

County of Kern
HUMAN RELATIONS COMMISSION-MINUTES

Regular Meeting
Tuesday February 12, 2013

Commissioners Present: Carmen Bernal (cb), Andre Taylor (at), Jewelle Scales (js), Walter Williams (ww)

Commissioners Absent: Marcus Mitchell, Marisa Banks

Others Present: EEO Officer Michael Goulart (mg), Ginny Krebs, Fiona Lytle, Wesley Crawford, Ana Laven, Tomeka Powell

Meeting called to order at 5:30 p.m.

1. **FLAG SALUTE**
2. **PUBLIC PRESENTATIONS:**

Tomeka Powell: stated that she was pleased to serve the with the Commission and thanked the Commissioners for the time she spent with them.

(cb) Introduced and welcomed new Commissioner Walter Williams, recently appointed by Fifth District Supervisor Leticia Perez.

(ww) Stated that he is here to move forward and get things done. He sees the need to unite the Black and Latino community.

3. Presentation from Wesley Crawford:

“I am here to talk about diversity. If a politician knocks on my door and we ask them if their office will be diverse? They say explain diversity to me. I say will there be an African American as a Legislative Aide? When Jonathan got sick they never replaced him with another diverse person. Our question to then supervisor Rubio was when are you going to do it? During the last election for Fifth District we had one question for all of the candidates. The question was about what their hiring practices would be. Supervisor Perez came to my home and I asked her. She said that she would hire a diverse staff and it has not happened.

I told her that Dolores Huerta went to Washington and in a meeting a congressman said that Kern County is a diverse place because of the Black and Brown population.

I took that like, when these individuals get hired for offices that they would show diversity. One of us mentioned Tomeka Powell. About a month after the election and swearing in I went by the office to see if it was diverse. The first thing I got was attacked by the receptionist. She said ‘we know what you’re coming here for because you went to Michael Rubio’s office and had the same conversation. They took it like I was this militant coming and having this conversation. I had to stand in the office for 22 minutes until the leg’ aide came out. I wanted them to stop

stereotyping me. A thought came to my mind that if the office had been diverse I believe that it would have at least showed the capabilities of the person coming out.

When Jonathan worked in the office he would come out and greet us. Sometimes when cultures don't understand each other and people are in those places that have never been around those individuals the problem starts.

I then left that office and went to at least 6 County departments and what I found out was for some strange reason it doesn't reflect diversity. If you took these 6 departments and you took a picture of them it would not show diversity. At that point I decided to sit down and write another letter. I talked to Judge Scott who was the originator of this body. He said that was exactly what I talked about when I was a judge. That has been about 20 years ago and we are still talking about diversity. Diversity is not just quotas it is saying that when you go into a department it will show all of the different nationalities in which it represents. That doesn't take place. When Bill Thomas' office was like that we went down there and picketed. I don't think its fair that we picket one person and we don't look at the entire office itself. I think that we have young people coming out of college of all ethnic races that are qualified for these positions but as you know there are no County regulations that say that these individuals who are hired should actually be diverse. We have a policy that says that the County is diverse but there are no lists that these people come from. I think that there need to be some rules when these positions are representing a body of people.

We sent this letter (disseminated to HRC) to the Speaker and to the Senate Majority Leader because we feel like when you represent those districts that we have here they should at least reflect diversity. We came here specifically to talk about that. Do you have any power to do anything about it? The word is no, but at least we brought the subject matter to you so we can start having that dialogue.

Once you become a leg' aide you understand the dynamics of the office itself. If you are an aide for 4,5,6 years you now have some insight of the job itself. You have other capabilities that you can do. When it comes time to run for another office, you now have been trained to run. As long as they are not diverse then you're not going to see a diverse population.

What I asked Leticia was, when will you show diversity. When will Michael Rubio, I'm not talking about coming to a Martin Luther King breakfast and buying some bacon and eggs and saying 'here is the bacon and eggs for your group', which was fine but the point was, once Jonathan Webster got sick, at least consider another qualified candidate to take his place. That never happened. When you look at Rudy Salas' office in Sacramento you will find out its not diverse. How is it that you get to choose your office from not being diverse when everyone else around the country does? There has to be a coalition of working together for a common cause of the human race.

With that I'm going to close. I have submitted the letter to you. It is the same letter that we sent out. I will tell you this, we are not going to stop here. We are going to look into the federal court system and send a copy letter to the civil rights commission because we think its time that somebody look into these offices.

I just want to say again, in reference to qualifications, we had a Commissioner who sat here who has a master's degree. The question is if you were going to look to hire and you knew you were going to replace her as a commissioner, then you should at least have given her a shot to apply for the job. When I asked her at a meeting recently, she didn't say whether she got an application or not. I assume that she didn't. I'm saying something is wrong with that picture and how do we change that? That's what your body was designed to do. It was designed to change those policies and procedures which you thought were unfair. I'm here this evening to see if we can get a true black and brown coalition going forward and let it reflect inside our offices themselves.

