

County of Kern
HUMAN RELATIONS COMMISSION-MINUTES

Regular Meeting
Tuesday May 13, 2013

Commissioners Present: Jewelle Scales (js), Walter Williams (ww), Marisa Banks (mb), Greg Collins (gc), Marcus Mitchell

Commissioners Absent: Andre Taylor

Others Present: Keri Pharris, Fiona Lytle, Cindy Harper, Kathy Darnell, Marquez Equalibria

Meeting called to order, Mission Statement read by Commissioner Scales

1. **FLAG SALUTE**
2. **PUBLIC PRESENTATIONS:**

Marquez Equalibria, USDOJ, Community Relations Service.
(handout provided which includes video on Arab/Muslim cultural awareness training that is available for law enforcement agencies)

I am here to meet all of you and to let you know what we do and that you can call us at any time to help you deal with issues that you face. I also wanted to inquire with you to see if you are planning on doing anything related to the David Silva case, as far as working with the Sheriff or working on issues of police/community relations in the County.

We were created to assist communities with group conflict that has an impact on Race, Color, Gender Identification, National Origin, Sexual Orientation, Religion, and Disabilities. We do four things; mediation, conciliation, education, and technical assistance.

One of the things that we do is assist Human Relations Commissions with community conflict. I have worked with Ed Herrera on about three occasions with different issues in Kern County.

I want to be of assistance to you and I plan to meet with the Sheriff and talk about what assistance we can provide working with you and with the Sheriff's Department, as well as, with other associations in the County.

(ww) You asked us about community conflicts and issues. My question is there have been many conflicts here. Why are you here for the Silva case when you had the David Turner case, two people that were killed at Mexicali in a suspicious way by a person who had killed someone in L.A. and was racist. We have had several suspicious killings and the way police tactics are used to obtain evidence on both cases. In Mexicali they didn't show the video, talkin' about there would be no reason to but you could show the David Turner video when you thought you had a

reason but there was no reason there. My question is why haven't we seen you before or even known about you.

(js) I just wanted to say that you have been here several times and you have done a lot of work with the Human Relations Commission.

Marquez Equalibria: There can be a few reasons. One reason is that we can be referred to as the "pint-sized agency with global ambition". There are less than 50 of us in the whole country and the Western Region has four people that cover California, Arizona, Nevada, Hawaii, Guam, and the Marshall Islands. We are a very small group and try to cover as much territory as we can. Another potential reason is because we need folks like you all to call us and ask if we can help you out. As much as we would like to, it's hard to know about everything when you are only four people covering all of the territory that I mentioned. That is one of the reasons that I wanted to be here to meet you all because it has been a while since I was here. If there are opportunities to work together on these issues then let's do it.

(ww) Was it a phone call that brought you here regarding Silva or were you just coming through to "make your rounds?"

Marquez Equalibria: This particular case has been picking up a lot of interest on social media. There are different ways we find out about cases one is certain key words hitting the news. This particular case has been growing and because we haven't been here in a while I wanted to use the opportunity to come talk to you.

(mb) Can you talk about some of your successes? I know that there is a confidentiality issue. But can you talk about some of the cases where there have been social issues.

Marquez Equalibria: Two recent cases involved police use of force. In one case somebody died in custody and there was pressure to fire the police chief and allegations of racial profiling. Unfortunately there was another incident after that one and it exacerbated police-community relations. There were community groups that were forming in some of these neighborhoods and they had different philosophies on working with officials to address the relationship. One group just wanted to fire the chief. Another wanted to work together as a community. One of the things that I did in working with the Chief and the community members was to help create a process for dialogue and getting community feedback in a way that was efficient and would not just create a venue for venting. We went through a process of building a series of meetings and dealing also with those that were only interested in "counter-protesting" and derailing the process.

In another controversial use of force case multiple groups were alleging racial profiling and a lot of different complaints. There were protests and violence. In working with the community we tried to build an informal coalition of individuals and worked together to do some contingency planning so in the event that there was a community reaction they could try to prevent something like a riot from occurring.

In Oakland we worked with faith based organizations and youth organizations to try

to prevent violence in response to some of these events. We also worked with Fire, Sheriff, the Human Relations Commission, members of the LGBT community to create dialogue and do contingency planning.

One of the reasons you don't hear about us is because we are not allowed to talk to the media. These opportunities for outreach are one of the ways in which we hope you will remember us.

(js) It almost feels like once the dialogue stops the impact stops as well. Are there ways that we can keep you in the loop continuously until we establish a dialogue until we can put a community policing process in place. We laid the foundation but we need to continue the discussion.

