

HUMAN RIGHTS COMMISSION

City and County of San Francisco

London N. Breed, Mayor

Thursday, August 23, 2018

Regular Meeting Minutes

5:30 pm

City Hall #416

1 Dr. Carlton B. Goodlett Place

ROSTER OF COMMISSIONERS

Susan Belinda Christian, Chair

Melanie Ampon, Commissioner

Eva Chan, Commissioner

Hala Hijazi, Commissioner

Mark Kelleher, Commissioner

Maya Karwande, Commissioner

Jason Pellegrini, Commissioner

Abigail Porth, Commissioner

Michael Sweet, Commissioner

Joseph Sweiss, Commissioner

Sheryl Evans Davis, Executive Director

SAN FRANCISCO HUMAN RIGHTS COMMISSION
REGULAR MEETING MINUTES
AUGUST 23, 2018

Susan Belinda Christian	<u>Absent</u>
Michael Sweet	Mark Kelleher
Melanie Ampon	
Eva Chan	
Hala Hijazi	
Maya Karwande	
Jason Pellegrini	
Abigail Porth	
Joseph Sweiss	
Sheryl Evans Davis	

00:00:04 SUSAN BELINDA CHRISTIAN
Good evening. It is 5:40 p.m. on Thursday, August 23, 2018. And this is the regular meeting of the San Francisco Human Rights Commission. Mister Secretary, please read the roll.

00:00:18 COMMISSION SECRETARY
Chair Christian.

00:00:19 SUSAN BELINDA CHRISTIAN
Present.

00:00:21 COMMISSION SECRETARY
Vice Chair Sweet.

00:00:22 MICHAEL SWEET
Present.

00:00:24 COMMISSION SECRETARY
Commissioner Ampon. Commissioner Chan.

00:00:28 EVA CHAN
Present.

00:00:30 COMMISSION SECRETARY
Commissioner Hijazi.

00:00:31 HALA HIJAZI
Present.

00:00:33 COMMISSION SECRETARY
Commissioner Karwande.

00:00:34 MAYA KARWANDE

Present.

00:00:36 COMMISSION SECRETARY
Commissioner Kelleher. Commissioner Pellegrini.

00:00:40 JASON PELLEGRINI
Present.

00:00:42 COMMISSION SECRETARY
Commissioner Porth.

00:00:43 ABIGAIL PORTH
Here.

00:00:45 COMMISSION SECRETARY
Commissioner Sweiss.

00:00:46 JOSEPH SWEISS
Present.

00:00:47 COMMISSION SECRETARY
We have quorum.

00:00:49 SUSAN BELINDA CHRISTIAN
Thank you. And now I will call for public comment not on the agenda. This is a time for members of the public to address the commission on matters that are within the Commission's purview but not on today's agenda. I don't have any cards right now and not seeing any requests for public comment. Mister Secretary, would you please first note that Commissioner Ampon has joined us. And then read the next item on the agenda, please.

00:01:20 COMMISSION SECRETARY
Adoption of minutes, dated July 12, 2018.

00:01:24 SUSAN BELINDA CHRISTIAN
Colleagues, these were circulated, and I will entertain a motion. Commissioner Chan.

00:01:46 EVA CHAN
And to clarify, these are the minutes from August 9th? No. Yeah, they're--

00:02:03 SUSAN BELINDA CHRISTIAN
These are the minutes--they--they're listed as the minutes from July 12th. Let me go back and look at the last agenda. And my notes indicate that July 12th were adopted at the last meeting on August 9th. And so the Commissioner is correct that that should read August 9th.

00:02:33 COMMISSION SECRETARY

Okay.

00:02:34 SUSAN BELINDA CHRISTIAN
Secretary, could you please note that?

00:02:36 COMMISSION SECRETARY
Yes.

00:02:40 SUSAN BELINDA CHRISTIAN
Located at Tab Six. Commissioner Karwande.

00:02:57 MAYA KARWANDE
Motion to adopt the minutes.

00:02:59 SUSAN BELINDA CHRISTIAN
Thank you. Is there a second?

00:03:04 EVA CHAN
Second.

00:03:05 SUSAN BELINDA CHRISTIAN
Thank you, Commissioner Chan. Is there any commissioner comment or discussion on this motion? Any public comment on this item? Seeing none. Mister Secretary, please read the roll.

00:03:21 COMMISSION SECRETARY
Chair Christian.

00:03:21 SUSAN BELINDA CHRISTIAN
Yes.

00:03:23 COMMISSION SECRETARY
Vice Chair Sweet.

00:03:24 MICHAEL SWEET
Yes.

00:03:26 COMMISSION SECRETARY
Commissioner Ampon.

00:03:27 MELANIE AMPON
Yes.

00:03:29 COMMISSION SECRETARY
Commissioner Chan.

00:03:30 EVA CHAN

Yes.

00:03:32

Commissioner Hijazi.

COMMISSION SECRETARY

00:03:33

Yes.

HALA HIJAZI

00:03:35

Commissioner Karwande.

COMMISSION SECRETARY

00:03:36

Yes.

MAYA KARWANDE

00:03:38

Commissioner Pellegrini.

COMMISSION SECRETARY

00:03:40

Yes.

JASON PELLEGRINI

00:03:41

Commissioner Porth.

COMMISSION SECRETARY

00:03:42

Yes.

ABIGAIL PORTH

00:03:44

Commissioner Sweiss.

COMMISSION SECRETARY

00:03:45

Yes.

JOSEPH SWEISS

00:03:45

Motion passes.

COMMISSION SECRETARY

00:03:47

Thank you. And we'll move on to the regular business, please.

SUSAN BELINDA CHRISTIAN

00:03:52

Understanding the Needs of Immigrant Families in San Francisco, presenter Laura Sanchez and Sarah Gavigan from CARECEN, which stands for Central American Resource Center.

COMMISSION SECRETARY

00:04:03

Thank you, Mister Secretary. And, Ms. Sanchez, welcome.

SUSAN BELINDA CHRISTIAN

00:04:08

LAURA SANCHEZ

Hi. (Inaudible).

00:04:15

SUSAN BELINDA CHRISTIAN

Thank you. And if you could, use the microphone so that we capture your comments.

00:04:18

LAURA SANCHEZ

All right. My apologies. We are--we have two printouts for the commissioners to help kind of just follow the conversation and, of course, digest this very complicated subject matter. But first off, I would like to first thank you, the Commission, to allowing CARECEN to present. We are going to be focusing the conversation today on the family separations and tension issues that we have seen evolve since the current administration has taken office.

With that, we would--I'm going to--it's--since the nature of the subject matter is very complex, we're just going to kind of highlight key changes that we have seen and then from there talk about what San Francisco--how we're moving towards universal representation in immigration court and why that's so essential. And then my colleague, Sarah Gavigan, who is here with me today, will be doing a report back. She recently, about two weeks ago, went to represent--went to South Texas to the Port Isabel detention facility where she actually represented mothers who were separated from their children. So she will give a point of view of what we're seeing on the ground floor.

00:05:22

SUSAN BELINDA CHRISTIAN

Thank you. And we do realize that this is a broad and wide-ranging subject matter and appreciate your coming tonight to help us lay a groundwork of understanding so that we can build on that and understand who can we--how we can be helpful.

00:05:35

LAURA SANCHEZ

Perfect. Thank you so much.

00:05:36

SUSAN BELINDA CHRISTIAN

Thank you.

00:05:37

LAURA SANCHEZ

For those that don't know CARECEN, I'm just going to do a brief introduction on our agency. CARECEN is the Central American Resource Center. We were founded over 30 years ago by Salvadorian Nationals that fled El Salvador during the Civil War. At that point in time when they came to the Bay Area, they--our founders felt that the institutions that were servicing immigrants were not doing an adequate service of providing the specific needs for this population. And so there they created CARECEN. And of course, since then we have grown tremendously.

The immigration program which I will speak of originally was just an educational program. Of course, since then we have evolved tremendously. We are now a team of 10 strong team members. Half of our staff are immigration attorneys. The other half are

either accredited reps and/or senior paralegals and legal staff. The services that we provide are Removal, Defense and Immigration court. This includes individuals that are non-detained and individuals that are actually in a detention facility within Northern California. Aside from providing removal defense, we also provide affirmative assistance in individuals that want to do affirmative cases like naturalize, DACA, TPS, family petitions. We also serve those individuals.

And lastly, one thing we pride ourselves tremendously on is our open-door policy. We provide consultations for anyone and everyone that comes through our doors. We might not necessarily be able to take on their cases but, at minimum, we will provide a consultation. So when they leave our office, they will know if there's immigration options. And if there's not, why not.

And any of you, if you live in the Mission, if you go pass the corridor of Mission and Cesar Chavez, where we're located, you will literally see us--a line waiting outside our offices every morning starting around 8:30 to 9:00 for individuals that are just trying to get consultations. And our consultations are Monday through Friday. So we have seen a steady increase of demand for information and we think it's because people want to know if they're eligible for something. But, of course, there's a lot of information in the media, which is great, but a lot of that is very confusing for our population. So I think people are trying to decipher exactly what's reality and what's not reality.

Even though we are very happy for--and we love working at CARECEN, we realize we are only strong when we work in collaboration with others. And so one thing I do want to highlight is one of our collaborations, the San Francisco Immigrant Legal Defense Collaborative, which we are the fiscal lead. And it is a collaborative that's funded by San Francisco, where this is a collaborative that is, in particular, working towards universal representation.

