SPECIAL DOVER HUMAN RELATIONS COMMISSION WORKSHOP

A Special Dover Human Relations Commission (DHRC) Workshop was held on July 8, 2014 at 5:04 p.m. with Chairman Wilson presiding. Members present were Ms. Hicks, Mr. McGiffin, Mr. Roach (arrived at 5:06 p.m. and departed at 6:30 p.m.), Mr. Ruane, Ms. Smith, and Mrs. Sadusky (arrived at 5:24 p.m.). Mr. Henderson and Ms. Stewart were absent.

AGENDA ADDITIONS/DELETIONS

By unanimous consent, the agenda was approved as presented.

Development of DHRC 2014-2017 Strategic Plan

Mr. Ruane reviewed a brief history of the origins of the DHRC. He advised members that, in 2001, there was an incident in the Dover community in which a young, African-American man was arrested and died in police custody. The community became incensed and ad hoc and formal meetings were held. An investigation was performed, and it was determined by the State Department of Justice that the man had died of a drug overdose and was close to death at the time of the arrest. Due to the threat of tension between the police and the community, consideration was given to developing a public forum at that time to address this type of issue. A Community Harmony Committee was developed, which included ministers, some members of Council, and the Mayor, and assistance was provided by the State of Delaware Human Relations Commission (SHRC). The question was also raised as to whether a citizen review board was needed but a decision was made to trust that the Police Department had internal procedures in place to address this type of incident through a complaint process and by allowing citizens the opportunity to discuss problems with the internal affairs officer. For this reason, it was decided that another group to handle citizen complaints about the police department was not needed.

Mr. Wilson advised members that, at that time, he, as President of the National Association for the Advancement of Colored People (NAACP), and Mayor James Hutchison called upon the Department of Justice (DOJ) for assistance. A representative from the DOJ came to the City from Philadelphia, communicated with the various organizations involved, and recommended that a Dover Human Relations Commission be established.

Mr. Ruane explained that, with the assistance of the SHRC, it was determined that State Code deals with anti-discrimination in employment, housing, etc. in Delaware, and it was recommended by the SHRC that the DHRC allow the SHRC to respond to this type of complaint. The SHRC would provide the City instruction on where to refer those alleging housing or employment discrimination or with complaints pertaining to any other matters covered by the State Code, as stated in Chapter 58 - Human Relations, Article II - Human Relations Commission, Sec. 58-36 (4) of the Dover Code.

Referring to the U.S. Department of Justice Community Relations Service Guidelines for Effective Human Relations Commissions, Updated March 2003, Mr. Ruane stated that the there was a close correlation between this document and the objectives, goals, and statements used in 2001 when establishing the DHRC. He noted that there were differences between the Dover DHRC and similar organizations, stating that someday the DHRC might find itself in a role that was expanded to include human rights rather than just human relations, which was the Commission's current emphasis. He explained that various commissions around the country are civil rights commissions or human rights commission or both; however, DHRC members must work within the context of the Dover legislation. It was his belief that some of the conflicts relating to the DHRC in the past were the result of not understanding the narrow limits of that legislation.

Mr. Ruane reviewed the outline he prepared for the Workshop and advised members of the components that are normally included in a human relations commission strategic plan, including a mission statement, vision statement, values statement or guiding principles, SWOT (Strengths, Weaknesses, Opportunities, and Threats), long-term strategic objectives, strategies, short-term goals/priorities/initiatives, and action items/plans.

