

Duluth Human Rights Commission (HRC)

Wednesday, August 14th, 2024 @ 5:30 p.m.

Duluth City Hall Room 430

Public Comment will be taken in person. Individuals may also e-mail or mail comments to the Commission prior to the meeting; see contact information at the bottom of the minutes for more information

1. Call to Order
 - a. Meeting called to order at 5:33 p.m.
 - b. Commissioners present: Tyra Jaramillo-Kraemer, Frances Wittenberg, Dr. Marsha Lue, Jen Harris
 - c. Commissioners absent: Dr. Nomi Ostrander
 - d. Guests: Duluth Citizen Review Board President, Eric Franklin; Human Rights Assistant, Laura Laaksonen; Community Member, Kathleen Spencer

2. Consent of Minutes - May 8th, 2024
 - a. Secretary Harris asked if we needed to change the minutes to reflect that our June 12th, 2024 meeting was canceled due to a lack of quorum and it was decided that no changes need to be made; Commissioner Jaramillo-Kraemer motioned to approve the minutes; seconded by Commissioner Wittenberg; unanimously approved.

3. Public Comments and Guest Comments
 - a. Eric Franklin joined the public meeting at 5:45 pm and introduced himself as the President of the Duluth Citizen Review Board and has been on the Board since 2021. Per Eric, there has been a lull for 2 months regarding CRB meeting attendance due to not having enough board members which has since been remedied; he is worried about the state of City Commissions moving forward and how they are handled by the new administration and is wondering what will come of the future of Commissions if there are not enough board members; the public needs to know of these Commission meetings and the meetings should be more readily available for citizen and Commissioners to attend; he feels there is now an undertone taking place in Duluth; Eric would like to attend more Commission meetings and states that our voice is much stronger together rather than individually.
 - b. Chair Lue stated that she is wondering how things will play out in the next few years in the administration regarding Commissions, boards and committees and agrees that on the base level, communication between City Commissions is needed.
 - c. Community member, Kathleen Spencer agrees; she applied to be on a Commission some 15-years ago and her application was ignored; she is an

activist in the community and while very busy, wants to attend the Duluth African Heritage Commission; asked if anybody really pays attention to the Commission other than people like us. When Emily (Larson) was Mayor, people could meet with her, but did she take these meetings very seriously?; attending these Commission meetings is a way to meet intelligent people and make connections.

- d. Eric Franklin further mentioned that once you scream loud enough for so long, someone is bound to listen and with the right motivations and the right collection of individuals, people will listen; sometimes it takes years. To serve our community, it might require us to do a few more hours, attend more meetings and persistence and presence will push forward
 - e. Commissioner Jaramillo-Kraermer asked Eric when the next Citizens Review Board meeting is and he responded that it is on August 28th at 5:30 pm in Room 430 at City Hall; there are a few new Commissioners and they all seem engaged on some level and we will start from there
 - f. Chair Lue mentioned that we really need to fill our Human Rights Commissions' vacant spots especially now that our newest Commissioner Janet Ashmore has resigned. Commissioner Jaramillo-Kraermer asked how many spots we have open; we have 4 open seats. Laura Laaksonen spoke to let us know that it has been brought to Ben Van Tassel's attention that Commissioners are needed; we have three applications on hand from the last 6 to 12 months and acknowledged that filling the open positions takes time as it has to go to Council after being pushed through
 - g. Eric Franklin asked what the process is of receiving and moving applications forward; Laura Laaksonen responded that it has changed under the new administration but previously, applications would come via the website and be sent to her and Carl Crawford for review; they would make recommendations to the Mayor; Mayor Larson would usually accept the recommendation and put it on the City Council agenda and get approved; Laura stated that she still sees the applications but is now out of the process and is not sure how often applications for Commissions are discussed
 - h. Chair Lue stated that if any of us have friends or family to recommend to be on the Commission, that she can email Ben Van Tassel with applications to look at as a heads up
4. Committee Reports
- a. Executive Team Report
 - i. Human Rights & Equity Officer position: Chair Lue gave the update that the job was posted in June and reposted Thursday Aug 7th with applications due Aug 28th; Commissioner Jaramillo-Kraermer asked if there are any changes to the description and Chair Lue mentioned that Knowledge, Skill, and Ability requirements were initially left off of the job description repost but has now been fixed; the City is attempting to cast the net wider for applicants; Laura Laaksonen stated she felt the job was well-advertised.

