whether they'll be reappointed or what will happen and so, I just want to send my gratitude and thanks to them. I'm hopeful that everything will work out, but I just want to thank them for their leadership, for their support of me as I've tried to move the Commission forward and lead us into the future. So, thank you for that.

And finally, because we won't meet again until January 13, Friday the 13th, which is interesting, I want to wish everybody a Happy Holiday and a Happy New Year. Mr. Chairman, you have the floor.

VI. CLOSING REMARKS REGARDING COMMISSIONER

APPOINTMENTS

CHAIR CASTRO: Thank you, Mauro, I

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appreciate that. Well, as the Staff Director said, at least as of Monday, Commissioner Achtenberg and I, our terms will expire after serving here for five years and 11 months or so.

And also, good news, that this week, this past week, I believe, Commissioner Kladney was reappointed by Senator Reed. We are waiting for, hopefully, Commissioner Yaki to be reappointed by Leader Pelosi, although we're still waiting for that, although his term expires a little later than that, I think it's December 12 perhaps.

But I wanted to give both Commissioners Yaki and Achtenberg an opportunity to say a few words in light of the fact that this might be our last Commission meeting. And then I'll say a few words. But I invite you to the floor.

COMMISSIONER ACHTENBERG: Thank you, Mr. Chairman. I'll keep it brief. I wanted to say thank you very much to the permanent staff of the Commission, more so than anyone. This is an important institution. In the history of the evolution, I hope, of the struggle for justice and equality and for civil rights in this nation, there has often been a need for this Commission and, sometimes, not such a great need.

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It's my fear that we're embarking on a period where there might be an extraordinary need for a civil rights conscience for the nation. And so, my hope for all of you going forward is that you have the mandate intact and the resources necessary to do whatever history calls upon you to do.

It's an honor to have served. I appreciate the nomination from President Obama and the six years that I've had the opportunity to work with extraordinary colleagues and on such important work.

In closing, I would just like to say that I too am a child of immigrants and maybe it's hard to appreciate that our parents never imagined we would be in a position in our new country to actually enforce the law, extend a welcoming hand to others the same as others were able to do that for us, but I really appreciate that opportunity that serving as a Commissioner on this Commission has afforded me. So, thank you all very much.

(Applause.)

CHAIR CASTRO: Commissioner Yaki, would you like to say a few words?

COMMISSIONER YAKI: I think I may have actually said this before, the last time I was

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reappointed, but it's been a great privilege to serve on behalf of Leader Pelosi since February 2005, when she called me out of the blue and asked me to do this. This is something that I love, it has been a challenge, it's been my privilege to be part of the Commission's ups and downs and then ups again. It is a responsibility that I have never taken lightly.

And I hope I have the opportunity to continue, but if not, I am sure that whoever fills this place will continue the good work and good mission of this Commission, because I've always believed in the Commission as an institution. I believe in its continuing mission.

I believe it is greater than any one of us, but its greatness comes from the sum of all the people who have been part of its history over the last 59 years, from the Commissioners to the Staff Directors to the staff to the State Advisory Committees, it is something indeed special. And in light of what may come, and hopefully will not, I believe it will play an even greater role in the near future.

In some ways, I hope it does not. In some ways, I hope it does, but for reasons that are unexpected and surprising -- in my consideration. But

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I do believe that we're at an interesting crossroads in our history and, depending on which way we go, I think will depend in large part on how we as a Commission continue to stand up, make our voices known, and continue the good fight that still needs to be fought every day, every minute, in every hour, in every community of this great country.

And I want to thank everyone who I've had the privilege of working with, Alec and Kim, who have worked with me for years, to all the others, Pam, Tina, Ivy, Barbara, all the people who have been part of my life in serving this Commission. And, like I said, hopefully this is not goodbye, but if it is, it's been a great ride and it's been attributable to all of you. So, thank you very much.

(Applause.)

CHAIR CASTRO: Well, thank you both for your service. Hopefully you'll both be back, but even if you're not, even if I'm not, I'm sure we will continue to engage in these issues and maybe even from a perspective with a little more flexibility than we may have when we're sitting in these official positions.

