

KERN COUNTY HUMAN RELATIONS COMMISSION
Kern County Administrative Complex – Fifth Floor, Point Conference Room
1115 Truxtun Avenue, Bakersfield
Tuesday, November 11, 2014 at 5:30 PM
Monthly Meeting Minutes

Present: Michael Caves (mc), Brady Bernhart (bb) Marcus Mitchell (mm), Jewelle Scales (js), Louis Medina (LM), Henry Castaneda (hc)

Absent: Williams, Vivas

Others Present: Michael Goulart (mg) Equal Employment Opportunity Officer, Rosenda Gomez

Agenda Items: called to order at 5:30 PM

1. Flag salute: Commissioner Caves.
2. Public Presentation: None

(js) Our mission is to evaluate, refer, recommend and follow-up on human and social justice issues so that all Kern County residents are afforded the same advantages and opportunities regardless of race, gender, age, physical and mental ability, sexual orientation, social and economic status, education and employment.

If you notice this mission statement doesn't say anything about religion, this may be something that we want to revisit.

(mm) I want to recognize newly appointed commission members. Commissioner Henry Castaneda is new to the Human Relations Commission. Welcome and congratulations on your appointment. Please take a few minutes to introduce yourself to the commission and tell us a little bit about your background and what you hope to achieve by being part of the Human Relations Commission.

(hc) I'm a lifelong resident of Kern County. I retired about seven years ago. I have about 33 years of experience in the criminal justice system. I was a juvenile and adult probation officer. I was also an investigator with the Kern High School District. I was an officer for the Bakersfield Police Department

for number of years. I was a parole agent for the state of California. In the institutions I was the Investigative Captain as well as acting Associate Warden. I ran the local parole office. For the past few years and taught at a private college and worked at the District Attorney's Office investigating welfare fraud.

(mm) Welcome aboard there's lots of work to do.

3. Approval of minutes: October 14, 2014, monthly meeting

Motion: to approve with corrections (js) 2nd: (mc) vote: five ayes, (js), (mc), (lm), (mm), (bb) Abstain: Castaneda

4. NEW BUSINESS:

a) Discussion of Friendship House Mixer

(js) The Friendship House Advisory Board that supports the Friendship House Community Center in assessing the needs of the residents around the center, taking recommendations from that needs assessment and then trying to create or bring programs or projects to the center. The board then has the responsibility to fund raise, do community awareness, public relations and marketing to talk about the things that are going on at the Friendship House.

Each year we host a mixer to showcase the Friendship House; the programs, the projects, and also the campus. If you haven't had an opportunity go to the Friendship House it's located at 2424 Cottonwood Rd. The campus is beautiful thanks to CAPK and their vision and community service organizations its landscaped really well. We host the mixer each year to open up the campus and allow folks to come in.

This year our focus is a little different because we want to continue the renovations and create something called a quad area. The advisory Board is trying to decide what we want to call it. We think of it as a mini amphitheater or picnic area for families and the surrounding area including all Kern County can come there and enjoy the various types of events. We are raising

money to try to build the quad area which would be located behind the center. There is a large vacant lot that is there and not being. All of the proceeds of the mixer will go to the construction of the quad area.

During the mixer will be doing campus tours and showing where the construction site is. We will be talking about programs and the projects that are at the Friendship House. There will be a silent auction and live entertainment. It will provide a great opportunity for networking and socializing. We want people to come out take a look at the center and think about ways they can get involved. We are always accepting donations or maybe you could think about volunteering some time at the center. The residents near the center are some of the most highly affected by social economic issues. If you have an opportunity to come out please do.

I've sent out a flyer electronically. Michael has also forwarded the flyer to the commissioners. The event will be on Saturday, November 15 at the Friendship House. We will start promptly at 6 PM and end promptly at 8:30 PM.

(Im) Fifth District Supervisor Leticia Perez will be there. Also if you ever go to the Friendship House on a Saturday morning it seems like a soccer park and there are a lot of parents interacting with their kids.

