



ANNUAL REPORT of the MORGANTOWN HUMAN RIGHTS COMMISSION



July 2023 through December 2024

due June 30th, 2025

to the Morgantown City Council and City Manager

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I. FUNDAMENTALS OF THE MORGANTOWN HUMAN RIGHTS COMMISSION:

CITY OF MORGANTOWN HUMAN RIGHTS POLICY

Morgantown established its first Human Rights Commission (“HRC”) in 2001, but it became inactive over time. The City Council reactivated the HRC in 2012, following the *National League of Cities*’ designation of Morgantown as an ‘Inclusive City’ in 2006. According to the Municipal Code, *an inclusive city helps people thrive by: Supporting hospitality; welcoming diversity; promoting civility; promoting safe, affordable dwellings; enabling participation in community, services, and local government; supporting fairness in access to opportunities and services; reducing violence; supporting social justice; encouraging awareness and understanding of opportunities/limitations; making residents aware of the West Virginia Human Rights Commission; and working for a more sustainable community for present and future citizens.*¹

Section 153 of the *Morgantown City Code of Ordinances* outlines the City’s human rights policies. Morgantown is committed to making the community inclusive by deliberately and continuously attending to the human relations and human rights of its residents and visitors. It encourages participation in local government and advocates for universal equality in employment, access to public accommodations, and opportunities for housing and land use.

Morgantown proclaims that equal opportunity is a human and civil right for all people regardless of race², religion, color, national origin, ancestry, gender, age, blindness, disability, familial status, sexual orientation³, gender identity, or veteran status.⁴ Denying these human rights to otherwise qualified persons defies the fundamental principles of freedom and equality and undermines a free and democratic society.

The City proudly embraces its diversity, which enriches its culture, promotes a better understanding of the global community, and draws on the varied talents of its people; this diversity improves the lives and learning opportunities for all community members. Morgantown commits to promoting equal opportunity, mutual understanding, and respect for all its people, and strives to protect the rights of all to be free from any form of discrimination, especially those based on the actual or perceived membership in the City’s protected classes. The City Council enacted its Human Rights Ordinance to promote the welfare of all people living and working in the City of Morgantown.

¹ [Morgantown Code of Ordinances \(“City Code”\) §153 et. Seq.](#) (Ord. No. 17-40, 10-17-2017): Declaration of Policy (*under authority of W.Va. Code §16B-17-12* Local Human Relations Commissions)

² City Code §153.02 Definitions: Race-based discrimination includes the [discrimination based on hair textures and protective hairstyles](#) historically associated with a particular race. See the “[Crown Act](#)”.

³ (*Ibid*) Discrimination based on sex, sexual orientation, or gender identity includes the practice of [Conversion Therapy](#) on a person under Age 18 by any medical or mental health professional.

⁴ [City Code §113.01](#) Prohibition of Bullying: The City also protects against discrimination through bullying for those under Age 21 enrolled in an educational institution or accessing City-provided programs and services. This ordinance adds *ten* protected classes which are not covered elsewhere in the City Code. This inconsistency is addressed later in the Report.

DISCRIMINATION PROHIBITED BY MORGANTOWN⁵

The State of West Virginia protects equal opportunity⁶ in the areas of employment, public accommodations, and housing⁷, as well as real property, as a human right or civil right of all persons, without regard to *race, religion, color, national origin, ancestry, sex, age, blindness, disability, or familial status*.⁸ The City of Morgantown incorporates the State’s protections and further forbids discrimination based on *sexual orientation, gender identity, veteran status, or other protected characteristics*.⁹

No person or entity may discriminate against an individual or group of people based on class status, *real or perceived*, including:¹⁰

- ◆ Offering unequal compensation, tenure, terms, conditions, or other privileges of employment.
- ◆ Failing or refusing to make a proper job classification, refer for employment, admit to apprentice/on-the-job training, guidance program, or other occupational training/retaining program, on any basis other than the applicant’s qualifications as determined by objective, reviewable criteria.
- ◆ Refusing, withholding from, or denying any person the full advantages of the facilities or services of a place of public accommodation.
- ◆ Publishing, circulating, or displaying any print communication indicating a preference, limitation, or affirmative specification of candidates; denying or limiting privileges through a quota system; or implying that a person is unwelcome, unacceptable, or undesired to enjoy any offered benefit because of class status.
- ◆ Eliciting any information about a candidate’s protected class status before granting or denying employment, housing, accommodation, or other benefits, or to make or keep a record of such information.¹¹
- ◆ Engaging in or inducing another to engage in a threat or actual reprisal or retaliation for reporting discrimination.
- ◆ Conspiring to harass, degrade, embarrass, or cause physical harm or economic loss to a person or group, or aiding, abetting, inciting, compelling, or coercing another to engage in such practices against protected citizens.
- ◆ Willfully obstructing or preventing any person or entity from complying with the City’s Human Rights laws.
- ◆ Interfering with the Human Rights Commission or its agents performing their duties under the law.
- ◆ Engaging in reprisal or retaliation against a person who voices opposition to such unlawful practices or acts, or who has filed a complaint, testified, or assisted in any HRC proceeding, regardless of that person’s protected class status.

⁵ City Code §153.03 *et. Seq.* (Ord. No. 17-40, 10-17-2017) *paraphrased*. City Ordinances do not supersede State or Federal law, but they may add protections not afforded by higher government bodies.

⁶ [W.Va. Code §16B-17-2](#) HUMAN RIGHTS COMMISSION: *Declaration of Policy: (summarized)*

⁷ [W.Va. Code §16B-18-8\(b\)\(2\)](#) FAIR HOUSING ACT *Exemptions*: “Over 55” communities are exempt.

⁸ [W.Va. Code §16B-18-3\(j\)](#) FAIR HOUSING ACT *Definitions*: Including minors (under age eighteen) who are domiciled with a parent or legal custodian, or...in the process of securing legal custody; or anyone who is pregnant. This does not restrict advertisements of dwellings intended or operated for occupancy by older persons, as defined by Title 42, United States Code, Section 3607(b)(2).

⁹ City Code §153.03(a). Also see: Anti-Bullying Ordinance (City Code 113.01) which adds ethnicity, marital status, personal appearance, gender identity or expression, intellectual ability, family responsibilities, matriculation, political affiliation, genetic information, source of income, or any other distinguishing characteristic, or upon a youth's association with a person or group with any of the actual or perceived foregoing characteristics. Presumably, these classes should be protected by the HRC to the extent they do not conflict with WVHRC’s mandate.

¹⁰ City Code §153.03 Unlawful Discriminatory Practices. The Code does not enumerate specific penalties for most such infractions.

¹¹ [W.Va. Code §16B-17-16](#) *Certain Records Exempt (paraphrased)*: Entities may keep anonymous statistical records for legitimate purposes to administer a *bona fide* Affirmative Action Plan, employee retirement, insurance, or welfare benefit plan. The employer may also use the gathered data to make required reports to State or Federal government agencies. Such information must always be kept separate from the applications and employee files. Morgantown mandates that the information or reports must not be used as a subterfuge to evade the City’s Human Rights protections.

- ◆ Discriminating against any protected person in ways not explicit in the Code.

The HRC respectfully requests that the City Council review and amend all human rights-related Ordinances and Resolutions to uniformly identify all protected classes.

HRC MEMBERSHIP & PROCEDURAL RULES

Composition of the Human Rights Commission’s membership:¹²

- The City Council shall appoint seven *city residents* to the Commission for two-year staggered terms.¹³
- Appointments are not ward-specific.
- The Council may reappoint commissioners to serve subsequent terms.

Appointees swear an oath before the City Clerk to serve the City in good faith and without remuneration. The Human Rights Commission may appoint *ex officio* liaisons (including non-residents) from outside agencies who participate in its meetings and activities; these liaisons do not have voting rights.

The Commission officers are the Chair, Vice-Chair, and Secretary. Each officer term is for the fiscal year, and each member may serve as an officer for multiple terms. Annual elections occur at the first meeting of the fiscal year. The HRC adopts its *Bylaws and Rules* to be consistent with the City Code and *Robert’s Rules of Order*. The Commission meets monthly and at the Chair’s call as often as its members deem necessary.

The Chair serves as the HRC’s liaison to the City Administration.¹⁴ The Chair’s duties include preparing and filing meeting agendas with the City Clerk, conducting meetings, apprising the commissioners of City regulations, and advising the City Council and Administration on current Human Rights issues. The Vice-Chair assumes the Chair’s duties in their absence and performs other duties as assigned by the Chair. The Secretary keeps the meeting Minutes in compliance with the *Open Government Proceedings Act* and must prepare the Minutes for adoption at the next meeting and file the adopted Minutes with the City Clerk.

The City Council issues funds as it deems appropriate for the HRC to execute its proposals and projects. With the Council’s consent, the HRC may also apply for State and federal financial aid, grants, or assistance *via* the City Administration. The Commission has no authority to maintain independent finances or bank accounts. The City’s Finance Department maintains HRC funds at the City Manager’s direction.

