

City and County of San Francisco



Gavin Newsom
Mayor

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Small and Micro Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Theresa Sparks
Executive Director

Lesbian Gay Bisexual Transgender Advisory Committee Minutes of the August 18, 2009 Meeting

Committee Members Present: Jane Aceituno, Alex Baty, Bart Broome, Samer Danfoura, Bill Doggett, Mark Dunlop, Justin Jones, Dominique Leslie, Mark Murphy, Joseph Peralta, Poonam, Lindasusan Ulrich, Brad Vanderbilt.

Committee Members Absent: Commissioner Cecilia Chung (excused), Commissioner August Longo (excused), Justin Jones (excused), Paul Klees, Amos Lim (excused), Allison Laureano, Martin Rawlings-Fein (excused), Vaughn Villaverde (excused).

Staff Present: Nadia Babella, Larry Brinkin, Theresa Sparks, Domenic Viterbo.

Guests Present: Matthew S. Bajko, David Ferguson, Jeff Foote, Ben Hayes, Jen Hecht, Kyriell Noon, Cosgrove Norstadt, Jason Riggs, Michael Scarce, William Woods.

1. **Call to Order and Roll Call:**

Mark Dunlop was asked to facilitate the meeting in the absence of both Commissioners. He called the meeting to order at 5:35 p.m. Nadia Babella called the roll.

2. **Public Comment For Items Not On The Agenda:**

There was no public comment.

3. **Approval of July 20, 2009 Minutes (Action Item):**

This item has been tabled until next month.

4. **Introduction of New Executive Director, Theresa Sparks:**

Theresa Sparks said she's very excited to be at the HRC. One of the reasons she's here is to help reenergize the agency and make it relevant, current, and have it become more involved in the community. Her intent is to raise the profile of human rights issues. As an advocate, as a protagonist, as to stimulate discussion and dialog, this is what the HRC does and what we're chartered to do. She will try to attend as many AC meetings, or part of meetings, as possible. She is a former member of the committee as well as Chair of the committee, and a former Commissioner. She was the Chair of the Issues Committee as well. After Labor Day, the HRC is going to publish a newsletter – its first one in a long time - informing the community of the goings on at the agency.



25 Van Ness Avenue
Suite 800
San Francisco
California 94102-6033



TEL (415) 252-2500
FAX (415) 431-5764
TDD (415) 252-2550
www.sfhrc.org



5. Presentation: Sexual Network Interventions: Human Rights Considerations of HIV Prevention Campaigns (Discussion Item):