1. Commissioner Wittenberg asked if the Commission or the Executive Team would be invited to be on the hiring panel and asked when the Executive Team met with the Mayor, did he give any indication on what the Commission would be doing in the hiring process
 2. Chair Lue stated she will be on the interviewing committee for the position and assumed that on the first round of hiring for the position that Vice Chair Ostrander and Secretary Harris would be considered to be on the interviewing panel if she was unable to be present for interviews; To note: Commissioners present for the first set of interviews were Chair Lue and Janet Ashmore
 3. Laura Laaksonen hopes it will be possible to replace another Human Rights Commissioner on the interviewing panel with Janet Ashmore's resignation due to relocation
- ii. The City Council, The Mayor, and the Proposals of Public Safety Ordinances
1. The Executive Team learned that the Mayor rolled out a proposal of public safety ordinances in early July via newspaper article. The Team had a few meetings to discuss our questions regarding the ordinances and to make a plan on how we would question the vague language within them. We felt that these proposed ordinances would disproportionately affect marginalized, low income, or unhoused Duluthians. The ordinances that we primarily had questions on are as follows:
 - a. Prohibiting Camping on City Property
 - b. Redefining Abandoned Property
 - c. Misdemeanor Offense Disturbing the Neighborhood and False Soliciting
 - d. Misdemeanor Offense for blocking Passage on Streets and Sidewalks
 2. On July 15th, 2024, Chair Lue and Secretary Harris were present at the City Council meeting and speaking directly to the City Council, the Administration, and Mayor Reinert, we requested that the proposed ordinances be tabled until a discussion was had to let our voice be known that we felt that potential human rights violations were to come if the ordinances were passed. We requested an "open dialogue" to discuss our concerns of the vague ordinance language and any after-effects that would happen thereafter.
 3. The Executive Team further asked for a meeting with Mayor Reinert before the next City Council meeting in which the ordinances would be voted upon and we were told by a member of staff that the Mayor was out of town and his schedule was booked up. Secretary Harris attended the July 29th, 2024 City Council meeting to observe, but did not speak. The ordinances passed during a late night vote. Per Chair Lue, it was to our understanding that none of the ordinances would be implemented until 30-days after passage. The next morning, a 7-day notice to vacate was posted at the Free Palestine and unhoused encampment at Priley Circle in front of City Hall. This encampment was being inhabited for three months

4. Early in the morning on August 7th, 2024, the encampment was dismantled by the DPD and the City's Life Safety Team and encampment inhabitants' belongings were thrown into dumpster trucks and hauled away. One individual and one freelance journalist were arrested for obstruction. They were later released, but the Commission is finding out if charges are still on their record
 5. Chair Lue has reached out to other City Committees, Boards and Commissions in hopes of working together with our non-profit community partners that work directly with unhoused and marginalized Duluthians that will be affected by these ordinances
 - a. A joint statement has been drafted from the Commission on Disabilities, Citizen Review Board, and Human Rights Commission to discuss what has transpired and how we can further serve our community and non-profit partners to be proactive to the impending issues to come
 6. Secretary Harris spoke to say that we have also proposed the idea of printing Know-Your-Rights guides for those that have found themselves in between housing and this idea is in the works
- iii. Comments regarding the Executive Team update
1. Eric Franklin acknowledged the \$500,000 that was awarded to Stepping On Up (funds voted in by the City Council) and Chair Lue further asked what we can do as Commissions to advocate and assist CHUM and other non-profits; Kathleen Spencer stated that real estate across the whole nation is getting stabilized, but slowly
 2. Commissioner Jaramillo-Kraemer wanted further information on the public statement draft and how it will be going out; Chair Lue responded that we will email news outlets and that we were still wondering if the arrested individuals at the encampment had charges still affixed to them; further, when the removal happened, things were just trashed and for someone to lose a tent or personal items, that is their life and we would like to request that belongings are replaced if they were lost, such as personal identification cards.
 3. Commissioner Jaramillo-Kraemer asked how the Commission can be proactive with the non-profits that were not collaborated with when the public safety ordinances were proposed; she feels something needs to be included in the statement regarding the lack of community and Commission collaboration; Kathleen Spencer stated that the unhoused have no place to sleep and when they accumulate tickets, they go to jail, further saying it is ignorant to make ordinances like the ones that were proposed and was shocked at their passage; Commissioner Jaramillo-Kraemer would like outreach and calls to attorneys in the area referencing pro bono work and stated that any misdemeanor charge can impact a person for the rest of their lives; Chair Lue wants to ask CHUM to see how they have worked through these ordinances after they have been passed and if there is anything that the Commission can do to help
 4. Laura Laaksonen mentioned viewing a video done by County Commissioner Ashley Grimm with Attorney Veronica Surges regarding how the vague nature of