¹² City Code §153.05

¹³ In July 2024, the Council proposed an ordinance to allow non-residents to serve as HRC commissioners. The Chair and Secretary spoke at the July *Committee of the Whole* meeting to vehemently oppose the suggested change. The HRC is a *quasi-judicial* body with jurisdiction over only City residents and entities perpetrating discrimination within the City limits. It is anathema to have non-residents sit in judgment over these matters.

¹⁴ City Code §153.06(a)

HRC DUTIES

Section 153.9 of the City Code established the HRC as a *quasi-judicial* body on October 17th, 2017.¹⁵

The HRC shall strive to make Morgantown an inclusive city by:

- Working with the *National League of Cities*, *WVU*, the *Monongalia County Commission*, and other partners to encourage leadership and achieve inclusivity in the City and its surrounding community.
- Assessing community needs and identifying barriers to inclusivity; improving public awareness of the City’s human rights policies; supporting safe housing; and sustaining a welcoming environment for a thriving, diverse city.
- Creating, evaluating, publicizing, and implementing programs, services, and activities to encourage public appreciation for all people and the inherent worth of every individual.¹⁶
- Enlisting civic, community, corporate, educational, and other groups that work to advance tolerance, communication, understanding, and the equal protection of the law for all parts of the population.
- Enforcing the City Code provisions prohibiting discrimination against the City’s protected classes in employment, access to public accommodations, and opportunities for housing and land use.¹⁷

HRC GENERAL POWERS

The HRC is specifically authorized and empowered to:¹⁸

- Work with Federal, State, and Local government agencies to achieve a more harmonious community and promote equal rights for all.
- Enlist community organizations working with marginalized communities to develop programs that promote tolerance, understanding, and universal access to equal protection under the law.
- Conduct public hearings or meetings to address ongoing discriminatory activity.
- Refer complaints alleging discrimination in violation of State law to the West Virginia Human Rights Commission (“*WVHRC*”) for investigation and adjudication.
- Recommend Human Rights policies, procedures, practices, and legislation to the City Council, City Manager, and other relevant partners.
- Prepare a written fiscal year Annual Report of its work, activities, and services for submission to the Council and City Manager.¹⁹
- Take necessary and proper actions to accomplish its objectives, fulfill its functions, and provide services.
- Develop policies, procedures, and educational programs for recommendation to the appropriate City departments.
- Create advisory agencies, at its discretion, composed of City resident representatives, serving without pay, to supplement its efforts.
- Convene voluntary conferences with interested parties to address discriminatory issues.
- Accept contributions from individuals, and seek/accept cooperation from private, charitable, religious, labor, civic, and benevolent organizations to execute its duties.

¹⁵ City Code Ord. No. 17-40, 10-17-2017

¹⁶ The HRC meets this requirement, in part, by preparing Human Rights milestone Proclamations for reading at the City Council meetings, and explaining their importance and relevance to the people of Morgantown immediately after the Council reads the Proclamation.

¹⁷ City Code §153.08

¹⁸ City Code §153.09 *summarized*

¹⁹ [City Code §4.02 as Amended](#) (October 2024), changed the reporting period for boards, authorities, and commissions from the fiscal year to the calendar year. The last submitted HRC report was for FY 2022/23; this report covers eighteen months to align with the reporting requirements.

- Issue publications of its research, Human Rights topics, and redacted investigation reports, to promote goodwill and minimize discrimination.²⁰
- Review the City’s plans and policies for inclusivity compliance, and advise and consult with the City Manager on issues impacting the City.
- Develop and support programs that promote public awareness of opportunities to improve inclusivity and identify current barriers limiting community inclusiveness and its long-term sustainability.
- Design and implement a *Community Inclusivity Plan* to increase public awareness of discrimination, promote civic education, enhance available human services, and encourage public participation in implementing the Plan.
- Use traditional and social media to frame and convey information about human rights issues, public programs, and service opportunities.

HRC ADJUDICATORY PROCESS²¹

The HRC must refer complaints to the *West Virginia Human Rights Commission* if the alleged violation is within the State’s jurisdiction under W.Va. Code §5-11-9.²² The Commission may refer complaints to the WVHRC with or without investigation. Upon referring the complaint to the WVHRC, the Morgantown HRC notifies the applicant and ceases any investigation. For complaints alleging a violation of Morgantown’s unique protections (i.e., sexual orientation, gender identity, and Veteran status), the HRC investigates the claim, either through an individual commissioner or a special committee authorized by the Commission.

The Commission shall adopt rules and regulations for complaint adjudication procedures. Such adopted rules must be consistent with City law, filed with the City Clerk, and available for public inspection. *Importantly, there is no provision for oversight by the City Council or Administration in the adjudication process.*

Any *person* claiming to be aggrieved by an unlawful discriminatory practice within the City may file a verified complaint with the HRC. The Commission may also launch such a petition on its own. Claimant Petitioners must file their complaints within 365 days of the alleged discriminatory act. The HRC makes a prompt investigation after receiving a filed complaint.

Any *entity* may file a verified complaint requesting conciliation or other remedial action if its employees have hindered or threatened to hinder compliance with the City’s human rights provisions. In such cases, the Commission investigates the claim. If it is credible, the HRC shall not proceed with hearings, issue orders, or take other actions *against* the entity based on the hindering actions of its employees outlined in the complaint.

The Commission issues a written notice to the Petitioner within ten days if the investigation does not find probable cause to substantiate the allegations of the complaint. The Complainant has ten days from the HRC’s *no-cause notice* to file a written request to meet with the Commission to offer evidence substantiating the claim.

²⁰ Neither the HRC nor the City shall not disclose the identity of the parties involved in an investigation.

²¹ City Code §153.10 modeled on [W.Va. Code §16B-17-10 Investigations, Hearings](#)

²² In 2024, the State overhauled the DHHR, placing the WVHRC under the Office of the Inspector General, Department of Health. The relevant jurisdictional provisions are now at [W.Va Code §16B-17-13 Exclusiveness of Remedy](#). The City must update its Code accordingly.

If the HRC finds probable cause at any point, it immediately works to terminate the discriminatory practices through a conference for conciliation or persuasion. No commissioner or City agent shall disclose what transpires in the conciliation process. The HRC may publicize a redacted report for public edification, outlining the issues in the complaint and the terms of settlement or conciliation upon completion of the complaint process. The HRC must present a written report of its findings to the City Council regardless of whether it publishes a redacted report for general consumption.

Should the conciliation process fail to alleviate the discriminatory practice, or if the HRC opts to bypass conciliation when the circumstances warrant, the Commission prepares and serves the named offender(s) with a written *notice of hearing*, along with a copy of the complaint. The service of process shall comply with the *WV Rules of Civil Procedure*,²³ directing the named Respondent to answer the charges at a public or private hearing before the Commission at the time and place specified. The HRC shall serve a written notice on the Respondent at least 30 days before the hearing. The Commission or its Chair delegates the authority to conduct the hearing to a hearing examiner, who may be an individual commissioner or a panel of commissioners. An attorney licensed to practice law in West Virginia may act as a third-party hearing examiner instead if the City Council allocates the appropriate funds.

The Respondent may file a verified written answer to the complaint, appear at the hearing with or without counsel, and submit testimony or other evidence in support of their position. Likewise, the Complainant may appear and submit testimony or other evidence. The hearing examiner may consider the written investigation results and include them in the *Hearing Report*. After completion, the examiner prepares a record of the hearing, composes a written *Findings of Fact and Conclusions of Law*,²⁴ and transmits the record to the Commission as a whole. The hearing must comply with the HRC rules and regulations and result in a sufficient record to permit review by any court of competent jurisdiction.

Where the Commission finds that the Respondent has engaged in or is engaging in discriminatory practice(s),²⁵ it issues and serves the Respondent with an Order to cease the discriminatory practice and takes such action necessary to enforce compliance with the City's human rights laws. The Order may require relief, including, but not limited to:

- ◆ Hiring, employee reinstatement, or upgrade (with or without back pay)
- ◆ Admission or restoration to membership in the Respondent's labor organization
- ◆ Admission to full and equal enjoyment of the services, goods, facilities, or accommodations the Respondent offers to the public
- ◆ Sale, purchase, lease, rental, or financial assistance to a complainant who is otherwise qualified for the housing accommodation or real property that the Respondent denied in violation of the City Code.

²³ [WVRCP](#) Rule 4: Summons and Rule 5: Serving and filing pleadings and other documents, et. seq.

²⁴ Edited to be consistent later Code provisions.

²⁵ After considering the case record, hearing results, and testimony or other evidence.

The Order may also require the Respondent to:

- ◆ Follow up with compliance reporting
- ◆ Pay the expenses and lost wages of any witness called by the Complainant or Commission
- ◆ Pay the Complainant's reasonable attorney fees, expert witness fees, and legal costs
- ◆ Pay the HRC for its expenses in conducting the hearing
- ◆ Any other legal or equitable relief as the Commission deems appropriate

The *Findings of Fact and Conclusions of Law* shall accompany the Order. The Complainant shall not be barred from filing a private lawsuit or other cause of action at any time because s/he used the HRC complaint process.

