

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11 **HUMAN RELATIONS COMMISSION**

12 **Thursday, July 12, 2007**  
13 Council Conference Room  
14 Palo Alto Civic Center  
15 250 Hamilton Avenue  
16 7:00 PM  
17

18  
19 **ROLL CALL: Commissioners Present:** Atito, Blum, Khan, Lenoir, Mendoza, Mora, Savage  
20 **Staff:** Kathy Espinoza-Howard, Amy Johnson  
21

22  
23 **APPROVAL OF MINUTES:** Commissioner Mora requested, in light of the full agenda, that  
24 **discussion of approval of minutes be removed from the agenda and reviewed at the retreat.**  
25

26 **AGENDA CHANGES, REQUESTS, and DELETIONS:** Item 4 was moved ahead to become Item  
27 **1. Oral Communications was moved to follow agenda item # 2.**  
28

29  
30 **BUSINESS**

31  
32 **1. APPROVAL OF THE NEW PALO ALTO MEDIATION PROGRAM MEDIATOR**  
33 **VOLUNTEERS:**  
34

35 Andrea Werboff and Liz Douthitt, Co-Chairs of the Palo Alto Mediation Program introduced  
36 themselves. Ms. Werboff read the names of the new mediators and explained the process. The Palo Alto  
37 Mediation Program received 11 applications for volunteer mediation positions. After the interview  
38 process, 4 candidates were selected as new mediators and began their training on July 1<sup>st</sup>. Seven  
39 existing mediators were renewed with one of them becoming an Emeritus mediator.  
40

41 **Commissioner Mora moved that the names of the selected mediators be given to the Mayor for**  
42 **approval and appointment. Seconded by Commissioner Atito, AYES: Unanimous.**  
43

44 **2. DISCUSSION REGARDING CO-SPONSORSHIP OF COMMUNITY LAW NIGHT.**

45 Ms. Sarah Marinelli, and Mr. George Cole members of the Palo Alto Area Bar Association (PAABA)  
46 spoke as members of a small committee that is planning a community law night. Their goal is for  
47 everyone in Palo Alto to obtain legal assistance at no fee and no commitment. At the event anyone can  
48 consult with a lawyer with the goal to make progress to resolve an issue. The attorneys are under no  
49 obligation to continue to work for those who they advise after that evening.

50 There was a brief discussion about advertising the event via flyers, and the Enjoy Catalog.

51  
52 **Commissioner Lenoir moved that the HRC co-sponsor the Community Law Night Event.**  
53 **Seconded by Commissioner Blum. AYES: Unanimous.**

54  
55 **ORAL COMMUNICATIONS:**

56 Commissioner Mora outlined guidelines for agenda item 4, Discussion of Civic Discourse and  
57 Community Conflicts. She mentioned that some may be attending tonight in response to Commissioner  
58 Blum's column in the Palo Alto Weekly concerning community disagreements about the Mandarin  
59 Immersion program, and perceptions about the Peninsula Peace and Justice's stance on the  
60 Israeli/Palestinian conflict. She cautioned that the content, merit, or any particular issue that might have  
61 caused civil discourse or community conflicts, will not be open for discussion during agenda item #4.  
62 What can be discussed during that agenda item is how the discussions were handled, and personal  
63 perspectives on more effective ways to dialogue about disagreements. Commissioner Mora suggested  
64 that anyone wishing to speak to Commissioner Blum's July 18<sup>th</sup> column, should do so during Oral  
65 Communications. Commissioner Blum's column will not be discussed during the Civic Discourse and  
66 Community conflicts agenda item.

67  
68  
69 Mr. Aram James spoke about Albert Hopkins who was beaten by two PAPD officers a couple of years  
70 ago. The officers involved are still on the force and undisciplined. Mr. James called for a minute of  
71 silence in honor of Mr. Hopkins who recently died.

