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I. Message from Executive Director Theresa Sparks

In 2013, the San Francisco Human Rights Commission will begin planning for its 50th Year Anniversary. On September 13, 1963, Mayor George Christopher created a city-wide committee to develop a comprehensive plan, “for the elimination of all forms of discrimination in the community.” At that time, the primary forms of discrimination were in housing, employment, education and training. In 1964, based on the recommendations of this Interim Committee on Human Relations, Mayor John Shelley created the San Francisco Human Rights Commission to develop, “equitable and durable human rights policies for San Francisco.” It was only appropriate that 2012 proved to be the year the City and the Commission began reassessing our agency’s core values and restructuring the organization to bring it more in alignment with its original mandate.

After the transition of the Local Business Enterprise and Equal Benefits programs to the newly created Contract Monitoring Division in July 2012, HRC was able to once again refocus on its core competencies of enforcing the City’s non-discrimination ordinances, mediating community-based tensions, and exploring social policy initiatives targeted at populations of the City experiencing institutional discrimination.

In 2012, HRC’s Discrimination Complaints Investigation & Mediation Division responded to nearly 1800 inquiries, filing and investigating 105 formal complaints of discrimination on behalf of San Francisco residents seeking its assistance. The majority of these complaints addressed housing discrimination against people with disabilities. In addition, the Division developed and launched a new online discrimination intake, processing and tracking database.

2012 also saw HRC’s Policy and Social Justice Division taking on some of the most significant human rights issues currently facing our community, including: the need for and eventual creation of a community-driven, empowerment initiative to address the needs of our African American residents; the true impact of the "War on Drugs' on our residents; the negative consequences stemming from the disparate treatment of San Francisco residents formerly arrested or incarcerated with respect to employment and housing; the continuing discrimination faced by African, Arab, Middle Eastern, Muslim and South Asian communities in the Bay Area; the need for removing transgender-related exclusions in the City’s healthcare program; and the negative health impact and eventual discontinuation of the use of condoms as evidence in prostitution-related offenses. The Division also staffed HRC’s two standing Citizens Advisory Committees, the LGBT Advisory Committee and the Equity Advisory Committee, along with the San Francisco Collaborative Against Human Trafficking, the Regional Hates Crimes Coalition and the LGBT Aging Task Force.

In 2013, HRC will continue to explore new partnerships, develop closer relations with the community and find new, innovative approaches to confront both historic forms of discrimination, as well as new ones brought on by the always evolving complexity of today’s world. San Francisco, with its wonderfully diverse neighborhoods, enlightened civic participation and worldwide reputation as a beacon of progressive thought, continues to lead the nation in the development of new ways to address contemporary issues. To that end, HRC is honored to continue, as it has for the last 50 years, to serve as the conscience of the City, insuring that our San Francisco values are fully cherished, protected and integrated into all of our daily lives.
II. Agency History and Governing Laws

The San Francisco Human Rights Commission ("HRC") provides leadership and advocacy in securing, protecting and promoting human rights for all people. For nearly 50 years, HRC has grown in response to San Francisco’s mandate to address the causes of and problems resulting from prejudice, intolerance, bigotry and discrimination. HRC has the good-faith and commitment of San Francisco’s leaders to be an independent voice of human rights protection for all people and, again and again, leads the way on groundbreaking initiatives in the realm of human and civil rights. To that end, HRC:

- Advocates for human and civil rights;
- Investigates and mediates discrimination complaints;
- Resolves community disputes involving individual or systemic illegal discrimination; and
- Provides technical assistance, information and referrals to individuals, community groups, businesses and government agencies related to human rights and social services.

The roots of HRC go back to 1964 when the modern day civil rights movement manifested in San Francisco through demonstrations against hotels, supermarkets, drive-in restaurants and automobile showrooms that discriminated against African Americans. In early 1964, Mayor John F. Shelley appointed an Interim Committee on Human Relations, which subsequently recommended to the Board of Supervisors that a permanent Human Rights Commission be established. In July 1964, the Board of Supervisors passed the recommendation, and Mayor Shelley signed an ordinance establishing the Human Rights Commission. From 1964, the Human Rights Commission grew in response to City government’s mandate to address the causes of and problems resulting from prejudice, intolerance, bigotry and discrimination. The Mayor and the Board of Supervisors gave the Human Rights Commission more and broader powers and duties to address these problems, and passed additional ordinances, which were implemented by the Human Rights Commission. In June 1990, the voters of San Francisco established the Human Rights Commission as a Charter Commission. Today, HRC performs its Charter mandated obligations and duties pursuant to the following City ordinances and laws:

San Francisco Charter
- Article IV, Section 4.107: HRC as a Charter agency

San Francisco Administrative Code
- Chapter 12A: Powers and Duties of HRC
- Chapter 12B: Non-discrimination in CCSF Contracts
- Chapter 12C: Non-discrimination in CCSF Property Contracts
- Chapter 12H: Sanctuary City Ordinance
- Chapter 12N: LGBT Youth Sensitivity Training

San Francisco Police Code
- Article 33: Non-discrimination in Housing, Employment and Public Accommodations
- Article 38: Non Discrimination based on HIV Status
- Article 1.2: Non Discrimination in Housing against Families with Minor Children

Learn more about HRC at: [www.sf-hrc.org](http://www.sf-hrc.org)
III. The Commission

The Mayor of San Francisco is authorized to appoint up to eleven Commissioners to help develop policy at the HRC and serve as the liaison between HRC and the community, the Mayor and the Board of Supervisors. HRC’s current Commissioners are:

DOUGLAS S. CHAN • SUSAN CHRISTIAN • SHERYL EVANS-DAVIS • MARK KELLEHER • FAYE WOO LEE • TODD MAVIS • NAZLY MOHAJER • MICHAEL G. PAPPAS • RICHARD PIO RODA • MICHAEL SWEET

Message from Commission Chair Michael Sweet

The past twelve months have witnessed significant changes at the Human Rights Commission. The transition of the Contract Monitoring function from HRC to the City Administrator’s office has created an opportunity for the Commission to re-focus its efforts on the core civil rights work for which it was originally founded. We can take advantage of this opportunity to reflect on the Commission’s original mission as we begin preparations for our 50th anniversary celebration in 2014 and map out our course for our second half-century.

