



Civil Rights Department • Commission on the State of Hate

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COMMISSION ON THE STATE OF HATE

Meeting Notice and Agenda

February 22, 2024, 9:00 am PT

<https://us02web.zoom.us/j/89639770676>

and/or

1-669-444-9171 and Meeting ID: 896 3977 0676

Commissioners Present

Chair Russell Roybal

Vice Chair Bamby Salcedo

Commissioner Cynthia Choi

Commissioner Andrea Beth Damsky

Commissioner Cece Feiler

Commissioner Brian Levin

Commissioner Shirin Sinnar

Commissioner Erroll Southers

Ex-Officio Members Present

Abby Browning, Governor's Office of Emergency Services

Civil Rights Department Staff Present

Alec Watts, Assistant Deputy Director

Lily Harvey, Assistant Deputy Director

Monica Chavez, Associate Governmental Program Analyst

Rebecca Goodsell, Research Data Specialist

Shanna Hart, CRD Counsel

Shilpa Ram, CRD Counsel

Marquez Equalibria, Assistant Deputy Director

Gregory Mann, CCRU

Christina Teixeira, CCRU

Others Present

An estimated 26 members of the public participated virtually.

I. Welcome

A. Call to Order

Chair Roybal Called the meeting to order at 9:01 a.m.

They welcomed everyone to the second meeting of the year for the California of the State of Hate. They shared the translated closed captioning available for this meeting.

B. Establishment of a Quorum

Assistant Deputy Director Alec Watts conducted roll call.

C. Review of the Agenda

Chair Roybal reviewed the public comment process, reviewed the agenda, and noted changes to the order of items in the agenda.

VI. Chair and Subcommittees Updates and Discussion

D. Chair Russell Roybal

Updates provided by Chair Roybal:

- If anyone has been a victim of a hate crime or incident, please report to CA vs. Hate.
- Congratulations to Commissioner Southers for being a recipient of the LAPD’s Jack Webb’s Award.
- Vice Chair Salcedo celebrated Trans Latin@ Coalition’s 15-year anniversary.
- The March Commission meeting will be on Wednesday, March 20th.
- The Commission will host the next community forum on March 20th at 2pm.

E. Subcommittee on Recommendations for Law Enforcement

Commissioner Southers provided an update during agenda item V: Discussion of Content of Law Enforcement Training

F. Subcommittee on Data and Research

Updates provided by Commissioner Sinnar:

- The subcommittee is working on a contract that will be initiating studies on online hate prevalence and intervention strategies.
- Another contract will be reviewing literature on the effectiveness of sentencing enhancements in hate crimes.

- A contract for research on public messaging campaigns for prejudice reduction, is finishing up and findings will be shared in the Commission’s annual report.
- New contracts will procure research on topics such as restorative justice and educational interventions.

Commission Discussion

Chair Roybal asked about the sentencing enhancement research.

Commissioner Sinnar noted that there’s a lack of data on the deterrence effect but there is a need for research on the relationship between sentence length and deterrence.

Commissioner Choi questioned if the findings would be presented after the research is complete.

Commissioner Sinnar shared that the data is for the Commission’s Annual Report and policy recommendations.

Commissioner Levin added that there are disparities in sentencing between general crimes and hate crimes.

Commissioner Feiler asked for clarification on the definition of sentence enhancements.

Commissioner Sinnar explained that sentence enhancement in hate crimes adds time to a base sentence if the offender targeted a victim based on a specific characteristic or identity.

Vice Chair Salcedo emphasized the significance of conducting this research and exploring alternatives, highlighting a preference for evidence-based approaches and a focus on non-law enforcement centered research.

Commissioner Sinnar acknowledged the complexity of the matter.

Commission skipped to agenda item V: “Discussion of Content of Law Enforcement Training”

V. Discussion of Content of Law Enforcement Training

Updates provided by Commissioner Southers:

- Focus on directing enforcement agencies to California versus Hate for support.
- The Subcommittee met with LAPD Detective Orlando Martinez to discuss LAPD's approach to hate crime reports and investigations.
- Reviewed potential topics for the upcoming POST training.

Commissioner Damsky shared the potential content for POST training video and updates:

- An explanation of AB 449's applications for law enforcement, its motivation, and the new form officers need to fill out for hate crimes or incidents, including where to find it and its contents.
- Definitions, identification, importance, differentiation between hate crimes and incidents, data collection, and evidence gathering.
- Importance of responding to hate incidents, potential future implications, and engaging with individuals who instigate these incidents.
- Strategies for effective engagement with communities before and after hate incidents, building trust and relationships outside of crisis situations.
- Importance of providing resources to hate crime or incident targets, emphasizing legal requirements and the significance of reporting and investigation.
- A follow-up video may be necessary.

