

SUMMARY ACTION MINUTES

REGULAR MEETING ORANGE COUNTY HUMAN RELATIONS COMMISSION

May 9, 2019, 11:00 A.M.



COMMISSION ROOM, FIRST FLOOR
333 W. Santa Ana Blvd.
Santa Ana, California

RABBI RICK STEINBERG
Chair

DR. KERRY REYNOLDS
Vice Chair

BEKELE DEMISSIE
Commissioner

KIM TOAN DO
Commissioner

M. FAREED FARUKHI
Commissioner

MIKE HAMEL
Commissioner

JANY LEE
Commissioner

ADELINE NYAMATHI
Commissioner

MICHAEL REYNOLDS
Commissioner

MICHELE STEGGELL
Commissioner

VACANT
Commissioner

ATTENDANCE: Commissioners Farukhi, Hamel, Lee, Nyamathi, M. Reynolds and Steinberg

ABSENT: Commissioners Demissie, Do, K. Reynolds and Steggell

PRESENT: EXECUTIVE DIRECTOR Norma Lopez
CLERK OF THE COMMISSION Jamie Ross & Dora Guillen, Deputy Clerks

The Orange County Human Relations Commission is an independent advisory body, and our positions do not necessarily reflect the positions of the County of Orange Board of Supervisors.

1. Call the Meeting to Order
MEETING CALLED TO ORDER BY CHAIR STEINBERG AT 11:04 A.M.
2. Monthly Summary of Commission Activities
PRESENTED

OPEN FORUM

None

SUMMARY ACTION MINUTES

ACTION ITEMS: (Item 3)

3. Award Good Will recognition to Dr. Kimberly Bedell
C.O. **CONTINUED TO 6/13/19, 11:00 A.M.**

CHAIR STEINBERG RECOGNIZED VICE CHAIR K. REYNOLDS FOR ALL OF THE HARD WORK SHE HAS DONE ON THIS PROGRAM

HEARING/SPEAKER/PRESENTATION: (Item 4)

4. District Attorney's Office: Hate Crimes in OC
PRESENTED BY DEPUTY DISTRICT ATTORNEY JAKE JONDEL

INFORMATION ITEMS: (Items 5 - 8)

5. Discussion of Human Relations Forums
PRESENTED; CHAIR STEINBERG APPOINTED COMMISSIONERS FARUKHI (CHAIR), HAMEL, AND LEE TO AN AD HOC COMMITTEE TO LOOK INTO POSSIBLE HUMAN RELATIONS FORUMS

CHAIR STEINBERG REQUESTED AN UPDATE ON THE BYLAW PROCESS AT 6/13/19, 11:00 A.M., REGULAR MEETING

COMMISSIONERS EXPRESSED NEED FOR ABILITY TO MAKE PUBLIC STATEMENTS IN A TIMELY MANNER WHEN HATE RELATED ATROCITIES OCCUR

6. Commission Staff Report
- a. Hate crime hearing
 - b. Commission Quarterly Report
 - c. Update on Commission ad-hocs, projects and endorsements
PRESENTED; ATTACHMENT FOR ITEM 6C TO REFLECT CHAIR STEINBERG AND COMMISSIONER M. REYNOLDS AS MEMBERS OF THE PUBLIC FORUM SPEECH AD HOC COMMITTEE
7. Update from OC Chiefs and Sheriff
PRESENTED
8. OCSD Interfaith Council update
PRESENTED; CHAIR STEINBERG ASKED COMMISSION EXECUTIVE DIRECTOR TO BE SURE ALL COMMISSIONERS WERE INCLUDED IN INTERFAITH COUNCIL MEETING INVITES

SUMMARY ACTION MINUTES

ANNOUNCEMENTS FROM COMMISSIONERS

COMMISSIONER LEE ANNOUNCED JCS INTERNATIONAL VISITATION PROGRAM TO KOREA. PROGRAM IS DESIGNED TO GIVE PEOPLE A BETTER UNDERSTANDING OF THE KOREAN COMMUNITY; COMMISSIONER FARUKHI ANNOUNCED AN IFTAR DINNER ON 5/28/19 AT THE ISLAMIC SOCIETY OF ORANGE COUNTY FOR RAMADAN; COMMISSIONER FARUKHI ANNOUNCED HIS ATTENDANCE AT THE POST OFFICE DEDICATION IN ORANGE FOR ARMY SPECIALIST TREVOR WIN'E; COMMISSIONER FARUKHI MENTIONED BOOK SERIES BY NUSHIN ALOO "BEAUTY BENEATH THE RUBBLE"; COMMISSIONER M. REYNOLDS COMMENTED ON MEETING LOCATION AND TIME; COMMISSIONER NYAMATHI ANNOUNCED A FILM VIEWING "VISIONS OF WARRIOR" AT UCI SCHOOL OF NURSING ON 5/28/19 AT 6:00 P.M.; EXECUTIVE DIRECTOR ANNOUNCED HUNTINGTON BEACH HUMAN RELATIONS TASK FORCE ART CONTEST RESULTS

AGENDA BUILDING

None

ADJOURNED: 12:00 P.M.