We believe that everyone that goes before immigration court should have an immigration attorney by their side. And the reason is we see the dire effects of what happens when you don't have an attorney to represent you in these complicated matters. SFILDC, which is the acronym, consists of 15 organizations that are San Francisco based. Thirteen of the organizations provide direct representation and then two provide technical assistance. And since the creation of SFILDC, we have represented over 750 people in our San Francisco Immigration Court with their immigration proceedings. So just a little background on that.

And so with that, one way we have been leveraging SFILDC, and what I would like the commissioners to look at, is the handout that's colored. It's by, actually, one of the SFILDC partner's, which is KIND, Kids In Need of Defense. They provided this kind of succinct timeline of what this administration has been rolling out since they came into power. And I kind of just want to use this as a way to guide the Commission to just kind

of very stark changes that we've seen within our administration and what they've been rolling out as a way to guide our conversation. And then, of course, then I will hand it over to Sarah, who will talk to you of what she's been seeing on the ground floor.

In particular, when it comes to family separation, this administration publically, in March of 2017, stated that it was considering this as a new policy, as a deterrent policy. I would like the commissioners to know that even though this administration publically considered it in March 2017, our previous administration under President Obama actually also did consider it and, in one way or another, actually implemented it.

Prior--and under President Obama, and I think it's important to know, what we saw in the family separation context, we saw males being separated from family units mostly. So for example, a family would come of four, husband, wife and young children. The male would be detained, put in a detention center, and then the mother and the young children would be released. And then we all would remove--would continue forward in their immigration case, but the father would be not in the picture.

We know, under President Obama, as well they did also consider something to this level, what this administration had done, but did not do it. But when we were told this, especially in particular with the Central American children coming through the border, they were considering it for the same reasons, as a deterrent factor. So this isn't something new, unfortunately. Just this administration has done it incredibly well.

The conversation happened and--these conversations or the rumors started in March 2017, with this administration. At the same time, about three months later, we saw children that are unaccompanied, so unaccompanied children. Their releases started to slow down. I might get into the weeds of this, but children that come to our border that are unaccompanied, they are held in the responsibility of the Office of Refugee and Resettlement. And we call it ORR. We noticed a couple months later that their releases started to slow down. Like, it's considered in the best interest for these children to be released as soon as possible to a recognized guardian or sponsor, and we just noticed a slowing down in this processing. And we weren't quite sure what this was going to but we just noticed a shift.

Within that same month, we noticed that sponsors--so those that were--that were stepping forward to have these children, unaccompanied children, be released into their care, we noticed that ICE started targeting the parents or the family members or the adult members. So we saw the children being slowly released, and then we all of a sudden started seeing the guardians being targeted. So that was just a concern that we noticed and we had flagged. And the way that they were being targeted was either they were getting interviews by ICE and some of them were placing crimi--allegedly accused of human smuggling. But we just saw a shift in focus on them.

Within that--if you flip the timeline to this year, because I don't want to get too much in the weeds, this year early in March, we saw the Attorney General taken to his--within his powers to be, start to review three essential cases that are very important to those that are in removal proceedings. One of them recently made a lot of news, but it was whether someone could apply for asylum based on a particular social group. We use this argument a lot for those that are fleeing domestic violence and want to seek refuge in this country. And one of the arguments we use is they are members of a particular social group.

We--the Attorney General took this under his review. At this point, we knew that this was a sign that he would potentially be re-interpreting this case. We weren't quite sure what he was going to do, but it was very much a red flag for us. At the same time, he took under his review two other essential cases. The second one was whether immigration judges could administratively close a case.

So an immigration court is--or those that have the fortunate experience of dealing with immigration matters. Immigration matters take sometimes years to get resolved. And in immigration court, one avenue that we used to use as practitioners is ask the immigration judges to administratively close the case. So in legal purposes, it's almost like putting it to sleep until the immigration relief would come to fruition. Our Attorney General took this case that would allow the judges to make the decision under his review, and we saw this as a red flag of trying to end this as an option.

And then the third case he took under his review was whether and when immigration judges could give continuances. Again, for those that have exposure to immigration court, having a continuance in an immigration matter is incredibly important, especially for those that are still seeking counsel and/or waiting for an immigration benefit to come to fruition. Having matters extended or hearings extended is incredibly important so that the person can get the--hopefully, the immigration relief or the representation needed.

So in March, we saw our Attorney General take these cases under review, but we weren't exactly sure what he was going to do with them, in all practical matters. Right. From there right after that, we saw actual family separation start to happen. And that--it fits the same timeline on the left that we saw this starting to happen in April of 2018.

Within that same month, our ICE began to collaborate more with the Office of Refugee and Resettlement which, as I explained, is the office that's in charge with reunifying children that come unaccompanied. So ICE actually had an MOU--create an MOU with this same office, and we saw this as another avenue for them to continue to target sponsors. Then only a month later do we see family separation happen. Right.

And so this was concerning because we saw something coming along in the way of how--when we did family separation, aside from just the drastic effects that it had on families,

these children with--that were part of the family separation system that we had created were placed intentionally into the Office of Refugee Resettlement, which is--at the same time had just established an MOU with ICE to collaborate more with ICE. So the idea of just all these systems are being in place to make it harder and harder for people to be released and allowing ICE to get more access to information of those that are part of this system.

Within the family separation, of course, the Zero Tolerance policy was announced. So this, of course, made the headlines. That was part of the policy that started to criminally prosecute the adults in--because they had entered the country illegally or re-entered the country, quote/unquote, illegally. One thing I want to note with these criminal prosecutions, even though this made the news in May, this was something that this country actually had been implementing--had been implementing before this administration. We just have never seen it to the level that we have seen it now.

Due to several lawsuits and a lot of media attention, of course, family separation has ended. But now what we've seen is an increase in family detention. So now family units are being detained together instead of being separated. And, of course, that's not a real resolution to our issue because, as we know, or those that haven't--these are jails. Right. They're not accommodating. They're not, as someone said, summer camps for the children. These are, you know, jail environments for children and adults that--if those have been fleeing traumas, just helps re-traumatize them.

And so with that said, I just want to turn it over to my colleague, Sarah, who will discuss more points and then also talk about her experience in Texas. And I think the overall thing that kind of--even as practitioners, just to let you know, the one thing that kind of--we knew when this administration started that they had individuals that knew immigration law very, very well. And what we've seen systematically is that even if we can't--if they can't pass any harsh immigration laws in Congress, because it's not functioning, what they are doing is systematically attacking either certain systems that are in place or policies. But the whole idea with what we think is, with the motive, is to detain people more and, also at the same time, create this fear for those not to want to step forward if they're eligible for some type of relief or even fight out their cases.

And so even though laws have not changed in a way of how they're actually attacking the immigration system is, unfortunately, a very smart way they're going about it. And every day is changing. Every day there's a new announcement, you know, being announced within this administration. And from there we're trying to decipher as to actually how they will be implementing and how this will actually affect the immigrant community.

00:18:35

SUSAN BELINDA CHRISTIAN

Thank you.

00:18:41

SARAH GAVIGAN

Hello, everyone. Can you hear me okay?

00:18:43

SUSAN BELINDA CHRISTIAN

A little louder, please.

00:18:44

SARAH GAVIGAN

A little louder. Okay.

00:18:45

SUSAN BELINDA CHRISTIAN

Great.

00:18:45

SARAH GAVIGAN

Great. So, yes, as Laura mentioned, I also work at the Central American Resource Center. I am an immigration attorney there. I've been there for about three years. And for the majority of my time there, I've been part of the San Francisco Immigrant Legal Defense Collaborative, SFILDC. So I am one of the two attorneys within our office who handles cases under that grant from the City. And I do 100% what's called removal defense. And so--and that, as Laura mentioned, is removal defense refers to a case that is in immigration court where the government has started removal, or the other word could be deportation proceedings, against someone. And so that's--that's my work. I work with unaccompanied children and then also adults with children is sort of the technical legal term. It's just any parent who the government has put in removal proceedings with their children.

We--I do mostly--I work with people who are not detained at the moment but most of whom--some of whom have been in family detention centers. And then additionally, we're part of the American Immigration Lawyers Association, AILA. And through AILA, I'm the--one of the coordinators for pro bono detention trips to usually other parts of the country.

We've gone to a couple of the private for-profit immigration detention centers in Stewart, Georgia. Excuse me, in--it's called Stewart. It's in Lumpkin, Georgia. And then also the family detention center in Dilley, Texas. And then last--about two weeks ago, we went to--it's not a private for-profit detention center, but it's called the Port Isabel Detention Center, which is in the Rio Grande Valley in Texas near the--sort of the Brownsville, McAllen, Harlingen border areas. And the purpose of the trip, it was a week long, was to provide as much legal counsel or help as we could to parents who had been separated from their children and were detained in that detention center.

And so in terms of what we were seeing, although the family separation as a policy has supposedly ended, that doesn't mean that everyone has been released from detention to be reunited with their children. That's not happening. And so there were a number of people--we can't give you an exact number of how many people were still detained in that

particular detention center because ICE does not give a list of people who were there. So it's word of mouth, essentially. And--but it seems like at least 100, probably more. And so, yeah, it was a lot of fathers, actually. The detention center itself is women and men. So a lot of fathers who were still separated from their children who had come just with their children, perhaps not with a female member of the household but also women who were separated from their children.

