

Date : 11/7/2023 1:52:13 PM

From : "Yvesner Zamar" yzamar@usccr.gov

To : "Rochelle Mercedes Garza" rgarza@usccr.gov, "Victoria Frances Nourse" vnourse@usccr.gov, "Mondaire Jones" mjones@usccr.gov, "Glenn D. Magpantay" gmagpantay@usccr.gov, "rochelle.garza@gmail.com" rochelle.garza@gmail.com

Cc : "Nathalie Demirdjian-Rivest" ndemirdjian-rivest@usccr.gov, "Irena Vidulovic" ividulovic@usccr.gov, "Stephanie M. Wong" swong@usccr.gov

Subject : 11-7-23 DEMOCRATIC COMMISSIONER ONLY CAUCUS CALL AGENDA

Attachment : Campus anti-semitism statement 11.2.2023.docx;Panelists-2.zip;panelists recs from R caucus.docx;Response to Commissioner Letter.docx;USCCR Statements Feb 2017 - May 2021izv (1).docx;image001.gif;image002.gif;image003.gif;image004.gif;

11/7 DEMOCRATIC COMMISSIONERS-ONLY CALL AGENDA

Nov 7, 2023 6 PM Eastern/ 5 PM Central

No Special Assistants!

[https://www.zoomgov.com/j/1610776003?
pwd=R2pPWmw0d3B3NzNudFIEZnlyTGxHdz09](https://www.zoomgov.com/j/1610776003?pwd=R2pPWmw0d3B3NzNudFIEZnlyTGxHdz09)

DIAL-IN: 833 568 8864 (US Toll-free) or 833 435 1820 (US Toll-free)

Meeting ID: 161 077 6003

Passcode: 282414

AGENDA

1. **Notational Vote Structure from Rs (actual language TBD)**
2. **Discussion on Statement on Rising Anti-Semitic & Anti-Muslim Hate**
3. **EAC Discussion – Led by Nourse**
4. **Crime Victims Panel Update (Thanks Irena)**
5. **Organizational Structure**

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1. Notational Vote Structure from Rs (actual language TBD)

Per our last meeting, I reached out to Carissa (Republican Lead SA) to get a sense of the language that the Rs are proposing we use to vote on the 2024 Report Topics. I am still waiting for the final language, but this is the structure they are seeking.

Notational Vote 1:

That the Commission adopt Commissioner Jones's facial recognition concept paper as the 2024 statutory enforcement report. This vote will only be valid if there is a favorable vote on the second motion. If the second motion does not pass, the first

vote will be null and void.

Notational Vote 2:

That the Commission adopt Commissioner Kirsanow's RLUIPA concept paper as a 2024 briefing report.

2. Discussion on Statement on Rising Anti-Semitic & Anti-Muslim Hate

On Thursday Kirsanow sent out an email about issuing a statement on the rise of Anti-Semitic hate (see below). The Democratic Commissioners should discuss the type of statement that the Democratic Caucus wants to issue so we can respond to the Republican Caucus. As of now, Commissioner Magpantay suggested a more comprehensive statement, [like we had done in July 2021](#), expressing concern about the rise in anti-Semitic & anti-Muslim hate that would also include some resources in how and where to report incidents.

Attachment

- **Campus anti-semitism statement 11.2.2023.docx**
- **Past USCCR Statements Feb 2017 - May 2021izv (1).docx (prepared by Irena)**

Kirsanow's Proposed Statement & Similar Oped

**[Oped: The Cancer of Campus Antisemitism | National Review -
https://www.nationalreview.com/corner/the-cancer-of-campus-antisemitism/](#)**

Commissioner Kirsanow would like the Commission to issue a statement condemning the outbreak of antisemitism on college campuses. The Commission issued a report on campus antisemitism in 2006 (here: <https://www.usccr.gov/files/pubs/docs/081506campusantibrief07.pdf>), and issued a statement in 2021 condemning an increase in antisemitism generally (here: <https://www.usccr.gov/files/2021/07-23-Anti-Semitism-Statement-2021.pdf>). Because we do not have a business meeting in November, Commissioner Kirsanow hopes that the statement could be approved through a notational vote. Please let me know if your commissioners would be willing to support it.