I'm a person of great emotion, so I hope I don't get emotional, but even this morning at the

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Museum of African American History, the wave of emotion, it's everywhere. So, to see how a museum is built encompassing the history of a nation, the story of a people and how that's so entwined with what we do today was amazing.

To see how a country could both be founded on the most horrible lack of liberty of humanity and, yet, on the belief and hope of freedom, those two diametrically opposed views and we still did it. So, people who, for the last 30 days, have been saying, what's going to happen to this country, where are we going to go?

We were able to overcome those two diametric positions and we still won and this country, as President Obama says, is every day trying to perfect that union. So, we're going to go on, regardless of who sits in these seats, the important thing is that, whoever sits in these seats has to understand the true history upon which we're built.

And I know people have different ideologies and different points of view, but I can't imagine anyone walking into that museum today and not want to fight for the civil rights that we're fighting for today and that we're going to have to fight for over

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the next four years.

I've been part of this Civil Rights Commission family since 2003, actually, when Jennifer Cabranes Braceras, whose picture is up there somewhere, called me and asked me if I would consider serving on the Illinois State Advisory Committee. She is a conservative Republican, I'm not, but as we know, balance is important, so I guess we needed some balance in Illinois. And I was honored to say yes.

And the first report that I attended the distribution of was on the rights of Arab Americans in Illinois post-9/11 and that was, as I said, in 2003. And I have been a part of this family since then. As I mentioned, David and I came here to an event, not long ago, I guess six years ago, maybe, something like that, where the first time all the Chairs of the Advisory Committees had been brought together for a conference on 21st Century civil rights.

Some of us had a different perspective than we were hearing from the stage, but it was that that gave me the impetus to accept President Obama's invitation to, not only join the Commission, but thanks to him, to become the first Latino Chairman of the Commission.

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And when the first African American President appointed the first Hispanic Chair and the first openly gay member of the Commission, I think it sent a strong word, a strong statement to the civil rights community and to this country what he expected this Commission to be doing over the course of the next six years.

And I'm proud of the work that we did. This morning, I was going through some of the reports and I'm proud of all the reports we put out, but, I mean, amazing. Sexual assault in the U.S. military. Sex trafficking as a form of gender discrimination. The first one under my chairmanship, peer-to-peer violence and bullying. This one, our immigration detention report. NVRA and environmental justice. This is a proud legacy for all of us and I know you all will continue to do that kind of work.

But in the last six years, I've been from Ferguson to Port Isabel and detention centers. I've been to the Quinault Indian Nation. I've been to the Woolworth's counter in Greensboro, North Carolina. We've put the -- we went right to the 16th Street Baptist Church. And today to the African American History Museum. And so many places in-between.

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And that's the beauty of the history of this county and that's the beauty of the history of the Civil Rights Movement and it is that history which will continue to propel those of us, those of you who will sit in these chairs to make sure that whoever is President of the United States, that this remains an independent and strong voice, that you continue to speak your mind regardless of the impact, regardless of the push-back, because that's what's needed now, more than ever.

And I want to thank every one of you who have been part of this organization over the last six years, who have helped me get through some tough times. We've gone from fighting for our budgetary lives, remember, David, when we were in that car in Wisconsin and we were told we're going to lose \$2 million from our budget and that was my first year and we had to sound the alarms, and thankfully our friends came to our rescue and we weren't hurt as badly as we thought we would be.

And I want to thank my Staff Directors, Mauro Morales and Marlene Sallo and Kim was Acting Staff Director, I don't know if she's here, Kim Tolhurst. And I want to thank all my Special Assistants, Irena,

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who's here with us, Marlene, who's over at Justice Department, and Juana, without them, I couldn't have done it.

But just as importantly, I want to thank my colleagues from all perspectives. I think you've made me look at issues that I might not have looked at and perspectives I might not otherwise have looked at.

Maybe we didn't always agree, but I think the way we conducted ourselves as Commissioners, at least in my humble view, over the last six years, is probably the best we've conducted one another, even when we're disagreeing on topics, and we haven't in a long time, and I think that's important to me and I hope it continues to be important to the future Commissioners.

But I just want to let you know that, regardless of where I end up, whether I come back or, more likely, go back home and continue to do my work as a civilian, that I will always be engaged in these issues. I look forward to participating in activities and maybe being invited from time to time to share my views, but I can't think of a better way to have served my country than to have done it here in this position at this time with all of you. So, thank you.

