AMENDED

In light of the current public health crisis and the Federal, State and County Emergency Declarations, and in accord with the provisions of Sec. 610.020, RSMo., the Board of Aldermen recognizes that it would be dangerous and impractical, if not impossible, for its meeting to be physically accessible to the public. The Board also recognizes the need for the public's business to be attended to in order to protect the public health, safety and welfare. In order to balance both the need for continuity of government and protection of the health and safety of our residents, business persons and employees, this meeting of the Community Equity Commission will not be open to public attendance in person. The meeting will be accessible by the public in real time ONLY by following the instructions in the box below.

You are invited to a Zoom webinar.
When: Sep 10, 2020 05:30 PM Central Time (US and Canada)
Topic: Community Equity Commission

Please click the link below to join the webinar:
https://us02web.zoom.us/j/89636601732
Or iPhone one-tap :
US: +13017158592,,89636601732# or +13126266799,,89636601732#
Or Telephone:
Dial(for higher quality, dial a number based on your current location):
US: +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099 or +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833
Webinar ID: 896 3660 1732
International numbers available: https://us02web.zoom.us/u/kcn33SefZ4

Persons interested in making their views known on any matter on the agenda should send an email with their comments to the Assistant to the City Manager at amuskopf@claytonmo.gov. All comments received will be distributed to the entire Commission before the meeting.

Thank you for your understanding and patience as we all try to get through these difficult and dangerous times.

AMENDED

Community Equity Commission
September 10, 2020 at 5:30 PM

Agenda

1. Welcome and Roll Call
2. Approval of August 13, 2020 Minutes
3. Old Business
    a. Mayor's Commemorative Landscape Task Force Update
    b. Neighborhood Indentures Update
    c. Commissioner Handbook Update
    d. Public Comments from August 13, 2020 Meeting
    e. Subcommittee Reports:
        i. Communications
            1. Engagement Plan
        ii. Law Enforcement
4. Public Comment
5. Comments from Members
6. Next Meeting: Thursday, October 8 at 5:30 pm
7. Adjourn

The City of Clayton

Community Equity Commission

Virtual Zoom Meeting

August 13, 2020 at 5:30 PM

Minutes

The meeting was called to order at 5:31 pm.

Roll Call
Present: Yvonne Tisdel, Laura Horwitz (Chair), Chris Schmiz, Ben Uchitelle, Stuart Berkowitz, Frances Pires, Nikki Bisel, Dr. Sean Doherty (ex officio), Rev. Laurie Anzilotti (ex officio), JoAnna Schooler (ex officio), Ellen Gale (ex officio), and Darlene Reed (ex officio).

Additional: Alderwoman Boulton, Alderwoman Buse, City Manager Gipson, and Assistant to the City Manager Andrea Muskopf.

Minutes
Ben Uchitelle moved to approve the July 9, 2020 minutes. Yvonne Tisdel seconded the motion. All were in favor.

Reflection: John Robert Lewis and Cordy Tindell Vivian
Rev. Laurie Anzilotti led Commission in a reflection on the lives of John Robert Lewis and Cordy Tindell Vivian.

Old Business

July 9, 2020 Public Comments Submitted to the Record

Publicizing Public Meetings
City Manager Gipson explained that the Communications Subcommittee will be working on an Engagement Plan, which will include recommendations as to how the City can improve publicizing public meetings.

Dispatch Software Upgrades
City Manager Gipson shared that East Central Dispatch Center (ECDC), which is the cooperative between seven cities that the City utilizes for dispatching, is currently going through a Request For Proposals (RFP) process to upgrade the computer-aided design (CAD) software for dispatching. This will allow the dispatchers to have access to a more modern tool.

Recommendation(s) Timeline
City Manager Gipson explained that there is not a timeline for recommendations from the Community Equity Commission (CEC) to the Board of Aldermen (BOA). The CEC can make recommendations to the BOA at any time.

Body-Worn Cameras

DRAFT

City Manager Gipson explained that the body-worn camera program is still in the testing phase and has been delayed by the pandemic. Staff will update the Commission as the program progresses.

Subcommittee Reports

Policing Subcommittee

The Policing Subcommittee will present their recommendations at the September meeting.

Communications Subcommittee

The Communications Subcommittee recommended that the City share upcoming meetings with links to the website on NextDoor and social media channels.

Public Comment

Kathleen Gund shared her reaction to the Suspicious Activity graphic, which was that it appeared post-9/11 and focused on how to report a person.

Karen Aroesty recommended that the Board of Aldermen and Police Department implement a policy around callers reporting suspicious activity and utilize the data from the Policing Subcommittee to create a campaign such as lawn signs, poster campaign that businesses could put up, and utilizing the Clayton Chamber and faith community as allies (action steps: policies, practices, and personal biases).

Andrea Muskopf read Lynn Courter's comment submitted to the record via email (attached).

Mayor's Commemorative Landscape Task Force

Nikki Bisel will serve on the Task Force.

Next Meeting Date

The next meeting is scheduled for September 10 at 5:30 pm.

Adjourn

Ben Uchitelle moved to adjourn the meeting. Yvonne Tisdel seconded the motion. All were in favor. The meeting adjourned at 7:04 pm.

DRAFT

Andrea Muskopf

From: Lynn Courter <lynni316@gmail.com>
Sent: Wednesday, August 12, 2020 4:13 PM
To: Andrea Muskopf
Subject: Public Comment for Community Equity Commission

[CAUTION – EXTERNAL EMAIL]

Hi Andrea,

I have a public comment/question for the Community Equity Commission meeting tomorrow. I will do my best to be present at the meeting, but may not be able to be there. Here is my comment:

"At the last meeting we received data that was collected on suspicious calls and learned that resident calls to report a suspicious person are made about people of color at a significantly disproportionate rate in our area. An idea was brought forth about the need for community outreach and education in response to this finding. I think that this is an important idea to pursue if we truly want Clayton to be a welcoming community that celebrates diversity and values equity.

