

City of Bend
Human Rights and Equity Commission
Meeting Minutes
September 27, 2023

Chair Manoj Alipuria called the Human Rights and Equity (HREC) Commission hybrid meeting to order at 4:37 PM, on Wednesday, September 27, 2023, in Council Chambers at City Hall, 710 NW Wall Street, Bend, Oregon 97703, and through Zoom. Watch the [Human Rights and Equity Commission September 27, 2023, livestream recording](#).

1. Roll Call:

Commissioners Present In-Person (5)

- Manoj Alipuria He/Him - Chair
- Joanne Mina She/Her - Vice Chair
- Cameron Fischer She/Her
- Jasmine Wilder She/Her
- Jeff Kitchens He/Him/His

Commissioners Present Virtually/Phone (1)

- Linda Long She/Her

Commissioners Absences Excused (4)

- Carolyn Peacock-Biggs She/Her
- Erin Maher They/Them
- Sergio Retamal
- Stephan Sehgal He/Him

City Staff in Attendance:

- Cassandra Kehoe (She/Her), Accessibility and Equity Manager // HREC Staff Liaison (In-Person)
- Andrés Portela (He/Him), Equity and Inclusion Director (In Person)
- Megan Perkins, Mayor Pro Tem // HREC Council Liaison (In Person)
- Ian Leitheiser He/Him, City of Bend Assistant City Attorney
- Katherina Barguil Community Relations Manager
- Lisa Larsen She/Her, Administrative Support Staff, Accessibility and Equity

Speakers: DOJ-Civil Rights Unit - Civil Rights Hotline Advocates

- Yelitza She/Her/Ella
- Johanna She/Her/Hers

2. Land Acknowledgment:

Chair Alipuria read the City of Bend Land Acknowledgment.

3. Minutes Approval: Approve July 26, 2023, Draft Meeting Minutes

- The August 30, 2023, Human Rights and Equity meeting canceled, no minutes to approve.

MOTION: Commissioner Wilder moved to approve the September 27, 2023, meeting minutes. Commissioner Kitchens seconded. The ayes unanimously approved the nomination by all Commissioners that attended the HREC July 26, 2023, meeting; five in-person and one virtual commissioner(s).

4. **Welcome:** Yelitza: Incident Bias Hotline Advocate and Johanna: Oregon DOJ Office of Civil Rights

The Civil Rights Unit are here to share more information about their program and how we all can support victims and witnesses of hate and bias.

The following are slides were presented:

Slide 1 - Oregon as a Safe Place for Everyone. Our Community and Legal Obligations Responding to Bias Crimes and Incidents in Oregon.

Slide 2 - Overview:

- Oregon's passing of Senate Bill 577 in 2019, HB 3443 in 2023.
- Bias Crime vs. Bias Incident
- What happens on the Hotline.
- How to contact the Hotline.
- Data
- Emergency Funds

Slide 3 - Senate Bill 577 Key Features:

- **Bias Crime vs. Bias Incident:** a criminal offense vs. a hostile expression of animus committed against a person or property, which is motivated in the whole or in part, by the offenders biased against another person's perceived race, color, religion, disability, national origin, sexual orientation, or gender identity.
- **Law enforcements mandate:** victims of bias incidents must be referred to qualifying local victim services or the Bias Response Hotline.
- **Hotline:** statewide, victim-centered, trauma-informed, culturally responsive, support services.
- **Reporting requirements:** Oregon DOJ, District Attorney (DA), Oregon State Police (OSP), and Criminal Justice Commission (CJC).

Slide 4 - Oregon's Seven Protected Classes under Senate Bill 577:

Motivation: **Perception** of the other person's:

- Race
- Color
- Religion
- Gender identity
- Sexual orientation
- Disability
- National origin

Slide 5 - Actual or Perceived Protected Class:

- A perpetrators bias motivation does not need to match your identity.
- Oregon law requires proof of perceived protected class, not actual protected class.
- For example, a person could assault a victim and call them an anti-Black/ African American slur. If the victim identifies as a Native Hawaiian, a race-based bias crime can still be charged.