And I will tell you it was a very frustrating experience. No one was released when we were there. Frustrating in the sense that what we saw was that many--it sort of ran the gamut in terms of where people were procedurally in their cases in terms of seeking asylum or protection. But you had people who had passed all of the required steps in order to be released and were just sitting there. So they had, you know, had an interview about their fear of whether that was credible, and they passed. And they had been sitting for weeks without possibility of release.

You also had people who had been moved from anywhere--like, it could have been two other detention centers they've been moved around in the last couple of months. Someone had been moved eight times in the last two months just among different detention centers, which is--can only be explained by sort of--it's a way for ICE, I think, to--and Department of Homeland Security to pad their budget, essentially, and say that they--you know, they needed to fly this person from here to here to here. When in reality, it wasn't--it's not necessary in any--for any reason.

And so you--but I--basically, big things that we saw were just lack of access of justice, lack of access to counsel, and lack of due process. So--and that was at all different stages of their cases. And so I would say most of the people that had already had gone through a few steps in their case, whether they have to go through a particular interview about their fear or whether they had even request--maybe that was a negative result, and they requested a review by a judge. At all of those steps, most--no one had had an attorney. And so you saw--we saw a lot of people who had gone through numerous steps without an attorney. And after I spoke to them for 20, 30 minutes, realized you absolutely qualify for asylum. If you had had an attorney at the first time you were supposed to talk to an official, we would not have--you wouldn't be here, you know, with all of these sort of negative decisions in your case.

And so it's just extremely clear that what would be beneficial is having an attorney throughout that process. It seems obvious. But people in immigration proceedings are not guaranteed a lawyer like they are in criminal proceedings, at government expense at this point, unfortunately.

And then also we saw--we saw the ICE officials tricking people into signing their own deportation. So you may have seen that in the news recently. I'm not sure. But there were forms that were the only--the only options given to them were being removed from

the country but just with your children or without. But when they were explained the form, the person explaining it would say, "If you're deported, choose the--you know, you would like to be removed with your children. If you're deported, would you like to be removed without them?" So many people thought it was just an in-case type of form when, in fact, it's asking to be deported. Yeah.

So we saw things like that, which is very frustrating. And, again, lack of due process, lack of recognition of people's rights. And then also just--which again is obvious, but being in a detention center at the point where you are fleeing violence and being expected to meaningfully participate in explaining why you deserve protection is very hard to do in a detention setting. And there's a real lack of consideration for those who have experienced trauma and how that affects their ability to participate in their proceedings.

So I will just--I don't know how much time we have. But I will just call your attention to the other report that we gave to you. It does say detaining families, and it's mostly focused on family detention centers, which differ from detention centers that just detain individuals without their children. But it does talk about both to a certain extent. So if you are interested, please do read the whole thing. And I think, as I have stated, for example, on Page 5 when it summarizes some of the findings, detained families should have access to government-funded counsel in immigration court. That's a real big one. And it gives statistics on how having an attorney really helps and why you don't actually need to detain people who are seeking asylum. And that other, you know, other interesting and seemingly commonsensical topics about why families, children, asylum seekers should not be detained.

So we're happy to take any questions.

00:26:52

SUSAN BELINDA CHRISTIAN

Commissioner Porth.

00:26:53

ABIGAIL PORTH

Thank you both for the work that you're doing. It's incredibly important. I have three questions. One is about the reports that we've heard in the news of children who still remain separated from their parents either because the parents have been deported or because the government has declared them ineligible for reunification. The second question is about any work that you're doing to assist folks who have been released into the Bay Area. And third, because we're here at the Human Rights Commission, I'm curious if there are ways in which you feel that the Human Right Commission can be in service to your work.

00:27:37

LAURA SANCHEZ

Do you know anything about the parents that have been deported--

00:27:38

SARAH GAVIGAN

Sure.

00:27:38

LAURA SANCHEZ

--and I can do two.

00:27:39

SARAH GAVIGAN

So if I understood your first question, it's about--you're just wondering what is going to happen with the children whose parents have been already deported.

00:27:50

ABIGAIL PORTH

And numbers, yeah.

00:27:51

SARAH GAVIGAN

Oh, and numbers. So I don't have the numbers offhand for you of how many that would be. I don't know even--the government has said they know where all of the parents and all of the children are and they have all of the information. I honestly doubt that. And because many people inside detention had a very hard time locating their children and then--and the opposite. So, you know, the Office of Refugee Resettlement is tasked with finding parents of the children, whether they are in detention or in another country or in the United States. And so they should--it should be--the information would have been available to them--readily available if the government really had the information as to where everyone was.

So, yeah, that's a--it's a tough question. And I think it's going to depend--I could go into the structure or the--sort of the way that ORR works. But if a parent is not available as a sponsor to get a child released from the care of Office of Refugee Resettlement, they go through a list of other possible adults that the child could possibly go live with. So it's just going to be case by case for a lot of those children, whether they have an older brother or sister, an aunt, an uncle, a family friend.

If they have exhausted that list, if the caseworker at ORR has exhausted that list and there is no one, there often is another option which is a federal foster care option. But the child has to qualify for legal relief to be eligible. And so you're going to see really young children unable to articulate their eligibility for relief. Meaning, like, are they afraid to go back, other things which usually an adult would help with. Excuse me. And so those--you're going to see those children being probably in detention for longer than they should be and then also potentially, it depends, could be removed from the country, depending on--depending on the circumstances. But, yeah, it's pretty case-by-case but hopefully there's another responsible adult able to take them. But what--we'll have to see. Yeah.

00:30:08

LAURA SANCHEZ

And I think--I just want to add with Sarah's comment. I think the targeting of the adults that are coming forward to get the kids reunified through the ORR process is concerning for us. Because now, for example, CARECEN has consult--people come to CARECEN

and other partners asking, if I am an ORR sponsor or I'm considering this for my cousin or nephew, whomever, what are my risks? And we literally have to assess the adults' risks. Do they have prior orders of removal? Is there anything criminal? Is there anything in there that we need to see that would kind of heighten or flag them to ORR that we now we know communicates with ICE. And so, of course, and all of this is incredibly intentional on the part of--

00:30:48

SARAH GAVIGAN

It has a chilling effect.

00:30:49

LAURA SANCHEZ

Has a chilling effect. It's very intentional in Department of Homeland Security. They're attacking the kids and then they're attacking those that could be held with the responsibility of holding--of, you know, taking care of these children.

With two, what we started to see but--and I have to check in with the other partners. But starting about a week ago, we started--at least through our consultation, seeing those coming through that had previously been separated from their minor children coming through our doors for consultations here locally. So we had just been waiting and seeing. Because those that have been released and reunified, I--they're--no one--originally--well, I don't know about every--but not--my assumption is a grand majority of them were not planning to stay in the Southern Western part of the United States. Right. So they--all these families, the ones that have been fortunate enough to be released will be relocating to various parts of the country, and some of them are starting to come through the Bay Area.

And then what could the Human Rights Commission do? I mean, of course, provides--continue to provide support and advocacy on institutions like SFILDC, collaborations such as--like SFILDC. These families will be continuing to come to our door. And of course, with that means they'll be asking for legal representation because their immigration cases are going to be moving forward. I think, and we're kind of curious of what you all think, how you guys can support this. But it's just not this issue, family separation. Right. There's a host of things that are happening that this administration even--it might seem like a particular area. But what we're seeing, it's like this web of things that they know are connecting which they are--have an intended target for.

So it might be family separation, but family separation didn't just start in April. Right. They had been laying the groundwork. And what Sarah had said with credible fear interviews being denied, I mean, the reevaluation of who qualifies for asylum law and whatnot, that happened. That was already in the process being rolled out by this administration months before that. So everything is, unfortunately, very interconnected.

00:32:46

SUSAN BELINDA CHRISTIAN

Can you talk a little bit about some of the legal actions that might still be pending attacking the policies of the government on due process grounds or anything, you know, legal action to stop the family separations from happening. I know that kind of lawsuit. But anything else that's going on that we might be aware of?

00:33:09

LAURA SANCHEZ

I'll let Sarah talk more about the one recent thing within the ACLU. I want to highlight that, and thank you so much for mentioning that, Commissioner. One great thing is-- even though sometimes, like, it's all gloom. But the one thing we do have are these courts. And we do have these great institutions like the ACLU and other partners that are coming forward and challenging this administration. And it's fascinating but that's kind of our saving grace at this point is a lot of things that this administration thinks that they can do legally, of course, they're not. But of course, that's not determined until an actual judge says it. But I mean, if you want to while we're here.

00:33:46

SARAH GAVIGAN

Yeah. I mean, I just have a little information on that about--in the last week, there was a temporary restraining order just stopping the government from removing or deporting parents who have either been separated and already reunified or are still detained and separated or who will be separated and a few other sort of iterations of that group of people. And so right now they're not supposed to be removing anyone. But again, like I said, what we saw on the ground is that that was--there was another temporary restraining order stopping the government from deporting people the week I was there. However, there was essentially a--unless they had knowingly and willingly agreed to be removed. And so with that form, they were getting around the lawsuit, they thought.

And so it's this game of, sort of, the ACLU and federal litigators are doing a great job at addressing some of these issues and getting the court to stop the government from removing people. But it's--you know, it's just playing a game of cat and mouse, essentially. Like, the government is doing something until it stops. So you have people who are falling through the cracks.