I would like to make a suggestion for consideration about that community outreach. I am wondering if it might be best to focus on allyship. Rather than discourage people from making these racially motivated calls to police about "suspicious persons," we could encourage residents to be allies. We could provide suggestions and dialog prompts on how to have tough conversations with friends, family, and neighbors about this data and its implications. We could offer a community book study on antiracism literature. We could put out media citing the data and emphasizing the importance of being an ally in our community."

I've never done this before, so what is the process? Will you just include this in the meeting? Do I need to be there for it to be discussed? Please let me know when you can.

Thanks so much!

~Lynn Courter

Andrea Muskopf

From: Andrea Muskopf
Sent: Friday, August 28, 2020 11:52 AM
To: Andrea Muskopf
Subject: Updating Your Neighborhood Indentures
Attachments: Missouri Revisor of Statutes - Revised Statutes of Missouri, RSMo Section 213.041.pdf; Missouri Revisor of Statutes - Revised Statutes of Missouri, RSMo Section 213.040.pdf

Dear Trustees,

You may not be aware that many of our older neighborhoods had racial covenants written into their original indentures. To improve equity, diversity and inclusion efforts in our community, the City of Clayton would like to encourage you and your fellow trustees to review your neighborhood indentures to ensure they do not include restrictions which violate Missouri housing practices. Missouri Statute 213.041 allows the board of directors of the homeowners' association to remove any violations identified without the approval of owners.

St. Louis County Recorder of Deeds maintains all records of subdivision indentures. To request a copy of the indentures, please contact the St. Louis County Recorder of Deeds at (314)615-7100 or email revenueinfo@stlouisco.com. Standard duplicating charges apply, and will be disclosed to you before you order the document.

Below are links to assist you in locating additional useful information.

- Missouri Statute 213.040 – Unlawful housing practices — discrimination in housing…
- Missouri Statute 213.041 – Restrictive covenants, homeowners' association…
- Subdivision Trustee Resource Center
- Subdivision Trustee Resource Guidebook
- How to Update Subdivision Indentures

Thank you,

Andrea Muskopf, MPA
Assistant to the City Manager

P 314.290.8473 | F 314.863.0294 | amuskopf@claytonmo.gov

CITY OF CLAYTON – Administration
10 North Bemiston Avenue | Clayton, MO 63105 | www.claytonmo.gov

OUR MISSION: To foster a vital, balanced community composed of outstanding neighborhoods, quality businesses, commercial and government centers, premier educational institutions, and a healthy natural environment through an open, accessible and fiscally responsible government.

Title XII PUBLIC HEALTH AND WELFARE

Chapter 213

Effective - 28 Aug 2017, 2 histories

213.040. Unlawful housing practices — discrimination in housing — sufficient compliance with other standards — local government compliance — construction of law — housing for older persons, defined — conviction for controlled substances, effect — religious organizations, effect of. — 1. It shall be an unlawful housing practice:

(1) To refuse to sell or rent after the making of a bona fide offer, to refuse to negotiate for the sale or rental of, to deny or otherwise make unavailable, a dwelling to any person because of race, color, religion, national origin, ancestry, sex, disability, or familial status;

(2) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion, national origin, ancestry, sex, disability, or familial status;

(3) To make, print, or publish, or cause to be made, printed, or published any notice, statement or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination because of race, color, religion, national origin, ancestry, sex, disability, or familial status, or an intention to make any such preference, limitation, or discrimination;

(4) To represent to any person because of race, color, religion, national origin, ancestry, sex, disability, or familial status that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available;

(5) To induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons because of a particular race, color, religion, national origin, ancestry, sex, disability, or familial status;

(6) To discriminate in the sale or rental of, or to otherwise make unavailable or deny, a dwelling to any buyer or renter because of a disability of:

(a) That buyer or renter;

(b) A person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or

(c) Any person associated with that buyer or renter;

(7) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with such dwelling, because of a disability of:

(a) That person;

(b) A person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or

(c) Any person associated with that person.

2. For purposes of this section and sections 213.045 and 213.050, discrimination includes:

(1) A refusal to permit, at the expense of the person with the disability, reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises, except that, in the case of a rental, the landlord may,

where it is reasonable to do so, condition permission for a modification on the renter's agreeing to restore the interior of the premises to the condition that existed before the modification, reasonable wear and tear excepted;

(2) A refusal to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford such person equal opportunity to use and enjoy a dwelling; or

(3) In connection with the design and construction of covered multifamily dwellings for first occupancy after March 13, 1991, a failure to design and construct those dwellings in such a manner that:

(a) The public use and common use portions of such dwellings are readily accessible to and usable by persons with a disability;

(b) All the doors designed to allow passage into and within all premises within such dwellings are sufficiently wide to allow passage by persons with a disability in wheelchairs; and

(c) All premises within such dwellings contain the following features of adaptive design:

a. An accessible route into and through the dwelling;

b. Light switches, electrical outlets, thermostats, and other environmental controls in accessible locations;

c. Reinforcements in bathroom walls to allow later installation of grab bars; and

d. Usable kitchens and bathrooms such that an individual in a wheelchair can maneuver about the space.

3. As used in subdivision (3) of subsection 2 of this section, the term "**covered multifamily dwelling**" means:

(1) Buildings consisting of four or more units if such buildings have one or more elevators; and

(2) Ground floor units in other buildings consisting of four or more units.

