

MEMORANDUM

TO: Fargo Human Relations Commission
FROM: Karin Flom, Assistant Planner
DATE: March 11, 2021
RE: Human Relations Commission Meeting on March 18, 2021

The next meeting of the Fargo Human Relations Commission will be held on Thursday, March 18, 2021 at 12:00 p.m., as a **virtual meeting**. If you are not able to attend, please contact staff at 701.241.1474 or Planning@FargoND.gov.

**HUMAN RELATIONS COMMISSION
Thursday, March 18, 2021 at 12:00 p.m.
Virtual Meeting**

AGENDA

1. Welcome & Introductions
2. Approve or Amend AgendaAction Item
3. Approve or Amend Minutes.....Action Item
4. Public Comment – Citizens to be Heard
5. Anti-Bias OrdinanceAction Item
6. Executive Committee Nominating CommitteeAction Item
7. Police Liaison Update
8. Legislative Update
9. HRC Work Group Reports
10. Planning Staff Report
11. Announcements
12. Adjourn

Human Relations Commission meetings are broadcast live on cable channel TV Fargo 56 and can be seen live by video stream on www.FargoND.gov/streaming. They are rebroadcast each Thursday at 12:00 p.m. Minutes are available on the City of Fargo Web site at www.FargoND.gov/humanrelations.

People with disabilities who plan to attend the meeting and need special accommodations should contact the Planning Office at 701-241-1474. Please contact us at least 48 hours before the meeting to give our staff adequate time to make arrangements.

Individuals wishing to address the commission virtually during public comment must contact the Planning Department in advance at 701-241-1474 for instructions.

MEMORANDUM

TO: Fargo Human Relations Commission
FROM: Karin Flom, Assistant Planner
DATE: March 11, 2021
RE: Meeting Report

Item 1. Welcome & Introductions

Chair Matuor Alier will call the meeting to order.

Item 2. Approve or Amend Agenda

Chair Alier will seek a motion to approve or amend the agenda.

Recommended Motion: To approve the March 18, 2021 agenda.

Item 3. Approve or Amend Minutes

Chair Alier will seek a motion to approve or amend the minutes of the February 18, 2021 Human Relations Commission meeting.

Recommended Motion: To approve the minutes of the February 18, 2021 meeting.

Item 4. Public Comment – Citizens to be Heard

Chair Alier will open the floor to public comment. Speakers must state their name and will be limited to two minutes. Comments should not contain profanity or personal attacks. At the chair's discretion, an overall time limit may be placed on this agenda item. If time permits, the chair may choose to call on staff or liaisons to engage in dialog about any of the public comments received.

Item 5. Anti-Bias Ordinance

Fargo City Commissioner Arlette Preston will be present for questions and discussion regarding a proposed anti-bias ordinance. The packet includes a cover memo from Commissioner Preston as well as the draft ordinance. Commissioner Preston is requesting the HRC recommend the ordinance to the City Commission.

Recommended Motion: To support the anti-bias ordinance presented by Commissioner Preston and to recommend its approval to the Fargo City Commission.

Item 6. Executive Committee Nominating Committee

The HRC will appoint a nominating committee for the executive committee. Under the HRC's bylaws, the terms of chair and vice chair are for one year. The chair and vice chair may both serve up to two consecutive terms. Chair Alier and Vice Chair Cody Severson were elected to their roles at the July 16, 2020 meeting.

Recommended Motion: To appoint [Volunteer Member(s)] to serve on the nominating committee for the HRC's Executive Committee.

Item 7. Police Liaison Update

Lieutenant George Vinson will provide updates from the Fargo Police Department (FPD). This update will include follow-up on the FPD's vision, mission, and values statements. Lt. Vinson will also introduce the new FPD liaison to the HRC.

Item 8. Legislative Update

The North Dakota legislature is in session. This agenda item is a place for commission members to provide updates on legislation relevant to the HRC. A reminder to commissioners: if you are seeking testimony from the City or the HRC, please e-mail the Executive Committee and copy staff.

Item 9. HRC Work Group Reports

One representative from each HRC Work Plan group will present an update. The HRC Work Plan goals are the following:

Goal 1: Create a more inclusive community via formally protect rights.

Members: Carolyn Becraft, Cody Severson

Goal 2: Increase and promote diversity, equity, inclusion, and anti-discrimination practices within City government.

Members: Matuor Alier, Laetitia Hellerud, Abdiwali Sharif, Ahmed Shiil

Goal 3: Promote and grow community-wide efforts related to advancing diversity, equity, inclusion and anti-discrimination.

Members: Hamida Dakane, Barry Nelson, Cheryl Schaeffe

Item 10. Planning Staff Report

The February staff report is included in the agenda packet. Time permitting, Chair Alier will open the floor to commission members for any questions on the report.

Item 11. Announcements

Chair Alier will open the floor to commission members for any announcements.