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(Applause.)

VICE CHAIR TIMMONS-GOODSON: Mr. Chair, and to the other members of the Commission, Commissioner Kladney, we have been informed that you will remain with us and we're absolutely delighted about that. But we want to give you an opportunity to say something at this time, if you care to.

COMMISSIONER KLADNEY: Madam Vice Chair, I would like to thank all three of the Commissioners and the Chairman, because when I came on, they had been on the Commission for about ten months and the Chairman's leadership, along with the camaraderie of my other Commissioners and their experience has taught me quite a bit. And I will forever be grateful for that and I hope that I can continue on the Commission in the same proud way that they have served and I hope that I can be as good a leader as they are. Thank you.

CHAIR CASTRO: Thank you.

(Applause.)

VICE CHAIR TIMMONS-GOODSON: To our Chair and to Commissioner Achtenberg and Commissioner Yaki and Commissioner Kladney, let me say that we all appreciate your dedication and service that you've rendered over this term. It's been repeated a number

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of times in the past about the arc of history bending towards justice. Others have added that it bends faster if there's force applied.

(Laughter.)

VICE CHAIR TIMMONS-GOODSON: And I'd like to say here and now that each of our colleagues on the Commission have worked diligently applying force so that that arc of history bends towards fairness. We thank you for your service, for your dedication.

We -- over the last, well, I've been here right at three years, I believe that's when Commissioner Narasaki and I joined, but it's been evident from day one the love and the passion that each of you have for the work of the Commission. And, again, I say thank you. I don't know, but perhaps a couple of our other colleagues might want to say something. You don't have to, we've got a wonderful afternoon planned.

CHAIR CASTRO: Let me just say, Madam Vice Chair --

COMMISSIONER HERIOT: Oh, no, I'm terrible at this sort of thing.

CHAIR CASTRO: In the gap period between, hopefully there isn't a gap, but if there is a gap in

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the President's appointment, I know you'll be a tremendous Acting Chairperson. So, hopefully the President will heed us in the event that, I know we both said to the White House that if we don't come back, that you should be the Chairperson.

VICE CHAIR TIMMONS-GOODSON: Well, if that comes to pass, let me say that you've been a wonderful model and thank you.

CHAIR CASTRO: Thank you.

COMMISSIONER HERIOT: Let me say, again, I am really terrible at this sort of thing. However, I want to thank all of you, it's been a great experience being able to talk about issues with you, being able to debate these things, and when we agree, it's great when we agree.

And I think that the arc of justice does indeed bend, the arc of history does indeed bend towards justice and I think it works best, not only when force is applied, but also when people can talk about things openly and discuss them and debate them and try to get to the right answer.

And I feel like, as a group, we've tried to do that and I appreciate it so much, that you have been willing to debate issues, willing to try to get

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to good solutions. It's been a wonderful experience and maybe, just maybe, you'll all be back.

CHAIR CASTRO: Maybe. Karen?

COMMISSIONER NARASAKI: I would like to add my thanks to the Commissioners whose terms are coming to an end. And I very much appreciate the welcome that Pat and I were given when we started as newbies. It was my first time in a federal government job and very much appreciated the guidance and mentoring and openness and supportiveness.

And I particularly want to acknowledge the Chair, because I've been in this town for 25 years and chairs of commissions can either be openhanded and welcoming of ideas and welcoming of leadership from their fellow commissioners or they can decide that they want to run the show by themselves, and I think that Chairman Castro has been incredibly open and willing to hear all sides of issues.

It's -- the Vice Chair and I are Independents, so we're not always in agreement as well, and yet, it's been done with respect and with grace and great leadership. So, I just want to appreciate that.

CHAIR CASTRO: Thank you, Commissioner. I appreciate it very much. Anyone else? I think we got

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everybody covered. Yes?

VII. ADJOURN MEETING

CHAIR CASTRO: Well, there being nothing further, I hereby adjourn this meeting of the U.S. Commission on Civil Rights at 1:14 p.m. Eastern Time. Thank you.

(Whereupon, the above-entitled matter went off the record at 1:14 p.m.)

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