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OFFICE OF THE CITY CLERK  
OAKLAND  
2015 FEB 11 AM 11:25

# AGENDA REPORT

**TO:** JOHN A. FLORES  
CITY ADMINISTRATOR

**FROM:** Kiran Bawa

**SUBJECT:** Establish a Department of Race & Equity **DATE:** February 4, 2015

City Administrator  
Approval

Date

2/11/15

**COUNCIL DISTRICT:** City-Wide

## RECOMMENDATION

Accept an informational report providing analysis of the recommendation to amend Chapter 2.29 Of The Oakland Municipal Code Entitled, "City Agencies, Departments And Offices", to create a Department Of Race and Equity that would report directly to the City Administrator.

## EXECUTIVE SUMMARY

On January 29, 2015 Council Member Brooks introduced a proposal for the establishment of a Department of Race and Equity in the City of Oakland to address racial inequity (Attachment A). Staff conducted an initial analysis for the creation of a Department of Race and Equity with a goal to increase the understanding about institutional barriers, develop equity tools for measurement and create a Citywide Strategic Plan for Equity. Several models were explored including Portland, Seattle and San Francisco. This report also provides preliminary analysis for the role, potential timeline and cost implications of creating such a department at the City of Oakland.

## OUTCOME

This is an informational report providing initial research on the proposal to create a Department of Race and Equity in the City of Oakland. Staff seeks direction from the Council and the community on how to further proceed on this proposal.

## BACKGROUND/LEGISLATIVE HISTORY

At the January 29, 2015 Rules and Legislation Committee, Council Member Desley Brooks introduced a proposal for the creation of a Department of Race and Equity in the City of Oakland. The proposal states that there are racial and social inequities in our government, greater

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community and City across all indicators for success, including in education, criminal justice, jobs, housing, public infrastructure, and health, regardless of region; and role of such a department would be to address these barriers by helping to recognize and reduce these bias, both internally and externally.

Staff conducted an initial research by exploring similar initiatives in other jurisdictions; and also analyzed a potential role, timeline and fiscal impact, as provided below. The creation of this department would require more resources and collaboration with private businesses, non-government organizations, academia, community groups, and the media. Development of a strategic plan to address potential overlaps, collaborations and possible reorganizations as the City and community goals are created would be necessary.

There are no resources allocated in the current budget for this program and would have to be considered as part of FY 2015-17 budget development.

### ANALYSIS

This brief study was designed to envision the potential role of Department of Race and Equity, what are the best practices and what it would take to establish such a department. Some examples of services by this department would include items from the Department of Equity Draft Work Plan submitted by Councilmember Brooks:

- Direct and evaluate City equity policy and coordinate an implementation strategy to create the City of Oakland Equity Initiative Plan
- Build collaborative relationships with other Departments, while maintaining accountability for elevating equity as a standard practice of business for the City
- Work with Contracts Compliance, Title VI Civil Rights, Title II ADA, and the Department of Management and Finance and other departments as appropriate to create a comprehensive data collection and tracking system for reporting
- Review all City policies and programs for consistency with equity goals and monitor City equity activities within departments
- Provide guidance, education and technical assistance to departments on sustainable methods to build capacity in achieving equitable outcomes and services as outlined in the City of Oakland Equity Initiative Plan
- Work to establish City priorities, goals, objectives, and timelines for work that initially leads with a focus on race/ethnicity
- Create a Citywide and/or collaborate on a region-wide efforts to eliminate disparities and promote social justice
- Build on, share and learn from previous equity building work
- Establish reasonable and attainable metrics to advance the City's equity goals
- Develop and maintain a relationship of transparency and accountability with the community on equity initiatives utilizing community commissions and outreach

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- Work to use resources efficiently and coordinate the existing equity-related efforts to avoid duplication of effort or leaving urgent needs unmet
- Coordinate with external institutions, agencies, businesses, and community equity initiatives
- Establish an Advisory Board with community members and City staff, to provide recommendations, partner in the work, and uphold accountability on equity matters

In order to accomplish the work of the Department of Race and Equity the following divisions were recommended in the proposal: Race and Equity, Civil Rights, and Equity and Project Implementation. The work of these divisions will be further defined by the process of receiving input and direction from the community and the City's leadership.

#### Existing External Efforts

Alameda County was researched to see if similar functions are being provided at the County-level. There is no such office specifically tasked with the responsibilities outlined in the proposal addressing the matters designated to the department. Additional research is needed to provide more information on broader efforts possibly related to the work on equity.

Oakland Unified-School District is doing work on the issue of educational equity. Oakland Unified has at least two Initiatives looking at such matters in the Oakland schools: Budgeting for Equity and African American Achievement. These are potential important models of research worth further investigation and inquiry.

There are a number of non-profit organizations performing similar work that are ready for collaboration and participation on potential future boards or commissions to contribute to the work of this department. The input of these groups will be helpful for creating a focus and initiatives of the department.

Additionally, many existing departments and divisions within the City of Oakland could potentially interface directly on or are related to the work of race and equity. The relationship of these existing departments would need further research and consideration after a possible City Equity Initiative Plan is created.

#### Current Models

##### *City and County of San Francisco Human Rights Commission*

The City and County of San Francisco Human Rights Commission (HRC) has a history of leadership and advocacy in securing, protecting and promoting human rights for over 50 years. The Commission is made up of eleven Commissioners appointed by the Mayor of San Francisco. The Commission sets policy and communicates that policy to the Executive Director who in turn is responsible for its execution. The organization is staffed by eight people including an Executive Director, two Program Directors, two HRC Representatives and three Policy

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Coordinators. HRC provides a broad range of services and staffs several citizen committees on matters on LGBT issues, Equity and Discrimination. The Human Right Commission Policy and Social Justice Division work is aligned with the proposed goals of establishing a Department of Race and Equity in Oakland.

*City of Portland Office of Equity and Human Rights*

The Office of Equity and Human Rights (OEHR) was created in March 2012. The office was created from a citywide effort to develop a City vision and after multiple community meetings were held to develop the plan. OEHR provides education and technical support to City staff and elected officials, leading to recognition and removal of systemic barriers to fair and just distribution of resources, access and opportunity, starting with issues of race and disability. The office is staffed by nine people including an Executive Director, Assistant Director, Policy Analyst, Executive Assistant, Program Manager and five Program Coordinators. OEHR has a Citywide Equity Committee (CEC) where each bureau is required to have at least one staff person on the committee to assist in producing an annual equity plan with milestones, timetables, and accountability measures.