Referring to Page 8 of the Guidelines for the Effective Human Relations Commissions, Mr. Ruane stated that the DOJ recommended that a human relations commission should be established by ordinance at the local government level. Mr. Ruane pointed out that the provisions relating to the prohibition of discrimination in specific areas and establishing a policy of equal opportunity were excluded from the City's DHRC ordinance. Other provisions related to studying and recommending local government programs to enhance communications and understanding, developing and maintaining positive relations and promoting policies and practices that support inclusiveness and civility were included. He reiterated that when objectives and programs are developed in the DHRC strategic plan, members must stay within the Dover Code. Mr. Ruane suggested that some of the ideas in the Dover ordinance, such as fairness, respect, and monitoring intergroup relations and intergroup conflict, could be translated into a mission statement, vision statement, value statement, etc. It was his opinion that a system of mediation and conflict resolution had never been developed by the Commission. He suggested that the DHRC determine goals and priorities which could be developed into Specific, Measurable, Achievable, Realistic and Time-based (SMART) objectives.

In developing a mission statement, Mr. Ruane stated that members should develop an overall expression of the Commission's purpose. He noted, for example, that the Delaware Heart and Vascular, P.A.'s mission is "to provide the highest quality, hands-on personalized cardiovascular care and services in a warm, friendly, and compassionate atmosphere," and its vision is "to be among the best providers of cardiovascular care and to be a place where employees want to work, patients want to receive care, and physicians want to practice." The City of Dover's mission statement states that "The City of Dover is a place where people want to live through the team effort of its elected officials, employees, and citizens. Dover is a clean and safe community with a future of balanced growth and opportunity where all citizens are heard, enjoy a high quality of life, and diversity is valued." Mr. Ruane felt that the DHRC should become a group of people that want to make this happen and should be able to answer the questions regarding how diverse the City is demographically, economically, and how diverse and inclusive its government is, including the Mayor, Council, and every department. Mr. Ruane provided members with excepts from the City of Dover Personnel Policy (Employee Handbook), July 2004 ***(Attachment #1)***, noting that the Handbook indicated that the City's Human Resources (HR) Department acknowledges the goal of the Human Relations Commission and includes provisions for the DHRC to work with the Department in relation to equal employment opportunity, discrimination, and harassment. The DHRC should, therefore, be able to determine how the HR Department is recruiting, how diverse the workforce is, and who provides related training, etc.

Referring to Sec. 58-36 (1) of the Dover Code, Mr. Ruane explained that this provision provided an opportunity for members to make recommendations to City Council.

Mr. McGiffin expressed his desire for the DHRC to be a resource for those who live in Dover and have issues related to groups of people getting along with each other, whether or not these concerns are related to City government. The Commission would be a resource to help resolve issues that have to do with discrimination, inclusion, or diversity that do not fall under the scope of the SHRC or other entities. Responding to Ms. Smith's request for an example of this type of issue, Mr. McGiffin stated that a person with a disability might be offended if the City were to publish information that referred to people with disabilities as disabled people, rather than using "people first" language. He felt that the DHRC could deal with this type of issue as it is a substantive problem, involves an issue not easily resolved in some other forum, and is something that the DHRC has authority to address under its enabling legislation.

Ms. Smith stated that she was not an expert on diversity issues; therefore, in order to provide information on resolving this type of situation in an open and objective way, she would need training. Responding, Mr. McGiffin noted that Commissioners would be performing this type of function as part of the Commission, not as an individuals. If this type of situation were brought to the Commission, it would be incumbent on the Commission to find out the relevant information, determine if it is a matter to be considered, and decide if there were possible solutions, e.g., approaching the department to discuss the matter. Members of the DHRC would not be decision makers as much as facilitators.

Mr. Wilson stated that he had met with the SHRC, who was willing to provide "any resources" for the DHRC and stated that resources should be combined to resolve issues together.

Mr. Ruane suggested that training for commissioners and discovery of resources could be one (1) of the objectives for the DHRC and that part of its mission might be to resolve issues that have to do with discrimination on a systemic (versus individual) level.

Ms. Smith questioned, when including language regarding discrimination, if the definition should be narrowed and focused enough to convey to the community what they can expect from the Commission, noting that discrimination in housing would not be part of the DHRC's concerns.

