

Hearing
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MICHIGAN CIVIL RIGHTS COMMISSION
PUBLIC HEARING
MONDAY, JANUARY 23, 2023
3054 WEST GRAND BOULEVARD - ROOM L-150
DETROIT, MICHIGAN

COMMISSIONERS: Portia Roberson, Chairperson
Luke Londo
David Worthams
Gloria Lara
Zenna Elhasan
Richard Corriveau

ATTORNEYS: Lamont Satchel
John Johnson

COURT REPORTER: Theresa L. Roberts, CSR-4870

1 Detroit, Michigan
2 Monday, January 23, 2023
3 (At about 1:37 P.M.)

4 — — —

5 CHAIR ROBERSON: Good afternoon, we are
6 going to start with our public hearing. This public
7 hearing is on proposed administrative rules entitled
8 Department of Civil Rights, Civil Rights Commission
9 organization, practice and procedure. This hearing
10 is being conducted pursuant to the Michigan
11 Administrative Procedures Act and on behalf of the
12 Michigan Department of Civil Rights and Michigan
13 Civil Rights Commission.

14 This hearing is being called to order at
15 1:37 on Monday, January 23, 2023 at Cadillac Place,
16 3054 West Grand Boulevard, Room L-150, Detroit,
17 Michigan, and also via Zoom and teleconference.
18 This hearing was published in four newspapers of
19 general circulation as required by law, as well as
20 in the December 15th issue of the Michigan Register.

21 My name is Portia Roberson, Chair of the
22 Michigan Civil Rights Commission, and I will be
23 facilitating this hearing today.

24 Mr. Satchel, will you please take a row
25 call of commissioners?

1 MR. SATCHEL: Thank you, Madam Chair.
2 Commissioner Roberson.

3 CHAIR ROBERSON: Present.

4 MR. SATCHEL: Commissioner Lara.

5 COMMISSIONER LARA: Present.

6 MR. SATCHEL: Commissioner Elhasan:

7 COMMISSIONER ELHASAN: Present.

8 MR. SATCHEL: Commissioner Corriveau.

9 COMMISSIONER CORRIVEAU: Present.

10 MR. SATCHEL: Commissioner Worthams.

11 COMMISSIONER WORTHAMS: Here.

12 MR. SATCHEL: And Commissioner Londo.

13 COMMISSIONER LONDO: Present.

14 CHAIR ROBERSON: Thank you, Attorney
15 Satchel. Please note we are here today to receive
16 your comments on the proposed rules. Copies of the
17 proposed rules have been made available at this
18 hearing along with copies of the regulatory impact
19 statement. Both documents are also published on our
20 website. Interested parties may submit comments
21 today in person or remotely via Zoom. Written
22 comments or comments you would like to provide in
23 addition to those today may also be submitted
24 electronically or in person. Any written comments
25 may be sent to the following emails:

1 mdcrc-commissionrules-public-comment@Michigan.gov or
2 Satchel, S-A-T-C-H-E-L-L 1 at Michigan.gov. Again,
3 mdcrc-commissionrules-public-comment@Michigan.gov or
4 Satchel, S-A-T-C-H-E-L-L 1 at Michigan.gov.

5 If you would like to provide a written
6 copy to our office, they can be delivered to the
7 Michigan Department of Civil Rights located at
8 Cadillac Place, 3054 West Grand Boulevard, 3rd
9 Floor, Detroit, Michigan or at our Lansing office.
10 Emailed comments will be received up until 11:59
11 P.M. today, and hand-delivered comments will be
12 received up until 5 P.M. today.

13 If you wish to speak, please make sure
14 you have signed in and indicated your willingness to
15 speak. We will call on speakers in the order in
16 which names are listed on the sign-in sheets. If
17 there are individuals in the audience who would like
18 to provide public comment and did not get a chance
19 to sign the sign-in sheet, can you please raise your
20 hand so we can provide you with the sign-in sheet?

21 For purposes of taking comments, we will
22 first receive comments from those who are in person
23 and then allow those who are participating remotely
24 to provide public comment. We ask that anyone
25 giving public comment please provide their name,

1 city and county and any organization they are
2 representing. And for those participating remotely,
3 we advise that you provide an email address so we
4 may follow up with you if necessary.

5 Before we begin taking public comments,
6 is there anything additional from my fellow
7 commissioners that you would like to share?

8 The summary proposed changes and
9 solicitation of public comment. Pursuant to the
10 Michigan Administrative Procedures Act, Michigan
11 compiled (sic) laws, Section 24.241, subsection 5,
12 Mr. Lamont Satchel, general counsel for the Michigan
13 Department of Civil Rights, has been designated as
14 the department representative on the proposed
15 changes and will participate in any discussions
16 regarding the proposed rules.

17 Although the proposed rules have been
18 previously published for public review since at
19 least November of last year, before I begin
20 soliciting comments I would note that the proposed
21 rule changes seek to clarify several definitions and
22 practices of the Michigan Civil Rights Commission.
23 The changes are also intended to facilitate
24 flexibility and efficiency in the operation of the
25 commission and the Michigan Department of Civil

1 Rights by, for example, allowing electronic filings
2 and notifications and remote or virtual proceedings.
3 Significantly, the proposed rules codify a practice
4 adopted by the commission several years ago related
5 to BFOQ exception process which changed unlimited
6 duration of an exception that is granted to five
7 years to allow for the commission to timely
8 reevaluate the basis for grant of the exception.

