



Civil Rights Department

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CIVIL RIGHTS COUNCIL

Minutes from Council Meeting on August 29, 2023, 2:00 p.m.

Junipero Serra State Office Building
 320 West 4th Street
 Los Angeles, CA 90013
 7th Floor Conference Room

Members of the public joined in person at the physical location above or joined remotely using the following remote meeting information:

<https://us02web.zoom.us/j/82147978465>

and/or by phone: (669) 900-6833 and Meeting ID: 821 4797 8465

Councilmembers Present

Gabriel Sandoval, Chairperson
 Jonathan Glater, Councilmember
 Hellen Hong, Councilmember
 Adetunji O. Olude, Councilmember
 Julie Wilensky, Councilmember

Civil Rights Department Staff Present

Kevin Kish, Civil Rights Department (CRD) Director and Ex Officio Member
 Adam Romero, CRD Deputy Director of Executive Programs
 Rachael Langston, CRD Assistant Chief Counsel, Legislative and Regulatory Unit
 Mariel Block, CRD Senior Counsel, Legislative and Regulatory Unit
 Monica Chavez, CRD Associate Governmental Program Analyst

Others Present

An estimated 1 member of the public participated in person, and 50 members of the public participated virtually.

I. **Call to Order and Roll Call**

Chair Gabriel Sandoval

Chair Sandoval called the meeting to order. Assistant Chief Counsel Langston conducted roll call.

II. **Welcome**

Chair Gabriel Sandoval

Chair Sandoval welcomed members of the public and informed members of the public how to submit public comment.

III. **Review of the Agenda**

Chair Gabriel Sandoval

Chair Sandoval reviewed the agenda for the meeting.

IV. **Welcome of Councilmember Jonathan Glater**

Chair Gabriel Sandoval

Chair Sandoval welcomed Jonathan Glater to the Civil Rights Council. Councilmember Glater introduced himself.

V. **Approval of the Minutes**

Chair Gabriel Sandoval

Chair Sandoval reviewed the minutes from the April 3, 2023, and April 28, 2023, meetings and asked for edits, amendments, and public comments on the minutes and received none. The Council unanimously voted to approve the minutes.

VI. **Councilmembers' Reports**

Chair Gabriel Sandoval and Councilmembers

No reports from Councilmembers.

VII. **Civil Rights Department Report**

Civil Rights Department Executives

Director Kish welcomed Jonathan Glater to the Council. He encouraged people to sign up for the CRD newsletter and then gave updates regarding the latest CRD news:

- CRD launched a statewide education & outreach campaign in multiple languages for CA vs. Hate.
- CRD settled several cases, including a nearly \$100,000 settlement for a Fair Chance Act claim.

Director Kish reiterated CRD's commitment to enforcing the Fair Chance Act.

No comments from Councilmembers.

VIII. **Consideration of Unmodified Text of Proposed Modifications to Fair Housing Regulations**

Councilmember Hellen Hong

A. Discussion by the Council

Councilmember Hong, on behalf of the Housing Subcommittee, sought approval of the unmodified text of the Fair Employment and Housing Act (FEHA) fair housing regulations and authorization for CRD to submit the text to the Office of Administrative Law and make non-substantive changes as needed.

No further comment from Councilmembers.

B. Public Comment

No public comment.

C. Action by the Council

Councilmember Wilensky moved to approve the unmodified text and send to the Office of Administrative Law. Councilmember Olude seconded. The Council unanimously approved the motion.

IX. **Consideration of First Modified Text of Proposed Government Code Section 11135 et seq. Regulations**

Councilmembers Adetunji Olude and Julie Wilensky

A. Discussion by the Council

Councilmember Olude, on behalf of the Government Code Section 11135 Subcommittee, sought approval for the modified text of Government Code Section 11135 et seq. regulations and authorization to commence a 15-day public comment period. Councilmember Wilensky reiterated that the Council welcomed comments that day, but that the regulations were not yet in a formal 15-day public comment period. Councilmember Wilensky further advised that members of the public should resubmit comments during the upcoming, formal 15-day comment period if they wished to have their comments included in the formal rulemaking package.

Councilmember Hong proposed grammatical edits and sought clarity on the definition of “effective.”

B. Public Comment

Dara Schur: Thanked Council for their work on this package. Noted she will resubmit public comment from the Disability Rights California (DRC). Schur sought clarity on the definition of physical disability and questioned the removal of the word ‘diagnosis’ and suggested the Council keep the word in the proposed text. She also suggested to keep the phrase “perceived as having an impairment” and the following subsections after that phrase. Schur encouraged the Council to consider comments from advocates.

DRC: Submitted written comment via email.

Joann Lee, Legal Aid Foundation of Los Angeles: Expressed disappointment that the revised regulations are not aligned with language access and language rights. Lee also highlighted that other language access efforts are more comprehensive at the federal, state, and local level. Urged changes in line with written comments submitted by the coalition of advocates regarding language access.

