

26 August 2008

To: Humboldt County Board of Supervisors
From: Richard Botzler, Chair emeritus, Humboldt County Human Rights Commission
Subject: Annual Report July 1, 2007 to June 30, 2008

The Humboldt County Human Rights Commission (HRC) met every second Tuesday of the month at 6 p.m. in Conference Room A of the County Courthouse. This recently has been changed to the 3rd Thursday of each month. The agenda for each meeting is sent to the Clerk of the Board the week before the meeting and is posted on the Courthouse Bulletin Board; it also is sent to the media and posted on the Commission website (www.humboldthumanrights.org/). Monthly meetings are open and the public is encouraged to attend; guests may address the commission on any issue related to conflict or discrimination in our community. Periodically, we also invite professionals to address the commission on specific topics, often having both sides of an issue represented.

Current Commission Members

District One appointees: Jamila Tharp, Jean Munsee, Stuart Altschuler
District Two appointees: Larry Miller, _____, _____
District Three appointees: Neal Sanders, _____, _____
District Four appointees: Bud Tillinghast, Nita Brake-Mills, Maggy Herbelin
District Five appointees: Byrd Lochtie, Jack Shaffer, _____

Currently there are five vacancies on the commission, two in District 2, two vacancies in District 3, and a new vacancy in District 5. (One person never came after appointment).

PUBLIC CONTACT AND INPUT

Commissioners hear concerns from community members about human rights related matters, at monthly meetings, through the Commission phone line (707-268-2548 or 866-809-4373), and through personal contacts with concerned citizens. Twenty-three guests, ranging from 0 to 7 per meeting, attended Commission meetings during the 2007-08 year. Issues raised included inquiries about Commission actions on current concerns such as law enforcement or mental health issues, complaints and requests for actions on an issue (e.g., changing the policies of an institution regarding treatment of clients or the public), reporting news about local human rights-related activities, interest in joining the Commission, condemnation of alleged police excessive force or a call for a police review board, and requests for involvement or co-sponsorship of community events.

In addition to public input at the monthly meetings, HRC depends on our voice-mail system for contact with the public. Each commissioner monitors the Commission phone lines for a 14 to 16 day period at a time, returning calls and providing information and suggestions as needed. Commissioners contact another commissioner for help in answering questions whenever appropriate. Records of phone contacts are used to provide information for this annual report, but names of callers remain confidential. We also respond to written communications and to concerns raised through the media or by our own members.

Telephone contacts to the Humboldt County Human Rights Commission
July 1, 2006 to June 30, 2008

Presented are the number and percent of calls by category for both the 2006-2007 and 2007-2008 year. Overall, the numbers and percentages again remained relatively consistent. The information for this portion of the report was taken from the phone reports, the Commission minutes, and phone notes of the individual Commissioners. Commissioner Larry Miller compiled the information and is available to answer any questions concerning the data and how it was determined.

CATEGORIES FOR PHONE CALLS:	2007-08 (N=120 calls)	2006-07 (N=137)
Just wanted to talk or tell someone about something:	24 (20%)	18 (13%)
Person did not leave a workable number		16 (12%)
A request for information about or help from the HRC:	14 (12%)	48 (35%)
Request for information or help from available services:	38 (32%)	9 (7%)
Complaints of Alleged Discrimination:	8 (7%)	8 (6%)
Discrimination perpetrated by:		
Law Enforcement	4 (3%)	4 (3%)
Other Public Agency	0	1 (1%)
Private Company/Service(s)	4 (3%)	1 (1%)
Private Citizen(s)	3 (3%)	2 (1%)
Other	1 (1%)	0
Discrimination/Misconduct based on:		
Disability	2 (2%)	0
Race/Ethnicity	0	4 (3%)
Age	1 (1%)	0
Gender	0	0
Language	0	0
Sexual orientation	0	2 (1%)
Health	0	1 (1%)
Residency	0	0
Mental Health	1 (1%)	1 (1%)
Religion	0	0
Politics	0	0
Other	4 (3%)	1 (1%)
Discrimination relating to:		
Housing	1 (1%)	*
Employment	2 (2%)	*
Law Enforcement	0	*
Other Public Agency	2 (2%)	*
Private person(s)	0	*
Company/Services	1 (1%)	*