Commission Discussion

Commissioner Choi emphasized the importance of treating all incidents with equal seriousness due to potential trauma and escalation risks. She highlighted that it is key for law enforcement special units to be actively listening to affected individuals and to be knowledgeable about available resources.

Commissioner Sinnar stressed the importance of community building and the manner in which training content is presented. She raised concerns about how the training will be evaluated, drawing on insights from a report by the Little Hoover Commission, which critiqued California's lack of evaluations of law enforcement trainings. The Commission's report emphasized the need for a thorough review of training programs and their impact on officer behavior, suggesting that ineffective training could erode community trust. She raised questions regarding the Commission's steps to measure the impact of this and future trainings, public availability of the training video, knowledge about the audience for the training, and tracking viewer engagement.

Commissioner Sinnar shared the following link in the Zoom chat:

<https://lhc.ca.gov/sites/lhc.ca.gov/files/Reports/265/Report265.pdf>.

Commissioner Damsky expressed uncertainty about POST's methods for evaluating training effectiveness and the public availability of the video. She indicated that POST should have viewer data but was unsure if this information would be accessible to the Commission.

Commissioner Southers responded that POST monitors training completions to ensure officers meet regulatory requirements. Traditionally, the availability of these materials for broader public access remains limited. He emphasized that an evaluation of training effectiveness is crucial. Methods include surveys and metrics from existing platforms, with suggestions for periodic field evaluations to see how training is applied. He highlighted the importance of continuous evaluation and adaptation based on feedback and effectiveness in real-world situations.

Vice Chair Salcedo noted that despite years of providing training to law enforcement by community members, there have been no significant cultural transformations. She inquired about the educational process for new hires regarding hate crimes and urged the Commission to explore diverse ideas for better outcomes.

Commissioner Sinnar questioned if POST could routinely supply relevant information and raised concerns about the lack of public access to POST trainings. She emphasized the importance of including a broader range of community voices in the training process.

Commissioner Levin made three main points: (1) Emphasized the importance of leadership messaging, structural changes, and knowledge enhancement to improve responses to hate crimes. (2) Highlighted the positive impact of a hate crime law in Boston as an example of effective action. (3) Condemned discrimination and reinforced the Commission's dedication to inclusivity.

Commissioner Southers responded that he agreed that the POST training videos should be publicly available for transparency. He highlighted that in-person trainings may be more effective in fostering change within law enforcement, which faces challenges in shifting its "us versus them" mentality. He emphasized that engaging those who have experienced police conduct in developing training content is essential for meaningful reform.

Commissioner Damsky responded that the Commission's feedback is helpful for the development of the POST training.

G. Subcommittee on Policy Recommendations and Best Practices in Other Jurisdictions

Updates provided by Commissioner Choi:

- The subcommittee's community-based research is focusing on barriers to reporting and seeking assistance.
- As the Commission explores ways to engage subject matter experts outside the Commission, it is important to remember the Commission serves an advisory role to the Governor's Office and State agencies. The commission utilizes community forums, key informant research, and public comments to inform its work.
- She requested that subcommittees interested in engaging subject matter experts discuss a plan based on strategic priorities and manage these relationships responsibly, limiting the number of experts to around five for efficiency.

Commission Discussion

Chair Roybal requested the CRD staff bring up this discussion in subcommittee meetings.

Assistant Deputy Director Watts asked for clarification for how the Commissioners want to engage with experts and for how long.

Commissioner Choi responded that the answer to that is dependent on the needs of the subcommittees.

Commissioner Levin highlighted the importance of having people with various skills from different faith backgrounds and someone from the Human Relations Commission to add them as non-member advisors.

Commissioner Choi suggested exploring various avenues for engaging experts, including community forums, and emphasized subcommittee discussions on engaging diverse subject matter experts.

Commissioner Levin asked about creating two groups of experts: (1) directly related to the subcommittee's work and (2) more tangentially connected but relevant, aiming to include diverse representations and skill sets.

Commissioner Choi supported the idea of choosing experts that match the group's main goals of the subcommittees.

Commissioner Feiler pointed out that the Commission is already engaging subject matter experts via community forums.

Commissioner Choi agreed that community forums are how the Commission has engaged with subject matter experts.

