

RESOLUTION SUPPORTING ASSEMBLY CONSTITUTIONAL AMENDMENT No. 5 (ACA5) TO REPEAL PROPOSITION 209 AND REINSTATE AFFIRMATIVE ACTION IN PUBLIC CONTRACTING, PUBLIC HIRING, AND PUBLIC EDUCATION

Sponsors: Cohen, Campos, Gallotta, Hsieh, Lovett, Loftus

WHEREAS, Since the passage of Proposition 209 in 1996, communities of color and women have experienced significant underrepresentation in public contracting, hiring, and in admissions to our great public colleges and universities, manifested by an annual loss of over \$1 billion in government contract dollars for businesses owned by persons of color and women, and despite a 54% Latinix and 5.4% African American student enrollment in California's public schools in 2018-2019, incoming students at the University of California, Berkeley are only 15.1% Latinix, and only 2.8% African Americans; and

WHEREAS, Enacting Assembly Constitutional Amendment No. 5 (ACA5), authored by Assembly Members Dr. Shirley Weber, Mike Gipson, and Miguel Santiago, would eliminate the provisions of Proposition 209, contained in Section 31 of Article 1 from the California Constitution, that have resulted in the intentional systemic neglect of the professional and academic needs of communities of color and women; and

WHEREAS, Enacting Assembly Constitutional Amendment No. 5 (ACA5) would allow our state and local governments to join the federal government and forty-two other states in efforts to provide increased access to equal opportunity and affirmative action programs for communities of color and women;

THEREFORE BE IT RESOLVED, that the San Francisco Democratic Party supports the passage of Assembly Constitutional Amendment No. 5 (ACA5); and

BE IT FINALLY RESOLVED, that copies of this Resolution be sent to Mayor London Breed; the Members of the San Francisco Board of Supervisors; Governor Gavin Newsom; California's Constitutional Officers; and the Members of San Francisco's Legislative and Congressional Delegations.

PROPOUNDED BY: Malia M. Cohen

Adopted: (Date 05/27/20) By the San Francisco County Central Committee

DAVID CAMPOS, CHAIR

Member(s) requesting to be added as cosponsors: Morales, Baraka, Dufty, Tung, Avalos, Williams, Berry, LaCroix, Li, Loftus, Ibanez, Kim, Mahogany, Moliga, Thomas

Motion to approve: Member Wiener (proxy: Rothschild); Second: Member Ibanez

Vote Count: Approved by Acclamation

Abstention(s): Ma

Addendum

The passage of ACA 5 by the voters this November would remove from our state's Constitution the inequitable and subversive roadblocks that have been used against traditionally underrepresented communities of color and women seeking opportunities to advance in our society.

Since 1996, Proposition 209, has been used for decades to deter and undermine opportunities for communities of color and woman to seek legitimate remedies for historical patterns of discrimination in public hiring, public contracting, and public education.

Let no one doubt the impact of Proposition 209. Rather than protecting against discrimination, Proposition 209 gave permission to state and local governments to ignore the need to provide pathways of success for communities of color and women. Proposition 209 specifically prohibited our state's public agencies and our great public academic institutions from redressing unequal and discriminatory treatment of communities of color and women.

In reality, and in practice, Proposition 209 institutionalized the intentional neglect of the academic and professional interests of communities of color and women.

According to a 2015 study by the Equal Justice Society, Proposition 209 has resulted in quantifiable economic losses of over \$1.1 billion, and immeasurable professional and economic losses to highly talented and skilled persons of color and women.

According to the California Department of Education, in 2018-2019, 54.6% of the students in California's public schools were Latino, and 5.4% were African American.¹

But at two of our premier academic institutions, the University of California, Berkeley and the University of California, Los Angeles, communities of color are disproportionately NOT represented.

Fall enrollment data at UC Berkeley indicate that only 15.1% of incoming students are "Mexican American/Chicano or Other Hispanic Latino," while African

¹ <https://www.cde.ca.gov/ds/sd/cb/ceffingertipfacts.asp>

American students were only 2.8% of new students.² At UCLA, the figures are similar. In 2018-2019, “Hispanics” constituted 20% of incoming students, and African Americans constituted 4% at UCLA.³

From another perspective, because of Proposition 209, a large percentage of taxpayers of color are not seeing their daughters and sons being educated at our premier academic institutions.

The reality is that Proposition 209 set the predicate for inequitable and subversive roadblocks against communities of color and women.

The passage of Assembly Constitutional Amendment 5 (ACA5), authored by Assemblymembers Dr. Shirley Weber, Mike Gipson, and Miguel Santiago, would eliminate the provisions of Proposition 209 from the California Constitution, and allow our state and local governments to begin to redress decades upon decades of discrimination and underrepresentation in public contracting, hiring, and admissions at our state's great colleges and universities.

The time has come to overturn Proposition 209 and restore to our state and local governments the ability to use affirmative as an effective tool to create a more just and human society.

