



## Civil Rights Department Commission on the State of Hate

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# COMMISSION ON THE STATE OF HATE

## Meeting Notice and Agenda

**December 1, 2022, 9:30 am**

**Members of the public may join remotely using the following remote meeting information:**

**<https://us02web.zoom.us/j/84666319888>**

**and/or**

**1-669-444-9171 and Meeting ID: 846 6631 9888**

I. Call to Order and Establishment of a Quorum

Director Kevin Kish

Director Kish welcomed guests to the inaugural meeting of the Commission on the State of Hate and gave information about the Commission.

Director Kish welcomed members of the public and announced that the Commission meeting would be livestreamed via Zoom. He then explained the rules regarding public comments and the ways in which they can be submitted. Members of the public can participate and submit public comment by emailing the Commission, using the Zoom chat feature, and/or using the zoom “raise hand” function.

Director Kish then turned the meeting over to CRD Assistant Deputy Director, Alec Watts, who conducted roll call.

II. Introductions – Commissioners and Civil Rights Department Executives

[Commissioner Cynthia Choi](#)

[Commissioner Regina Cuellar](#)

[Commissioner Andrea Beth Damsky](#)

[Commissioner Cece Feiler](#)

[Commissioner Brian Levin](#)

[Commissioner Russell Roybal](#)

[Commissioner Bamby Salcedo](#)

[Commissioner Shirin Sinnar](#)

[Commissioner Erroll G. Southers](#)

[Kevin Kish](#), Director, Civil Rights Department

[Adam Romero](#), Deputy Director, Civil Rights Department

[Becky Monroe](#), Deputy Director, Civil Rights Department

[Alec Watts](#), Assistant Deputy Director, Civil Rights Department

III. Informational Presentation: Civil Rights Department Overview

Deputy Director Adam Romero, Deputy Director Becky Monroe

Deputy Director Adam Romero highlighted the Civil Rights Department mission and purpose. He also noted that the Department's name changed July 2022, it was formerly known as the Department of Fair Employment and Housing. He then explained the strategies of the department, what it enforces, the methods of outreach and education, and the methods of research and reporting.

Deputy Director Becky Monroe gave an overview of the CA vs. Hate Resource Line and Network and detailed the three goals of the program. She then announced that the resource line and network has had a soft launch. Deputy Director Monroe then also introduced the Community Conflict Resolution team and explained their duties.

#### A. Commission Discussion

Commissioner Feiler asked Deputy Director Monroe how the resource line and network are working with community leaders to address the issue of people not trusting or feeling comfortable reporting hate incidents.

-Deputy Director Monroe responded by saying that they are making it clear that this is a resource for the community and community members and focusing on providing resources to people that they can trust like local CBO's. She also stated that they're making it a goal to earn the community's trust because they understand people's hesitation seeking help from a government organization. They are committed to connecting with CBOs and keeping confidentiality.

Commissioner Choi asked about the capacity and staffing of the resource line and network and the resources for community members whose primary language is not English.

-Deputy Director Monroe responded by stating they received funding which enabled them to hire a great team to staff the resource line and network. She also stated that they are obligated to provide these services in any language needed and are capable of doing so.

Commissioner Levin asked if the resource line phone number was live and asked if there was a definitive statement on the resource line and network saying that we will not deport anyone nor assist in any punitive actions against victims.

-Deputy Director Monroe stated that the portal and phone number are live for people to use and referred to it as a "soft launch." She welcomes any feedback from the people who utilize the resource line and network. She also clarified that when people are using the resource line and network, they do not ask any kind of immigration status questions, and they are also working with organizations that specifically work with undocumented populations, so people feel safe reporting. Deputy Director Romero agreed. Director Kish then clarified that the protections CRD enforces across the board are protections for all California residents regardless of immigration status, and CRD has been continuously working to build trust with these communities.

Commissioner Sinnar asked where Deputy Director Monroe or Romero saw the Commission and other government organizations fitting in with the work of the resource line and network, and their thoughts on DOJ's annual report.