72  
73 Mr. Mark Petersen-Perez, said that at a recent City Council meeting the Mayor commented that he was  
74 one of Aram James' followers, which he found to be insulting. He wanted to clear the air that he is an  
75 individual and not a follower. He made a public apology to Aram James for referring to him as  
76 Reverend Aram James.

77  
78 Mr. John Abraham handed out a report that he prepared regarding the day and night data from last report  
79 from the Police Department which he analyzed. His findings determined that fewer citations occur at  
80 night and that there are more warnings and arrests at night. The data also indicates that different racial  
81 groups are not treated the same which should be investigated..

82  
83 Mr. Greg Kerber handed out a letter addressed to City Council regarding police misconduct. He also  
84 spoke about his concern about the BMR program study.

85  
86  
87 **3. DISCUSSION WITH POLICE AUDITORS REGARDING THE POLICE AUDITOR'S**  
88 **INTERIM REPORT AND THE TASER TASK FORCE REPORT**

89  
90 Mr. Mike Gennaco introduced himself as the independent police auditor hired by the City of Palo Alto.  
91 He spoke briefly about his previous experiences such as providing oversight to the Los Angeles County  
92 Sheriffs Dept. In his 9 months working with Palo Alto, he has completed and distributed one report  
93 which he is very proud of. His report includes a significant level of detail because he was empowered to  
94 provide a level of transparency. He spoke about items in the report and stated that there were fewer  
95 complaints than previous years. He made suggestions to the Police Department in the report about how  
96 to investigate complaints in which there were no disagreements by the PAPD. He reported that he  
97 studied one case of racial profiling which was very difficult to prove, even with mobile video units in  
98 each patrol car which helps in these cases. He spoke about a provision that states it was a crime to make

99 a false allegation against a police officer and that it was believed to cause people from making claims at  
100 all, even if they were legitimate. Overall the department has been very receptive to his suggestions. He  
101 said that if anyone has a complaint against the department they are welcome to go to the department or  
102 his firm by emailing him at [mjgennac@laoir.com](mailto:mjgennac@laoir.com) or calling his office 323-890-5360.

103  
104 Mr. Gennaco also stated that he was chair of the Taser Task force charged to recommend to City  
105 Council whether the PAPD should include Tasers as a policing tool. The Task Force recommended that  
106 Tasers be made available to the PAPD. Mr. Gennaco is considering recommending that if the auditor  
107 renews for another year, the review include any instance when a Taser is used.

108  
109 Mr. Gennaco answered questions regarding the use of mediation. He would support mediation if done  
110 by trained mediators skilled in working on police issues. He answered questions regarding the use of  
111 video camera's 24/7. He said that every time there is a contact it should be captured, but not so as to  
112 cause an overload of data. He believed the current procedures were sufficient. He answered questions  
113 about SB1019. He said that he testified in support of the bill, but it did not pass. He mentioned that  
114 other cities have written resolutions in support of the bill.

115  
116 Commissioner Savage inquired about the training classes for officers to use tasers. Asst. Chief Dennis  
117 Burns stated that the officers will begin training in September.

118  
119 Commissioner Atito commented that all complaints should go to a neutral party like Mr. Gennaco's firm  
120 instead of complaining directly to the department. Mr. Gennaco spoke briefly about data collection  
121 saying that he has never looked at it, because he is not a statistician. If there is an individual allegation,  
122 his concern would be that the actions are done correctly.

123  
124 Mr. Greg Kerber, a Palo Alto resident spoke about a complaint he made to the Palo Alto Police  
125 Department. He also spoke about the difficulty in obtaining complaint forms. When he called the Palo  
126 Alto Police Department, he was told that he needed to speak to an officer to obtain a form, which he  
127 viewed as inappropriate. When he inquired about forms from other cities, he had the option to have it  
128 mailed to him or to pick it up.

