



Civil Rights Department Commission on the State of Hate

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Minutes

Commission on the State of Hate
October 23, 2024, 9:00 am

<https://us02web.zoom.us/j/83613610202>

or

1-669-444-9171 and Webinar ID: 836 1361 0202

Commissioners Present

Vice Chair Salcedo
Commissioner Cynthia Choi
Commissioner Regina Cuellar
Commissioner Andrea Beth Damsky
Commissioner Cece Feiler
Commissioner Brian Levin
Commissioner Erroll Southers

Ex Officio Members Present

Abby Browning, Ex officio member of the Commission

Civil Rights Department (CRD) Staff Present

Alec Watts, Assistant Deputy Director of the Research and Strategic Initiatives
Rebecca Goodsell, Research Data Specialist
Kevin Thomas, Research Data Specialist
David Kalkstein, Research Data Specialist
Monica Chavez, Associate Governmental Program Analyst

Others Present

An estimated 12 members of the public attended virtually.

I. Welcome A. Call to Order

Vice Chair Salcedo welcomed everyone to the eighth meeting of the year of the California Commission on the State of Hate. She shared that translated closed captioning is available for this meeting.

B. Establishment of a Quorum

Assistant Deputy Director Alec Watts conducted the roll call.

C. Review of the Agenda

Vice Chair Salcedo reviewed the agenda and public comment process.

She noted that the meeting will skip Agenda Item III: “Informational Presentations on Restorative Justice.”

Links Sent in the Chat:

https://calcivilrights.ca.gov/wp-content/uploads/sites/32/2024/10/CSH-Meeting_10.23.2024_NoticeAgenda.pdf

CSH@CalCivilRights.ca.gov

II. Approval of the Minutes

Commissioner Damsky asked for clarification on the approval of the minutes.

Vice Chair Salcedo confirmed that the minutes from the last meeting and community forum will be voted on separately.

A. August 28, 2024, Commission Meeting

Link Sent in the Chat:

https://calcivilrights.ca.gov/wp-content/uploads/sites/32/2024/10/Attachment-A_CSH-Meeting_8.28.2024_Minutes.pdf

Commissioner Levin moved to approve the August 28, 2024, meeting minutes; Commissioner Feiler seconded.

- Ayes 6: (Commissioner Choi, Commissioner Cuellar, Commissioner Damsky, Commissioner Feiler, Commissioner Levin, Commissioner Southers)
- Nays: 0
- Abstain: 1 (Vice Chair Salcedo)

B. September 26, 2024, Community Forum

Link Sent in the Chat:

https://calcivilrights.ca.gov/wp-content/uploads/sites/32/2024/10/Attachment-B_CSH-Community-Forum_9.26.2024_Minutes.pdf

Commissioner Cuellar noted a spelling error on the minutes for the September 26, 2024, community forum.

Commissioner Feiler moved to approve the September 26, 2024, community forum minutes with the correction of the error; Commissioner Cuellar seconded.

- Ayes 6: (Commissioner Choi, Commissioner Cuellar, Commissioner Damsky, Commissioner Feiler, Commissioner Levin, Commissioner Southers)
- Nays: 0
- Abstain: 1 (Vice Chair Salcedo)

Commission Discussion

Commissioner Levin expressed gratitude for the community forum.

Commissioner Choi confirmed that Commissioners can vote to approve minutes even if they were not present at the meeting which the minutes were for.

Vice Chair Salcedo requested to change her vote to approve the minutes.

III. Informational Presentations on Restorative Justice

Agenda item was skipped.

IV. Chair and Subcommittees Updates and Discussion

A. Chair Russell Roybal

Updates provided by Vice Chair Salcedo:

- Acknowledgement of Indigenous People’s Day, LGBTQ History Month, Hispanic Heritage Month, Filipino American History Month, and National Disability Employment Awareness Month.
- Dr. David Kalkstein has recently joined the Civil Rights Department as a Research Data Specialist supporting the Commission.
- CA vs. Hate is available as a resource to assist victims of hate.
- There are free services available for communities experiencing hate or discrimination through the California Civil Rights Department’s Community Conflict Resolution Unit (CCRU).

Links Sent in the Chat:

<https://www.cavshate.org/>

CCRU@calcivilrights.ca.gov

<https://calcivilrights.ca.gov/community-conflict-resolution-unit/>

B. Subcommittee on Data and Research

No update from the Subcommittee on Data and Research.

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

Update provided by Commissioner Cuellar:

- The Subcommittee is reviewing the memo by their researcher on the barriers that community-based organizations face in responding to hate incidents.
- The Subcommittee is researching existing State trainings and protocols that State employees use to prevent hate.

D. Subcommittee on Recommendations for Law Enforcement

Updates by Commissioner Damsky:

- Announced completion of the AB 449 training video on hate crime reporting, now available on YouTube. Despite some feedback not being incorporated, the video serves as a training tool for law enforcement.
- Pointed to the need for clarity on funding related to AB 449's implementation, particularly for sections requiring adequate budget allocation.
- Discussed that the Subcommittee has been meeting with experts to learn about the gaps between law enforcement agencies and also where agencies are working well together.
- Reported that the Subcommittee has invited speakers to inform them about policies important to the transgender community and is in the process of scheduling meetings with other organizations and commissions to discuss racial inequities in law enforcement.
- Discussed outreach efforts to human relations commissions and community police oversight boards to understand law enforcement's impact on protected class communities.
- Recapped discussions with Assemblymember Ward covering topics such as hate incident reporting, "bubble laws" for protecting certain locations from protestors, and Assembly Bill 3024, which was recently signed into law and addresses hate littering. Assemblymember Ward is the new incoming Chair of the LGBTQ+ legislative caucus and is interested in speaking with the Commission about LGBTQ+ hate crimes and the work of the caucus.

