



Annual Internal Review

This report covers the time period of 7/1/2019 to 6/30/2020

City of Austin Human Rights Commission **(Official Name of Board or Commission)**

The Board/Commission mission statement (per the City Code) is:

The Commission Mission Statement per the City Code

Code of Ordinances: Section 2-1-148-Human Rights Commission

- (A) The Human Rights Commission is established as a local commission on human relations in accordance with Texas Labor Code Chapter 21 (Employment Discrimination) to promote the purposes of Chapter 21 and the City Code and secure for all individuals in the City freedom from discrimination because of race, color, disability, religion, sex, national origin, sexual orientation, gender identity, or age.
- (B) The commission should be composed of members who as nearly as possible are representative of the several social, economic, religious, cultural, ethnic, and racial groups which comprise the population of the City.
- (C) The Commission shall:
 - (1) advise and consult with the city council on all matters involving racial, religious, or ethnic discrimination, and devise practices to promote equal opportunity;
 - (2) serve in an advisory and consultive capacity to all city departments, advisory boards, and regulatory agencies to assure effective compliance with non-discrimination policies and orders, and recommend to the city manager measures to improve the ability of various departments and agencies to insure equal protection of any and all persons and groups against discrimination;
 - (3) recommend to the city council legislation to aid in programs designed to eliminate prejudice and discrimination and encourage community support for the legislation;
 - (4) aid in the formulation of local community groups in neighborhoods as needed to carry out specific programs;
 - (5) initiate and facilitate discussions and negotiations between individuals and groups to lessen tensions and improve understanding in the community;
 - (6) assist in the enforcement of all laws prohibiting discrimination against persons where jurisdiction is not specifically vested in another agency;
 - (7) receive and investigate complaints and, as provided by state law, and if necessary, subpoena witnesses and documents needed for investigation of those complaints, and initiate investigations of tensions, acts of prejudice, and practices of discrimination;
 - (8) conduct public hearings on complaints and investigate and report to the council in

writing facts, findings, and recommendations after using persuasion, mediation, and conciliation before any public hearing, and after making certain that any person named in any report of investigation was given the opportunity to be heard before the board with the right to examine and cross-examine witnesses;

(9) institute and conduct educational programs to promote equal treatment, opportunity and understanding, and sponsor meetings, institutes, forums, and courses of instruction to lead to a clearer understanding and solution of human relations problems;

(10) assist in training city employees to use methods of dealing with intergroup relations that result in respect for equal rights and equal treatment, and cooperate with the local Police Department in developing and including human rights courses in the curriculum of police training;

(11) conduct research, obtain factual data and hold public hearings to ascertain the status and treatment of racial, religious, and ethnic groups in the city and the best means of progressively improving human relations;

(12) provide services and information to the city manager and heads of all city departments and agencies to achieve the purposes of this chapter; and

(13) cooperate with all city, state, county, federal, and other governmental agencies, as well as racial, religious, ethnic, nationality, educational, community, civic, fraternal, benevolent and other groups, associations, societies, and individuals with constructive talents and resources helpful in achieving mutual appreciation of the privileges and the responsibilities of citizenship in a land of freedom enriched by free commerce and full utilization of all human resources from all racial, religious, ethnic and national groups.

1. Describe the board's actions supporting their mission during the previous calendar year. Address all elements of the board's mission statement as provided in the relevant sections of the City Code.

(Reference all reports, recommendations, letters or resolutions presented to the City Council on mission-specific issues. If some of the elements of the mission statement were not acted on by the board in the past year, the report should explain why no action was taken.)

August 26, 2019:

Recommendation 20190826-003c: Public Safety budget reforms to emergency mental health crisis response procedures, including first response and 911 and 911 call center response.

The Human Rights Commission joined the Public Safety Commission in unanimous support of supporting mental health first response reforms.

October 28, 2019:

Recommendation 20191028-003b: Recognition of International Human Rights Day.

Recommendation 20191028 003e: Protect and Serve the Homeless Community.