*Not recorded for 2006-2007

Complaints of Alleged Misconduct.	30 (25%)	50 (36%)
Misconduct perpetrated by:		
Law Enforcement	10 (8%)	28 (20%)
Other Public Agency	7 (6%)	9 (7%)
Private Person(s)	2 (2%)	3 (2%)
Private Company/Service(s)	7 (6%)	10 (7%)
Misconduct relating too:		
Housing	6 (5%)	11 (8%)
Employment	0	1 (1%)
Law Enforcement	3 (3%)	11 (8%)
Other Public Agency	4 (3%)	6 (4%)
Private Person(s)	12 (10%)	5 (4%)
Private Company/Service(s)	0	1 (1%)
Health (including mental health)	6 (5%)	16 (12%)

Calls by month: July: 16 Aug.: 11 Sept.: 10 Oct.: 5 Nov.: 5 Dec.: 14
 Jan.: 11 Feb.: 10 Mar.: 8 Apr.: 12 May: 4 June: 14

Notes regarding HRC phone calls:

- Note 1. Call totals do not include duplicate or follow up calls from the same person concerning the same subject. Calls for which the subject of the call could not be determined also were not counted
- Note 2. In some cases a call may be included more than one category so some totals are greater than the actual number of calls.
- Note 3. While discrimination is obviously a form of misconduct, it is reported here separately from other forms of misconduct.
- Note 4. A caller reporting discrimination or misconduct also may have requested information or a referral; however only the primary purpose of the call is reported.

Commissioners on phone duty July 2007 to June 2008:

July	1-15 Larry Miller	16-31 Jack Shaffer
August	1-15 Bud Tillinghast	16-31 Stuart Altschuler
September	1-15 Neal Sanders	16-30 John Lyons
October	1-15 Nita Brake-Mills	16-31 Larry Miller
November	1-15 Byrd Lochtie	16-30 Stuart Altschuler
December	1-15 Larry Miller	16-31 John Lyons
January	1-15 Jack Shaffer	16-31 Bud Tillinghast
February	1-14 Rick Botzler	15-28 Neal Sanders
March	1-15 Larry Miller	15-31 Stuart Altschuler
April	1-15 Jean Munsee	16-30 Stuart Altschuler
May	1-15 Larry Miller	16-31 Neal Sanders
June	1-15 Jack Shaffer	16-30 Byrd Lochtie

OUTREACH AND EDUCATION

Although the HRC invests important effort responding to community concerns and problems presented to them, Commission members also believe that community education is essential to develop understanding of, and support for, diversity in Humboldt County so as to reduce the likelihood of these problems developing. As such, we participate in forums, workshops and Speakers Bureau presentations throughout the community with a wide variety of topics. Some events are open to the public; others are held for students at specific schools. Feedback from the community has been positive. One forum was presented to Soroptimist International (Nov 2007)

We are developing a program to create a county-wide celebration of the 60th anniversary of the adoption of the Universal Declaration of Human Rights. Our plan is to engage all schools and all grade levels in both an essay contest and an art/poster contest on human rights issues, with a county-wide program culminating in December 2008. Invitations are being extended to the county schools, as well as a variety of public and religious organizations for their participation. Our student intern also is working with the County Office of Education to develop teacher packets, classroom resources, and website information. A community resource advisory committee is being formed. We hope to incorporate this event into Arts Alive in December 2008.

