

ARIZONA CIVIL RIGHTS ADVISORY BOARD

Minutes of Public Meeting

Thursday July 29, 2010

1:30 p.m.

Board Members Present

Jeff Lavender, Chairperson
Laura Mims, Vice Chairperson (telephonically)
Kenneth Moore (telephonically)
Beverly Dupree
Daisy Flores (telephonically)

Board Members Not Present

Jesus Cordova

Staff Members Present

Melanie V. Pate, Executive Director
Sandra R. Kane, Legal Counsel

I. Call to Order.

Chairperson Jeff Lavender called the meeting to order at 1:35 pm with the following board members in attendance: Jeff Lavender and Beverly Dupree appeared in person. Laura Mims, Kenneth Moore and Daisy Flores were all present telephonically. The meeting was open to members of the public at the Cap Center, 15 S. 15th Ave., Basement Conference Room B, Phoenix, AZ 85007.

II. Approval of Minutes of May 27 and June 4, 2010 meetings.

Kenneth Moore moved to approve the minutes of the May 27 and June 4, 2010 meetings. Beverly Dupree seconded the motion. All board members present voted in favor of the motion.

III. Arizona Civil Rights Initiative.

a. Jeff Lavender's comments for election brochure.

Mr. Lavender read the statement that he prepared in opposition to Referendum No. 107 to all persons attending for review. The statement will appear in the state election brochure.

b. Request by Protect Arizona's Freedom to list ACRA as supporter.

The Board discussed the request of Protect Arizona's Freedom to list it as a supporter in opposition to the Arizona Civil Rights Initiative. Daisy Flores asked if there was any political reason not to do this. Melanie Pate offered to speak to the Chief Deputy of the Attorney General's Office to request said approval. Beverly Dupree moved to have ACRA be listed as a supporter of Protect Arizona's Freedom, subject to approval of the Executive Office of the Attorney General's Office. Daisy Flores seconded the motion, and the Board members in attendance unanimously voted to approve the motion.

IV. SB 1070.

Melanie Pate reported that a federal judge issued an injunction on parts of the law so that they would not go into effect on July 29, 2010, as scheduled. Sandra Kane added that AZ

POST has completed the video on guidance on SB 1070. If anyone is interested in seeing that video, it is available on the AZ POST website, at www.azpost.gov under the SB1070 information center. Additionally, the Civil Rights Division issued fair housing guidance regarding SB 1070. This guidance is available at the Attorney General's website at www.azag.gov/civil_rights/fairhousing/SB1070Advisory.html.

V. Division Report

Melanie Pate reported that the Division is continuing to work on the DOJ grant activities. It is finalizing print ads that will run in approximately 50 newspaper locations around the state of Arizona. There will also be a radio ad that will be played on several radio stations in Phoenix, Tucson and Yuma. Melanie Pate is continuing to do seminars for employers and workers about immigration related unfair employment practices. Also, the Division finished its housing contract period with HUD with 157 fair housing cases closed for FY 10. The EEOC contract ends September 30th and the Division has already met and exceeded its obligations under this contract. Ms. Pate reported on the Ninth Circuit ruling overturning the dismissal of the Division claims in the Harkin's case, and indicated that the case may now settle. Sandra Kane reported that the Division added a new webpage to the Attorney General's website for ACRAAB. It is located at www.azag.gov/civil_rights/ArizonaCivilRightsAdvisoryBoard. Notices and agendas of ACRAAB meetings and approved minutes will be posted on the new webpage.

VI. Call to Public.

There were no speakers.

VII. Sexual Orientation

a. Board member discussion re draft policies from cities and towns and businesses.

Sandra Kane asked if the Board wanted to proceed with this topic at this time. Beverly Dupree suggested that the Board draft a letter asking the cities and towns and businesses to look at their policies and ordinances regarding sexual orientation and gender identity in the work place. Jeff Lavender proposed having a meeting in Tucson to hear from the City of Tucson to get a better understanding of their experience in implementing their ordinance prohibiting sexual orientation discrimination and since implementation, before preparing such a letter.

b. HUD directive re fair housing enforcement and tracking.

Melanie Pate stated that HUD recently issued a directive to all of its fair housing partner agencies. Even though sexual orientation and gender identity are not protected classes under the Federal Fair Housing Act, and are not protected in the Arizona Fair Housing Act either, HUD has asked that the agencies track inquiries regarding sexual orientation and gender identity discrimination to gather information and see if there are a lot of these types of complaints. HUD can then use this information to possibly ask Congress to amend the Federal Fair Housing Act to include sexual orientation and gender identity as protected classes.

VIII. Planning for Future Meetings.

The next board meeting will be held in Tucson on October 6, 2010. Jeff Lavender requested that a representative of the City of Tucson be present to talk about their experience with the ordinance prohibiting sexual orientation discrimination. There was discussion of what civil rights groups to invite to the next meeting. Jeff Lavender will

contact a representative of Protect Arizona's Freedom and invite them to speak at the meeting.

IX. Announcements and Current Events.

There were none.

X. Adjournment.

Kenneth Moore moved to adjourn the meeting and Daisy Flores seconded. All Board members present voted to adjourn the meeting at 2:20 p.m.

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