The HRC has the right and duty to communicate with the City Council and present it with any complaints it has investigated under the Code.

II. THE ACTIVE COMMISSION:

MEETINGS

The Morgantown Human Rights Commission holds its monthly Regular Meetings on the third Thursday at 6:30 p.m. in the Public Safety Building, located at 300 Spruce Street, in the first-floor Training Room or Meeting Room, as designated in the posted agenda. When the HRC cancels a meeting due to a lack of quorum or another reason, the Chair notifies the City Clerk immediately. The Clerk then posts the change, providing public notice *via* the City Agenda webpage and physical posting at City Hall. The Chair files a new Agenda to meet at the same time and place, usually on the following Thursday. The HRC works to accommodate a member's planned absence by arranging remote attendance *via* phone or video conference.

All Human Rights Commission meetings are open to the public and comply with the West Virginia *Open Governmental Proceedings Act* ("OGPA").²⁶ The Chair timely files the agenda with the City Clerk (by the Monday before the meeting), who publishes it on the City website and posts a physical copy on the Notice Board near the front door of City Hall at 289 Spruce Street. The *City Meetings Calendar* and the HRC's city webpage also provide information about the regular meeting times and places.

The Secretary takes Minutes during the meeting and prepares them for adoption at the next Regular Meeting. The Minutes reflect the presence of everyone in attendance, be it in person or electronically, and note the absence of any commissioner or liaison. They indicate that a quorum was present, the meeting's starting and ending times, the items discussed, the identity of the member who made the Motion and the member who seconded it, the votes the Chair called, and the result tally.

Despite conscientious adherence to the *OGPA* guidelines and the serious nature of its mission, the Commission chooses to approach its work with casual collegiality and good humor, thereby fostering better

²⁶ [W.Va. Code §6-9A-1 et Seq.](#), Also known as "*the Sunshine Law*".

relationships among participants and inviting open discussion, resulting in deeper engagement for all.

The HRC convened five meetings between July 1st, 2023, and December 31st, 2023. Of those, the Chair had to reschedule two to achieve a quorum, and one was a Special Meeting in early November. There were no Regular Meetings in November or December, as only one commissioner was available to attend. The average assembly lasted one hour and fifty-four minutes. Non-member guests attended four of the five meetings.

In 2024, the HRC held 11 meetings: 10 Regular and 1 Special Meeting. The Chair rescheduled the May regular meeting due to hospitalization. There was no meeting in November due to the lack of a quorum. The average meeting lasted 2 hours and 8 minutes (two of those meetings lasted almost 3 hours due to member unpreparedness and a guest presentation). Non-member guests attended eight of the eleven meetings.

The HRC Bylaws, as updated on October 19th, 2020, mandate, in Article 9(D),²⁷ that 50% of the membership constitutes a quorum. Under that bylaw, the HRC cannot follow the letter or spirit of *Robert's Rules* when it has four or fewer members and only two attend the meeting.²⁸ The Chair should not make or second Motions and may only call for a vote after a member makes a Motion and another seconds it. Therefore, at its February 20th, 2025, Regular Meeting, the HRC adopted a Bylaws amendment:

Article 9: Commission Meetings

2019 Rule: “*Quorum: Fifty percent (50%) of the voting members shall constitute a quorum for the transaction of business. Meeting attendance reports shall be reported in meeting minutes and reported to the City Clerk as requested.*”

As amended: “*Quorum: Fifty percent (50%) of the voting members, with a minimum of three, shall constitute a quorum for business transactions and voting.*

The Meeting Minutes must report the attendance of all commissioners and the presence of all other persons at any meeting. The Minutes shall be approved at the next Regular Meeting or as soon as practicable thereafter. The Approved Minutes must be filed with the City Clerk within two business days of their approval or as soon as practicable.”

The HRC anticipates making a thorough overhaul of the Bylaws forthwith and filing its adopted update with the City Clerk for a compliance review with the complete Morgantown Code of Ordinances.

COMMISSIONERS

There were four sitting commissioners at the end of the 2024 calendar year:

- ◆ Chair: Annie CRONAN YORICK
- ◆ Vice-Chair: Danny TREJO
- ◆ Secretary: Ashley SWANSON
- ◆ Commissioner: Laura FLETCHER

²⁷ There are two *Article 9s*; this refers to the first instance. It is unclear from the record whether the 2019 updates were adopted by the HRC or filed with the City Clerk.

²⁸ There are modified, less strict *Robert's Rules* for smaller bodies; the HRC holds itself to the higher standard because its actions would not be representative with only two commissioners taking official actions.

“The Human Rights Commission shall consist of seven members...”²⁹

The Human Rights Commission did not have seven members at any point during the 18 months covered by this report.

In July 2023, the HRC had five commissioners, four of whom actively participated. The sitting Secretary departed without notice at the end of their term on June 30th, 2023, taking with them the unadopted records of four earlier meetings and those of their final meeting. Over several months, the Chair reconstructed the Minutes from personal meeting notes. The HRC adopted and filed all past-due meeting Minutes by February 2024. Since then, the Commission has consistently filed all Minutes with the City Clerk promptly.

After the June 2023 departure of the then-Secretary, the Chair assumed the secretarial duty of filing the adopted Minutes. The Chair reviews the Minutes for compliance with the *OGPA* before submitting them to the Commission for adoption, thereby relieving the Secretary of undue responsibility and reducing the time between the HRC’s review and filing.

Commissioner Participation:

The Commission’s membership was in near-constant flux during this 18-month reporting period. Attendance and participation varied based on the group’s composition.

Vacancies and Attendance:

- *July to October 2023:* Five commissioners (four active); attendance was inconsistent.
- *November 2023 to January 2024:* Three Commissioners; the Chair canceled two Regular Meetings because two of the three commissioners were unavailable.
- *February to June 2024:* Five commissioners; only one meeting had full attendance.
- *July and August 2024:* Three commissioners; full attendance.
- *September to December 2024:* Four commissioners; full attendance.

Efforts to Increase Membership:

- The Chair spoke at most City Council meetings during the Public Comments portion, from December 2022 to October 2024, announcing vacancies on the Commission and inviting qualified residents to apply for membership through the City Clerk’s office. The Clerk made similar announcements and updated the City’s website to improve access to the Boards and Commissions application process.
- Commissioners and Volunteers hosted information tables at several local events and attended meetings of various community social justice groups to enhance the HRC’s visibility and encourage residents to apply for positions.

Fewer than ten people applied for a seat on the HRC during the eighteen-month reporting period. The Council appointed four of them; two remain on the Commission.

²⁹ City Code §152.05

Active Commissioners (July 1st, 2023, through December 31st, 2024):³⁰

Name	Service Dates	Office Held	Present	Absent	Attendance
Bonnie M. Brown	» - Jun '24	Vice Chair	8	(excused) 3	73%
Cal Carlson	» - Sep '23	Secretary	3	0	100%
Annie Cronan Yorick	Continuous	Chair	16	0	100%
Laura Fletcher	Sep '24 - »	Comm'r	3	0	100%
Bronson Herr	Jan - Jun '24	Secretary	4	(unexcused) 3	57%
Ashley Swanson	Feb '24 - »	Secretary	8 + 1	(excused) 1	90%
Danny Trejo	Continuous	Vice Chair	13	(excused) 3	81%
Zoey Vilasuso	» - Nov '23	Comm'r	1	(unexcused) 3	25%

The Mayor removed one commissioner from the HRC under the color of the City Code³¹ and *Robert's Rules*. That person had attended four meetings in 2022 and one in 2023 with *de minimis* participation at each. This behavior interfered with the HRC's ability to achieve a quorum and to rely on the project commitments its members made. Accordingly, Mayor Selin discharged that commissioner in the Fall of 2023.

The Commission has repeatedly requested that the City Council require each candidate to attend an HRC meeting before being appointed to the Commission; however, the Council has not responded. During this reporting period, the Council seated two candidates on the Commission who had not previously attended an HRC meeting. Both attended four meetings, held the post of Secretary, and resigned soon after. One left due to philosophical differences with the Commission's goals, and the other stopped attending meetings because they didn't 'feel good about the current geo-political climate'.

Two non-appointed applicants participated in a meeting before their interviews. One candidate decided not to advance their application, and the Council opted not to appoint the other after their interview.

The two new appointees who remained active on the Commission either attended a meeting or met with the Chair for a two-hour orientation session before being interviewed for appointment.

The Human Rights Commission strongly urges the City Council to formally adopt a policy requiring candidates to attend an HRC meeting before they are interviewed and appointed as new commissioners.