I will say also, regarding some of these forms that ICE is having people sign, I saw today that the American Immigration Council, which is affiliated with the American Immigration Lawyers Association--but it's a wonderful organization that brings impact to litigation and/or not necessarily litigation but they do policy advocacy. And so they are filing a complaint about the Department of Homeland Security regarding their use of tricking people into signing forms. And so hopefully that leads somewhere. But--so that's something to watch for. But I think--yeah, I think that's all that I'm aware of at the moment.

00:35:55

SUSAN BELINDA CHRISTIAN

Thank you.

00:35:56

LAURA SANCHEZ

And of course, just keep looking in the news because this will keep evolving because issues will continue to appear.

00:36:02

SARAH GAVIGAN

Yeah.

00:36:04

SUSAN BELINDA CHRISTIAN

Another question I had was, you know, when they first started--when there first started to be news reports about all these children who had been taken from their parents and the government could not say where they are, particularly in the context of family members who, you know, had stepped forward to take custody of these kids who were then released to them and then perhaps were targeted. The adults who took them were targeted by the government for immigration consequences, is the--is there a concern about trafficking of children? Loss. You know, basically the--it doesn't seem like the government can say necessarily today where a child is who is still separated from their parents who, let's say, were--they were placed with someone two years ago or something. Are they keeping track of the health and safety and welfare of these children whom they have purposefully separated from their parents?

00:37:08

SARAH GAVIGAN

No. No.

00:37:10

SUSAN BELINDA CHRISTIAN

Right.

00:37:10

SARAH GAVIGAN

That's the case for, essentially, any child who's released from Office of Refugee Resettlement care. Very few get what are called follow-up services. But once you're released to a sponsor, there is really no follow--there is really no follow-up. And so the child could move homes, for example, two weeks later and you're--there's no obligation to inform the Office of Refugee Resettlement. They--they're sort of done after they release the child to the adult. So in very few cases is there follow-up.

00:37:44

SUSAN BELINDA CHRISTIAN

Has that been attacked legally at any--yet? Or do you think that there is any legal ground for suing the government on that basis?

00:37:53

SARAH GAVIGAN

It's a good question. I will tell you, I--before I worked at CARECEN, I worked at the--at ProBAR Children's Project, which is the--again, in the Harlingen area in Texas. And it provides legal services to about 12 detention center--ORR facilities down there. And so one big concern of advocates of those children and youth is that when things slow down the process of reunification or when there's a chance that the person is going to be vetted to a point that they won't be able to get you out of ORR, the options for that kid at that

point are either stay detained for a long time or accept voluntary departure or deportation order.

So they're sort of competing interests, unfortunately. But I--so I--it would be wonderful though if there were a system that provided good follow-up services. I don't know if suing the government over that is the way to go or if it's more trying to increase funding for that type of service through Congress potentially. But it's something that's been thought about. But I think, for most people, it may have sort of also a negative effect in that it will leave children in detention for a long time.

00:39:08

SUSAN BELINDA CHRISTIAN

Mm-hmm.

00:39:09

SARAH GAVIGAN

So it's a tough one.

00:39:10

LAURA SANCHEZ

Yeah, and I think that's important, especially now since we know ORR is collaborating with ICE. Right. And so in that sense, it--one of the unintended consequences are just again sponsors were not--maybe not be more willing to come forward if they know ICE is tracking these children. Right.

00:39:29

SUSAN BELINDA CHRISTIAN

Mm-hmm.

00:39:30

LAURA SANCHEZ

An idea if it were with an entrusted agency that would really want to do wraparound services for the wellbeing of the child.

00:39:41

SUSAN BELINDA CHRISTIAN

Commissioners, are there any other questions or comments at this time? And I think it goes without saying that this is--this is a human rights issue at base and throughout. You know, clearly, the way that the government is proceeding violates principles--established principles of human rights on so many levels. And we will--as I said, this is a beginning for us to try to wrap our hands around the basic aspects of the problem and begin to think about how we can be useful and what kind of work we should be doing with people in the community and with government agencies. And perhaps--so I don't know if you have any thoughts about that right now. But certainly this is an ongoing question for us. And we do look forward to staying in touch with you about this and, in future, do plan to have a joint meeting or two with the Immigrant Rights Commission. And so, hopefully, we might be able to call on you again with that.

00:40:43

LAURA SANCHEZ

No, I think we would definitely welcome it. We are very privileged to be in the Bay Area in San Francisco. And I know we spoke a lot of what CARECEN does. But I mean, a lot

of the other agencies that are part of SFILDC have been on the ground floor and trying to do more systematic institutional changes, especially in trying to challenge this government on a federal level in court cases. So when those conversations happen, we have centered gender refugee studies that's located here that's hosted at UC Hastings. They're keeping tabs on the cases that are moving forward regarding domestic violence and how this administration is trying to change that as an option and relief.

KIND has been very active on the separation of family and especially what's going on in the countries of origin in Central America. And that also reminds me, and I completely forgot to talk about it, but one of our job--one of our aspects of CARECEN is to not just talk about immigration on a domestic level. We know people--there are a lot of push factors that force individuals to come to the United States to seek refuge. And so also having that conversation, that transnational issue and--I don't know what space that would be. But talking to the governments and of other countries and, you know, what makes people have to come here. And so I think that's also a very important, you know, piece of this. Because until that's addressed, we will continue to have these issues here in our--within our country.

00:42:05

SUSAN BELINDA CHRISTIAN

You mentioned Hastings doing something, you know, through an initiative that was started by Vice Chair Sweet when he was chair of the Commission a number of years ago. We have interns--have had interns from UC Hastings Clinic. And so maybe there could be some work that we might do around the domestic violence issue as a basis for relief. Maybe that will be something we can look into.

00:42:30

LAURA SANCHEZ

I think that would be great. CGRS, I mean, they have--they had--they've litigated the issue of whether someone qualifies for domestic violence under asylum. That is one of their pivotal cases that has provided protections to thousands and thousands of people throughout the United States. And that is the same case that this administration is now trying to get rid of or has or is attempting to.

So they definitely have a pulse of what's going on and how this is getting litigated through the courts. Because even though our government doesn't agree with that interpretation, it doesn't end with that. We have the Ninth Circuit and from there Appeals options.

00:43:04

SUSAN BELINDA CHRISTIAN

We still have the Ninth Circuit here?

00:43:06

LAURA SANCHEZ

We still do here.

00:43:08

SUSAN BELINDA CHRISTIAN

Commissioner Karwande.

00:43:09

MAYA KARWANDE

Thank you both for your presentations. And before we--before I let you go, I just had one question. Looking--and this sort of follows up on the topic we were just discussing. This handout is super helpful. And just looking through it, I noticed that it says that in July of 2018, US CAS has issued guidance on sort of the more narrow definitions of asylum that Jeff Sessions is pushing. I'm wondering if since that guidance has been issued, you guys have seen a change in adverse decisions in San Francisco from asylum officers or if it's--what the impact has been for people living in the city so far.

00:44:01

LAURA SANCHEZ

That's a really good question. We actually, at CARECEN--it's one of many cases. We--I don't know if anyone had a case before Monica. One of our trainees actually had what we thought prior to this--

00:44:12

MAYA KARWANDE

Right. It--

00:44:13

LAURA SANCHEZ

--a very strong asylum case, based on severe, severe physical, sexual abuse, mental abuse, at--one of our CARECEN attorneys had actually suffered for years and from a Central American country. Prior to this being--decision coming out, it was, you know, almost a slam-dunk case, based on what the interpretation of immigration law was prior to this. She went forward and she presented the case. Since the case was so new, the immigration judge actually was hesitant to give the client asylum based on the arguments that the attorney had presented. And we are still waiting for a decision. She was willing to grant a kind of withholding, which is kind of more of a watered-down option for asylum. But our attorney was, like, no, we don't want this watered-down version. We think she qualifies for asylum and asked the judge if she could brief the issue. So it's been briefed and we're waiting for that decision.

But since then, there have been other judges that have been accepting. We--we're changing our arguments a bit--a bit--a bit about what's a political social group under domestic violence, and we have seen other judges, you know, work with us on that. But for those that practice immigration law, it's really essential and it's really important on who your immigration judge is.

00:45:32

SUSAN BELINDA CHRISTIAN

Mm-hmm.

00:45:33

LAURA SANCHEZ

They have so much discretion on how they interpret the law. And if you get a good judge, you're in good hands. Right. If you have a bad judge, unfortunately, you know, the outlook doesn't look too bright. We're privileged in San Francisco to have a lot of

good immigration judges. But needless to say, that is not the current situation in other parts of this country. Period.

00:45:57

SARAH GAVIGAN

I will just add, I--one of--one woman told me at the detention center in Texas a couple weeks ago that when she came to the border and explained why she was afraid, which was all of the times her husband has beaten her and that he came back, the border patrol officer looked at her and said, "A lot of women come from your country with that lie." So I think it's sort of trickling down that this is not a basis for asylum--they--people, even within the government, are interpreting it as that's not a basis for asylum anymore. So our job as attorneys is going to have to be to really, like, with a fine-toothed comb go through why it still is a basis. And it's just a lot more work for the attorneys to have to--yeah.