9 Mr. Satchel, is there anything you would
10 like to add before we begin taking comments?

11 MR. SATCHEL: Yes, Madam Chair, thank
12 you. I would just briefly note that each of the
13 proposed changes are intended to implement best
14 practices, and each of them have been prepared and
15 submitted for adoption after careful review of the
16 rules of several great lake states, civil rights
17 commissions and departments, including New York,
18 Pennsylvania, Ohio, Indiana, Minnesota, Illinois and
19 Wisconsin.

20 Lastly, I would like to acknowledge
21 several former and current employees who worked on
22 these rule changes, some as early as 2018. These
23 include Attorneys Kim Woolridge, Marcelina Trevino,
24 Sylvia Elliot, Dr. Jerome Reeve and Ed Latham.

25 I would also like to thank and recognize

1 the Michigan Office of Administrative Hearings and
2 Regulations for its continued support and assistance
3 in this process, specifically Ms. Deidre O'Berry
4 from that office.

5 Thank you, Madam Chair.

6 CHAIR ROBERSON: Thank you. As set forth
7 in the Michigan Administrative Procedures Act,
8 Michigan Compiled Laws, Section 24.241, Subsection
9 1, this public hearing provides the public an
10 opportunity to present data, views, questions or
11 arguments regarding the proposed rules.

12 We will now receive public comments from
13 those in attendance. Each speaker will be given
14 three minutes to provide public comment. Are there
15 any in person public comments at this time?

16 Seeing none, we will now receive comments
17 from anyone participating via Zoom. When speaking,
18 please state your name and the name of any
19 organizations you are representing along with your
20 city and county.

21 I would also ask that anyone providing
22 public comment online provide also an email address
23 in the event we need to follow up with you. Is
24 there anyone wishing to speak at this time?

25 Seeing no public comments from anyone

1 either in person or online, I will hereby declare
2 the hearing closed. Any additional or new comments
3 regarding the proposed rules that anyone wishes to
4 share must be submitted in writing to Lamont Satchel
5 at Cadillac Place, 3054 West Grand Boulevard, third
6 floor, Detroit, Michigan by 5 o'clock P.M. today or
7 emailed to Mr. Satchel at either mdcr-
8 commissionrules-public-comment@Michigan.gov or
9 Satchel, S-A-T-C-H-E-L-L 1@michigan.gov by 11:59
10 P.M. today. The record will remain open until today
11 at 11:59 P.M. for emailed comments and until 5 P.M.
12 for hand-delivered comments. The current time is
13 1:44 P.M.

14 MR. SATCHEL: Madam Chair --

15 CHAIR ROBERSON Yes.

16 MR. SATCHEL: -- before you conclude, I
17 would just like to note for the record, as required
18 by the Michigan Administrative Procedures Act, we're
19 required to have a sign-in sheet where individuals
20 can indicate that they would like to participate in
21 person in providing comments. I will just note for
22 the record that we did have that sheet, it's here;
23 no one signed it.

24 CHAIR ROBERSON: Thank you very much,
25 Attorney Satchel. This concludes this public

1 hearing. I would like to thank all those who have
2 participated and provided or will provide public
3 comments. Any comments received will be duly
4 considered.

5 Unless there is nothing further from
6 fellow commissioners, I will now entertain a motion
7 to conclude this hearing.

8 COMMISSIONER ELHASAN: Motion to adjourn.

9 CHAIR ROBERSON: Thank you, Commissioner
10 Elhasan. Is there support?

11 COMMISSIONER WORTHAMS: Support.

12 CHAIR ROBERSON Thank you, Commissioner
13 Worthams. This public hearing is now adjourned.

14 MR. SATCHEL: I would note, Madam Chair,
15 that it's concluded at 1:45.

16 CHAIR ROBERSON 1:45. My apologies.
17 This public hearing is adjourned at 1:45 P.M.
18 Thank you.

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1 CERTIFICATE OF NOTARY PUBLIC - COURT REPORTER

2

3 I do certify that the attached
4 proceedings were taken before me in the
5 above-entitled matter; that the proceedings
6 contained herein was by me reduced to writing by
7 means of stenography, and afterwards transcribed
8 upon a computer. The attached pages are a true and
9 complete transcript of the proceedings.

10 I do further certify that I am not
11 connected by blood or marriage with any of the
12 parties, their attorneys or agents, and that I am
13 not an employee of either of them, nor interested,
14 directly or indirectly, in the matter of
15 controversy.

16 IN WITNESS WHEREOF, I have hereunto set
17 my hand and affixed my notarial seal at West
18 Bloomfield, Michigan, County of Oakland, this 26th
19 day of January 2023.

20

21



22

Theresa L. Roberts, CSR

23

Certified Shorthand Reporter - CSR-4870

24

Notary Public - Oakland County, MI

25

My commission expires 10-04-2027

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