Liaisons (Non-Voting Members) & Volunteers:

Name	Position	Affiliation	Service Dates	Present	Absent	Attendance
Brian BUTCHER	Liaison	City Council	Continuous	10	6	62.5%
Tim HAIRSTON	Liaison	WVHRC	Continuous	12	4	75%
Don SPENCER	Volunteer	Former Member	Continuous	8		
Brian HENDRICKS	Volunteer	WVU Medicine	Sep – Dec '23	2		

³⁰ "+" indicates partial or remote attendance

³¹ City Code §121.33. Removal of officers and members: "The Mayor may remove and replace.... any member of and Committee of Council at any time." (1967 Code, § 2-44) [sic]

Hawa DIAWARA	Volunteer	WVU Student	Dec '23 – Jan '24	2		
Mimi FERGUSON	Volunteer	WVU SGA	Dec '24 - »			
Jackson BRAGG	Volunteer	WVU Student	Dec '24			

Brian Butcher serves as the HRC’s City Council Liaison. He lends invaluable insight to the possible outcomes of the actions under the Commission’s consideration. He is passionate about addressing the City’s housing deficiencies and remains informed about issues affecting the LGBTQ+ community.

Tim Hairston, a long-time *WVHCR* Commissioner, has attended most of the Morgantown HRC meetings since its inception in 2001. He shares his encyclopedic knowledge of this Commission’s history, former members, community resources, and the HRC efforts that succeeded and those that failed. Thanks to Commissioner Hairston, the HRC is not constantly reinventing the wheel. He encourages the commissioners at every step and advises on best practices. Commissioner Hairston is also a member of the *Community Coalition for Social Justice* (CCSJ) and has facilitated several joint projects with the HRC and the CCSJ.

Volunteer Don Spencer often attends HRC meetings. He is a former member of the City Council and the Human Rights Commission. He authored many of the documents that the HRC has relied upon since its revival in the 2010s. He has maintained voluminous archival records of the Commission’s history and has been quick to help wherever possible. He and his late wife, Carol Hamblin, endowed the *Community Human Rights Film Series*. The WVU *Native American Studies Program* currently administers the annual series, and the HRC provides support. Mr. Spencer acts as the senior statesman of the Morgantown Human Rights Commission.

Dr. Brian Hendricks, a WVU epidemiologist, attended meetings and volunteered for HRC tabling events before relocating to Charleston. Dr. Hendricks was the only person to assist the Chair at the November 2023 *National Christmas Tree* event, despite having two broken feet.

Volunteer Hawa Diawara, an undergrad student, attended two meetings and signed up to table at the WVU Women’s Basketball Team’s 2024 “*I Belong*” game. It was Volunteer Spencer who helped with the tabling.

Volunteers Mimi Ferguson and Jackson Bragg valiantly contributed to the HRC by hanging flags from the Aull Center’s ceiling for the HRC’s 2024 *International Human Rights Flag & Poster Exhibition*. Ms. Ferguson acted as the WVU *Student Government Association’s* Local Governance Liaison. She attended most City Council meetings and always lent a hand when asked.³²

III. HRC ACTIVITIES:

The Commissioners are Morgantown residents who volunteer their time to work with the City Council & Administration to improve Morgantown’s diversity, equity & inclusion, and to expand & safeguard individual rights. Most of the HRC’s success comes from working quietly behind the scenes to build relationships among

³² The Commission made Ms. Ferguson its *WVU SGA Liaison* in early 2025.

the City Administration, civic groups, and the people of Morgantown. The HRC achieves visibility through various public activities:

PROCLAMATIONS

Every year, the Human Rights Commission prepares proclamations related to Diversity, Equity, and Inclusion and Human/Civil Rights milestones for the City Council to issue at its public meetings. These commemorations help fulfill the HRC's duty to educate the community by highlighting segments of the population that often go overlooked. They also celebrate significant milestones in Civil and Human Rights.

July to December 2023:

October: Indigenous Peoples Day

December: International Human Rights Day ("IHRD")

January to December 2024:

May: Cinco de Mayo (co-sponsored with the Sister Cities Commission)

June: PRIDE Month (co-sponsored with Morgantown PRIDE)

June: Juneteenth

December: International Human Rights Day

After the Mayor presents the Proclamation, the Chair briefly addresses the Council with a more in-depth historical and cultural context for the commemoration, noting the number of Morgantown residents most directly connected to the subject matter. The HRC uses updates to the *U.S. Census Bureau Statistics for the City of Morgantown*, as well as the most recent City HUD Community Development Block Grant Proposal, to calculate the demographic information indicating the number of residents most directly affected by the Proclamation. The Chair also shares the background of other contemporaneous human rights-related memorials that the City is not formally recognizing.

Local community justice groups also sponsor proclamations, such as the Rape and Domestic Violence Information Center's *Domestic Violence Awareness Month* Proclamation. The Commission encourages other groups to petition the City to endorse their causes. Likewise, the HRC has assumed responsibility for proclamations that other organizations once sponsored but have abandoned. The Commission remains committed to collaborating with local social justice groups to raise awareness about DEI issues.

The HRC encourages the City to commemorate more cultural milestones with Proclamations to increase the areas of diversity, equity, and inclusivity it addresses.

COMMUNITY AND GOVERNMENT ENGAGEMENT

The Human Rights Commission engages with the public in several ways. It has provided publicity and other support to the CCSJ and the WVU *Native American Studies Program* through the *Community Human Rights Film Series*, collaborated on programs with the *Kingwood-Morgantown NAACP*, *PRIDE of Morgantown*, and

Morgantown's *Sister Cities Commission*. The Chair interacts extensively with the City Administration to improve communication, raise awareness of Human/Civil Rights lapses, and gather necessary information and documents to complete various reports.

The HRC hosts information and activity tables at local events. Members attend key gatherings for social justice causes and participate in a variety of less prominent human rights-related projects. The HRC also collaborates with local businesses to secure food and beverage donations for its events and to negotiate discounted rates on supplies, thereby reducing its expenses. Such community engagement enhances the HRC's visibility and efficacy.

During this reporting period, the Human Rights Commission has interacted with other entities as follows:

July to December 2023:

July:

- Fairmont State University's WV Center of Budget and Policy "*Summer Policy Institute*" (attend)
- Bartlett House Advocacy (challenge existing policy denying undocumented immigrants' admission for services)
- Former HRC Chair Request (renew request to attain access to the HRC's online records kept in their personal Chrome account, and the HRC's phone, email, and social media accounts)
- Assistant City Manager, HUD Grant-Writer, Municipal Airport Director & Human Resources Director Meetings (Chair: gather extensive information required for the Municipal Equality Index ("*MEI*") report)

August:

- CCSJ Social Justice Fair (information table)
- WVU LGBTQ+ Center Discussion (Chair: gather information on University LGBTQ+ activity for the MEI report)
- WVU Office for Diversity, Equity, and Inclusion Meeting (Chair: explore University ADA accommodation and enforcement policies)
- Human Rights Campaign Report (submit the annual MEI report for scoring consideration after 150 hours of compilation work)
- Former HRC Chair Request (renew request to attain access to the HRC's online records kept in their personal account and unavailable to the HRC)
- City Communications and I.T. Meetings (Chair: gain access to the HRC's email account; and request access to the HRC's social media and a cloud account)

September:

- University of Virginia Survey (Chair: interview with graduate researcher about Morgantown's HRC structure and impact)
- CCSJ Environmental Justice Fair (information table)
- Monongalia County Courts Services (provide Spanish-language translation -*ongoing*)
- City Clerk & Communications Director Meetings (Chair: update the HRC's City webpage)
- City Manager & Mayor Meeting (Chair: discuss the need for additional HRC Commissioners, confirm Councilman Butcher's and WVHRC Commissioner Hairston's status as *ex officio* liaisons to the HRC; City policy on member absenteeism and unsolicited/disruptive input from non-HRC members; MEI report; and compliance with federal law requiring municipalities to adhere to ADA Human Resources regulations and enforce ADA Building/Structure standards)
- WV Coalition to End Homelessness Presentation (Dr. Hendricks presents a description of the Coalition's work at the HRC Regular Meeting)

- Monarca Meeting (explore a possible City-wide celebration of *Las Posadas* to recognize Latino heritage)
- Human Rights Campaign Report (provisional score makes Morgantown a ‘*Gold Star City*’)

October:

- WVU Native American Studies Program Indigenous Peoples’ Day Celebration: “This Land Was Already Loved” (publicity)
- Morgantown Police Department Open House at Training Center (attend)
- Morgantown High School Mock City Council (Chair: participant, in the role of “confrontational citizen”)
- PRIDE Parade (Attend)
- Chestnut Ridge Starbucks Meeting (Chair: secure pastries and coffee donation for the *IHRD Awards Reception*)
- Salvation Army Food Box Distribution - funded by a *CDBG* Grant (Chair: with Robyn Hess, City HUD grant-writer, and Hazel’s House of Hope’s resident volunteers)
- Human Resources Director, City Clerk, Assistant City Manager & City Manager Meetings (Chair: renew request for the City’s Diversity, Equity, and Inclusion (“DEI”) statistics to prepare the City’s mandatory *DEI Report* and update City applications for DEI compliance)
- City Council (Chair: present the 2022/23 Annual Report)
- City Communications and I.T. Meetings (Chair: work on the HRC’s social media, webpage, & Cloud account)
- Your Community Foundation Discussion (Chair: explore Morgantown venues for December HRC events)
- The Monongalia Arts Center (“MAC”) Contact (Chair: reserve the venue for December HRC events)
- City Manager & Mayor Meeting (discuss the opportunities to improve the DEI score by revising specific City policies)

November:

- City of Morgantown Veterans’ Day Parade (attend)
- Downtown Morgantown National Christmas Tree Event (information and activity table)
- CCSJ Potluck Dinner (elicit nominations for the Human Rights awards)
- Sabraton United Methodist Warming Shelter Meeting (explore private provision of services)
- The MAC Meeting (Chair: negotiate venue for the HRC’s Human Rights Poster, Flag, and Artwork Exhibition and Human Rights Awards Ceremony and Reception)
- Champion Trophies Meetings (Chair: develop and procure the Human Rights award plaques)
- City Manager & HR Director Meetings (Chair: renew request for DEI information)

December:

- Local Businesses Interaction (Chair: distribute fliers for the *IHRD* events at the *MAC*)
- Kingwood-Morgantown NAACP 160th Anniversary of the 13th Amendment Celebration (incorporate the NAACP project into the Commission’s *International Human Rights Day* (“*IHRD*”) Exhibition and Awards Ceremony)
- Office Depot Encounter (Chair: print programs for the *IHRD* Awards Ceremony at a discounted price)
- Starbucks Correspondence (Chair: send thank-you letters to the Chestnut Ridge Manager and the District Manager.)