Item 12. Adjourn

Upon no further business, Chair Alier will adjourn the meeting. Work groups are encouraged to use any remaining time to meet virtually. Please contact staff if you would like assistance with creating a virtual meeting room.

**BOARD OF HUMAN RELATIONS COMMISSIONERS
MINUTES**

Regular Meeting:

Thursday, February 18, 2021

The Regular Meeting of the Board of Human Relations Commissioners of the City of Fargo, North Dakota, was held virtually in the Commission Chambers at City Hall at 12:00 p.m., Thursday, March 18, 2021.

The Human Relations Commissioners present or absent were as follows:

Present: Matuor Alier, Laetitia Hellerud, Barry Nelson, Cody Severson, Ahmed Shiil, Carolyn Becraft, Abdiwali Sharif-Abdinasir, Cheryl Schaeffe,

Absent: Hamida Dakane

Item 1. Welcome and Introductions

Chair Alier welcomed Members to the meeting and introductions were made.

Item 2. Approve Order of Agenda

Member Becraft moved the Order of Agenda be approved as presented. Second by Member Schaeffe. All Members present voted aye and the motion was declared carried.

Item 3. Approve Order of Minutes

Member Becraft moved the minutes of the January 21, 2021 Human Relations Commission meeting be approved as presented. Second by Member Shiil. All Members present voted aye and the motion was declared carried.

Item 4. Public Comment

No public comment was provided.

Item 5. Meeting Frequency and Structure Recommendation

Chair Alier introduced the item and shared the Executive Committee recommendation of Option 2 previously presented to the Board at the November 2020 meeting.

Assistant Planner Karin Flom provided a background and stated if approved, the new meeting structure would begin in April 2021.

Member Hellerud present.

Member Becraft moved to approve to Executive Committee's recommendation to adjust the Human Relations Commission monthly meeting structure as outlined in the packet. Second Member Hellerud. All Members present voted aye and the motion was declared carried.

Item 6. Liaison Position Vision Statement Recommendation

Ms. Flom provided an overview of the topic and noted the Executive Committee has recommended approval of the Liaison Vision statement as included in the packet.

Member Nelson moved to approve the Executive Committee's recommendation to adopt the Liaison Vision Statement as included in the packet. Second by Member Shiil. All Members present voted aye and the motion was declared carried.

Item 7. Staff Presentation: Carrying Out the Work Plan

Planning and Development Director Nicole Crutchfield presented an overview of work plan implementation, the three goals of the work groups, and the Planning Department functions. She highlighted the path to move new ideas and projects forward.

Item 8. 2021 Budget Memo Discussion

Ms. Crutchfield shared an update on the 2021 budget process changes and noted the importance of being strategic with what the Human Relations Commission wants to accomplish. She stated the importance of integrating work and being transparent in processes.

Item 9. Legislative Update

Member Nelson shared updates on Legislative measures of interest.

Item 10. HRC Work Groups Reports

No new work group updates were provided.

Member Sharif-Abdinasir present.

Item 11. Police Liaison Update

Lieutenant George Vinson stated that Fargo Police Department staff have been given a refresher training on bias crime reporting.

Lt. Vinson shared a story of a Fargo Police Department Officer who went above and beyond the call of duty to provide vehicle and housing assistance to an individual during the recent cold snap.

Discussion was held on a Citizen's Police Academy.

Item 12. Planning Staff Report

Ms. Flom stated the staff report is included in the packet and provided an updated on Item 4 regarding the status of the City of Fargo Diversity, Equity, and Inclusion position.

Item 13. Announcements

No announcements were given.

Follow-up discussion from the November 2020 Human Relations Commission meeting was held regarding the Fargo Fire Department new firefighter application period.

City Commission Liaison John Strand noted concern over the impact of Lutheran Social Services closure.

Item 14. Adjourn

The time at adjournment was 1:08 p.m.

TO: HUMAN RELATIONS COMMITTEE

FROM: ARLETTE PRESTON 
FARGO CITY COMMISSIONER

DATE: MARCH 11, 2021

RE: ANTI-BIAS ORDINANCE

There have been multiple reports in the past of individuals in our community targeted with violence or threats of violence due to their race, color, ethnicity, national origin, religion, disability, gender, sexual orientation or gender identity. There is not a full understanding of the residents or law enforcement of how to identify, report, and respond to this type of crime.

The attached local ordinance establishes those behaviors as bias crimes and allows for a separate criminal offense with a penalty attached. It also requires training for law enforcement and a requirement for reporting.

I am requesting your support for this ordinance and respectfully request your recommendation to the City Commission for its passage.

I'll be happy to answer any questions you may have at the meeting of the HRC.

FARGO, NORTH DAKOTA HATE CRIMES ORDINANCE

BE IT ORDAINED BY THE CITY COMMISSION OF FARGO, NORTH DAKOTA AS FOLLOWS:

SECTION 1: The Municipal Code of the City of Fargo, North Dakota is hereby amended to create a new Article **[X]** entitled "Hate Crimes" to read as follows:

Hate Crimes.