The HRC recommended to City Council that the City protect the homeless community from forceful displacement, seizure of their personal possessions, and/or direct attacks; Provide resources for proper relocation; Provide resources for basic needs; Provide resources to prevent

homelessness and the cycle of poverty; and Adding people experiencing homelessness as a protected class to existing non-discrimination ordinances.

November 13, 2019 Special Called Meeting:

NDO Hearing To Hear and Rule on the appeal of a “No Reasonable Cause Determination” of the Equal Employment/Fair Housing Office in Case No. HRCCF-18-003 Under City Code Chapter 5-2 Discrimination in Public Accommodations.

The Human Rights Commission conducted a hearing to review the appeal of an individual whom disagreed with the no reasonable cause determination of the Equal Employment/Fair Housing Office upon review of his complaint. The complainant did not appear at the hearing. Upon hearing the evidence presented by City staff and attorneys for the City and the complainant, the members of the decision of the Human Rights Commission supported the no reasonable cause determination.

November 25, 2019:

Recommendation 20191125-003b: Race and Equity within AISD School Closures and Consolidations Plan.

The Human Rights Commission recommended that the members of Austin City Council submit a request for the Austin Independent School District Board Of Trustees and/or the Superintendent to: Publicly issue a letter of apology to the four school communities with students that may be negatively affected by the school closures and consolidations plan that included a "map of what 21st century racism looks like" and for disregarding the public statement by the district's very own well-qualified Chief Equity Officer, Dr. Stephanie Hawley; and A strategic plan of action (that is co-created with the district's Chief Equity Officer) and will be utilized by the district in order to correct the Board of Trustee's decision to proceed forward with school closures and consolidations while using a "21st century map Of racism," and disproportionately closing schools with extremely high percentages of African- American, Hispanic, and low-socioeconomic student populations.

January 27, 2020:

Recommendation 20200127-003b: Land Development Code and Equity.

The Human Rights Commission requested that the Austin City Council: 1) Direct and provide a budget in consultation with the Equity Office defining the timeline and resources needed for a comprehensive Equity and Disparate Impact Analysis of the Land Development Code Revision and its process; and 2) Direct and provide budget for an intentional, accessible engagement process with communities and neighborhoods identified as at risk for gentrification and displacement. We recommended the engagement be performed by culturally responsive contractors identified by the Equity Office; and that it ensure individuals understand what the new code will mean for them and their neighbors; and provide the neighborhoods opportunity to identify strategies they feel are best able to ensure the new code will serve them and ensure they are able to remain housed and maintain and/or create access to municipal services and infrastructure. We recommended the analysis be directed by the Equity Office, and receive full participation from associated departments, as required.

Recommendation 20200127-003c: Recommendation to Ban Cashless Retail Establishments.

The Human Rights Commission recommended City Of Austin Council Members craft and pass an ordinance that encourages inclusive commerce by banning cashless retail establishments until such time that everyone has access to banking resources that they need, to cash-to-card machines that do not charge fees, or anything similar that will allow everyone to shop at every physical, public-facing retail establishment with five or more employees.

Recommendation 20200127-003f: Cease Arrest and Prosecution Against Sex Workers.

The Human Rights Commission for The City of Austin encouraged the Austin City Council to allocate funds and explore all available means in order to end the arrest, criminalization, stigmatization, criminal pursuit, detention, trial, or any other legal Strategy against persons whom individually engage in sex work.

Recommendation 20200127-003i: Recommendation to Adopt a Climate Emergency Plan.

The Human Rights Commission for the City of Austin demanded the Austin City Council allocate funds and explore any and all available means to implement a 10 Year Emergency Climate Plan that includes full divestment and worker transition for the City's 50% stake in a coal-powered plant and the two natural gas-powered plants by the year 2025, to invest in appropriate renewable replacements, tremendous investment in urban agriculture, immediate freeze on purchasing any gasoline, diesel, or natural gas-powered vehicles, a reduction over time Of the city's petroleum-based vehicle fleet, implement solutions to combat heat island effect, and massive and extensive investment and expansion of the city's purple pipe water system.

February 24, 2020:

COMMUNITY FORUM: The commission will conducted a forum on community priorities for the 2020-2021 City of Austin budget in order to take action of priorities presented to the commission by community members related to the City budget.