SUMMARY ACTION MINUTES

*** KEY ***

Left Margin Notes

1 Bekele Demissie	A = Abstained
2 Kim Toan Do	X = Excused
3 M. Fareed Farukhi	N = No
4 Mike Hamel	C.O. = Commission Order
5 Jany Lee	
6 Adeline Nyamathi	Reso = Resolution
7 Dr. Kerry Reynolds	Ord = Ordinance
8 Mike Reynolds	
9 Michele Steggell	
10 Rabbi Rick Steinberg	

(1st number = Moved by; 2nd number = Seconded by)

/s/

RABBI RICK STEINBERG
Chair

/s/

*Jamie Ross, Deputy
Clerk of the Commission*



Commissioners

Rabbi Rick Steinberg, Chair
 Dr. Kerry Reynolds, Vice Chair
 Bekele Demissie
 Dr. Adey Nayamathi
 Fareed Farukhi
 Jany Lee
 Kim Toan Do
 Michael Reynolds
 Michele Steggell
 Chief Mike Hamel

DATE: Thursday, May 9, 2019

LOCATION: Hall of Administration, 333 W. Santa Ana Blvd., Santa Ana, 92701
TIME: 11:00 AM

AGENDA

- | | |
|---|----------------------|
| 1. Call the Meeting to Order | Rabbi Rick Steinberg |
| 2. Overview of Monthly Summary of Commission Activities | Dr. Adey Nayamathi |

OPEN FORUM: *Members of the Public may address the Commission on human relations issues*

ACTION ITEMS

- | | |
|---|--------------------|
| 3. Award Good Will Recognition to Dr. Kimberly Bedell | Dr. Kerry Reynolds |
|---|--------------------|

HEARING/SPEAKER/PRESENTATION

- | | |
|--|-------------|
| 4. District Attorney's Office: Hate Crimes in O.C. | Jake Jondle |
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INFORMATIONAL ITEMS

- | | |
|---|----------------------|
| 5. Human Relations Forums | Fareed Farukhi |
| 6. Commission Staff Report | Norma López |
| a. Hate Crime Hearing | |
| b. Commission Quarterly Report | |
| c. Update of Commission Ad-Hocs, Projects, & Endorsements | |
| 7. Update from OC Chiefs and Sheriff | Chief Mike Hamel |
| 8. OCSD Interfaith Council Update | Rabbi Rick Steinberg |
| 9. Announcements from Commissioners | All Commissioners |
| 10. Adjourn Commission Meeting | Rabbi Rick Steinberg |



Orange County Human Relations Commission

MISSION: Seek out the causes of tension and conflict, discrimination and intolerance, and eliminate those causes

MONTHLY SUMMARY OF ACTIVITIES: APRIL 2019

FY JUL 18 - JUN 19 Commission Activities Matrix			
CONTRACT ACTIVITY	Goal	To-Date	% Reach
A. Monthly HRC meetings	12	8	67%
B. HRC Annual Report	1	1	100%
C. Police-Community Reconciliation cases	20	15	75%
D. Community-Police Meetings	4	6	150%
E. Chief's Advisory Boards & Sherriff's Interfaith Council	8	7	88%
F. Community Outreach & Relationship Building meetings	40	59	148%
G. Police/Diverse Community Dialogues	2	3	150%
H. Hate Crime Report & Network Meeting	1	4	400%
I. Support to hate crime victims	8	17	213%
J. Outreach efforts (speeches, presentations, etc.)	10	11	110%
K. Community training on intergroup relations topics	4	5	125%
L. Annual Awards program	1	0	0%
M. Participate in community-based/outreach symposiums	2	2	100%

Police-Community Relations

- **Police Community Reconciliation Program:** Launch a form online for community to request consultation for low level police complaints through PCRCP services.
- **Biggs with Badges Dialogues:** Completed Police-Youth Dialogues in partnership with Big Brother, Big Sisters at Cypress High School serving 9 youth and 6 officers.

Intergroup Relations & Relationship Building

- **Community Support, Outreach, & Presentations**
 - Commission staff facilitated four hate crime presentations at various education institutions including Fullerton College.
 - Commission staff tabled at various events such as family resource fairs and school open houses.
 - Commission Director attended the TRUCT Act Forum held by the Board of Supervisors on 4/23.
 - On 4/26, Commission staff attended the hate crime hearing for Mayfield to observe by invitation of District Attorney's office.
- **Commission Director One-on-Ones:**
 - Commission Director joined the Board and attend first meeting. Discussion: adding homelessness as a protected class to hate crime law.
 - Met with a resident interested in applying for District 5 vacancy.

Capacity Building & Training

- **Sheriff's Academy:** Staff facilitated LD42 training module for Sheriff's Academy to 49 new police recruits.

WRAP-UP REPORT

Title: *Sheriff's Academy Training Cultural Diversity*

Concept: *Cultural Diversity LD42*

Date: *Thursday April 18, 2019*

Location: *Tustin Sheriff's Academy Training Center*

Team: *OCHR Commission & Council*

Facilitators: *Commission's staff Joyce Sanchez*

Collaborators/Sponsors: *OC Human Relations Council Staff Edgar Medina*

Goals:

- Increasing awareness how our daily attitudes and differing perceptions can affect our daily interactions.
- Develop intercultural awareness and increase understanding of different multicultural perspectives
- Build relationship between law enforcement and local organizations

Attendance:

- 49 recruits

Results:

