

Date: September 8, 2020

To: Thomas B. Modica, City Manager *T.M.*

From: Kelly Colopy, Director of Health and Human Services *KC*

For: Mayor and Members of the City Council

Subject: **Human Relations Commission Recommendations**

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The Human Relations Commission submits the following three letters for City Council review and consideration:

1. Recommendations regarding the Framework for Reconciliation for additional funding, oversight, and action of key community leadership.
2. Transparency and Accountability in the Long Beach Police Department.
3. Human Relations Commission Recommendations for the FY 21 Budget

If you have any questions, please contact me at (562) 570-4016.

ATTACHMENTS

CC: CHARLES PARKIN, CITY ATTORNEY  
DOUGLAS P. HAUBERT, CITY PROSECUTOR  
LAURA L. DOUD, CITY AUDITOR  
KEVIN JACKSON, DEPUTY CITY MANAGER  
TERESA CHANDLER, DEPUTY CITY MANAGER  
REBECCA G. GARNER, ADMINISTRATIVE DEPUTY CITY MANAGER  
MONIQUE DE LA GARZA, CITY CLERK

**CITY OF LONG BEACH  
HUMAN RELATIONS COMMISSION**

**Shefali Mistry, Chair**  
**Amy Eriksen, Vice Chair**  
**LaDawn Best, Commissioner**  
**Roman Seano, Commissioner**  
**Chanel Smith, Member**



**Rohida Khan, Commissioner**  
**Elisa Buchanan, Commissioner**  
**Alyssa Gutierrez, Commissioner**  
**Zoe Nicholson, Commissioner**

August 5, 2020

Honorable Mayor and Members of the City Council  
 City of Long Beach  
 411 W. Ocean Boulevard, 11<sup>th</sup> Floor  
 Long Beach, CA 90802

**RE:** Recommendations regarding the Framework for Reconciliation for additional funding, oversight and action of key community leadership.

Honorable Mayor Garcia, Members of Long Beach City Council, and Tom Modica, City Manager

The mission of the Human Relations Commission is to inspire and support social justice and equity in the City of Long Beach and foster mutual understanding and respect for all, with a vision that Long Beach is a just and equitable community, free of discrimination and violence, where all people are valued and have the resources to reach their full potential. It is in this context that the Human Relations Commission submits this recommendation with a hope that our city continues to embrace values of justice, equity, respect and dignity for all its residents.

As the City of Long Beach moves through the Framework for Reconciliation and the equity work it requires, the Human Relations Commission in its work has noted key actions that are necessary to the success of, in particular, the fourth phase of the framework: Catalyzing action, presenting immediate, short-term, medium-term, and long-term recommendations for the City Council's consideration.

In order to truly move forward, the work needs to be appropriately resourced, through staffing and additional funding, and requires the oversight and action of key community leadership. With this in mind, the Human Relations Commission makes the following recommendations:

1. Office of Equity Resources:

The Human Relations Commission recommends that the Office of Equity be resourced appropriately to do the work outlined in the Framework for Reconciliation, recommended in the Racial Equity and Reconciliation Initiative: Initial Report, and demanded by the community. This requires:

- a. Increased staffing at a level that is able to respond to community needs effectively, shoulder the amount of work required to move equity forward, and staffing that reflects the community that it serves. This includes 1 FTE staff member dedicated to staffing the Human Relations Commission and the work reflected in the city's equity priorities.

- b. Increased funding, beyond staffing that reflects the priorities of the Reconciliation initiative, as well as funding for the Human Relations Commission to be able to do community outreach and engagement.
2. Budgeting Reflective of Community Investment:  
Respond to community demands to reallocate funds from Long Beach Police Department to be reinvested in community and social services, including the employment and engagement of social workers and mental health professionals for non-violent incidents.
  - a. Present a city budget that shows real reallocation of funds, not just budget cuts that reflect a budget deficit, and a true reinvestment in community, equity, and health.
  - b. Do not cut funding to essential social services currently managed by police when reallocating funds, until other entities have been resourced appropriately to take on that work.
3. Human Relations Commission as Community Lead:  
Finally, the Human Relations Commission advocates for its body to lead the continuing community work around the Framework for Reconciliation and desired outcomes. It is necessary for this work to be happening through community leaders, not just elected leadership and city staff. The purpose and function of the Human Relations Commission is to “promote full acceptance of all citizens in the community in all aspects of community life, to recommend to city council measures, including legislation, which will serve to improve positive human relations and the elimination of discriminatory practices, and to enhance and improve mutual understanding and respect for all citizens of the community.”
  - a. The members of the Human Relations Commission are leaders in their fields, in community engagement, and in racial and cultural equity work. Operating in partnership with the Office of Equity, and with direct district and at-large representation, the commission is positioned to be thought partners and advocates for this work, and as such, should be looked to for its expertise in moving the work forward.
  - b. The commission, in partnership with other appropriate city commissions and entities and community members, would make recommendations to city leadership before action is taken.