April 27th, 2020:

Recommendation 20200427-002a(i): FY 2021 Budget Evictions in Travis County.

The Human Rights Commission Requested the Austin City Council: Audit property owners and review complaints of evictions; Ensure all procedures and steps in the eviction process were followed; and Red flag and take action against properties and property owners that are violating and evading the regulated eviction process.

Recommendation 20200427 002a (ii): FY 2021 Budget Financial Assistance for families in Travis County.

The Human Rights Commission Requested the Austin City Council: Reallocate at least \$1.5 million from existing social services contracts to direct and unrestricted cash transfers to individuals and families struggling with poverty as a way to advance their social and economic mobility, while prioritizing people with a gross income of less than \$30,000 annually who have not qualified or received financial assistance through other relief programs, including but not limited to: Immigrants; People experiencing homelessness; People who have previously been incarcerated; Minors supporting themselves or supporting their families; and Persons of color.

May 18, 2020:

Recommendation 20200518-002b: Fair Lending Practices and Consumer Protection.

The Human Rights Commission supports the amendments proposed for Ordinance No. 20190910-002 to ensure fair lending practices and consumer protections. We encourage Council to approve the amendments in Agenda Item 28 at the upcoming Council meeting on May 21st.

Recommendation 20200518-002d: Universal Basic Electricity.

The Human Rights Commission for the City of Austin recommended the City Council of Austin direct Austin energy to restructure its payment schedule to fit the following: Expand Tier 1 to include up to 700 Kwh/Month at \$0.00/Kwh with fee-exemption, and create a flat-fee Of SIO for Tier 2 which should be from 700-1300 Kwh/Month at \$0.01/Kwh.

June 5th 2020: Special Called Meeting

Recommendation 20200605-001a: Recommendation to Council to publicly call for the community to stand in solidarity with the family of George Floyd.

Officers who murder citizens deserve to be prosecuted to the fullest extent of the law. In light of pervasive and proven systemic racism and failures of accountability by the Chief of Police in Austin, Texas, we called for the removal of Brian Manley. Black men and women are being murdered by the very people we pay, with our tax dollars, to protect them. As humans, people of color are beyond tired of seeing this same system fail them over and over again. At some point, enough is enough. We stand in solidarity with thousands of other people and we demand that justice for all of our people be made today!

June 22, 2020:

Recommendation 0200622-002a: Office of Police Oversight Complaints.

The Human Rights Commission recommended the Mayor and City Council compel City Manager Spencer Cronk direct APD Chief Brian Manley to initiate automatic investigations of vetted complaints received from the Office of Police Oversight. Chief Manley shall be directed to treat external formal complaints from the Office of Police Oversight in the same manner APD handles internal complaints. Furthermore, Chief Manley shall be directed that it t compulsory that complaints received by APD from the Office of Police Oversight be sent APD Internal Affairs for investigation and action.

Recommendation 20200622-002b: Reallocate Funding From APD.

The Human Rights Commission of The City of Austin demanded City Council direct the City Manager to create a one year framework to reallocate funding from the Austin Police Department which should include an immediate hiring freeze, a plan to protect the pensions of current and previous officers, and a plan to divert funds already allocated to APD to various community-based solutions, including, but not limited to hiring a large staff of social and trauma workers, expanding all-age education, job placement and creation, and unfettered access to all medical services both physical and mental, investment in local and/or small Black and Brown businesses, public housing, and free-at-point-of-access public transit.

2. Determine if the board's actions throughout the year comply with the mission statement.

(If any of the board's actions were outside the scope of the mission statement, the report should explain the non-compliance issues.)

All actions of the Human Rights Commission during period of 7/1/2019 to 6/30/2020 complied with the mission statement.

- Note: It is in the interest of furthering the mission of the Commission, in partnership with the Austin Equal Employment Opportunity/Fair Housing (EEO/FH) Office, to resolve discrimination complaints regarding housing and fair accommodations.

3. List the board's goals and objectives for the new calendar year.

(Make sure the goals and objectives fall within the mission statement of the board/commission.)

1. Institutional Equity
2. Environment & Land Use
3. Health Access & Nutrition
4. Autonomy & Human Rights