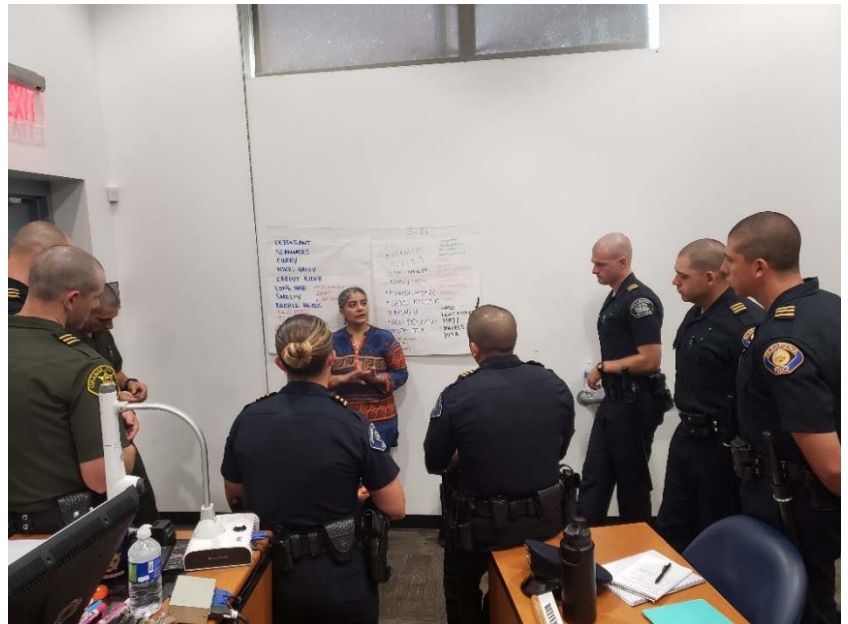
- Recruits were introduced to the work of Orange County Human Relations Commission
- Recruits had the opportunity to review and reflect on the meaning of perception and stereotyping
- Recruits got an opportunity to learn about the Sikh, LGTB, Muslim and Refugee Community

Recruits Survey comments:

- "This panel was very informative, and I gained a new perspective. A valuable take away was to treat people as humans first and conduct your business."
- "Great speakers to open our minds to new subjects, we were never taught about in school."
- "Great panelists. Set forth a great foundation for policing in a nondiscriminatory way. Respect is necessary."

WRAP-UP REPORT

Small Group discussions



GOODWILL RECOGNITION NOMINATION

On Sat, Dec 8, 2018 at 9:31 AM, Sharon Nordheim

< > wrote:

Dear Dr. Reynolds,

Please find initial information regarding a highly worthy service provided to Orange County and counties throughout California for very high needs children through early adulthood. The

California Children's Rehabilitation Foundation(CCRF) is a major Non-profit fundraising component of the Miller's Children's and Women's Hospital. This is key artery of the Long Beach Memorial Hospital.

Schools, and families in our Orange County Area see the services of Miller's Children Hospital as a life line when the needs of families for a child exceed the services of our local schools and our local health communities to address high risk, and rehabilitation needs of our children.

Intensive, life services are provide to pre-birth to early adult children at Miller's. The rehabilitative programs and the team of specialists include a highly skilled team of doctors and therapists, physical therapists, and most recently, by the work of the fundraising non-profit Foundation CCRF, and through the generous donations of Orange County donors and others throughout California, The Miller's Children's Hospital has just acquired the first Mobility/Facility Dog who will be with the patient's 40 hours per week, The dog is guided by a well trained handler for the needs of each patient for strategic health care progress.

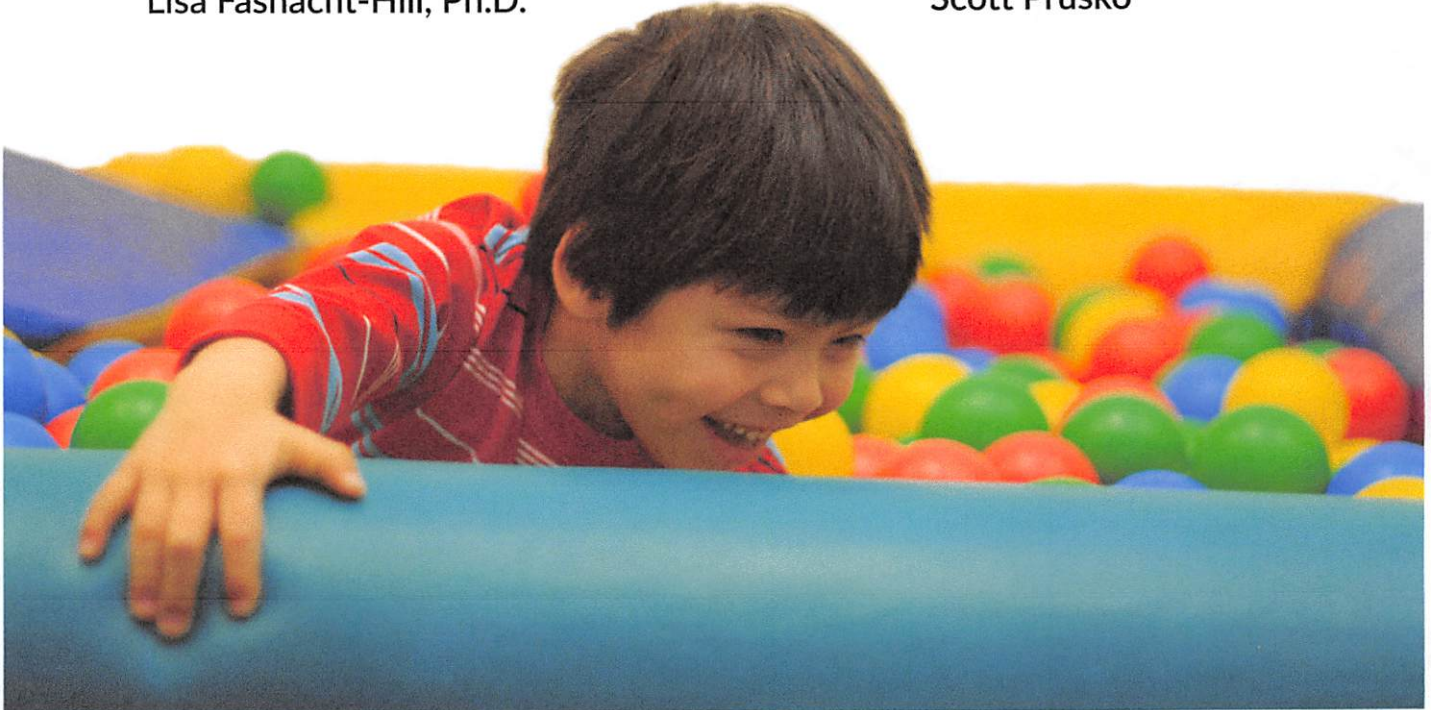
Dr. Kimberly BeDell, M.D., is the Medical Director of Miller's Children's Rehabilitation Unit. She is a product of our Orange County Schools, having graduated from Huntington Beach High School. She worked as a teacher after completing her undergraduate work at UCLA in Los Angeles and then pursued her second love, Medicine. She attended University of Southern California, and became Dr. Kimberly BeDell, M.D. She has been highly recognized for her exceptional contributions to complex and critical work in this highly specialized field. Yet, she makes time in the past 11 years to do an annual fundraiser, with no staff other than volunteers, to raise money for the specialized needs for these wonderful Children and on behalf of the staff to do their work. I cannot say enough about the Good Will Award being a great fit for this team!

