Executive Summary: Research on Commissions

The City of Olympia contracted with Communication Resources Northwest (CRNW) to research potential commission models to support a process to establish a new commission to address social justice and equity issues. In July and August 2021, CRNW researched 58 cities, counties, and/or states/provinces with populations between 50,000 and 150,000. Of the 58 municipalities researched, 32 have an existing body dedicated to human rights and/or ESJ engagement, such as a commission, task force, or board, and two are in the process of forming one. One community has a civil rights task force that is unaffiliated with the municipality.

Methodology

For each of the 32 existing commissions, CRNW conducted through web-based data gathering and 11 phone or in-person interviews to seek information about several key service capacity and organizational attributes, including:

- Capacity in which the commission serves (e.g., advisory, education/outreach, investigative, and enforcing)
- Functional aspects of the service capacity (e.g., power and authority, duties and responsibilities, kinds of outreach conducted, complaint submittal and processing procedures, etc.)
- Commission organizational makeup and structure (e.g., number of members, term lengths, compensation, staff support, etc.)
- Similarities in codes and bylaws

Scope of Work/Authority

The work of commissions range across a continuum from advisory to enforcement.

- **Advocacy:** The commission provides advice to Council and staff on policy and the response to current events; it also 'daylights' issues and pushes government to consider the needs of a diversity of stakeholders, particularly those who have the least positive connection with government.
- **Education and Outreach:** The commission engages with the community to build a stronger understanding of rights and the needs of a diverse suite of stakeholders and to reduce discrimination in all forms through increased awareness and visibility.
- **Investigation:** The commission receives complaints and oversees staff that conduct investigations and determine whether a claim has merit and fits within its jurisdictional limitations.
- **Enforcement:** The commission renders judgements and finds defendants guilty or innocent of rights violations; it also has the authority to impose fines or sanctions.

Peer interviews support the importance of commissions having a clear mandate from the governing body and agreement among commissioners and government as to the commission's scope of work.

Advisory/Education and Outreach
Most researched commissions serve in an advisory role to municipal government and/or have an education and outreach function. Twenty-eight of 32 serve in an advisory capacity, and 23 also perform education/outreach to the community

Capacity to Receive Complaints
Nineteen of 32 commissions have a way to file complaints. Most of these funnel complaints to other entities such as a state human rights/equity commission, but don't handle the complaints themselves.

Entities with Investigative and/or Enforcement Service
Just under 15% of researched commissions have investigative authority and only 7% are empowered to engage in enforcement activities. Of the four commissions with enforcement authority, the only commission of similar size to Olympia, Harrisburg, PA, has not used its quasi-judicial authority, seeking to resolve complaints through mediation.

Jurisdiction
The jurisdiction of a commission is traditionally only within the geographic boundaries of the municipality. While education and outreach can reach beyond those boundaries, any investigation or enforcement authority ends at the geographic boundary, and advisory services only apply to the entity that appoints the commission as in the council or municipal departments.

Commission Name
The name of the commission matters a great deal to commissioners, stakeholders, and municipalities as it is a public announcement of what the commission does.

- A human rights commission, the most common from the research, focuses on broad constructs of human experience and the preservation of basic human rights to all people, addressing system issues such as homelessness, income inequity, incarceration, free speech, etc.

- A human relations commission, as is the case in Harrisburg, PA, focuses on cases of discrimination in employment, housing, healthcare, policing/public safety, and human services. It is not concerned with broader issues such as houselessness or income disparity.

- An equity and social justice commission focuses its attention primarily on the rights and voice of historically marginalized communities and seeks to eliminate bias in all its forms.

Staffing
Almost 60% of researched commissions have dedicated part- or full-time staff to support normal commission functions and to coordinate education/outreach. Key roles include a director for larger commissions or those with investigative authority and support staff to support day-to-day activities.

Those commissions with investigative authority have trained staff to conduct investigations and, in some cases, provide mediation support to resolve complaints. Staff size ranges from one to 13, depending on the size of the commission and its scope of work.

Makeup

All the researched commissions are made up of an odd number of commissioners for voting reasons, with most commissions having between seven and nine members. For all the commissions researched, commissioners are appointed by an elected body, with applicants recruited from the community by either electeds or the seated commission.

Compensation

Commissioners are generally not compensated for their time, but some are compensated for their expenses. Most commissions have a yearly budget for educational/outreach programs and initiatives, and the city employees who work with the commissions are paid. Commissions with investigative authority all have paid staff to research claims and conduct investigations.

Commissioner Perceptions

Across all cities interviewed, commissioners think their work is important and meaningful, but many report confusion from their communities and sometimes the commission itself around their responsibilities and limitations. Almost all the interviews indicated that commissions have either taken steps to refine their codes over time to improve clarity or are actively working towards that refinement.

Recommendations for City of Olympia

Respondents shared their experiences and provided numerous recommendations:

Structure and City Support
- Establish a reasonable budget for at least five to seven years.
- Ensure a common understanding of terms such as equity, inclusion, diversity, etc. with the goal of determining how a committee can help the Council conduct work with regard to these factors.
- Ensure access to and regular engagement with top-level City leadership.

Organizational Clarity
- From the outset, provide very clear commission roles and responsibilities and scope of authority.
- Clearly and specifically define the committee role and function and establish practical and tangible tasks that make up a set of core responsibilities.
- Ensure a clean mandate; broad mandates do not offer enough direction for the creation of actionable commission goals.

Staffing
- Support the commission with someone who has the capacity and knowledge to respond to the group's needs and provide guidance and education about the background of topics or initiatives.
- Ensure DEI staff have a breadth and depth of expertise and technical knowledge in building community engagement.

Outreach
- Listen to the community, especially those that don't often have a voice.
- Identify community partners to support culture changes; the City can't carry the whole burden.
- Develop community relationships first to achieve diversity in the commission.
- Seek opportunities to work together with other cities/organizations that may be having similar startup experiences; many initiatives are forming in response to 2020's events.