Kel O’Hara: O’Hara expressed disappointment in the lack of changes and updates to the section speaking about sex and gender and further stated hope that the Council will consider public comments regarding this issue.

Ashley Werner, Leadership Council for Justice & Accountability: Werner expressed the importance of these regulations to the communities the Leadership Council serves. Werner raised concerns regarding environmental justice issues and encouraged the Council to make changes in line with submitted comments.

Lisa Cooley: Cooley asked what the Council is doing to ensure people with disabilities have affordable and accessible housing.

C. Action by the Council

Councilmember Julie Wilensky requested a break to confer with other subcommittee member, Councilmember Adetunji Olude, to discuss action after receiving the public comment.

Councilmember Wilensky noted that no modifications were being proposed at the time of the meeting and that a motion was being sought to have the current text approved to move the regulatory package into a 15-day comment period.

Councilmember Hong moved to approve the current text and enter a 15-day comment period. Chair Sandoval seconded. The Council unanimously approved the motion.

X. **Consideration of Draft Council Handbook**

Chair Gabriel Sandoval and Councilmember Hellen Hong

D. Discussion by the Council

Councilmember Hong proposed adopting a handbook for the Civil Rights Council outlining responsibilities, the statutory authorities of the Council, terms, goals, requirements, rules, and related matters.

Councilmember Glater expressed the usefulness of the handbook.

Councilmember Wilensky thanked them for drafting the handbook and expressed how helpful it will be.

Councilmember Olude expressed the same sentiments as Councilmembers Glater and Wilensky and thanked Chair Sandoval and Councilmember Hong for drafting the handbook.

Director Kevin Kish suggested the Council allow members of the CRD to make non-substantive changes to the handbook.

E. Public Comment

No public comment.

F. Action by the Council

Councilmember Glater moved to adopt the handbook. Councilmember Olude seconded. The Council unanimously approved the motion.

XI. **Strategic Planning Subcommittee**

Chair Gabriel Sandoval and Councilmember Hellen Hong

G. Discussion by the Council

Chair Sandoval stated the subcommittee met with the Civil Rights Department to discuss responsibilities of the Council, and how the Council can be more involved in community education and outreach.

Councilmember Hong noted that the Council must be mindful of the time and resources of both Councilmembers and CRD staff.

Councilmember Olude noted that Councilmembers had to pause regulatory work in which they were invested when other Councilmembers had to step down. She noted difficulty in balancing regulatory work with other types of work discussed.

Councilmember Wilensky expressed interest in holding more hearings, as well as outreach activities. She noted that the Council should be mindful of complimenting the CRD's existing efforts rather than duplicating them.

Councilmember Glater raised questions about the best way to disseminate information from research and hearings to the public. He also asked how Councilmembers can individually engage with the public.

Chair Sandoval explained how Councilmembers can individually engage with the public.

XII. **Subcommittee Updates**

Chair Gabriel Sandoval and Councilmembers

H. Discussion by the Council

Councilmember Olude asked to review current subcommittees its members.

Councilmember Hong listed the subcommittees and members as follows:

- Subcommittee on Government Code Section 11135 Regulations: Councilmember Olude and Councilmember Wilensky
- Subcommittee on Hate Violence and Community Education and Outreach: Chair Sandoval and Councilmember Hong
- Subcommittee on Algorithms and Bias: Councilmember Hong
- Subcommittee on Strategic Planning: Chair Sandoval and Councilmember Hong
- Subcommittee on Fair Housing Regulations: Councilmember Hong.
- Subcommittees on the Unruh Act, Reasonable Accommodations for Associational Disabilities, and Religious Creed Discrimination and Accommodation are paused until new councilmembers are appointed and onboarded.
- Subcommittee on Criminal History and Employment Regulations: This subcommittee has concluded its work. The Office of Administrative Law approved the regulations submitted by this subcommittee.

Director Kish flagged that changes in the current legislative session could require the formation of new subcommittees in the new year.

Councilmember Glater expressed interest in AI subcommittee.

Chair Sandoval noted that the Subcommittee on Community Education and Outreach has the opportunity to collaborate with the Commission on the State of Hate on potential joint initiatives Councilmembers Olude, Wilensky and Glater agreed that the Subcommittee on Community Education and Outreach should be the one to collaborate with the Commission.

Councilmembers in consultation with CRD staff agreed to keep paused subcommittees on hold in order to observe which bills pass this session.

I. Public Comment

No public comment.

J. Action by the Council

Councilmember Hong moved to add Councilmember Glater to the AI Subcommittee. Chair Sandoval seconded. The Council unanimously approved the motion.

XIII. Further Public Comment

Assistant Chief Counsel Langston noted that there was a general public comment, but the individual asked that the comment not be read.

XIV. Adjournment

Chair Sandoval adjourned the meeting at approximately 3:23 PM.

Date: September 8, 2023

GABRIEL SANDOVAL
Chair, Civil Rights Council

TAYLOR WHITLEY
CRD Outreach and Education Office Technician