Mr. Ruane stated that specifics should be developed to provide the community with an understanding of the Commission's function. He felt that Mr. McGiffin's example of a City department was a good one and questioned if the organization and services of the City would be the primary focus. Responding, Mr. McGiffin stated that the City could be a focus, as there may be concerns in an area where the City has governmental resources and jurisdiction, e.g., a landlord who repairs the houses of white people and leaves the houses of people of color in disrepair. Noting that property inspection is within the jurisdiction of the City, he felt that this might be a policy issue that the DHRC could pursue because it involves discrimination, inclusion, and City services.

Ms. Hicks stated that it was important that the Commission allow those with concerns to speak out and to believe that the DHRC would take action and was committed to making changes. She stated that the community must be able to trust the Commission.

Mr. Roach concurred, stating, as an example, that he had lived on Slaughter Street for his entire life, and residents on that street had complained for many years that this was the only street in the neighborhood that has no sidewalk on either side, so children are forced to walk in the street. He explained that the Simon Circle Boys and Girls Club is located at the bottom of the street and there is a hill at the top with no stop sign present. It was Mr. Roach's feeling that the combination of no sidewalk and no stop sign at the top of the hill would eventually result in someone being hit. Additionally, he stated that his father had complained about drivers speeding at this location. Mr. Roach advised members that he had been told that Mr. Anderson had taken this matter to City Council and a policeman observed the area for one (1) day and did not see anyone speeding there. It was Mr. Roach's belief that drivers would not speed if they saw an officer present.

Mr. McGiffin inquired why this would be a DHRC issue. Responding, Mr. Roach stated that it was not necessarily a DHRC issue; however, it could be a discriminatory issue because the area is a historically black neighborhood.

Mr. Ruane questioned if the broader issue might be whether the City's sidewalk program treats neighborhoods fairly.

Mr. Wilson noted the importance of the Commissioners developing relationships with their City Council district counterparts in order to communicate and work together to solve issues like this.

Ms. Smith suggested that part of the DHRC's mission would be for members to work individually and collectively with Council members. Concurring, Mr. Wilson stated that collaboration was important between individual DHRC and Council representatives as well as between the DHRC as a whole with City Council.

Mr. McGiffin inquired if the DHRC should limit collaboration to only City Council, as he felt it might be helpful to work with other elements of City government besides Council, such as the City Manager, Director of Planning and Community Development, Police Chief, or Fire Chief.

Mrs. Sadusky stated that it would be important to collaborate with others in the community as well.

Mr. Ruane questioned if the DHRC would wait for complaints to come in or if discovery would be done.

Mr. Roach stated that it would be difficult to locate resources and information about all possible problems that may arise, noting that this could waste a lot of effort and time when members could be taking time to become more knowledgeable by talking to individual Council representatives. He felt it important to know the population, and in this way, members would develop knowledge about issues that occur more frequently.

Mr. Ruane questioned if it was the feeling that Commissioners were to be a point of contact with the community to help resolve problems, and Mr. Roach concurred; however, he felt that it was important to identify those concerns that the DHRC was not allowed to address.

Mr. Ruane suggested that each member write down their thoughts regarding the role of Commissioner, e.g., to be a contact person for the community and respective Council members, noting that this was a different approach than that taken by the DHRC previously. In addition, he suggested that members put in writing their thoughts about DHRC priorities and what they hoped the DHRC could accomplish.

Responding to Mr. Ruane regarding the Commissioners' views on DHRC service, Mr. Roach noted that he agreed to serve as a Commissioner because it would put him in a better position to address the needs that are brought to him by the community.

Noting the diversity among Commissioners, Ms. Smith she stressed the value in talking and listening to each other. She felt that DHRC service would offer a new awareness of the City and an opportunity to learn and obtain a broader view of the City.

Mr. Ruane questioned if members were aware of conflicts in the community between groups, noting the implication that the Commission would act if there was community conflict.