3. EAC Discussion – Led by Nourse

Vice Chair Nourse will provide an update to the Commissioners.

4. Crime Victims Panel Update

Attachments

- **panelists recs from R caucus.docx**
- **response to Commissioner Letters.docx (OCRE)**
- **Zip File Most Up To Date Docs**

Update from Irena on 11/2

Caucus SA's,

Per the conversation we had as a caucus yesterday I wanted to provide an update on the status of panelist testimony and bio's for our upcoming briefing.

OCRE has provided a deadline of **Monday, October 30th** to panelist to provide testimony and bio's. It looks like we have received testimony and bio's from multiple panelist and the information provided has been uploaded to the shared drive. OCRE has also send follow up request to the 12 panelist that have yet to provide testimony and they have been advised that we should be expecting their testimony in the coming days.

For the SA's please make sure to download the testimony and bio for your boss and sent it to them so that they may be able to review on a rolling basis.

I also wanted to include the information requested by our caucus on the rational for panelist invitation and recommendation and who made a particular recommendation. I have identified that information below and have sent a separate email that provides recommendations made by Commissioner Jones and Chair Garza. In addition I am attaching the R's panelist recommendations and the formal letter from OCRE to the R's regarding their push back on OCRE panelist recommendations that include OCRE's rational for their recommendations (please share with your bosses).

I know that this is a lot of information to digest but since the Commissioners requested such information for context as well as preparation I hope that it is useful going forward in preparing your boss for the briefing.

Happy testimony reading!

CURRENT CONFIRMED BRIEFING PANELISTS FOR CRIME VICTIMS

B = Bio, T = Testimony

Panel 1: Current & Former Government officials (5 confirmed)

- **Alex Piquero, Former Director BJS (T,B) (Dem recommendation/Chair and Commissioner Jones)**
- **Thomas Hogan, Former federal prosecutor (B, T) (Rep recommendation)**
- **Adam Gelb, President & CEO, Council on Crime Justice (B, T) (Dem recommendation)**
- **James Mercy, Director of Division of Violence Prevention, CDC (Dem recommendation Chair and Commissioner Jones/CDC is vetting the testimony)**

should be available next week)

- Paul Pazen, Retired Police Chief, Denver **(Rep recommendation)**

Pending:

- Heather Warnken, UofBalt (pending) **(OCRE recommendation)**
- Val Demings, Former Congressman **(Dem Recommendation/Chair)**

Panel 2: Community Stakeholders & Advocates (6 confirmed)

- Angela Ferrell-Zabala, Executive Director, Moms Demand Action **(Dem Recommendation/Chair and Commissioner Jones)**
- Donald Northcross, Founder & CEO, OK Program **(B+T) (Rep recommended)**
- Monique Williams, Founder & Executive Director, Cure Violence **(OCRE recommend)**
- Ruth Abaya, Sr Dir, Health Alliance for Violence Intervention **(B+T) (OCRE recommend)**
- Nel-Sylvia Guzman, Deputy Director, Safe Sisters Circle **(B+T) (OCRE recommend)**
- Kira Shepard, Vice President of Organizing and Policy, Common Justice **(B+T) (OCRE recommend)**

Panel 3: Impacted Persons (6 confirmed)

- Tashica Hilliard **(B+T) (Rep Recommendation)**
- Lawanda Hawkins **(B+T) (Rep Recommendation)**
- Audacia Ray Director of Community Organizing and Public Policy at Anti Violence Project **(Dem Recommendation by Commissioner Magpantay**issues raised)** The organization does tremendous work with transgender individuals Ms. Ray's testimony will focus on issues specifically facing Black Trans individuals.
- Nicole Nabors **(B+T) (OCRE Recommendation)**
- Demetrius Molina **(OCRE Recommendation)**
- Christina Love non-federal member on the Not Invisible Act Commission **(Dem Recommendation/Chair Garza + Commissioner Jones)**

Panel 4: Researchers & Policy (6 confirmed)

- Patrick Sharkey, Professor of Sociology & Public Affairs, Princeton **(OCRE Recommendation)**
- John Lott, President, Crime Prevention Research Center **(Rep Recommendation)**
- Rafael Mangual, Fellow, Manhattan Institute **(Rep Recommendation)**
- Mallory O'Brien, Associate Scientist, John Hopkins **(Dem Recommendation/Commissioner Nourse)**
- John Paul Wright, Asst Prof, U of Cincinnati **(Rep Recommendation)**
- Mona Sahaf, Deputy Director, Vera **(Dem Recommendation/Chair + Commissioner Jones)**

5. Organizational Structure

As we continue to implement structure for this iteration of the board. The Commissioner should come prepared to discuss organizational structure goals they would like to see from the Commission.

