



Equity Advisory Committee (“EAC”) Minutes from the October 19, 2011 Meeting

Committee members present:

Commissioner Faye Woo Lee, Mollie Ring, Miquel Penn, Rick Hauptman, Monali Sheth, Elena Gil, Azalia Merrell, Jane Henzerling, and Ophelia Williams

Committee members absent:

Commissioner Mark Kelleher, Commissioner Michael Pappas, Grecia Lima, Susana Rivero, and Dena Wurmen,

Staff present:

David Miree

Guests present:

Allen Hopper, Police Practices Director-- ACLU
Becky Lai- Mayor's Youth Employment and Education Program (MYEEP)
Alvin Woo, Director MYEEP
Michelle Wong, Project Coordinator MYEEP

Call to order, roll call and approval of minutes:

Staff member David Miree called the meeting to order at 5:42 pm and called the roll. A quorum of the EAC was present at the meeting. A motion was made and second to approve the minutes from the September 14, 2011 meeting of the EAC.

Public comment for items not on the agenda:

None

Commissioners' and Staff Report:

Commissioner Lee notified and invited the EAC body to a “special community meeting” of the full Human Rights Commission that will be conducted in the Western Addition Community on November 17, 2011 at the West Bay Center from 6:00-8:00pm. This meeting is one of several HRC meetings to take place in and throughout the various communities in the City. The focus discussion of this community meeting will be the HRC's role in recognizing and supporting local business enterprises (LBEs) and fostering greater economic development for the residents. Amongst the proposed agenda items will be a presentation on the HRC/EAC's work with the Out Migration Implementation Strategy effort/ Minority Youth Vocational Program and a look at the comparative analysis of the equity reports from the past two decades.

Commissioner Lee also informed the EAC body that the full HRC was addressing a couple of lawsuits that had been levied on the Commission but noted that she was unable to speak any further on this matter.

HRC Staff member David Miree (in the interest of time) wanted to bring to the EAC's attention a new Commission directive that would require all current members to “re-apply” for a seat on the EAC. Miree



noted that in an effort to establish greater **uniformity** in the recruitment and retention process as well as to ensure that all SF-HRC Advisory Committees are working at the same level of efficiency and effectiveness, the Commission had selected to re-consider the “By-Laws” governing the agency’s advisory committees. As a part of this revision, **all** current AC members (LGBT, LBE and EAC) are being asked to complete a new application for membership consideration. As a result, all existing AC membership terms will expire effective January 31, 2012.

Miree expressed that the subject of time commitment has been an issue with some of the Equity Advisory Committee members and it is his belief that this new directive is a timely change as well as a prime opportunity for all current members to re-assess their ability and interest in participating with this particular AC going forward. .

EAC Speakers Series

Allen Hopper is an Attorney and Policy Director with the American Civil Liberties Union (ACLU) where he oversees criminal justice and drug policy- with an emphasis on drug law issues and drug law enforcement specifically as it relates to racial disparities of drug enforcement around the country.

***Topic-**Racial disparities in drug law enforcement are one of the most shocking, and pressing, civil rights issues of our time. In the U.S. today, we imprison a higher proportion of African Americans than did South Africa under apartheid. Nor is the problem confined to the south, other more politically conservative parts of the country: recent data indicates that San Francisco has the highest racial disparity in drug arrests in the U.S. today. How did we get here, and what can be done about it?*

Featured Highlights:

- Hopper notes that most of the problems we see with the criminal justice system is exemplified and driven by the state of the on-going “war on drugs.”
- A major component which drastically affects this “war on drugs” is the level of “racial disparities” in the enforcement of these drug laws.
- Hopper referencing the above topic blurb expressed a great sense of “shock” at the level of African American males that are currently incarcerated in the United States which is far and above the **TOTAL** number of African males incarcerated in South Africa during the whole era of apartheid.
- San Francisco incarcerates more African American males for drug law crimes than any other county in the United States.
- Hopper illustrated his findings regarding the high level of racial disparities in drug law enforcement by comparing San Francisco with other cities across the country and SF and Seattle and San Mateo reflected rather disturbing trends in the level of African American males being incarcerated for drug law offenses. Hopper noted that the data which reflects such high numbers did not suggest that African American males used drugs more than any other community. In fact federal data or studies on the matter reflected that whites used and/or sold drugs at a level equal to that of the African-American community.
- Hopper believes that “racial profiling” is a factor in the high disparities in drug law enforcement and arrests.