(at) Where you say there is a lack of diversity can you be more specific? Are you saying that there are no African Americans, no Hispanics, no Asians as part of these staffs?

(Wesley Crawford) What I'm saying is if you check Michael Rubio's staff office you'll find that 68.3% of the office is Latino. The other portion is Caucasian. If you are a State Senator and you represent a mass majority, shouldn't there have at least been an Asian or an African American in your representative offices? If we are supposed to be a melting pot we should at least have an office that reflects that diversity. If you look at his staff in Sacramento you will not find an African American or an Asian. Are they the only ones that you represent in your district? He would say during the campaign that he represents the whole district. If you represent the full district your staff should reflect that.

(js) One of the things that you touched on is diversity and excellence. When we look at these offices we do want diversity but we also want excellence. When you are building these offices or commissions the people that you appoint should have the proper skills.

(Wesley Crawford) In this case Tomeka Powell has a master's in business. When you fill out the application it has all of the information on it. You don't have to look at a particular pool but when you see all of the people coming out of the Criminal Justice Program at CSUB that are qualified and diverse why don't you pull from those pools? I'm not talking about putting a person there because she is Black I'm talking about putting a person there because she is qualified. If we are talking about diversity at some point there is a pool you can draw from. At CSUB there is a job placement unit so if you are hiring you reach out to the job placement unit for the best qualified candidates.

The only person I have ever known to hold on to a person is Pete Parra. He held on to David Strong. When Pete left office David left office. When you have a commitment from a candidate it has to be a full commitment. Now I know the next time she knocks on my door I know what to do in the polling place.

(js) Did Supervisor Perez give you a timeline as to when she would or did she say I'm not going to?

(Wesley Crawford) She never said I'm not going to but she said I promise you that the office will look diverse. That means when I hit that door I see something other than what I saw. I waited a month before I went to her office to see what it looked like.

(cb) Are you asking the Commissioners to review the hiring of these people as it relates to diversity and bring back something? I just want to be clear as to what the recommendation is.

(Wesley Crawford) Yes.

(js) We will follow up and provide some recommendations.

(at) You said that there was an issue with Congressional office and you also said County departments. Are you talking about two different entities or are you just talking about the elected offices?

(Wesley Crawford) You will see that some departments are not diverse at all where others are. The manager has the right to select who they want from the top 7.

(ww) I agree that diversity should be established in County jobs. The best person should get the job. Sometimes Blacks and other minorities are held to a higher standard. Officials typically choose people that they can trust when selecting a staff for their office. Officials select those that have been there with them when they were needed. Unfortunately I would like to see more of my people participating on the election process to learn why you vote, how you select someone and why you select them.

A lot of the people that are in Rubio's office have known him since he was in junior high and high school. I helped him get into office and he asked me if I would work with him and I told him no because I am not the best candidate for the position because of my past. The Same thing with Leticia, she asked me. If you are going to run, run with the best. I told them that I wasn't going to disgrace myself and my culture by sitting in an office when there was a better person that you could have picked. I would rather work behind the scenes and support the youth.

County jobs and City jobs should be diverse with all types of people. I would suggest that we open up a program that would allow young kids to shadow these officials and learn what they need to do.

(Wesley Crawford) Commissioner Williams has been an outstanding community advocate for years and I am happy that he is sitting on this Commission.

4. **APPROVAL OF MINUTES**

January 28, 2013 Monthly Meeting

Motion to approve minutes (js), 2nd: (at), three ayes, Williams abstained

5. **OLD BUSINESS:**

a) Discussion of Annual Essay Contest

(cb) The Essay Contest Committee met to discuss the contest. The date of the banquet will be April 25th. Michael will be asked to reserve the 3rd floor Multipurpose Room for the event. There is a balance in the HRC account of almost \$250 dollars. Commissioner Scales will be working with me on getting the work done and I have volunteered to lead that.

6. COMMITTEE REPORTS

a) Community & Media Outreach – No report

b) Education/Essay Contest – No report

c) Equal Employment Opportunity/Affirmative Action – No report

d) Grants/Funding – No report

e) Housing – Commissioner Carrick, Chair – (lc) Fair Housing volunteer training will take place on Thursday, February 7 and Thursday, March 14.

f) Judicial & Legislative Review – (js) the Proposition 8 issue will be coming back. There will be some discussion about grass roots efforts to look at the issue in relation to an upcoming court ruling.

g) Law Enforcement - No report

h) Special Issues – No report

i) Access and Functional Needs – No report

j) Annual Report Ad-hoc Committee – Mitchell, Chair, Taylor – No report

k) Training/Mentor program Ad-Hoc Committee – Bernal, Mitchell – No report

7. STAFF REPORT:

(mg) “I would like to welcome Commissioner Williams to the Commission.”