129  
130 Mr. Aram James, a Palo Alto resident said that he and Mr. Gennaco have had discussions and  
131 disagreements. He spoke about how the Task Force and City Officials were unfair to those who were  
132 against the use of tasers. He then spoke against the use of tasers because they are used against unarmed  
133 individuals. He said that people feel they are speaking to an accountant and not to a complaint review  
134 body.

#### 135 136 **4. DISCUSSION REGARDING CIVIC DISCOURSE AND COMMUNITY CONFLICTS**

137  
138  
139 Commissioner Mora outlined the Human Relations Commission's intention for placing this item on the  
140 agenda. Over the last couple of years the HRC has noticed our discourse on issues of concern in the  
141 community has been becoming less and less civil. There seems to be a focus on making the other side  
142 wrong rather than to listen for understanding. Often comments are personal, hostile, and vilifying. She  
143 stated that while the HRC encourages free speech, it hopes to do so in a forum where disagreements can  
144 be aired, reviewed and considered in a respectful manner. She stressed the importance of being mindful  
145 of the difference between our intention for communicating and the impact of how it is received. Most of  
146 us are more willing to be open to another perspective when the comments are shared with the  
147 understanding that we are reasonable people. It is the HRC's hope for this agenda item to open a

148 discussion on how we as a community can talk about issues on which we passionately disagree. This is  
149 not a time to discuss the merit of any particular issue. It is a time to talk about the nature of our  
150 communications.

151  
152 Commissioner Blum stated that the HRC has invited everyone tonight to discuss a process to move  
153 forward and bridge gaps. This is only the beginning of a conversation and will not end tonight. He  
154 explained the role of the HRC per the city municipal code that is very broad and is to investigate and  
155 make recommendations to the City Council.

156  
157 Commissioner Atito asked everyone who wants to speak to be the hope and remember that we are all  
158 here for each other.

159  
160 Ms. Nancy Kelem, a Los Altos resident explained that while she lives in Los Altos she is in the Palo  
161 Alto school district and is the mother of an adopted girl from China. She mentioned she never heard  
162 racist statements or negative characterizations in connection with the Mandarin Immersion program.  
163 She understands that proponents have alleged racist comments. From the opponents she only heard  
164 factual information shared about the proposed Mandarin Immersion program. She said the proponents  
165 don't need to be here tonight, they got what they wanted. The opponents are left with the option to stew.

166  
167 Ms. Jean Hamilton, a Palo Alto resident said that we need to figure out how to listen to each other. She  
168 proposed the HRC sponsor a series of community wide events on a Saturdays regarding how to live and  
169 listen together.

170  
171 Ms. Holly Ullman, a Stanford resident, here representing Peninsula Board of the Jewish Community  
172 Relations Council proposed that the issue of dialogue between PPJC and proponents of the Israeli cause  
173 be removed from tonight's agenda. She sees the HRC's job to minimize conflict. That has not been the  
174 case with this issue. Mr. Blum's column seems to have exacerbated the conflict. She said the HRC is  
175 not the right venue for this issue. Ms. Ullman stated that she felt it was inappropriate to make rules  
176 regarding dialogue between disputing groups, because people can be very passionate about their cause  
177 and should have the right to be a bit rude. Continuing to promote dialogue can make the matters worse.  
178 The HRC should not get involved.

179  
180 Mr. Greg Kerber, a Palo Alto resident commented that civil discourse should begin at this meeting. He  
181 explained that he found himself in a position in which he is not in good communication with the PAPD  
182 because he is uncomfortable and intimidated with people who can arbitrarily exercise their power.

183  
184 Ms. Daunna Minnich, a Palo Alto resident told a story about a past school issue regarding claiming  
185 property. It was said that the discussions were very civil. She said that she would like to see this  
186 behavior brought back. She is involved with the school district and has been involved in many  
187 controversial issues. She agreed that certain issues recently have had uncivil public discussions. She  
188 also believes that the media has let us down, because they do not promote trying to understand the  
189 underlying issues.