00:46:45

SUSAN BELINDA CHRISTIAN

Commissioners, any other questions or comment? Any public comment on this item at this time? Seeing none. I just want to thank you once again for coming out tonight. And, you know, these are incredibly troubling days and years right now in so many ways. But one of the benefits of this trouble is that civil society has strengthened and the work that you're doing is an example of that. So thank you so much and really, really look forward to doing whatever we can to assist you in your work. Thank you.

00:47:16

SARAH GAVIGAN

Thank you so much.

00:47:17

SUSAN BELINDA CHRISTIAN

Thank you. Mister Secretary, if you would, read the next item, please.

00:47:25

COMMISSION SECRETARY

Update on Project and Staff, presenter HRC Staff.

00:47:31

SUSAN BELINDA CHRISTIAN

Staff. Welcome, Ms. Ahern.

00:47:42

MULLANE AHERN

Good evening, Commissioners. And thank you to the presenters from CARECEN. That was heartbreaking and also really helpful. So thank you. My name is Mullane Ahern. Some of you are familiar with me. I have worked at HRC for quite some time in the Discrimination Unit. And tonight I would like to present to you on the work that we do and just give a brief overview of what the Discrimination Unit is and does, how we serve this city. And so I would like to cover, you know, just some of the primary issues that our communities are facing, the summary of work, our workflow, some of the statistics from the last year. And then I will be happy to answer questions that you might have.

So the discrimination work is and always will be a core function of the Human Rights Commission. And obviously, as we are hearing, there are widespread Human Rights abuses taking place every day, and those impact the most marginalized among us. And that is certainly reflected in the work that we are doing at HRC on a daily basis.

So what our investigation and mediation division does is advocate for Human Rights issues and enforce the non-discrimination laws and policies of the city. And under these ordinances, it's unlawful to discriminate against an individual in employment, housing and public accommodations such as businesses and other public spaces on the bases of race, color, national origin, ancestry, place of birth, creed, religion, sex, sexual orientation, gender identity, age, disability, marital status, familial status, source of income, which specifically in the city and county of San Francisco includes Section 8 vouchers and other housing choice vouchers, and height and weight.

So there are additional protections from discrimination under the Fair Chance Ordinance, which regulates the use of conviction history in employment and housing decisions and the Sanctuary City Ordinance, which limits when city employees can ask about immigration status and cooperate with immigration enforcement agencies such as ICE.

So just to give you an idea of what happens when a discrimination complaint comes to the city. It starts with a public contact. So we get a phone call. Somebody walks into the office or emails us and presents what issues they believe are discrimination or other human rights issues. And we try to assess whether that issue would fall under the purview of the HRC. We also provide referral resources and just try to identify, you know, what is going to help this person, given the problems that they're presenting.

If it appears to be a potentially jurisdictional complaint, we schedule that person for an intake interview. And what that entails is an in-person or telephone interview to assess whether or not the issues that the person is experiencing would present the basic elements of a discrimination complaint. If so, we forward them along and file a formal complaint of discrimination. At other times, if the issue is not exactly, you know, neatly falling into a discrimination complaint format but still appears to be of concern, we might file a letter of concern and attempt to sort of informally resolve the issue.

You know, as you--as we probably all know, people experience discrimination in a range of ways. And, you know, really we have jurisdiction over unlawful discrimination, but we still want to eliminate other forms of discrimination that might not be against the law but are problematic for the city.

Once the complaint is filed, we invite the parties involved to mediate the complaint, in which we try to resolve the dispute. So just finding out, you know, what's really going to effectively resolve the complaint for all parties involved. That's our best option. You know, we want to help people. And often, you know, if we have a housing complaint or

employment complaint, these are ongoing issues. You know, a person might be, you know, in that place of housing. They're going to live with the same landlord possibly for years or, you know, work with the same people that they might believe are harassing them. And so, you know, it's not a zero-sum game. We want to figure out how to resolve it so that they can coexist and, you know, remedy any acts of discrimination that are taking place.

So we're working towards resolution at all times. If mediation fails or if the parties decline to mediate, then we will conduct a complete investigation and then render a decision as to whether or not there is probable cause to believe discrimination occurred.

In those determinations, we will also include recommendations. So even if there is not a finding of unlawful discrimination, we may have recommendations to, you know, perhaps come up with a policy that would prevent issues like this from arising again in the future or just recommend some practices that might remedy potential claims of discrimination for the business or the landlord and everyone involved. Other times we will go ahead and dismiss the complaint if it's not jurisdictional or, you know, does not arise to the level of discrimination.

So in terms of statistics, in 2017, we fielded 637 inquiries from the public of people feeling like they might have experienced some form of discrimination. We conducted 230 intake interviews from those inquiries. And, you know, I will also just add that those inquiries can be lengthy where we're, you know, trying to figure out, if it's a housing issue, you know, does this person need to have an advocate? Perhaps from a disability rights group or go to the rent board or, you know, just identify the range of resources that will be helpful for the person. And of those intakes, we accepted 65 formal complaints of discrimination. Twenty of those were mediated. And in addition, we led 16 trainings in the community.

So I just want to talk a little bit about the types of complaints that we're seeing. By and large every year--and this is consistent with national statistics as well. Disability is always the most prevalent basis of a claim. And in a city like San Francisco, it is, you know, particularly difficult to overcome the barriers that exist for people with disabilities. So of those 65, disability was a basis 25 times. Race and color were named as bases in 17 of the complaints. National origin or ancestry came up in eight of the complaints. Source of income came up seven times. And again, many of those might be Section 8 complaints. And we also know, you know, for every complaint that we are receiving, there are so many others that aren't coming in.

Obviously, with the affordable housing crisis, you know, increasing by the day, it's very very difficult for people with disabilities or who have a subsidized income to find and secure housing. Sexual orientation was a basis in six of the complaints last year. Religion or creed came up five times. Gender identity came up three times. Familial

status, which is typically families with children, came up in three claims. And many of you have probably seen that, you know, there are now more dogs in San Francisco than children, and it's very, very difficult for families with children to find and maintain housing, especially in such a densely populated city where our structures are typically pretty old and have, you know, thin walls. It's, you know, a lot of those complaints are harassment against those families with children. Where, you know, neighbors might complain about hearing a child cry or play or, you know, otherwise just kind of go about the activities and--that children do.

Age was a basis in three of the complaints. And arrests or conviction history, which specifically pertains to the Fair Chance Ordinance, came up in one complaint. We did not have any sanctuary city complaints last year. And it will be interesting to see, you know, with this immigration crisis, whether we do receive more complaints of that nature in the coming months.

In terms of staff, there are four of us that investigate and mediate claims. Myself, Matthew Oglinder, Rebecca Ayama, and Ariana Flores. So we work together, collaborate on each of the cases. And we troubleshoot issues as a team. We also facilitate learning relationships with interns and work with local law schools. Specifically, we do have a partnership for a mediation clinic with Hastings School of Law.

And we have had this relationship with Hastings for some number of years now. And what we do is assist with training the students in a mediation clinic setting where we work with the professors to train students on how to mediate cases, conduct roleplay exercises. And then they work in teams supervised by us and by the professors to mediate some cases in partnership with HRC.

So just to give you a couple of examples of the cases that we saw last year, one where the case is a settlement between a young man experiencing homelessness and a local shelter that had dismissed him from his long-term supportive housing facility. The complaint alleged that the shelter had removed him from the housing program in retaliation for him getting an emotional support animal to alleviate symptoms from his disability. The complainant further alleged the housing facility staff had made derogatory comments to him about him in reference to his HIV diagnosis. And he felt very upset about the circumstances surrounding his dismissal.

HRC's in-person mediation process provided him and the shelter officials with an opportunity to hear each other's concerns and resolve the matter in a way that was satisfactory to both sides. The shelter allowed the complainant to reapply for long-term housing under the condition that he complete a trial period in their short-term facility without incident. Both sides also apologized for incidents that had previously occurred

and vowed to move forward with a more clean slate. The complainant accepted the shelter's terms and was able to return to the long-term program.

I should note that, you know, so many other complaints that we receive are from folks that are in and out of shelters and just dealing with transient housing issues. We also get a number of complaints from, you know, people living in Housing Authority properties. And, you know, really it's the lower income housing properties that we see the most amount of complaints from. And, you know, so many of those again are based on disability. And it's just particularly difficult for people to navigate housing in the city.

Another example of a case we had last year was a report from a member of the public that a club in San Francisco was turning away guests of the same sex at the door if accompanied by the opposite sex. HRC contacted the club and requested proof of an immediate change of door policy. Within a month, the club instituted a new policy and trained its staff that sex discrimination would not be tolerated at the door under any circumstances.

One more example for you. HRC informally mediated a claim for a housing applicant who believed he was denied housing in a new development as a result of past incarceration. HRC contacted the housing provider and the applicant was permitted to resubmit more detailed documentation explaining his circumstances. Shortly after, he was approved for a below-market-rate unit where he now lives.

So, you know, the great thing about our mediation process and really just about our complaint process is that we're always geared toward resolution. And, you know, we want to get people--if they're eligible for housing, you know, clarify the issues that are preventing the understanding that would allow somebody to have and maintain a place of housing or, you know, position of employment. And people are quite reasonable sometimes when they come to the table or just hear a little bit more.