Michael Scarce, a medical sociologist, has been doing HIV prevention work for 15 years. To his understanding, tonight's discussion would address issues related to social and sexual networks and the human rights implications and his presentation will address those implications within an ethical, scientific, and community context. There's emerging academic theory that looks at trying to use networks to understand the whole range of complexity of human behavior including social and sexual behavior. So rather than simply looking at societal structures, hierarchies, or organizations, networks are really about looking at the patterns of relationships between them. Looking at things like pathways, connectedness, conduits, trust, exchanges, reciprocity, cohesion, influence, and keeping in mind when it comes to social networks, they're dynamic, fluid, and ever-changing. Even though a network, technically, is comprised of a number of people, it's really a focus on the relationships between those people. While networks can be pathways of infectious disease, they're also conduits for community, culture, friendship, care giving, emotional support, political organizing, etc. He personally believes that it's important to remember this with respect to our shared history that gay, bi, and transgender men have spent generations building and maintaining networks as lifelines of survival and pursuing equality. These networks were relied on heavily especially given that so many of the traditional institutionalized networks have failed us. We hear often that when queer youth come out, their families kick them out or abandon them, they are excluded from churches, etc., and have found creative ways to construct their own networks to replace those that are lacking. He asked that venues such as bars, sex clubs, cruising environments, gay gyms, public parks, etc., any place where gay men might congregate, be looked at and to think of them used in some new ways. Just as Harvey Milk's camera store was more than just another retail shop in the Castro, it was also the site of a lot of political organizing. Similarly, bars, sex clubs, and other gay venues are more than just watering holes or places to hook up sexually. Social and sexual networks, he believes, are inseparable for gay, bi, and transgender men. They're also important within a scientific and research context because when citing sexual network studies, many of those studies have targeted mainly heterosexual populations. He believes that sexual networks have a different meaning for gay, bi, and transgender men since gay sexuality is such a fundamental part of our identity, development, struggle, and love for one another. Researchers are thinking if networks have so much power, how might they be able to tinker with them in ways to achieve the outcomes they desire? In respect to Stop AIDS Project, they do a lot of cutting-edge HIV prevention work both on the national and international levels and some of their work can be experimental. In 2006, they submitted a grant proposal with the goal of reducing disassortative mixing which is defined as sexual partnering between people that differ by factors such as sexual risk history, HIV status, ethnicity, socio-economic status, and age. The idea was that the more different kinds of people in terms of risk that are coming together to meet socially and having opportunities to hook up for sex would allow an infectious disease to propagate quickly and more extensively throughout the broader population. If those people could be siloed or segmented according to their risk behaviors, then you may be able to contain and stem the tide of the epidemic in the broader population. Mr. Scarce sees this as the flipside of a long-held HIV prevention tenet from 1986 in which "AIDS is what you do, not who you are", that it's your behavior that puts you at risk and not your demographic traits. In 2006 a study that was done on serosorting offers a twist on that tenet: "It's not what you do, it's who you do." These quotes talk about the fragments of sexual networks to prevent HIV infection and that connect high- and low-risk individuals. Risk is frequently mapped under categories of behavioral, bodily, and cultural difference rooted in histories of oppression, discrimination, and hierarchies of power. These are what make "at risk" populations "at risk." High-risk profiles are actually subject to the values of the culture from which they originate. In the 1980s and 90s, gay men who've applied for health insurance would find out that they were being turned down because they had a San Francisco zip code or if they listed their profession as, say, a hairstylist. Health insurance companies coded these individuals as gay and must have HIV and are high-risk. Risk profiling can include stigmatization, segregation, discrimination, violence, and the health impacts based on dividing, sorting, and categorizing people can include depression, substance use, non adherence to medication, and other factors that contribute to HIV transmission. When it comes to intervening, there has been no large-scale mapping of San Francisco LGBT networks. So to intervene with a network would be like pushing vs. pulling people apart. He wants to point out that freedom of choice is not the same as freedom of opportunity and that denying people access to the full range of available options is a fundamental violation of human rights. Has there been any harm done? He believes so, but there is a unique opportunity to prevent a great deal more harm from happening. He feels that we've lost sight of the ultimate goal of HIV prevention which is to prevent sickness and death at the cost of neglecting other health concerns. Already attempts to implement these interventions have been institutionally sanctioned by a number of government institutions and more are under way. He is passionate about it because of where he was in 2003; he wouldn't be here today had he not been able to mix with low-risk men who gave him housing, compassion, food, support, and the resources he could not, or was denied from accessing

from existing institutions and social services. Lastly, he believes that the struggle for human rights cannot succeed if we do not "lift as we climb", a historical term meaning that as each of us, organizationally or individually progress in making our lives better, we have a responsibility to reach down and pull up those who do not have that opportunity.

Kyriell Noon, Director of Stop AIDS Project, said that he has a great deal of compassion for Mr. Scarce, a former employee, and agrees with many of the concerns he raised; however, he takes offense at his systematic attempts to discredit the Stop AIDS Project. Stop AIDS Project was approached and asked to defend their work and their position and have done so. Mr. Noon said that community members reported feeling manipulated by Mr. Scarce. At tonight's meeting, Mr. Scarce accused Stop AIDS Project of pulling people apart by demographic characteristics like race and age. This simply is not true. Within the past year Stop AIDS Project hosted and facilitated intergenerational dialogs called "The Harvey Milk Talks" which capitalized on the success of the movie "Milk" and got older gay men to share their experiences of that time with younger men. They've also facilitated a series of talks called "UB2" which addressed the pervasive use of racist and ageist language in online profiles and cruising sites. They also run support groups for sero-discordant couples to help them work through issues. The truth is that they, as a staff, are engaged in the work of HIV prevention because they're also community members, people who are infected with or affected by HIV. All staff and volunteers are community members and their goal is to prevent HIV infection and help build healthy, strong communities that collectively will help fight HIV. They've been scrupulous in their examination of the ethical issues raised by Mr. Scarce and have continually asked these questions of themselves. To date, no structural intervention has been implemented by Stop AIDS Project in any arena.