Mr. Roach advised members that a meeting would be held on July 9, 2014 at Wesley United Methodist Church on South State Street from 6:00 - 8:00 p.m. in regard to the Restoring Central Dover Initiative. In addition, he indicated that a friend had mentioned to him his feeling that there was discrimination by the Dover Police Department toward black motorcycle groups. As a member of the Thunderguard motorcycle club, his friend noted that the club does a lot of community service, such as bookbag and back-to-school programs, but members are often pulled over or approached by police while having rides or barbecues. He indicated that there are pastors, etc., in this group. He questioned if this was a matter that the DHRC would handle, as there appeared to be discrimination.

Ms. Smith suggested that one (1) of the objectives of the DHRC might be to provide forums and facilitate conversations that would decrease stereotypes and increase the capacity to understand what people do, so that the DHRC could be an educational resource for the community to bridge the gap between organizations, people, the City, etc. Responding, Mr. McGiffin felt that education could resolve many issues, noting, for example, that the "people first" issue discussed previously was an education issue.

Ms. Smith stated that this education emphasis would help to build trust, noting that to build trust there must be a presence and awareness that members want to advocate for justice, dignity, respect, togetherness, etc.

Referring to the City of Portland Human Rights Commission Strategic Plan - 2012-2015, Page 22, Figure 1. Human rights Commission Model for Change, Mr. Ruane pointed out the strategies listed, including Discover, Visibility, Education, and Advocacy. He inquired if members wished to use these strategies as a basis (while crediting the source) to solidify how they wished to operate, noting that specific information, such as objectives, actions, time specificity, who would do it, priorities, etc. had not been included in the Portland Plan. Mr. Ruane suggested that this foundation could be used to develop specific actions. Members could choose a specific issue, such as the City's sidewalk program and determine if it is discriminatory or not, or whether the Police Department has good

community relations with groups such as the motorcycle group. Mr. Ruane suggested that members take one (1) of the issues discussed and establish objectives that are Specific, Measurable, Achievable, Realistic, and Time-based (SMART). For example, if education was selected as an objective, details should be developed regarding "who you want to educate, when do you want to educate them, how you will measure the effectiveness," etc.

Mr. McGiffin expressed his opinion that the DHRC should not "find issues" for which there were no complaints, noting that the only way to resolve issues between parties would be to have both sides participate.

Mr. Wilson stated his feeling that issues should be broad and address all departments. He did not want to see the DHRC target the Police Department as he wished to see morale and relationships strengthened there. He felt that all departments in the City should be considered, expressing his opinion that there were issues related to the Inspections Division.

Mrs. Sadusky stated that the DHRC could perform discovery regarding the sidewalk issue, to determine whether there is a physical reason, such a piping, etc. that would prevent sidewalk construction in the Slaughter Street area.

Mr. Ruane stated that a portion of the City's street and sidewalk program is funded by State legislators. The City uses a ranking system to determine which are the worst streets and areas, and this is presented to legislators; however, legislators often look at this issue from the point of view of how many voters reside on a particular street. He stated that the City also has a separate sidewalk program and perhaps this could be investigated, if this issue were pursued. Responding, Mr. McGiffin suggested that perhaps a State legislator would welcome an opportunity to collaborate with the DHRC on this sidewalk issue.

Mr. Ruane stated that the more informed the DHRC becomes the better members can inform the community; for example, they could inform those who live on Slaughter Street who are affected to request funds from their legislators, especially when they are up for election.

Ms. Smith suggested that a possible mission statement might be "to strengthen community relationships by becoming an educational resource that bridges the gap between City government and its constituents, while addressing potentially discriminating issues affecting organizations, groups, and individuals."

Mr. Roach suggested that the vision might be "to gain the respect and trust of the community and constituents so that they would believe the Commission will accomplish what they ask the Commission to do."

Mr. McGiffin felt it important for the Commission to foster respect, since this would be both critical and fundamental.