*City of Seattle Office for Civil Rights*

The Seattle Office for Civil Rights (SOCR) was established in 1969 to address illegal discrimination in employment, housing, public accommodations and contracting within the Seattle city limits. SOCR also provides policy recommendations to City government and educate the public on civil rights issues. Through their commitment to human rights and dignity, SOCR works to eliminate the practice and vestige of racism and to achieve social justice in their city. SOCR is staffed with twenty five employees that examine a wide array of issues including: labor standards, education-outreach & engagement, staffing four independent commissions, enforcement of anti-discrimination laws, employment, housing, public accommodations, fair contracting, Title VI, predatory lending and ADA. SOCR's Race and Social Justice Initiative (RSJI) is the most related to the efforts in the establishment of a Department of Race and Equity in Oakland.

Timetable

There is a clear need, based on the initial research in this report, to identify and define the initiatives and/or areas where the department will focus its resources. There are broad ranging matters from Human Rights, Individual Discrimination Complaints, Employee Training, Disabilities, Immigrant and Refugee concerns, LGBT issues, Hiring and Retention, Contract Compliance, etc. Each of the models in other jurisdictions significantly varies on the issues they work on. Additional time to research the topics and challenges will be beneficial in shaping the needs for potential staffing duties of the department.

Also, additional time for research can allow us to receive from other jurisdictions the lessons learned and the challenges to be expected. There is a common concern from the organizations contacted that moving forward deliberately, receiving community participation in the process

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and identifying the areas of work, is essential for a successful department. Additional time for research will provide for further inquiries in regards to how a city such as Oakland can be best served by a department designed by the community and its civic leaders.

Another factor to consider in the timing of the proposal is the hiring of a permanent City Administrator. The permanent City Administrator is anticipated to be hired by April and can assist in guiding and directing this effort including the hiring of the Director of the department.

Further information can be provided at the next scheduled Committee meetings and questions can be answered from Council about the direction and scope of the department moving forward. The possible alternatives were provided for consideration based on the current City budget constraints and to compare with the needs and priorities of the communities of Oakland. As part of the FY 2015-17 budget development process, at least three Community Budget Forums will be scheduled in the month of May through the middle of June.

The following dates are provided as a timeline to submit additional information in relationship to significant events impacting the creation of the Department of Race and Equity.

*March 10, 2015* – Next Finance Management and Life Enrichment Committee meetings.

*April 2015* – Expected hiring of the new City Administrator

*May 1 to June 10, 2015* – Community Budget Forums

*June 30, 2015* – Budget Adoption

### **PUBLIC OUTREACH/INTEREST**

On December 9, 2014, the Oakland City Council unanimously passed a resolution recognizing the City's collective responsibility to advance racial equity.

### **COORDINATION**

The research provided in the report was coordinated with Councilmember Desley Brooks, City of Portland Office of Equity and Human Rights, City and County of San Francisco Human Rights Commission, the City of Oakland Budget Office and Human Resources Management.

### **COST SUMMARY/IMPLICATIONS**

Estimated personnel and O&M costs for a Department of Race and Equity are as follows:

<b>FTEs</b>	<b>Description</b>	<b>Total Cost</b>
1.0	Director	\$232,608
1.0	Project Manager	\$194,431
1.0	Policy Analyst	\$176,348
1.0	Administrative Assistant II	\$91,735
	Operating and Maintenance	\$124,000
<b>Total Estimated Costs</b>		<b>\$819,121</b>

Fully burdened costs include fringe & benefits at 68.65% of salary  
O&M includes payments for Internal Service Funds

**SOURCE OF FUNDING:** Funding for the Department of Race and Equity is eligible for unrestricted funds from the General Purpose Fund. Potential grant funding could also be available to fund this Department.

**FISCAL IMPACT:** There is currently no budget for the creation of the positions and resources to staff the department and would have to be considered as part of the FY 2015-17 budget development process.

### **FISCAL/POLICY ALIGNMENT**

The creation of the Department of Race and Equity aligns with the City Council priorities of creating a Livable City that respects and provides a safe space for our most vulnerable populations. The Department of Race and Equity also supports the City Council priorities of being a City that honors and respects its employees. The Council priority on respecting its employees comes from fair opportunities to employment, expanded contracts opportunities and regular employee training on equity for all departments.

### **SUSTAINABLE OPPORTUNITIES**

**Economic:** The Department of Race and Equity can examine the hiring of staff to positions in the City of Oakland ensuring a diversity of recruitment and hiring is achieved and institutional barriers limiting opportunities to historically discriminated groups are eliminated.

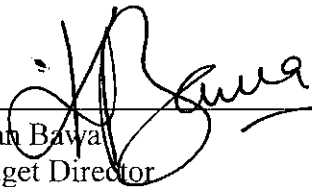
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**Environmental.** The Department of Race and Equity broadly can relate to the environment on matters related to environmental justice and discrimination such as analyzing the impact on particular communities when decisions are made regarding changes to the environment in Oakland neighborhoods.

**Social Equity:** The Department of Race and Equity can be tasked with identifying historical patterns of discrimination and creating training that addresses those outcomes. The department can involve community members who provide input and suggestions on how the City can address disparities in services.

For questions regarding this report, please contact Patrick J. Caceres, Policy Analyst, at (510) 238-3325.

Respectfully submitted,

  
Kiran Bawa  
Budget Director

Reviewed by Kip Walsh  
Human Resources Manager

Prepared by Patrick J. Caceres  
Policy Analyst

Attachments – Proposal by Council member Desley Brooks

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# CITY OF OAKLAND



CITY HALL-1 FRANK H. OGAWA PLAZA,-OAKLAND, CALIFORNIA 94612

Desley A Brooks  
Councilmember, District 6  
Email dbrooks@oaklandnet.com

(510) 238-7006 Direct  
(510) 238-6910 Fax

January 27, 2015

TO: President McElhaney and Members of the Council

FROM: Council Member Desley Brooks

RE. Establishing A Department of Race & Equity.

Dear Members:

Despite some progress in addressing explicit discrimination, racial inequities continue to be deep, pervasive and persistent across this country and even in our own community. Racial inequities exist across all indicators for success, including in education, criminal justice, jobs, housing, public infrastructure, and health, regardless of region. Thus, addressing individual acts of discrimination are insufficient to remedy this problem.

It is for the above-stated reasons that I am submitting this Rules Request proposing the establishment of a Department within the City to take the issue of Race and Equity head on. To that end, I propose we establish a Department of Race and Equity in the City of Oakland's organizational structure to systemically address these pervasive and persistent issues in our government, greater community and City.

Historically, government has played a role in creating and maintaining racial inequity. With the advent of this new Department I believe we can realize the full potential of all of our residents and the true greatness of this whole community.

Thank you so much for your consideration of this request.

My very best,

A handwritten signature in black ink, appearing to read 'Desley Brooks'. The signature is stylized and somewhat cursive, with a large initial 'D'.