Beginning in April of this year the couple of the bungalow classrooms at Friendship House have started to be used by the Mexican Consulate on wheels. I think it comes two or three times a month to offer services to Mexican nationals who live in the southern end of the San Joaquin Valley. Before that time people had to travel to Fresno to take care of business. This is providing a very good service to the community. There is also the distribution of food by the food bank that happens once a month. The gym gets used for an afterschool program. The gym can also be rented for weddings and other events. The Friendship House really is a multipurpose place for the entire community.

Some of the newest additions to the Friendship House are community gardens. The new quad will sit between the gym and the community gardens. There will be picnic tables with shade. We also plan to show family-friendly movies in the evenings and have concerts. The fund-raising behind the quad has been going on for a couple of years already. Quite a bit of the money has already been raised this is just the last leg. CAPK would like to break ground on the project next year because it's the 50th anniversary for Community Action Partnership. This will be a significant year to get this and other projects up and running.

(js) We were there for the garden and I brought a book with pictures if you'd like to take a look.

(mm) I see that we have been joined by a number of the community. Did you need to address the commission or are you here just to observe? Please give us your name if you would?

Rosenda Gomez: "I'm actually here for Political Science class at Bakersfield College."

5. OLD BUSINESS:

a) Discussion of HRC Committee participation.

(mm) I received an email from Commissioner Caves and I believe that you indicated you are interested in the judicial and legislative review committee so we can add you to that committee.

(js) If you join that committee I can move to another so that we have more committees covered.

(mg) For the sake of process, you may not want to leave that committee Commissioner Scales. The bylaws indicating committees shall consist of not fewer than three persons. Therefore commissioners will usually be a member of multiple standing committees.

(lm) I would like to be active in the grants/funding committee. Another one that interests me is the Community/Sheriff Department Collaborative ad -hoc committee. I'm also interested in the Community & Media Outreach Committee.

(js) Are you asking for the entire commission to say what committees they would like to be on?

(mm) Yes last month we had a conversation where I invited participation from commission members from various committees. Commissioner Castaneda wasn't here though. We're just looking to see if commissioners are interested in participating on any committees. I wouldn't expect you to pick which committees are on today but please take a look and let me know.

(hc) I think a natural for me is law enforcement.

(js) I would like to take on the education and essay contest.

(bb) Sign me up for the Access and Functional Needs Committee, Special Issues Committee, and the Housing Committee.

(mm) These committees aren't all active in the same time. As issues come up at all referred to a particular committee that committee would meet to address the issue. Also if you are on a particular committee and ideas come up related to that committee's activity you can make a suggestion that the committee address the issue.

(lm) I have a question because we are reviving a lot of the efforts does that mean that we are each a committee of one?

(mm) I think that's the way it looks right now but we can add people to the committees as needed.

(lm) Can people come from outside of the commission to be on these committees or are the committees just made up of other commissioners?

(js) There is a section of the bylaws that speaks about having an advisory component. We haven't really delved into the advisory piece but I do not know how that would pertain to the committee work.

(mg) The bylaws allow for the existence of a community-based advisory committee to the human relations commission but I think it would be appropriate to place the discussion of an advisory committee on an upcoming agenda.

(mm) Let's think about that because I believe it would be a good idea to bring in experienced community members that may want to participate but do not want to be full members of the commission. When a particular issue comes up it may be something that they want to be involved in. Let's consider that and talk about it at our next meeting.

(js) I would like to be added to the Community and Media Outreach committee and the Annual Report Ad Hoc Committee. I want us to be visible and I think that the annual report would help us do that.

(mm) I will add myself to the Essay and Education Committee and the Equal Employment Opportunity/Affirmative Action Committee and I think we need to have a conversation about what that committee looks like. I'm not sure why I still see phrase "affirmative action."

So again what I would ask each member of the commission to do is to look at the description of each committee and if there is not a description to just think about what you would like to see that committee look like and we can discuss it in a future meeting.

(js) I would like to talk briefly about the essay contest. I would like to start developing some framework for the contest and maybe even start looking into the future to determine when we could have it.

(lm) Has that ever been done in the past?

(js) In the past it has been our signature event although it doesn't have to be our signature event. We have enough brainpower around the table that we can make changes or adjustments to it as needed. I just think it's very important for every commission committee or board to have a signature event that the community connects them to. I think this was the event that connected

people back to the commission. I think people still ask, "What happened to that event?" The event may change but I think that whatever it becomes, we need to have signature event.