Mr. Ruane asked that each member develop at least three (3) specific objectives that meet the SMART criteria and follow the broad strategies included in the Portland Human Rights Commission Model for Change. The Commissioners could then review the individual ideas to determine if there was consensus in obtaining three (3) objectives that the Commission could address. As examples, he stated that in the area of the Discover strategy, objectives could be: 1) examine the City's Employee Handbook to see to what extent it represents good practice in terms of equality, etc., within the next six (6) months; 2) collect data on the sidewalk or recreation programs; or 3) determine how diverse Dover is by examining its demographics in terms of ethnicity, religion, etc.

Mr. Wilson suggested learning whether one (1) group, in terms of ethnicity, was leaving the area more than another group.

Mr. Ruane felt that the DHRC should try to determine what some of the real conflicts in the City are. Noting that race is an issue, he stated that perhaps the conservative/liberal politicization of communities and segregation of neighborhoods in terms of income and philosophy and related clustering were also issues. It was his belief that some of the biggest divisiveness had to do with partisan politics relating to social issues of the day that are dividing people of like races.

Mr. Wilson suggested that racial crimes being committed in the City should be looked at carefully, noting that crimes, such as home invasions, etc., were increasing. He felt that educating the community in this regard and providing programs to stop crimes were important.

Ms. Smith suggested the possibility of holding quarterly forums within the next year which would bring groups together to discuss their differences regarding issues such as those discussed by members, including racial crime, the conflict with the motorcycle group, sidewalks, etc., with some members of City Council attending as well. This would allow the DHRC to provide education and bring people together to decrease stereotypes and share opinions. She explained that the short-term goal would be to build trust and respect and create engagement, while the long-term goal would be to create change, which Ms. Smith felt would come over time.

Noting that the next DHRC meeting was scheduled for July 22, 2014, Mr. Wilson stated that the agenda for this meeting would include further discussion of the topics on the Workshop agenda.

Mr. Ruane reminded members to develop three (3) SMART objectives.

Mr. Wilson requested that members also provide input regarding their view of the role of Commissioner.

Mr. Ruane requested that members also review the suggested mission and vision statements.

Discussion - DHRC Organizational Structure

This item was deferred due to time constraints.

Mr. Wilson advised members that the Dover Public Library was hosting a series of films in commemoration of the 50th anniversary of the signing of the Civil Rights Act of 1964, and that the initial event held at the Schwartz Center on July 2, 2014 went extremely well. Mr. Wilson was unable to attend due to another engagement; however, he heard that there was positive conversation in the community about the event. He suggested that each Commissioner attempt to attend one (1) or more of these documentary events. In addition, Mr. Wilson requested that each Commissioner attend one (1) of the diversity training workshops being offered by the City's Human Resources Department, noting that a schedule of sessions had been emailed to members previously. Mr. Ruane requested that the schedule be emailed to members again.

Mr. Wilson requested that members continue to review the information that had been provided in their meeting packet.

Mrs. Traci McDowell, City Clerk, reminded members that pictures were still needed for member ID badges.

By unanimous consent, the meeting adjourned at 6:39 p.m.

Cecil C. Wilson
Chairman

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Attachment
Attachment #1 - Excerpts from the City of Dover Personnel Policy (Employee Handbook), July 2004



SECTION 15. PAYROLL DEDUCTIONS

Federal and State Income Taxes, Social Security Tax, Medicare Tax, Dental, Life and Health Insurance Premiums, Credit Union Contributions, United Way contributions, Public Employees Benefit Services Corporation Contributions (PEBSCO), International City Management Association Contributions (ICMA), U.S. Savings Bonds, pension contributions, Flexible Spending, Union Dues and any other deduction that is court ordered will be deducted at each pay period as authorized by law or by the employee.

SECTION 16. PAY DAY

Payday falls on Friday for all employees. Should a regular payday fall on a holiday, paychecks shall be issued on the work day that precedes the holiday. Direct Deposit of paychecks is a condition of employment effective July 12, 2004.

SECTION 17. PAY PERIOD

All employees shall be paid biweekly. The pay period shall be from 12:01 a.m. Sunday to 12:00 p.m. Saturday.