Desley Brooks  
Council Member, District 6



ORDINANCE No. \_\_\_\_\_

**Title: Ordinance Amending Chapter 2.29 Of The Oakland Municipal Code Entitled, "City Agencies, Departments And Offices", Which Established The Organizational Structure Of The City Under The City Administrator's Jurisdiction In Accordance With The Requirements Of The City Charter Section 600, To Create The Department Of Race and Equity That Will Report Directly To The City Administrator**

**WHEREAS**, Section 600 of the Charter of the City of Oakland provides that the City Council shall by ordinance provide the form of organization through which the functions of the City under the jurisdiction of the City Administrator are to be administered; and

**WHEREAS**, in 1999 the Council passed Ordinance No. 12186, C.M.S. which established in Chapter 2.29 of the municipal code the organizational structure of the City; and

**WHEREAS**, the FY 2015-16 Policy Budget will provide for organizational restructuring to promote equity and operating efficiency; and

**WHEREAS**, Oakland is a diverse community. Communities of color and immigrant and refugee communities are growing. Today, approximately 1-in-2 students in Oakland's public schools are students of color.

**WHEREAS**, Recent decisions in Ferguson and New York involving the criminal justice system have revealed with a renewed and sharper focus the deep divide in our society with persistent systemic inequalities; and

**WHEREAS**, racial inequities exist across all indicators for success, across the county, including in Oakland. These inequities are deep and pervasive and exist not only within the criminal justice system, but also in education, health, jobs, housing, and many other areas; and

**WHEREAS**, many in the United States, even those who embrace egalitarian norms, harbor unconscious negative associations based on race; and

**WHEREAS**, because of the government's role in serving the public, government is uniquely positioned to address the pervasiveness of unconscious biases, first by recognizing and acknowledging bias, and secondly by working to reduce bias, both individually and within government; and

**WHEREAS**, efforts to address unconscious bias and proactively advance racial equity can repair and strengthen the relationship between law enforcement and communities of color, thereby strengthening the ability for police departments to serve and protect all communities; and

**WHEREAS**, data presented by the Urban League of Oakland's State of Black Oakland (2014), shows that racial and ethnic disparities are pervasive

and worsening over time. In poverty, employment and education measures, Oakland' communities of color have outcomes between 15% and 20% worse than white communities, and

**WHEREAS**, On December 9<sup>th</sup> the Oakland City Council unanimously passed a resolution recognizing our collective responsibility to advance racial equity; and

**WHEREAS**, the City recognizes the need to eliminate disparities based on race, ethnicity, national origin, English language proficiency, gender, gender identity, sexual orientation, religion, socio-economic status, source of income, geographic location of residence, familial status, disability, age, physical and mental illnesses, and other factors; and

**WHEREAS**, data indicates that racial and ethnic disparities are vast across all indicators, supporting the need for the City to implement systemic measures that lead with race and ethnicity to be an initial priority for the City and the Department of Race and Equity; and

**WHEREAS**, Race and Equity, including civil rights, will be key priorities internally, and in the City's work externally, with partners in government, private businesses, non-government organizations, academia and each community member; and

**WHEREAS**, achieving equity requires the intentional examination of policies and practices that, even if they have the appearance of fairness, may marginalize individuals or groups and perpetuate disparities or injustices; and

**WHEREAS**, working toward equity requires an understanding of historical contexts and active investment in social structures over time so that all communities can experience their vision of success; and

**WHEREAS**, Achieving equity and protecting human rights requires commitment, collaboration, and clear, transparent communication with the cities, counties, and school districts of our region that serve as the primary structures for managing how resources are divided and how public services are provided; and

**WHEREAS**, Advancing equity for and protecting the human rights of all Oaklanders will require coordination with other Race and Equity work not only in government but also in private business, nongovernment organizations, academia, community groups, and the media; and

**WHEREAS**, economic development, job creation, and the stable employment of people in our region are essential to achieving equity; and

**WHEREAS**, advancement of equity may require resources to be shifted and reallocated; and

**WHEREAS**, we, as elected officials, commit to working with appointed officials and our public servants, including police officers – for racial equity. We recognize where we have power and influence, and will work

within government, in partnership with other sectors and with the community to achieve racial equity. Although racial inequities are deep and pervasive, we do not believe they are a given. We believe that we have the power to achieve equity for all of our communities.

**WHEREAS**, we commit to remove the structural barriers that prevent our society from being just and inclusive – and towards one that cares about and provides justice for the lives of all people.

**THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:**

SECTION 1. The City Council finds and determines the foregoing recitals to be true and correct and hereby adopts and incorporates them into this Ordinance.

SECTION 2. The Municipal Code is hereby amended to add, delete, or modify sections as set forth below (section numbers and titles are indicated in **bold type**; additions are indicated by underscoring and deletions are indicated by strike through type); there are no changes in the portions of the sections that are not cited or shown in underscoring or strike-through type.

SECTION 3. Chapter 2.29 of the Municipal Code is hereby amended to read as follows:

**Section 2.29.010 Purpose.**

The rendition of efficient and effective services in the city is best accomplished through the establishment of agencies, each of which shall function under the leadership of a single Director and shall consist of departments or divisions. Said Director and any department or division head shall serve as "department head" within the meaning of Article IX of the City Charter.

**Section 2.29.160 Race and Equity Agency.**

There is established in the city government a Race and Equity Agency which shall be under the supervision and administrative control of the City Administrator. The powers, functions and duties of said agency shall be those assigned, authorized and directed by the City Administrator. The management and operation of the Race and Equity Agency shall be the responsibility of the Director of Race and Equity Agency who shall serve as Director of said agency, subject to the direction of the City Administrator. In the Race and Equity Agency there shall be the following divisions: Race and Equity, Civil Rights, Equity and Project Implementation.

