DOVER HUMAN RELATIONS COMMISSION
MINUTES OF AUGUST 24, 2011
CITY HALL COUNCIL CHAMBERS

Present: Chair Roy Sudler, Jr., Vice Chair Willie Jones, Commissioners Ellen Wasfi, and Phyllis Edamatsu. Commissioner Dawn Allen-Pyne arrived late.

Call to Order/ Roll Call: The meeting was called to order at 7:03p.m. And the roll was called.

Moment of Silence:

Agenda Additions/Deletions: There were no additions or deletions, and the agenda was approved.

Adoption of the July 27,2011 Minutes: Chair Sudler made a deletion to the minutes on page 2. Vice Chair Jones made a motion to accept the minutes as corrected, Commissioner Wasfi seconded. The motion carried and the minutes were adopted.

Chair's Report: Chair Sudler read his report. (See attachment #1).

Committee Reports:

- **A.** Intake Screenings/Hearings Commissioner Britt was absent.
- **B.** School Programs Commissioner Wasfi had nothing yet.
- **C.** Community Programs Commissioner Allen-Pyne had no dates yet.
- **D.** Assessment Commissioner Edamatsu had no report.

Unfinished Business: Vice Chair Jones made a motion to table the review of the By-Laws because the commissioners had different copies from different dates. Chair Sudler will ask the City Clerk's Office to furnish the Commissioners with copies for next meeting.

New Business:

- **A.** Discussion –Proposed forum on Native American Indian Issues; Chair Sudler spoke to Chief Coker, and he is looking forward to working with the DHRC to help educate the community about Native American Heritage, Issues, and Current Events in Delaware.
- **B.** Chair Sudler passed around his recommendations regarding the Boys & girls Club Meeting from Feb. 23, 20011. (See Attachment # 2).
- **C.** Chair Sudler drafted his recommendations regarding the Reed & New Street Brawl (See Attachment #). Commissioner Wasfi also had a copy of her draft letter for the Commission to review. (See Attachment #4).

Announcements: Commissioner Edamatsu announced that she would be highlighting her DVD about the Japanese American interments at the home of Maria Ruffin on Oct. 22 at the next meeting of the Dover Cultural Exchange.

Adjournment: The meeting was concluded at 7:48 p.m.

Minutes taken and submitted by Mary Walson

CHAIRMAN'S REPORT - DHRC

ATTACHMENT #1
3 PAGES

Submitted By: Roy Sudler, Jr.

August 24, 2011

1. On **August 15, 2011**, Tracey McDowell from the City Clerks Office notified me that she was concerned about the nature and intent of the Commission's unanimous vote to Draft a letter of Recommendations to the Mayor and City Coucil, since the incident took place months ago.

I explained to the Mrs. McDowell that we only meet once a month for two hours and in addition to the time restriction, we already had Old Business that needed to be completed before New Business could be addressed.

I ensured her that the Commission is only making recommendations and not demanding action. I reinforced to her that the Commission is functioning within the By Laws of the **DHRC** and as of **August 15, 2011**, the Commission has not orchestrated an Official Recommendation for the Reed & New Street Brawl Incident.

I also expressed my disappointment in her actions by alarming Chief James E. Hosfelt Jr. and City Solicitor – Mr. Rodriguez when the pleasure of the Commission as a whole has yet to be voted on in reference to the content of the Recommendations being submitted to the Mayor and City Council of Dover Delaware.

[Please Read E-mail from Tracey Mcdowell – City Clerks Office]

Chairman Sudler,

For your consideration, below please find the Deputy City Solicitor's and Police Chief's comments regarding additional charges being brought forth in the New Street incident.

Thank you,

Traci A. McDowell, CMC
City Clerk
City of Dover
e-mail: tmcdowell@dover.de.us
Ph: 736-7009
Fax: 736-5068

From: William Pepper [mailto:WPepper@schmittrod.com]
Sent: Friday, August 12, 2011 3:46 PM
To: McDowell, Traci
Subject: Re: Human Relations Commission

CHAIRMAN'S REPORT - DHRC

Submitted By: Roy Sudler, Jr.

Ms. McDowell:

The decision as to whether a person should or should not be prosecuted for an alleged crime is not within the purview of the Human Relations Commission.

William W. Pepper Sr., Esquire
Schmittinger and Rodriguez, P.A.
414 South State Street
P.O. Box 497
Dover DE 19903
302.674.0140
wpepper@schmittrod.com

On Aug 12, 2011, at 3:01 PM, McDowell, Traci wrote:

Mr. Pepper

During the Dover Human Relations Commission meeting of July 27, 2011, Chairman Sudler provided the following report:

Chair's Report: Chair Sudler read his report and gave the Commissioners time to review it. (See attachment #1). He researched the DE Criminal Code and applied it to the incident and brawl on New Street. The responsibilities and duties of the DHRC as outlined in the bylaws give the Commission authority to make recommendations to the Mayor, City Council, and Police Chief. Commissioner Britt made a motion to have Commissioner Wasfi draft a letter with recommendations in regards to the New Street Brawl. The letter should reflect the Commission's opinion that the woman who started the brawl was deemed intoxicated and disorderly and should be charged with a misdemeanor. Commissioner Pyne seconded the motion and all voted in favor.