4. Compliance with the appropriate requirements of the American National Standard for Buildings and Facilities providing accessibility and usability for people with physical disabilities, commonly cited as "ANSI A117.1", suffices to satisfy the requirements of paragraph (a) of subdivision (3) of subsection 2 of this section.

5. Where a unit of general local government has incorporated into its laws the requirements set forth in subdivision (3) of subsection 2 of this section, compliance with such laws shall be deemed to satisfy the requirements of that subdivision. Such compliance shall be subject to the following provisions:

(1) A unit of general local government may review and approve newly constructed covered multifamily dwellings for the purpose of making determinations as to whether the design and construction requirements of subdivision (3) of subsection 2 of this section are met;

(2) The commission shall encourage, but may not require, the units of local government to include in their existing procedures for the review and approval of newly constructed covered multifamily dwellings, determinations as to whether the design and construction of such dwellings are consistent with subdivision (3) of subsection 2 of this section, and shall provide technical assistance to units of local government and other persons to implement the requirements of subdivision (3) of subsection 2 of this section;

(3) Nothing in this chapter shall be construed to require the commission to review or approve the plans, designs or construction of all covered dwellings, to determine whether the design and construction of such dwellings are consistent with the requirements of subdivision (3) of subsection 2 of this section.

6. Nothing in this chapter shall be construed to invalidate or limit any law of the state or political subdivision of the state, or other jurisdiction in which this chapter shall be effective, that requires dwellings to be designed and constructed in a manner that affords persons with disabilities greater access than is required by this chapter.

7. Nothing in this section and sections 213.045 and 213.050 requires that a dwelling be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others.

8. Nothing in this section and sections 213.045 and 213.050 limits the applicability of any reasonable local or state restriction regarding the maximum number of occupants permitted to occupy a dwelling, nor does any provision in this section and sections 213.045 and 213.050 regarding familial status apply with respect to housing for older persons.

9. As used in this section and sections 213.045 and 213.050, "**housing for older persons**" means housing:

(1) Provided under any state or federal program that the commission determines is specifically designed and operated to assist elderly persons, as defined in the state or federal program;

(2) Intended for, and solely occupied by, persons sixty-two years of age or older; or

(3) Intended and operated for occupancy by at least one person fifty-five years of age or older per unit. In determining whether housing qualifies as housing for older persons under this subsection, the commission shall develop regulations which require at least the following factors:

(a) The existence of significant facilities and services specifically designed to meet the physical or social needs of older persons, or if the provision of such facilities and services is not practicable, that such housing is necessary to provide important housing opportunities for older persons; and

(b) That at least eighty percent of the units are occupied by at least one person fifty-five years of age or older per unit; and

(c) The publication of, and adherence to, policies and procedures which demonstrate an intent by the owner or manager to provide housing for persons fifty-five years of age or older.

10. Housing shall not fail to meet the requirements for housing for older persons by reason of:

(1) Persons residing in such housing as of August 28, 1992, who do not meet the age requirements of subdivision (2) or (3) of subsection 9 of this section, provided that new occupants of such housing meet the age requirements of subdivision (2) or (3) of subsection 9 of this section; or

(2) Unoccupied units, provided that such units are reserved for occupancy by persons who meet the age requirements of subdivision (2) or (3) of subsection 9 of this section.

11. Nothing in this section or section 213.045 or 213.050 shall prohibit conduct against a person because such person has been convicted by any court of competent jurisdiction of the illegal manufacture or distribution of a controlled substance, as defined by section 195.010.

12. Nothing in this chapter shall prohibit a religious organization, association, or society, or any nonprofit institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association, or society, from limiting the sale, rental or occupancy of dwellings which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on account of race, color, or national origin. Nor shall anything in this chapter prohibit a private club not in fact open to the public, which as an incident to its primary purpose or purposes provides lodging which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of such lodging to its members or from giving preference to its members.

13. Nothing in this chapter, other than the prohibitions against discriminatory advertising in subdivision (3) of subsection 1 of this section, shall apply to:

(1) The sale or rental of any single family house by a private individual owner, provided the following conditions are met:

(a) The private individual owner does not own or have any interest in more than three single family houses at any one time; and

(b) The house is sold or rented without the use of a real estate broker, agent or salesperson or the facilities of any person in the business of selling or renting dwellings and without publication, posting or mailing of any advertisement. If the owner selling the house does not reside in it at the time of the sale or was not the most recent resident of the house prior to such sale, the exemption in this section applies to only one such sale in any twenty-four-month period; or

(2) Rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner actually maintains and occupies one of such living quarters as his or her residence.

(L. 1986 S.B. 513, A.L. 1992 H.B. 1619, A.L. 1998 S.B. 786, A.L. 2017 S.B. 43)

---- end of effective 28 Aug 2017 ----

use this link to bookmark section 213.040

- All versions

	Effective	End
213.040	8/28/2017	
213.040	8/28/1998	8/28/2017

In accordance with Section **3.090**, the language of statutory sections enacted during a legislative session are updated and available on this website **on the effective date** of such enacted statutory section.

- **Other Information**
- **Other Links**

Missouri Senate **MO.gov** **Missouri House**

@11:16:06.0 21 :)

Errors / suggestions - WebMaster@LR.mo.gov

History and Fun Facts

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SHARE

Effective - 01 Jan 2006, see footnote

213.041. Restrictive covenants, homeowners' association — limitations — procedure to delete violative restrictive covenants. — 1. No declaration or other governing document of a homeowners' association shall include a restrictive covenant in violation of section 213.040.

2. Notwithstanding any other provision of law or provision of the governing documents, the board of directors of a homeowners' association shall amend, without approval of the owners, any declaration or other governing document that includes a restrictive covenant in violation of section 213.040, and shall restate the declaration or other governing document without the restrictive covenant but with no other change to the declaration or governing document.