(mm) I think we should discuss it for going to have a December meeting. Each year we discussed whether we should meet or be dark in the month of December so I think it would be an appropriate discussion to have this evening.

(lm) What will be the date of the December meeting?

(js) The date of the December meeting will be December 9. Does it matter if someone is planning on attending the meeting? What drives whether we have a meeting or not?

(mg) The commission can decide to be dark if they choose, the public just us to receive notification via the regular channels i.e. posting that there will be no meeting.

(mm) The last couple of years we've gone dark but I believe we may be getting some momentum and I am good with moving forward but he's wanted to bring the issue to the table.

(js) That's what I'm concerned about since we have people around the table to we really want to go dark now that our wheels are spinning. I'm not opposed to going dark but this may be time to just roll up our sleeves and get some work done.

(mm) If everyone is it we will move forward with the meeting in December.

6. COMMITTEE REPORTS: NONE

7. **STAFF REPORT**

(mg) We have the need to agenda is the election of officers. Your Commissioner binders discuss the election of officers and the responsibility of what each officer does. We currently need to fill the secretary position in the vice chair.

(mm) According to the bylaws we need to elect a new chair as well.

(mg) I would also like to schedule Brown Act training. This commission is governed by the rules of the Brown Act. We have had staff from County Counsel provide the training in the past and I will be talking to them to schedule a future training opportunity.

8. **Commission Member Presentations or Announcements:**

(lm) I'm going to an Affordable Housing Summit In Stockton on Thursday and I hope to glean some information that I can bring back and share with all of you. I really think that in California that many people lost their homes or had to default on their mortgage loans during the housing crisis and what that did was end up creating saturation in the rental market. A lot of homes that foreclosed were bought by out-of-area landowners or landlords who are now renting those properties for very high prices. I believe that there is a crisis and housing affordability throughout California and we feel it here in Kern County as well.

(bb) Tomorrow is the 2014 GIS Day event. It will be held at the Bakersfield Downtown Business Association at 1330 Truxtun Ave. suite A. the event will be from 1 o'clock to 5 o'clock and the event is open to the public. There will be a mixer at 5:30 PM.

(mc) This is still in the early stages but the District Attorney's Office along with a number of other nonprofit and government agencies are trying to prop up a family Justice Center. So far I know they have met with each of the members of the Board of Supervisors. I think that even though it seems like the lead in the planning phase is being taken up by the District Attorney's Office the idea is to have an area to provide service for victims and survivors of domestic violence where the participation and eligibility for services doesn't necessarily depend on a victim or a witness being willing to prosecute. I think more information will be coming as they secure funding and partners in the planning phase.

(js) I would like to talk about the effects or the impact of proposition 47 on the community. There may be some folks coming that are not happy about that. There may be some folks that are happy about that.

(hc) That is already causing a logistical problem right now because of the jails in the prisons and how they're going to enforce Penal Code and who they're going to release and not release. It's going to be a long process.

(js) I'm just concerned as a citizen. I want to know who's going to be on the streets. Do I need to become a card-carrying NRA member? I don't know, I'm just concerned about what will happen.

(hc) Drug and property crimes go hand-in-hand so there a lot of people that will be released that are currently in for possession or sales or petty theft which are offenses the will no longer be a felony. In my experience there is no doubt that you will see an increase in crime. If you use drugs and you're not working where are you going to get the money?

(js) I do not know if this is something that can be a community conversation that the commission could sponsor. It may be an opportunity to tell the community what to expect.

(mc) Speaking for myself and not for my office, I think that is one of the ways that the ballot measure was successful because in my opinion it was fairly misleading. When you have a ballot initiative that is termed "safe schools and safe streets" why wouldn't someone vote for that? We'll see in the next few months or the next few years that the impact may be just the opposite if we don't find a solution to the problems that this ballot initiative they create. Based on the initial numbers we were quoted, since this is retroactive, there are over 4000 people in the community right now that will be eligible for release. I think these numbers may be very low we saw the same thing proposition 109 and prison realignment. The numbers that were first reported were much lower than what the net impact was.