the ordinance language can be used against populations in ways that they were not intended; Commissioner Jaramillo-Kraemer stated that Veronica is a public defender and could be willing to have listening sessions and speak to the community if needed; Chair Lue stated that she spoke with Ashley Grimm as of August 14th

5. Eric Franklin stated that the CRB can be useful to monitor the occurrences of people being fined or approached and that numbers can be used to be mindful to keep an eye out for an escalation in interventions between the unhoused and DPD on the basis of the ordinances
6. Kathleen Spencer asked if anyone has a direct connection with Senator Jen McEwen; Secretary Harris spoke to say she has a direct connection and can reach out as needed

iv. Findings Committee Reports (May through August)

1. May Findings Committee Notes

- a. A woman who works for a local Duluth restaurant is alleging gender discrimination and is claiming that she is being treated badly and that tips are being split illegally. She stated that she wants to open this case with the state human rights office because the issue of splitting tips may fall under state labor laws. Laura will advise her to file a complaint with the Minnesota Human Rights Office and Department of Labor
- b. An Indigenous man filed a complaint against a DPD officer and originally filed the complaint with the Citizens Review Board but was not happy with the outcome. Laura is going with him to view the body cam footage and is going to recommend to file a complaint with the Minnesota Human Rights Office since Duluth police officers are city employees and could be seen as a conflict of interest
- c. A woman that works for a transportation company is alleging age discrimination. She worked an administrative role and was terminated in April but has made no mistakes or has not had significant write-ups in her file. The company has been hiring younger people into the office and once they had a full cohort of new trained-in staff, they let her go; she is 79 years old
- d. A woman is having trouble receiving psychiatric care at a local hospital after she was critical of the accessibility of their care and long wait times. Laura will recommend her to a state ombudsperson through the MN Department of Health and will be reaching out to more local mental health care advocates for immediate care in the interim. Laura will call the disability law center for more suggestions

2. June Findings Committee Notes

- a. A mother was unhappy with an interaction between Duluth Police and her young African American son. Her son was detained in a squad car for mischief late at night and she didn't like how they were treated. She will review body cam footage and possibly file a complaint with the CRB

- b. An African American woman is having trouble with access to her apartment building – her key fob keeps getting disabled. She feels that she is being targeted as it seems that this only happens to her. Laura will contact the landlord at her request to see what they say, then she may proceed with a complaint
 - c. A woman who is white works for a company owned by people of color. She was recently let go and she feels that she was discriminated against in the process. She was given info on how to file with the state if she chooses
3. July Findings Committee Notes
- a. A man with a disability living in Central Hillside is upset about moving his vehicle for alternate side parking weeks and has asked for a handicap parking space on both sides of the street, which has happened. He is still not moving his car and states that he should not have to move it because he has a disability. Laura is going to encourage him to reach out to the Commission on Disabilities for more advocacy or file a complaint with the state
 - b. A man has an active restraining order against him from his wife and their child and was violating the order stating that he was making sure his child was okay in a public space. She called the police on him and they did not let him into the area, where she was with her child. He has a disability and says he needed to use the restroom in the park, but police did not let him and he had an accident. He can also send a complaint in to the Citizens Review Board or file with the state
4. August Findings Committee Notes
- a. A woman called on behalf of family member and may also be opening a complaint with the Citizens Review Board. Her family member is African American, in her 70's, with health issues. A person showed up at her house who she has a restraining order against and she called the police. When they arrived, she was holding a knife because she was afraid for her life. She and the other person were arrested and spent the night in jail. Due to her health issues, she was not doing well while in jail. Charges were dropped and she was released. The family wants to review the body cam footage before they file an official complaint. They will be encouraged to send a complaint to the state human rights office considering that the complaint is against City of Duluth employees.
 - b. A domestic violence survivor who is part of the Safe and Home Program is filing a complaint against her workplace. She is part-time but has been asking for more hours and the workplace refuses to give her more hours while the full-time employees are given extra overtime hours. She believes that this has something to do with her being African American considering other racist side comments that she has heard there. The workplace is also not complying with the Safe at Home confidentiality rules. She will continue documenting incidents as they happen and will