--

Sharon Nordheim, Ed.D.

Former Superintendent, Westminster School District, Orange County
Board Member, CCRF
Community Volunteer

Kimberly BeDell, M.D. John Haushalter, Esq. Sharon Nordheim, Ed.D.
Lisa Fasnacht-Hill, Ph.D. Scott Prusko



California Children's Rehabilitation Foundation was started in 2007
during a chat

between two friends discussing their careers and what they had yet to
accomplish.

The result was a non-profit called CCRF. The mission of CCRF is to assist
children and their families with special needs. The Board of Directors for
CCRF and

numerous volunteers work diligently each year on a new project.

Everyone involved in CCRF is a volunteer. All donations generously come
from friends

and supporters in the community. The funds generated during each year go directly

toward equipment for the children. CCRF has no employees and we do not lease property.

We rely on gracious individuals and corporations who feel compassion for these young individuals facing various challenges, whether those challenges are physical or cognitive.

In the past we have purchased equipment for children with cerebral palsy, brain injuries, spinal cord injuries, muscular dystrophy, autism and cancer.

In the past ten years, CCRF has donated equipment for pool therapy, sensory

integration, augmentative communication, spinal cord medicine, adaptive bicycles, Bioness, and in-room therapy devices. We have donated this therapy equipment to Miller Children's and Women's Hospital Long Beach, Long Beach Memorial Medical Center, and California Aquatic Therapy and Wellness Center to be used by children and teens in Southern California, including Los Angeles, Orange, Riverside, Kern, and Ventura Counties.



CCRF

California Children's Rehabilitation Foundation

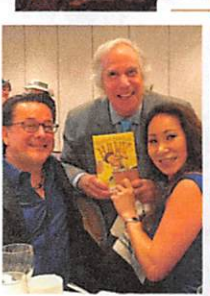
Board Members:
 Kimberly BeDell, M.D.
 Lisa Fasnacht-Hill, Ph.D.
 John Haushalter, Esq.
 Sharon Nordheim, Ed.D.
 Scott Prusko

CCRF News • Summer 2018 • www.ccrfkids.com

Over the past 10 years California Children's Rehabilitation Foundation has donated equipment for children and teens to use as they are participating with various therapies at Miller Children's and Women's Hospital Long Beach, California Pools of Hope, and Long Beach Memorial Medical Center. It is because of generous donations from the community that children and families with rehabilitative needs can use this equipment to improve the quality of their lives. **Follow the impact of your donations:**

 visit us on Facebook! @CCRFfriends

Save the Date!
 Join us for the
Masquerade Ball
 at the Hotel Maya
 along the waterfront in Long Beach
 Saturday, October 6th, 2018 at 5:00 p.m.

Everyone had a great time at our 2017 fundraiser, the **Kentucky Derby Party**, mingling with celebrity guest **Henry Winkler** having fun while raising money for a great cause.

Join us at the Masquerade Ball!

Our goal for 2018 is to raise \$100,000 to obtain a highly-trained facility dog, provide comprehensive education for staff, and equipment necessary for successful integration with a variety of therapy programs at Miller Children's and Women's Hospital Long Beach. **This will be the first use of a facility dog in a children's hospital in the state of California.** Facility dogs are expertly trained and partner with a facilitator working in a health care setting and can perform over 40 commands designed to motivate and inspire children with special needs. In the pediatric rehabilitation department, activities such as grooming, feeding and encouragement from a facility dog can aid patients in medical rehabilitation and provide emotional support or comfort.



The twelfth annual fundraising event for 2018 will take place at the Hotel Maya in Long Beach on Saturday, October 6 at 5:00 pm. Our event will include a wonderful dinner, silent and live auctions. Masks with cocktail attire or a classy costume (such as renaissance, fairytale, medieval, or fantasy) are encouraged—prizes will be awarded to the most festive mask and costume. Premium sponsorships will include a harbor-view seat at dinner, one-hour harbor boat cruise with appetizers and champagne from 4:30-5:30pm (meet at Hotel Maya at 4pm) the day of the Masquerade Ball, along with a tote bag and commemorative wine glass.



