

Agenda Item File Number 20-0840 Department Matter

I am Lara Gularte, a commissioner of the Human Rights Commission, County of El Dorado, Third District.

I agree with Supervisor Parlin, to require the Human Rights Commission, "HRC," to update its bylaws, and "create a formal process" for issues brought before them. With the permission, and the support, from the Board of Supervisors of El Dorado County, a process can be achieved by the HRC, and two supervisors working together. To support this mandate, the Board of Supervisors, should consider the HRC to be a working commission in addition to its advisory function.

The HRC serves all citizens of El Dorado County and is unique among other county commissions. As we move into the 21st century, Human Rights is more important than ever. The HRC should remain as a symbol to celebrate the values the County of El Dorado represents.

2018 California Code, Article 10, Human Relations, Section 50260

The purpose of this article is to promote the establishment in counties and cities and counties throughout the state commissions designed to foster peaceful relations in the interest of preserving the public peace among residents of different races, religions, natural origins, and other characteristics in Section 11135.



EDC COB <edc.cob@edcgov.us>

June 30, 2020 BOS meeting, Agenda Item #30, written comments

1 message

Frank Porter <fpsm520@gmail.com>
To: edc.cob@edcgov.us
Cc: bosfour@edcgov.us

Mon, Jun 29, 2020 at 2:37 PM

Good afternoon,
Please include the attached document with the file for the agenda item #30 on the June 30, 2020 EDC BOS meeting.
Thank you,
Frank

--
Frank Porter
Vice-Chair, Campaign Services & Candidate Development
Acting Chair (during Josh Elder's military deployment)
El Dorado County Democratic Party
Mobile: 916-380-9352 www.edcdems.org

 **6.28.20 BOS letter - Human Rights.pdf**
120K



EL DORADO COUNTY DEMOCRATS

To: El Dorado County Board of Supervisors

Date: June 29, 2020

Cc: Board Clerk: edc.cob@edcgov.us

Re: June 30, 2020 BOS Meeting, agenda item #30, Human Rights Commission

Dear Board Chair Veerkamp and Members of the EDC Board of Supervisors:

On behalf of the El Dorado County Democratic Party, I applaud the commitment and foresight that the Board of Supervisors demonstrated in March 2018 when the BOS unanimously approved (5-0) the creation of the El Dorado County Human Rights Commission.

As the adopted ordinance stated: "The purpose of the Human Rights Commission is to promote tolerance and mutual respect among all persons, and to foster peaceful relations in the interest of preserving the public peace among residents of different races, religions, national origins, and the other characteristics listed in Government Code section 11135."

The unanimous Board of Supervisors approval of Ordinance 5081 was a significant declaration by the BOS about the importance of promoting tolerance and mutual respect among all persons. In the light of recent national, state, and local protest events, the role of our EDC County Human Rights Commission is now more important than ever.

We appreciate the EDC Board of Supervisor's continuing focus on promoting tolerance and mutual respect among all persons and on bolstering and clarifying the important role that the Human Rights Commission can play in guaranteeing the human and civil rights of all El Dorado County residents.

Sincerely,

Frank Porter, Chair
El Dorado County Democratic Party



EDC COB <edc.cob@edcgov.us>

Fwd: Human Rights agenda Item 6-30-20 #30

BOS Four <bosfour@edcgov.us>
To: EDC COB <edc.cob@edcgov.us>

Mon, Jun 29, 2020 at 3:13 PM

*Sincerely,
Shelley Wiley*

Assistant to Supervisor Lori Parlin, District IV
Board of Supervisors, County of El Dorado
Phone: (530) 621-6513

Sign Up for District IV Email Updates

Follow Us on Facebook

----- Forwarded message -----

From: <allen@stansbury.net>
Date: Mon, Jun 29, 2020 at 3:02 PM
Subject: RE: Human Rights agenda Item
To: Lori Parlin <lori.parlin@edcgov.us>
Cc: Matthew Cardozo <matthewcardozo@gmail.com>, <shelley.wiley@edcgov.us>

Dear Supervisor Parlin,

Attached you will find a draft policy and procedures for the Human Rights commission that Matthew kindly reviewed.