--

Yvesner Zamar | Special Assistant to Chair Rochelle M. Garza

Pronounced: EVE-NER

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From: Yvesner Zamar <yzamar@usCCR.gov>

Date: Wednesday, November 1, 2023 at 5:29 PM

To: Rochelle Mercedes Garza <rgarza@usCCR.gov>, Victoria Frances Nourse <vnourse@usCCR.gov>, Mondaire Jones <mjones@usCCR.gov>, "Glenn D. Magpantay" <gmagpantay@usCCR.gov>

Cc: Nathalie Demirdjian-Rivest <ndemirdjian-rivest@usCCR.gov>, Irena Vidulovic <ividulovic@usCCR.gov>, "Stephanie M. Wong" <swong@usCCR.gov>

Subject: 11-1-23 DEMOCRATIC COMMISSIONER CAUCUS CALL AGENDA

11-1-23 DEMOCRATIC COMMISSIONER CAUCUS CALL AGENDA

Thanks for being patient with me. As you know, I try to get you the most informative and concise information possible and sometimes that takes much longer than expected to compile.

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- 1. **Crime Victims Panel Update**
- 2. **Statutory Enforcement Report Update**
- 3. **Election Assistance Commission Update**
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1. **CRIME VICTIMS PANEL UPDATE**

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Attachments

- Save The Date
- Briefing Book by OCRE
- Crime Victims Timeline
- Planning Agenda
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Background

The Crime Victims Panel entitled "Federal Efforts in Examining Racial Disparities in Violent Crime Victims" for the United States Commission on Civil Rights" will take place on

November 17, 2023. The Democratic SAs have been getting weekly updates from Nathalie who has been attending the meetings and working on strategy during our weekly SA calls to make sure the panel goes as smoothly as possible. The Initial Draft will be ready on November 13, 2023 and the report publication date as September 18, 2024.

Note: There will be a dry run to walk through it the day before. TBD on time.

Police Chief Addition by Republicans

As you have seen, after making a complaint, the Rs are getting a chance to invite a police chief, we are working to see if we can get former Congresswoman Val Demings on the panel. As a aside, Marik let me know that the scope of the police chiefs that could be invited was limited to the jurisdictions of focus in the paper.

See this article about the police chief (thanks Irena)

- Denver police chief Paul Pazen retires amid pressure after 28 years
<https://www.axios.com/local/denver/2022/08/31/denver-police-chief-paul-pazen-resigns>
 - **Why it matters:** His departure comes as violent crime in Denver is on pace to [hit an all-time high](#) this year and a [grand jury is investigating](#) several of his officers in connection with a downtown shooting that injured six bystanders in July.
 - The news also follows [heightened scrutiny](#) over Pazen's leadership, particularly following a federal jury's verdict earlier this year requiring the city to pay \$14 million for its response to the 2020 George Floyd protests.
 -
 - "It's been high time for Chief Pazen to go. Record payouts for police brutality, a DPD mass shooting & lost community trust. ... If Pazen even thinks about running for mayor we're ready," Lisa Calderón, former Denver mayoral candidate and executive director of Emerge Colorado, [tweeted](#) after Wednesday's announcement.