Under New Business on the DHRC agenda for the August 24, 2011 meeting the following is listed:

New Business

A. Discussion - Proposed Forum on Native American Indian Issues

B. Report - Regular Meeting of February 23, 2011, Simon Circle Boys & Girls Club

C. Recommendation Letters to Mayor and City Council in Regards to the Regular Meeting of February 23, 2011, Simon Circle Boys & Girls Club and the Special Meeting of March 17, 2011, Regarding Reed and New Street Brawl - First Draft

CHAIRMAN'S REPORT - DHRC

Submitted By: Roy Sudler, Jr.

Below is Chief Hosfelt's response to my inquiry related to the DHRC moving forward in such a way.

Please advise.

From: Hosfelt James (Dover PD) [mailto:james.hosfelt@CJ.State.de.us]
Sent: Friday, August 12, 2011 1:40 PM
To: McDowell, Traci
Cc: Carey Sr., Carleton
Subject: Human Relations Commission

Traci,

Per your request from the Human Relations Commission:

The Dover Police Department has concluded its investigation into the circumstances surrounding the March 21, 2011, incident on Reed Street, in which a female was assaulted by several area residents. As a result of the investigation no further action is required and no further arrests will be made related to this incident.

Should there be any questions from the Commission, I can be reached at any of the numbers listed below.

James E. Hosfelt Jr.

Chief of Police

Dover Police Department

Dover, Delaware 19904

Office (302) 736-7100

Cellular (302) 632-0361

Fax (302) 672-1842

<image001.jpg><image002.jpg><image003.png>

Traci A. McDowell, CMC

City Clerk

City of Dover

e-mail: tmcdowell@dover.de.us

ATTACHMENT #2
2 PAGES

CHAIRMAN'S REPORT - DHRC

Submitted By: Roy Sudler, Jr.

Chair's Report – August 24

NEW BUSINESS {C}.

DRAFT – 1

August 5, 2011

Mayor Carlton Carey & City Council of Dover Delaware

15 North Plaza City Hall

Dover, DE 19904

RE: DHRC – Boys & Girls Club Meeting {Recommendations}

On **February 23, 2011,** The Dover Human Relations Commission held an Outreach Community Meeting at the Boys and Girls Club located at Simon Circle Dover, De 19904. The Outreach Community Meeting highlights the concerns and issues of not only Dover Citizens, but also Kent County Residents that have a great interest in increasing the quality of living in their community.

The meeting was called to order at 6:30 p.m. and those who were in attendance completed a questionnaire that focused on the quality of living in one's community. Council Person's Gene Ruane & Tom Leary were both present at the meeting and provided clarity and direction to audience member's who asked questions that only a City Council Representative could address.

Some of the Concerns of various audience members consisted of these items as follows:

1. The need for a fixed deposit amount for those residents of Dover Delaware that make a total income of **$18,000** or less for utility services with the City of Dover's Utility Program.
2. Inadequate Housing Opportunities and Facilities for Rehabilitated, Registered-High Risk Sex Offenders hoping to experience a positive and successful transition back into society as a productive citizen and desirable neighbor.

CHAIRMAN'S REPORT - DHRC

Submitted By: Roy Sudler, Jr.

3. Lack of Community Meetings that focus on Identifying Gang Activity and Formation within the Dover Community.
4. The Need for Off-Line Job Applications at all places of employment
5. Wage and Employment Right's of Hispanic Residents of Dover DE.
6. Concerns about the Construction and Features of the 2011 Dover Library.

In an effort to advise the Mayor and City Council Pursuant to **Section 58 - 31 Titled: Purpose; 1.** Fairness, respect, promote and develop an environment of fairness and respect among all citizens **2.** Monitoring: Develop ways to measure and monitor community relations particularly those that are sources of intergroup conflict. {**Code 1981 Code 2 - 16; Ordinance of 2 – 11 – 2002**}.

The DHRC Commission has orchestrated these recommendations for the Mayor and City Council of Dover DE to consider.

RECOMMENDATIONS:

1. To consider implementing a fixed deposit amount not to exceed **$100** for those residents of Dover Delaware who make an annual household income of **$18,000** or less per year.
2. Recommendations from other Commissioners???

The Commission appreciates, and values each participant's view and concerns that help to increase the quality of living among all segments of Dover. For it is the intent of the Commission to serve as a catalyst between the community, Mayor and City Council as a tool to promote inclusiveness and civility in Dover, Delaware.

On behalf of the Commission, we thank the Mayor and City Council for reviewing the Dover Human Relations Commission's Recommendations.

Roy Sudler, Jr. Chairman
Dover Human Relations Commission

ATTACHMENT #3
2 PAGES

CHAIRMAN'S REPORT - DHRC

Submitted By: Roy Sudler, Jr.