- (a) A person who commits a crime in violation of Section 10-0319 (Incendiary devices), 10-0321 (Criminal mischief), 10-0322 (Harassment), 10-0323 (Simple Assault), or 10-0304(C) (Discharge of dangerous weapons) within the City of Fargo and with the intent in whole or in part to cause harm, injury, or damage to the person or property of the victim or to cause the victim to fear harm, injury, or damage to their person or property, because of the victim's actual or perceived race, color, ethnicity, national origin, religion, disability, gender, sexual orientation, gender identity, or association with a person or group with one or more of these actual or perceived characteristics, is guilty of a separate hate crime offense.
- (b) Every person who aids, abets, counsels, encourages, hires, commands, induces, or otherwise procures another to violate this ordinance shall also be guilty of a separate offense.
- (c) A violation of this ordinance shall be a misdemeanor and punishable by a fine of not more than \$1500.00 and/or by imprisonment for not more than 30 days. The sentence imposed must be consecutive to the sentence for the underlying criminal offense unless the court articulates on the record the reasons why the sentences should run concurrently. Any sentence may be suspended upon completion by the defendant of appropriate education, counseling, or community service employment as ordered by the court. The court may also designate all or part of the imposed fine to be directed to the support of programs designed to combat bias based on actual or perceived race, color, ethnicity, national origin, religion, disability, gender, sexual orientation, or gender identity.
- (d) In addition to the penalties provided for above, the court may order restitution up to the limits of the court's jurisdiction for damages sustained by the victim directly related to the commission of the crime which may include compensation for medical bills, counseling or therapy, or damage to property.

Hate Crimes Training and Reporting.

- (a) For purposes of this section, a hate crime shall be defined as any crime committed in whole or in part because of the victim's actual or perceived race, color, ethnicity, national origin, religion, disability, gender, sexual orientation, or

gender identity, or the victim's association with a person or group with one or more of these actual or perceived characteristics.

- (b) The Fargo Police Department shall develop best-practice guidelines for the proper identification, investigation, documentation, and reporting of hate crimes committed within the City of Fargo.
- (c) Fargo Police Department personnel shall be trained on the proper identification, investigation, documentation, and reporting of hate crimes, as defined herein, at least biennially. This training shall include information on local, state, and federal hate crime laws.
- (d) The Fargo Police Department shall develop and implement a standardized system for collecting and analyzing hate crimes committed within the City and shall provide annual statistical data regarding the occurrence of hate crimes and the groups or individuals targeted to the Federal Bureau of Investigation, pursuant to 28 U.S.C. 534, for entry into the national crime information databases.

MEMORANDUM

TO: Fargo Human Relations Commission

FROM: Karin Flom, Assistant Planner

DATE: March 11, 2021

RE: February Staff Report

This agenda item is an effort to summarize and memorialize issues, concerns, or staff action related to the work of the Human Relations Commission since the last meeting. During the meeting, the Chair may open for discussion or questions concerning these items.

1. Local COVID-19 Response

Staff continues to support overflow shelter needs through the Gladys Ray's temporary homeless quarantine and engagement center downtown, as well fitting up a temporary shelter in Moorhead. Staff also continue to support and administer funds for several other supportive services, such as direct housing assistance, enhanced quarantine capacity at local shelters, and case management. Please note, that this activity will continue to take a larger portion of staff's time throughout the recovery for our community during and post pandemic. We are beginning to focus on the impacts to housing, rent assistance through state programs and continue to coordinate amongst social service providers to learn more about system issues.

As a reminder, if you know someone in need of assistance, call FirstLink at 2-1-1. If there are system issues you would like to bring to our attention, please do so. It is very important to use the 2-1-1 system when possible; doing so ensures that the City and other agencies are aware of the services that are available and the coordination required to administer these services to as many people as possible.

2. North Dakota Legislative Session

The 2021 North Dakota legislative session began on January 5, 2021. As a reminder, unless previously coordinated with staff and City Administration, members should be careful not to speak on behalf of the City or the HRC when submitting testimony.

Since the last HRC meeting, testimony was submitted in support of HB1443, the bias crime bill. Staff was unable to respond quickly enough to SB2232, establishing Juneteenth as a holiday. The HB1443 testimony is included in the packet.

3. City of Fargo Director of Diversity, Equity, and Inclusion

The application window for the Director of Diversity, Equity, and Inclusion closed near the end of January. Over 60 applications were received. The selection committee is currently reviewing these applications.

4. April 15, 2021 HRC Meeting

The April 15, 2021 HRC meeting is tentatively an in-person meeting. Members would all be on the floor and spaced six feet apart. If you have concerns, please bring them to the March 18 meeting during the Planning Staff Report item or contact staff directly with any concerns.