190  
191 Ms. Cynthia Chin Lee, a Palo Alto resident expressed her feelings regarding how some people's tones  
192 and sarcasm were hurtful. She was surprised to have such an organized attack from opponents.

193  
194 Mr. Mark Petersen-Perez, a Palo Alto resident said that communication is important to him. We have  
195 the freedom to express our thoughts and feelings. People may not like what the opposing party has to  
196 say, it is important for people to listen with an open mind.

197 Mr. Aram James, a Palo Alto resident said that freedom of speech is important. Public officials have to  
198 take the good with the bad and that he is shocked by the request for touchy, feely comments.  
199

200 Ms. Niko Janik, a Palo Alto resident said that it felt very bad to be ridiculed when speaking and that it  
201 would be great for the HRC to sponsor an actual conversation to promote healing.  
202

203 Ms. Elaine El-Bizri, a Palo Alto resident and volunteer mediator with the PAMP explained what she  
204 does as a mediator. She contacts both parties and finds that usually the second party to speak is very  
205 angry and has feelings of distrust. This is the beginning of how people discuss what they are very  
206 passionate about. The parties in mediation have an opportunity to be heard in a safe and neutral  
207 environment and explore the underlying issues that helped fuel their dispute. She spoke about how  
208 mediation can lead to successful outcomes and build positive relationships.  
209

210 Ms. Lynette Lee Eng, a Los Altos Resident said she congratulated the HRC on being informed and  
211 being advocates for the community. She explained how the City of Cupertino dealt with a similar  
212 problem. They held public meetings with small break out groups and then came back to share what  
213 everyone said. Helping to clarify information adds calmness to the community.  
214

215 Ms. Elisabeth Seaman, a Palo Alto resident and volunteer mediator shared her comments about  
216 considering how people give their messages. People need to learn how to communicate their feelings in  
217 a constructive manner. Likes the idea of the HRC sponsoring a series of workshops on ways to discuss  
218 community conflicts. She stated she would like to help out in anyway possible.  
219

220 Ms. Jocelyn Tseng, a Palo Alto resident said there was an element in communication that demonstrated  
221 racial issues and that stereotyping clouded the issue. She was surprised that even though most Palo Alto  
222 residents are well educated, they had still behaved badly. People didn't understand the difference  
223 between teaching a language and teaching a culture. Her natural tendency is avoidance. She said she  
224 wondered what can be done about the fact that Palo Alto is not welcoming in certain ways.  
225

226 Commissioner Lenoir thanked everyone for coming this evening and sharing their comments. She  
227 believes it is important to take some next steps. She asked that people email Kathy Espinoz-Howard,  
228 the HRC's Staff Liaison if they are interested in a planning session to work on Next Steps.  
229

230 Commissioner Blum commented that a lot of people spoke tonight and that they shared good  
231 suggestions. He wondered what the next steps should be. He encouraged members of the public to  
232 work with the HRC to continue these discussions.  
233

234 Commissioner Atito also thanked everyone. He encouraged everyone to do what they can as individuals  
235 and reach out to their neighbors.  
236

237 Commissioner Mendoza said that this is a complicated issue and he appreciated the good points brought  
238 up by the speakers. He commented that the HRC should not control how people express themselves  
239 because it may push people away. It is more important to try to understand what drives people's  
240 emotions.  
241

242 Commissioner Wilson also thanked everyone for attending and sharing their comments. She apologized  
243 for any problems with how the agenda item was worded. She honored Commissioner Mendoza's  
244 concerns about restricting the way people communicate their opinions. She commented on the merits of  
245 non-violent communication and explained that it takes a high level of experience to hear the concern

246 behind someone's comments when the message is framed as a personal attack. She encouraged people to  
247 explore Marshall Rosenberg's NVC training as a means to hear hard communications without taking it  
248 personally, and learn techniques for speaking with clarity and intention.