OCHRC May 9, 2019 Hate Crime Presentation

Hate Crime Definitions

“Hate crime” means a criminal act committed, in whole or in part, because of one or more of the following actual or perceived characteristics of the victim:

- 1) Disability.
- 2) Gender.
- 3) Nationality.
- 4) Race or ethnicity.
- 5) Religion.
- 6) Sexual orientation.
- 7) Association with a person or group with one or more of these actual or perceived characteristics.

CAL. PENAL CODE § 422.55(a).

The defendant acted *in whole or in part because of* the actual or perceived characteristic[s] of the victim if:

1. The defendant was biased against the victim based on the victim's actual or perceived protected characteristic or association with a person or group with one or more of these actual or perceived characteristics;
AND
2. The bias motivation caused the defendant to commit the alleged acts.

If you find that the defendant had more than one reason to commit the alleged acts, the bias described here must have been a substantial motivating factor. A *substantial factor* is more than a trivial or remote factor. However, it does not need to be the only factor that motivated the conduct.

Hate Crime Prosecution Process

1. Criminal act is Committed, reported, & investigated
2. Investigator requests charges of OCDA
 - a. Investigator may or may not request hate crime
3. OCDA independently reviews all available evidence and defendant’s record
 - a. Case may be referred back to investigator for additional investigation (e.g., search warrants, social media history, additional victim/witness interviews)
4. OCDA files charges
 - a. OCDA can file hate crime charges even if investigator did not request
5. Case proceeds to resolution with either guilty plea or jury trial verdict
6. Defendant is sentenced
 - a. Guilty Plea: either plea deal with OCDA or indicated sentence from a judge
 - b. Trial Verdict: judge’s discretion
7. Statistics are kept throughout process for required reporting

Orange County Hate Crime Trends

One trend is that the number of hate crimes file or initiated in Orange County has increased over the past three years. It is unclear if this is due to a spike in bias-motivated acts, better recognition of hate crimes by police and prosecutors, or some combination of those factors. Additionally, the significance of the fluctuation within the tens of thousands of cases filed every year is also unclear. Over the past five years, the OCDA filed or initiated 49 cases.

2018: 15 cases
 2017: 8 cases
 2016: 6 cases
 2015: 12 cases
 2014: 8 cases

Over the past several months, OCDA hate crime prosecutors have provided training sessions to deputy district attorneys and paralegals in how to identify and appropriately handle hate crime cases. It is our goal to ensure each new prosecutor and paralegal receives this training during their introductory orientation and training program.

Hate Crime Prosecution Challenges

- **SPECIFIC INTENT CRIME.** Typically that intent is to deprive that individual of a constitutionally protected right. As specific intent crimes, hate crimes are susceptible to the following defenses: voluntary intoxication and mental impairment. Many hate crime cases have one or both of these factors present. Even though evidence of those defenses may not be a total defense, they could possibly result in jury nullification and conviction of lesser, non-hate crimes.
- **BEYOND A REASONABLE DOUBT STANDARD.** We have an ethical duty to only file those charges we believe we can prove beyond a reasonable doubt at trial. There are times, despite the reprehensible words of a defendant, that we cannot prove the bias against a protected characteristic was a substantial motivating factor.
- **FIRST AMENDMENT.** Hate speech is often a protected freedom of speech. Hate speech can still have a traumatic effect on a victim but it may not necessarily amount to a crime.
- **SUBSTANTIAL MOTIVATING FACTOR.** Another legal requirement is that the bias required in a hate crime “must have been a substantial motivating factor” in the commission of the crime. A substantial factor is more than a trivial or remote factor. A crime is not necessarily a hate crime simply because a racial epithet is used. For example, a road rage scenario might occur because one person cuts off another on the road. This could then lead to a physical altercation during which a racial epithet is used. The use of a racial epithet might not necessarily be the substantial motivating factor for the assault and battery to have occurred.
- **LACK OF COOPERATION.** Witness and victim lack of cooperation is another challenge. Statistics constantly demonstrate that hate crimes are an under-reported category of crime. Many victims are singled out by perpetrators because they may be vulnerable and unlikely to report to police. Additionally, victims may be hesitant to identify themselves as members of a protected class and omit details relevant to a hate crime.
- **LAW ENFORCEMENT TRAINING.** Law enforcement may not accurately identify hate-motivated factors and thus not request a hate crime charge for filing. Agency liaisons and OCDA personnel may make mistakes in the electronic filing process and not route a hate crime to the Special Prosecutions Unit. Deputy district attorneys may not identify and re-route hate crime filings or cases in the branch courts, or they may be uninformed of this policy.

- **SOME MISDEMEANOR-ONLY CONDUCT.** Criminal acts that are not felonies, do not involve an actual physical injury or the ability to cause a violent injury, or do not cause property damage in excess of \$950 can only be prosecuted as misdemeanors.
- **IDENTIFYING A VICTIM.** There are times when acts may be committed, but we cannot prove the acts were committed against the person or property of another for the purpose of intimidating or interfering with that other person's free exercise of enjoyment of any right secured to them by the Constitution or laws of the U.S. or California.
- **PROVIDING VALIDITY TO HATE CRIMES.** We strive to file every hate crime that is supported by the evidence and the law, so that a hate crime charge has validity. Through extensive pre-filing investigation and vigorous representation in court, we can ensure that our hate crime charges will send a strong message that hate is not tolerated and hate crime victims are heard.