Slide 6 - Senate Bill 577: Bias Incident vs. Hate/Bias Crime:

- Slurs, epithets, symbols + Bias motivation = Bias incident (Offensive “jokes,” Hostility, Discrimination).
- Crimes against persons or property + Any evidence of bias motivation = Hate Crime (Vandalism, Threats, Assault, Murder).

Slide 7 - A Bias Incident is....

- A hostile expression of animus related to a person's actual or perceived protected class.

Slide 8 - Bias Crimes in Oregon:

- Threats to person, property, or family
- Hands on
- Tampering with or damaging property
- Assault
- Weapons

Slide 9 - Federal Hate Crimes Act (+ Gender)

- The Matthew Shepard and James Byrd, junior. Hate crime prevention act of 2009.
- Criminal Interference with Right to Fair Housing
- Damage to Religious Property, Church Arson Prevention Act
- The COVID-19 Hate Crimes Act.
- The Khalid Jabara and Heather Heyer National Opposition to Hate, Assault, and Threats to Equality Act of 2021 (Jabara-Heyer NO HATE Act)
- Violent Interference with Federally Protected Rights
- Conspiracy Against Rights

Johanna mentioned they do get reports from folks regarding conduct that constitutes Federal hate crimes. There are Oregon State laws where crimes can be prosecuted locally by the local prosecutor, the local DA's office with the seven protected classes.

Under Federal hate crime laws. Gender is an additional protected class, and there are several Federal statutes and acts that protect folks in a variety of settings under Federal law. Oftentimes they see this Federal jurisdiction comes into play when we're talking about crimes that are perpetrated over the Internet.

They have connections with both local and Federal law enforcement. If folks want to report to law enforcement and are wanting to pursue something through either the local or federal criminal justice system. We can make those connections through our bias response hotline. It is always, and only at the request of the caller.

Slide 10 - ORS 147.380- Law Enforcement Mandate:

- Law enforcement is **required** to refer victims of bias *incidents* to qualifying Local Victim Services or the Bias Response Hotline.

Slide 11 - Oregon DOJ's Bias Response Hotline:

- 1-844-942-BIAS (2427)
- Trauma-informed operators are standing by 9am to 5pm Pacific time, Monday – Friday.
- After hours? Leave a message and we'll return your call.
- We Accept All Relay Calls
- Interpretation in 240+ languages
- **Bias and Hate - Oregon Department of Justice (state.or.us)**

Slide 12 - What Happens on the Hotline:

- Person centered approach.
- Emotional support/ crisis intervention.
- Resource referral and navigation services.
- explore options for next steps.
- case management.

Slide 13 - Bias Hotline Process:

- Informed consent
- Date, location, identity
- what occurred
- Survivor's perception of the intent and impact of the offense
- Safety planning
- Support options
- Next step options
- Ongoing support including systems navigation and case management.

Slide 14 - Additional Legal Options:

- Civil Rights
- Sanctuary Law
- Protective Orders
- ACP Eviction and Breaking Lease
- Lawsuits

Slide 15 - Bias that happens...:

- Housing
- Education
- Healthcare
- Employment
- Places of Public Accommodation

Slide HB 3443 – Signed July 31, 2023; Live January 1, 2024:

- Breaking lease after criminal victimization
- Address confidentiality program eligibility
- Protected leave from work
- Hotline confidentiality
- Felony bias crime plea consultation
- DA victim assistance training
- Hotline advocate home address confidentiality

Slide Deschutes County Data:

- Oregon
 - 2023 total of 2,494 reports
 - 2022 total of 2,890
- Deschutes
 - 2023 total of 60 reports
 - 2022 total of 236 reports

Yelitzia and Johanna were only able to answer a few questions from the commissioners due to the length of the presentation and agenda schedule.

5. HREC Work Session: Equity Conversation and Definition, Andrés Portela facilitation

Equity and Inclusion Director Portela and the commissioners discussed what a working definition of equity, for the City of Bend, would look like using the council goal below:

- Develop and pilot an equity framework.
- Develop and implement a supplier diversity (community benefits) program.
- Develop a process to connect community members who have experienced acts of discrimination with resources and assistance.
- Develop and implement a language access policy and program.