**Exhibit A**

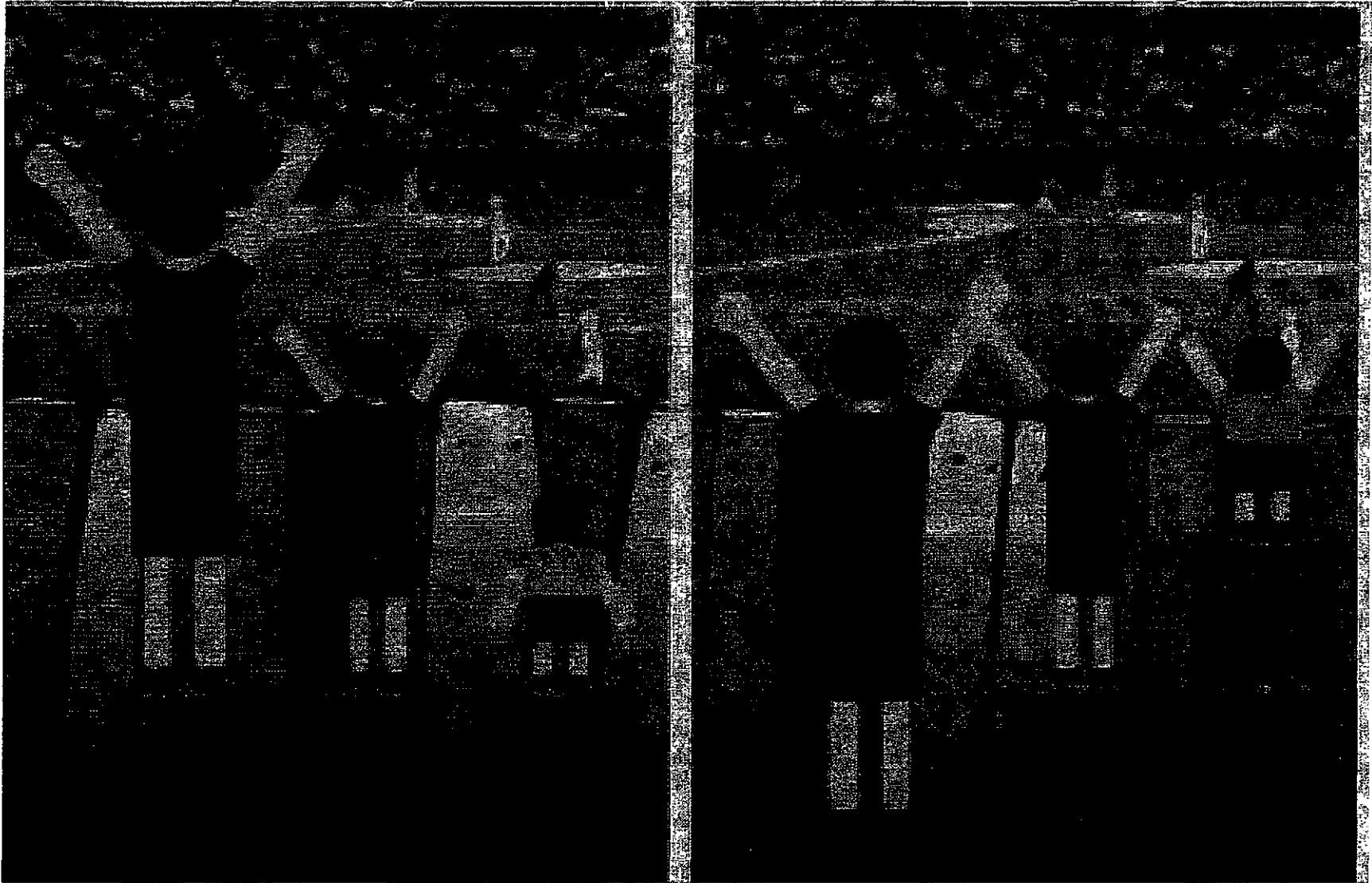
**Department OF**

**EQUITY DRAFT**

**WORK PLAN**

1. The Department will apply the definition and vision of equity from establishing ordinance. It will direct and evaluate City equity policy and coordinate an implementation strategy for the City of Oakland Equity Initiative and Plan.
2. The Department will build collaborative relationships with other Departments, while maintaining accountability for elevating equity as a standard practice of business for the City.
3. The Department will work, including working with the Contracts Compliance, Title VI Civil Rights, Title II ADA, and the Department of Management and Finance and other departments as appropriate to create a comprehensive data collection and tracking system.
4. The Department will review City policies and programs for consistency with equity goals and monitor City equity activities. It will provide guidance, education and technical assistance to other Departments on sustainable methods to build capacity in achieving equitable outcomes and service as outlined in The Oakland Plan.
5. The Department will establish priorities, goals, objectives, and timelines for its work. These will include an initial focus leading with race/ethnicity. Creation of a city-wide and/or region-wide initiative to eliminate disparities and promote social justice is needed. The Department will join with work already under way in this regard, as capacity becomes available.
6. The Department will build on and learn from previous equity-building work.
7. The Department will establish reasonable and attainable metrics to advance the City's equity goals, using available tools and developing new implementation mechanisms as needed.
8. The Department will develop and maintain a relationship of transparency and accountability with the community on equity initiatives.
9. The Department will work to use resources efficiently and coordinate the existing equity-related initiatives and work to avoid duplication of effort or leaving urgent needs unmet. It will coordinate with external institutions, agencies, businesses, and community equity initiatives.
10. The Department will establish an advisory system with community members and City staff, to provide recommendations, partner in the work, and uphold accountability on equity matters.

# Equality doesn't mean Equity



This is Equality

This is Equity

Adapted by the Office of Equity and Human Rights, City of Portland. The original picture compared *Equality* and *Justice* and was from <http://indianfunnypicture.com/img/2013/01/Equality-Doesnt-Means-Justice-Facebook-Pics.jpg>



# History of Racism and Immigration



**OFFICE of EQUITY  
and HUMAN RIGHTS**  
CITY OF PORTLAND



1619

FIRST SLAVES BROUGHT TO AMERICA



1790

NATURALIZATION ACT RESTRICTED TO



1819

CIVILIZATION ACT ASSIMILATES NATIVE AMERICANS



1787

SLAVERY LEGALIZED BLACK PERSONS = 3/5 HU



1830

INDIAN REMOVAL ACT BANISHED NATIVE AMERICANS



1831 - 1838

FORCED RESETTLEMENT TRAIL OF TEARS



1862

HOMESTEAD ACT: U.S. SELLS  
NATIVE AMERICAN LAND

THE PRESIDENT

INDIAN TERRITORY

GARDEN OF THE WORLD

HOMESTEAD AND PRE-EMPTION



of the acquisition of  
cession shall  
side or be within  
for hold any real

1844

OREGON: NO TO SLAVERY, BUT  
BLACKS AND NEGROES NOT ALLOWED



DONATION LAND ACT  
WHITES & WAILEA

FREE L

OREGON: ONLY STATE WITH  
CONSTIT

1862

OREGON RESIDENCE TAX FOR  
ALL BLACKS, CHINESE, HAWAIIANS, & MELANIOS

STAY  
GROUN  
AND IN THE

CHINESE  
MUST  
GO!

GO!



1866

CIVIL RIGHTS ACT  
"TO PROTECT ALL PERSONS..."