E. Subcommittee on Community Forums

Updates by Commissioner Cuellar:

- Shared the success of the recent Oakland community forum and preparations for the next forum on December 4th in Fresno, focusing on the Oaxacan, Sikh, and Hmong communities.
- Introduced a new listening session format that will be used in the next forum soliciting community feedback.
- Requested input on specific questions Commissioners want the Commission to ask at the December 4th community forum.
- Asked Commissioners for recommendations on topics for future forums.

Commissioner Feiler added the following updates:

- Expanded on Commissioner Cuellar’s updates to clarify that the structural changes to the forum format require limiting Commissioner attendance to comply with the Bagley-Keene Act requirements.
- Solicited ideas on topics for next year’s forums.

Commissioner Choi requested clarification on how Commissioners can submit questions without violating open meeting laws. Assistant Deputy Director Watts responded that feedback should be given during the meeting.

Commissioner Levin confirmed December 9th as the next remote meeting date, following the Fresno forum. There will be a report on the forum outcomes at the December 9th meeting.

Commission Discussion

Commissioner Southers noted that, while the POST video is not required, there will be a push to encourage officers to watch the training.

Public Comment

One commenter was pleased about the consideration of a second disability related forum. They also discussed that funding was arranged for the implementation of AB 449, specifically noting that it requires law enforcement agencies to submit their hate crime policies to the California Department of Justice to verify compliance.

Another commenter requested a copy of the subcommittee update for Recommendations for Law Enforcement. Assistant Deputy Director Watts informed them that the recording of this Commission meeting will be posted on the website.

V. Informational Presentation: 2023 Hate Crime Data & 2024 Update

Commissioner Brian Levin

Presentation by Commissioner Levin:

- Noted underreporting and informational gaps in hate crime data, in both local and national numbers.
- The majority of hate crimes were race or ethnicity-based, followed by incidents motivated by bias against an individual’s religion or sexual orientation.
- Anti-Jewish, anti-Muslim, anti-Latino, anti-Asian, and anti-Arab hate crimes have all seen substantial increases, with anti-disability and anti-transgender incidents also rising notably.
- Despite some improvement in agency participation in reporting, a significant portion of agencies still report zero incidents, limiting data accuracy.
- Stressed the importance of supporting initiatives like CA vs Hate.

Commission Discussion

Commissioner Choi asked when the FBI started collecting data and if the gaps are from the FBI or state-level data collection.

Commissioner Levin responded that 1991 is when the FBI started national data collection and highlighted issues with technology, victim reporting, and how international conflicts affect hate incidents in the US.

Public Comment

A commenter asked about agencies in geographic deserts that are reporting nothing. Commissioner Levin responded that both smaller and larger agencies are underreporting.

The next commenter asked about underlying causes of hate against multiple communities and what the Commission can do about it. Commissioner Levin discussed looking to community resilience and looking into more data.

Another commenter asked if those are the same agencies reporting zero hate crimes and about how closely AB 449 will affect reporting and implementation of a hate crime policy. Commissioner Levin responded that they are, but also highlighted that there is underreporting at large agencies as well.

Commission Discussion

Vice Chair Salcedo commented on the violence and hate faced by transgender communities and emphasized the need to support and uplift the community.

Commissioner Feiler expressed concerns over increasing global tensions and the upcoming election, highlighting challenges faced by various communities.

Commissioner Levin expressed commitment to supporting communities statewide that are facing discrimination.

VI. Commission Member Announcements

Vice Chair Salcedo announced that TransLatin@ will be celebrating their 15th anniversary (Quinceañera) fashion show on November 16th at 7 pm.

Commissioner Damsky reminded everyone that the election is coming up and highlighted two propositions related to hate.

Commissioner Levin shared information on a case relating to discrimination on college campuses.

The Commission revisited Agenda Item IV to discuss questions requested by the Subcommittee on Community Forums for the upcoming forum. Commissioner Choi, Vice Chair Salcedo, Commissioner Levin, Commissioner Damsky, and Commissioner Southers suggested questions that focus on the following:

- Barriers to reporting and seeking support and services.
- Community relationships and involvement with government and law enforcement.

- Long-term and short-term resource and support needs.
- Policies that are not currently in place but would be useful.
- Importance of reporting all hate activity and sharing the law enforcement training with communities.
- Solutions and resources necessary to eliminate hate.

Commissioner Choi suggested revisiting ideas for future forums in the next Commission meeting. Commissioner Feiler concurred.

VII. Public Comment on Items Not on the Agenda

One commenter noted that their organization is collaborating with a group that is promoting Prop 3 and extended an invitation to their organization's event on November 9th.

The last commenter requested that any action item concerning legislation be placed on the agenda for the next Commission meeting in December and discussed the need for every law enforcement agency to have a hate crimes coordinator.

VIII. Future Agenda Items

No future agenda items were discussed.

IX. Adjournment of the Meeting

Commissioner Feiler made a motion to adjourn the meeting; Commissioner Southers seconded. The meeting adjourned at 10:57 am.