CURRENT CONFIRMED PANELISTS

Legend: B = Bio, T = Testimony

Panel 1: Current & Former Government officials (5 confirmed)

- **Alex Piquero, Former Director BJS (T)**
- **Thomas Hogan, Former federal prosecutor (B, T)**
- Adam Gelb, President & CEO, Council on Crime Justice
- James Mercy, Director of Division of Violence Prevention, CDC
- Paul Pazen, Retired Police Chief, Denver

Pending:

- ~~Kristina Rose, Director, OVC~~
- Rosie Hidalgo, OWA (written statement)
- Heather Warnken, UofBalt (only pending)
- Val Demings, Former Congressman

Panel 2: Community Stakeholders & Advocates (6 confirmed)

- Angela Ferrell-Zabala, Executive Director, Moms Demand Action
- Donald Northcross, Founder & CEO, OK Program
- Monique Williams, Founder & Executive Director, Cure Violence
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- Rafael Mangual, Fellow, Manhattan Institute
- Mallory O'Brien, Associate Scientist, John Hopkins
- John Paul Wright, Asst Prof, U of Cincinnati
- Mona Sahaf, Deputy Director, Vera

2. STATUTORY ENFORCEMENT REPORT UPDATE

Attachment

- **RLUIPA Concept paper (previously circulated for edits)**

Background on Paper Negotiations

At the Business Meeting in October, it appears as if there is a “willingness” from ALL commissioners to move forward with two (2) briefing papers for the upcoming year.

1. A statutory enforcement report on Facial Recognition Technology (FRT) led by Commissioners Jones, and
2. a briefing report on RLUIPA led by Commissioner Kirsanow, and a democratic lead to be determined.

Correction: The FRT report is only lead by Commissioner Jones and it is not a joint Gilchrist proposal but does have his support. Commissioner Gilchrist is not able to be the co-lead. NOTE: All papers don't have leads from both caucuses.

Current Status

As it stands now, the concept paper for FRT has been finalized. As far as the RLUIPA paper edits and comments need to be made by our caucus RLUIPA. I've attached the paper to streamline the process, you can provide redline edits and comments to your SA and a joint document will be populated. Also, I've spoken with OCRE and will send them the paper I got from the Republicans for comment. Due to the short turn initially given, OCRE was not able to do a full review of the 2008 paper cited many times in the Republican comments. On the bright side, they did seem to confirm the removal of the troublesome Islamophobia language.

For Commissioner Consideration

It does not be decided today, but Democratic commissioners need to come to a consensus on whether they want to take a notational vote on the paper topics if we are able to come to an agreement on the papers.

3. Election Assistance Commission Update

Whew! Made it to this one. This issue has caused much consternation for The Commission and it doesn't appear that will end soon. I want to read everyone in on where we are at. There is uncertainty about how terms end automatically or rollover. There are other outstanding considerations, but ultimately, we need to decide how we move forward. Most recently, outside inquiries were surprisingly punted over to me as the Chair's Special Assistant regarding the appointment of new people (See below). Vice Chair Nourse has been looking into the matter and can brief in further detail on the specifics.

For Commissioner Consideration

Commissioners ultimately need to decide how to move forward with entertaining the idea of electing new people to the EAC, which some possible avenues may be through a negotiation, new election, or determining a mechanism that bring finality to current terms.

Email Referenced Above

Good evening John,

I added Yvesner who is the Special Assistant to Chair Rochelle Garza. The Commissioners rather than career staff, such as myself, make the appointments to the EAC's Board of Advisors and so Irena and Yvesner can update you on that matter. Thanks and have a great weekend,

David

From: John Bonifaz <jbbonifaz@freespeechforpeople.org>
Sent: Friday, October 27, 2023 4:02 PM
To: David Ganz <d ganz@usccr.gov>
Cc: Mauro Morales <mmorales@usccr.gov>; Irena Vidulovic <ividulovic@usccr.gov>; Ben Clements <bclements@freespeechforpeople.org>; Ron Fein <rfein@freespeechforpeople.org>; Courtney Hostetler <chostetler@freespeechforpeople.org>; Alexandra Flores-QUILTY <afq@freespeechforpeople.org>
Subject: Re: [EXTERNAL] Re: Cleta Mitchell (EAC) Free Speech for People

Hi David,

Following up on our earlier exchange, are you able to share any update on when the Commission will be announcing its new appointments to the EAC's Board of Advisors?

John

John C. Bonifaz (he/him)
President
Free Speech For People

--

Yvesner Zamar | Special Assistant to Chair Rochelle M. Garza
Pronounced: EVE-NER

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