- However Hopper notes that he believe the problem is systemic in our law enforcement departments (Police) because although a lot of people violate drug laws in the United States, it comes down to where (which communities), areas, or locations police are looking or more aggressively pursuing drug enforcement and it tends to be in low-income (poor) or poor “minority” neighborhoods where there is an obvious higher percentage of African Americans or Latinos.
- A report was drafted and lawsuit filed by the National ACLU, the ACLU in Washington State and the Public Defender’s Office in Seattle to look at and address the problem of racial disparities in drug enforcement. Hopper illustrated a point referencing the cover of the report which showed people of different ethnicities in a line up but African American men had a large magnifying glass over them to illustrate the magnitude of the disparity when it comes to securitizing African American males versus other individuals when it came down to drug law enforcement.
- As a part of the lawsuit, the ACLU was able to depose a number of Seattle police officers who initially asserted that their drug enforcement was driven by community members calling 911 reporting drug activities in their neighborhoods. However, after closer inspection it was learned that the Police had conducted a number of meeting they referred to as “Town Hall” meetings that were in poor and/or minority communities where the residents were “encouraged” by the police to call 911 if they saw any loitering or suspicious activities.....so of course there were an increase in the calls to 911 but these calls were not used to address “loitering” but give the Police Department “tenuous reasons” to go into these neighborhoods with an “alternative motive ” of drug law enforcement.
- ** Hopper illustrated another salient causative variable to this problem that stems from a federal funding source (Burn Grants/JAG Grants) which provides funding to local law enforcement agencies. These funds are “numbers driven” which mean success is determined by the number of felony drug arrests. Comparatively, San Francisco is “far and way” one of the recipients with the highest federal assistance monies in its copper. The problem here is that these grants provide law enforcement with a loophole by which to increase their arrest numbers by going after the lowest level offender. In some cases law enforcement officers have been known to work under cover offering individuals who look like that are under the influence of a certain drug or who seem to represent a particular “type” or profile to conduct a drug transaction with the promise of a cash and/or drug payment for their assistance. However then these low level offenders are usually arrested and prosecuted upon completion of the “sting.” The ACLU reviewed some of San Francisco’s applications for the federal monies and San Francisco specifically noted that it would go after low level offenders as a part of its efforts to secure this federal monies. The Public Defender’s office has complained that San Francisco is in violation of people’s constitutional rights when they go to such neighborhoods as the Tenderloin and conduct such “tactics” called “Buy Busts”.
- Hopper suggests that policy initiatives or public policy departments (i.e. HRC) are more instrumental toward changing these tactics or action than can be achieved via ligation.
- Hopper noted that by most accounts incarceration can be a “toxic” response to drug enforcement and argues that more jurisdictions should consider a pilot program being instituted by Seattle to use an “intake center” to address the “underlining causation of the offense” –somewhat of a re-entry program that happens at the tail end of the offense-“Pre-Arrest Aversion Program.” {Editor’s Note} Sounds comparable to San Francisco’s Community Court system and structure.
- The 700 cases that had to be dropped due to the SF crime lab investigation and infraction which did not result in a increase in drug offenses supports the argument that if we change the policy regarding prosecuting low level offenses it may better serve the overall war on drugs by seriously going after the “kingpins” or higher ups and perhaps would result in more positive assistance to communities of color.

Update and Status re Out Migration Implementation Strategy and Minority Youth Civic and Economic Empowerment Internship and Mentorship Program

Special Guest-Becky Lai, MSW- Associate Director Mayor's Youth Employment and Education Program (MYEEP)

The Equity Advisory Committee is looking to create a youth vocational and training program in an effort to provide a tangible, real and substantive response to the findings and recommendations of a number of equity reports that have been generated over the last two decades. The EAC is looking to work with MYEEP to provide in part funding for this program that would "link" minority youth to vocational opportunities with local "TECH" companies for starters. Furthermore, the EAC is looking to address the #1 issues found in all the equity reports which call for significant "City Leadership Buy-In."

Ms. Lai offered the EAC an overview of MYEEP and how it may be able to help the EAC in this endeavor. An information pamphlet was provided which covered the agency's mission, policies and process, including outreach and recruitment, objectives and program curriculum.

The Mayor's Youth Employment and Education Program (MYEEP) leverages the desire of young people to be employed to engage them in job readiness training, youth development, and educational activities. In addition to work experience, the program provides support to youth as they transition towards successful adulthood by strengthening their understanding of the connection between employment and education as well as the responsibility of adults to contribute positively to society.

MYEEP envisions a society in which every young person has the foundation, skills and opportunity to become a successful contributing adult member of their community.