DRAFT - 1

August 5, 2011

Mayor Carlton Carey & City Council of Dover Delaware

15 North Plaza City Hall

Dover, DE 19904

RE: DHRC – Reed & New St. * Brawl Incident {Recommendations}

On **March 17, 2011,** The Dover Human Relations Commission held a Special Meeting @ City Hall Chambers **15** North Plaza Dover, De 19904. The Special Meeting tackled the concerns of many African and Caucasian American Citizens of Dover who have interpret the Reed & New Street Brawl Incident as racially motivated.

The meeting was called to order at 7:00 p.m. and those who were in attendance completed a questionnaire that focused on the quality of living in one's community. The meeting consisted of a full report from Chief James E. Hosfelt Jr. of the Dover Police Department, who presented the facts of the incident and answered questions from the State Human Relations Commission, Dover Human Relations Commission, and Audience Members who were concerned about the causation of the Brawl.

Some of the concerns of various audience members consisted of these items as follows:

1. Victim's actions that contributed to the Brawl.
2. Why wasn't the brawl considered a Race Hate Crime
3. Was Alcohol involved in the incident
4. How was the evidence gathered
5. Internet –Blog's comments that promote racial tension in Dover Delaware
6. What reprimand did the victim receive for her behavior and contributions to the Brawl?
7. The need for more police presents in town
8. Gun Control and recent shooting down town
9. Landlords having more rights to evict a resident who has been involved in incidents such as the Reed & New St. Brawl

CHAIRMAN'S REPORT - DHRC

Submitted By: Roy Sudler, Jr.

In an effort to advise the Mayor and City Council of Dover Delaware **Pursuant to Chapter 2 – Administrative, Article I, Division 6, Section 2 – 21 of the Dover Code**; The Commission has been granted the powers and duties to investigate claims of unfair treatment and develop ways to monitor intergroup conflict among all segments of the City of Dover; **Section 58 – 36 Powers & Duties – DHRC 5.** Research, Educate, engage in such in the judgment of the Commission or the City Council, may be needed to improve human relations in the City of Dover {**Code 1981 Code 2 – 21 -; Ordinance of 2 – 11 – 2002**} and **Section 58 - 31 Titled: Purpose; 1.** Fairness, respect, promote and develop an environment of fairness and respect among all citizens **2.** Monitoring: Develop ways to measure and monitor community relations particularly those that are sources of intergroup conflict. {**Code 1981 Code 2 - 16; Ordinance of 2 – 11 – 2002**}. The Dover Human Relations Commission has orchestrated these recommendations for the Mayor and City Council to consider.

RECOMMENDATIONS:

1. Community Work Shop on Race Hate Crimes and Brawl – Causations & Prevention Strategies
2. Seek the assistance of Interfaith Base Agencies to help promote Community Workshops in various areas of Dover
3. Consider Mandating Cultural Sensitivity Training and Counseling for participants involved in race hate crimes.
4. Additional Recommendations from other Commissioners??????

The Commission appreciates, and values each participant's view and concerns that help to increase the quality of living among all segments of Dover. For it is the intent of the Commission to serve as a catalyst between the Community, Mayor and City Council as a tool to promote inclusiveness and civility in Dover Delaware. On behalf of the Commission, we thank the Mayor and City Council for reviewing the Dover Human Relations Commission's Recommendations

Roy Sudler, Jr. Chairman
Dover Human Relations Commission

ATTACHMENT #4

DRAFT

August 25, 2011

City Council President
Dover City Council
City Hall
Dover, DE 19903

To The City Council President:

On March 17, 2011, the Dover Human Relations Commission scheduled a Special Forum in City Council Chambers to review the circumstances surrounding the disruptive behavior leading to injuries and arrests that occurred on New Street on March 2, 2011. The Commission sought to determine whether or not the incident met the criteria of a hate crime and whether all those involved were treated fairly. Dover Police Chief James Hosfelt presented the police report on the event characterizing it as an alcohol-related brawl.

A prime concern voiced by Commission members was that the white female who sustained injuries requiring emergency care had escalated what began as a verbal altercation with black individuals congregating on the sidewalk to a physical fight by throwing a cup of liquid on them. Some of the other participants in the incident were arrested. The Dover police indicated that no racial slurs were involved.

After hearing the comments of Chief Hosfelt, the Commissioners concluded that the white female's provocative disorderly conduct while not premeditated did constitute, at the very least, a misdemeanor offense under sections 1315 and 1301 of the Delaware Criminal Code. The Commissioners concurred, therefore, that the instigator of the violence should be required to participate in sensitivity training and mandatory counseling. Punishing only the black participants in the confrontation could be perceived by many in the Dover community as racial bias on the part of the Dover police.

The Dover Human Relations Commission makes this recommendation to the City Council in keeping with its mission to promote and develop an environment of fairness, civility and respect among the citizens of Dover and to relieve tensions arising from intergroup conflict.

Sincerely,

Roy Sudler, Jr., Chair
Dover Human Relations Commission