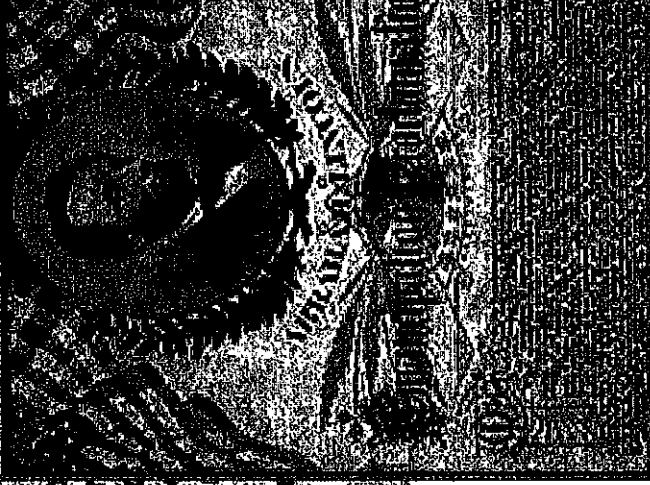
1862

OREGON BANS INTERRACIAL MARRIAGES  
BETWEEN WHITES & ANYONE / OR MORE BLACK



1863

EMANCIPATION  
PROCLAMATION



1864

15TH AMENDMENT  
ABOLISHES SLAVERY





**1871**

**INDIAN APPROPRIATIONS ACT  
DISSOLVES INDIAN TRIBES AS NATIONS**



**PLANTS**

**1866**

**OREGON DID NOT PASS 14TH AMENDMENT  
CITIZENSHIP**

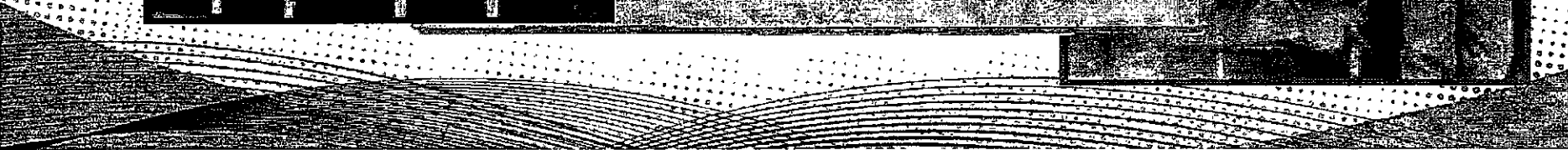
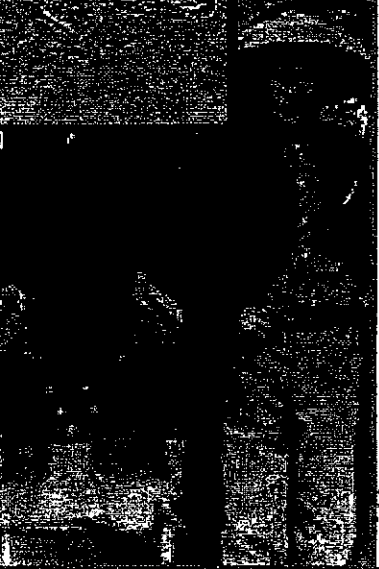
**1865**

**MISSISSIPPI DID NOT PASS 15TH  
AMENDMENT DENYING BLACK MEN VO**

**1876**

**JIM CROW LAWS  
RACIAL SEGREGATION**

**REX  
THEATRE  
FOR COLORED PEOPLE**





1900

FORAKER ACT  
COLONIAL GOVT



1901

CITIZENSHIP  
FIVE CIVILIZE

CHE  
CHC  
SEM  
CI  
CHIC

1902

CHINESE IMMIG  
MADE ILLEGAL



1917

IMMIGRATION  
(ASIAN BARRE



1917

JONES ACT: PUERTO RICANS  
U.S. CITIZENS, BUT NO VOTE



1922

TAKAO OZAWA V. U.S.  
DENIED NATURALIZATION: NOT WHITE



1924

INDIAN CITIZENSHIP ACT

NATIVE AMERICANS GRANTED CITIZENSHIP



1923

WWI VETERAN BHAGAT SINGH THIND DENIED U.S. CITIZENSHIP NOT WHITE CAUCASIAN



OREGON REPEALS EXCLUSION LAW: BLACKS ALLOWED IN STATE



1924

IMMIGRATION ACT OF DENIES LEGAL ENTRY FOR ME





1927

OREGON ALLOWS BLACKS AND CHINESE TO VOTE



1930 - 1942

U.S. DEPORTS 600,000 MEXICANS, INCL. U.S. CITIZENS

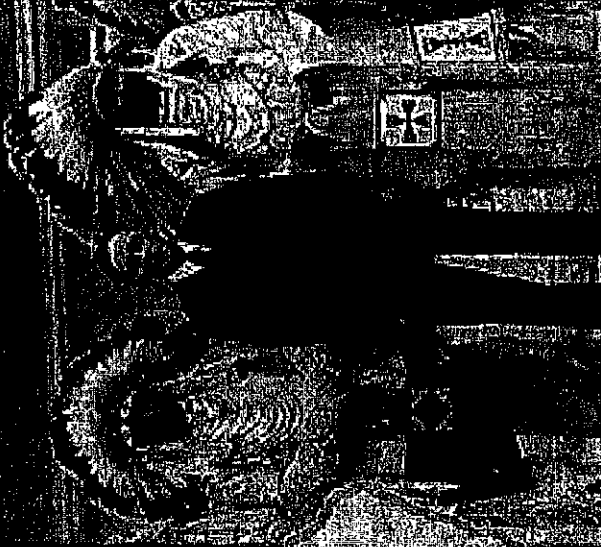
1935

OREGON LAW SEGREGATES MEXICAN STUDENTS OF INDIAN DESCENT  
NO "WHITE MEXICANS WITH INDIAN BLOOD"



1934

WHEELER HOWARD ACT  
RESTORES 2M ACRES OF TRIBAL LAND



IN GROVE  
SEGREGATION

COMM

1942

EXECUTIVE ORDER 9066  
120K PERSONS INCARCERATED

INSTRUCTIONS  
TO ALL PERSONS OF  
JAPANESE  
ANCESTRY

Living in the following

1942

BRACERO PROGRAM  
WORKERS, MANY NC

country  
Tuesday

1944

KOREMATSU v. U.S.  
EXEC. ORD. 9066 UNCONSTITUTIONAL

1943

CONGRESS LIFTS CHINESE  
IMMIGRATION BAN



1946

MENDEZ v. WESTMINSTER  
SEGREGATION UNCONSTITUTIONAL

LOS ANGELES TIMES - FEBRUARY 19, 1946  
RULING GIVES MEXICAN  
CHILDREN EQUAL RIGHTS

Segregation of Mexican school children from others in four Santa Ana school districts yesterday was held by U.S. Judge Earl J. McCormick to be a violation of their guarantee of equal rights under the 14th Amendment of the Constitution. The opinion was written in connection with a suit filed by the parents of Mexican children seeking for their own an injunction forbidding the school district trustees from placing the Mexican children in separate schools. The school districts involved were Westminster, Orange Grove, Santa Ana City Schools, and El Modena. The suit also named the superintendents and trustees of the districts. Judge McCormick overruled a previous injunction that segregation being an educational method, is held under the jurisdiction

of the State. He held that children as victims of the 14th Amendment were included, the Federal court had a right to intervene. "The opinion clearly shows," the opinion states, "that language-speaking children are retarded in learning English by lack of exposure to the language of segregation." "It is also established by the record that the method of segregation prevalent in the district school districts keeps distinctions in the children and heightens inferiority among them where none exists." Judge McCormick at the same time ordered Attorney David G. Mendez, who represented the parents in the action, to file a petition for an injunction against the districts within 10 days, indicating that the restraining order would be approved upon the failure of his petition.