3. If after providing written notice to a homeowners' association requesting that the association delete a restrictive covenant in violation of section 213.040, and the association fails to delete the restrictive covenant within thirty days of receiving the notice, the Missouri commission on human rights, a city or county in which a common interest development is located, or any person may bring an action against the homeowners' association for injunctive relief to enforce the provisions of subsections 1 and 2 of this section. The court may award attorney's fees to the prevailing party.

4. The provisions of this section shall become effective on January 1, 2006.

(L. 2005 S.B. 168)

Effective 1-01-06

---- end of effective 01 Jan 2006 ----

use this link to bookmark section 213.041

In accordance with Section **3.090**, the language of statutory sections enacted during a legislative session are updated and available on this website **on the effective date** of such enacted statutory section.

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CLAYTON EQUITY COMMISSION COMMUNICATION PLAN

Roadmap for communication

Clayton Equity Commission Communication Plan

Clayton Equity Commission Purpose and relevant information:

Roles and Duties:

The Community Equity Commission (Bill No. 6759) was established to provide the Mayor and Board of Alderpersons with an additional resource as well as special insight and guidance on matters of equity, diversity and inclusion.

The Commission shall serve in an advisory capacity to the Mayor and Board of Alderpersons on ways to:

1. Promote community awareness and education on the value of diversity to the community.
2. Promote equity on the basis of economic status, race, color, religion, gender, national origin, ancestry, marital status, lawful source of income, physical or mental disability, familial status, sexual orientation, and gender identity;
3. Evaluate and develop actionable equity recommendations to be used to examine and strengthen policies, practices, services and programs, which will establish the Commission as a community resource and regional leader;
4. Promote responsiveness of government to concerns of all minority groups and others that may be subject to bias or discrimination in the community; and
5. Encourage the creation and continuation of community equity, diversity and inclusion awareness efforts, programs, and activities that are available and accessible to all community members.

Board Information:

Members:
7 members

Source of Authority:
Section 140.040 of the municipal code

Members: (*Current Members as of September 2020)*

- Laura Horwitz
- Frances Pires
- Christine Schmiz
- Yvonne Tisdel
- Stuart Berkowitz
- Ben Uchitelle
- Nikki Bisel

Clayton Equity Commission Communication Plan

Clayton Equity Commission Purpose and relevant information (continued):

Ex-officio members include Dr. Sean Doherty of the Clayton School District, Joanna Schooler of Washington University, The Reverend Laurie Anzilotti of the Episcopal Church of the Holy Communion, and Darlene Reed of St. Louis County Government, Ellen Gale, Clayton Chamber of Commerce. Alderpersons Joanne Boulton and Susan Buse are the Board of Aldermen Liaisons.

Meeting Information:

Normally meets on the second Thursday of the month at 5:30 p.m., 2nd Floor Council Chambers, Clayton City Hall located at 10 N Bemiston. Currently, meetings are being held electronically through Zoom. Links for the meetings can be found on the meeting agendas below. Visit: www.claytonmo.gov/government/boards-and-commissions/community-equity-commission.

Purpose of Communication Plan:

The communication plan serves as a road map to ensure the Clayton Equity Commission provides timely and consistent information to the Board of Alderpersons related to and in support matters of equity, diversity and inclusion. To help Clayton achieve its goal to be a more inclusive city, we need all Clayton citizens, businesses and visitors to be involved in support of matters of equity, diversity and inclusion, and we are committed to developing a two-way communication partnership that involves information sharing, meeting attendance and participation and sending information directly to the commission.

Goals:

1. Publish meeting announcements XXX days before meeting
2. Publish and post meeting minutes XXX days after the Commission meeting
3. Communicate upcoming diversity recognition dates (see attachment (1) and, if applicable, city-related events/programming
4. Publish annually an Equity Commission report not later than February of the following year (see attachment (2) communication log)

Roles and Responsibilities for Communication:

All commission members are responsible for bringing forth timely information to support and promote equity, diversity and inclusion. The Equity Commission, with Board of Alderpersons approval, will communicate and make recommendations through appropriate channels that proactively assist the city of Clayton to demonstrate the value it sees in all people and a commitment to equity, diversity and inclusion.

Clayton Equity Commission Communication Plan

Key Audience:

- Clayton Mayor and Board of Alderpersons
- Clayton Departments and Staff
- Clayton Residents
- Clayton Visitors
- Clayton Businesses

Communication Channels:

- City of Clayton Website
- Clayton Connection (Weeky E-Newsletter)
- *City Views* Newsletter
- Emails
- Local News Media, including the newspapers: St Louis Post Dispatch and St Louis American
- Official City of Clayton Social Media Pages
    - Facebook
    - Twitter
    - Instagram
    - NextDoor
- Community Partnerships
    - School District of Clayton
    - Universities
    - Places of Worship
    - Clayton Chamber of Commerce
    - Nonprofits
    - Other(s)

Communication Types and Descriptions:

- Legally required
    - Meeting Announcements
    - Minutes
- Emergency and Hot Topics
    - National, Local (i.e. protest, racial incident, etc.)
- Response to individual communication to the Equity Commission
- Policy, Practices Review and Research/Best Practices Findings
- Diversity Celebration/Recognition
    - Holidays (LGBTQ Pride, Martin Luther King Birthday, etc.) see attachment

    - Related diversity and inclusion events held nationally and locally support the Equity Commission's purpose
- Outreach and Community Engagement
    - Town hall, events, etc.

