

1  
2  
3  
4  
5  
6  
7  
8  
9  
10 **HUMAN RELATIONS COMMISSION**  
11 **Thursday, November 13, 2008**  
12 Council Chambers  
13 Palo Alto Civic Center  
14 250 Hamilton Avenue  
15 7:00 PM  
16  
17  
18

19 **ROLL CALL: Commissioners Present:** Atito, Bacchetti, Ezran, Khan, Mendoza, Mora, Savage  
20 **Council Liaison:** Yiaway Yeh, Peter Drekmeier **Staff:** Kathy Espinoza-Howard, Linda Larson, Amy  
21 Johnson

22  
23 **ORAL COMMUNICATIONS:**

24 Mr. Aram James gave a handout regarding Ray Sanders as a potential candidate for Police Chief. Mr.  
25 James would like Mr. Keene to interview Mr. Sanders. Mr. James spoke of Mr. Sanders standing on  
26 Tasers and the Death Penalty. Mr. James read an excerpt from an item in the packet about preventing  
27 wrongful convictions. Mr. James would like City Manger Keene to talk to current rank and file in the  
28 police department to ask what they think of the current leadership.

29 Mr. Mark Petersen-Perez gave handouts. Mr. Perez spoke about media related items and said that due to  
30 statements made by the HRC concerning the recent protest that it is important to be careful of what we  
31 say in news media. He found the comments offensive.

32 Mr. Joseph Ciampi spoke about the recording in police cars. He stated that if the system is not  
33 functioning they should not use the system or the officers should make audio notation to dispatch and  
34 report to technical maintenance. He has been asking for the report concerning the system and has not  
35 been able to get it. Mr. Ciampi is asking for HRC to help him obtain the report.

36 Mr. Santiago Q De La Torre stated that he read in the paper that the city was going to build a new police  
37 station at a cost of \$80 million dollars which he believed was too much money. Mr. De La Torre said  
38 there are lots of other things to spend the money on. He wondered why there will be no protesting  
39 allowed on the front steps.

40  
41 **APPROVAL OF MINUTES:**

42 **Commissioner Bacchetti made a motion to approve the minutes as corrected of the April 10, 2008**  
43 **meeting. Seconded by Commissioner Mora. AYES: Unanimous.**

44 **Commissioner Ezran made a motion to approve the minutes as corrected of the August 16, 2008**  
45 **meeting. Seconded by Commissioner Atito. AYES: Unanimous.**

46 **Commissioner Khan made a motion to approve the minutes as corrected of the September 11,**  
47 **2008 meeting. Seconded by Commissioner Bacchetti. AYES: Unanimous.**

48

49 **AGENDA CHANGES, REQUESTS, and DELETIONS:**

50 Item #3 regarding proposal of an HRC award will be moved to a future meeting

51

52 **BUSINESS**

53 **1. FOLLOW UP DISCUSSION WITH POLICE CHIEF REGARDING RECOMMENDED**  
54 **CHANGES TO DEMOGRAPHIC DATA REPORTING AND OTHER ISSUES.**

55 Mr. Santiago De La Torre stated that there is racial profiling occurring in the Palo Alto Police  
56 Department. He said that he would like to see it cleaned up because he is scared for his children and  
57 neighbors.

58 Mr. Cleveland Kennard, past owner of a Palo Alto construction and landscape company. Mr. Kennard  
59 gave multiple examples of how he had been personally targeted by racial profiling. He now lives in a  
60 homeless shelter and wants to be reimbursed for his pain and suffering. He said that he is asking the  
61 City Council for help against racial profiling.

62 Mr. Herb Borok provided handouts. Mr. Borok complained that the staff report was not made available  
63 before he could make public comment. Mr. Borok spoke about the history of demographic and data  
64 reporting. Mr. Borok read an excerpt which is part of his handout about Chief Johnson and the 2004  
65 Committee of Citizens. He noted that Chief Johnson cut back on public information and he also  
66 mentioned that the frequency of data collection was changed to be less frequent. He said this was a  
67 recommendation from the HRC that never made it to the City Council.

68 Mr. Sanford Forte said that racism is vile and ignorant. He said that Chief Johnson is a defender of civil  
69 rights and is not a racist, nor does she encourage it. He stated that there may be one or two bad eggs in  
70 the department, which is not uncommon but he believes the department should encourage those with  
71 genuine concerns and not those looking for attention. We should help develop new leaders and help  
72 minority and poor white neighbors.

73 Ms. Stephanie Munoz said we should start at the beginning. She believes that racial profiling originated  
74 because the police have carte blanche to stop anybody at any time. Ms. Munoz suggested an idea for  
75 encouraging cooperation which might curb resentful feelings from the public.

76 Mr. Mark Petersen-Perez provided a handout. He said he is critical of the PA Police dept and named  
77 officers he felt were concerned with the community. He spoke of Mr. John Abraham and his work on  
78 demographic studies which he said fell on deaf ears. He said that Chief Johnson should be replaced.