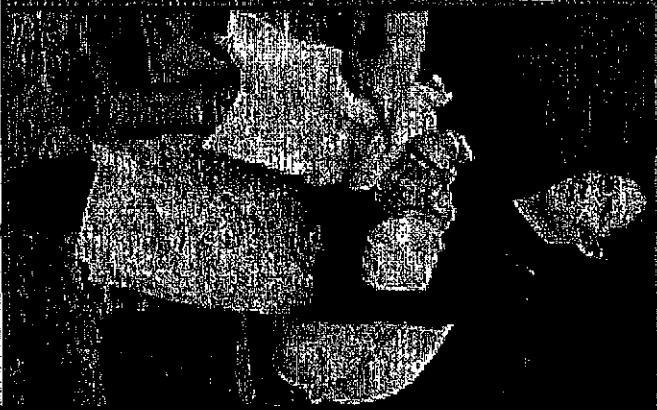
1952

IMMIGRATION & ESTABLISHES DESIRE



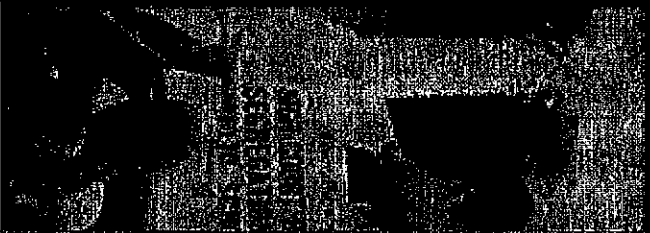
1953

REFUGEE RELIEF ACT RECOGNIZES REFUGEES AS IMMIGRANTS



1954

BROWN V. BOARD OF EDUCATION SCHOOL SEGREGATION UNCONSTITUTIONAL



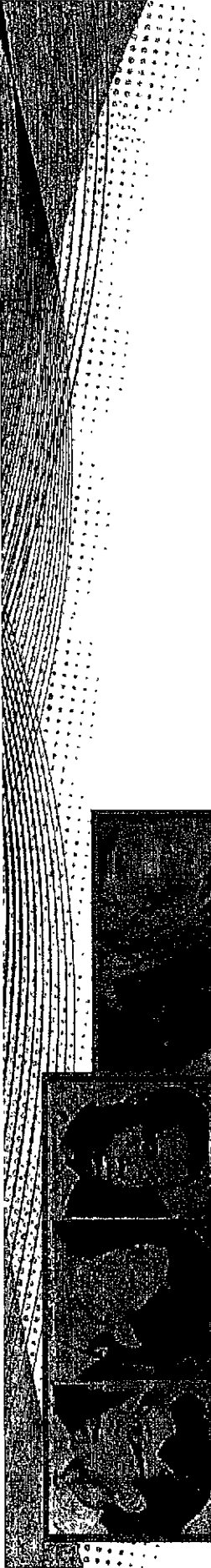
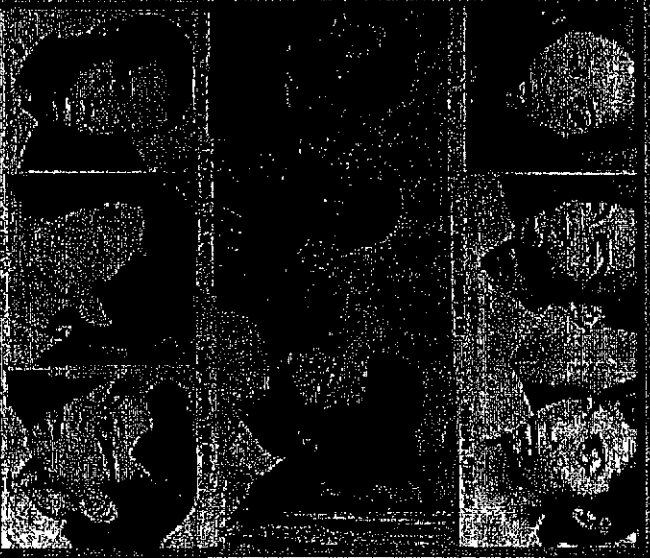
1954