Director Portela listed three definitions to discuss and chose from:

- **Definition 1:** Working toward fair outcomes for people or groups by treating them in ways that address their unique advantages or barriers. (OHU Language Inclusion)
- **Definition 2:** Ensures that outcomes in the conditions of well-being are improved for marginalized groups, lifting outcomes for all. Equity is a measure of justice. (Race Forward)
- **Definition 3:** "It has two parts: One the presence of wellbeing and success across all groups; and two, the absence of discrimination and mistreatment for all groups." (Lily Zheng, DEI Deconstructed)

Director Portela shared the **State of Oregon Definition:** Equity: Equity acknowledges that not all people, or all communities, are starting from the same place due to historic and current systems of oppression. Equity is the effort to provide different levels of support based on an individual's or group's needs in order to achieve fairness in outcomes. Equity actionably empowers communities most impacted by systemic oppression and requires the redistribution of resources, power, and opportunity to those communities.

None of the definitions really worked but pieces of some could fit in with the other definitions. There was a lot of talk about the language in the definitions. There was no ultimate decision made on which definition works best and some of the commissioners wanted to think about the definitions more.

6. Public Comment: Public attendees left before the Public Comment section of the agenda.

7. Equity Updates:

- **Welcoming Week – September 10th:** Thanks goes out to Commissioners Long, Chair Alipuria, Vice Chair Mina, and Fischer, for attending and all of you, for your input. And thank you Katherina Barguil Community Relations Manager for your great work.

Present: City staff, Father's Group, music, and Miguel played flamenco guitar, a DJ, and other community groups. There was BIPOC women artist that join in Welcoming Week.

- **October HREC Recruitment:** with a minimum of three positions. There can be up to thirteen commissioners. There are five current Commissioners whose terms end in December 2023 and those will be asked if they are interested in the reappointment process or want to resign.
- **Stipend Program Survey:** You will receive an email asking for your input on the City of Bend Stipend program. This is to evaluate the effectiveness of the program and identify possible improvements.

- **Chose a November and December HREC Meetings Date:**
 - Wednesday, November 8, 2023, 4:30 to 6:30 PM, Boardroom
 - Wednesday, November 29, 2023, 4:30 to 6:30 PM, Council Chambers

AND

- Wednesday, December 13, 2023, 4:30 to 6:30 PM, Boardroom
- Wednesday, December 27, 2023, 4:30 to 6:30 PM, Council Chambers

8. Agenda Setting & Bike Rack

Chair Alipuria the Commissioners if there are additions items they want to prioritize on their list.

Accessibility and Equity Manager Kehoe will look in to and find out the intent on Intro/Feature to Historically Marginalized Communities/Groups, for Commissioner Long.

Mayor Pro Tem/ HREC Council Liaison Perkins advised the Commissioners that on November 15th City Council will be having a work session on the camping code and looking at some tweaks that we might consider making to the camping code.

Commissioner Wild mentioned she would like to get an update on Affordable Housing and an overview and if it is working in general.

9. Standing Item: Subcommittee Updates:

- a. Resources in Response to Discrimination (Council Recommendations)
- b. Operationalizing and Optimizing Equity (Committee Update – Andrés)
- c. Collaborative Governance (Committee Update – Andrés)

Equity Director Portela has intentionally asked that subcommittee update be added at the end of every HREC meeting. Now that there is a DEIA team in place, we should be able move the equity framework forward.

Accessibility and Equity Manager Kehoe will send a doodle poll for these subcommittees to meet.

10. Adjourn: With no further business, Chair Manoj adjourned the Human Right and Equity Commission (HREC) September 27, 2023, hybrid meeting at 6:36 PM.

Respectfully submitted,

Lisa Larsen

Administrative Support Specialist, Accessibility and Equity

Human Rights and Equity Commission Regular Meeting, September 27, 2023



Accommodation Information for People with Disabilities

To obtain this information in an alternate format such as Braille, large print, electronic formats, etc., please contact the Accessibility and Equity Manager Cassandra Kehoe at ckehoe@bendoregon.gov or call 541-693-2141. Relay Users Dial 7-1-1.