In my five-plus years on the Commission, I have always been impressed by the hard work of our dedicated staff. Every year, the tireless individuals of HRC convene or facilitate dozens of meetings in our communities, create dialogue amongst conflicted groups and probe into the prescient policy issues that keep the HRC on the forefront of civil rights organizations across the country. At the same time, HRC’s Discrimination Division staff ensures that the “desk work” at HRC is not neglected. By investigating discrimination complaints and responding to other public concerns on a daily basis, the Discrimination Division staff is the backbone of our organization and the face of HRC to the general public.

Looking forward to 2013, HRC’s Policy Division, under the guidance of the Commission and in conjunction with HRC’s Citizen Advisory Committees, will continue to explore social justice issues currently affecting various communities in San Francisco, including the LGBT, African American and Immigrant communities. In addition, 2013 will mark the beginning of three new key projects for HRC’s Discrimination Division, including the establishment of a “Discrimination Complaints Intake Internship Clinic” in which college and law students can learn how to intake and process discrimination inquiries and complaints; a “Discrimination Complaints Outreach and Training Program”, whereby HRC will open rotating outreach centers in communities where HRC is most needed, such as Visitation Valley, Excelsior, Mission, Tenderloin and Chinatown; and a “Human Rights Matrix” for businesses in San Francisco, a point-based, multi-faceted index or matrix by which to measure and score the due diligence of businesses with regard to a broad range of human rights issues important to the residents of San Francisco.

Martin Luther King, Jr. once said “Human progress is neither automatic nor inevitable... Every step toward the goal of justice requires sacrifice, suffering, and struggle; the tireless exertions and passionate concern of dedicated individuals.” These are precisely the attributes that define not only the individuals who represent the HRC, but also the residents of San Francisco whose endless passion for social justice and change help make San Francisco one of the greatest and most progressive Cities in the world.
IV. Citizen Advisory Committees

Citizen advisory committees are an integral and vitally important component of the HRC, providing for community involvement and opportunity for in-depth study and exploration of issues. The role of the advisory committees is to provide advice and assistance to the Commission by developing and examining ideas and issues within the jurisdiction of the Commission. Learn more at: http://sf-hrc.org/index.aspx?page=195

The LGBT Advisory Committee

The LGBT Advisory Committee (LGBTAC) was established in 1975. The Committee provides assistance and advice to the Commission regarding discrimination against the LGBT communities, advocates for the civil rights of persons with AIDS/HIV, and educates the LGBT communities about a diverse range of issues that impact their communities. Learn more at: http://sf-hrc.org/index.aspx?page=15

LGBTAC Key Accomplishments in 2012

In 2012, the LGBTAC and its work groups held close to 60 meetings - many of which were conducted throughout San Francisco - to address various issues facing LGBT youth, seniors, and adults living in San Francisco.

LGBT Aging Policy Task Force

On May 24, 2012, the San Francisco Board of Supervisors passed unprecedented legislation establishing, what is now one of the first LGBT Aging Policy Task Forces in the nation. The creation of this historical Task Force was the direct result of the LGBTAC’s two-year efforts to address issues affecting LGBT seniors and to create a structure to bring their voices to City governance. Over the next 18 months, the LGBT Aging Policy Task Force - a joint collaboration by the Mayor’s Office and the Department of Aging and Adult Service - will make recommendations to the Board of Supervisors on how to improve the quality of life for LGBT seniors in San Francisco and address their unique needs. Find out more at: http://sf-hrc.org/index.aspx?page=201.
**LGBT Housing Workgroup**

In 2012, the LGBTAC housing work group provided specific policy recommendations to address issues faced by homeless and marginally-housed LGBT community members, with a focus on transgender shelter residents. The recommendations included amending shelter training manuals, developing tools to track LGBT complaints, and providing transgender awareness training to shelter residents and shelter staff. The LGBTAC presented the recommendations to the Shelter Monitoring Committee and is currently working with city agencies to implement them.

**LGBT Youth Workgroup**

The LGBTAC continued its efforts to empower LGBTQ youth and ensure that they are receiving quality services at school to better promote healthier lives. To that end, LGBTAC members met with the San Francisco Unified School District to look at implementation of a resolution to increase support for LGBTQ students.

**Beyond Castro Series -District 10 and the Mission District**

Seeking to reach out to LGBT in communities outside of San Francisco’s Castro district, the LGBTAC continued its “Beyond Castro” work in 2012 to advocate for programs and services that meet the specific and unique needs of the LGBT community in the Bayview, the Mission, and the Tenderloin.

As a result of community meetings in the Bayview, LGBT Bayview residents and allies recommended a D10 LGBT/Straight social group, intergenerational activities between LGBT elders and youth, D10 LGBTQ youth services, LGBT/Straight alliances in senior homes, and an increase in the number of LGBT welcoming churches and religious spaces.

