

City of Morgantown
HUMAN RIGHTS COMMISSION

Annual Report
for
Program Year 2021



December 31, 2021

Commission Address:

**Morgantown City Hall
389 Spruce Street
Morgantown, WV 26505**

A Successful Year in Spite of One Tough Year (2020) Followed by Another Difficult Year (2021)

To record for a historical perspective, there has been no reduction in problems and crises this year due to the COVID-19 virus. The delta variant of the virus was replaced by the omicron variant during the course of 2021 which meant greater population vulnerability to contagion but not quite as a high rate of mortality. Hospitals remained challenged by high patient censuses and staff shortages and personnel fatigue/burn-out created serious by problems in meeting increased patient and staff needs. By the end of the year, there had been 328,162 cases in the State since 3/22/20 – the State statistical start date for the pandemic. Only 51.3% of the State’s population had accepted vaccination. A total of 5,336 West Virginia residents had died.

The Morgantown Human Rights Commission continued to meet monthly utilizing zoom technology completing 12 regular meetings and 5 special meetings to accomplish as much as possible. It was a slow start, however. The Commission attempted to bring forward to the City Council two resolutions relating to Indigenous People plus a proposed ordinance against discrimination based on hair texture/style. The resolutions were set aside by the Mayor in February due to a heavy agenda, but the ordinance was adopted with the assistance of De. Danielle Walker, the NAACP, and Commissioner Jena Martin as an amendment to Article 153 of the City Code on April 20th. A proposed amendment Banning Conversion Therapy was crafted with the assistance of Fairness WV, presented to City Council and adopted as the Youth Mental Health Protection Ordinance on October 19th.

In between these legislative achievements, the Commission (Kristen Cooper, Coordinator; Ash Orr, Jan Derry, Jena Martin, Bonnie Brown) prepared a submission document for the City’s eighth participation in the national Municipal Equality Index Program sponsored by the Human Rights Campaign. Ash Orr successfully addressed the previous road blocks relating to liaisons to the City Manager and to the Police Department. She even accepted one position herself. This all allowed the City of Morgantown to achieve its first MEI 100 rating - joining Huntington as a second West Virginia city achieving top rating in the national program. The Conversion Therapy Ordinance adoption provided the final two credits for the 100 rating.

During October, November and December the Commission began working again to have City Council adopt its proposed resolution changing Columbus Day to Indigenous People’s Day. Negotiations continue at the request of the City Council.

In December the Commission designated two International Human Rights Day award recipients for annual recognition by City Council. An annual poster and flag display with over 110 items was presented at the Morgantown Art Center.

Specific Accomplishments of the Commission in Relation to Set Priorities for the Year 2021

Of the twenty-five tasks projected for completion for the challenging year, the Commission was able to make significant progress or to complete sixteen. It made important progress on several others and added four unplanned actions (*).

1. Presented to City Council the Indigenous People’s Day Resolution for adoption. Met with Italian Heritage leadership representatives at request of Mayor.
2. Promoted implementation of Diversity, Equity and Inclusion Plan adopted by City Council by meeting with City Administrators. Explained the intent for plan and prepared for next steps in implementation in August 2022.
3. Supported City Council adoption of ordinance to establish a Police Advisory and Review Board. (Now in post judicial review.)
4. Advocated for City Council re-establishing Employment/Housing Non-Discrimination as State Legislative priority.
5. Updated Commission Legislative Docket.
6. Advocated successfully for adding specific LGBTQ liaisons with the City Manager’s Office and with MPD.
7. Prepared Municipal Equality Index report for City submission to the national Human Rights Campaign and received first ever 100 rating score in the national program.
8. Met with City Manager to discuss DEI, MEI and Commission operations.
9. Met twice with new Chief of Police to share information on LGBTQ hate group, demonstration planning, Southern Poverty Law Center, questions on current operations.