most likely file a complaint with the EEOC. She is also encouraged to be proactive with filing unemployment benefits inquiries and to call the MN Safe and Home Program for help

- v. The Commission thanked Tyra for her contribution on the report; Laura Laaksonen communicated that she is frustrated with our Human Rights Commission continuing to defer cases to the State when there is a need on the local level to help out our Duluthians with their complaints; Chair Lue stated that one of the main persons at the State level has left their role as of August 9th; Commissioner Jaramillo-Kramer stated that it is not our goal as a Commission to keep sending on these cases to other entities

5. Old Business

- a. Human Rights Award: Kelly at the City said that she would be changing things up regarding the award but it is still posted as-is and a follow-up has not been provided to the Commission; Laura will follow-up with Kelly
- b. Partnership with Superior Commission/Health Equity Panel: Chair Lue said that one of our volunteers to be on this panel is not with the Commission anymore (Ashmore) and she needs help organizing and help with the Superior Commission; she asked for someone from our Commission to help out with organizing the panel
 - i. Commissioner Jaramillo-Kraemer mentioned that we should reach out to Fond Du Lac, behavioral or general health centers in addition to St. Luke's and Essentia
 - ii. Laura Laaksonen mentioned that there is health resource advocacy at the Library to navigate and get assistance from a navigator and will check to see if there are flyers to refer to
 - iii. Chair Lue will share our update with Superior's Commission and asked Commissioners to let her or Laura know if we are able to help out

6. Human Rights Officer Report

- a. There is nothing to report at this time that has not already been covered

7. Announcements and Upcoming Events

- a. The Mayor's Reception is at The Depot on Aug 29 at 5pm for the Duluth-Superior Pride event; Chair Lue stated that she will try to be there; Secretary Harris is unable to attend due to being out of town
- b. It was stated that Carl Crawford and Commissioner Carl Huber had a banner in the parade in the past when it was asked if the Human Rights Commission had plans for having a presence in Duluth-Superior Pride events; stated that it was hard for some of us on the Commission to be part of it due to the timing of the events

8. Additional public comments and commissioner comments
 - a. Eric Franklin said it was probably discussed before he arrived to the meeting, but he asked where things are at with the Human Rights Officer position; Chair Lue said that the criteria was not rewritten, but reposted with the same job descriptions with applications due Aug 28th; Commissioner Wittenberg verified when the next Citizens Review Board meeting date was: Aug 28th

9. Request for agenda items for next meeting, discuss summer meeting schedule
 - a. Laura Laaksonen mentioned that bylaws were on the agenda for a while, but it might be best to wait until the health equity panel is done; Chair Lue said we can review bylaws and talk about them at the September meeting and possibly vote for them in October; Commissioner Wittenberg asked if we needed an Officer to complete this task and that it makes sense to wait until we have the Officer on the Commission; Laura Laaksonen does not think the 10-meeting requirement is necessary

10. Adjourn time: 6:39 p.m.
 - a. Next meeting is Wednesday, September 11th, 2024 at City Hall Room 430 at 5:30 p.m.

Minutes submitted by:
Jen Harris, Secretary

The public is encouraged to submit written comment to the Commission prior to the meeting by emailing or mailing comments to City Hall at 411 W 1st St, Attn: Human Rights Office Room 434, Duluth, MN 55802.

Please note that all public comment is considered Public Data.