OPERATION WETB DEPORTS UNDOCUMENTED



1957

LITTLE ROCK NINE: SLACK STUDENTS BLOCKED FROM SCHOOL BY ARK. GOVERNOR





**1957**  
OREGON FAIR HOUSING ACT UNLAWFUL TO DISCRIMINATE SOLELY BECAUSE OF RACE, COLOR, RELIGION, OR NATIONAL ORIGIN

**WE DEMAND**

**1965**

IMMIGRATION & NATIONALITY ACT REPEALS NATIONAL ORIGIN

**1965**

VOTING RIGHTS ACT

OUTLAW DISCRIMINATORY VOTING PRACTICES



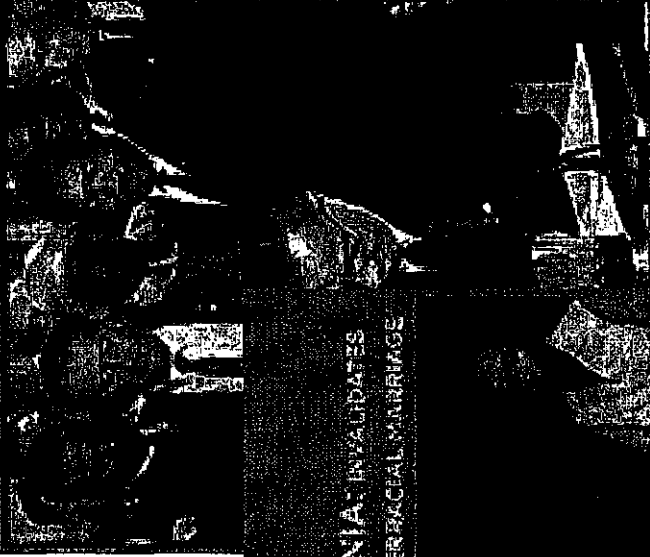
**1967**

LOVING V. VIRGINIA: INVALIDATES LAWS PROHIBITING INTER-RACIAL MARRIAGE



**1964**

CIVIL RIGHTS ACT OF 1964



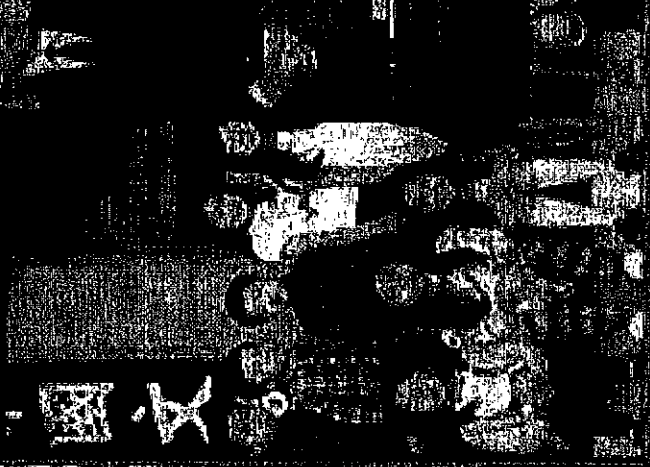
**1968**

**CIVIL RIGHTS ACT OF 1968**  
OUTLAWES HOUSING DISCRIMINATION



**1974**

**LAU V. NICHOLS; ETC.**  
NON-ENGLISH SPEAKING ST



**1986**

**IMMIGRATION REFORM & CONTROL ACT**  
CRIMINALIZES EMPLOYERS UNDOCUMENTED WORKERS



**1988**

**CONGRESS OVERRIDES VETO**  
PASS CIVIL RIGHTS RESTORATION



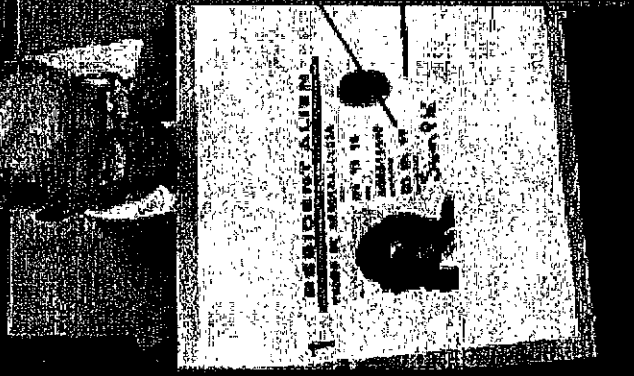
**1988**

**CIVIL LIBERTIES ACT OF 1988**  
ADDRESS APOLOGY TO JAPANESE AMERICANS



1990

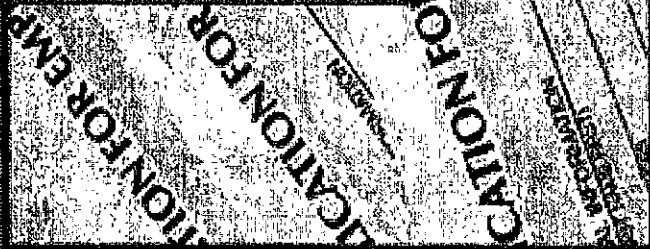
IMMIGRATION ACT OF 1990  
INCREASES LIMITS ON LEGAL IMMIGRATION



APPLY NOW

1991

CIVIL RIGHTS  
STRENGTHENED



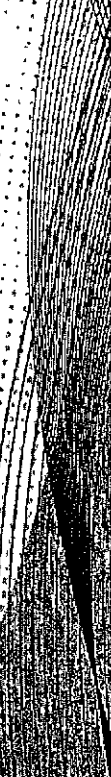
2013

CORE OF VOTING RIGHTS ACT  
STRUCK DOWN BY SCOTUS.



