



City of Albuquerque
Human Rights Board

Agenda Packet
September 19, 2024

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Thursday, August 15, 2024

5:00 – 6:30 PM MST

1 Civic Plaza

Vincent E Griego Council Chambers

Albuquerque, New Mexico 87102

Zoom Meeting Information

Meeting ID: 876 4565 1515

Passcode: 998578

Contact: Dr. Nina Cooper, 505-768-4556

Accommodations: If you have a disability and need accommodation in order to participate in this public meeting, please contact Dr. Nina Cooper at 505-768-4556 or ncooper@cabq.gov. Please request any accommodation necessary at least 72 hours prior to the meeting. Best efforts will be made to provide the requester with their auxiliary aid of choice. If doing so is not possible due to time constraints or other logistical concerns, the city will work directly with the requester to provide an alternate method of accommodation.

City of Albuquerque - Human Rights Board
Agenda - September 15, 2024

(Items listed on the agenda may be discussed and acted on out of sequential order)

5:00 – 6:30 PM MST

1 Civic Plaza – Basement Level

Vincent E Griego Council Chambers
Albuquerque, New Mexico 87102

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1. Call to Order/Introductions
2. Approvals
 - a. Agenda – September 19, 2024 Meeting
 - b. (Draft) Minutes – July 18, 2024 Meeting
3. Public Comment¹
4. Presentations
 - a. Albuquerque Human Rights Board: 50th Anniversary Legacy Project – *Chair Dass*
5. Director's Reports
 - a. Office of Civil Rights (OCR)
6. Subcommittee Reports
 - a. Integration & Sustainability – *Vice Chair Champagne*
 - b. Access & Accountability – *Member Andujo*
 - c. Advocacy & Representation - *Member Hinojos*
 - d. Research, Investigation, & Policy – *Member Boulton*
7. Proposals
 - a. Prop. EC-2024-03: Preliminary Findings on Hearing Reports
 - i. Discussion of each finding will include a period of time where relevant City Personnel provide input.
 - ii. Each finding will require unique approval by a majority of the Board.
8. Announcements
 - a. Next Meeting - **October 19, 2024**
9. Adjourn

¹ Please sign up through the Office of Civil Rights, Dr. Nina Cooper 505-768-4556



City of Albuquerque - Office of Civil Rights
1 Civic Plaza, Albuquerque, NM 87102
Phone- 505-768-4595, TTY 711
civilrights@cabq.gov

DRAFT City of Albuquerque Human Rights Board (HRB) Minutes

Date: Thursday, June 20, 2024
Time: 5:00 p.m.
Location: Zoom & Vincent E Griego Council Chambers, Basement floor of City Hall

Board Members Present:

Anami Dass, Chair
Sean “Jack” Champagne, Vice Chair
Larry Hinojos Jr.
Kate Boulton

City Staff Present:

Lisa Schatz-Vance, Board Attorney
James Bradley, Board Attorney
Mari Kempton, Parliamentary Council
Jennifer Lucero, Minute Taker
Nina Cooper, OEI Community Empowerment Officer
Maria Wolfe, Homeless Innovations Officer

Board Members Not Present:

Kimberly Andujo
Samia Assed
Leticia Galvez-Trujillo

Members of the Public:

Steven Emmons
Noelle Smith
Christine Barber
Katie Simon
Ian Menton
Mervyn Tilton
Janus Herrera

*** Due to lack of quorum, meeting was cancelled. Meeting remained open for public comment.**

I. Public Comment

- a. Public comment was made by Ian Menton to address concerns regarding private materials being confiscated and destroyed by authorities from unhoused individuals.
- b. Public comment was made by Mervyn Tilton to address concerns regarding missing resources to prevent homelessness and lack of preventative measures. He suggests city ordinances should be developed to prevent slum lords existing within the City.
- c. Public comment was by Janus Herrera to address concerns regarding discrimination against individuals and their pets experiencing homelessness. Ms. Herrera expressed concerns regarding the number of drive-by shootings targeting the unhoused population. She has also witness two individuals being turned away from the Dollar General on 2nd and 4th streets. She also witnessed a group of individuals eating a meal at a park bench being told by an APD officer that they can not eat there.

*** Quorum was met during public comment.**

II. Call to Order & Introductions

- a. The meeting was called to order after public comments at 5:27 p.m. by Chair Dass.
- b. All who were present introduced themselves.

III. Consent Agenda

a. Approval of July 18, 2024 Agenda

- i. Chair Dass moved to approve the agenda. The motion was seconded by Vice Chair Champagne. The motion was approved by unanimous vote. The agenda has been approved.

