

**OFFICE OF THE CITY COUNCIL**

**RESEARCH DIVISION**

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**CITY COUNCIL HYBRID VIRTUAL/IN-PERSON LUNCH AND LEARN MEETING**

**HATE DEMONSTRATIONS AND PUBLIC DISCOURSE**

**Meeting Minutes**

**February 9, 2021**

**11:30 am**

**Location:** Hybrid in-person (Lynwood Roberts Room) and virtual (via Zoom platform) meeting

**In attendance:** Council Members Cumber, Pittman, Carrico, Bowman, Gaffney, Salem, Newby, Morgan and White

**Also**: Jason Teal, Office of General Counsel

**Meeting Convened**: 11:30 am

Council Member Cumber convened the meeting and welcomed the attendees. She explained the purpose of the meeting, which was to discuss symbols of hate and public discourse especially as related to behavior during council meetings. There was a video shared that showed a man giving public comment in chambers wherein he used hand gestures associated with white supremacy.

There was some discussion about hate groups, and how some extreme ideologies and conspiracy theories have moved into the mainstream. The Southern Poverty Law Center tracks hate groups and lists 733 in the US, and 68 hate groups in Florida of varying types.

Jason Teal, Office of General Counsel, spoke about public comment in meetings and First Amendment rights. Jacksonville City Council Rules specify that the public comment period may be on any topic, not necessarily related to legislation. Some cities require comment to be related to specific bills. Mr. Teal said that council chambers is a limited public forum, wherein there may be some restrictions on “fighting” words, but there cannot be a limitation on one viewpoint over another. He also said that Council Rules specify that it is the duty of the Council President (or committee chairperson) to maintain order during meetings. Mr. Teal explained that demonstrations are considered free speech.

There was a brief explanation about domestic threats to homeland security and FBI civil rights investigations. According to the FBI, a hate crime is a traditional offense like murder, arson, or vandalism with an added element of bias. For the purposes of collecting statistics, the FBI has defined a hate crime as a “criminal offense against a person or property motivated in whole or in part by an offender’s bias against a race, religion, disability, sexual orientation, ethnicity, gender, or gender identity.” Hate itself is not a crime. The FBI’s Criminal Investigative Division has elevated civil rights violations to its highest-level national threat priority, due to a variety of factors. In 2020, there were 8,263 hate crime incidents reported in the US, self-reported by 15,138 participating law enforcement agencies.

Dr. Mark Pitcavage, historian and authority on extremism in the United States and Senior Research Fellow at the Anti-Defamation League’s Center on Extremism, gave a presentation on racist symbols and described the ADL’s hate symbol database. According to ADL data, in 2021 and 2022 there were 9,472 incidents of extremism or antisemitism in the United States. Dr. Pitcavage described extremist symbology with varying degrees of subtlety. For example, swastikas are commonly used by some groups and the meaning is obvious to those who see it. In contrast, other groups use less obvious symbols like numbers or acronyms to depict their ideology. The ADL hate symbol database contains hundreds of examples and is posted on their website for reference. Dr. Pitcavage emphasized considering context when evaluating the meaning of any symbols.

Council Members Questions and Answers

CM Gaffney asked about potential legislation to prohibit/limit hate groups. Jason Teal said that you can’t ban free speech, but there is a prohibition against certain actions such as burning a cross on someone’s lawn.

CM Salem asked about hate groups in Jacksonville, and Dr. Pitcavage said there some local groups tracked by the SPLC.

CM Bowman asked about decorum in council meetings and if repeat disrupters may be banned from chambers. Mr. Teal said that you can’t ban hate speech because that’s too broad, but he reiterated that chambers is a limited public forum and that council may choose to limit comment to pending legislation.

CM Pittman asked about crime increases related to the recent election, and youth involvement in hate groups.

CM Morgan asked about FBI hate crime divisions and whether they are fully staffed to address the problem. Every FBI field office has a civil rights division.

CVP Newby asked about how many such groups are in North Florida and South Georgia. There are 68 in Florida and 29 in Georgia, according to the SPLC hate map.

CM Carrico asked about controlling hate symbology in chambers. Mr. Teal said that any behavior that is a disruption may be addressed by the Council President.

CM Cumber said that while an expression of hate may be protected speech, so too is calling said behavior hateful and out of place in civil society. She thanked all of the attendees for coming and participating in the discussion, and then adjourned the meeting.

**Meeting adjourned:** 1:07 pm

Minutes: Colleen Hampsey, Council Research Division

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