Hate Crime Charges & Enhancements

P.C. § 422.6(a) – Interference with Civil Rights by Force

- Misdemeanor
- Exposure: 1 year OC Jail &/or \$5,000; Community Service not to exceed 400 hours

To prove that the defendant is guilty of this crime, the People must prove that:

1. The defendant used force to willfully interfere with/injure/intimidate/oppress another person's free exercise or enjoyment of the right/privilege to _____ <describe the right allegedly infringed, e.g., "be free from violence or bodily harm">, established by the law or Constitution of California or the United States;
2. The defendant did so in whole or in part because of the other person's actual or perceived protected characteristic or association with a person or group having one or more of these actual or perceived characteristics;
AND
3. The defendant intended to interfere with the other person's legally protected right or privilege.

P.C. § 422.6(a) – Interference with Civil Rights by Threat

- Misdemeanor
- Exposure: 1 year OC Jail &/or \$5,000; Community Service not to exceed 400 hours

To prove that the defendant is guilty of this crime, the People must prove that:

1. The defendant threatened physical violence against a specific person or a specific group of people;
2. The threat would have caused a reasonable person to be afraid because the defendant appeared able to carry out the threat;
3. The defendant used the threat to willfully interfere with/injure/intimidate/oppress another person's free exercise or enjoyment of the right or privilege to _____ <describe the right allegedly infringed, e.g., "be free from violence or bodily harm">, established by the law or Constitution of California or the United States;
4. The defendant did so in whole or in part because of the other person's actual or perceived protected characteristic or association with a person or group having one or more of these actual or perceived characteristics;
AND
5. The defendant intended to interfere with the other person's legally protected right or privilege.

P.C. § 422.6(b) – Interference with Civil Rights by Damaging Property

- Misdemeanor
- Exposure: 1 year OC Jail &/or \$5,000; Community Service not to exceed 400 hours

To prove that the defendant is guilty of this crime, the People must prove that:

1. The defendant defaced/damaged/destroyed real/personal property owned/used/possessed/occupied by another person;
2. The defendant knew that he was defacing/damaging/destroying property that was owned/used/possessed/occupied by that person;
3. The defendant did so for the purpose of interfering with or intimidating that person's free exercise or enjoyment of the right or privilege to _____ <describe the right allegedly infringed, e.g., "be free from violence or bodily harm">, established by the law or Constitution of California or the United States;
4. The defendant did so in whole or in part because of the other person's actual or perceived protected characteristic or association with a person or group having one or more of these actual or perceived characteristics;
AND
5. The defendant intended to interfere with the other person's legally protected right or privilege.

P.C. § 422.7 – Used to Enhance Misdemeanor to Felony Based on Bias-Motivation

- Wobbler
 - o Felony: 16-2-3 years prison per 1170(h) &/or \$10,000
 - If reduced per PC 17(b), still remains a hate crime
 - o Misdemeanor: 1 year OC Jail &/or \$10,000

To prove this allegation, the People must prove that:

1. When committing that crime, the defendant intended to interfere with or intimidate another person's free exercise or enjoyment of the right or privilege to _____ <describe the right raised by the evidence>, established by the law or Constitution of California or the United States;
2. The defendant acted in whole or in part because of the other person's actual or perceived protected characteristic or association with a person or group having one or more of these actual or perceived characteristics;
AND
<Alternative 3A—caused physical injury>
3. A. When committing that crime, the defendant caused an actual physical injury or had the ability at that time to cause a violent injury.
<Alternative 3B—caused property damage>
B. The defendant caused property damage in excess of \$950.

P.C. § 422.75 – Enhancement

- Enhances a Completed or Attempted Felony
- Exposure:
 - o 422.75(a) – Adds 1-2-3 years state prison
 - o 422.75(b) – Adds 2-3-4 years state prison (hate crime in concert)
 - o However, court can 17(b) underlying felony and this hate crime enhancement falls off, leading to a non-hate crime disposition.

To prove this allegation the People must prove that the defendant committed that crime in whole or in part because of the alleged victim's actual or perceived protected characteristic or association with a person or group having one or more of these actual or perceived characteristics.

Miscellaneous Hate-Related Charges

The following code sections implicate many of the bias motivations present in hate crimes, and may become hate crimes if the bias-motivation was a substantial motivating factor in their commission.

P.C. § 302 – Disturbing Religious Meetings

This section criminalizes intentionally disturbing religious assemblies at tax-exempt places of worship

P.C. § 594.3 – Vandalism of Religious Building or House of Worship

This code section criminalizes vandalism of religious buildings including churches, synagogues, mosques, temples, and buildings of religious educational institutions or cemeteries.

P.C. § 11411 – Terrorizing by Symbol

May be hate crime if the bias-motivation is present

- 11411(a): terrorizing by hanging a noose on private property of another, or on property of a school, public park, or place of employment
- 11411(b): place or display a sign, mark, symbol, emblem, or other physical impression, including, but not limited to, a Nazi swastika, on the private property of another
- 11411(c): engaging in a pattern of conduct for the purpose of terrorizing the owner or occupant of private property by displaying a sign, mark, symbol, emblem, or other physical impression, including, but not limited to, a Nazi swastika, on the private property of another on two or more occasions.
- 11411(d): burning or desecrating a cross or other religious symbol, on the private property of another, for the purpose of terrorizing the owner or occupant

P.C. § 11412 – Threats Obstructing Exercise of Religion

This code section criminalizes threatening another to cause them to refrain from exercising their religion or engaging in a religious service.

P.C. § 451 – Arson

Many acts of arson can be elevated to hate crimes if the bias motivation is shown to be a substantial motivating factor.