The Human Relations Commission is hopeful about the commitment the city is making to equity and is passionate about the work of creating true equity. We look forward to partnering with city leadership to facilitate anti-racism and equity in the City of Long Beach.

Respectfully,

Shefali Mistry, Chair  
Human Relations Commission

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August 21, 2020

Honorable Mayor and Members of the City Council  
City of Long Beach  
411 W. Ocean Boulevard, 11<sup>th</sup> Floor  
Long Beach, CA 90802

**Re: Transparency and Accountability in the Long Beach Police Dept.**

Honorable Mayor Garcia, Members of Long Beach City Council, and City Manager Tom Modica.

The purpose and function of the Human Relations Commission is to “inspire and support social justice and equity in the City of Long Beach and foster mutual understanding and respect for all.” It is in this context that the Human Relations Commission submits this recommendation with a hope and vision of Long Beach as a just and equitable community, free of discrimination and violence, where all people are valued and have the resources to reach their full potential.

Inspired by nationwide uprisings and protests over Police excessive use of force against Black communities and other Communities of Color, the City of Long Beach, much like the rest of the nation, is at a historic crossroads regarding addressing systemic racism and the function of policing.

Transparency and accountability are two important aspects of the conversation surrounding police abuse of power. Current laws such as Qualified Immunity serve as a shield from justice for law enforcement officers who engage in excessive use of force and officer-involved shootings. The only tool the public has at its disposal to identify problematic behavior and demand accountability is SB1421, The Right to Know Act, hallmark legislation which gives the public the right to see certain records relating to police misconduct and use of force.

However, in the City of Long Beach, the spirit of SB1421’s promotion of transparency and accountability is being undermined with a high threshold of what constitutes use of force, Police Officer Association protections regarding advance notice of Public Records Act (PRA) requests, and a Citizens Police Oversight Commission that has limited access to information pertaining to accused Officer misconduct.

With the following recommendations the Human Relations Commission is urging the City of Long Beach to restore the spirit of SB1421 by taking the following actions:

1. Reopen the Long Beach Police Department contract and remove Section IX Public Records Requests provisions, which currently afford officers to receive advance notice of a PRA request, gives the officer five days to review the records prior to public release, and notifies the officer of the requestor's identity and/or organization.
  - a) The unprecedented five-day notice afforded to police officers is a special consideration not granted in other PRA requests, creates inequity, lacks transparency, and breeds mistrust.
  - b) Police officers could be given the opportunity to review their own personnel files at the close of any review or investigation, rather than during the PRA process.
2. Revise the current Records Retention policy to retain officer personnel records in perpetuity and that all existing and future records are digitized.
3. Lower the threshold for what constitutes "use of force" as interpreted in the City's execution of SB1421, using community input and nationally recognized, equity-based practices.
4. Strengthen the Citizens Police Complaint Commission: For accountability and transparency, there must be informed, independent civilian involvement from the beginning of an investigation. The commission should have subpoena power and should have access to the entire personnel file of the alleged officer.

With these actions, the Long Beach Police Department can take an important step in creating a more transparent organization that will build the foundation for increased accountability and strengthened public trust

Respectfully,

Shefali Mistry, Chair  
Human Relations Commission

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August 21, 2020

Honorable Mayor and Members of the City Council  
City of Long Beach  
411 W. Ocean Boulevard, 11<sup>th</sup> Floor  
Long Beach, CA 90802

**Re: Human Relations Commission Recommendations for FY 21 Budget**

Honorable Mayor Garcia, Members of Long Beach City Council, and City Manager Tom Modica.

The purpose and function of the Human Relations Commission is to “inspire and support social justice and equity in the City of Long Beach and foster mutual understanding and respect for all.” It is in this context that the Human Relations Commission submits this recommendation with a hope and vision of Long Beach as a just and equitable community, free of discrimination and violence, where all people are valued and have the resources to reach their full potential.

It is a widely held notion that budgets are moral documents, in that they are a reflection of the values and priorities of the budget creators. A budget tells us what areas, issues, or *people* are most important to the creators of that budget, and which are least important. As the City of Long Beach grapples with an unprecedented public health crisis, economic recession, and demands to address and dismantle systemic racism, the time is now to be bold and affirm equity as a core value of the city, and see this affirmation reflected in the budget.