I think the two examples that I hear most often is if someone goes out and steals a gun that is valued at less than \$950 that is no longer a prison eligible crime. Because it is below the \$950 amount it is still a misdemeanor. Like with AB109, we should expect to see property crimes go up.

(mg) Commissioner Caves, because proposition 47 reduces a lot of crimes that were formally abilities to misdemeanor status do you think that obviates the need for Prop 36 diversion program?

(mc) The way that we have traditionally got people into the prop 36 diversion program is to have the leverage of a felony charge. If the only leverage we have is that we can make something a misdemeanor, someone who is given the choice of the cite and release on a misdemeanor or going to extensive treatment, most people will choose the cite/release.

(mm) I thought there than there actually releasing people they were in custody right now.

(mc) People will be released that are currently incarcerated as a result of this.

(mm) I thought there were people in the local jail that are already being released.

(hc) There still a process to go through there are logistic issues such as classification. That will be a process is not going to be a floodgate immediately opening up but, there will be a process we can expect that.

(mc) I think there's a three year window for people to petition but it is fully retroactive. You can have a case that is 20 years old but will still be eligible. There are things such as super strikes are certain types of criminal violations will not necessarily be affected by this law. I think the impact will be more broad and far-reaching than most voters anticipated.

(js) That sounds like that would be a great mini workshop the commissioners and members of the public involved. I think of Commissioner Williams were here to be very interested and have a lot to say about it. Is this something that we would want to take on?

(mm) I think that this is an important topic that's going to be pretty relevant to people and we're going to hear more about it.

(mc) As a prosecutor I can tell you the property crimes are going to increase just because of the holidays and now it will be horrible as a victim to be told the person committed this crime is not going to go to jail because it's a cite and release offense and a misdemeanor.

(js) Do we have enough time between now and December to plan to talk about this at the next meeting?

(mc) I would say I'm not neutral on the issue but from the prosecution perspective I can gather enough information between now and then to talk about it.

(js) I think that if Commissioner Williams were here he may have strong opinions about it from the opposite side so that may be helpful to strike a balance. I can send out some emails and try to see if we can logistically pull this off.

(mg) Commissioner Scales are you talking about formally discussing this issue at the next meeting?

(mm) We have a form so someone would like to make a motion you're welcome to do that.

(js) I don't want to rush the commission I just thought that I have this idea that may work and we may be able to discuss it before the holidays. What is the consensus about doing it in December are waiting until January?

(mc) If the plan is just to discuss prop 47 and talk about where we are on it then I think that's doable in December. I don't know if the notice is too short to try to get more community members involved. We can always have the data prepared and put it out there and if we don't get the participation we want we would be having a normal meeting anyway so we would really be wasting any resources.

(mm) If we're going to have a meeting that is based around the issue, then we need to have a motion to do that. I'm not advocating one way or the other.

(mc) **I will make a motion that for the December meeting the Judicial & Legislative Committee be prepared to discuss the impact of proposition 47 and a request input from other members of the commission or the public.**

Motion: Caves Second: Scales Vote: All Ayes

(js) I will prepare an email blast to some members of the public and other agencies.

(hc) I can reach out to members of law enforcement.

(lm) I can reach out to the Kern County homeless collaborative because they have a discharge planning committee that works very closely with law enforcement and diversion programs. I can also run it by people from agencies like Turning Point, Kennemer Center, and places like that. A lot of these people are going to end up homeless on the streets and it will impact the work of their agencies.

(mc) In that respect it could be helpful to someone from Mental Health as well.

(js) We have about 24 or 25 days before the next meeting I will send out some emails and make some work assignments.

(mm) if there is no further comment we are ready to adjourn to is there a motion to adjourn?

(lm) I have one question. When are we going to do the election of officers?

(mm) Normally it is a January agenda item.

(lm) I was just going to say that whenever we do it I will volunteer to be the secretary because I would just end up doing the same thing I did today anyway.

(mm) will take a look in your binder because it describes the positions and what the responsibilities are.

9. **Adjournment:** Motion: lm, 2nd: bb, Vote: Ayes. 7:10 p.m.