10. Met with Mayor and agency representatives to discuss A Resolution to Establish Zoning and Planning Ordinances that Expand Opportunities to Develop Below Market Housing. *
11. With WVU's Aisury Vasquez, Mollie Kennedy of ACLU and Commission chair Ash Orr provided diversity training for City poll workers. *
12. Introduced to City Council the Resolution for Recognizing the Second Monday in October as Indigenous People's Day rather than Columbus Day. Commissioner Bonnie Brown met with Newspaper staff to share information.
13. With the assistance of Commission representatives, the Commission sent a letter of concern to the WVU Athletic Department about lack of prominent recognition of early black athletes such as Ron Fritz Williams. *
14. The Commission participated in the 2021 Morgantown Pride Event at the Farmer's Market.
15. Conducted International Human Rights Day Observance and Awards program.
16. Commissioner Jan Derry represented the Commission at WVU Trans Day of Remembrance. *
17. Provided City Council members with copies of the HRC Annual Report and Legislative Docket.
18. Re-established December educational poster/flag/film exhibit at the Morgantown Arts Center (MAC).
19. Supported human rights by working with local organizations such as the Community Coalition for Social Justice, NAACP, ACLU, League of Women Voters, PRIDE, and WVU centers for minorities.
20. Moved location of Commission educational materials, files, and equipment to City Administration Building Basement.

Progress and Re-evaluation to Continue on The Following Items

1. Advocate for access for local opportunities for federal and State funding for accessible housing in City.
2. Advocate for City Council adoption of Resolution for supporting Universal Design to be included in State Code.
3. Support organization of established Minority Liaisons Coordinating Council.
4. Implement digital Human Rights Commission Orientation Packet in Commission training.
5. Re-evaluate the viability of the "Open to All" campaign. (New material available.)
6. Friendsgiving Event was cancelled.
7. Finalize arrangements for new WVU program sponsorship for Annual WVU/Community Human Rights Film Program.
8. Establish proposed access to the Commission via Instagram.
9. Advocate for community representation in planning for possible violent protests/demonstrations/rallies.
10. Organize forum on hate crimes prevention.
11. Complete "Welcome to Morgantown" service information on web site.
12. Complete the immigration information and referral guide.

Commission Priorities for 2022

1. Present to City Council the Land Acknowledgement and Indigenous People's Day Resolutions for adoption.
2. Participate in implementation of DEI to provide accountability for personnel imbalances.
3. Continue to support City Council adoption of ordinance to establish a Police Advisory and Review Board.
4. Advocate for access for local opportunities for federal and State funding for accessible housing in City.
5. Advocate with City Council for supporting of Universal Design being included in State/Local Codes.
6. Advocate with City Council for inclusion of Employment/Housing Non-Discrimination as State Legislative priority.
7. Update Commission Legislative Docket. Select priority resolutions and ordinances plus State/National priorities.
8. Prepare/improve Municipal Equality Index report for City submission to the national Human Rights Campaign.
9. Support operations of Minority Liaisons Coordinating Council.
10. Meet with City Manager and with Chief of Police.
11. Implement Digital Human Rights Commission Orientation Packet in Commission training.
12. Re-evaluated the viability of the "Open to All" campaign.
13. Conduct International Human Rights Day Observance and Awards program.
14. Make progress on establishment of University/Community Film Program regardless of pandemic.
15. Re-establish December educational poster/flag/film exhibit at the Morgantown Arts Center (MAC).

16. Participate in Morgantown Pride and Friendsgiving Events.
17. Advocate for community representation in planning for possible violent protests/demonstrations/rallies.
18. Organize forum on hate crimes prevention.
19. Complete "Welcome to Morgantown" service information on web site.
20. Complete the immigration information and referral guide.
21. Submit to the Human Rights Campaign anti-racism recommendations for the Municipal Equality Index.
22. Support human rights by local organizations such as the Community Coalition for Social Justice, NAACP, ACLU, League of Women Voters, PFLAG, PRIDE, and several WVU centers for minorities.

Commission Membership in 2021

<p>Ash Orr, (Chair) Jan Derry (Vice Chair) Rozzi Lauderback, Secretary Bonnie Brown Jena Martin Don Spencer Daniel Trejo</p>	<p>Tim Hairston – Liaison w/ State HRC Anne Narie Lofaso, Liaison w/ WVU Law School Brian Butcher, City Council Liaison Kristen Cooper, Volunteer, MEI Submission Coordinator Drew Bucy, Volunteer</p>
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Regular Commission Meetings in 2022

Third Thursdays at 6:30 p.m.

