



January – March 2018 Newsletter

STATE ADVISORY COMMITTEE (SAC) ACTIVITY

Our State Advisory Committees (SACs) continue to be active in investigating and reporting on civil rights issues in their states. We thank the members of all SACs for selecting critical topics for investigation, hosting briefings, and issuing reports on these important topics.

- Our New York SAC issued a [report](#) on **“Broken Windows Policing in New York City and General NYPD Accountability to the Public.”**
- Our Minnesota SAC issued a [report](#) on **civil rights and policing practices.**
- Our Illinois SAC issued a [report](#) on **voting rights**, and our [Alabama](#), [Arizona](#), [Indiana](#), [Maine](#), [Ohio](#), and [Texas](#) SACs held public meetings on the subject. The Indiana Committee also held two community fora – in Evansville and Gary.
- Our Maryland SAC issued an advisory [memorandum](#) on **Fees and Fines and Bail Reform** in Maryland.
- Our Kansas Committee held two of three planned public [meetings](#) on **barriers to equal access to educational opportunity.**
- Our Montana SAC held a public [meeting](#) on **border town discrimination.**
- Our Georgia SAC held a public [meeting](#) on implementation of the Supreme Court’s [Olmstead](#) decision in the state, to examine ongoing **challenges for individuals with disabilities.**
- Our New Hampshire SAC’s 2011 [report](#) on **incarcerated women** has been recognized as an important impetus behind improved prison housing conditions, which includes better opportunities for treatment, counseling, activities, and education for more effective reentry.

Materials related to our SAC meetings can be viewed on the Federal Advisory Committee Act (FACA) [database](#).



Chair Catherine E. Lhamon with members of our Alabama State Advisory Committee (and two law student interns) at its public briefing on voting rights: February 2018



Our Texas Advisory Committee held a briefing on voting rights: March 2018



Our Maine Committee heard from the state's Secretary of State on voting rights: March 2018

COMMISSION ACTIVITY

January

The Commission [issued](#) “Public Education Funding Inequity in an Era of Increasing Concentration of Poverty and Resegregation.” The [report](#) **addresses pervasive disparities in funding for public education and offers actionable recommendations with a goal of improving educational opportunity and student achievement across all segments of our nation’s student population.**

The Commission, by majority vote, issued a [statement](#) **criticizing Attorney General Jeff Sessions’ withdrawal of critical civil rights guidance.** By unanimous vote, the Commission issued a [statement](#) on the **passing of Frankie Muse Freeman, the first woman Commissioner.** We invite you to view the meeting [transcript](#).

February

On February 2, the Commission held a public [briefing](#) in Raleigh, North Carolina, to **assess the state of minority voting rights across the country. Testimony focused in large part on the state of federal voting rights enforcement under**

the Voting Rights Act of 1965 since the *Shelby County v. Holder* decision in 2013. We heard from 23 distinguished speakers, including current and former state and federal government officials, legal experts, academics, and civil society actors. Members of the public also shared their views and experiences directly with the Commission. You can watch: [part 1](#), [part 2](#), and the public comment [session](#). The briefing will inform **our 2018 [report](#)** regarding the state of voting rights across the nation.



The Commission held a public briefing on voting rights in Raleigh, North Carolina: February 2018

March

The Commission [issued](#), by majority vote, **four statements addressing the need for Congress to prioritize federal civil rights enforcement in the budget for fiscal year 2019, as well as issues of access to justice, ICE courthouse arrests, and environmental justice:**

- [Urging](#) Congress to **prioritize civil rights in the fiscal year 2019 budget**, contrary to the Administration's budget request, which the Commission majority characterized as deeply alarming in its proposed drastic cuts to civil rights enforcement across key federal agencies.
- [Calling](#) on Attorney General Sessions to ensure the Department of Justice's **Office for Access to Justice is fully operational** and able to perform its functions.
- [Expressing](#) continuing concern to Deputy Director Homan of Immigration and Customs Enforcement (ICE) regarding **ICE's policy to site agents in courthouses**, initially addressed by the Commission in an April 2017 [statement](#).
- [Expressing](#) concern over the Environmental Protection Agency's **decision to dismiss civil rights complaints from Uniontown, Alabama**.