In addition, the LGBTAC held a meeting at Community United against Violence (CUAV) in the Mission District to examine the issues facing many undocumented, marginally-housed and/or monolingual LGBT residents in the Mission and Tenderloin Districts. During the meeting, participants identified the needs of a community often excluded from the mainstream LGBT agenda.
The Equity Advisory Committee

EAC Key Accomplishments in 2012
With more than 12 meetings throughout the year, the EAC addressed a wide range of social justice issues and concerns facing San Francisco residents each and every day.

EAC Speaker Series
2012 saw the launch of the “EAC Speaker Series” – a platform for bringing community members and social justice experts into EAC meetings. To date, speakers have included Pecolia Manigo, Policy Director with Coleman Advocates, who gave a presentation on what her organization is doing to address the achievement gap between minorities and non-minorities, and various speakers from the Family Service agency, who provided insight on the reasons why San Francisco seniors are facing economic insecurity.

Silver Tsunami Workgroup
In 2012, the EAC’s Silver Tsunami workgroup met with city service providers and community members to identify the needs of San Francisco’s seniors; increase collaboration between all organizations working with seniors; and create broader awareness of the challenges of aging in San Francisco. In addition to inviting various speakers to attend and present at EAC meetings, the workgroup created and disseminated a survey to senior service providers, including SF Department of Aging and Adult Services, Community Living Campaign, Meals on Wheels San Francisco, Planning for Elders/Senior Action Network, and the Bernal Heights Neighborhood Center. This data was then analyzed and reported to the HRC commissioners.

Setting the Agenda: Issues Facing LGBTQ Elders of Color
In conjunction with the National Center for Lesbian Rights, the LGBTAC and the African American Leadership Council, the EAC hosted “Setting the Agenda: Issues Facing LGBTQ Elders of Color,” a groundbreaking meeting that brought together representatives from nearly two dozen government agencies and organizations to discuss key issues and obstacles facing LGBT seniors of color. The event provided a forum for LGBTQ seniors of color to talk about their experiences in advance of the appointment of 15 members to the newly formed San Francisco LGBT Aging Policy Task Force.

Re-entry Workgroup
In 2012, EAC’s Reentry workgroup commenced interviewing academics and law enforcement representatives with the goal of creating a community survey on attitudes towards persons with conviction records. This survey will be used to create a curriculum and facilitate seminars.
Education as a Human Right Workgroup

In an effort to identify where the achievement gap amongst San Francisco students is the lowest, EAC’s Education as a Human Right workgroup examined San Francisco student’s 3rd grade reading levels – the single greatest indicator of high school graduation – and depicted its findings in a simple to understand, visual representation. In so doing, the workgroup hopes to refocus efforts on San Francisco’s most underserved kids and identify some of the most deeply rooted causes of low achievement levels in their communities.

Image available at:
HRC 2012 “HERO” Awards

Reestablished by HRC’s Equity Advisory Committee in 2012, HRC’s HERO awards recognizes local “unsung heroes” for their outstanding contributions in the field of human rights advocacy and local organizations whose programming advances equity in education for youth in vulnerable communities throughout San Francisco. Nominees are submitted by the community; finalists are selected based on their demonstrated commitment to human rights, community service and fostering positive change in and throughout the City’s diverse and multicultural communities.

**HERO Legacy Award for Lifetime Achievement in Human Rights Advocacy**

**Reverend Amos Brown**
Pastor, Third Baptist Church and President, NAACP (San Francisco Chapter); 2009 Mayor’s Task Force on African American Out-Migration.

**Aileen Hernandez**
Civil Rights Activist and Chair, 2009 Mayor’s Task Force on African American Out-Migration.

**Doris Ward**
Former County Supervisor and Assessor; 2009 Mayor’s Task Force on African American Out-Migration

**Espanola Jackson**
Southeast Community Facility Commission and Community Icon.

**HERO Award for Outstanding Contribution in Human Rights Advocacy**

**Jose Romero**
Bayview Hunters Point Community Activist and LGBT Youth/Diversity Advocate

**Karena Franses**
MSW, LCSW- Social Worker, Compassion Specialist and Advocate for persons living with HIV/AIDS

**HERO Award for Outstanding Contribution toward Equity in Education**

**The Omega Boys Club Leadership Academy**
Provides academic development and life skills education, including college preparation and scholarship support serving youth in marginalized communities in San Francisco.

**Japanese Community Youth Council (JCYC) Educational Hub**
Assists low income youth that have the potential to be the first generation of their family to graduate from high school and enroll in a program of postsecondary education.
V. Collaboratives and Coalitions

HRC is proud to staff and/or participate in various multi-agency collaboratives and coalitions representing a broad array of government and non-government agencies all working together toward common, mutually agreed-upon goals involving issues of human rights and social justice.

SF Collaborative against Human Trafficking (SFCAHT)
Learn more at: http://www.sf-hrc.org/index.aspx?page=175

The San Francisco Collaborative Against Human Trafficking (SFCAHT) has a membership of over 30 agencies representing a broad array of nongovernmental organizations, government agencies, law enforcement agencies, service providers, educators, and community members. In 2012, SFCAHT coordinated various events for human trafficking awareness month, hosted a panel discussion on Prop 35, the Californians Against Sexual Exploitation (CASE) Act and published the 2013 Directory of Services for Survivors of Human Trafficking.

Coalition against Hate Violence (CaHV)
Learn more at http://www.sf-hrc.org/index.aspx?page=130

HRC staffs the San Francisco Coalition Against Hate Violence (CaHV), which is comprised of a broad array of government and non-government agencies committed to ending hate incidents and hate crimes in San Francisco. CaHV meets quarterly to share information, allow for networking opportunities among members and to develop educational programs and outreach opportunities to combat hate incidents and hate crimes. In 2012, CaHV hosted a forum entitled “Even one is Too Many” which gathered panelists from the San Francisco District Attorney’s Office, All of Us or None, the Anti-Defamation League and the religious community to discuss the occurrences of hate violence and sustainable methods of stemming hate violence.