I'm not satisfied with it as I had hoped to make it simpler, but a lot of "what if" questions seemed to invade my thinking.

Besides the general scope of the process I hopefully outlined, I do want to retain the rights of privacy of anyone who wishes to make a complaint, otherwise members of the public may not want their concerns addressed.

I also want the commission to continue to hold an annual forum as a means to promote the commission as well as gather concerns from the public.

Some of the language used in this draft came from County of Marin Board and Commission Handbook which can be found at https://www.marincounty.org/-/media/files/departments/bs/boards-and-commissions/memberhandbook/board-and-commission-handbook_complete_updated062519.pdf?la=en.

I should also mention that while conducting my research on what other Human Rights Commission use for process guidance. While the Marin manual was the closest that I could find, I did locate the website for the City of Oakland Department of Race & Equity which provided some resources. There are no other published processes of other county Human Rights Commissions. Thus, finding a model to work from is extremely difficult.

I would ask that the Board of Supervisors adopt your alternative recommendation "to designate an ad hoc committee of two Supervisors to create a process for the Commission," however please do not place the commission on hiatus. One of our urgent needs is to discuss the defacing of El Dorado Hills St. Stephan's Church sign with White Supremist graffiti as requested by a member of the church and its pastor. Another is to set a date for a half-day retreat to create a strategic plan from which a work plan can be created.

Given the unprecedented amount of civil rights issues and activities through-out the US and California, it appears to me that this would not be a wise time to terminate the commission as suggested in your memo to your fellow supervisors.

I trust that you or your staff will make this email and draft process available to your fellow supervisors.

All the Best,

Allen Stansbury
Chair, Human Rights Commission



EL DORADO COUNTY HUMAN RIGHTS COMMISSION DRAFT POLICIES AND PROCEDURESr16-26-20.docx
23K

EL DORADO COUNTY HUMAN RIGHTS COMMISSION DRAFT POLICIES AND PROCEDURES

(draft date 6-19-2020, r1: 6-29-2020)

The following set of principals establishes a methodology for the Commission to gather information, facts, data and related material in pursuing issues and/or complaints brought to the Commission's attention. The primary purpose of a commission is to serve as an advisory body to assist governmental bodies in the decision-making process. Commissions serve as a conduit for citizen input by gathering, analyzing and recommending options to the Board of Supervisors.

To maintain objectivity and impartiality, Commission members must remember that they represent the whole community and not the exclusive point of view of a particular group or special interest. The role of the commission is to gather and analyze public input prior to making a recommendation to the Board of Supervisors. The guiding principle of any decision or recommendation is that of addressing the overall public benefit.

Human Rights Change Process¹

- Cultivate advocates and their capacity to focus on equity, build infrastructure and political will to support the change, employ new skills/tools to make changes, track and recognize progress
 - Increase awareness of racial inequity, it's root causes and how it is perpetuated by institutions and systems.
 - Mobilize advocates to organize support for furthering a shared vision of racial equity through institutional leadership, equity teams and staff engagement in change efforts.
 - Develop strategic plans and tools for analysis and resources for advancing racial equity goals, including specific racial equity outcomes.
 - Establish baseline disparity data, targets/benchmarks and processes to track and report outcomes.
 - Collaborate with community and other institutions/partners to identify and address cumulative impacts of institutional and structural inequity in Oakland.
-
1. ROLE OF COMMISSION – Provide recommendations and information to the BOS that identify opportunities and problems concerning HR issues in EDC. Concerns and complaints can be brought to the attention of commission members. The Commission does not represent either the Complainant or Respondent. Neither party is required to hire an attorney, but both have the right to do so if they wish.
 2. From time to time, the commission may invite members of the county staff, including heads of department to discuss issues or encounters concerning civil rights issues or identify racial tensions within the county.
 3. This process recognizes that Members of the Board of Supervisors and Human Rights Commission members will be approached by members of the public or county officials to discuss incidents of racial discrimination, hate crimes or related public concerns or express concerns of what appears to be racism. This process also recognizes members of the commission who

¹ <https://www.oaklandca.gov/resources/race-equity-theory-of-change>

desire to bring a matter to the attention of the commission. It also recognizes that complaints by a member of the public can be brought against another or organization or business located in the county.