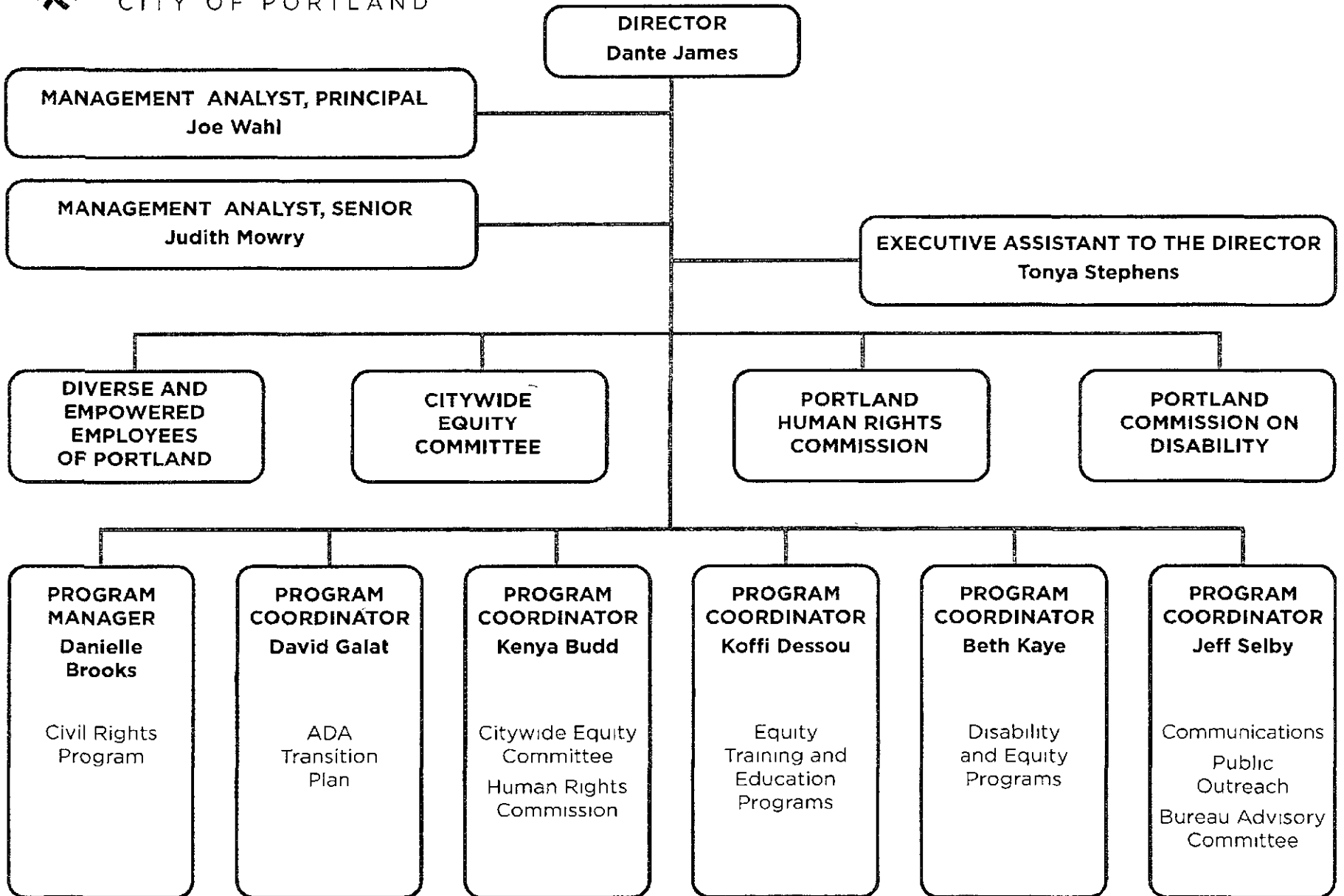
2003

SUPREME CT. UPHOLDS USE OF  
RACE IN HIGHER ED. ADMISSIONS





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## QUESTIONS TO CONSIDER WHEN EVALUATING FOR EQUITY

1. Who are the racial/ethnic groups affected by the program/policy/procedure?
2. For this program/policy/procedure, what results are desired, and how will each group be affected?
3. Do current disparities exist by race/ethnicity internally and/or externally?
  - a. How did they get that way?
  - b. If they exist, how will they be impacted by this plan?

### Internal Examples

- a. Hiring
- b. Promotion
- c. All Staff
- d. Senior Staff
- e. Board Membership
- f. Customer Service

### External Examples

- a. Community Outreach
- b. Community Engagement
- c. Culturally conscious service delivery
- d. LEP services

4. To reduce the disparities identified above, what are the short and long term goals and associated strategies being used or considered to mitigate the disparities? Who is accountable for achieving this objective?
  - a. Short Term
  - b. Long Term
5. What steps can insure public input and participation by the most disadvantaged racial communities and stakeholders in developing proposed policies/procedures/programs/budgets?
6. Do the answers to #1 through #6 work to close the gaps in racial disparities in culturally appropriate, inclusive ways?
  - a. If not, how should the policy/program/procedure be revised?
  - b. If so, how can the policy/program/procedure be documented in order to offer a model for others?



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## **Budget Equity Assessment Tool**

### **CITY POLICY**

This Budget Equity Assessment Tool is a general set of questions to guide city bureaus and their Budget Advisory Committees in assessing how budget requests benefit and/or burden communities, specifically communities of color and people with disabilities. As noted in Portland's 25-year strategic plan, the Portland Plan, Goal-Based Budgeting, and page 102:

When fully implemented, the new budget approach will direct City of Portland bureaus and offices to:

- Use an asset management approach to achieve more equitable service levels across communities and geographies.
- Track and report on service levels and investments by community and geography, including expanding the budget mapping process
- Assess the equity and social impacts of budget requests to ensure programs, projects and other investments to help reduce disparities and promote service level equity, improve participation and support leadership development.
- Identify whether budget requests advance equity, represent a strategic change to improve efficiency and service levels and/or are needed to provide for basic public welfare, health and/or meet all applicable national and state regulatory standards.

This is a critical part of the City of Portland's commitment to ending inequity. The mission and charge of the Office of Equity is to focus on ending inequality based on race and disability, and this document addresses these two specific populations.

However, it is the policy of the City of Portland that no person shall be denied the benefits of, or be subjected to, discrimination in any City program, service, or activity on the grounds of race, color, national origin, English proficiency, sex, age, disability, religion, sexual orientation, gender identity, or source of income. Additionally, the City's Civil Rights Title VI program guidelines obligate public entities to develop systems and procedures that guard against or proactively prevent discrimination, while simultaneously ensuring equitable impacts on all persons. Therefore, City bureaus are encouraged to use this document to assist in evaluating equitable impacts on all residents.

It is recommended that all managers and others who work on the budget for the bureau use this tool. Bureau Equity Committees may also be a resource in its completion. The Office of Equity and Human Rights is also available for discussion/training/consultation regarding the use of this document

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**BUREAU/OFFICE/DEPARTMENT**

### **SECTION ONE: ADVANCING EQUITY**



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**Commissioner in Charge:**  
Charlie Hales, Mayor

**Bureau Director:**  
Dante J. James, Esq.

1. How does this budget request increase, reduce, limit or eliminate programs or services that are vital to communities of color, immigrant and refugee communities and/or people living with a disability?
2. What considerations were taken into account in this request to maximize equity?

**SECTION TWO: PERSONNEL**

See Workforce Demographics by Bureau [here](#) or by visiting our website at [www.portlandoregon.gov/oehr](http://www.portlandoregon.gov/oehr)

(It is understood that final demographics resulting from any staff reduction or increase may not be known at the time of the budget request. However, it is important to monitor the demographics of any layoffs or staff reductions to assess the specific impact to people of color and people with disabilities, if known. Human Resources can be a resource to bureaus )

3. What is the impact on employees of color?
4. What is the impact on employees with a disability?

**SECTION THREE: PROGRAMS/SERVICES**

If your bureau or office has multiple programs, please address the budget request for each program or groups of programs

5. How does this program or service align with the goal of advancing equity?
6. Identify the impacts of the budget request on specific geographic areas:  
(Citywide/Regional; Northeast, Northwest; North; Central; Northeast; Southeast; Southwest; East; Central City; or Unknown)
7. What areas of the city will be impacted by your program or service and is there a larger than average population of people of color in those areas?

To help you answer this question, the following map link shows where communities of color are greater than average for the city of Portland.

<https://www.portlandoregon.gov/bps/article/508117>

This next link provides information on overall vulnerability, including maps of communities of color, lower income households, renters, and level of educational attainment. Together these four components are indicators of at risk populations.

<http://www.portlandoregon.gov/bps/66107>

8. Identify potential impacts on people living with a disability. (See Attached Worksheet)

**Section Four: EQUITABLE PUBLIC PARTICIPATION**



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9. How does this budget build community capacity and power in communities most impacted by inequities? (e.g., improved leadership opportunities within BAC, community meetings, stakeholder groups, increased outreach, etc.)

**Identifying Impacts Worksheet –**

Once you have identified the populations/communities impacted, use the following chart to name the potential burdens and benefits.

Populations Impacted	Potential Positive Impacts	Potential Negative Impacts

\_\_\_\_\_  
Name of Bureau Director

\_\_\_\_\_  
Date

Rev: October 2014