January to December 2024:

January:

- City Clerk Meeting (Chair: work with the Clerk to update applications for Boards and Commissions; collect HRC tabling materials for an upcoming event)
- WVU Women’s Basketball I Belong! Game (information and activity table)
- West Virginia Supreme Court of Appeals Services (provide Spanish-language translation -*ongoing*)

- Rainbow House Grand Opening Celebration (attend to show HRC support)
- City Communications and I.T. Meetings (Chair: 3rd attempt to access the HRC's social media and webpage)
- City Clerk Meeting (Chair: work with the Deputy Clerk to update the HRC webpage)

February:

- Courthouse Square Vigil Attend (held for *Nex Benedict*, a non-binary Native American student who died after a gender identity-based assault)
- Monongalia County Public Schools & Department of Health and Human Services Advocacy (legal and social work support with abused children and Spanish-language translation - *ongoing*)
- Barlett House Services (assist residents applying for SNAP and Medicaid benefits)
- WV Legislature (monitor legislative session for DEI-destructive bills)
- Sister Cities Wiles Hill Chinese Art Expo (attend)
- Morgantown History Museum Black History Exhibit (attend)
- WVU Community Human Rights Film Series (Presentation about its history, funding structure, and possible HRC involvement)

March:

- Hazel's House of Hope Correspondence (Chair: letters to Senators Manchin and Capito to request funding for ADA-access improvement and kitchen upgrade, at the behest of Councilor Trumble)
- I.T. Meeting (Chair: create a cloud account)
- City Manager Meeting (Chair: discuss the *DEI Plan* requirements: the HRC can't issue its report until the City submits the numbers to the Commission. The Plan has been in place since 2020, but no report has ever resulted)
- Forbes Women 30/50 International Women's Summit (Chair: attend week-long conference to collaborate on strategies in women's rights advancement)

April:

- National Organization of Women Social (attend to represent the HRC)
- City Council Presentation (Chair: inform the Council that April is *Sexual Assault Awareness Month* and share research on the U.S. Military's work to support the observance, actively address violence against military spouses, and significantly decrease incidents of sexual assaults in its ranks)
- CCSJ Potluck Dinner (engage with another community Human Rights group)
- League of Women Voters Meet the Candidates Roundtable (supply candidate questions)
- WVU Community Human Rights Film Series (provide publicity)
- City Manager & Mayor Inquiries (Chair: shall the HRC address Homelessness issues; nobody else appears to be working on it: no response)
- Kingwood-Morgantown NAACP Contact (Chair: invite to join in the *Juneteenth* Proclamation)

May:

- City Administration Renovated City Hall Ribbon-Cutting (attend to represent the HRC)
- Assistant City Manager Discussion (Chair: suggest policy revisions to improve the City's MEI score; "no more changes")
- Sister Cities Commission ("SCC") Joint Project (collaborate on the *Cinco de Mayo Proclamation* and enlist Lola Contreras from the SCC to accept the joint declaration certificate)
- Memorial Reception for the late George Lies, SCC president (attend to represent the HRC)
- Finance Department (accept \$1000 of funding for Fiscal Year 24/25)
- Morgantown PRIDE Collaborate (work to prepare a joint proclamation for PRIDE Month)
- Civilian Police Review and Advisory Board Consult (possible disparate treatment of Latinos)

June:

- City Council Presentation (Chair: inform the Council of the national annual June 12th *Loving Day* commemoration, celebrating the anniversary of the 1967 U.S. Supreme Court’s decision in *Loving v. Virginia* that struck down all remaining anti-miscegenation laws in the United States.)
- City Ambassadors Encounter (explore potential collaboration on projects)
- PRIDE Joint Project (Chair: PRIDE Month proclamation & confirmed with Ash Orr that the HRC would table at the PRIDE Block Party; PRIDE did not allot the HRC a table space.)
- Assistant City Manager & Human Resources Director Communications (Chair: gather information to update the MEI)
- City Manager Meeting (Chair: another effort to gather the DEI numbers for the City’s mandatory DEI Report; referred to the new Director of Human Resources for the information)
- Director of Human Resources Meeting (Chair: discuss the DEI statistics for city employees; none were available; the City’s employment application is currently available online only, so those without internet access are referred to the public library to complete their applications; and City employee health benefits documents are not available online)
- Civilian Police Review and Advisory Board Discussion (Trejo: after repeated requests to the MPD, the CPRAB advises it will be “researching and reporting on racial disparities in the arrest rate by the MPD in 2018”).

July:

- CCSJ’s “60th Anniversary of the Civil Rights Act of 1964 Celebration” Publicity and attendance (“Exhibit launch”, Morgantown Public Library, and “interactive educational event”, the Farmer’s Market)
- Memorial Reception for Carol Hamblen, Volunteer Spencer’s late wife and co-founder of the *Community Human Rights Film Series* (attend)
- Civilian Police Review and Advisory Board Community Forums (voice an HRC perspective)
- Director of Human Resources & City Attorney Meeting (Chair: explore employee diversity and City employee healthcare benefits. The City Employee health insurance policy does not expressly cover LGBTQ+ healthcare, and it explicitly excludes Trans care, surgery, and treatment from coverage, contrary to City law. Attorney Simonton asserts that he attended to this matter months ago, but he provided no documentation. Renew the request for the City employee DEI numbers and the current health insurance policy. Address the *Human Rights Addendum* that City policy requires all significant service contracts to include an addendum in which the Provider agrees to abide by the City’s antidiscrimination policies, including protections for individuals based on their sexual orientation, gender identity, and veteran status. The City is not using this form; the EEOC antidiscrimination terms in the city contracts do not include many such rights preserved by the City of Morgantown.)
- Committee of the Whole: Advocacy (Chair & Secretary: Speak in opposition to adding non—residents as HRC commissioners)
- HUD Grant-writer Meeting (Chair: discuss affordable housing & HUD protocol)

August:

- WVHRC West Virginia Governor’s Excellence in Advocacy for Civil and Human Rights Awards Ceremony (Liaison Hairston successfully nominated the Morgantown HRC Chair for the Award)
- Parkersburg PRIDE Consult (Chair’s support for forming a local HRC)
- Local Food Cooperative Service (help apply for a *Farmers’ Rescue* grant)
- HUD Grant-writer Meeting (Chair: discuss *Housing Needs Study*)

September:

- WVU Law School Women’s Leadership Conference *Social*
- CCSJ Annual Picnic
- Chestnut Ridge Starbucks (Chair: secure beverage donation for the IHRD Awards Reception)

- Human Resources Dept Correspondence (acquire the City's sparse DEI information; still not possible for the HRC to comply with the City's *2020 Diversity, Equity & Inclusion Plan*; the City does not collect the requisite data)
- WVHRC Referral (discrimination complaint for a Clarksburg resident that falls under the State's jurisdiction)

October:

- WVU College of Creative Arts and Media Consult (Chair: work with the Dean, Dr. Keith Jackson, to identify musicians to perform at the IHRD Awards Ceremony)
- WVU Student Government Association (invite the *Local Governance Delegate* to add the student perspective to the HRC by participating in the Commission's work)
- Meet the Candidate Forum for a gubernatorial contender (hosted by a City Councilor)
- Communications Department Meetings (Chair: collaborate on the design and production of advertisements and invitations for the *IHRD Exhibition and Awards Ceremony*)
- Fairmont-Morgantown Housing Authority Meeting (Chair: Learn about Section 8 Vouchers; discuss low-income and affordable-housing challenges)
- City Manager & Code Enforcement Meeting (Chair: discuss City enforcement of ADA requirements for structures and places of public accommodations; no resolution or follow-up)
- WVU Native American Studies Program (presentation on the *Community Human Rights Film Series*; agreed to support the project with publicity and possible funding)
- Assistant City Manager Meeting (Chair: discuss the Minority Liaisons Coordinating Council ("MLCC"); it has been dormant, but the HRC will work to reconstitute it as a Committee under its umbrella)
- Monongalia County Courts Presentation (Trejo: present seminar on *How to Work with Latinos* for Court and CPS personnel)