We continue to work with local colleges to involve student interns in our meetings and our work. Two Humboldt State University (HSU) interns, Will Mond and Ronni Duncan, have helped summarize the structure, funding, and work of other human rights commissions in the state, and helped develop curricular materials for local schools in preparation for the 60th anniversary of the Universal Declaration of Human Rights.

The Commission was represented at the Community Volunteer Fair on the HSU campus (30 August 2007) to discuss the work of the Commission with students and staff.

We presented an educational forum on an interactive workshop entitled “Sticks and Stones: Words Can Break Bones” at the HSU Dialogue on Race (4 Nov 2007). This forum is designed to help teachers develop an increased sensitivity to the effects of language in the classroom. Activities introduce the participants to skills and techniques to avoid demeaning words and phrases and to encourage the use of respectful language.

We reprinted and continued distributing our resource card with information (e.g., housing, food, clothing, shelter, 24-hr crisis hotlines, health, public transit, family resource centers) useful for anyone in the community. The cards have been well-received, with a number of requests for restocking.

The Commission continued networking with the LatinoNet and the Community NETWORK, and we maintained similar contact with the ACLU, the Independent Observers Program, and the Coalition for Police Review.

The members of HRC acknowledge and affirm the positive contributions of citizens and organizations in our community with a community recognitions page on our website.

The Commission developed and purchased a Human Rights Commission Banner for display for events at which the Commission is represented (September 2008)

The Commission was represented with an informational booth on human rights issues at the Gay Pride Festival, 30 September 2007, Arcata.

The Commission publicized Human Rights Awareness Month in December 2007 and received supporting resolutions from five municipalities and the county.

We expanded the work on our website (www.humboldthumanrights.org/), providing easy access to key information about the Commission and about local human rights matters; we also added linkages to other pertinent web sites such as the Hope Coalition and a local events calendar. We also continue to post current information and events as related to the Commission work on community oversight of law enforcement.

The chair and other commissioners were interviewed by Channel 3 News, The Eureka Reporter, KMUD radio, KHSU, and The Eureka Times-Standard at various times regarding the issue of increased community oversight of law enforcement in the community, as well as other work of the Commission; one example is an interview of Commissioner Lochtie for the "Through Eyes of Women" program.

RESPONSES TO COMMUNITY CONCERNS

In response to many concerns and questions expressed by the public, we proposed to the County Board of Supervisors that there be discussion on the possibility of more civilian oversight of law enforcement activities in the County; we were charged by the Board with exploring this topic further. As part of this process, we surveyed 18 other community oversight programs in California for the methods they used and their effectiveness. We also sponsored or conducted three community forums.

The first forum, conducted and moderated by the League of Women Voters on 26 September 2007, was used to evaluate citizen advisory groups generally, including their strengths and weaknesses; law enforcement per se was not addressed. Panelists included Bonnie Neely, Chair of the Humboldt County Board of Supervisors, Carolyn Crnich, Chair of the Election Advisory Committee, John Hill, Chair of the Mental Health Advisory Board, Rex Bohn, Chair of the Eureka Ad Hoc Public Safety Committee, and Rick Botzler, Chair of the Human Rights Commission.

A second forum was held on 4 December 2007 and was moderated by the HCHRC chair as an open microphone session. This format gave local citizens as well as professionals from law enforcement and related agencies an opportunity to present their personal and professional perspectives on the value and role of a citizen law enforcement review board in the community. Approximately 25 members of the community made presentations.

A third forum on 10 April 2008, again conducted by the League of Women Voters, was used to address the possibility of establishing a specific law enforcement review program in Humboldt County. Practical issues discussed included both the benefits and problems of instituting greater civilian oversight for law enforcement. Panelists included County Sheriff Gary Philp; Eureka City Police Chief Garr Nielsen; Barbara Attard, Independent Police Auditor for the City of San Jose; Robert Aaronson, Independent Police Auditor for the Cities of Davis & Santa Cruz; and Christina Allbright, Chair of the Redwood American Civil Liberties Union, and an attorney with the Public Defender's Office.