And, you know, we don't provide direct advocacy in these complaints. We are, you know, maintaining neutrality and acting as a third-party investigator or mediator. But, you know, we are also always cognizant of how to, you know, sort of level the disparities and resources for folks that are coming to HRC and try our best to, you know, just help them achieve their goals. So I would be happy to take any questions you may have.

01:02:54

SUSAN BELINDA CHRISTIAN

It's a very thorough overview. Thank you, Mullane. Commissioners, any questions, comments? The disability being the primary category, is any--are any of those intellectual disabilities?

01:03:12

MULLANE AHERN

Absolutely. You know, we see a range of disability cases come to HRC. And it's very difficult sometimes when we're not necessarily able to provide the level of support that a person might need for mental health issues. I think it's fair to say that we have, you know, mental health crisis in all of our communities across the nation. And we don't--you know, we're not here to diagnose and recommend certain services. So that can be rather challenging for our staff. But I think that our staff is very adept at, kind of, meeting people where they're at and trying to really listen carefully to determine, you know, which issues are potentially jurisdictional, which are--you know, which may be, you know, less--which might be due to a disability.

You know, for example, if someone has--is highly paranoid or schizophrenic and may be having certain manifestations of their disability, you know, it's--we have to try to do our best to find where we can serve them and where else we can refer them for the support that we are unable to provide.

01:04:36

SUSAN BELINDA CHRISTIAN

Thank you. Any public comment on this item? Oh, Commissioner Karwande.

01:04:42

MAYA KARWANDE

Thank you very much for your presentation. You gave some good examples of cases or complaints where a settlement had been reached.

01:04:52

MULLANE AHERN

Mm-hmm.

01:04:52

MAYA KARWANDE

The issue was resolved. Can you give us some information or walk us through a situation where maybe a settlement wasn't reached and kind of what the HRC or what you can do?

01:05:05

MULLANE AHERN

Mm-hmm. Sure.

01:05:06

MAYA KARWANDE

What the next steps are while still maintaining neutrality or--

01:05:09

MULLANE AHERN

Sure. Thank you for your question. That--so one example that comes to mind is a race-based case that came up recently against a large coffee company. And, you know, this organization has had--has made headlines in the news for other complaints based on race pertaining to access to their restrooms. And in this case, you know, an individual was denied access to the restroom, told that there was no public access, when the person did see another individual with a small child get to use the restroom. And so the manager of the store tried to explain, you know, this person said their child was about to have an accident, and so we made an exception to our policy.

And during the course of our investigation after, you know, speaking with the store manager and their corporate headquarters, they--you know, this ultimately did not result in a settlement, but they changed their policies. They actually moved across the street and then created a set-up where people are allowed to use the bathroom and there is not, you know, a key or approval system necessary which, you know, ultimately is going to help people who might perceive that they're being discriminatorily denied access to the restroom from feeling that way.

01:06:55

SUSAN BELINDA CHRISTIAN

Thank you. Any other questions or comments? Any public comment on this item? Seeing none. Thank you so much, Mullane.

01:07:02

MULLANE AHERN

Thank you.

01:07:09

SUSAN BELINDA CHRISTIAN

I think we have Sami now talking about the equity presentation.

01:07:14

SAMI IWATA

Good evening, Commissioners. Yes. So back in May, I spoke to you about a project that--it was a joint project between the Human Rights Commission, Mayor's Office, and also the Controller's Performance group, which is the internal consulting group here. And it's called the Department Equity survey. And this is in your binders. I have a couple--essentially, let me just first describe it as the first citywide view of equity efforts across departments that we have. I think it's 76 departments were initially asked to provide information. So there's a lot of silos.

We've--I'm happy to report it was completed, and it was finally debuted last week at the Director's Working Group, which is an informal gathering of directors and their staff from multiple departments to talk about issues that--long-term systemic issues that transcend departments and to encourage that cross-department collaboration. So with that, I'm here to share with you tonight some highlights from that equity survey findings.

So the project purpose was, as I mentioned, really to survey the landscape of what was happening across the city in a methodical way. The idea would be to learn--the departments could then learn from each other what was actually happening outside of their departments and also to help support development of a common language by understanding where everyone is.

The benefits would be, obviously, besides that opportunity to creative collective impact by understanding what other departments are doing, what their programs are, would also be to identify, ask concretely what are the barriers that you face to advance equity, and then what resources would you need to be able to do that to overcome those barriers. And really essentially to tee up a conversation around those issues.

So the survey, as I mentioned, about 76 agencies/sub agencies were targeted. Forty-four of them filled them out. We did have good representation in terms of many of the large enterprise departments, down to smaller departments such as Status of Women participated. So we had that size--department size pretty--and everyone in between participate. People who were directly serving, people who are in, you know, communities that have been oppressed and then also people who are maybe more kind of quasi-judicial in their stance. So we really had a nice representation across the city for this initial report.

So the questions we asked were--covered four--as I mentioned, four topics. So first we asked, what are you doing to advance equity in the community and why are you doing it? What have been the biggest barriers? And then what resources, tools, or guidance would you need? So let me touch briefly on each one of these areas.

In terms of the findings in what departments were doing, we got back lists--it was very--it was--it was very comprehensive, 367 programs that departments listed. There was a mix of apples, oranges, bananas, cumquats. Right. So there was a wide variety of responses in terms of the level of detail, the number of programs, the size of the programs. We had initially focused on requested programs that focused externally, so ones that were serving our residents. But we also, just by nature, also got a lot of internal facing programs, because those really do go hand-in-hand when you're delivering service. And some had equity more implicit in terms of their mission and who they were serving, and others were more explicit.

So what we did with those programs that came in was we created subject areas essentially using groupings like housing or health, things that you would see in equity indicators that other cities put together. And then we assigned the programs to one or more of those themes and then validated those with the departments. Oh, did we put your programs and associate them correctly.

So on Slide Five here is a map of the different programs and where they fell out in the various subject areas. So you can see here community wellbeing and the economy were the two biggest groups that programs fell into. Community wellbeing is actually--touches a lot on the Human Rights Commission's work. It includes things like civic engagement, community engagement, as well as things like arts and parks and recreation. So that's one of our largest categories. And the other was around the economy. That includes workforce, employment, other things related to, you know, kind of--that one feels like more intuitive.

And then we had other areas included public safety and justice, child and youth development, health, human services, housing, transportation, environment and information technology. So that was the first area. And then within those departments,

we were able to see for each group what other departments had connect--programs connected with that. So, again, just trying to create connections between them and conversations.

So the next question is why is your department doing this? So from that we actually learned, out of the 44 respondents, only 18 had formal mandates to address equity. Those formal mandates we defined as publically documented. So they include things like federal level, the Civil Rights Act of 1964. It could be local. Like, DCYF has a charter. Or it could be even within the department, the way that the PUC has their community benefits program. So really again, like, even within that, it really varied why--what that mandate was for and who it was coming from.

And then lastly, we asked around the--the last area was around the biggest barriers and the resources needed. Similarly, what we did with the responses, like we did with the programs, was we assigned them--we went through them and there were about eight themes that emerged. And so on the Slide Eight here summarized the themes that we had. The two largest included what we call institutionalization. Examples of what would be included in there, the themes--the subthemes included in that really were the city-wide equity--having a city-wide equity strategy, how to operationalize in the department level, political will, and organizational culture.

Resources, not surprisingly, was the second-largest category. What was interesting here was--I mean, well, that might seem like a no-brainer. But really, you know, subtleties around funding. For example, many--several departments don't receive any general funding. So the question becomes how--where does equity get allocated when you have everything--every other dollar is spoken for? Capacity building came up around staff time. Really for the most part, as one respondent said, it's nobody's job to do this in the city. So when you are facing those competing priorities as a department leader or manager, you know, how does that really become something that's necessary and prioritized.

And then let's see. Anything else around them? I think that speaks pretty much to it. I mean, the great reveal is not particularly shocking. But I think what this survey does as a first step, again, is to provide a methodical and concrete way to capture what is happening in this city, to capture and articulate barriers and resources to that and to really start to tee up that conversation.

The last thing I would say is on the possible next steps, and then this is where I'm going to turn and look at the Director, to provide some more expansive points around that. But one of the things that really came across very clearly was the need for a city-wide vision and strategy similar to what the Commission has articulated in the resolution that we passed earlier around racial equity. Right. What is that city promise that we make to--and acknowledgement and vision?

People really wanted an equity definition. We intentionally did not define equity for the purpose of the survey to see what people thought about it. And it was very clear from the responses that there was no real single vision around that, and it was very clear that we really need one. And people ask for that specifically. The good news is I--my understanding is that the Mayor's Office is working on creating a city-wide definition of equity. I think, really they have several that they're under consideration. Is that right, Director?

01:16:23

SHERYL EVANS DAVIS

Yes.

01:16:24

SAMI IWATA

Yes. Okay. And then also as a result of this presentation--well, actually, following the presentation--I know, causal relationship. But the Mayor's Budget Office has also reached out to us to start conversations about how we might bring equity into the budgeting process. Obviously, this is a huge lever for change within government. So that's also exciting. And then some of the other steps that came out, especially long-term, was around what would be a system to measure and track city-wide progress towards those goals, such as the--such as the equity indicators that we call for in the resolution, as well. And that Oakland has recently introduced in July--Oakland equity indicators, that I believe will--the report is out now. They have 72 of them. They're--and they will be online. And they are also ground-truthing them with their community members with com--through partnerships with CBOs on the ground to talk to several hundred households about the indicators that they presented and what that could look like for them, as well as understanding root causes of what's causing the indicators they have measured, which are all backed up by different sources of data. Director.