While the Human Relations Commission (Commission) acknowledges the proposed budget offers approx. \$3.1 million in racial equity-related investments, we do not believe this is enough. The City of Long Beach has an opportunity to meet this moment by investing in the programs, policies and practice shifts that foster safe and healthy communities, while divesting from the practices and policies that perpetuate inequality and racial disparities, in a much more pronounced way.

The Commission also acknowledges the difficult decisions that City Staff, and ultimately, City Council, must make to balance a budget that currently projects a \$25 million deficit. As the City considers how to allocate resources, the Commission offers the framework

that the only way to truly reconcile the economic hardship the city is facing is to prioritize investing in the health and quality of life of the residents of Long Beach, with an equity lens. The research is abundantly clear - investing in racial equity is more than a moral desire; it's an economic imperative. More equitable regions experience stronger and more sustained growth and will be the key to a successful post-COVID economic recovery.

The newly commissioned Racial Equity and Reconciliation Initiative: Initial Report is a valuable roadmap to investing in more equity-focused strategies and policies that put all residents on the path to economic security and improved health outcomes. This letter serves as an endorsement of the proposed "Equity Goals and Strategies" outlined in the Initial Report, and would like to elevate the following items for prioritization of funding in the FY 21 Budget:

**1. Institutionalizing Equity within the City of Long Beach**

- a. Develop the Office of Equity's staff and fiscal capacity to effectively implement racial equity efforts including implementation of the Equity Toolkit for City Staff, participation in the Government Alliance on Race and Equity (GARE), and racial equity training for City staff and Commissioners.
- b. Fully fund and implement racial equity and anti-racism trainings, LGBTQ+ inclusivity trainings with a specific focus on the transgender community, and implicit bias trainings for all City employees, elected officials and commissioners.
- c. Elevate the role and function of the City's Human Relations Commission as an important advisory and oversight body regarding racial equity implementation and allocate 1 FTE Staff Member to support the work of the Commission, in addition to the proposed Office of Equity staff augmentations.

**2. Fully fund the implementation of the Language Access Policy (LAP).**

Less than 1% from LBPD budget would fully implement LAP

- a. Dedicate adequate staff to implement the Policy consistently throughout the City and create a culture of language equity.
- b. Move interpretation and translations services in house to provide faster and higher quality interpretation and translation.
- c. Provide Spanish and Khmer interpretation without advance request at all City Council and Charter Commission meetings.
- d. Provide community-based organizations who work with Limited English Proficiency (LEP) residents ongoing stipends to conduct outreach about the policy.
- e. Identify structural funding for these services.

**3. Establish a Citywide Rental Housing Division and Tenant’s Right to Counsel Program.**

- . Establish a Rental housing Division within the Development Services Department to communicate with both tenants and landlords, issue legal bulletins and updates, enforce renter protection laws, centralize information and forms, and administer a citywide Right to Counsel program for renters that will provide legal resources and representation to renters in need regardless of immigration status, effectively reducing evictions, preventing homelessness, preserving affordable housing, and stabilizing communities.

Less than 2% from LBPD budget would fully fund \$4M Tenant Right to Counsel program and fight 1,700 eviction cases.

**4. Fund Citizens Police Complaint Commission (CPCC) Reforms:**

- a. Engage in a formal outside expert study, through a non-police community selection process, of the Citizens Police Complaint Commission (CPCC), to identify necessary changes to its structure and explore creation of a new civilian police oversight body based on models from other California municipalities.
- b. Conduct further community outreach to ensure reforms and/or new oversight bodies meet community needs.

**5. Develop an Annual Budget Using an Equity Lens**

- a. Use a zero-based budgeting approach beginning with FY 22 budget.
- b. Fund staffing for community outreach and feedback regarding budget.
- c. Fund the implementation of a public budgeting process with an equity lens to determine how to allocate any additional Federal funding sources such as any additional pandemic response funding, housing authority funding, and Community Development Block Grants (CDBG) funding.

The FY 21 budget can be a powerful proclamation of the City’s full commitment to equity- a long-term decision to base all policy and program decisions on achieving the goal of advancing fairness, inclusion and opportunity for all Long Beach residents, especially the communities disproportionately experiencing the impacts of the COVID-19 pandemic and systemic racism. We thank you for your leadership in ensuring the City of Long Beach’s budget reflects the needs of all of our communities.

Respectfully,

Shefali Mistry, Chair  
Human Relations Commission