Jen Hecht, Education Director, said that the study was written in 2006 which has since been modified. It was an exploratory study and no structural intervention has taken place. Their focus was on getting feedback from community members to see what types of interventions might make sense. They had nearly 100 ideas compiled from interviews that were later refined in focus groups and then put out in a survey. A comprehensive set of guidelines was created to help them think through these ideas. The structural intervention they are currently pursuing is trying to increase the access to free water in bars. The goal of this structural intervention is to come up with ideas that customers of specific venues will want to engage in and venue owners will want to implement to help reduce new infections. Criteria were developed to help guide them in determining what interventions would be best appropriate. The first part of the study was taking information collected on an ongoing basis during outreach, looking at the information for venues that would be appropriate to look at more closely. Said venues are places where they found equal numbers of high- and low-risk men congregating. They went to those venues, talked to venue owners and patrons, did over 36 interviews that were over an hour each with patrons, compiled ideas, walked them through focus groups then put the results together in an online survey in which people who did not work or volunteer for HIV service organizations participated in the study. Sexual networks are sexual relationships between people. These networks help describe what is going on in the community that they would not otherwise know about. Sexual networks have been used specifically in venues for this study which has helped them understand where they should be doing their work. Structural interventions are activities. Community building and social supports to name a few. Each network has its own set of characteristics and certain interventions may be more appropriate for some networks than others. An example of a structural interventions type was adding fluoride to drinking water which helps reduce the likelihood of getting cavities. An example pertaining to HIV is having a policy to have free condoms available at sex clubs. Large interventions may include broad issues like racism and ageism and poverty and smaller interventions may be more focused and work more at a local level. They've learned that gay, bi, and transgender men are more likely to want interventions based on behavior - whether they were into safe sex vs. unsafe sex practices - than about HIV status. They also like having controlled interventions such as an email reminder from a website to take an STD test and being able to choose when to get that reminder.

Jason Riggs, Assistant Director, described the structural intervention they're currently conducting as a small intervention. He pointed out that structures are all around us: they are economic forces, global forces, social forces, etc., and the question is whether these structural interventions/forces in our community, city, and country are totally acceptable. He feels that the status quo is not acceptable and the approach of the individual to fend for him/herself is not an ethical way for us as a community to take care of each other. One of the lessons learned as queer people in a civil rights movement and as first responders in the epidemic is that we collectively have the ability to reshape the structural factors impacting our lives. He believes that looking at HIV transmission through an individual by individual lens is antithetical to social justice and human rights frameworks; we need to look at larger patterns and structures. HIV prevention and community health forces can and should be a part of social and economic justice. By doing so on a larger structural intervention level, they can succeed.

The panelists entertained questions from the members.

Mark Dunlop said that the subcommittee will arrange to meet again taking information into its discussion and let everybody know if more information vetting is needed; all members will be emailed of the time and date of the meeting.

6. Approval of a letter to KCBS protesting their interviewing an anti-gay leader regarding the presentation of the Presidential Medal of Freedom to Harvey Milk:

Mark Dunlop reported hearing on a KCBS radio report in which news anchor Melissa Culross said that Harvey Milk was honored by being given the Presidential Medal of Freedom, posthumously. After comments made by the President and Supervisor Mark Leno, Randy Tomasson, president of SaveCalifornia.com, had the last comment by saying that "Harvey Milk led a life that was not admirable or honorable." Mr. Tomasson neither supports the President's honor of Harvey Milk nor the creation of Harvey Milk Day. Mr. Dunlop feels that with such stunningly offensive remarks, we need to make a statement of our own since this is our history, our legacy, and if we were to leave it to people like Randy Tomasson, we'd have no future. The letter points out that there's a need for balanced reporting, but since this was the awarding of a medal, this was not part of any same-sex marriage or policy debate. They need to review what balance is in news reporting. If this was a report on same-sex marriage, though we may not agree with Mr. Tomasson's views, he has a voice. On this particular issue, adding Mr. Tomasson's comment was inappropriate and insulting to our community and to Harvey Milk's memory. It would be like asking a white supremacist to comment on an award to Martin Luther King. Harvey Milk is an LGBT icon and we need to speak out; the right wing always does and so it's very important to make a statement. This letter would be expressed by our Commission.

Bart Broome asked that the sentence in the third paragraph that reads "State Senator Mark Leno, who actually knew Harvey..." be amended to say "State Senator Mark Leno, who's advocating for the designation of a State day recognizing Harvey Milk" or words to that affect.