-Deputy Director Romero stated that one of the goals of CRD has been to breakdown the silos in between agencies. He then stated that CRD has collaborated with various agencies in California to issue guidance and educational materials. Deputy Director Monroe then explained that staff with the resource line and network have a regular meeting with CDSS regarding their hate violence program to collaborate and gain knowledge and information. She also mentioned that they have been working closely with the State Library as they have connections with ethnic media so they can spread the word and learn how to effectively communicate with ethnic communities. She then also stated that collaboration between

agencies is a priority. Deputy Director Romero then expressed excitement about the potential work between the resource line and network and the Commission.

Commissioner Southers asked if the information that is collected will be shared with law enforcement and whose numbers will be relied on for reporting data (law enforcement or the resource line)

-Deputy Director Monroe stated she understood that hate crimes are often underreported. She then stated that there hasn't been a systemic approach to data collection until now, however they have been looking at community-based organizations and non-governmental organizations for their hate crime reporting data. She also stated that they have learned a lot of information from LA vs. Hate. She also highlighted that she has spoken with POST (Police Officer Standards and Training) and they are interested in the information the resource line and network will collect, which can lead to a better collaboration with law enforcement agencies to ensure they receive proper training and information. Director Kish then briefly added that part of the role of the Commission is to provide specific recommendations to these specific issues.

Commissioner Feiler asked if hate crimes against homeless people would be considered.

-Deputy Director Monroe stated that the resource line and network is available to anyone who has been targeted by a crime of hate, and oftentimes when people are targeted for their housing status, it also includes being targeted for another protected class.

Commissioner Roybal asked if statutes are actually working to combat hate crimes in the state and nationally, and will we be able to get that information via the resource line and network.

-Deputy Director Monroe stated that they are focusing on what survivors are asking for and wanting. Deputy Director Romero then highlighted that this was a great question and it could inform some of the work the Commission can do going forward.

-Commissioner Levin then highlighted the statistics of hate crimes in the country.

Commissioner Damsky asked what can we do when a hate crime is committed by someone who is experiencing mental health issues.

#### B. Public Comment

No public comment.

#### IV. Informational Presentation: [AB 1126: Commission on the State of Hate \(Bloom, Chap.712, Stats. 2021\)](#) Assistant Deputy Director Alec Watts

Assistant Deputy Director Watts began by explaining the timeline of the establishment of the Commission through AB 1126. He then highlighted that over the past few months the Commission appointees have been made, and Governor Newsom signed an executive order to require CRD to launch the Commission by January 1, 2023.

Assistant Deputy Director Watts then explained the purpose and mission of the Commission, which is to strengthen California's efforts to stop hate through research, education, and advisement. He then detailed the duties and goals of the Commission, which include publishing an annual report, holding 4 community forums on the state of hate each year, and advising the Legislature, Governor, and state agencies on policy recommendations.

#### A. Commission Discussion

No comments.

### B. Public Comment

No public comment.

### V. Remarks on AB 1126: Assemblymember Bloom Assemblymember Bloom

Assemblymember Bloom welcomed people to the inaugural meeting of the Commission. Assemblymember Bloom then explained the origin of AB 1126 in response to the increase in hate incidents, which would establish the Commission on the State of Hate. He then welcomed the commissioners to the Commission and thanked them for their service.

### VI. Informational Presentation: Bagley-Keene Open Meeting Act Assistant Deputy Director Alec Watts

Assistant Deputy Director Watts gave an overview of the Bagley-Keene Open Meeting Act and its purpose. He then explained that the Commission's meetings fall under this act which means the meetings must be open and public, they must provide the notice and agenda to the public 10 days prior to the meeting and allow all persons to attend and participate. Assistant Deputy Director Watts also detailed the rules the Commission must follow under the Bagley-Keene Act.

#### A. Commission Discussion

Commissioner Sinnar asked about suggested methods of communication between subcommittee members, and if it is a violation of the act if there is an email chain between 3 members that are just sharing information and not discussing any decision-making. She also asked if it was a violation if one member of a subcommittee shares information with another Commissioner who is on a different subcommittee. She also received clarification regarding communication between Commissioners.

Commissioner Levin asked about the possibility of meeting the fellow Commissioners in person, and would it need to be done individually or if it would be in violation of the act. He then asked for clarity regarding communication between Commissioners.

Commissioner Feiler asked if it was a violation of the act to introduce two Commissioners to someone else who is not on the Commission via email.

Commissioner Cuellar asked if Commissioners were able to email more than one CRD staff member at a time and it not be in violation of the act.

