

Albany Human Relations Commission

Report to the City Council

2008

Human Relations Commission
4/1/2009

Honorable Mayor and Members
Albany City Council
City of Albany

6 April 2009

Dear Council Members

Please find the attached Report of the Human Relations Commission for calendar years 2007 and 2008. It includes a summary of our deliberations, findings and recommendations for the period of our first meeting on 23 September 2007 to 31 December 2008.

A Report for calendar year 2007 was not presented to you because much of 2007 was devoted to the formation and organization of the Commission and, as a result, there was little of note to report at its conclusion.

The Report is divided into two sections: a chronological summary of the Commissions deliberations, including attendance information; and, a section identifying the issues we considered, relevant findings regarding these issues, and recommendations for the Council's consideration and action.

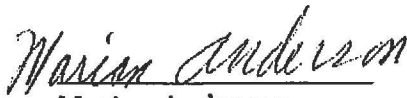
Respectfully submitted this 15th day of April 2009,



C. Jeffery Evans



Jodi Nelson



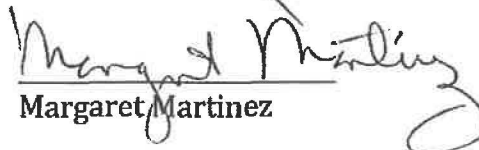
Marian Anderson



Kim Whitley



Nancy Greenman



Margaret Martinez

The Commission held its first meeting on 23 September 2007. We concentrated on getting to know one another, specifically our reasons for serving on the Commission and the things we hoped, as individuals, to accomplish. In addition, we began the organizational process, identifying our meeting schedule and discussed how to elect officers.

On 23 October 2007, the Commission elected C. Jeffery Evans as Chairman and, Blanca Ruckert, as Vice-Chairman. After some discussion, we decided to gather information about how diversity issues were addressed by the City. From January 2008 through May 2008, senior staff from each department presented the diversity challenges and priorities affecting their area of responsibility.

On January 2008, the Commission sponsored a commemoration of Martin Luther King's birthday. This was an early morning breakfast for city employees and other guests invited by commissioners, held at City Hall. It featured a presentation by Dr. Larry Roper, the Vice-Provost of Student Affairs at Oregon State University.

Issues

Through its first sixteen months, the Commission encountered issues common to new organizations. Among these were attendance and retention of members, identification of a purpose to fit within its statutory mandate, and organizational structure. In addition, the Commission identified and considered a number of substantive issues which, we believe, merit further consideration and action.

Organizational Issues

Mission

The Commission was created by the Albany City Council through the adoption of Ordinances 5665 and 5671 and codified as AMC Section 2.25.010 – 2.25.050. Its mandate was defined broadly except where the Council specifically prohibited investigatory activities relating to specific allegations of civil or human rights violations. This spelled out what the Commission could not do more than what it could. As was to be expected, the Commission has been confronted with establishing a purpose to fit within a broad mandate. We responded by trying to understand the human relations environment and identify our role within it.

Commissioner Attendance and Retention

For the most part, Commissioner attendance was consistent. Most absences were attributable to a small number of members. However, beginning in April 2008, attendance became an issue when one meeting was held without a quorum and two others with a bare majority of members present (Table). In June 2007, at the request of the Commission, I approached the three commissioners with the greatest number of

absences to express the Commission's concern that the ability of the Commission to function was seriously impaired by their absence.

Date	Present	Absent	Comments
September 2007	7	0	
October 2007	7	0	
November 2007	5	2	
December 2007	5	2	
January 2008	6	1	
February 2008	5	2	
March 2008	0	0	No Meeting, spring vacation
April 2008	3	4	No Quorum
May 2008	4	3	
June 2008	4	3	
July 2008	5	2	
August 2008	6	0	One vacant position
September 2008	5	1	
October 2008	6	1	
November 2008	0	0	Cancelled, no quorum
December 2008	0	0	Cancelled, inclement weather

As a result, Commissioner Anna Anderson concluded that her attendance would likely not improve sufficiently and tendered her resignation. In August 2008, Kim Whitley was appointed to fill her unexpired term.

Also in August, Commissioner Delia Guillen, resigned from the Commission. She had recently moved to an area of Linn County outside of the City limits and was ineligible for membership. John Hartman was appointed to fill her unexpired term in October 2008.

At the end of December, Commissioners Rick Hammel and John Hartman concluded their terms on the Commission. Commissioner Hammel did not seek reappointment and Commissioner Hartman was not reappointed.

The Commission began January 2009 with four of its original membership.

Organization and Structure

In December 2007, the Commission discussed the need for more formal rules of organization such as the adoption of By-Laws. After consulting with City Attorney, Jim Delapoer, the Commission decided that consideration of this matter was premature and postponed further discussion to an undetermined future time.