Coalition for Safe San Francisco (SafeSF)
Learn more at http://www.safesf.org/?page_id=95

HRC works closely with the Coalition for a Safe San Francisco (SafeSF), a growing grassroots alliance dedicated to protecting the civil rights and civil liberties challenged by overbroad national security policies. SafeSF seeks to end racial, religious, and ethnic profiling and harassment by local and federal law enforcement agents in the City and County of San Francisco through community organizing, education, and policy and legal advocacy. In 2012, the SafeSF’s efforts culminated in the unanimous passage by the Board of Supervisors of the Safe San Francisco Civil Rights Ordinance, which was then signed by San Francisco Mayor Ed Lee in a public ceremony on May 9, 2012.
VI. The Discrimination Complaints Investigation & Mediation Division

HRC’s Discrimination Division investigates and mediates complaints of discrimination and non-compliance in employment, housing and public accommodation, as prescribed by City policy and jurisdiction. In addition, the Division is charged with implementing the Sanctuary City Ordinance by assisting the public in filing, mediating, and investigating complaints of non-compliance with the ordinance. Learn more at: http://sf-hrc.org/index.aspx?page=196

Discrimination Complaints Intake and Investigation Process

Discrimination Complaints by Type
- Employment Discrimination
- Housing Discrimination
- Public Accommodation Discrimination
- Sanctuary City Ordinance Enforcement

Protected Classes under SF City Law
- Age
- Disability
- Familial Status
- Gender Identity
- Height / Weight
- National Origin / Ancestry
- Place of Birth
- Religion / Creed
- Race / Color
- Sex
- Sexual Orientation
- Source of Income

Discrimination Division Staff

Mullane Ahern, Program Compliance Officer
Mullane Ahern is the Program Compliance Officer for HRC’s Discrimination Complaints Investigation and Mediation Division. Prior to joining the HRC in 2010, Ms. Ahern worked for the DC Office of Human Rights as a Compliance & Training Manager and Investigator. While in DC, she was trained by national and local experts in various areas of non-discrimination, including HUD and EEOC. Ms. Ahern holds a BA in Spanish from the Catholic University of America in Washington, DC.

Lupe Arreola, HRC Representative
Lupe Arreola holds a BA in Native American studies from UC Berkley and joined HRC in 2008. Ms. Arreola has been a housing activist for over 10 years. She is the former Director of Counseling Programs at St. Peter’s Housing Committee and has served as a member of the Lead Poisoning Citizens’ Advisory Committee. Ms. Arreola is currently on the Board of Directors of Tenants Together and is a contributing author to “Dialogos: Placemaking in Latino Communities.”
Discrimination Division 2012 Calendar Year Performance Data

In 2012, HRC received 1766 inquiries of possible discrimination in housing, employment and public accommodation. Despite a continuing reduction in staffing and resources, HRC was able to counsel each complainant either by phone or in person, provide them with guidance and, where appropriate, refer them to agencies better able to address their needs. Of the 1766 inquiries received, 105 led to HRC filing formal complaints on behalf of the complainants. As demonstrated below, more than 60% of the complaints filed by HRC were predicated on discriminatory actions in housing. Further, the protected class raised more frequently than any other was that of disability, which represented more than one half of all protected categories raised.

For a quarterly breakdown of all activities by HRC’s Discrimination Division, please go to: http://sf-hrc.org/index.aspx?page=173
In 2012, the HRC worked closely with Firmstep to develop a web-based application to maximize the effectiveness of services provided by the Discrimination Division throughout the complaint process. This centralized information-sharing system is a transformative tool for HRC investigations, increasing the efficiency with which we approach, track, and monitor data related to discrimination complaints.

The cloud-based system is used to record all data for HRC discrimination complaints throughout the entire case progression, from the initial point of contact through case closure. The user-experience is interactive and guides staff through the interview of HRC Complainants, prompting HRC staff to gather information conditionally based on data input. For example, depending on the theory of discrimination that HRC Investigators select and apply to a case, various questions will populate in the database in order to obtain the most relevant information and evidence needed. The database enhances the HRC focus on legal theories of discrimination and the evidence needed to prove or disprove every claim of discrimination. Each issue raised in an investigation is addressed with the most comprehensive and thorough approach possible through the intake interview, development of an investigative plan, and issuance of a determination in the case.

The improved capacity to track, monitor, and report information related to claims of discrimination enables the City and County of San Francisco to better analyze activity in employment, housing, and public accommodations. In turn, the HRC can effectively identify patterns and trends in these areas, and collaborate with employers, housing providers, city contractors, and other businesses to address any problematic findings. Additionally, with the implementation of this technology, the HRC reduces the consumption of resources for each case file by becoming as “paperless” as possible. Documentation can be uploaded and directly stored in the database, and HRC correspondence can be generated directly from the application. The benefits of this project for the Human Rights Commission and the City and County of San Francisco will make a lasting difference for many years to come.

* * * * *
VII. The Policy & Social Justice Division

HRC's Policy & Social Justice Division collaborates closely with other governmental agencies, community based organizations and members of the community to address a wide range of civil rights and other related social justice issues affecting the residents of San Francisco. For more information, visit: [http://sf-hrc.org/index.aspx?page=197](http://sf-hrc.org/index.aspx?page=197).