249  
250 **5. PRESENTATION FROM (PAGE) PALO ALTO'S FOR GOVERNMENT**  
251 **EFFECTIVENESS:**

252  
253 Mr. Mark Sabin, a Sunnyvale Resident said they have tried to figure out how to facilitate difficult  
254 discussions and that the tone of communication has an impact on the city. He explained that PAGE  
255 published a white paper that Commissioner Mora distributed at the previous meeting. He also said that  
256 Palo Alto has been seen as a special community of shining examples of building social capital and that it  
257 will continue to deal with important issues. PAGE is going out to members of the community to get  
258 their feedback regarding fostering social capital.

259  
260 He summarized the main points of the published white paper.

261  
262 Commissioner Blum asked how the HRC and PAGE can work together without duplicating efforts and  
263 that he would like to speak offline to discuss some ideas such as developing a citizen's academy. There  
264 is a sense of angst and intimidation in the community and he would like to find another way to come  
265 together as a community.

266  
267 Commissioner Atito asked about next steps. Mr. Sabin responded that it will be determined by what  
268 kind of feedback they receive.

269  
270 There was a brief discussion about what Redwood City is doing with their Citizen's Academy.  
271 Mr. Sabin said that PAGE is still in the fact finding phase.

272  
273 Commissioner Mora said that she would like to see the HRC work with PAGE.

274  
275 Commissioner Blum agreed and added that he would like to incorporate mediation also and suggested  
276 that PAGE be invited to the HRC retreat to brainstorm ideas.

277  
278 Mr. Sabin agreed to go back and discuss the idea of attending the retreat with his board.

279  
280  
281 **6. REPORTS FROM OFFICIALS:**

282 **A. Commissioner Reports:**

283  
284 Commissioner Savage had nothing to report.

285  
286 Commissioner Mendoza had nothing to report.

287  
288 Commissioner Atito had nothing to report, but he commented that he thought tonight's meeting was  
289 perfect.

290  
291 Commissioner Blum reported that he wrote an article in the weekly and will be meeting with PAMP to  
292 brainstorm mediation ideas.

293  
294 Commissioner Mora reported that she had attended the PPJC Board meeting the previous night to

295 address Commissioner Blum's column. Executive Director Paul George and the Board of PPJC were  
296 very upset. She apologized for neglecting to formally invite the PPJC to attend tonight's HRC meeting.  
297 She said PPJC had sent a letter requesting ways the HRC could redress the damage caused by  
298 Commissioner Blum's article. The PPJC letter was distributed to all the Commissioners.  
299

300 Commissioner Lenoir said that she spoke to school staff regarding how they select youth members onto  
301 boards.  
302

303 Commissioner Mora welcomed new Commissioner Olana Khan.  
304

305 Commissioner Khan is looking forward to exploring how she can most effectively contribute as a  
306 Commissioner.  
307

308 There was a brief discussion about the agenda items for the retreat. Commissioners Mora and Blum  
309 agreed to discuss offline the issue of how to respond to the Peninsula Peace and Justice Center.  
310

311 **B. Council Buddy Reports:**

312 None  
313

314 **C. Council Liaison Report:**

315 None  
316

317 **D. Staff Liaison Report:**

318 Kathy Espinoza-Howard reported on her findings regarding other cities involvement with youth on  
319 boards and commissions. She found that the City of Campbell is the only city which does so on the  
320 Peninsula. She also reported that the Lucie Stern Community Center has been reserved as the location of  
321 the HRC Retreat on September 15, 2007 at 8:30am, and that Ms. Eve Agiewich has been asked to  
322 facilitate.  
323

324 **ANNOUNCEMENTS**  
325

326 None  
327  
328

329 **CALL FOR AGENDA ITEMS**  
330

331 Staff Retreat  
332 Chair/Vice-Chair  
333 Special Meeting with PAGE and PAMP  
334

335 **ADJOURNMENT**

336 The meeting adjourned at 10:00pm.