Clayton Equity Commission Communication Plan

Evaluation Methodology:

- Goals Achievement
- Visits to website traffic specific to Equity Commission
- Frequency of Social Media cites
- Number of comments to Equity Commission

Budget:

The commission working with the City Manager shall annually identify expenditures required to effectively carry out this communication plan and submit request through the budget process to the Board of Alderperson for their approval.

Heritage Month Guide

Month	Heritage Celebrated
January	Dr. MLK, Jr Holiday
February	African American History Month
March	National Women's History Month, Irish-American Heritage Month
April	March 13 to April 15 is National Deaf History Month
May	Asian Pacific American Heritage, Older Americans Month and Jewish American Heritage Month
June	LGBTQ Pride Month & Juneteenth – June 19th
July	None to date
August	None to date
September	National Hispanic-Latino Heritage Month (Sept. 15-Oct. 15)
October	National Disability Employment Awareness Month and National Italian American Heritage Month
November	National American Indian Heritage Month
December	None to date; are two international commemorations

FEBRUARY: African American History Month

In 1926, Dr. Carter G. Woodson instituted the first week-long celebration to raise awareness of African Americans' contributions to history. Prior to this time, little information could be found regarding African American history. Important achievements were left out of history books, and there was a general misconception that African Americans had made little contribution to U.S.

society or history. 50 years later, the week became a month, and today February is celebrated as African American History Month. The month of February was chosen because it celebrates the birthdays of Abraham Lincoln and Frederick Douglass, both of whom dramatically affected the lives of African Americans. Frederick Douglass (1817-1895) was a writer, lecturer, editor, and civil rights activist who escaped slavery at age 21 and went on to campaign for the abolition of slavery, establish a newspaper, and hold the office of Minister to Haiti. He was a major voice in the anti-slavery/civil rights movement of his time. Abraham Lincoln (born February 12, 1809), as the sixteenth president of the United States, issued the Emancipation Proclamation on January 1, 1863, thereby declaring that all slaves within the Confederacy would be permanently free. Each year, the Association for the Study of African American Life and History, founded by Dr. Woodson, sets the theme for the month.

MARCH: National Women's History Month

National Women's History Month was established by presidential proclamation in order to draw attention to and improve the focus on women in historical studies. It began in New York City on March 8, 1857, when female textile workers marched in protest of unfair working conditions and unequal rights for women. It was one of the first organized strikes by working women, during which they called for a shorter work day and decent wages. Also on March 8, in 1908, women workers in the needle trades marched through New York City's Lower East Side to protest child labor, sweatshop working conditions, and demand women’s suffrage. Beginning in 1910, March 8 became annually observed as International Women's Day. Women’s History Week was instituted in 1978 in an effort to begin adding women’s history into educational curricula. In 1987, the National Women's History Project successfully petitioned Congress to include all of March as a celebration of the economic, political and social contributions of women.

MAY: Asian/Pacific American Heritage Month and Older Americans Month

The roots of Asian/Pacific American Heritage Month can be traced back to 1976, when Jeanie Jew, president of the Organization of Chinese American Women, contacted government officials in response to the lack of Asian Pacific representation in the U.S. bicentennial celebrations that same year. The observance began in 1979 as Asian Heritage Week, established by congressional proclamation. In May 1990, the holiday was expanded further when President George Bush signed a proclamation making it month-long for that year. On October 23, 1992, Bush signed legislation designating May of every year Asian Pacific American Heritage Month. The month of May was chosen to commemorate two significant events in history: the immigration of the first Japanese immigrants to the United States on May 7, 1843, and the completion of the transcontinental railroad on May 10, 1869 (Golden Spike Day). The diversity and common experiences of the many ethnic groups are celebrated during Asian Pacific American Heritage Month with numerous community festivals as well as government-sponsored activities.

Older Americans Month got its start in 1963 as a result of a meeting between President John F. Kennedy and the National Council of Senior Citizens when May was designated as "Senior Citizens Month." At that time about 17 million Americans had reached their 65th birthday, about one-third of older Americans lived in poverty and the number of programs to address their needs were minimal. In 1980, President Jimmy Carter designated Senior Citizens Month as

"Older Americans Month." Today, Older Americans Month is celebrated each May to honor and recognize older Americans for the contributions they make to our families, communities and society. The Administration for Community Living, a division of the U.S. Department of Health and Human Services, issues a theme for Older Americans Month.

Jewish American Heritage Month was proclaimed by President George W. Bush on April 20, 2006. The President said, "We celebrate the rich history of the Jewish people in America and honor the great contributions they have made to our country."

JUNE: LGBTQ Pride Month

In recent years, LGBTQ individuals did not have a specific month during which to celebrate and commemorate Pride Days in the United States. On June 11, 1999, President Clinton issued a proclamation designating June as Gay and Lesbian Pride Month. In the spirit of honoring equality and freedom, the president said, "I encourage all Americans to observe this month with appropriate programs, ceremonies, and activities that celebrate our diversity, and to remember throughout the year the gay and lesbian Americans whose many and varied contributions have enriched our national life." The most significant June event in GLBT history was the Stonewall Inn Rebellion, a three-day protest in 1969 in New York City's Greenwich Village during which patrons protested against unfair police discrimination and harassment. It marked the first time the gay community joined together to fight for its civil rights, earning national attention and gaining a foothold in the struggle for equality. This month is dedicated to appreciating the contributions and significance of the GLBT community, and applauding gay, lesbian, bisexual, transsexual, and transgender pride.