Marquez Equalibria: If you can pick a few targeted geographical areas where we need to improve police/community relations perhaps we could use that to work together and restart that process.

(mm) This is a perfect time because we are right in the process of shaping the vision going forward for the commission. We have had a number of changes in the makeup of the Commission and this is something we can use going forward. A lot of the handout talks about community based policing and use of force issues but it also indicates that you do things related to human relations issues in the community and you could provide guidance and training for the commission.

Marquez Equalibria: We also deal with school conflicts, racial and bullying issues and neighborhood racial conflicts.

(gc) How did you come to be here at this time, was it just reconnecting or specifically inquiring about the Silva case?

Marquez Equalibria: I wanted to inquire about what the HRC was doing with that particular case and also it has been some time since I worked with the HRC.

(gc) Were you aware that this was the first meeting of the HRC since the Silva matter occurred?

Marquez Equalibria: It was a coincidence. I was just looking up your meeting dates and realized it was the next day so I wanted to take advantage of the timing.

(ww) I am new to the HRC. I have been an advocate for the southeast community and that is where most of the killings and shootings occur. You are talking about building a community relationship with the police but I have a problem dealing with the fact that when the killing of David Turner happened there was nobody coming in asking questions. The killings also happened at the Mexicali market. There is such a disconnect here with the police and the community here, it stinks. Both sides do still stereotype each other, I admit that. There is no way the community feels safe with the police at this time by the way they do certain things. You want people to say things but you don't keep them safe. How are you protecting the community?

The issue that you talked about between Blacks and Hispanics on L.A. is here now. There have been killings between Blacks and Hispanics. It might have been total coincidence but you came for the David Silva case but not for David Turner and the other incidents. In a way how are they gonna look at it? How come you didn't come when we needed help over here? That is the way I feel about it and it is just an honest question. How will you go about it because there are groups here that help with the gang situation but how will you be able to deal with the situation?

Marquez Equalibria: That is not a unique comment for me because we are a small agency and we cannot be everywhere and because of that we don't hear about everything. What it takes is the contact. Calling us and asking for our assistance. I cannot give an excuse but I can tell you that when you share that need I can provide you with the assistance.

(js) I know that in a lot of the incidents that have happened the NAACP has taken the lead and they have done some work with you directly as well.

Marquez Equalibria: in different cases we will work with different organizations that have a national level of organization along with local chapters as well as individual activists within a community. We work with anyone that wants to be a partner in the community. I would like to get your emails to follow up with you. I would like to work on the Turner case if there is still a need. We could look at the geographic area and make it a project.

(ww) The southeast was 99.9% Black at one time. Now it is 67.2% Hispanic and 23.7% Black. That issue of makeup, you have to figure out how you are going to bring this all together. Most of it is from the prison putting orders out on the street. How do we get corrections to start putting more pressure on the shot callers.

Marquez Equalibria: That could be something where we identify local community leaders to see how we can work together. Are you able to meet off schedule to do a follow up?

(mm) All of our meetings have to be noticed and held in public.

Marquez Equalibria: I wonder how we can pick some specifics and move forward. I do not have the same type of restrictions (Brown Act).

(js) I would think in this instance even if it is a training situation, that it would be open to the public because it lends some visibility to that HRC that we are having your organization come in and provide training.

(ww) Would it be possible to do what she is talking about as a strategy meeting that is open?

Marquez Equalibria: we see ourselves as the resource and you all can take the lead.

(mm) we can contact you to set up dates and do planning.

3. APPROVAL OF MINUTES

(gc) Would it be appropriate to identify Brian Van Wyk as a County Counsel employee?

(js) We can remove Michael's title to make it consistent with the others.

(mm) There is a correction to page two, Walter Williams. It should read "good" instead of God.

(mb) There is a correction to page three, Michael Goulart. "For" and "with" should be stricken.

April 9, 2013 Monthly Meeting
Motion to approve minutes (mb), 2nd: (ww), all ayes

4. OLD BUSINESS:

a) Discussion of Annual Essay Contest

(mm) Seeing that the school year ends in about three weeks, I don't think that we can do an essay contest this year. As we have talked before, I think there is some value in doing an essay contest but we should put it off until the fall or the spring.

(js) I think we should put it off but in terms of the date but we need to continue the discussion. I think it is a valuable tool and the planning dialogue can continue.

(mb) If we don't pin point a date we won't work toward it. We talked about doing it in the fall.