The Commission also heard presentations from Maine Advisory Committee member Rachel Talbot Ross about the Committee's Advisory [Memorandum](#) on Racial Discrimination in Criminal Prosecution and Sentencing, Maryland Advisory Committee Chair Tom Mackall on the Committee's Advisory [Memorandum](#) on Fees and Fines and Bail Reform, and Illinois Advisory Committee Chair Juan Carlos Linares on the Committee's [report](#) on Civil Rights and Voting.

At the same meeting, we heard [presentations](#) on Women's History Month from Fatima Goss Graves and Page Harrington. The entire meeting, including these presentations, can be [viewed](#) on our YouTube channel.

LOOKING AHEAD: 2018

On May 11, at our headquarters in Washington, the Commission will hold a **public briefing on hate crimes and bias-related incidents**. We will [examine](#) best practices for local law enforcement on collecting and reporting data and the role of the Education and Justice Departments in prosecution and prevention of these heinous acts.

Our Advisory Committees will continue to carry out advocacy on a wide range of crucial civil rights issues, including, inter alia, human trafficking, predatory lending, and voting. *Stay abreast of our SAC activities on our [website](#) and on [Twitter](#) and [Facebook](#).*

DID YOU KNOW?

At February, 1965 Commission hearings on voting in Mississippi, a county circuit clerk was given a copy of the state's constitution, and was asked by Commissioners to give a reasonable interpretation of section 182, related to literacy tests given to applicants attempting to register to vote. The clerk declined to give an interpretation - after consulting with counsel - on the grounds it might incriminate him. Following these

hearings, the Commission found that Mississippi's white applicants might be asked, for example, to copy out and interpret:

ARTICLE 12 Section 240. All elections by the people shall be by ballot.

In contrast, the Commission found that Mississippi's African American applicants might be asked, for example, to interpret:

ARTICLE 7 Section 182. The power to tax corporations and their property shall never be surrendered or abridged by any contract or grant to which the state or any political subdivision thereof may be a party, except that the Legislature may grant exemption from taxation in the encouragement of manufactures and other new enterprises of public utility extending for a period of not exceeding ten (10) years on each such enterprise hereafter constructed, and may grant exemptions not exceeding ten (10) years on each addition thereto or expansion thereof, and may grant exemptions not exceeding ten (10) years on future additions to or expansions of existing manufactures and other enterprises of public utility. The time of each exemption shall commence from the date of completion of the new enterprise, and from the date of completion of each addition or expansion, for which an exemption is granted. When the Legislature grants such exemptions for a period of ten (10) years or less, it shall be done by general laws, which shall distinctly enumerate the classes of manufactures and other new enterprises of public utility, entitled to such exemptions, and shall prescribe the mode and manner in which the right to such exemptions shall be determined. SOURCES: Laws 1961, ch. 9, 1st Extraordinary Session, effective October 16, 1961. NOTE: The 1961 amendment to Section 182 was proposed by Laws 1961, ch. 9, 1st Extraordinary Session, and upon ratification by the electorate on October 3, 1961, was inserted by proclamation of the Secretary of State on October 16, 1961.

At the hearings, the Commission exposed significant voting registration challenges faced by African Americans. Later in 1965, the Voting Rights act was signed into law; the Commission is credited with playing a major role in its passage. We invite you to see [video](#) and [transcript](#) of the hearings.

#####

The U.S. Commission on Civil Rights, established by the Civil Rights Act of 1957, is the only independent, bipartisan agency charged with advising the President and Congress on civil rights matters and reporting annually on civil rights. Our 51 state Advisory Committees offer a broad perspective on civil rights concerns at state and local levels. The Commission: In our 7th decade, a continuing legacy of influence in civil rights. For more information, please visit <http://www.usccr.gov> and follow us on [Twitter](#) and [Facebook](#).