Substantive Issues

City Personnel and Provision of Services

- 1 Human Resources Director, David Shaw, advised the Commission that the City's goal of diversity in hiring has been met. Staff demographic characteristics approximate the demographic characteristics (ethnically and racially) of the community. There are a few challenges that the City will have to face in the future.
- 2 Some technical jobs have historical gender-biases that limit the availability of potential employees to fill future vacancies. This is particularly true of Police Officers and Building officials where the overwhelming numbers of individuals entering those professions are male. Making these departments more gender-representative is problematic as a result.
- 3 In most fields there are a small number of exceptionally-qualified candidates from underrepresented groups (women, minorities, persons with disabilities, etc.). These individuals are recruited by a large number of private and public sector employers. In many cases, Albany has difficulty competing with other, larger organizations with substantial resources (salary and benefits) with which to attract those candidates.
- 4 Even in good financial times, Albany's recruiting budget is small in comparison to other governmental agencies. This limits the City's ability to conduct nation-wide recruiting efforts.
- 5 Foreign language skills among City employees are limited at a time when demographic shifts are placing culture-specific demands on the provision of city services. Language skills among city employees are limited for the most part, to Spanish. Although one employee is learning American Sign Language, the State's language relay service or independent interpreters must be relied upon to serve non-Hispanic populations. However, Albany has growing Russian-Ukrainian, Indian, Pakistani, and Asian communities who will not be served adequately under the current service delivery scenario.
- 6 The vast majority of Americans, particularly those new to the labor market do not see government service as a particularly appealing career choice.
- 7 As baby-boomers begin to retire, the number of highly-qualified candidates for senior-level and management positions is limited. Recruitment of personnel to serve in these positions requires substantially more time and, in some instances, lowering minimum skill requirements for these positions.

- 8 The number of retirements expected to occur within City government during the next few years will present a rare opportunity to diversify the management and senior-level team at a time where the number of qualified candidates is small and competition for their services, very high.

Police Profiling

There is a perception among groups of residents, particularly those with Latino or Hispanic origins, that Albany Police officers practice racial profiling when deciding which vehicles or pedestrians to stop for evaluation. Police Chief Ed Boyd and City Manager, Wes Hare, have indicated that they were aware of only one such case that was reported to them for investigation. Members of the Commission familiar with that ethnic community believed that this was due to the fact that in their home countries, Police agencies are heavily corrupt and not nearly as professional as we have come to expect in the United States. This creates an environment of distrust that prevents many Hispanics from coming forward and filing profiling-related complaints.

One other complication is that alleged profiling practices being attributed to the Albany Police Department may actually be committed by other police agencies such as Linn County and the Oregon State Police. Assessing the extent to which APD officers are practicing ethnic profiling will require an investigatory effort that this Commission is not logistically capable of conducting; we have insufficient staffing to conduct such an investigation. More importantly, such an investigation is not, currently, within our mandate.

However, we are compelled to state for the record that we have no evidence that the Albany Police Department practices ethnic profiling when its patrol officers conduct vehicle and pedestrian contacts. During its deliberations a variety of theories, opinions, and speculations came forward regarding how patrol officers select drivers for stops. This in itself provides fertile ground in which misunderstandings regarding vehicle and pedestrian stops is allowed to flourish. In addition, the absence of demographic data regarding contacts prevents the City from countering this negative perception.

Unfortunately, gathering data about stops introduces other potential problems. For example, a number of surnames prevalent in Hispanic culture, such as Garcia and Monteloene, are also prevalent in Italian culture. In these cases, assigning an ethnic origin for data collection purposes would require a field officer to inquire about an individual's ethnic origin. In addition, collecting and processing data relating to vehicle and pedestrian contacts is labor-intensive and would require a commitment of resources beyond what the Police Department currently receives. Yet this, we believe, is the only way to address the perception that Albany's patrol officers use race and ethnicity in determining who to stop.

The Commission formed a working group to assist Chief Boyd interface with the Hispanic community and determine whether the problem exists and, if it does, assess the severity of the problem, and take all necessary remedial actions.

Mental Health

The Commission heard a great deal from the community about issues related to mental illnesses and those who suffer from them. Former Albany Mayor Dan Bedore, Linn County Mental Health Director, Frank Moore, GAPS Superintendent, Maria Delapoer, Albany Police Office, Ken Frandrem, and five non-affiliated individuals, attended these deliberations and offered their respective perceptions.

Unfortunately, the scope and magnitude of this problem is immense and, perhaps, beyond the capacity of this Commission to address responsibly.

Assessment and Recommendations

Organizational Issues

The issues experienced by the Commission during its first 16 months is representative of a new, unknown, organization with a mission and scope that is still in the formative stages. The success of this Commission will be largely dependent on the quality and commitment of its members. We recommend, therefore, that in filling vacancies, the Council consider only those candidates who will be committed to the underlying goals that led to the Commission's establishment: improvement in the quality of life for all residents within the community. Of critical concern will be finding a continuous supply of individuals who will attend meetings and become actively involved in fulfilling our mission.

City Personnel and Provision of Services

The City needs to evaluate its current recruitment practices with an eye to improving delivery of services to residents of all backgrounds.

The City needs to fill vacant staff positions with qualified candidates from underrepresented groups. Rather than attempt to mirror the demographic profile of the City as it exists today, the City should cast an eye to the future, respond to current demographic shifts, and mirror the demographic profile with a twenty-year time horizon.

The City should increase its recruitment budget thus enabling it to compete with other potential employers and recruit the most highly qualified candidates available.

To respond to anticipated retirements and fill those positions with qualified candidates, the City should increase its employee training and development budget to facilitate the development of existing employees and prepare them to fill senior-level and management positions.

To improve its ability to fill vacancies with qualified candidates committed to government service, the City should allocate funds to the recruitment of college-level students to fill experience-related internships. This, we believe, will improve the City's ability to recruit and evaluate candidates for future employee vacancies.

To improve service provision to non-English speakers the City should designate employees for foreign language skills development as dictated by anticipated changes in the City's demographic profile and offer appropriate compensation enhancements for those employees who develop proficiency in one or more foreign languages.

Police Profiling

The Police Department should implement a campaign to educate the public about its policies and practices regarding random stops of vehicles and pedestrians.

The City of Albany should conduct a long term study to determine the extent to which its officers practice ethnic profiling when stopping vehicles and pedestrians. In addition, the City should provide the Police Department with the funds required to process the data gathered by patrol officers.