01:17:44

SHERYL EVANS DAVIS

No. I just--I had actually closed my thing. Just to some of the shorter term and longer term, just wanted to again--and, unfortunately, I just realized that it's not in your binder, the policy summit, the policy transition subcommittee information around equality and equity. So I will have Lori email that out tomorrow and we'll just talk about it at the next meeting. But that--a lot of what came out of the survey is actually some of the work that the Mayor and the Mayor's Office is advancing from things that came out of their policy subcommittee transition team stuff.

So the citywide equity definition, the idea of accountability, the workforce diversity, and then the data and the equity indicators are all things that had been recommended and that the Mayor's Office has asked us to kind of weigh in on just from community input. So at the next meeting, we'll have--I can at least--you can at least see what was recommended or what came up from that and that we're supposed to generate a response to. So if--once I share that with you all, if you have feedback, please email me. Because I think I have to have something in next week in terms of a response to the Mayor's Office. So if you

have any feedback on that, please share it out. And we will email that document to you tomorrow.

01:19:15

SUSAN BELINDA CHRISTIAN

Thank you. I just have a question about equity indicators. Is that something like, you know, childhood development or how many kids graduate from high school or something like that?

01:19:24

SAMI IWATA

Right. Yeah, similar--thank you, Chair. Yeah. The question--yeah. Typically it's a way of measuring progress. And they include things, yeah, like kindergarten readiness. Some of the ones you mentioned, I think, stable housing. Oakland has some interesting ones around access to, I think, basically--like, access to capital through some kind of, well, non-predatory lending, basically. So there are some that are--that I think we're more used to and then some that they have taken and kind of gone maybe a level deeper or maybe looking at more root cause. Like, under housing, I believe they had one around plumbing conditions as an indicator of the quality of your housing.

01:20:07

SUSAN BELINDA CHRISTIAN

Mm-hmm.

01:20:08

SAMI IWATA

So, yeah, they've put that out there. But they're grouped again into these larger themes, similar to what you saw in our programs list. And then they're--within that, they source the different data. Some are on contracting as well, et cetera.

01:20:22

SUSAN BELINDA CHRISTIAN

Could you send a link to that?

01:20:24

SAMI IWATA

Yeah, sure. I would definitely send that. There's a--there's an executive summary that's available, as well as the full report which dives into each one of them, the source and why it was chosen. And then I believe that they're planning this month to put up an online version so it's a little more accessible also for the community. Again, the idea of putting it out there so the community can also take action from it as well.

01:20:45

SUSAN BELINDA CHRISTIAN

Thank you so much. Really interesting presentation. Any other questions or comments, Commissioners? Any public comment on this item? Seeing none. Thank you so much, Sami.

01:20:54

SAMI IWATA

Great. Thank you.

01:20:59

SUSAN BELINDA CHRISTIAN

And finally, it looks like there's an update on Collective Impact Summit Workshop from Noah.

01:21:06

NOAH FRIGAULT

Good evening, Commissioners.

01:21:08

SUSAN BELINDA CHRISTIAN

Hello.

01:21:09

NOAH FRIGAULT

It's great to see you all on this lovely fog-gust evening. So I wanted to give you a heads-up on a new equity summit that we are planning in February of 2019. So this is a partnership that we have put together with--Director Davis is partnering with the Collective Impact Forum, as well as the Career Hub and DCYF and HOPE SF on a--what we're calling right now a Collective Impact Summit, Planting Seeds of Collaboration.

So do you all have this save the date? All right. So let me pass this around. So that is just a little bit of the design that we came up with for the summit. The idea behind it is to have a workforce development focus but with collective impact strategies. So trying to bring in different orgs around the Bay Area, nonprofits as well as government folks, to network and talk to each other and come up with ideas around how they can better collaborate to deliver better services to their client populations.

I also have a placeholder agenda that we made for the summit. So we're still--since this is six months out, we're still working on content and what is going to be there. We're actually putting together a survey that we can send to workforce development organizations around the Bay Area to get a better idea of how to tailor content for the summit. The basic idea is to use the structure that we have had for a couple previous summits with multiple workshops and a couple of different panels that really show why this particular approach will work and why it matters in this context, and then give participants tools to actually use what they learned in their day-to-day jobs.

So that's the basic framework. The other thing to note is that Director Davis was able to secure this at Google's community space. So we will be having it there on Tuesday, February 12th, for the day.

01:23:54

SUSAN BELINDA CHRISTIAN

Thank you. Any questions or comments on this, Commissioners? Noah, I've got something up here. Principles for Equity in the Arts. Are you presenting on that tonight or is that just--

01:24:12

SHERYL EVANS DAVIS

So that is--at the last meeting, I mentioned that Noah and I presented on the work and talked about the booklet that Noah had created that was modeled after the engineering for

equity. And so that is the principles for--so that's just the booklet I mentioned at the last meeting and said that we would bring copies so you at least had it.

01:24:33

SUSAN BELINDA CHRISTIAN

Thank you. And so this is an invitation-only kind of thing, right, this collective impact.

01:24:39

SHERYL EVANS DAVIS

Right. Just a--an FYI, we--you know, as Noah mentioned, we are working with the folks who put on the collective impact forum, which is built out--built out of and modeled after the collective impact work. And I believe it's Mark Kayner who did the Stanford Social Innovation Review article that kind of blew open this idea and concept of social--of collective impact. And so it's a model that's getting a lot of traction and people are doing their work after it. So we're working with the leaders of that work to host this forum.

And so it's just an FYI and kind of to let folks know it's coming. And just wanted to give an update because we are--it is maybe going to be--it's going to be a regional approach. And it's a lot of work around how do we improve communities and what does that partnership look like? And then as we talk about economic inclusion and that work that this is built on that. So it builds, actually, on what Sami's presentation talked about and this idea of workforce diversity and what is the strategy to build that out and who are the partners to actually make it happen.

01:25:53

SUSAN BELINDA CHRISTIAN

And so all of our city agencies are going to be invited to participate or some or--

01:25:58

SHERYL EVANS DAVIS

Yes. There would--we started the list today. And I know that, you know, HSA, OEWD, DCYF--there were a number of departments that were--that were stated that needed to be invited. But on top of that, there was work that's happening in Oakland and Contra Costa County and other places. And as we see people kind of displaced from San Francisco but still coming to school here or doing other things, it really became clear we needed to have a conversation that was talking about the regional approaches.

And there's some work that's happening in Hayward that started as the promised neighborhoods that has continued to grow without federal dollars. But they are making huge strides in terms of post-secondary pathways, whether it's in schools or whether it is in employment. And so there's something to be learned there.

01:26:50

SUSAN BELINDA CHRISTIAN

Thank you both. Commissioners, any other questions or comments? Any public comment on this item? Seeing none. Thank you so much, Noah.

01:26:57

NOAH FRIGAULT

Thank you.

01:27:00

SUSAN BELINDA CHRISTIAN

And, Mister Secretary, the next item on the agenda, please.

01:27:04

COMMISSION SECRETARY

Potential meetings in community.

01:27:08

SHERYL EVANS DAVIS

And so this was just a follow-up. I just wanted to make sure we stayed connected to this. This was something that Commissioner Hijazi brought up at the last meeting. And so just wanted to make sure that we were continuing the conversation and the thought of that so it didn't get lost. And I know we had initially talked about fourth Thursdays being meetings and opportunities to engage in--to be meetings that were held in communities. So just wanted to revisit that. I owe Commissioner Hijazi a call so I just wanted to again not let this get away from us and revisit it and see, you know, if people had other interests. But just also wanted to make sure that we followed up before the year got away.

01:27:55

SUSAN BELINDA CHRISTIAN

Thank you. Any questions or comments on that item right now? Thank you for keeping this in front of us. And, obviously, any other potential subject matter for meetings in the community, please share any ideas, any thoughts you have with the Director and myself. Any public comment on this item? Seeing none. Mister Secretary, please read the next item.

01:28:21

COMMISSION SECRETARY

Director and Chair's Reports.

01:28:23

SUSAN BELINDA CHRISTIAN

Starting with the Director's Report.

01:28:25

SHERYL EVANS DAVIS

And so as I mentioned for the second bullet, I will email out and will follow up. I just wanted to--as we are going into--this September will be the--you know, my second year with the HRC. I wanted to revisit the org chart--the organizational chart with folks. I also--with the Commission. I also just wanted to start to think about roles and responsibilities and have some more clarity about the office, the work, for both myself but also for the Commission and then also to support staff.

I think there were--there was some ambiguity over the time, and I just wanted to do my part to clean things up and to better support. There were a couple things that I wanted to note. As you look at the organizational chart and think about over the last two years and by the end of this year, we will have 11 new positions that weren't there or weren't funded when I came in. Two of those positions, the secret--the 1450 and the 18--sorry. I need to put my glasses on. And the 1823 position were positions that were in the budget but that

we had not given permission to fill. As the commission--so those two positions--when I initially came on, we were given permission to fill.

Last year we received two new positions, the 1842 management assistant for workforce and the 1408 LGBT initiative's clerk technically is the name. This year we have three new or pending positions where we have the funding and the positions. We're just going through the process. That's an 1824 principle analyst, a 1408 clerk, and a 0931 manager. So those are three positions that are in holding but that we believe will be released at the end--bef--within the next month or so. And then three new positions through the work and efforts of Supervisor Ronen's Office which, you know, I want to recognize that Mullane Ahern played a large part in.