November:

- Don Knotts Boulevard Starbucks (Chair: secure its beverage donation for the IHRD Awards Reception)
- City Manager, Attorney, Human Rights Department, and the Mayor Email (Chair: renew request to amend the health insurance policy to include Trans Care, Treatment, and Procedures, which it specifically denied in 2024, unlike prior years)
- Fairmont-Morgantown Housing Authority Board Meeting (Chair: attend to request support with the forums for the proposed *Source of Income* antidiscrimination ordinance)
- Champion Trophies Meetings (Chair: co-design and procure the Human Rights Award plaque and statuette)
- Human Rights Campaign Report (Chair: announce Morgantown's final score; still a Gold Star City, with a raw score that places Morgantown among the top scores nationally, regardless of city size)
- Parkersburg PRIDE Discussion (Chair: respond to request for suggestions on how to form a municipal human rights commission)
- WV State Bar Continuing Legal Education (Chair: attend seminar on how to help Veterans with their unique challenges)

December:

- Morgantown Public Library's Aull Center Event (create the Annual HRC *Posters, Flags, and Artwork Exhibition*, and host the *IHRD Awards Ceremony and Reception*)
- Monongalia County Commission Event (Commissioner Bloom introduced the Organization Award honoree at the *Human Rights Awards Ceremony*)
- WVHRC Event (Commissioner Hairston introduced the Individual Award honoree)
- Starbucks (Chair: send thank-you letters to the Chestnut Ridge & Don Knotts Managers, as well as the District Manager.)

Commission members freely dedicate their time and expertise to assisting individuals and organizations in need, as well as educating themselves on human rights-related issues. The Chair serves as the HRC spokesperson for meetings with the City Administration and interactions that require financial expenditure.

Despite having a small membership, the Morgantown Human Rights Commission actively and consistently works to engage with the community, advertise its presence, and foster strong relationships with social justice organizations, State and municipal government agencies, WVU, and local businesses.

CITIZEN REQUESTS FOR HRC ASSISTANCE

The current Human Rights Commission did not have access to its email account from December 2022 until August 2023. The earlier Commissions had neglected the account over the years, with many requests for help going unanswered. When the Commission finally accessed its account on August 24th 2023, it immediately began answering the backlogged requests.

2023:

- Voice Messages: nine voicemails from seven callers; none of the message-leavers responded to a callback from the Chair, but most of their messages were several months old.
- Emails: 7 incoming emails (1 in *Danish*) from 5 requestors. The Chair replied to all, including one composed in Danish. None of the emails contained a cause of action for the HRC to act upon, nor did any of the emailers respond to the Chair's replies.

2024:

- Voice Messages: fourteen voicemails from six callers; two callers were from or in Morgantown, but did not have issues the HRC could address, and the rest had no nexus to Morgantown. The Chair gave each caller the WVHRC's contact information and general guidance on the process.
- Emails: 5 emails (1 in *Danish*) from 4 requestors; 1 person left three voicemails. One emailer copied the HRC on his WVHRC non-Morgantown employment discrimination claim. The Dane received a reply in Danish, and one had ethics complaints about a prosecutor and the WV Office of the Insurance Commissioner. The Chair's responses all explained why the Morgantown Human Rights Commission lacked jurisdiction over their claims and provided contact information for the WVHRC.

The Commission did not receive any applications for help through its filing portal on the HRC webpage.

INTERNATIONAL HUMAN RIGHTS DAY CELEBRATION

The Commission's annual flagship event marks *International Human Rights Day*, commemorating the United Nations' December 10th, 1948, ratification of the *Universal Declaration of Human Rights* ("*Universal Declaration*"), the first worldwide enunciation of the fundamental rights of every person, inherent to being born human.

The HRC works to promote City-wide awareness of International Human Rights Day and the *Universal Declaration*. The Commission hosts an annual three-week *Exhibition of Posters, Flags, and Artwork* on human rights-related topics.

At the behest of the HRC, the Mayor proclaims the City’s recognition of *International Human Rights Day* at its first Regular Meeting in December, declaring December 10th as *International Human Rights Day* in Morgantown, and encouraging all people to work together throughout the year to respect and protect the principles of the *Universal Declaration*.

The *Human Rights Award Ceremony & Reception* is the forum for recognizing one Organization and one Individual whose work benefits the people of Morgantown and embodies the high standards of human rights protection enunciated in the City’s ordinances and policies.³³ The City Council, through the Mayor, confers two awards for “Outstanding Leadership in Human Rights Advocacy, Which Makes for a More Inclusive Community”.³⁴

The celebration requires months of multi-faceted work: It includes researching and authoring the Proclamation, procuring and arranging inventory for the three-week-long *Poster, Flag, and Artwork Exhibition*, canvassing the community for outstanding leaders in promoting civil and human rights, choosing the honorees, designing the physical awards, recruiting local musicians to perform at the Reception, eliciting food and beverage donations from local businesses, securing an appropriate venue for the Exhibition and Awards Ceremony and Reception, advertising the events, printing and distributing advertisements, invitations, and programs, constructing and deconstructing the Exhibit, and hosting the *Awards Ceremony and Reception* in the afternoon of the Sunday nearest to December 10th, the Anniversary of *Universal Declaration*. Preparations for the event usually begin in July.

2023:

2023 marked the 75th Anniversary of the *Universal Declaration*. The *Awards Ceremony & Reception* took place on December 10th at the *MAC*. More than forty people joined in the celebration, including almost all members of the City Council.³⁵ The HRC commissioners, volunteers, and liaisons were present to host the celebration. The Kingwood-Morgantown NAACP joined the event to celebrate the *160th Anniversary of the 13th Amendment*. The Chair emceed and introduced the Individual Awardee. Councilor Butcher introduced the Organization Award winner. Mayor Selin had read the *International Human Rights Day* Proclamation at the December 5th City Council meeting and presented the Human Rights Awards to the honorees. The *NAACP* presented an award to a local student, Zorah, for painting the winning entry in the *NAACP’s Art Competition*. Mayor Selin also presented Zorah with a *City of Morgantown Citizenship Recognition* certificate in honor of her work.

The honoree for the Individual Award was Amanda Ray, Esq. She is a Morgantown attorney who has

³³ In 2023, the HRC committed to honoring those who continue to work for the cause, rather than those who contributed in the past but have retired from activism.

³⁴ This unwieldy verbiage will likely change for future awards.

³⁵ except one who advised the HRC in advance of a work conflict. Although invited, no members of the City Administration attended.

served Morgantown's underprivileged residents in the areas of domestic violence, child abuse/neglect, and tenant rights for thirty years, either *pro bono* or on a sliding scale. She has unselfishly and humbly served her community as an attorney and as an activist for legislative and social change.

The Mayor presented the Organization Award to the *West Virginia Coalition to End Homelessness*. The *Coalition* has long worked to reduce the number of unhoused community members by providing homes for as many as possible and reducing the suffering of those who remain unhoused. The *Coalition* serves most of West Virginia but has been particularly active in Morgantown.

After the award presentation, the attendees enjoyed pastries and coffee donated by the *Chestnut Ridge Starbucks*, as well as juice, wine, and cheese provided by the *MAC* as part of the hosting contract package. The guests were then free to explore the *Benedum Gallery* to enjoy the entries in the *Human Rights Poster, Flag, and Art Exhibition*. The Exhibition continued from December 4th through 20th. Exposure for the *Exhibition* did not meet its anticipated numbers due to the *MAC*'s undisclosed, limited opening hours and days.

2024:

The 2024 IHRD celebration was an improvement over the 2023 event. The Aull Center³⁶ hosted the *Human Rights Poster, Flag, and Art Exhibition* from December 4th to 29th and the HRC's *Award Ceremony & Reception* on Sunday, December 8th. Approximately sixty people attended the event, including all HRC members, Mayor Joe Abu-Ghannam, Councilors Michael and Kaweck, and City Ambassadors Travis Smith and Jessie Hersom (who also photographed the event for the City's Communications Department).

The Chair emceed the evening, while the other commissioners attended to the guests. WVHRC Liaison, Tim Hairston, introduced the Individual awardee, and County Commissioner Tom Bloom introduced the Organization winner.

Eve Faulkes was honored with the Individual Award. Eve has been a stalwart guardian of civil and human rights in Morgantown and the State of West Virginia. Most recently, she authored the graphic novel, "*West Virginians' Experiences in Civil Rights: How We Have Been Connected All Along*," in conjunction with the CCSJ's *Celebration of the 60th Anniversary of the 1964 Civil Rights Act*. She continues to use her artistic and literary talents to illustrate civil rights, bringing them to life for the public. HRC Liaison Hairston and Volunteer Spencer were featured in the graphic novel, as were many former HRC and City Council members. Ms. Faulkes also designed the HRC's logo, still in use many years later.