Policy & Social Justice Division Staff

**Zoë Polk, Policy Coordinator**

Zoë Polk is a California licensed attorney with a BA degree in government from Georgetown University and a JD from St. John's University School of Law. Ms. Polk oversees the enforcement of the Sanctuary City Ordinance, the HRC Law Clinic and HRC's initiative to reduce discrimination based on prior convictions. She is also the lead Coordinator for HRC's Equity Advisory Committee (EAC). Before joining HRC, Ms. Polk focused on federal civil rights litigation and taught law at UC Hastings and the East Bay Community Law Center. In addition, Ms. Polk has worked for the National Democratic Institute for International Affairs and served as a consultant to the UN Special Representative to the Secretary General for Children and Armed Conflict.

**David C. Miree, Policy Coordinator**

David C. Miree has a BA in Political Science from the University of Tennessee/Knoxville, an MPA in Public Administration and a J.D. from UT College of Law. Mr. Miree has served as counsel to clients from marginalized communities at both administrative and trial levels. Mr. Miree joined HRC’s Policy & Social Justice Division in 2011 and is the lead coordinator for the agency’s African American Community Empowerment Initiative (AACEI). In addition, Mr. Miree manages HRC’s communications and media relations. Prior to joining the HRC, Miree served as the Deputy Director of Communications and Deputy Director of Public Affairs for the City and County of San Francisco Mayor’s Office.

**Nadia Babella, Policy Coordinator**

Nadia Babella is a California and Florida licensed attorney with a BA degree in philosophy from U.C. Berkeley and a JD degree from UC Hastings. Ms. Babella’s primary areas of focus are LGBT rights, post 9/11 racial and religious profiling, criminal justice reform, and human trafficking. She is also the lead Coordinator for HRC's LGBT Advisory Committee (LGBTAC). Prior to working at HRC, Ms. Babella taught law and worked as an immigration attorney. Ms. Babella has also worked as an adjudicator with the San Francisco Asylum Office. Throughout her career, Ms. Babella has strived to address the roots of discrimination and bring the voices of community coalitions to policy makers.

**Taranee Moayed, Budget & Fiscal Policy Coordinator**

Taranee Moayed is a New York State licensed attorney with a BA in political science from University of Pennsylvania, a JD from Yeshiva University’s Benjamin Cardozo School of Law, and an MBA from University of Virginia Darden School of Business. Ms. Moayed is responsible for overseeing and reporting all matters related to HRC’s budget and departmental performance data. She is also HRC’s lead coordinator for SFCAHT and the LGBT Aging Policy Task Force. Prior to joining HRC, Ms. Moayed was an employment law attorney at the New York City law firm of Schwartz & Perry, an Associate Director of Structured Finance at Standard & Poor's, and a business management consultant to small-businesses in the Bay Area.
In 2012, HRC’s Policy & Social Justice Division addressed a wide range of issues affecting the civil rights of San Francisco residents, including, the “out-migration” of African Americans in San Francisco; the need for Sanctuary City Ordinance outreach and training, the need for sensitivity and cultural competency training for City employees working with or making decisions affecting youth; the impact of the “War on Drugs” on San Francisco residents, particularly persons of color; the impact of anti-Islamic ads on the AMEMSA community; the use of condoms as evidence of prostitution-related offenses; and the barriers to entry that exist in housing and employment for persons with prior convictions.

2012 marked a remarkably active year for the Policy & Social Justice Division, whose staff collectively:

- **Issued 9 resolutions & letters of support.**
- **Mediated 4 issues** stemming from intergroup conflict.
- **Served as advisors** to City agencies, Board of Supervisors and non-profits on more than 20 social justice issues.
- **Hosted 18 education, training & awareness events.**
- **Attended 32 education, training & awareness events** by others.
- **Convened more than 100 public meetings,** forums or hearings, many of which involved reoccurring Commission, Advisory Committee and Collaborative meetings staffed by HRC, others of which involved meetings sponsored by HRC in the Community to address issue unique to each community.
- **Researched and analyzed more than 20 policy initiatives** and social justice issues presented to the Commission.
- **Released more than 10 publications.**
African American Community Empowerment Initiative

San Francisco has always been touted as a City that celebrates diversity as a cornerstone of life. However, for some of the City’s residents - namely African Americans - this popular sentiment has been regarded as unsubstantiated rhetoric. Consequently, a large segment of the African American community in San Francisco believes that the City has failed to recognize and embrace this community’s vital contributions to its socio-economic landscape and its world-renowned multicultural mosaic.

In 2012, HRC formally spearheaded the African American Community Empowerment Initiative to specifically address, prevent and remediate the negative impact of the “out-migration” of the African American community in San Francisco and finally implement the findings and recommendations of numerous reports, spanning more than two decades, which examine the parity of the African American community in San Francisco.

The African American Community Empowerment will ensure greater inclusiveness and representation of the African American community at the policy and decision-making level where the community is disproportionately impacted and foster the retention of African Americans to San Francisco, a city renowned for its diverse and multicultural landscape and its commitment to the inclusion of all its ethnic communities toward the City’s overall economic viability, industry and commerce.

Next Steps

- Establish a city-wide cultural competency and sensitivity action plan to counter the popular sentiment that San Francisco does not embrace or support the African American community at the same level of other ethnic communities in the City.
- Provide San Francisco’s minority-youth with an economic, civic and vocational focused internship and mentorship program by which to groom them to become leaders in their communities.
- Develop a mechanism whereby City leaders can properly inform the African American community of any potential action plans that advance the City’s commitment to implement the recommendations found in the various equity and disparity reports.
- Create policy-impacting opportunities for African American community stakeholders to experience the behind the scenes methodology by which public policy is created.
- Find means by which to direct greater resources to community benefits organizations and non-profits that can assist in the development and economic growth of the African American community.
### African American Community Empowerment Initiative 2012 Achievements

#### The African American Leadership Council ("AALC")
As a result of the 2012 African American Community Empowerment Initiative, the African American Leadership Council (AALC) was formed in 2012 to serve as a conduit between the African American Community and City government and to create measures by which to address “Black Flight”, improve the quality of life for African Americans in San Francisco and ensure that the needs of this community are being heard.