4. The commission recognizes that Human Rights Issues and complaints can originate from the public, members of the commission, from organizations, from county departments, and other sources and brought directly to the commission at its regularly scheduled meeting.
5. Commission procedures for dealing with human rights issues brought to the attention of the commission or individual commissioners by members of the public:
 - a. The issue or complaint can be made in writing or an oral statement at a commission meeting.
 - b. In the case of an in-person complaint it can be made at the beginning of the commission meeting at the time allocated on the agenda for public comments.
 - c. The commission can listen to the complaint and place the item on a future agenda or if need be call for a special meeting.
 - d. In case of a written statement, it will be placed on the agenda of a regular commission meeting as a matter of information.
 - e. The writer of the complaint is invited to the commission to discuss their complaint or present their issue in person.
 - f. The commission will review the complaint or issue to determine if:
 - i. It is of legitimate concern
 - ii. If so, what additional information or details will be required
 - iii. Call for the item to be placed on a future agenda or call for a special meeting
 - g. At the follow-up meeting, if the complaint involves a department of the county, at the discretion of the commission the head of the department will be invited to participate.
 - h. In case of a complaint by a member of the public against another person or organization or business located in the county the Human Rights Commission can serve to mediate the matter.
 - i. The issue or complaint will be placed on a published agenda and discussed in detail at a regular or special meeting with all interested parties involved.
 - j. Commissioners will interview the complainant and review evidence used to support the complaint.
 - k. The commission may take action in the form of:
 - i. Continuing the process to obtain additional information or evidence to collaborate or refute the claim
 - ii. Adopt findings or a policy recommendation to the Board of Supervisors
 - l. Upon conclusion of the Commission's review of the issue or complaint, a summary of findings will be drafted to be adopted at a future commission meeting.
 - m. Prior to the adoption of the summary of findings, a draft will be provided to the complainant or responder for comment. These comments will be considered by the Commission prior to submittal to the BOS. The adoption of this will be part of the public record of the proceeding of the Commission and entered into the official minutes.
 - n. Regardless of the Commissioners' final determination, a Complainant may still have the right to file a private action in court. Cases must be filed in court within the timeframes

set out in law. If a Complainant is considering litigation, s/he is advised to seek the advice of an attorney in order to ensure timely filing.

- o. Any recommendations that are to be forwarded to the BOS will be presented by a member of the commission.
6. The commission recognizes members of the public wish to be anonymous to protect their identity in anticipation of retaliation or retribution. This could be an instance of sex-trafficking or bullying of ethnic minorities by a White Supremist group or whistle-blowing within a county department. In the case of whistle-blowing, the complaint will be referred to the County Administrator's office for investigation and remedial action. Bullying may be referred to the Sheriff's Office. In case of a complaint that is not covered by the above, a member of the commission can be assigned to meet with the individual and return with a report about the matter. If a commission member is not assigned, a disinterested, unbiased individual familiar with investigative techniques can be appointed to meet with the individual and return with a report about the matter.
7. From time to time, the commission may sponsor an educational forum to celebrate some aspect of ethnic life and culture or to emphasize the county's expression of racial equality or highlight racism as unappropriated within the community. A subcommittee of commission members may be appointed at a regular commission meeting whose function will be to determine the purpose of such a forum.
8. Once a year, the Human Rights Commission will host a county-wide forum of invited speakers to discuss human rights concerns raised in the following year or concerns anticipated in the near future for the purpose of identifying potential human rights issues through-out the county.
9. The outcome of the forum will be made as a part of the Commission's record and used as a basis for an annual workplan. Keeping in mind: Commission as a resource for county government and the community by providing information, education, and communication regarding Human Rights. The commission to be a support, an HR presence in the community. Promote diversity, creating a safe, welcoming community.
- 10.