Following the three forums, the Commission became convinced of the need for developing an oversight program. We reported this to the Board of Supervisors on 20 May 2008, and included a report summarizing the key ideas presented by panelists at the third forum. This full report also has been placed on the Commission website (www.humboldthumanrights.org/) for review as a public document.

The Commission's community oversight law enforcement committee developed preliminary ideas for an oversight program and gave copies of a draft to the Law Enforcement Chiefs Association of Humboldt County (LECAH) for their insights. The proposal calls for an independent auditor with some investigative authority and a citizen advisory committee to engage in public education in law enforcement and to serve as a liaison between the auditor and general public. An outline for this proposal is on our website. LECAH recommended that the committee work directly with the Sheriff's Department and Eureka Police Department in developing a proposal.

The HRC then formed an expanded advisory committee that includes Bonnie Neely (Board of Supervisors), Christina Allbright (ACLU, Public Defender's Office), Gary Philp (Humboldt County Sheriff), Garr Nielsen (Chief, Eureka Police Department), Larry Glass (Eureka City Council), Sheila Nitzel (National Alliance on Mental Illness [NAMI]), and four members of the Human Rights Commission. This expanded advisory committee is developing a detailed proposal for a community oversight program that will be submitted to the full Commission. After review, the Human Rights Commission will present their final recommendations to the Board of Supervisors to consider in the fall of 2008. During the work of the expanded advisory committee, the Commission also will maintain updated copies of the working document on the Commission website for the public to view and offer additional comments. Copies of updated drafts also will be sent to the Supervisors and LECAH.

The Commissioners are looking for realistic solutions on these very complex issues for Humboldt County. We hope to provide the very best information possible so that the Board and the community can address these important matters in a thoughtful and responsible fashion. There is no desire to promote a specific agenda.

We recently have heard concerns about possible human rights violations in the conduct of the County Code enforcement activities. We currently are monitoring progress and hope for an effective resolution of this issue in the near future.

ONGOING ISSUES / FUTURE AGENDA ITEMS:

We have not yet received a reply from the Board of Supervisors concerning the second recommendation we made to you in 2004-05. As you may recall, that concerned changing the word “citizen” to “people” in the resolution on the Patriot Act that you approved in the 2003-2004 year. We discussed this concern raised by the community, and concluded that the use of the word “citizen” could be interpreted to exclude any community members who have not yet become citizens of this country. This matter has been raised each year in our annual report and last year you intended to reach a final decision on this matter. However, we have not yet heard what action you have taken on this recommendation.

We are hoping to have the five remaining vacancies on the commission filled as soon as possible. In the past, some parts of the community have lacked consistent representation on the Commission; these include students, Native Americans, and members of the Latino community. We continue to welcome key representatives from these groups with the hope of having a greater representation for the concerns of these communities.

We also continue to explore ways to address the ongoing community concern with law enforcement accountability, while still encouraging continued strong support for law enforcement work in the county.

We also hope for an effective resolution of the current Humboldt County code enforcement problems

More general goals and topics of concern for future work

Homelessness concerns.

Newspaper columns on issues related to human rights.

Mental health concerns.

CONCLUSIONS

We of the Human Rights Commission take seriously our charge to eliminate discrimination and enhance appreciation of the diversity in our community. We advise the Board of Supervisors with specific recommendations on topics in which we believe they can contribute to these goals. We try to respond to all concerns raised by the public and try to help people find the resources they need to cope with human rights issues. We hope to educate people to help them understand differences better, and to value the diversity of our community. We welcome any suggestions from the Supervisors and the general public to help us achieve these goals.

Attachments:

Letter to Supervisors summarizing community oversight of law enforcement forums

Summary of third forum on community oversight of law enforcement

First draft outline for a community oversight program in Humboldt County

Letter to LECAH requesting review of a first draft of a community oversight program