TO: Human Relations Commission
FROM: Fareed Farukhi, Commissioner
RE: Human Relations Forums throughout Orange County

ISSUE:

Should the Commission lead a Human Relations Forums series for Orange County?

BACKGROUND:

The Human Relations Commission continues to be relevant and important to Orange County. It has been discussed that our main priority has been to create awareness and educate each other about different human relations issues that currently are affecting our communities. Additionally, in the past, there has been discussions on how the Commission can amplify and expand its outreach. The idea of launching a series of forums focused on human relations issues affecting Orange County could be used as a vehicle to bring awareness and broaden the Commission's reach in different communities across the County.

DISCUSSION:

Human Relations Commission hosts a series of forums at different locations, preferably educational institutions, throughout Orange County.

About the Forums

- Tentative series title "Humanizing our Human Relations in OC" (not set in stone)
- Each forum would focus on a different human relations topic and would host a panel of experts with a moderator.
- There would be a total of 3-4 forums
- Tentative forum topics:
 - Youth Mental Health & Suicide
 - Impact of Hate in our Communities
 - Model Police – Community Collaboration: Interfaith Council
 - Homelessness.

Measurable Outcomes & Call to Action

1. Conduct surveys of current status through schools, youth organizations, faith communities, agencies etc.
2. Work with universities to do a case study of where we are in terms of impact and issues in the county not just about OCHRC but in general of the work being done and how it is impacting programs, resources available and impact.
3. Share the results of this study at the end of the one year or at the last forum series and share with other stakeholders. Could be research project in partnership with area colleges and universities Masters or other program in conjunction with school or department of sociology, human behavior sciences, psychology, and anthropology.
4. Form this research we develop guidelines and mini projects, workshops and programs for communities and youth to get engaged in.
5. Measure the outcomes of such initiatives starting with one or two. For example work with the suicide hotline and other such h data and see what is causing such behavior in schools and colleges.

Commitments

- Commissioner Role:
 - Create an ad-hoc committee to lead project
 - Reach out to individual network & tap on people with subject matter expertise to participate on panel
 - If have any contacts with local universities, ask to host forums on campus and assist with advertisement
 - Distribute event invites to network and appointing authority (i.e. Supervisor or District Mayors)
 - Be present at forums for visibility and support
 - Upon completion, debrief and discuss possibility of a larger one-day symposium/conference event
- Staff Role
 - Connect with partners and collaborators with subject matter expertise to participate on panel
 - Manages event registration and event logistics

RECOMMENDED ACTION:

Approve the Human Relations Forum Series project and form an ad-hoc committee

Quarterly Report for Orange County Human Relations Commission

Date: 03/05/19

Submitted by: Norma López, Commission Executive Director

Commission Contract Activity Numbers

CONTRACT ACTIVITY	Q1	Q2	Q3	Q4	Goal	To-Date
<i>Police-Community Reconciliation cases</i>	3	1	7		20	11
<i>Chief's Advisory Board & Sherriff's Interfaith Council</i>	4	2	1		8	7
<i>Police/Diverse Community Dialogues</i>	0	1	1		2	2
<i>Hate Crime Report & Network Meeting</i>	2	1	1		1	4
<i>Support to hate crime victims</i>	7	6	4		8	17
<i>Outreach efforts</i>	2	5	4		10	11
<i>Community training on intergroup relations topics</i>	1	1	1		5	2
<i>Participate in community-based/outreach symposiums</i>	0	1	1		2	2

Q3 Commission Events/Activities

Date	Activity	Location	Role
1/2/19	Hate Crime Incident Response	Santa Ana	Lead
1/8/19	Participated on panel at Safety Forum at Irvine Valley College	Irvine	Participant
1/9/19	Presented about PCRCP and Hate Crime programs at OC Chiefs Mtg	Santa Ana	Presenter
1/10/19	OC Human Relations Commission Meeting	Santa Ana	Lead
1/11/19	Responded to Hate Incident	Huntington Beach	Lead
1/15/19	Sheriff's Academy Training – Cultural Diversity	Tustin	Lead
1/24/19	Meeting with United we Stand – promote civility in OC	Santa Ana	Participant
2/13/19	Goodwill Committee Meeting	Santa Ana	Lead
2/14/19	OC Human Relations Commission Meeting	Santa Ana	Lead
2/26/19	Police Youth Dialogue partnership with Big Brothers Big Sisters	Buena Park	Lead
2/28/19	Sheriff's Academy Training	Tustin	Lead
3/6/19	Conducted PCRCP consultation for HBPD	Huntington Beach	Lead
3/12/19	Meet the Sheriff event – participated	Tustin	Participant
3/13/19	Outreach effort at DELAC meeting	Westminster	Presenter
3/14/19	OC Human Relations Commission Meeting	Santa Ana	Lead
3/15/19	Attended New Zealand Tragedy Vigil	Anaheim	Participant
3/19/19	Police Youth Dialogue partnership with Big Brothers Big Sisters	Cypress	Lead
3/20/19	Outreach presentation on PCRCP and hate crime work	Laguna Hills	Presenter
3/26/19	Hate Crime Network Meeting	Santa Ana	Lead
3/31/19	Tabling at Silk Road Festival event	Anaheim	Participant

Commission Positions

Q1	Commission did not take any positions this quarter.
Q2	Commission did not take any positions this quarter.
Q3	Commission did not take any positions this quarter.