#### B. Public Comment

No public comments.

### VII. Discussion and Action Regarding Proposed CSH Policy Manual Deputy Director Adam Romero

Deputy Director Romero gave an overview of the Commission's policy manual and explained where it was located online. He then explained that the Commissioners can discuss any revisions they would like to make to the manual, but if there are a substantive number of changes then it is suggested to create a subcommittee to address all the changes and propose a revised policy manual.

#### A. Commission Discussion

Commissioner Feiler asked if defacing property, for example painting a swastika, can be legally prosecuted as a hate crime.

Commissioner Southers commented that oftentimes law enforcement will report defacing property such as Commissioner Feiler's swastika example as vandalism and not report or charge it as a hate crime. Commissioner Feiler then thanked him for bringing attention to this.

#### B. Public Comment

No public comment.

#### C. Action by Commission

Commissioner Cuellar moved to adopt the CSH policy manual and Commissioner Salcedo seconded the motion to adopt the CSH policy manual. The Commission voted to adopt the policy manual unanimously.

### VIII. Discussion and Election of CSH Chair Assistant Deputy Director Alec Watts

Assistant Deputy Director Watts gave an overview of the nominating and voting process for the CSH Chair. He then discussed the roles and responsibilities of the CSH Chair, as well as the rules and procedures for nominating a Chair.

#### A. Commission Discussion

Commissioner Levin stated he would like to have a Vice Chair on the Commission.

Commissioner Salcedo agrees with having an idea similar to Commissioner Levin's in place, like co-Chairs or Vice Chair so there is more support. She would also like to make a motion to consider having 2 co-Chairs.

Commissioner Levin seconded the motion to add a co-Chair.

\*The discussion regarding co-Chairs and/or a Vice Chair moved to section IX.

\*After the discussion moved to item IX on the agenda and was completed the Commission returned to this discussion regarding electing a Chair.

Commissioners Southers, Levin, Roybal, and Salcedo expressed interest in becoming Chair and were all nominated.

#### B. Public Comment

No public comment.

#### C. Action by Commission

The Commission voted and elected Commissioner Roybal to become Chair.

### IX. Discussion of Additional Officers and Election Assistant Deputy Director Alec Watts

#### A. Commission Discussion

Commissioner Damsky discussed how to determine how to divide the duties should there be co-Chairs or a Vice Chair. She also prefers having co-Chairs rather than a Vice Chair.

Commissioner Roybal asked if there are any Department recommendations and if there are any other examples or precedents for have co-Chairs.

Deputy Director Romero informed the Commissioners he only has experience where there has on been one Chair. He also highlighted that AB 1126 states that the Commission should elect one member to become Chair. He stated that prior to the meeting, the Department's recommendation was to elect one Chair, and after the Commission has begun their work to revisit the possibility or necessity of electing additional officers.

Commissioner Choi advocated for adding a Vice Chair position.

Commissioner Cuellar also advocated adding a Vice Chair and recommended possibly voting on it later.

Commissioner Salcedo moved to amend her motion to add a Vice Chair instead of a co-Chair.

Director Kish explained and gave clarity on the process.

Commissioner Levin seconded Commissioner Salcedo's motion to amend her original motion, to add a Vice Chair.

Director Kish gave clarity on the situation.

Commissioner Feiler asked if they need to go through the Chair, or Vice Chair if added, before responding to any comments.

Director Kish reviewed the communication policy in the CSH Policy Manual.

Commissioner Cuellar highlighted relevant information from the handbook.

Commissioner Levin talked about communication policies regarding Commissioners making statements or speaking to others and/or the media.

Director Kish made clear that Commissioners can speak and make statements on behalf of themselves, but not on behalf of the Commission.

Commissioner Roybal suggested a communication protocol to be added to the handbook.

Commissioner Feiler asked clarifying questions regarding individual communication.

Commissioner Southers voiced his support of those that may be speaking on behalf of the Commission.

Commissioner Roybal motioned to end the discussion. Commissioner Feiler seconded.

Commissioners Levin, Choi and Salcedo expressed interest in becoming Vice Chair, and all were nominated.

#### B. Public Comment

No public comment.

#### C. Action taken by Commission

The Commissioners unanimously moved to approve the motion to create a Vice Chair position.