#### BOS Hearing to Address Plight of African American Youth in the San Francisco School System
HRC has long advocated for more efforts on the part of City leaders to recognize education as a human right. In 2012, HRC’s African American Leadership Council, in conjunction with HRC’s Equity Advisory Committee, worked to develop strategies to effectively address the historical disproportionality of African American youth represented in school suspensions, expulsions and the achievement gap. At the request of HRC’s AALC, San Francisco Board of Supervisors Christina Olague, Malia Cohen and David Campos spearheaded a joint hearing between the City and SF Unified School District on September 27, 2012 to specifically address these issues. As a result of this hearing, HRC’s AALC will be working with the BOS and The Joint School District and City Select Committee — comprised of three school board members and three city supervisors — to form a Education Task Force to look at the disparities in the achievement gap related to African-American Students in the SFUSD.

#### Summer Youth Mentorship Program
In 2012, HRC, in conjunction with Mo’Magic, HRC’s Equity Advisory Committee and the African American Leadership Council, hosted a summer long “brown bag” lunch series for underserved youth participating in summer internships with the City. The program was intended to provide youth from some of the City’s most vulnerable communities with the vital skills needed to be successful in today’s highly competitive job market. “Giving young people job opportunities is among my highest priorities,” said Mayor Ed Lee. “This mentorship program supports my San Francisco Summer Jobs + Initiative, which is investing in our youth, giving them valuable job skills and preparing our next generation of leaders.

#### Civic Engagement Tracking Tool
A 2012 comparative analysis of all the equity and diversity reports conducted from 1993-2009 concluded that greater civic engagement between city leadership and city departments with the African American community was essential toward implementing the reports’ recommendations. As a result, the African American Leadership Council created a “tracking tool” which details the various community recommendations outlined in the reports and identifies the city department best suited to enter into a working collaborative with the community to effectuate implementation and tangible outcomes. This tool will also assist in monitoring the responsiveness and accountability of the city agencies as well as the progress and status of the various projects.
HRC is charged with enforcing Chapter 12N of the SF Administrative Code which requires all City departments to provide LGBT sensitivity training to any staff who has direct contact with youth or whose work directly affects youth. In 2012, HRC collaborated with the San Francisco Youth Commission, Department of Public Health and Bayview Hunters Point Center for Arts Technology to create a web based module whereby City staff could obtain LGBT sensitivity training as required by City law.

HRC is charged with working with all City agencies, community organizations and non profits to raise awareness about SCO and its enforcement. In 2012, HRC worked with SFPD and community advocates to provide input on the SFPD's training on the Sanctuary City Ordinance. Since the training was last updated in 2003, HRC worked with all parties to draft more current applications of the ordinance and provide clear example of skills officers can rely on in lieu of asking immigrants about their immigration status.

Established in 2011, the HRC Law Clinic Project serves as a joint collaboration between HRC and law schools to teach law students how to intersect their passion for law with their passion for social justice. HRC works with students on projects that employ a wide range of strategies in affecting legal policies, including grassroots lobbying, education, and social media.

The first culmination of the HRC Law Clinic Project was a public hearing held on April 12, 2012 on “The Human Rights Impact of the War on Drugs”. Working with HRC staff, Hasting law students Noah Frigault and Azadeh Zohrabi researched the impact the national War on Drugs has had in San Francisco through various meetings with community leaders, criminal justice experts, persons with drug convictions and direct service providers.
Historic Milestone toward Equality for San Francisco’s Trans-Community: The Removal of Transgender-Related Exclusions from the Healthy SF Program

The transgender community has long faced discrimination in accessing health care. The historical exclusion of the transgender people was driven by a general dislike and animus toward gender nonconformity, which discounted the identities of transgender people. The denial of transgender identity resulted in health care coverage exclusions that denied coverage for any treatment related to gender transition, including mental healthcare, hormone therapy, and surgical procedures. As a consequence of both past and present discrimination against transgender people, transition-related medical care, including surgeries, is often dismissed as “cosmetic,” despite the medical community’s universal acceptance of such procedures as medically necessary effective treatment.

Until 2012, the Healthy SF program explicitly excluded services related to sexual reassignment surgery. Although some healthcare services were provided to transgender people under the program, some other necessary and transitional related services were not. To maintain the City’s role as a model for health care equality, HRC worked with Supervisor Weiner, DPH, Transgender Law Center and the Health Council to bring Healthy San Francisco in line with the City’s anti-discrimination ordinance and eliminate the transgender exclusion from the Healthy San Francisco program.

As a result of these joint efforts, the San Francisco Board of Supervisors voted unanimously in July 2010 to recommend that the exclusions be removed. In so doing, San Francisco became the first city in the nation to enact this type of comprehensive healthcare for its uninsured transgender residents.