IV. Director's Reports

a. Office of Civil Rights:

Board Attorney Lisa Schatz-Vance shared the following:

- i. The Office of Civil Rights (OCR) has received applications for the Officer position and interviews will begin in the next couple weeks.
- ii. OCR continues to receive inquiries regarding discrimination in respect to the Human Rights Ordinance. There is one new case that is at the invitation to pre-settlement resolution and are waiting to hear back from the Respondent.

b. Office of Equity & Inclusion:

Dr. Nina Cooper shared the following:

- i. The Office of Equity and Inclusion (OEI) has recently concluded their Native American housing survey. The survey is designed to understand and meet the housing needs of Native Americans currently moving or wanting to live in the Albuquerque Metro area. OEI received back 719 usable survey responses, surpassing their goal of 500 responses.
- ii. An IDO was recently updated and signed by Mayor Keller the Native American consultation and engagement movement for proposed developments within 660 feet of public space or tribal land. The City is the first municipality in North America to institute a tribal ordinance of this kind. OEI's new director is Sonya Lara.
- iii. Dr. Cooper discussed other position changes within the department.
- iv. OEI had 15 learning opportunities and trainings offered by their culture change leader.
- v. The City had 79 individuals become naturalized citizens representing 25 countries on Refugee Day.

V. Discussions & Proposals

a. Subcommittee Reports

- i. Integration & Sustainability currently has no chair. Vice Chair Champagne volunteered for the subcommittee chair position. Chair Dass seconded the motion for Vice Chair Champagne take on the role of chair for Integration and Sustainability. The motion was approved by unanimous vote.
- ii. Access & Accountability has no report or updates.
- iii. Advocacy & Representation has no report or updates.
- iv. The Human Rights Board's report and recommendations on the rights of people experiencing homelessness in response to the Public Hearing on

Anti-homelessness Sentiment was submitted to Research, Investigation, & Policy subcommittee. The report is due to be published on July 22, 2024.

1. Member Boulton moved to submit an initial report by July 22nd that focuses on the public hearing, testimony received, recommendations in regard to hate crimes amendments and revisit other recommendations and expand on research in a subsequent companion or expansion report on a later date. Vice Chair Champagne seconded the motion. The motion was approved by unanimous vote. In accordance to the approved motion items VII. a. ii., VII. a. iii., and VII. a. iv. are removed from the agenda and to be discussed at a future meeting.

VI. Approvals

a. Recommendations for the Rights of People Experiencing Homelessness

i. Proposal R-2024-04: Hate Crimes Amendments

1. Chair Dass moved to amend the proposal as discussed. Vice Chair Champagne seconded the motion. The motion was approved by unanimous vote.
2. Vice Chair Champagne moved to amend changes as recommended by council. Member Hinojos seconded the motion. The motion was approved by unanimous vote.
3. Vice Chair Champagne moved to adopt as amended. Chair Dass seconded the motion. The motion was approved with a vote of 3 to 1.
4. Member Boulton proposed additional revisions.
5. Member Boulton moved to reconsider. Vice Chair Champagne seconded the motion. The motion was approved by unanimous vote.
6. Chair Dass moved to approve the resolution. Vice Chair Champagne seconded the motion. The motion was approved by unanimous vote.

ii. Removed

iii. Removed

iv. Removed

b. Official Communications

i. EC-2024-01

1. Chair Dass moved to amend changes discussed, and instead of sending full report, they will send the verbatim transcript, the minutes, the initial findings, and the preliminary recommendations. Vice Chair Champagne seconded the motion. The motion was approved by unanimous vote.
2. Chair Dass moved to submit for distribution and publication. The motion was approved by unanimous vote.

VII. Announcements

- a. The next Human Rights Board Meeting will be August 15, 2024 at 5:00 p.m.
- b. The Equality New Mexico LGBTQ+ Summit will be August 1-3, 2024.

VIII. Minutes

a. Approval of June 20, 2024 Meeting Minutes

- i. Chair Dass moved to approve the minutes. The motion was seconded by Member Boulton. The motion was approved by unanimous vote. The minutes have been approved.

b. Approval of June 22, 2024 Hearing Verbatim Transcript

- i. Chair Dass moved to approve the transcript. The motion was seconded by Vice Chair Champagne. The motion was approved by unanimous vote. The transcript has been approved.

c. Approval of June 22, 2024 Hearing Minutes

- i. Chair Dass moved to approve the minutes. The motion was approved by unanimous vote. The minutes have been approved.

IX. Presentations

- a. Vice Chair Champagne moved to table presentation until the August meeting. The motion was seconded by Member Hinojos. The motion was approved by unanimous vote. The motion has been approved.