Commission Approved Ad-Hoc Committees & Endorsements

AD-HOC COMMITTEES

Committee Name	Date Approved	Members	Status
Goodwill Committee	10/12/17	KReynolds, MReynolds, & BDemissie	Ongoing
Managing Public Forum Speech	7/12/18	Need to appoint Commissioners	Time Limited (TBD)
Awards Judging Committee	10/11/18	MHamel & MSteggell	Completed
Officers Nomination Committee	9/13/18	JLee, MHamel, & MSteggell	Completed
Bylaws Review	7/12/18	RSteinberg & KReynolds	Completed

PROJECTS

Event/Activity	Date Approved	Participants	Status
Commission Living Room Dialogues	4/12/18	R.Steinberg & MHamel	Postponed until 4/2019

ENDORSEMENTS/COLLABORATIONS

Event/Activity	Date Approved	Lead Org	Status
HateFreeOC Campaign	12/8/16	OC Human Relations Council	Ongoing
2018 Silk Road Festival	10/12/17	Muckenthaler Cultural Center	Completed

Congressman Lou Correa's
United States Post Office
Dedication Ceremony



In Honor of
Specialist Trevor Anthony Win'E

April 24, 2019

1075 N. Tustin Ave, Orange, CA 92863



Specialist Trevor Anthony Win'E

Trevor Anthony Win'E was born September 24, 1981, in Orange County, California. Trevor, the youngest of three children, dreamed of becoming an American soldier and serving his country since he was a little boy. As a young man, Trevor loved the mountains and snowboarding, as much as he loved the ocean and scuba diving. He also had a passion for ice hockey. Trevor is remembered by many for his kind and giving spirit. "He was everybody's big brother here," said Nancy Hamilton, his senior English teacher. "In class, he didn't like to talk about himself; it was always, 'What can I do to help?'"

This drive to serve others never wavered and on May 1, 2002, Trevor's longtime dream of becoming a soldier became a reality when he joined the Army. Trevor trained at Fort Benning, Georgia where he studied to become a Petroleum Specialist, 92F. He was then stationed at Fort Lewis, Washington and assigned to the Petroleum Platoon in the 24th Quartermaster Company. Although Trevor was assigned to duty in Korea, he requested to serve with his unit in Iraq instead and was deployed in November 2003. During this mission, Trevor was specifically chosen to serve as the petroleum specialist and Gunner for the gun truck.

While serving as the Gunner for the lead truck on a convoy, SPC Win'E faced an attack by an improvised explosive device on April 30, 2004. A day later, he died from the injuries he sustained during this attack.

Trevor's legacy and memory continue to live on through his parents Debi and Rick, siblings Todd and Tracy, aunts, uncles, cousins, fellow soldiers and friends. Trevor's dedication to his country and the resolution he felt about his calling as an American soldier were evidenced by his actions and his words. Mary Lallande, Win'E's high school guidance counselor, said she talked to Win'E shortly before he left for Iraq. "I asked him if he was scared," she said. "He said he did have fears, but more importantly, he had a job that he'd been training so long to do. He was eager to go do it."

Trevor's former commander, Lt. Col. John W. Pratt, remembers him with fondness, "He was one of a kind—always walking around with a smile, always playful." He added, "Every time I think of Trevor Win'E, I think of him on the (forward operating base) playing chase around the petroleum farm, as well as him being really dedicated to the mission."

When asked about Trevor's legacy, "Trevor wouldn't want his death to ruin life. He was fun. He was goofy," said his mom, Debi. This is how those who knew Trevor remember him, and now the community at-large will have a permanent reminder of this bright and selfless local hero.

Dedication Ceremony: California 46th Congressional District

Welcome	Mark Wayland <i>Master of Ceremonies</i>
Presentation of Colors	CSUF Army ROTC <i>Color Guard</i>
National Anthem	Wimberley Bluegrass Band
Invocation	Pastor Joe Enriquez <i>CCCI Ministry</i>
Postings of Colors	CSUF Army ROTC <i>Color Guard</i>
Postmaster Remarks	Mark Logue <i>USPS Postmaster</i>
Musical Tribute	Calvary Chapel HS Band
Honoring OC Post-9/11 KIA	Orange HS MC-JROTC
Playing of Taps	Gemi Acupan <i>Bugler</i>
Keynote Speakers	Steve Agee <i>Served with SPC Win'E</i> Debi Win'E <i>Mother of SPC Win'E</i> Congressman Lou Correa <i>U.S. House of Representatives</i> <i>California 46th Congressional District</i>
Post Office Dedication	Congressman Lou Correa & Win'E Family
Closing Prayer	Pastor Frank Orzio <i>Wounded Warrior Ministries</i>
Retiring of Colors	CSUF Army ROTC <i>Color Guard</i>

"We are deeply honored and humbled to have our son, SPC Trevor Win'E, be remembered for his selfless sacrifice to this great country by the renaming of the Post Office in Orange, CA. To know that his sacrifice is not forgotten means so much to us, his family."

- Specialist Win'E's parents, Rick and Debi Win'E

"Specialist Win'E's sacrifice is a loss for his community and our country, but he will not be forgotten. I hope this Post Office serves as a way to carry on his legacy and remind future generations of the importance of selflessness and honor."

- Rep. Lou Correa



**DC Office: 1039 Longworth Office Building,
Washington D.C. 20515
Phone: 202-225-2965**

**District Office: 2323 N. Broadway
Suite 319
Santa Ana, CA 92706
Phone: 714-559-6190**

<https://correa.house.gov>

Special thanks to Debi, Rick, and the Win'E family,
the United States Postal Service, and the entire
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supporters of the legislation