Public Safety Building Conference Room or Via Zoom for Pandemic

January 20	February 17	March 17	April 21
May 19	June 16	July 21	August 18
September 15	October 20	November 17	December 6 & 15

COMMISSION ANNUAL CALENDAR, LEGISLATIVE DOCKET and COMMISSION HISTORY
Follow on Separate Pages in Hard Copy

MORGANTOWN HUMAN RIGHTS COMMISSION ANNUAL CALENDAR

January	Annual Report Due Budget Applications Due for City _ Martin Luther King Jr. Observances: MLK Sunday P.M. Service at AME Church; MLK Award Breakfast at Lair; MLK Event by CCSJ at Met
February	(State Legislature Sessions Begins – Second Wednesday of Jan. or Feb.) (Annual Meeting of State HRC) Lobby Day for Human Rights at Legislature (Sometimes in January) WVU Women’s Basketball: “I Belong Day” Empty Bowls
March	(Last week of Legislative Session – First Weekend in March/April)
April	Housing Month – Fair Housing Fair Morgantown PRIDE Parade and Block Party
May	Municipal Equality Index (MEI) Report Preparations
June	Pride Month Proclamation and Juneteenth Day (19th) Proclamation Nominating Committee Appointed. Annual Review of Bylaws. Close of City Fiscal Year
July	Annual HRC Elections MEI Report Due – July 31
August	(West Virginia Municipal League Summer Conference Meeting) Diversity, Equity, Inclusion Staff Report Pre-Council Review
September	Planning Begins for Awards on Human Rights Day 12/10 Planning Begins for Setting City Legislative Priorities, MLK Day
October	Legislative Priorities Due to City Council WVU Diversity Week
November	Annual Report Planned for City Administration/City Council Plan Proclamation for First December City Council Meeting Plan Budget for Approval in December and Submission in January City Council’s State Legislative Priorities Adopted by City Council (Annual National League of Cities Congress)
December	International Human Rights Day Proclamation International Human Rights Day – December 10 Annual Report Completed/Approved by HRC City Budget Proposal Reviewed by Commission

Human Rights Commission Legislative Docket

Active Commission Legislative Initiatives December 31, 2021

- 1. Establishment of a Civilian Police Review and Advisory Board with follow-up and lead by a special committee established by City Council. (Adopted May 18, 2021 – now in Post-Judicial Review)**
- 2. Adoption of Diversity, Equity, and Inclusion Plan Related Ordinances as Section in Municipal Code and as Amendments to Personnel Policies. (City Attorney prepared Ordinances for HRC Review and for Intro. to City Council. (Adopted June 15, 2021 – in initial implementation)**
- 3. Resolution for Recognizing the Second Monday in October as Indigenous People’s Day rather than Columbus Day – (Final Draft Prepared/Distributed to 2021 Council. Action Delayed for Negotiation.)**
- 4. Resolution on Land Acknowledgment (Drafted and Revised. Ready for Presentation to Council.)**
- 5. Ordinance for Incentivizing Universal Design Construction – (Drafted (March 2016) but considered as presently unviable due to City’s low rates of fees for Building Permits. Need consultation with the Mayor and City Manager.)**
- 6. Resolution on Residential Gun Storage Standards (Researched, Shared but Undrafted). Discussed by Commission in May of 2020 as a possible alternative to Resolution on Gun Violence.)**
- 7. Resolution on Gun Violence (First Drafted – October 19, 2017. Discussed w/ Mayor, w/ Delegates. Deferred until ?)**
- 8. Resolution on Inclusionary Zoning (Drafted, Discussed with Mayor Ron Delaney. Revised. May be superseded by 2020 Housing Need Survey commissioned by City Council. Council/staff changed 2021.)**
- 9. Resolution on the Establishment of a Separate Morgantown Housing Authority (Drafted, discussed w/ Housing Authority, on hold due to change proposed by current Authority.)**
- 10. Employment and Housing Non-Discrimination Act (State) or Equality Act (Federal).**

Previous HRC Legislative Proposals Adopted by City Council

Commission Foundation Legislation: Ordinance Creating a New Article 546 in the City Code to Establish Non-Discrimination Protections in Employment, Housing, and Public Accommodations and Amending Article 153 of the City Code – (Passed by City Council October 17, 2017 on the anniversary of city’s establishment - October 17, 1785.)