79 Mr. Aram James provided a handout and spoke about his experience that he has never been asked if he  
80 was on parole or probation when he has been stopped, but he knows that people of color are asked. Mr.  
81 James read an excerpt from his handout regarding a 2004 beating case. Mr. James said we have not  
82 corrected the problem and that we need new leadership. Mr. James recommended Ray Samuels for the  
83 position of Police Chief.

84 Mr. John Abraham provided a handout and said the data on the website itself is good, but the 2007 data  
85 needs correcting. He described the first big emphasis on searches and spoke about percentages. The  
86 highest number of people who are routinely stopped are in minority group. Mr. Abraham requested that  
87 someone look at the demographic data because he believes they will find what causes the searches and it  
88 may have nothing to do with traffic.

89 Chief Johnson was called to speak by Commissioner Savage. Chief Johnson provided handouts based on  
90 data collected for 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> quarters. Assistant Chief Burns was also present. Chief Johnson  
91 reiterated her apology made to City Council. A brief discussion occurred regarding the frequency of the  
92 data reporting and why the cycle had been changed. Chief Johnson referred to an article included in the  
93 handout regarding Portland's Police Association who hired a professor to come in and look at data:  
94 Chief Johnson said that their report found that the use of census data has no relationship with people  
95 who are stopped and does not indicate targeting.

96 Chief Johnson also said that her staff is putting together an action plan which will help to repair damage  
97 that her comments have caused. The action plan will include monthly chief's meetings, and  
98 development of a Police Advisory Committee. The action plan is not completed yet.

99 Commissioner. Savage asked the Chief to explain how someone can make a complaint against the Police  
100 Department if they want to. Chief Johnson answered the methods for making a complaint are by phone,  
101 online, in person, e-mail, hotline, directly to the Police Auditor, 3<sup>rd</sup> party complaints such as their  
102 minister, or an HRC commissioner or by writing letters to the editor.

103 Commissioner Mendoza asked about additional resources for the Police Action Plan. City Manager Jim  
104 Keene stated that we have received the scope of services. There may be additional expenses but it is  
105 premature to ask for additional funding at this time.

106 Commissioner Mendoza requested a copy of the Action Plan. He asked if the auditor will review police  
107 policies, practices, training, data collection regarding racial profiling and make recommendations.

108 Commissioner Ezran stated that there may be a conflict of interest if complaints of police go to police.  
109 Chief Johnson said any person can make a complaint to the auditor. The Auditor will review it and make  
110 suggestions and make reports to the City council.

111 Commissioner Mendoza stated his concerns about the data and work the Auditor will be doing. He  
112 discussed trends that are concerning and stressed that we should take a look at how the data is being  
113 used.

114 Commissioner Bacchetti said that the Police Department should be a part of the community. He said he  
115 was supportive of more dialogue and communication. He also stated that numbers and statistics are  
116 never precise. The Police Department works on our behalf and cannot disclose everything to protect the  
117 public. He would like more narrative and description in future data and more dialogue.

118 Commissioner Mora thanked Chief Johnson for demographic studies. She agreed that more narrative in  
119 data is needed and that she appreciated Mr. Abraham's data. She said that it is important to continue to  
120 collect the data. Commissioner Mora asked about how the monthly Chief's meetings will be publicized.  
121 Discussion followed on how the meetings will be conducted. She inquired as to how the committee  
122 members would be selected. Chief Johnson discussed the possible selection process.

123 Commissioner Ezran commented that the Auditor should talk to Mr. Abraham so that they can share  
124 findings and talk to neighboring cities to gain more perspective.

125 Commissioner Savage stated that these were good ideas for future meetings. This was a great start to  
126 heal everyone.

127 Commissioner Atito asked about who would select members of the Police Advisory group. Chief  
128 Johnson discussed possible methods.

129 Commissioner Bacchetti commented that the Police Chief report the data in a way that everyone can  
130 understand and be able to come to some conclusions and that the Police Chief needs to establish trust  
131 and collaborative working relationships.

132 Chief Johnson detailed steps she would be taking before making the plan public information. She will be  
133 discussing it with police officers to get their input in the next couple of weeks and to develop a much  
134 more detailed plan which can be presented to the HRC, the public and City Council. She stated that  
135 more discussion was needed on the committee proposal.

136 Commissioner Mora was concerned about the selection process of committee members and the  
137 perception that might be created if Chief Johnson was to select the committee members.

138 Linda Lenoir, a past HRC commissioner stated her experiences working with the Police Chief from her  
139 prospective from the Palo Alto Unified School District. She sees Chief Johnson as an agent of change  
140 and that as a community we need to be open to making changes. This is a community effort not just a  
141 police effort and that she agrees with Commissioner Mora that Chief Johnson reconsider who appoints  
142 the committee members.