“I would like to commend the City’s Health Commission, Department of Public Health and District 8 Supervisor Scott Wiener for their contribution in advancing equity in healthcare and healthcare access for the City’s Transgender Community. I’m also proud of the work of the HRC staff whose advocacy helped to spearhead the initial dialogue regarding removal of the exclusions. The HRC (Agency) looks forward to working in partnership with DPH to ensure that transgender people in San Francisco are afforded the same level and quality of healthcare that otherwise would not have been possible in light of the discriminatory nature of the exclusions. This is a groundbreaking advancement toward equality for the Trans-community and the LGBT community at large in San Francisco. Along with the vital efforts of the Transgender Law Center, the HEALTH Council, and State Assemblyman Tom Ammiano, the primary author of the health access ordinance, this victory has fostered a renewed confidence that San Francisco embraces and supports its Trans-community while also re-affirming the City’s commitment to the inclusion of all its diverse communities when providing services and programs geared toward improving the quality of life its residents.” - Theresa Sparks, HRC Executive Director, commenting on this historic accomplishment.
Since 9/11, AAMEMSA (Arab, African, Middle Eastern, Muslim, and South Asian) communities have raised concerns of discriminatory, overbroad national security policies which result in profiling and surveillance without reasonable suspicion of individuals, mosques, and political organizations. The purpose of this initiative is to promote fair and equal treatment of AAMEMSA communities, address overbroad national security policies and lessen inappropriate questioning based on race, religion, national origin, and other protected categories.

In 2012, in response to advertisements which called Arabs and Muslims “savages,” HRC worked with city departments and community advocates to respond to the negative effects caused by the ads. HRC met with a number of affected community groups and stakeholders and recommended that a community forum be held to provide a public space for AAMEMSA communities to express the impact of the ads on their communities, particularly in the context of the increases in Islamophobia and anti-Arab hate crimes. In addition, HRC worked with AAMEMSA community organizations to use the advertisement funds derived from the ads to research the extent of discrimination, hate-bias and Islamophobia experienced by AAMEMSA residents of San Francisco.

HRC will continue this work in 2013 and will host law school forum to discuss the various approaches to dealing with hate speech, the tension between First Amendment rights and protection from hate speech, and the role that human rights commissions can play in providing redress. HRC will also undertake an in depth study of how to balance First Amendment rights with the rights of communities to live in environments free of discrimination and hostility.
Use of Condoms as Evidence in Prostitution-Related Offenses

In 2012, HRC received complaints that sex workers were reluctant to carry condoms because the possession of condoms may be used as evidence of prostitution related offenses. Their fear of arrest overwhelmed their need to protect themselves from HIV, other sexually transmitted diseases and pregnancy. HRC also received complaints from transgender women who stated that they were profiled as sex workers and were randomly stopped and searched for condoms. Moreover, HRC was concerned that undocumented sex workers were especially reluctant to carry condoms for fear of deportation as a result of an arrest. The trends reported to Commission were not unique to San Francisco. In July of 2012, the Human Rights Watch issued report, “Sex Workers at Risk: Condoms as Evidence of Prostitution in Four US Cities.” San Francisco was one of the four cities featured in this national report.

In response to community concerns, HRC gathered key stakeholders to begin a dialogue to develop a city policy that balances law enforcement concerns with health and human rights concerns. The Human Rights Watch cosponsored the dialogue. Representatives from the Board of Supervisors, Offices of the Public Defender, Office of the District Attorney, San Francisco Police Department, Office of Citizens Complaints, Department of Public Health, Health Commissioners and Human Rights Commissioners attended. They were joined by SAGE Project and St. James Infirmary, community-based organizations that work directly with sex workers.

Participants presented their various viewpoints and discussed the competing interests. At the end of the dialogue, the District Attorney’s Office reached an agreement with the Public Defender’s Office to try out a pilot program in which condoms would not be used as evidence in prosecuting prostitution related cases. The District Attorney’s Office would agree not to use the presence of condoms as evidence in prosecuting their cases and conversely the Public defender’s Office would agree not to bring up lack of condoms to defend their cases. The San Francisco Police Department stated that as soon as the District Attorney’s Office decided not to use condoms as evidence, they would have no reason to include them in arrest reports.

Results

On October 31, 2012, the Office of the District Attorney issued a stipulated agreement with the Office of the Public Defender to discontinue the use of condoms as evidence in misdemeanor cases involving charges of prostitution, for a 90 day trial period ending in December 31, 2012. In 2013, the Human Rights Commission will convene another roundtable discussion to hear from city agencies and community based organizations about the effects of this policy and to explore extending it.

HRC congratulates the Office of the District Attorney and the Office of the Public Defender for working together to improve the lives of San Franciscans and for their willingness to explore innovative, harm reduction approaches as they secure public safety.
Reducing Barriers for Persons with Prior Arrest and Conviction Records

On April 14, 2011, HRC supported a legislative proposal to reduce barriers for persons with arrest and conviction records, noting that doing so is a key factor in decreasing recidivism. Throughout 2012, HRC has held numerous public forums and personal meetings with a wide range of stakeholders – including apartment associations, landlords, small business owners, advocates, labor leaders and city departments - regarding this groundbreaking initiative.

The role of Outreach and Education

In February 2012, Sandra Johnson, a San Francisco resident, contacted HRC to learn more about HRC’s advocacy on behalf of persons with arrest and conviction records. Ms. Johnson informed HRC that after working for 5 years at Keolis Transit America, she was fired because of her criminal background. Keolis is a company under contract to Veolia Transportation, SFMTA’s paratransit broker.

According to Ms. Johnson, during the 5 years she worked at Keolis, she only used 3 days of sick leave, and received a bonus for working longer hours when the company was experiencing worker shortages, and was named employee of the month in October 2011. Ms. Johnson stated that on the date of her termination, she showed up for her 5:45 am shift and was informed that she was being terminated because of her criminal background. Ms. Johnson indicated that she was confused by this because the company had known about her criminal history since her start date in 2007. Moreover, she had been working with “Clean Slate” to expunge her convictions and had successfully done so on many of them. She indicated that her supervisor advised her that she could seek unemployment to which she replied “I don’t want unemployment. I want to work.”