H. Subcommittee on Community Forums

Updates provided by Commissioner Feiler:

- The next community forum is on March 20th focusing on election related hate with a presentation from the California Secretary of State.
- A community forum will take place on May 11th in Shingle Springs and focus on the Native Communities.

I. Subcommittee on Funding

No updates provided for the subcommittee on funding.

Public Comment

The first commenter emphasized the Commission's role serving as a forum for public input and making recommendations to legislative bodies. They advocate for the Commission to address Assembly Bill 2604, due to its relevance to issues of selective victim targeting based on protected characteristics, referencing recent hate crimes.

The second commenter raised concerns about incidents of uncivil behavior at local government meetings. The commenter questioned what actions the State is taking to support local government bodies in handling such incidents, including data collection and training for officials. They also inquired about the Commission's efforts to communicate with and support these bodies, as well as how the Commission is making its presence known to communities across the state.

Chair Roybal responded that the Commission will discuss that bill and pointed out that the December community forum discussed the second topic.

II. Approval of the Minutes

Commissioner Feiler moved to approve the minutes for the January meeting; seconded by Commissioner Choi.

The minutes were approved:

- Ayes: 6
- Nos: 0
- Abstain: 0

III. Civil Rights Department Report, Assistant Deputy Director Alec Watts

Updates provided by Assistant Deputy Director Alec Watts:

- CRD announced a significant settlement with Activision Blizzard to resolve discrimination allegations, including unfair pay and promotion practices. The settlement, pending court approval, mandates corrective actions and monetary relief for affected women in California.
- CRD filed a lawsuit against Ralph's Grocery Company for violating California's Fair Chance Act by unlawfully denying employment to applicants based on their criminal history, which includes minor offenses unrelated to the job duties.
- CRD has opened the pay data reporting portal for 2023, requiring large private employers to report workforce data to identify pay disparities. This initiative aims to address persistent wage gaps, especially among women and communities of color, in California's lowest-paid occupations.

Assistant Deputy Director Alec Watts shared the following link:

<https://calcivilrights.ca.gov/paydatareporting/>

Presentation by Assistant Deputy Director Lily Harvey:

- The CRD Outreach and Education unit was formed after the “Me Too” movement to put together a statewide sexual harassment prevention training and has now expanded to inform Californians about civil rights.

- The Welcome In Program is a business recognition pilot aimed at combating discrimination, hate, and harassment in businesses.
- The program, set to launch before January next year, will offer certifications to businesses meeting specific benchmarks.
- It will provide free customer service training for handling hate and harassment.
- Other resources, such as model policies and codes of conduct, will be made available for participating businesses.

Commission Discussion

Vice Chair Salcedo asked about training in public offices and for private security, particularly to address restroom access discrimination faced by the transgender community.

Commissioner Choi responded, as Stop AAPI Hate sponsored this bill, that the intention is for it to be more of a proactive affirmative program. However, the bill does not address that specific concern Vice Chair Salcedo raised.

Vice Chair Salcedo asked for some guidance on addressing that issue.

Assistant Deputy Director Watts responded that staff will look into it and get back to Vice Chair Salcedo.

Assistant Deputy Director Harvey shared she can connect with Assistant Deputy Director Watts to provide resources and trainings that are available on the Outreach and Education website.

VII. Commission Member Announcements

Vice Chair Salcedo announced her organization is celebrating its quinceañera and will be celebrating in November. Her organization helped pass AB 2018, which is a trans wellness equity fund.

Commissioner Levin congratulated Chair Roybal, Vice Chair Salcedo, and Commissioner Southers, and Stop AAPI Hate. He emphasized the work of the Commission and the importance of protecting civil liberties.

VIII. Public Comment on Items Not on the Agenda

IX. Future Agenda Items

Chair Roybal reminded everyone that the Commission meeting next month will be a week earlier. They also shared that the March community forum will include a presentation from the California Secretary of State.

X. Adjournment of the Meeting

Meeting adjourned at 11:10

RUSSELL ROYBAL
CHAIR

BAMBY SALCEDO
VICE CHAIR

CYNTHIA CHOI
COMMISSIONER

REGINA CUELLAR
COMMISSIONER

ANDREA BETH DAMSKY
COMMISSIONER

CECE FEILER
COMMISSIONER

BRIAN LEVIN
COMMISSIONER

SHIRIN SINNAR
COMMISSIONER

ERROLL SOUTHERS
COMMISSIONER