Larry Brinkin suggested including a sentence to say that the issue of marriage equality would be more appropriate to include opposing point of view instead of a story honoring someone's life.

Lindasusan Ulrich moved to approve the draft letter as amended. Brad Vanderbilt seconded. The motion passed unanimously.

7. Work Group Reports:

Youth Report:

Mark Murphy reported they have a few things they're focusing on for the next 12 months. Their biggest issue is looking at the 12N Ordinance that says that any youth-based organization that receives \$50,000 or more per year in funding from the City must undergo sensitivity trainings around youth-related issues pertaining to the LGBT community. A staff member from the Youth Commission along with staff from DPH have formed a subcommittee and are having discussions on how to escalate/elevate this City ordinance. The second issue is the passing of the joint resolution with the Youth Commission which will be presented at the next School Board meeting in two weeks. Their next meeting is scheduled for Wednesday, August 26, at 5:30 p.m. at the HRC.

Outreach Report:

Mr. Broome reported that they talked about the groundwork in producing the alternative family relationships forum. The date of the forum is Thursday, October 29, at 6:00 p.m. The location is still being decided. They're looking at possible speakers and/or panelists to invite. Supervisor Bevan Dufty has agreed to attend; Senator Mark Leno and Assemblyman Tom Ammiano have been invited. They hope to have speakers and/or panelists who are perhaps estranged from their families, have no existing family, who are emancipated youth, seniors, LGBT people who are not partnered and advancing in age/life and the person(s) who'll be at their aid who isn't a blood relative or their child, but a friend who is not otherwise recognized. In terms of panelists they hope to invite a professor of sociology familiar with the subject, someone from NCLR familiar with the legal aspects, an elected official(s) willing to talk about the political

complexities and if it's the right time to talk about advancing this subject given the marriage debate, and someone who actually is in one of these types of relationships who can speak directly. Also people in the audience will be invited to speak under 'Public Comment' who can tell their story. They estimate that there may be about 50-100 in attendance at the forum. Their challenge now is to determine how effectively they can communicate the concept of non-spousal, non-parental, non-blood relationships that are still considered 'family' by the people who are in them and their rights on making hospital visitations, medical decisions, inheritance, etc. This is an opportunity for people in these relationships to share dialog and educate the greater community. The work group meetings are scheduled on the first Wednesday of each month.

Bisexual Invisibility:

Lindasusan Ulrich reported that the glossary of terms is currently being drafted and will be included in the report. Their next step is to look at which organizations to talk to and survey about services for bisexual people.

8. Commissioner Report:

This item has been postponed until the next meeting.

9. Staff Report:

Mr. Brinkin reported that among the many exciting ideas that would help improve the HRC on how it does business, Director Sparks will examine the entire structure of the HRC: its work structure, management, reporting, work assignments, etc.

He reported that natoyiniinastumiik (Holy Old Man Bull) was promoted to a Contract Compliance Office from a Representative. His promotion leaves a Representative position vacant that Director Sparks has pledged to fill. Additionally there are four other positions in the LGBTH Division that have been left vacant because of the budget crisis that has made the workload of the remaining staff difficult to manage.

The Board of the California Association of Human Relations Organizations (CAHRO) is working with a national group to look at changing the name and focus of the United States Civil Rights Commission to the United States Civil Rights and Human Rights Commission because a lot of people think of civil rights as changing the law, but see changing civil rights laws and getting victories in civil rights as the beginning of the struggle, not the end. There's so much involved in achieving equality that it crosses over to include human rights issues. They're working on a proposal to present to President Obama and Congress to make that change.

Mr. Brinkin announced that Director Sparks has pledged to continue the strategic planning effort that Chris Iglesias started. So far all is going well; lots of surveying, interviewing of staff and community members, and now areas of improvement have been identified, a staff retreat was held, and now a vision of the perfect HRC is in focus and the steps to get there have been developed. They're working on an implementation plan and hope to produce an actual plan by December.

10. Old/New Business:

None.

11. Announcements:

Brad Vanderbilt announced that Sister Bingo is happening tomorrow night at 7:00 p.m. Mark Murphy announced that Amos Lim was the AT&T Spotlight Person of the Week on 92.7. Donna Sachet announced that she's emceeding at an event at Trigger called "Forward March" where Lt. Dan Choi will be present to speak on "Don't Ask, Don't Tell."

12. Adjournment:

The meeting was adjourned at 7:35 p.m.