X. Adjournment

- a. Meeting adjourned by Chair Dass at 6:40 p.m.

Next regularly scheduled Human Rights Board Meeting will be Thursday, August 15, 2024.

Anami Dass, Chair

Date



Anami Dass
Board Chair

HUMAN RIGHTS BOARD *City of Albuquerque*

Office of Civil Rights
Albuquerque, NM 87102
Telephone: 505-768-4556
civilrights@cabq.gov

EXECUTIVE COMMUNICATION

September 15, 2024

FILE NO: HRB EC-2024-03

FROM: Chair Dass, Human Rights Board

SUBJECT: Preliminary Findings from the Hearing Reports from 6/22/2024

Attachments

- A. **Notice of Public Hearing** (5/18/2024)
- B. **Verbatim Transcripts** of HRB Public Hearing (with all Exhibits) (7/18/2024)
- C. **Compiled Electronic Statements** (7/18/2024)
- D. **Results of the Informal Survey** (7/18/2024)

Distribution:

- **Honorable Mayor**
- **Council President**
- **City Council**
- **City Attorney**
- **Chief of Police**
- **Director of Health Housing & Homelessness**
- **Director of General Services**
- **Director of Solid Waste Management**

Anami Dass
Human Rights Board - Chair

Executive Summary

The Board’s initial discussion of its preliminary findings took place during the July 18, 2024 meeting of the board. The Board was informed that this discussion satisfied the requirements of §11-3-9 with regards to the timeframe by the legal counsel assigned to the Board by the City. The Board has elected to continue its investigation beyond the minimum legally required due to the urgency required of the situation.

Additional communications will be distributed for any further findings or recommendations related to the Hearing Reports or the topic of the rights of people experiencing homelessness in Albuquerque.

Background

Pursuant to §11-3-5 & §11-3-9 of the Albuquerque Code of Ordinances, The Albuquerque Human Rights Board (“Board” or “HRB”) held a public hearing on Anti-Homeless Sentiment and Discrimination Based on Housing Status on June 22, 2024 at the International District Library located at 7601 Central Ave NE, Albuquerque, NM 87108, as ordered in HRB Resolution No. 2024-01, Section 5.

Members of the public were invited to testify or comment on their experiences of the topic (**Attachment B**) via 30 days advanced notice approved by the board on May 18, 2024 (**Attachment A**). The public was also allowed to offer their statement via email to the Office of Civil Rights (**Attachment C**) and an informal survey was conducted of those who were present for the hearing (**Attachment D**). These 4 documents make up the “Hearing Reports.”

Additional References

- *HRB Resolutions*
 - o [HRB Resolution No. 2024-01: Homeless Rights \(2/15/2024\)](#)
 - o [HRB Resolution No. 2024-04: Hate Crimes \(7/18/2024\)](#)
- *HRB Meeting Minutes*
 - o [HRB February 2024 Meeting Minutes](#)
 - o [HRB March 2024 Meeting Minutes](#)
 - o [HRB April 2024 Meeting Minutes](#)
 - o [HRB May 2024 Meeting Minutes](#)
 - o [HRB June 2024 Meeting Minutes](#)
 - o [HRB July 2024 Meeting Minutes](#)
- *CABQ Code of Ordinances*
 - o [§2-6: Boards, Commissions, and Committees](#)
 - o [§11-3: Human Rights Ordinance](#)
 - o [§12-3-1: Criminal Damage to Property](#)
 - o [§12-3-2: Larceny; Shoplifting](#)
 - o [§12-2-27: Hate Crimes Ordinance](#)
- *Other CABQ Policies*
 - o [Policy for Responding to Encampments on Public Property – Revised October 2022](#)

Preliminary Findings

The Albuquerque Human Rights Board finds that:

1. The Hearing Reports support the existence of:
 - a. wide-spread discrimination against people experiencing homelessness;
 - b. deliberate exclusion in society experienced by people who are unhoused; and
 - c. a pervasive stigma against people experiencing homelessness.

(Exhibits A, B, E, F, H, I, J, L, M)
(PC-1, PC-2, PC-3, EC-1, EC-2, EC-4, EC-5, EC-7, EC-8, EC-9, EC-10, EC-11)
2. The hearing was presented to the public as a forum for discussing the subject of Anti-Homeless Sentiment and Discrimination Based on Housing Status broadly. However, many of the Hearing Reports focused on actions taken by the City of Albuquerque against people experiencing homelessness, suggesting the need for a holistic review of the city’s impact on homelessness.