SEPTEMBER: National Hispanic Heritage Month (Sept. 15-Oct. 15)

National Hispanic Heritage Month honors the culture, heritage, and contributions of Hispanic Americans each year. The event began in 1968 when Congress deemed the week including September 15 and 16 National Hispanic Heritage Week to celebrate the contributions and achievements of the diverse cultures within the Hispanic community. The dates were chosen to commemorate two key historic events: Independence Day, honoring the formal signing of the Act of Independence for Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua (September 15, 1821), and Mexico's Independence Day, which denotes the beginning of the struggle against Spanish control (September 16, 1810). It was not until 1988 that the event was expanded to month-long period, which includes El Dia de la Raza on October 12, which celebrates the influences of the people who came after Christopher Columbus and the multicultural, multiethnic society that evolved as a result; Chile's Independence Day on September 18 (El Dieciocho); and Belize's Independence Day on September 21. Each year a different theme for the month is selected and a poster is created to reflect that theme.

OCTOBER: National Disability Employment Awareness Month, National Italian American Heritage Month

Congress, with the aim of helping disabled veterans, designated the first week of October as National Employ the Physically Handicapped Week in 1945. Seventeen years later, the word "physically" was removed from the phrase in order to recognize the needs and contributions of

individuals with all types of disabilities. In the 1970s, a shift in disability public policy led to further emendation. For the first time, it was viewed as discriminatory to exclude or segregate people because of a disability, and activists were fighting strongly for legal revisions. As a result, the U.S. saw changes such as the passage of the Americans with Disabilities Act in 1990 and the designation, by presidential proclamation, of a full month to increase public awareness of those with disabilities and appreciate the capabilities of the 30 million people in the U.S. of working-age who are disabled. Various programs throughout the month headed by The Office of Disability Employment Policy emphasize specific employment barriers that still need to be addressed and eliminated. Every year the president of the United States signs an executive order designating the month of October as National American Heritage Month, in recognition of the many achievements and contributions made to American culture by persons of Italian heritage.

NOVEMBER: National American Indian Heritage Month

In response to an effort by many to gain a day of recognition for the great influence American Indians have had upon the U.S., Congress designated a week of October to celebrate Native American Awareness Week in 1976. Yearly legislation was enacted to continue the tradition until August of 1990, when President Bush approved the designation of November as National American Indian Heritage Month. Each year a similar proclamation is issued. President Clinton noted in 1996, "Throughout our history, American Indian and Alaska Native peoples have been an integral part of the American character. Against all odds, America's first peoples have endured, and they remain a vital cultural, political, social, and moral presence." November is an appropriate month for the celebration because it is traditionally a time when many American Indians hold fall harvest and world-renewal ceremonies, powwows, dances, and various feasts. The holiday recognizes hundreds of different tribes and approximately 250 languages, and celebrates the history, tradition, and values of American Indians. National American Indian Heritage Month serves as a reminder of the positive effect native peoples have had on the cultural development and growth of the U.S., as well as the struggles and challenges they have faced.

DECEMBER: International Day of Persons with Disabilities

Although December has not been designated a special heritage month, it does contain celebratory days that are recognized internationally. On December 10 in 1948, the United Nations General Assembly adopted the Universal Declaration of Human Rights. The document set forth the basic civil standard of economic, political, and social rights that should be guaranteed to every person. Each December, the commitment to this universal document of rights is renewed and celebrated. In addition, the United Nations has established December 3 as the International Day of Persons with Disabilities. This international observance was established to promote an understanding of disability issues and mobilize support for the dignity, rights, and well-being of persons with disabilities. It also aims to foster awareness of the importance of integrating persons with disabilities into every aspect of life.

References: **Electronic Diversity Resource Calendar, Diversity Resources, Inc.**

Communication Accomplishment Log

Date	Communication Activity Description	Legal	Emergency/ Hot Topics	Individual	Policy Review/Best Pratice	Celebration/ Recognition	Outreach/ Community Engagement	Status: Working (W) Complete(C) Hold (H)	Comments
10/18/2019	Clayton connection announcement accepting applications for the Community Equity Commission							C	
1/20/2020	Mayor Michelle Harris email of encouragement and honoring Dr King to the Equity Commission					X		C	
4/30/2020	Public comment: suggested posting a link on website to Equity resources			X				C	
7/7/2020	Police Policy and Pratice Review				X			W	
7/20/2020	Recommendation for publishing pratices residents can use to bring about fair and just community				X			W	Board of Aldermen disapproved. Equity Commission to bring back the recommendation
8/3/2020	Commission recommends changes to the Mission Statement (adding the word equitable in the statement				X			W	
8/12/2020	Public comment: Inquiry about changing the suspicious calls flyer			X				W	
8/12/2020	Public Comment: Recommended that the City find ways to publicize meetings			X				C	
8/12/2020	Public Comment: Commented on Sean McCarthy's presentation. Suggested the Commission urge the Board of Aldermen to financially invest in software for dispatching.			X				C	
8/12/2020	Public Comment: Inquired if there was a timeline for recommendations from Commission to the Board of Aldermen			X				C	
8/12/2020	Public Comment: Inquired about whether or not the police officers have been wearing body cameras and, if so, the footage is viewable by members of the public, and the background that is done for School Resource Officers before they are assigned to schools			X				C	
8/13/2020	John Lewis & CT Civian reflection					X		C	
8/13/2020	Police Policy Review and changes				X			W	
8/28/2020	Commission recommended and email sent out to request neighborhood indentures be changed if they include restrictions which violate Missouri housing proatices				X			C	

CCEC Communications Committee
Report from meeting with Kirkwood Human Rights Commission (KHRC)
09/08/2020

In attendance from CCEC: Ben Uchitelle, Susan Buse, Joanna Schooler, Chris Schmiz
In attendance from KHRC: Amanda Sher (Chair), Judy Moticka, Geoff Morrison, Judy Moticka, Maggie Duwe

KHRC Background:

The Kirkwood Human Rights Commission as it is currently configured grew out of the 2010 mediation agreement that came in the aftermath of the 2008 City Hall shooting incident. (https://www.kirkwoodelectric.org/Home/ShowDocument?id=326)

Like the Clayton Community Equity Commission, the KHRC is an advisory group to the City Council. There are 9 members who meet on a monthly basis, along with a board liaison and Kirkwood Chief Administrative Officer (CAO).
https://www.kirkwoodmo.org/government/boards-and-commissions/human-rights-commission

Examples of Work-to-date:

- LGBTQ Ordinance – Kirkwood & Springfield were the first communities in the state to pass such an ordinance
- Diverse Ability Initiative – collaborate with City of Kirkwood to ensure recommendations in Disabilities Survey Report are being addressed
- Human Rights Essay Contest – Annual contest for high school juniors
- Meet on a quarterly basis with the Police Chief & School Superintendent to review status
- KHRC Facebook page – managed by Commission members. Currently engaged in voter education and registration campaign
- Occasional letter to editor of Kirkwood Times newspaper

Future Plans under discussion:

- KHRC is planning on doing more outreach into the community through a series of neighborhood meetings in Meacham Park, Greenbriar, etc.
- Engagement with the PTOs through listening events at the elementary schools
- "Kitchen Table Nights" where community members invite small groups into their homes to discuss issues and concerns

Process For Approval:

- Most issues are approved at the Commission meetings with input from the CAO and Board representative.
- Facebook communications – Postings done at the discretion of the Chair.

For Discussion Only- Report of Law Enforcement Subcommittee of the Clayton Equity Commission

Introduction

Chairman Horowitz asked Commissioners Stuart Berkowitz and Frances Pires to study and report on law enforcement, focusing on inherent bias, that have arisen to date and recommendations for going forward. Laurie Anzilotti has assisted as an ex-officio member along with Alderwoman Joanne Boulton. Their insights were invaluable. We have also had valuable input from City Manager David Gipson and Police Chief Mark Smith.

Throughout this endeavor our mission has been to recommend policies and practices that are consistent with the goal of creating a community that is welcoming for all. In general, some existing policies and procedures need further study and others need bolstering. A few areas need new policies that are consistent with our mission statement.

Our report is respectfully submitted for consideration by the full Commission.

Discussion and Recommendations

1. Dispatching Based Solely On "Suspicious". The testimony of Chief Smith and his consultant, Sean McCarthy, highlighted a serious problem respecting 911 calls with little more than the suspect person appears "suspicious". The inherent bias problem is discussed in Sean's report from Candorum Consulting LLC. The report concluded there was a racial disparity in suspicious calls and a significantly increased number of such calls, while, during the same time period, crime, in general, had declined. Chief Smith commented that this wastes his officers' time and lacks probable cause to stop and question someone. The Report makes several recommendations related to policing practices regarding suspicious calls.

   The Report, however, does not address this problem as a community bias problem. While Chief Smith is to be commended for both commissioned the study and implementing the report's recommendations, it is our view that there is a community bias problem that needs to be also addressed. The subcommittee believes that racially biased calls are a serious problem in our community and should not be tolerated.

   Recommendation. We recommend a multi-faceted approach. First, there should be community education program making it the public policy of this City that making 911 calls based upon nothing more than the person is "Black" and is therefore "suspicious" is a form of illegal racial discrimination. A public campaign can begin with a contest in which posters are created that illustrates that "Black while walking "is not a crime. Perhaps the contest can be sponsored by the school district with our Clayton school students participating. Posters can be placed on public places throughout the City, on lawns and in retail establishments.

   We also believe that public education is not enough. City Ordinance Section 215.157, Misuse of the 911 Emergency Telephone, makes it an offense to misuse the dispatching system after written warning. City Ordinance 215.750, Harassment, likewise makes it an offense to harass anyone by using the 911 dispatching calling system. These disincentives should be widely publicized and, where appropriate, used.

   Dispatch data should be shared with the Commission on a monthly basis to monitor suspicious calls and leave open the option of making further recommendations depending on progress in eliminating this problem.

We recommend the City exercise its option with Candorum to make a spot check study to see if the suspicious calls data has changed. If the Candorum original findings remain the same we recommend consideration be given to an enhanced penalty if the abuse of the 911 dispatching is racially motivated

2. Mutual Aid Agreement During Protests. Clayton has a mutual aid with other St. Louis County police departments. While those agreements are confidential, we were informed that it has been invoked to ask other departments to detail officers to help Clayton during protests here. Likewise, Clayton has sent our officers to other departments dealing with protests elsewhere. Two related questions have been raised regarding our police guidelines respecting the recent protests in Clayton and elsewhere in St. Louis County and the issue of reciprocity with respect to policing standards. For example, are there any standards respecting body cameras and name id badges? What and who controls of our officers if they are asked to engage in conduct that is in violation of Clayton's standard of conduct. On the flip side, to what extent does Clayton require officers from elsewhere be required to conform to Clayton's standards. Notwithstanding Chief Smith's representation that his officers are always held to Clayton's standards, there are no General Orders to that effect and the Mutual Aid Agreement may address those issues of reciprocity but are inconsistent with our standards of conduct during protests.
Recommendation. General Orders should be issued that assure that our policing standards are not compromised by the Mutual Aid Agreement. Clayton should not send its police officers into a situation where their standards of policing could be compromised. Likewise, officers aiding us should be held to Clayton's standards, notwithstanding anything in the Mutual Aid Agreement to the contrary.