8. COMMISSION MEMBER PRESENTATIONS OR ANNOUNCEMENTS:

(cb) Commissioner Scales, Powell and I met to talk about annual planning. I will be sending out a draft and ask the Commission to review for input. Some of the issues or concerns that we have include a need qualified, committed individuals. As an example, we could not start on time tonight because we didn't have enough commissioners. We need to have people that are committed to showing up and being here so that we can conduct business. We also need to know how we hold our Commissioners accountable.

(at) We have a process that we can follow to remove commissioners but we haven't used it because of the difficulty in staffing the Commission.

(ww) We also need to make sure that the Board of Supervisors gets the right people on the Commission.

(cb) We need better communication between the Supervisors' office and the Commission.

(js) We need to put a structure in motion. We have drafted preliminary goals to determine what the needs are and who to target by action items.

(cb) Regarding the school safety issue, we believe that all students should have access to safety in the schools and resources to a quality education. When we look at that as a goal then we look at the target population. We have issues going on in every district. What are the actions items that we can employ? We talked about a junior Human Relations Commission working with the youth. We also discussed developing an advisory council. We will be following up in email for a draft so we can have an Agenda Item for next month.

(ww) Could we write a grant for a program like advancing children into leadership roles?

(cb) Anything that we determine to be in line with our goals could be used to develop the program and seek grant funding.

(js) We do not currently have an active strategic plan. We need to develop one to determine what the real needs are.

(cb) How do you determine community issues? We discussed a needs assessment to determine priorities.

(ww) How do we reach out to the Black and Latino communities because they have the most tension? How do we get them to be a part of this?

(cb) Once we set up our priorities then how we determine our action items is easier. I am going to ask commissioners not be too broad. If we do one thing and we do it well that will be a success. We need to build credibility with the Community and with our Supervisors.

We also talked about the Brown Act but we did not have time to do it so we will table it to the next meeting.

(ww) The Homeless Unit and Shadow programs are very helpful. We have mediated a number of housing issues.

I just wanted to repeat that I am interested in the expulsion issue and am involved in the Concerned Citizens group.

(js) What are we going to do with the letter from Mr. Crawford?

(cb) The request was to review the hiring process and report back to him.

(mg) The positions in the Supervisors' offices are appointed by member of the Board. They are not Civil Service Positions. As the appointees serve at the pleasure of the member of the Board the employee goes away when that elected official leaves office. Other departments that were mentioned such as Sheriff or Fire consist of Civil Service Positions that must be filled by adhering to very structured examination and appointment processes.

The Civil Service Commission and the Personnel Department promulgates an eligible list to establish a group of qualified eligibles that may then be interviewed and appointed by operating departments. The County of Kern is an equal opportunity employer. All testing is conducted and scoring is performance based.

If you look at the safety sector in particular the group is fairly homogenous. Because of Proposition 209 in the State of California we cannot create any type of affirmative action program, it is illegal. What we do for example is try to cast the net as wide as possible at the beginning. The only way to ensure a more diverse eligible list at the end is to start with a more diverse applicant pool at the beginning. For example, when we recruit for Firefighter we spend a lot of time conducting community informational meetings across the County to inform as many as possible about the testing process and what they need to do to apply and compete.

(ww) The Fire Department seems like there is nepotism there. The history of the Fire Department is my son, my cousin, my best friend's son, and that is how you get hired.

(mg) The County has a Nepotism Policy that is followed and adhered to by the Fire department. There is also a built-in generational attraction for some jobs. Many people that are interested in safety sector jobs are initially interested because their grandfather, father, uncle, etc. did the job and encouraged them to pursue it as well. There are other departments such as DHS that may not be as attractive as an employer even if you have a parent or relative that worked there before you.

I will not tell you that if that population of friends or relatives ends up on the eligible list after the testing process, they won't get greater consideration. We live in the real world and we know that the possibility of that exists, but the only way to get on the list in the first place is by going through the same process as everyone else.

My office reports to the Equal Employment Opportunity Commission on a biannual basis. The County workforce is fairly diverse.

(js) The process can be difficult but is there to protect everyone.

(at) I can say that in some areas we need to do better job such as with African American males in leadership positions. I don't think that department heads are purposely discriminating. I think the issue is having the opportunity to get to know

people from different persuasions. Diverse in race could also mean diverse in thought or experience. It doesn't necessarily have to be just on the basis of race. This is a good conversation to have. At State Farm we worked diligently during the process to ensure the agency reflected our policy holders. I am the only African American, male, civilian employee in the Sheriff's office but that's a start. I do think it is an issue in our County. Citizens feel more comfortable talking to someone that is like them.

(mg) I understand Commissioner Taylor's concern but it is important to also remember that diversity is not any one thing. An office or department may be diverse even if there is not someone else that you identify with. If evaluating diversity my office and the State and the Fed look at components such as race, national origin, gender, religion, ethnicity, age, disability, etc. For instance in the Sherriff's Department current administration you will find that the second in command is a female of color. There is also another female in the command staff. Both of these instances are examples of diversity in high level positions.

9. **ADJOURNMENT**

Motion to Adjourn: at, 2nd: js, All Ayes, meeting adjourned