Historical Sequence: Resolutions on Employment and Housing Non-Discrimination; Marriage Equality (2014), Supporting a Just Transition for Coal Workers; Requiring Compliance with (Housing) Accessibility Standards (2015); Establishing a City Welcome Statement; Welcoming Immigrants, Refugees and Asylees (2017); Non-Discrimination Ordinance (Articles 546, 153) (October 17, 2017); Establishing - Minority Liaisons Coordinating Council; Authorizing “Open to All” Campaign; Ordinance (Amending 153) on Non-Bullying (July 2, 2019); Diversity, Equity and Inclusion Plan Adopted as Resolution (March 3, 2020); Affirming and Strengthening Community Policing (September 1, 2020); Ordinance (Amending 153) Prohibiting Discrimination on Hair Style/Texture (CROWN) April 20, 2021); Ordinance (Amending 153) Youth Mental Health Protection Ordinance (Banning Conversion Therapy) (October 19, 2021).

NUMBERS-TO-DATE: 12 Resolutions, 4 Ordinances or Amendments, 2 City Welcome Statements, 1 DEI Plan.

Proclamations: International Human Rights Day (Dec. 4, 2018, Dec. 15, 2020, Nov.18, 2021); Pride Month (June 2, 2020)

Morgantown WV Municipal Human Rights Commission History

Traditionally the role of municipal human rights commissions has been to investigate and adjudicate human rights violation claims and to help generate down-stream resolutions to human rights problems after they occur. Many small communities do not have the resources to investigate and adjudicate such matters and now make referrals to state human right commissions or circuit courts.

In 2012, the City of Morgantown reconstituted its seven-member human rights commission as an entity which still makes referrals as needed, but primarily to have up-stream roles to help build a more inclusive community by working to promote human rights awareness and protections to prevent human rights violations. The list which follows are some actions of the Morgantown Human Rights Commission to date:

- Proposing and advocating for a comprehensive non-discrimination ordinance, an anti-bullying ordinance, a CROWN non-discrimination ordinance, a conversion therapy ordinance, 12 resolutions, two city welcome statements and a DEI Plan adopted by the City Council – protecting many unprotected by State Code.
- Adoption, with counsel of City Attorney, Commission adjudication procedures for processing local discrimination claims not within the legal jurisdiction of State Human Rights Commission.
- Providing recommendations to city administration on personnel and procedural matters.
- Maintaining a relationship for the city with the State Human Rights Commission.
- Preparing, conducting, and reporting on a Community Human Rights Needs Survey completed with the assistance of 27 local organizations/ agencies, and the participation of 657 residents.
Priority Needs: Housing, Livable Wages, Transportation, Mental Health and Addiction Services.
- Conducting a town hall meeting with 75 attending on the needs survey outcomes.
- Preparing a Diversity, Equity and Inclusion Plan for City Employees and Volunteers.
- Initiating and co-sponsoring an Annual University-Community Human Rights Film Festival.
- Conducting an annual International Human Rights Day Awards Program each December.
- Maintaining a session for public concerns at each monthly commission meeting.
- Maintaining an email/telephone/Facebook access to local/state human rights commissions.
- Establishing a Commission Logo with the expertise of Eve Faulkes.
- Preparing each year since 2014, a report on city's compliance in the Human Rights Campaign's Municipal Equality Index standards. Present rating score: 100 out of 100. (w/ 500+ cities participating)
- Advocating for passage of human rights legislation with the West Virginia State Legislature.
- Researching/drafting resolutions on housing, universal design, indigenous people, and gun violence.
- Promoting awareness of Fair Housing and Universal Design standards at Housing Fairs.
- Providing recommendation to city administration for transgender policy.
- Maintaining materials for the city website on human rights.
- Advocating for city website compliance with Section 508 standards to assist ADA accessibility.
- Compiling and posting on city web site an annual human rights observances calendar.
- Meeting annually with the Chief of Police.
- Contributing to the updating of the city's Affirmative Action Plan.
- Preparing questions on human rights for local elective candidate forums.
- Promoting and supporting Martin Luther King Day activities.
- Supporting and collaborating with local social justice organizations.
- Promoting the WVU Diversity Week in October.
- Developing a digital orientation manual for new Human Rights Commission members.
- Developing newspaper letters and columns.
- Posters, pamphlets, banners, table displays, gateway signage.

12/7/2021