3. Use of Force. All General Orders of Force were reviewed and discussed extensively with Chief Smith. Chief Smith. There was no reported case of an officer using a neck restraint technique or any other technique causing neck injury. We are mindful, however, of the recent controversies regarding the injuries, including deaths, when neck restraints were used elsewhere.
General Order 20-13, recently issued on July 6, 2020, states, in part at Sec. VI, subpart A, addresses less than deathly force and states, in relevant part "... officers shall not employ neck restraints, which include choke holds, vascular neck restraints, or or other drastic tactics with a potential for serious physical injury, **except** in those situations where the officer deems himself/herself to be in such imminent physical danger as to justify the use of such techniques to preserve their life, or otherwise protect themselves against immediate serious physical injury" (emphasis added)
The Clayton Police Department has a hard -earned reputation regarding appropriate use of force by a well- trained and professional department. Likewise, the rules regarding the use of force are a model of best practices. However, the exception following the neck restraint rule is problematic, even though it has never been used. While the above General Order revised and tightened from its prior General Order of 2011, the exception for neck restraints remained unchanged. The exception is overbroad and grants the officer almost total discretion to the extent that it hollows out the rule. The most compelling argument for eliminating the exception

came from Chief Smith. Chief Smith stated that all officers are trained to use less dangerous hand techniques and they have been used without any injuries.
Recommendation. Several states and numerous cities now absolutely prohibit neck restraints. The proposed George Floyd bill passed by the US House of Representatives would outlaw any form of neck restraints. It is our recommendation that the use of neck restraints should be absolutely prohibited without exception.

4. Traffic Stops. The traffic stop data from 2018 and 2019, compiled pursuant to state law and filed annually with the Attorney General's office, showed obvious disparities between traffic stops between people of color and Whites comparing the percentage of Blacks living in Clayton. Chief Smith correctly noted that Clayton is both a business and government center with many people throughout the region that transit in and thru Clayton. Using broader regional data as a more appropriate benchmark the disparities are less marked. The data, however, has raised several questions that cannot be explained by using a benchmark other than the population of Clayton. For example, the number of annual stops in 2019 represented 24% of Clayton's total population. 66% of the traffic stops are for the vague and discretionary category of "moving" of which 27% involved people of color. Most puzzling is that only .002% of all stops lead to a traffic charge. There are many other questions that need to be answered to deal honestly about the perception that police routinely profile and stop people of color.
We are also curious as to whether the pandemic lockouts and sheltering orders has impacted the current traffic stop data
Recommendation. It is our recommendation that a study, starting with the raw data contained in the vehicle stop information forms, be commissioned and discussed publicly before the Commission. We also recommend that traffic stop information data since January 1 be made available.

5. Municipal Court. Our Municipal Court is an integral part of our law enforcement and administration of justice. All municipal charges are disposed in our Court. Following the Ferguson protests the Missouri Supreme Court, after a study, made a series of recommendations for minimum standards. There is also a state law (see Sec. 610.105 RSMO (2006) that requires that certain files be closed to mitigate adverse collateral employment and other consequences. Many questions have been raised regarding policies and procedures, fines, disposition of charges, whether the charging party is represented or pro se, and bench warrants.
Recommendation. The Commission should obtain basic charging data and information from the Court and hear from the Judge and Prosecutor.

6. Body Cameras. The Commission was informed that body cameras were about to arrive and be deployed. The required use of body cameras is a national movement to make any police interaction with the public more transparent and accountable. Before deployed there need to

clear rules regarding their use and the retention, storage, and retrieval of the footage. The rules must comport with Missouri's Sunshine Law.
Recommendation. We request that Chief Smith keep us updated and brief us on his plan for training and rules to integrate the new equipment into existing policing policies and rules. We recommend that these rules be drafted in with consultation with the Commission.

7. Fire Department. The recent resignation correspondence from Alderwoman Boulton and attendant publicity respecting the symbiotic relationship between the County's Fire Standards Commission (FSC), the St. Louis Fire Academy, and Local 2665 of the IAFF sheds light on an important institutional bias problem. Historically, less than 5% of Blacks and women have been admitted to the Academy. These institutional barriers that exist regarding Blacks and women entering the fire service in St. Louis County has a direct impact on the ability of Clayton to have a more diversified and talented fire department.
Recommendation. We are mindful that Clayton is not an island unto itself. It is often impacted by other outside institutional barriers that directly impact equity issues within Clayton. Our fire department is one of those issues we should, at least, publicly discuss. We recommend the Commission study these equity issues with goal of making recommendations.

8. Resource Officers. There was considerable discussion at the hearings regarding the joint agreement between the City and the School District to station licensed police officers at public schools in Clayton. We believe, however, that we should look closer whether the presence of uniformed and armed police officers in schools causes any unintended harm to students and, if so, can be mitigated. For example, we should examine the role of officers in any student discipline proceedings, data on any stopping, frisking and questioning of students, and any arrests and charges. We should obtain the views of students regarding the presence of police stationed in schools. We should consider whether the joint arrangement is consistent with the stated purpose of safety of police in schools.
Recommendation. We recommend that be additional meeting(s) be held examining the appropriateness of police in our schools and whether that program is consistent with the Commission' stated equity principles.

9. Transparency. The goal of transparency intersects with the policies that deal with excessive force and Clayton's blanket policy of confidentiality of personnel matters. The public has no idea whether and how individual cases of alleged excessive force are disposed of. The public has no idea whether Clayton is fully complying with Chapter 590 respecting its mandatory reporting requirements regarding the licensing of police officers. We are mindful of the competing and conflicting interests in disclosing otherwise confidential matters. We believe, however, that there is too much secrecy in the current policies and practices.
It is suggested we debate and study further issues of transparency regarding cases of alleged excessive force. Several ideas were floated regarding citizen input, its structure and power. Transparency can take various forms.