(Exhibits A, B, D, E, F, H, I, J, K)
(PC-1, PC-2, PC-3, EC 2, EC-3, EC-4, EC-5, EC-7, EC-8, EC-9, EC-10, EC-11)
3. The Hearing Reports include multiple statements regarding the inadequate provision of services offered to people experiencing homelessness, including that of organizations contracted by the City of Albuquerque and by Departments of the City.

(Exhibits A, E, F, H, I, J, L, M)
(PC-1, PC-3, EC-2, EC-8)
4. The Hearing Reports indicate the city and/or some its employees have engaged, at times, in questionable or wasteful practices in its efforts relating to encampment clearings, with some employees either intentionally misleading members of the public as to their rights or unintentionally spreading harmful misinformation on the subject.

(Exhibits A, E, H, I, J)
(PC-1, EC-2, EC-4, EC-5, EC-7, EC-8, EC-9, EC-10, EC-11)
5. The Hearing Reports featured descriptions of recent actions taken by the Albuquerque Metro Security Division (“MSD”) & Albuquerque Police Department (“APD”) that when considered all at once suggest the need for close independent monitoring regarding their usage of force, and other forms discriminatory conduct taken against people experiencing homelessness, such as profiling or over policing.

(Exhibits A, H)
(PC-1, EC-8, EC-10, EC-11)
6. Of the testimony given by people currently experiencing homelessness, most convey that their housing status was is caused by acute financial problems that resulted in a temporary loss of housing that spiraled into longer-term homelessness, which could have been prevented by the implementation of a financial first aid program.

(Exhibits B, C, F, I, L, M)
7. There is not a system in place that provides necessary oversight in the provision of social services, including organizations operated by, contracted by, or partnered with the city of

Albuquerque, and that the lack of monitoring has allowed for inconsistency in the provision of services which in many ways harm people experiencing homelessness.

*(Exhibits A, B, D, H, J, K)
(PC-1, PC-3)*

8. The lack of a unified complaint filing process has meaningfully reduced the relationship between people who live in Albuquerque and their local government because without such a system, the people of Albuquerque could be misled and ignored either intentionally or unintentionally in the process of filing their grievance(s).

*(Exhibits D, H, J)
(PC-1, PC-3)*

9. The City of Albuquerque has not adequately met its obligations to protect, preserve, and promote the human rights and human dignity of people experiencing homelessness as ordered by the Article VIII of the City Charter and in Chapter 11, Section 3 of the Albuquerque Code of Ordinances.

*(Exhibits A, E H, I, J, K)
(PC-1, PC-3, EC-4, EC-9, EC-10, EC-11)*

10. Additional time is required to meaningfully address the contents of the Hearing Reports. The Board intends to continue discussion, analysis, and research on this topic and will report any additional findings to the Mayor's Office, City Council, and the People of the City of Albuquerque, with the inclusion of any additional recommendations for remedial or preventative action along with any related findings.

Preliminary Recommendations

1. The Board reaffirms its initial recommendations from sections of **HRB Resolution No. 2024-01**:
 - a. All departments, divisions, and bureaus of the City of Albuquerque cease the practice of no-notice encampment closures as the practice initiates distrust, tension, and hostility toward all government agencies, is indistinguishable from theft, and violates the autonomy, dignity, and rights of people experiencing homelessness.
 - b. The City of Albuquerque reassess contracts with all providers of emergency shelter with attention paid toward the quality of service, consistency of service, and safety of the residents, their pets, and belongings.
 - c. The Department of Health, Housing, and Homelessness report an accurate nightly headcount and publishing the number of residents each week on the relevant page of the City Housing and Homelessness Department webpage.
 - d. The Department of Health, Housing, and Homelessness offer space and facilitation of public listening sessions where executive leadership representatives from shelter service providers and leadership representing the City of Albuquerque would hear comments and concerns from residents of shelters within the city.
 - e. The City Council amend or repeal any passed legislation that allows for the immediate destruction of private property at the discretion of a city employee or contractor so that destruction is no longer allowed.
 - f. The City of Albuquerque guarantee the rights of all people to access affordable, sustainable, and adequate housing, allow the use of public space and ensure the human right to rest is accessible to all, and provide safe emergency shelter that is both free of discrimination and accessible by the standards set in the Americans With Disabilities Act of 1990, and shelter free of staff abuse, theft, and neglect.
2. The Board re-affirms the recommendations described in sections of **HRB Resolution No. 2024-04** relating to amending the city’s Hate Crimes Ordinance which could help repair the relationship with vulnerable populations and their local government.
3. The Board hereby recommends that representatives from the city’s administration and members of City Council attend meetings of the Albuquerque Human Rights Board with some frequency or regularity to stay updated of the Board’s efforts moving forward.