And so those three new positions will come on as well. And then there's one new in-house on the far left, the 0922 manager position. The role that Sami is in was a FUSE fellow. And we were able to add that position to our--to our personnel for this next year. So just wanted to kind of share that.

My intent was to do a little bit more work--or share more about each of those positions or the roles and responsibilities, but that is something that over the next couple of weeks working with DHR--we'll be meeting with all of the different staff and really getting clarity around what those projects and those jobs and those duties and titles are. So right now it's just a general outline. But just wanted to have--wanted the Commission to have, like, the outline to know what the positions are that we currently have, what we're adding, and what--and what we think those things will be as we move forward.

01:32:00

SUSAN BELINDA CHRISTIAN

Thank you, Director. Can you just clarify on the 0922 manager is--and you were saying that--so are you saying that that is going to be a place for the FUSE fellowship or as it just happens that the work that Sami was doing as a FUSE fellow is becoming that?

01:32:18

SHERYL EVANS DAVIS

So what I did last year during the budget process was ask that the work that is being done in that position--that we not lose it. So effect--

01:32:28

SUSAN BELINDA CHRISTIAN

Okay.

01:32:29

SHERYL EVANS DAVIS

So essentially that position that Sami is currently in sits in another department. And--but she's doing the work here. I asked that we have a position in our department that could continue that work. And so essentially that job ends and would then start with HRC. She would be able to come over and continue the work.

01:32:55

SUSAN BELINDA CHRISTIAN

Any questions or comments, Commissioners? Any public comment on that item?
Commissioners--Vice Chair Sweet.

01:33:10

MICHAEL SWEET

Thank you, Madame Chair and Director Davis. I just want to thank you for proactively doing this and for the transparency here and the clarity. It's refreshing that this all makes sense. The explanation makes sense. And I want to commend you on--I'm aware that you've--you had a lot to work with and a lot of burden to move in the last couple of years. And I want to commend you on that. And just the little things like this are really indicative of the fact that it's continued--it continues to be refreshing to have you in this role. Thank you.

01:33:58

SUSAN BELINDA CHRISTIAN

Commissioner Porth.

01:33:58

ABIGAIL PORTH

Thank you, Director Davis. I'm curious if the last of these is fully funded. Do you feel that you'll have the full team in place that you need or is there more work that you'll still feel is not being able--that you're still not able to accomplish everything that you need to?

01:34:14

SHERYL EVANS DAVIS

So what we are having conversations, especially after the feedback around the equity, social justice work, I do believe that there is the opportunity to continue to grow. More departments are asking for support around a lot of this work. We--the one position that's at the bottom, the outreach and engagement, what we've found is like with the Fair Chance Ordinance with the work around--even just discrimination and oth--that we--a lot of people don't know that they can actually come somewhere and file a complaint. And so that idea of doing more to get out into community.

And, you know, Sami and I were having a conversation also about as more departments want support, like bandwidth and the capacity to do that--to do that will also need to increase. And one of those things would be under that 0922, that there would be additional people built out to support the policy work and drafting that. And then as I've been reviewing the charter, there are some things that we are supposed to be doing in terms of reporting to the commission that we want to build out. Some of it may have been tied to contract monitoring division but that we still need to kind of go back.

So, hopefully, as we spend some time planning more of this out and getting clarity over the next month with what roles and responsibilities current staff have, that we'll do more. But, yeah. I would imagine that this team is going to continue to grow.

01:35:51

SUSAN BELINDA CHRISTIAN

And I do want to join Michael's thanks to you and the admiration, frankly, for doing--pulling this together and the size and clarity of this flow chart is gratifying. So thank you

so much, Director, for this work. And just a question. The executive secretary, is that person also going to be sharing some commission secretary role or will that be, you know, maybe less formally shared throughout the staff in some way? What are your thoughts about that?

01:36:28

SHERYL EVANS DAVIS

So I mean, that's the role that Lori technically sits in now. And so there is--you know, that is the expectation that they play the role of supporting the commission.

01:36:39

SUSAN BELINDA CHRISTIAN

Okay. Thank you. Commissioners, any other questions or comments on this? Any public comment. Seeing none. That's it for you, Director.

01:36:51

SHERYL EVANS DAVIS

Yes.

01:36:52

SUSAN BELINDA CHRISTIAN

Okay. Thanks. And I will just briefly note on Item B, the Chair's report. I just do want to keep the idea and the plan for joint commission meetings on the agenda. You know, tonight we got some very useful information from CARECEN to create a--what I'm hoping for is to create a basis for our sense of understanding of what's going on and what's necessary in the community so that we can, you know, maybe more effectively join forces with Immigrants Rights Commission when we do begin to--hold our joint meeting--meetings and do our work together.

And Status of Women has always been a commission that I thought about first for early commission--joint commission meetings. You know, and now that SHARP exists but also in the context of the--some of the information we learned tonight from--or was highlighted tonight by the presentation regarding the domestic violence issue and protected status being--or idea of a group identity being attacked by the federal government on--for asylum claims. I think that might be some work we might be able to investigate with Status of Women as well and also the Department of Public Health. I think, as we talk about equity and equitable access to healthcare and services, I think that might be a very fruitful collaboration.

So those are the three that I have in mind. And the Director and I have a plan--a call planned with Immigrant Rights within the next week or two so that we can move forward on planning our first joint commission meeting. And so we're headed into September and toward the end of the year. And please do think about the concept for using the fourth meeting of--is it the fourth Thursday that we were thinking about, kind of, as a place hold for joint--for community meetings or joint meetings, particularly as we plan our busy scheduled.

It's great to see tonight a full complement for the commission, even though we're down one member. Because Mr. Ellington chose to run for office and so he is no longer, by law, a member of the Commission. So we do have an open seat. But it's really gratifying to be here with everybody together tonight. And so I'm looking forward to that continuing as much as possible in the future.

Any questions, Director Davis?

01:39:33

SHERYL EVANS DAVIS

I just wanted to mention for the September 13 meeting and just the immigration conversation. Based on the requests from Commissioner Chan last time, we will have some--DPH recommended someone to come and talk to us about the impacts, the mental impact of family separation. So someone that DPH has recommended is scheduled to come present next meeting.

01:40:02

SUSAN BELINDA CHRISTIAN

Great. Thank you. Any other questions or comments, commissioners? Any public comment on the Director and Chair's reports? Seeing none. Mister Secretary, please read the next item in the agenda.

01:40:16

COMMISSION SECRETARY

Commissioners' activities in the community.

01:40:18

SUSAN BELINDA CHRISTIAN

So, colleagues, this is, as always, an opportunity for us to report back to one another on work that we are doing within the various San Francisco communities. Always a chance to give this information. Don't know if anybody has anything they want to say tonight. Commissioner Pellegrini.

01:40:36

JASON PELLEGRINI

I just want to announce that yesterday we opened new supportive housing on Sixth and Minna. We have 50 people that were in the navigation center that are now housed, and a few of them were undocumented. So I thought it was very connected with tonight's presentation about our most vulnerable population. So--

01:40:56

SUSAN BELINDA CHRISTIAN

I saw that in the news and I wondered if that was part of your doing.

01:40:59

JASON PELLEGRINI

Yes.

01:41:00

SUSAN BELINDA CHRISTIAN

So congratulations and thank you. Commissioner Porth.

01:41:03

ABIGAIL PORTH

I mentioned at the last meeting but want to mention it again with so many great people here tonight that on Sunday, October 14th, I hope you will join the San Francisco Human Rights Commission and the Commonwealth Club and the Protect Democracy Project, the Brennan Center for Justice at New York University School of Law and the Jewish Community Relations Council, San Francisco State University, a whole bunch of others. We're having a conference. It will be held at University of San Francisco, also sponsor of the event.

It's called Waging Democracy. And it's an all-day conference looking at issues such as the independence of the judiciary, free and impartial elections, racial disenfranchisement in voter rights and access. So really really important issues. We've got some of the nation's best--so kind of top authors, thinkers and strategists coming. And the goal really is to elevate the discourse in the Bay area on all these important issues, to go beyond the kind of mudslinging and name-calling. But have a very thoughtful conversation about these issues and how sacred they are to our democracy. And so I'm just thrilled that the commission has formally cosponsoring it. And I hope that you will all join me there.

01:42:16

SUSAN BELINDA CHRISTIAN

Thank you. I saw the invitation--the save-the-date for it today. And I'm really excited about it, looking forward to it. And thank you for holding it on a day where I don't have to work, theoretically, and then I can actually come. So thanks, really looking forward to it. Any other activities in the community that anybody wants to speak about. Any public comment on this item. Seeing none. Mister Secretary, the next item.

01:42:41

COMMISSION SECRETARY

Matters of interest for possible inclusion of future agendas.

01:42:45

SUSAN BELINDA CHRISTIAN

And, colleagues, as always, email is a great way to share these thoughts. But we're here together now and so if there's anything anyone wants to say, please do. Any public comment on this item. Seeing none. The next item, please.

01:43:03

COMMISSION SECRETARY

Adjournment.

01:43:03

SUSAN BELINDA CHRISTIAN

It is 7:23 p.m., and we are adjourned. Thank you.