(mm) Speaking of the planning process, Carmen Bernal was heading that and she is no longer a part of the Commission. We are looking for someone else to chair that event.

(js) Because it is one of our signature events we all need to be involved. I don't think it should be placed at a committee level. Our numbers are small and it will take all of us to pull it off.

(gc) I think it needs to go to committee so that you can move quickly but I agree that since we are a smaller group everyone should be involved in that committee. Things can move a lot quicker in a committee.

(mm) I have some hesitation about that because if we are all involved each time we discuss it we will have quorum and all of those meetings will have to be publicized and done in public. I think we all have to be involved but I think it has to be in committee to allow people to make decisions which we will bring back to the Commission.

(gc) I'm not sure that is what the Brown Act says.

(mm) All of meetings has to be publicized 48 hours in advance and the Agenda has to be publicized if you are going to be having a meeting to make decisions.

(js) It is kind of confusing because if you have a quorum then you have the Commission making decisions even if it is at the committee level. What I really want to see is that we all step up and take action. How we get it to committee without being in quorum I don't know that.

(gc) That is where I think that the Brown Act does not apply in committee form. We can ask Brian for clarification on that.

(mm) We can ask staff to get clarification and we can have Brian come back. At the next meeting we will have a response in the Staff Report.

5. **COMMITTEE REPORTS**

- a) Community & Media Outreach – No report.
- b) Education/Essay Contest – No report
- c) Equal Employment Opportunity/Affirmative Action – No report
- d) Grants/Funding – No report
- e) Housing – Commissioner – No report
- f) Judicial & Legislative Review – No report.
- g) Law Enforcement - No report
- h) Special Issues – No report
- i) Access and Functional Needs – No report
- j) Annual Report Ad-hoc Committee – No report.
- k) Training/Mentor program Ad-Hoc Committee – No report.

6. **STAFF REPORT:**

Keri Pharris: I am here on behalf of Michael Goulart and he asked that I welcome Mr. Collins to the Commission we are glad to have you here.

(gc) I am excited to be here. I had planned not to say anything but its not in my nature.

7. COMMISSION MEMBER PRESENTATIONS OR ANNOUNCEMENTS:

(ww) GBLA continues to work on expulsion, bullying and IIPP issues. We are working with the schools and will keep you informed on what legal steps we are taking.

(mm) I have tried to get data on 2011-2012 expulsion rates but have had difficulty accessing the data.

(gc) The presenter from GBLA talked about that data last month.

(js) My only concern was that the District was not here to answer to the figures to tell us if they were correct.

(ww) They have a way that is misleading.

(mm) They has alluded that they were counting their suspensions and expulsions and when we look at the data we are already going to see a reduction because of the way the data is reported. Realistically, the data is just what we can look at. The process is what you need to continue to look at and be involved in. At a previous commission meeting I had drafted a response letter and didn't get any feedback from the commission. I am going to give everyone a copy of the letter and my expectation is that I will get feedback from the commission by the end of the week. After that I will be moving the matter forward.

(mm) A subcommittee has been established to start discussing the vision. We met last Friday. I provided you a copy of the minutes. We talked about a recruiting campaign and some other issues for consideration. We also talked about an educational book club. There were two items that were tabled to the 5/31 Agenda. This is an ad-hoc committee that is talking about vision planning.

We talked about recruiting campaign. There are currently four vacant seats. We want to move forward to fill the seats. We discussed having a mixer this summer. It will take about 90 days to build the vision and move it forward. We discussed a recruiting campaign in September. We can establish a pool of candidates that can serve as an advisory board.

We have scheduled another meeting for 5/31 to continue to discuss the vision and bring it back to the full commission. I also thought that it would be nice to have a sponsored book club to provide education to all facets of the community. Its hard to gain traction in the community after an event. We need to find a way to educate and empower the community to be able to advocate for their own issues. We will bring all of this to the full commission to vote on.

(gc) Some of you may know I'm with Rebuilding Together Kern County. We are a non-profit that revitalizes, remodels and refurbishes homes for low income people and veterans. We have been doing individual homes. This year we decided to do a non-profit facility which was the VFW post 97. We feel like we can affect more veterans that way. If any of you are looking for volunteer time I will be giving you

the information for our next project date. We have received funding from Sears Heroes at Home project and because of that others have become involved and we have received additional funding.

(ww) I would like to talk to our guests and remind them that if you want to get involved, please talk to our president and let him know. We have a place for you.

8. **ADJOURNMENT**

Motion to Adjourn: (ww) 2nd: (mb), All Ayes, meeting adjourned at 7:22 p.m.