The *Morgantown Area Youth Services Project* ("MAYSP") was the Organization honoree. In 1996, Commissioner Bloom co-founded the program with Danny Trejo and Juinell Riivald. Now, four social workers staff the agency, providing free counseling and intervention services for high-risk teens and low-income families.

³⁶ The Aull Center is in the historic *Garlow House* and is part of the Morgantown Area Library system, maintaining original source documents of Morgantown's history and genealogy.

They specialize in treating substance abuse and delinquency. MAYSP strives to change societal stigma one case at a time by working closely with the criminal justice and child welfare systems. The counsellors work with clients suffering from domestic violence and abuse. They offer paths to rehabilitation and, in many cases, family reunification. MAYSP is a non-profit agency funded with grants from local sources.

Mayor Abu-Ghannam had already entered the *International Human Rights Day* Proclamation at the December 2nd City Council meeting. He presented the Human Rights Awards to the honorees after their introductions and addressed the gathering, emphasizing Morgantown's commitment to human rights.

Afterward, guests perused the *Exhibition of Human Rights Posters, Flags, and Artwork*. They also enjoyed the beverages generously donated by the *Starbucks* stores at Chestnut Ridge and Don Knotts Boulevard. The stores originally intended to provide pastries, but were unable to do so because of a last-minute shortage. Unwilling to disappoint the Commission, Manny Doty, the manager of the Chestnut Ridge store, baked for hours at home to supply the Reception with professionally catered cookies, cupcakes, and other delights that disappeared before the guests did. In a further demonstration of support, Ms. Doty and her husband attended the Reception.

Dr. Keith Jackson, *WVU Dean of the College of Creative Arts and Media*, connected the HRC with a student musician to perform throughout the event. Ms. Shairah Sanchez played the violin for 2 1/2 hours, performing diverse tunes from Bach, Dvořák, the Beatles, and Fleetwood Mac. Her rendition of Kansas's "*Dust in the Wind*" was a hit, but it was John Denver's "*Take Me Home, Country Roads*" that inspired the assembly to sing along.

Thanks to the flexibility and infinite patience of its director, Mike McClung, the Aull Center hosted the Exhibition from December 4th through 29th. The Center was consistently open and staffed six days a week during its posted business hours. The Aull Center opened outside its scheduled hours to accommodate the HRC's *Human Rights Award Ceremony and Reception* on Sunday, December 8th. WVU students, Mimi Ferguson and Jackson Bragg, volunteered to hang the human rights flags from the ceilings of the Aull Center's libraries, something the commissioners could not accomplish without the youthful agility and height of these volunteers. The City Clerk's office assisted in relocating HRC displays to the Aull Center and in arranging some of them. Tina Huggins of *Champion Trophies* produced beautiful plaques and a statuette on short notice and at cost in 2023 and 2024.

The HRC is deeply grateful to all the community members and city employees who helped make the Ceremonies and Receptions resounding successes. The IHRD festivities are genuinely the result of a community-wide effort.

[MUNICIPAL EQUALITY INDEX](#)

Since 2012, the [Human Rights Campaign](#) has conducted annual surveys of all 50 States and 506 cities to assess the environments they create for their LGBTQ+ citizens. Morgantown is among the original participants in

the City evaluation program, the Municipal Equality Index (“MEI”). The [State of West Virginia](#) has consistently scored in the lowest tier, “*High Priority to Achieve Basic Equality*.” The State of WV scored 5.5/45 on a similar survey, the “State Equality Profile: West Virginia”, as shown at [lgbtqmap.org](#).

The official ‘top score’ for an MEI is 100, but that is misleading. A city can achieve one hundred ‘base points’ plus twenty-two ‘FLEX’ points.³⁷ Seven West Virginia cities participate in the MEI. All cities with a score of 100 are considered ‘Gold Star Cities’. Morgantown first achieved Gold Star status in 2021 with a base score of 92 plus 8 FLEX points. The *Human Rights Campaign* (“The Campaign”) issued [Morgantown’s 2022 MEI score](#) in December, assessing the City’s performance in 2021. Again, Morgantown scored 100 (raw score of 92/100 + 8/22 FLEX points).

The Campaign issued [Morgantown’s 2023 MEI score](#) in December, assessing the City’s 2022 performance. Morgantown improved its score to 110/122 (raw score of 94/100 + 16 FLEX points), placing it in the 98th percentile nationally and in first place among the seven West Virginia cities assessed (Charles Town:45+0, Charleston:88+4, Huntington:92+8, Lewisburg:43+0, Parkersburg:13+0, and Wheeling:72+4). Morgantown can further improve its MEI score by amending City ordinances to reflect current practices and policies. The Chair spent over 150 hours preparing Morgantown’s 2023 MEI Report.

The Campaign significantly changed its reporting methods and criteria in 2024, moving from paper-based mail-in submissions to an online process. The HRC did not submit a 2024 Report because the Administration did not provide the necessary documents to complete it accurately. Regardless, [Morgantown’s 2024 MEI score](#) remained static with 94 base points + 16 FLEX points. Several WV cities improved their scores: Charles Town, 51 + 2; Charleston, 92 + 4; Huntington, 93 + 8; and Parkersburg, 26. Wheeling’s score dropped slightly to 71+4, and Lewisburg’s score decreased to 37.

Morgantown has set itself apart from other West Virginia cities for its LGBTQ+ inclusivity.

DIVERSITY, EQUITY & INCLUSION REPORT

DEI Plan adopted March 2020: 7.5 Review of Diverse Neighborhood Representation [et seq.]

“During the first quarter of each fiscal year, the Human Rights Commission shall work with the Mayor, Deputy Mayor, and City Clerk to review the diversity status in volunteer representation, to make recommendations, and to reinforce efforts to have City authorities, boards, and commissions represent a diversity of Morgantown residents.

The Human Rights Commission shall review the City Manager’s information for public reports and all pertinent demographics to assess the city’s progress in complying with the goals of the Plan for Diversity, Equity, and Inclusion. It shall report its findings to the City Council at the August Committee of the Whole and may recommend strategies and targets for consideration in the year ahead.

³⁷ FLEX are extra credit points for going ‘above and beyond’ the basics

Upon a schedule determined by the City Manager, the Director of City Human Resources and the City Clerk shall submit numerical reports on the diversity of employees (by department) and volunteers (by board, commission or authority)—along with descriptions of training or orientations provided—to the office of the City Manager. The City Manager’s office will be responsible for compiling the information for an ANNUAL DIVERSITY REPORT and add comparative information on race, declared gender, region of origin, age and disability for distribution to the Human Rights Commission and the Neighborhood Coordinating Council for review and comment. The report with review and comments received shall be submitted to the City Council for public review at a Council meeting during the month of September.” [sic]

Despite numerous attempts to address the City’s compliance with the DEI Plan, the Administration has not provided the HRC with any information to prepare the required *Annual Diversity Report*.

“EVERY TWO YEARS or when new City Council members are selected, the City Manager shall have the responsibility for organizing orientation and training on diversity and cultural competency/sensitivity related to the Diversity, Equity and Inclusion Plan and to procedures utilized in orienting and training new employees and volunteers.”

The Human Rights Commission has no information on whether City Council members, employees, or appointees have received the mandatory training or whether it meets the standards outlined in the DEI Plan.

“The City Clerk shall provide advance information to the City Council on 1) the current diversity status of the authority, board or commission to which an appointment is to be made, 2) the number of terms served by each candidate being considered.”

The City does not collect diversity information on its employment applications or board and commission appointment applications, which is inconsistent with the City’s proclaimed goals in the 2020 DEI Plan.

IV. FINANCES:

FUNDING

On December 11th, 2024, Deputy Clerk Carl advised the HRC Chair of available budgetary funds. The accounting listed:

Other Contributions – Human Rights Commission:

FY 2022: \$1,165.69,
FY 2023: \$124.70, and
FY 2024: \$1,754.64,

for a Total Drawdown of \$3,045.03. However, on the same day, the HRC’s approved allocation was listed as \$2,913.25. The Chair asked several times for clarification of the discrepancy, but never received a cogent reply.

BUDGET REQUESTS

FY 2024/25:

In December 2023, the Administration mandated that all Boards and Commissions submit a *Non-Profit Funding Request Application*. FY 2024/25 marked the first instance in the HRC’s available recorded history where the City specifically required such an application. The HRC submitted its request for \$5,650.00 on December 26th, 2023. The budgeted amount was to fund:

- Preparing the MEI report
- Creating a 2020 DEI Plan Compliance report
- Performing the 10-year Community Needs Survey (due in 2024)
- Travel & lodging in Charleston for affecting improved human rights legislation (includes ADA accommodations for the Chair)
- Developing materials for community engagement through educational events & outreach
- Conducting the HRC's flagship *IHRD* events
- Supporting the Indigenous Peoples' Day activities with the WVU Native American Studies Program
- Contributing to the *MLK Day* event in conjunction with the CCSJ
- Supporting the CCSJ's 1964 Civil Rights Act Anniversary celebration

The Finance Director, by a letter dated May 16th, 2024, informed the HRC that the City Council had approved a \$1,000 allocation. The funds were to be expended and reimbursed between July 1st, 2024, and June 30th, 2025. Unused funds would not roll over at the end of FY24/25.