As part of HRC’s commitment to educate stakeholders about barriers persons with arrest and conviction records face when it comes to accessing housing and employment, HRC reached out to Keolis on behalf of Ms. Johnson. Keolis responded that they were required to terminate Ms. Johnson pursuant to their interpretation of SFMTA guidelines. In response, HRC reached out to SFMTA requesting that they verify the standards Keolis attributed to them. SFMTA responded by investigating the matter and, in so doing, determined that Keolis’s interpretation of SFMTA’s guidelines as the basis for terminating Ms. Johnson were not accurate. SFMTA also concluded that it would have been prudent to apply an exemption clause to Ms. Johnson in light of her excellent and clear commitment to her work.

While HRC has no jurisdiction to enforce non discrimination against persons with arrest and conviction records, its continued work to educate city partners and contractors on this issue has made a difference in people’s lives.
VIII. Looking ahead to 2013

In 2013, HRC will build on many of its initiatives from 2012, while continuing, as it has always done, to address new issues affecting the civil rights of the San Francisco residents as they arise. Below are only some of the major undertakings HRC expects to successfully undertake over the next 12 months.

Establish a Discrimination Complaints Intake Internship Clinic

HRC receives more than 1900 complaints of discrimination per year. Although HRC will only have jurisdiction to investigate and mediate a portion of these complaints, its staff must nevertheless provide some degree of case management, counseling, guidance and/or referral with regard to each and every individual contacting HRC – whether by phone or in person.

Beginning in January 2013, HRC’s Discrimination Division in conjunction with the Policy Division will launch and implement a Discrimination Complaints Intake Internship Clinic consisting of 3 to 5 college and law students per semester. The students will learn to intake and process discrimination inquiries and complaints under the guidance of a staff member. With multiple stations under the supervision of one staff person, HRC’s intake capacity should increase substantially.

Establish a Discrimination Complaints Outreach and Training Program

Beginning in 2013, HRC’s Discrimination Division in conjunction with the Policy Division will launch a formal outreach program whereby HRC will become more accessible to the community it serves. Specifically, HRC will seek to open rotating outreach centers, each open one to two days per month, in communities where HRC is most needed, such as Visitation Valley, Excelsior, Mission, Tenderloin and Chinatown.

The outreach and Training Program will allow residents in these communities to have greater accessibility to HRC, while re-emphasizing HRC’s role in the communities it serves. In addition, HRC will provide regular training to San Francisco residents, landlords and business owners with regard to knowing and understanding their legal rights under the City’s anti-discrimination laws so as to prevent discrimination before it occurs.

Amend California Fair Employment and Housing Act (FEHA)

In 2013, HRC staff will work with the Mayor’s Office Legislative Committee to explore the possibility of amending the California Fair Employment and Housing Act (FEHA) to allow city and counties such as San Francisco to enforce stronger local antidiscrimination laws in a manner substantially equivalent to Federal anti-discrimination laws. Such an amendment will allow HRC to co-occupy this field with the State and, in so doing, become eligible to receive federal funding for its anti-discrimination services.

Develop a Human Rights Matrix for Businesses

In 2013, HRC will begin to devise a point-based, multi-faceted index or matrix by which to properly measure the due diligence of businesses with regard to a broad range of human rights issues important to San Francisco residents. Once developed, HRC will work with various stakeholders to determine means by which to test and, eventually, implement the index.
**LGBT Advisory Committee Projects**

- Examine and address issues specific to the LGBT Deaf and People with Disabilities Populations in San Francisco.
- Capitalize on the national momentum regarding Comprehensive Immigration Reform and ensure the inclusion of LGBT immigrant issues in emerging legislative proposals.
- Identify, educate and create a LGBT community response to current economic climates.
- LGBT credit union, credit cards, long-term fiscal planning workshops for all economic levels.

**Equity Advisory Committee Projects**

- Conduct focus groups to gather data on workplace harassment and violence experienced by low income and immigrant women; present findings through a public forum and written publication.
- Collaborate with OCEIA, SFUSD and DCYF to develop a communication, publicity, and outreach plan by which to increase enrollment in DACA.

**African American Community Empowerment Initiative Projects**

- Hold a Youth City Leadership Forum with SPUR.
- Hold regular educational “Know Your Rights” legal clinics in various SF communities.
- Hold a Youth Mentorship/Internship Orientation and Speaker Series in the Spring and Summer of 2013.
- Participate in an Education Task Force for Youth of Color.
- Enhance community empowerment and economic development via “Commercial Incubator Zones.”

**AAMEMSA Communities Projects**

- Undertake an in depth study of how to balance First Amendment rights with the rights of communities to live in environments free of discrimination and hostility.
- Study the extent of discrimination experienced by AAMEMSA communities in San Francisco.

**“Reducing Barriers for Persons with Prior Arrests and Convictions” Projects**

- Work with small business owners and the Small Business Commission to educate businesses regarding how to hire the most qualified applicants for job openings.
- Work with advocates, city partners and policymakers to solicit recommendations for legislation to reduce discrimination against persons with prior arrest and conviction records.
- Continue to work with law enforcement to set up sustainable policy changes.

**Anti-Trafficking Projects**

- Explore the possibility of enacting a Citywide ordinance similar to the “California Transparency in Supply Chains Act of 2010.”
- Sponsor various anti-trafficking forums and panels throughout the year.
- Participate in a one-day Child Sex Trafficking Conference by SFCAHT, the purpose of which will be to bring together Bay Area professionals who, by virtue of their work and/or industry, interact with children on a routine basis. Attendees will seek to identify, develop and implement better policies – both internal and external to their organizations – as they set out to combat child sex trafficking in the Bay Area.