SECTION 18. TRADING OF REGULARLY SCHEDULED HOURS

Effective April 9, 2003 employees will not be permitted to trade regularly scheduled hours unless stated otherwise in the labor agreement that represents the employee.

ARTICLE IV

EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION

The City of Dover is committed to providing equal employment opportunities to all citizens and maintaining a high quality workforce that draws upon the talents of our diverse citizenry to effectively operate our City government. Through sound recruitment, promotion, and retention practices Dover will continue to strive for a workforce that reflects the diversity of the City's population.

SECTION 1. EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION POLICY

It is the policy of the City to promote and foster equal employment opportunities, nondiscrimination, and a work atmosphere that fosters mutual respect and understanding among persons of different races, sexes, and faiths. The City of Dover shall provide equal opportunity to all qualified individuals in recruitment, hiring and promotion practices and shall assure that

minority, female and handicapped applicants for positions listed.

The City of Dover shall notify minority, female and handicapped organizations, community agencies, community leaders, secondary schools and colleges of the City's policies of non-discrimination and equal employment opportunity, and the Affirmative Action policy.

Section 4. RESPONSIBILITIES FOR IMPLEMENTATION

A. Human Resources Director

1) The Human Resources Director of the City of Dover shall serve as the Equal Employment Opportunity Officer and be responsible for implementation of this plan. The department head of each City department shall be responsible for their department and shall be accountable for implementing the City's policy.

2) The Human Resources Director shall be responsible for auditing and continually reviewing the City's hiring practices and employee behavior with respect to the Policy. The City Manager shall be notified of any complaints initiated against the City and any requests from private organizations and people wishing to discuss our employment practices.

3) The Human Resources Director shall have a complaint procedure to permit and encourage employees to discuss with the Human Resources Director any problem resulting from alleged bias, discrimination, lack of employment opportunity or any similar matter.

B. Human Relations Commission

The City of Dover has a Human Relations Commission whose purpose is to make recommendations to the City Council on ordinances which would support inclusiveness and civility, and to engage in education and advocacy for bettering human relations. The Human Relations Commission should be consulted from time to time on progress of this policy, and shall be given opportunities to educate the work force on bettering human relations.

City of DVRV Employee Hand book July 2004

which is incompatible with his/her duties as a City employee. The following activities shall be considered incompatible with City employment:

(a) Any activity or enterprise which involves the use, for private gain, of the City's time, facilities, equipment, supplies, badge, uniform, prestige or influence of a City office or equipment.

(b) Any activity or enterprise which involves the receipt or acceptance by the employee of any money or other consideration from anyone other than the City for performance of an act which the employee would be required to render in the regular course of City employment or as part of his/her duties as a City employee.

(c) Any activity or enterprise which involves the performance of an act in other than his/her capacity as a City employee which may be later subject, directly or indirectly, to the control, inspection, review, audit or enforcement by such employee or the employing agency.

(d) Any activity or enterprise which involves the employee's time such that it impairs attendance or efficiency in the performance of duties as a City employee.

SECTION 5. LIMITATION OF EMPLOYMENT OF RELATIVES

(a) Members of an immediate family shall not be employed at the same time if such employment would result in an employee directly or indirectly supervising a member of his/her immediate family.

(b) This policy shall not be retroactive as of April 5, 1984 and no action will be taken concerning those members of the same family employed in conflict with (a) above prior to April 5, 1984.

(c) Immediate family is defined for the purpose of this section as spouse, mother, father, guardian, children, sister, brother, grandparents, grandchildren plus the various combinations of half, step, in-law and adopted relationships that can be derived from those named.

Article VII Ethical Conduct

SECTION 6. DISCIRMINATION AND HARASSMENT

No employee shall discriminate, harass, or use derogatory language toward any person on the grounds of race, color, religion, sex, sexual orientation, physical handicap, age or national origin.

ARTICLE VIII