FY 2025/26:

On December 11th, 2024, the HRC completed its *Non-Profit Funding Request Application* for FY 2025/26, reducing its request to \$4,500. The amount was to cover the expenses for:

- Preparing the MEI
- Contributing to the *Community Human Rights Film Series*, endowed by Volunteer Spencer and administered by the HRC's then-Commissioner Bonnie Brown
- Performing a Needs Study and Public Hearings for the proposed *Source of Income* antidiscrimination ordinance
- Conducting the Human Rights Award Ceremony and the Posters, Flags & Artwork Exhibition
- Providing a composite plaque for the City Hall to commemorate the past recipients of the City's Human Rights awards over the years
- Updating the HRC brochures & business cards
- Publishing educational materials for community tabling events
- Creating a WV League of Municipal Human Rights Commissions
- Travel & lodging in Charleston for lobbying the WV Legislature to improve its human rights laws
- Preparing a *DEI Memorandum* for the Council & Administration reviewing human rights compliance by the City, as required by the *2020 Diversity, Equity & Inclusion Plan*.

The HRC was unable to achieve many of its essential goals for the second half of FY 2023/24 and CY 2024, in part due to inadequate funding.

EXPENDITURES

FY 2023/24:

The HRC submitted three Allocation Draw Requests in FY 2023/24 totaling \$755.14:

- \$631.97 on December 11th, 2023
- \$52.03 on December 27th, 2023
- \$71.14 on June 24th, 2024

Each draw reimbursed funds that the Chair advanced to cover the expenses of the *Human Rights Day Award Ceremony and Reception*, the *Human Rights Posters, Flags & Artwork Exhibition*, and durable display equipment for tabling events.

The expenses:

- Two award plaques (\$120)
- Rental fee for the MAC facility (\$250)
- Other durable display materials & supplies (\$261.97)
- Portable stand-alone flagpole (\$71.14)
- Three flags (United Nations, LGBTQ+ Rainbow, and Equality Hurts No One), a U.N. Universal Declaration of Human Rights poster (\$39.28)
- *IHRD* event programs (\$12.75)

CY 2024:

In the first half of FY 2024/25, the HRC submitted one Allocation Draw Request:

- \$621.97 on December 11th, 2024

This draw reimbursed the Chair for the expenses of the advanced funds for the *Human Rights Day Award Ceremony and Reception*, the *International Human Rights Posters, Flags & Artwork Exhibition*, and durable display equipment for tabling events.

The expenses:

- Two award plaques (\$126)
- Durable display equipment, including easels and a backdrop stand (\$346.21)
- Violinist performance (\$75)
- *IHRD* event programs (\$62.40)
- Miscellaneous supplies (\$12.36)

The final Allocation Draw Request form indicates a remaining balance of \$2291.28 at the end of CY 2024.

V. FUTURE GOALS:

HRC PROJECTS

Minority Liaisons Coordinating Council

In October 2024, the HRC agreed with Assistant City Manager Muzzarelli to incorporate the defunct *Minority Liaisons Coordinating Council*. The *MLCC* has been dormant for some time, but the HRC will work to reconstitute it as a Committee under the Commission's umbrella. The commissioners are contacting candidates to represent marginalized communities, in accordance with the criteria outlined in the *MLCC* Regular Meeting Minutes from March 23rd, 2021.

The National League of Cities

City Code §153.08(b) indicates the HRC shall collaborate with the *National League of Cities* (“NLC”). Despite multiple inquiries to City Council members, the HRC has not yet found a way to engage with the NLC. The Commission will continue to look for ways to fulfill this mandate.

Statewide Association of Municipal Human Rights Commissions

The HRC has identified seven other West Virginia cities with Human Rights Commissions and seeks to establish an affiliation among them to support mutual efforts and shared strategies.

MEI

Improve the City’s score on the *Municipal Equality Index* and advocate for codification of City policies that make Morgantown *de facto* compliant with the Campaign’s scoring requirements, but cost the City points because they are not *de jure*. Morgantown missed points in 2023 because it does not explicitly protect LGBTQ+ children or mandate “any-gender single occupancy” bathroom facilities in municipal buildings.

DEI Report

The HRC is charged with assisting in implementing the *2020 DEI Plan*, and intends to continue pursuing the City’s compliance with its stated goals.

Commission Composition

In July 2024, the Council considered a proposed ordinance to expand the HRC's membership to include non-residents. The Commission strongly opposed that change. As a *quasi*-judicial body, the City has empowered the HRC to levy fines and penalties against people and entities doing business inside the city limits who have discriminated against Morgantown residents. Allowing non-residents to participate in this process is contrary to the practical intent of the founding ordinance and an affront to the parties who must be within the city limits to petition the HRC for action.

Updates

The HRC continues to update its City webpage, Facebook account, informational fliers, and business cards. The Commission also continues to revise its Bylaws for consistency and practicality and will present its final draft to the City Clerk and the Council upon adoption.

Protected Classes

The City Code, especially §153 of the Human Rights Ordinance, contains myriad inconsistencies regarding which classes the City protects. These differences appear in single paragraphs of the same Code section, and the classes often show in mixed order.

The ordinance that protects the most classes is not part of the Human Rights Code. Instead, it is in CHAPTER ONE - GENERAL PROVISIONS of the Administrative Code, [§113.01 Prohibition of Bullying](#). The wording of the ordinance is ambiguous:

- (a) *“The City Council finds that enacting a policy prohibiting bullying in youth services, activities, programs, and facilities provided by the City will protect the dignity and safety of youth served by the City. This policy is intended to prohibit bullying, harassment, and intimidation in all youth-serving City services, activities, programs, and facilities.”*

However, in the Definitions, the duty to protect extends to:

“Youth-serving City services means any program, activity, facility, or service directed or funded by City which includes youth as participants, entrants, volunteers, or staff.”

and

“City or City agency means the City of Morgantown and any or all of its boards, commissions, agencies, and instrumentalities, including without limitation the Board of Parks and Recreation Commissioners (“BOPARC”) and the Morgantown Public Library System.”

It is unclear what constitutes a City-funded program. It could mean directly funded programs, such as BOPARC, but it could also apply to services provided by any entity receiving money from the City, such as the CCSJ or MAYSP.

In this ordinance, the City protects:

- (b) *Definitions: Bullying: (1) May be based on a youth's actual or perceived race, color, ethnicity, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, intellectual ability, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, or any other distinguishing characteristic, or upon a youth's association with a person or group with any of the actual or perceived foregoing characteristics. An individual of 21 years of age or less who is enrolled in an educational institution or who accesses the services or programs provided by City, a City agency, or a grantee of City or (2) Individuals described in Subsection (1), above, when considered as a group” [sic] ...from discrimination through bullying in “all City-provided” programs...*

The *Anti-Bullying Ordinance* extends protection to those under the Age of 21, whereas all other City prohibitions, including *Conversion Therapy* and *familial status*-based discrimination, only protect those under the Age of 18.

The Code mandates that all City-Sponsored youth services providers file a written anti-Bullying policy with the City Council.

- (d) *“Adoption of policies.*
- (1) All City agencies that provide services, activities, programs, and facilities for youth shall establish a clear, written policy for reporting, addressing, and preventing bullying as defined in this section.*
 - (2) All such policies shall be submitted by the agency to City Council for its review no later than 180 days from the effective date of this section or the creation of the agency, whichever occurs later.*
 - (3) Each policy shall include the following minimum components:*
 - a. Procedures for reporting incidents.*
 - b. Requirement that agency personnel report incidents of which they are aware.*
 - c. Requirement that due diligence be exercised in notifying parents and guardians of any youth involved in an incident.*
 - d. Procedures for responding to and investigating incidents.*

- e. Requirement that staff orientation and training programs include information regarding agency policy prohibiting bullying, harassment, and intimidation.*
- f. Steps which will be taken to prevent bullying by identifying and supporting youth who are bullied, redirect the behavior of youth who bully, and change the attitudes of adults and youth who tolerate bullying behaviors.”*

The HRC does not have access to these written policies, nor knowledge of whether the City enforces them.

For MEI purposes, the *Bullying Ordinance* must explicitly include Trans kids; it currently does not.

The Anti-Bullying ordinance adds ten protected classes that are not named elsewhere in the City Code. Although this ordinance is not under the auspices of the Human Rights Commission, the City should incorporate its protections into the Human Rights Code.

VI. CONCLUSION:

The Morgantown Human Rights Commission has assiduously worked to fulfill all its duties under its founding ordinance. Whilst it sometimes falls short, the members remain dedicated to protecting the HRC’s integrity and adherence to its founding principles. The Commission could better accomplish its goals with a few changes in the City Council’s policies.

The HRC was chronically understaffed throughout this reporting period. The Commission renews its plea to the Council to require applicants to attend an HRC meeting before being interviewed for or appointed to a commissionership. Further, the Commission asks that the City Council prioritize HRC applicants for interviews until it has enough members to conduct its business properly.