Commissioner Roybal made a motion to allow the elected Chair to create the subcommittee that will determine the responsibilities of the Vice Chair. Commissioner Salcedo seconded. The Commissioners unanimously approved the motion.

The Commission voted and elected Commissioner Salcedo to be Vice Chair.

X. Discussion and Assignments of Subcommittees

A. Commission Discussion

The Commissioners discussed what subcommittees to create and who would join each committee. The subcommittee assignments are as follows:

- Data and Research: Commissioners Sinnar and Levin
- Policy: Commissioners Salcedo and Choi
- Law Enforcement: Southers and Damsky
- Community Forums: Commissioners Cuellar and Feiler
- Other Jurisdictions: Cuellar and Choi
- Funding: Salcedo and Roybal

B. Public Comment

No public comment.

C. Action by Commission

Commissioner Roybal moved to adopt the subcommittees and the appointees. Commissioner Feiler seconded the motion. The Commission voted to adopt the subcommittees unanimously.

XI. Discussion and Action Regarding Meeting Schedule

Deputy Director Adam Romero

Deputy Director Romero stated that the Department's recommendation is for the subcommittees to begin working and have discussions with the elected Chair regarding the meeting schedule.

A. Commission Discussion

Commissioner Cuellar asked if the meetings can be on any other day besides Thursday due to a previous ongoing engagement.

Commissioner Southers asked to create a set day for meetings to avoid conflict with other engagements.

B. Public Comment

No public comment.

XII. Public Comment on Items Not on the Agenda

Assistant Deputy Director Alec Watts

*The Commission may not discuss or act on any matter raised during the public comment section that is not included on this agenda, except whether to decide to place the matter on the agenda of a future meeting. (Government Code §§ 11125 and 11125.7 (a))*

No public comment.

XIII. Future Agenda Items

Deputy Director Adam Romero

Department recommendation is to allow the subcommittees to begin their work before suggesting any future agenda items.

A. Discussion by Commission

Commissioner Levin would like to request to add comment from community groups for future meetings.

B. Public Comment

No public comment.

XIV. Adjournment

Director Kish adjourned the meeting at approximately:

Commission on the State of Hate Members

Cynthia Choi – Governor Appointee  
Regina Cuellar – Speaker of the Assembly Appointee  
Andrea Beth Damsky – Senate Rules Committee Appointee  
Cece Feiler – Speaker of the Assembly Appointee  
Brian Levin – Governor Appointee  
Russell Roybal – Senate Rules Committee Appointee  
Bamby Salcedo – Governor Appointee  
Shirin Sinnar – Governor Appointee  
Erroll G. Southers – Governor Appointee

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Meetings of the Commission on the State of Hate (Commission) of the Civil Rights Department (CRD) are open to the public except when specifically noticed otherwise in accordance with the Open Meeting Act. Public comments will be taken on agenda items at the time the specific item is raised. If public comment is not specifically requested, members of the public should feel free to request an opportunity to comment. Total time allocated for public comment may be limited. The Commission may take action on any item listed on the agenda, unless listed as informational only. All times are approximate and subject to change. Agenda items may be taken out of order to accommodate speakers and to maintain a quorum. The meeting may be cancelled without notice. For verification of the meeting and its virtual address, call 800-884-1684 (voice) or 800-700-2320 (TTY) or access CRD's Web site at [www.calcivilrights.ca.gov](http://www.calcivilrights.ca.gov). To submit comments during the virtual meeting, e-mail the Commission at [CSH@calcivilrights.ca.gov](mailto:CSH@calcivilrights.ca.gov). Requests for further information should be directed to Alec Watts at 800-884-1684 (voice) or 800-700-2320 (TTY).

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The meeting is open to the public and is accessible to individuals with physical disabilities. Anyone who requires a disability-related accommodation or modification of policies or procedures to participate in the meeting, should make a request by contacting Mimi de Ville, CRD's ADA Coordinator, at (844) 541-2877 (voice or via relay operator 711) or TTY (800) 700-2320 or via email: [mimi.deville@dfeh.ca.gov](mailto:mimi.deville@dfeh.ca.gov) or [accommodations@dfeh.ca.gov](mailto:accommodations@dfeh.ca.gov) as soon as possible or at least 72 hours before the meeting.

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**Date of notice: November 18, 2022**