MYEEP mission statement includes their commitment to:

- Be truthful to ourselves, our programs, and our youth to ensure that MYEEP values are reflected in our programs, and displayed by our staff and participants
- Appreciating youth for who they are, while providing them with the tools and opportunities to make informed choices in their lives
- Being open-minded and accepting of diverse backgrounds and cultures
- Supporting the success and personal growth of youth by working together to seek and share relevant knowledge
- Working with integrity and passion, while respecting our communities and enjoying the work that we do
- All youth have the right, ability and responsibility to succeed
- All program elements must have high, clear, and fair standards
- Every effort should be better than the last
- Life was meant to be fun
- Every person can contribute (both youth and adults!)

It was put forth that the EAC could look at a variety of private industry including law firms and architecture firms to link youth to vocational opportunities.

A question was put forth in reference to how Prop 209 would affect outreach. The effort does allow for targeting specific geographical communities and neighborhoods and as a by product would probably embrace the various "affected" communities this program is intended to assist.

Ms. Lai commended the EAC for taking on this very important mission

Azalia Merrell provided a brief update as to the task assignments of the work group that has been recently approved and created by the full EAC (August meeting 2011)

The work group is looking to:

Goals

- Providing a “profile” of companies the work group would like to target and companies who have an interest in hosting interns.
- Reviewing companies with a current or existing internship program and linking/connecting them with MYEEP or any other appropriate funding source to help off set the cost of placing an intern in a particular company.
- Reviewing census information related to Out Migration and the decrease of the affected population in San Francisco
- The work group will provide a “charter” to the EAC which will outline the goals and objectives of this effort.

EAC Membership Presentation- Elena Gil

Elena Gil is an Attorney with a law practice in San Mateo County where she works with cases related to domestic violence and immigration issues. Her firm also provides assistance related to housing and bi-lingual counseling services on a variety of other issues. Elena’s firm mostly concentrates on retraining orders and spends a lot of time in the Family Court System. Elena likes her role in this firm because she has greater latitude to “take on more” and she likes doing divorce cases as she did when she was with the Bay Area Legal Aid. Her law firm also partners with other legal service providers through out the Bay area. Elena enjoys working with her clients who are mostly mono-lingual Spanish speaking.

Elena highlighted her work addressing the special needs of domestic violence survivors. One of the issues that Elena is working on is ensuring that domestic violence clients are provided interpreters when trying to navigate the family law court system. Specifically these clients need to be able to fully understand their rights and the judgment or directives levied by the court in order to effectuate the positive and intended outcomes. This matter is most salient when dealing with custody issues and applying/enforcing restraining orders.

Another issue Elena is working on is establishing a prohibition against using one’s immigration status as a bar to services or legal protections or as a way to “incriminate” the plaintiff/client. Elena is committed to educating the “bench” as to the potential negative outcomes when immigration status is entered **against** a client. Also immigration status may preclude clients/victims from calling 911 if they believe that their status will be used against them.

Ms Gil noted how she will continue to advocate for greater immigration relief (via a U-VISA) because the faster said VISA is granted it affords the client the ability to expedite consideration for potential employment in order to take care of life necessities including getting a social security card, driver’s license, etc. This VISA also allows clients to become more self-sufficient so that they do not have to return to those volatile environments in which they fled in the first instance.

On a personal note, Elena is a salsa dancer and teaches dance. She also competes on the dance circuit. For more information on Elena’s dance group **COUTURE DANCE ALLIANCE** please visit <http://www.aguilardance.com/>

*Haute Couture is CDA's pro team and has quickly proven itself to be the Bay Area's top dance team. They have competed at the US Salsa Open, San Diego Int'l Salsa Festival, San Francisco Int'l Salsa Congress, and recently placed **1st in the Semi-Finals of the World Latin Cup.** Haute*

Couture is known for it's sharp and stellar technique, precise and intricate turn variations and footwork & world-class dance level.

“HRC Hero Awards” Recognizing Students and Community Organizations for their outstanding contributions to Human Rights Advocacy in San Francisco.

Due to time limitations this issue will be taken up again at the November 9, 2011 meeting.

EAC Membership Assessment and Committee Objectives Moving Forward-Retention and New Membership Recruitment schedule and process.

David Miree alluded to this item at the on-set of the meeting to provide some notice/awareness to the proposed changes in the event time lapsed. Due to the anticipated time lapse, this item will be taken up and members will have an opportunity to have this item addressed more fully at the November 9, 2011 meeting.

Announcements

None

Adjournment

The meeting was adjourned at 7:08 pm