143

144 **2. CONTINUED DISCUSSION REGARDING HUMAN SERVICES RESOURCE**  
145 **ALLOCATION PROCESS (HSRAP).**

146 Kathy Espinoza-Howard prepared updated information regarding HSRAP data as requested by  
147 Commissioner Khan. Ms. Howard reported that the RFP is posted on the city website and that there will  
148 be a November workshop for anyone who wants to apply and get more information. The deadline for  
149 submitting proposals is on December 5, 2008. Commissioner Mendoza will represent the HRC on the  
150 review committee.

151 Commissioner Bachetti stated that he and Commissioner Khan visited La Comida which is a non-profit  
152 created to provide lunch and a social experience for seniors. They are open 5 days a week at no charge  
153 but request a \$2.00 donation. Participants must be over 60 yrs old. The program feeds about 125-175  
154 per day and 225 for holidays. He commented that their budget is very fragile.

155 Kathy Espinoza-Howard commented that non-profits need funding diversification and that this year will  
156 be very difficult because of reduction in funding. The HSRAP Committee will review all the proposals

157 and make initial recommended allocations for funding. The CDBG grant has 800k but has different  
158 criteria than HSRAP.

159 Commissioner Bacchetti asked if we are going to know which organizations will be hit differently.  
160 Kathy Espinoza-Howard stated that funding is not coordinated. Commissioner Bacchetti asked what is  
161 the probability that funding will go away? Kathy Espinoza Howard stated that there is a strong  
162 probability of reduced funding by state and local funders such as United Way.

163 Commissioner Khan said that preparing RFP's is a task needing encouragement by our commission. She  
164 is sensitive to the non-profits time schedules and funding pressures.

165 Commissioner Savage said she is attending the Ambassador program and is learning a lot about non-  
166 profits.

167 Commissioner Bacchetti reported that he and Commissioner Ezran attending a staff meeting of the  
168 Downtown Streets Team. They have an annual budget of \$250k which receives HSRAP funding of only  
169 \$37k.

170 Commissioner Ezran stated that he was very impressed with the program and liked the effort to find  
171 housing and jobs. It establishes a sense of pride and he praises Eileen Richardson.

172 Ms. Stephanie Menuz thanked HRC for what they do and spoke in favor of Food Stamp program said  
173 that the homeless problems have to do with mental illness. She suggested that health insurance be paid  
174 by the workers.

175

### 176 **3. REPORTS FROM COMMITTEES**

177 There were no reports.

178

### 179 **4. REPORTS FROM OFFICIALS:**

#### 180 **A. Commissioner Reports:**

181 Commissioner Atito reported that he attended the rally from East Palo Alto to Palo Alto.

182 Commissioner Khan reported that she is a Housing Element Advisory Group member and that the group  
183 will be making a recommendation to the City Council. The recommendation will set the framework for  
184 housing development in Palo Alto.

185 Commissioner Mora reported that she attended the City Council meeting on racial profiling and  
186 provided information on the HRC's work with the PAPD reviewing demographic data collected during  
187 traffic stops.

188 Commissioner Savage reported that she also attended the rally. She spoke about the Family Resource  
189 Ambassador program and that she recently graduated from the FBI Citizens Academy.

190 Commissioner Mendoza reported that he attended the City Council meeting regarding the Resolution on  
191 ICE. The resolution passed with a couple of nay votes.

192 Commissioner Bacchetti reported that he also attended the rally on Sunday as a Citizen Observer. He  
193 said that he saw no problems and it was very peaceful.

194 Commissioner Ezran reported that he is continuing to work on World Music Day.

195

196 **B. Council Liaison Report:**

197 Vice Mayor Drekmeier reported on the passing of the ICE Resolution. He spoke briefly about the BMR  
198 program changes regarding CPI. The study session about Stanford Hospital was moved to December. A  
199 draft of the Environmental Impact Report will be out in February. He also reported that Measure N  
200 passed.

201 Council Member Yeh said it was good to be at the meeting and he appreciated the thoughtfulness shown  
202 by the HRC towards the racial profiling agenda item and he appreciated the interaction with the Police  
203 Chief.

204

205 **C. Staff Liaison Report:**

206 Kathy Espinoza-Howard spoke about the Food Stamp problem as a volatile topic. She explained that  
207 getting the homeless on the program is difficult. The program has had changes with regards to rules and  
208 regulations allowing people at the Opportunity Center to apply by phone and get “smart cards” in about  
209 3 days instead of 6 weeks. She is also working to make it possible to use the cards at restaurants.

210

211 **ANNOUNCEMENTS:**

212 None

213

214 **CALL FOR AGENDA ITEMS**

215 Proposal of HRC award.

216 Proposal for Building Civic Engagement

217 Celebration of Martin Luther Kings’ 80<sup>th</sup> birthday at King Plaza.

218

219 **ADJOURNMENT**

220 The meeting adjourned at 9:43 p.m.

221