² <https://opa.berkeley.edu/uc-berkeley-fall-enrollment-data>

³ <https://www.apb.ucla.edu/Portals/90/Documents/Campus%20Stats/UGProfile18-19.pdf>

RESOLUTION IN SUPPORT OF AMENDS TO THE COMMUNITY HARMED BY TOXIC SUBSTANCES AND RADIATION

Sponsors: Berry, Avalos, Williams, Lovett, Haney, Campos, Moliga, Gallotta, Loftus, Tung

WHEREAS nuclear weapon and radiation experiments and cleanup run by the U.S. Navy post-WWII have deeply contaminated the industrial and residential areas near former military bases at both the Hunters Point Naval shipyard and the Naval Station on Treasure Island. Residual radiation and other toxic substances from these projects have deep, lasting adverse impacts on the surrounding communities. The U.S. Navy, which is responsible for removing radioactive and industrial contamination from the aforementioned sites, was recently admonished by the U.S. Environmental Protection Agency (EPA) for developing sub-par cleanup standards that could pose serious long-term health risks, including an increased chance of cancer for current and former residents. Although the U.S. Navy has made efforts to decontaminate the sites and surrounding communities of the original radiation and toxic substances, no appropriate strategies have been implemented for mitigating the re-contamination that has since occurred, and

WHEREAS the neighborhoods around these sites are predominantly vulnerable populations, including the Black community which has a life expectancy nearly 10 years lower than that of other San Francisco residents. The prevalence of asthma in Black San Franciscans is twice that of whites. Mortality rates due to cancer in San Francisco are highest for Black women and men than any other population group. In fact, Black women in the Bay Area have the 4th highest reported breast cancer rate in the world, and the mortality rate of Black women diagnosed with breast cancer in San Francisco is twice that of other women. Yet, as identified by the EPA, the U.S. Navy's cleanup plan failed to properly calculate the "additive cancer risk" from exposure to the multiple radioactive elements present in shipyard soil. Furthermore, due to years of systemic racist practices and zoning, the Black community suffers from a lack of quality healthcare, as the COVID-19 crisis has proven, and other resources as compared to other districts of San Francisco. For example, both the EPA and the U.S. Department of Agriculture have recognized areas of Bayview-Hunters Point and Treasure Island as food deserts, indicating severely limited access to healthy food, and

WHEREAS the company contracted by the U.S. Navy and paid over \$250 million to clean up radioactive contaminants from the aforementioned sites, Tetra Tech, was found to have falsified soil samples in order to underreport contamination levels while construction was already underway on the large mixed-use development. Furthermore, additional investigations have since discovered radioactive materials present within developments already occupied by residents, so therefore

BE IT RESOLVED that the San Francisco Democratic County Central Committee (DCCC) urges the City of San Francisco, the State of California, the U.S. Navy, and the Federal Government to ensure that construction remain on hold on all sites mentioned above, complete an adequately comprehensive, thorough, updated, and transparent retesting and decontamination of the soil and local residents, and

AND BE IT FURTHER RESOLVED that the SF DCCC urges reparations be paid to the residents of Bayview Hunters Point and other similar sites in the form of healthcare to include toxics testing in the community, deeply affordable housing, education per-pupil spending increase, personal injury compensation, and living wage jobs in order to begin repairing the damage caused by years of exposure to radioactive waste and other environmental injustices. A copy of this resolution shall be sent to Supervisor Walton, Supervisor Haney, Mayor London Breed, Department of Public Health Grant Colfax, Governor Gavin Newsom, Speaker of the House Nancy Pelosi, Senator Harris, Senator Feinstein, Assemblyman David Chiu and Senator Wiener.

PROPOUNDED BY: Gloria Berry

Adopted: (Date 05/27/20) By the San Francisco Democratic County Central Committee

DAVID CAMPOS, CHAIR

Member(s) requesting to be added as cosponsors: Baraka, Ibanez, Morales. Mahogany

Motion to approve: Member Williams; Second: Member Baraka

Vote Count: 18 yes, 2 no, 10 abstentions

Yes: Avalos, Baraka, Berry, Campos, Dufty, Morales, Gallotta, Haney, Ibanez, LaCroix, Lovett, Mahogany, Moliga, Raju, Ronen, Thomas, Tung, Williams

No: Cohen, Wiener

Abstentions: Chen, Kim, Li, Loftus, Feinstein, Pelosi, Kounalakis, Ma, Ting, Chiu

Absent: Mandelman, Mar, Speier

Resolution Calling on Governor Newsom to Exercise Emergency Powers to Release Immigrants Detained in California Detention Centers

Sponsors: Avalos, Lovett, Ronen, Williams

WHEREAS, While COVID-19 has already caused significant harm to those living freely in our society, it poses a more severe threat to those who are locked in institutional facilities like immigration prisons and detention centers, where close quarters, lack of resources for basic hygiene, and limited access to health services become breeding grounds for communicable disease that can result in innumerable deaths; and

WHEREAS, During a state of emergency, Governors are empowered to take drastic measures to protect the lives of people in their states, such as seizing control from private hospitals and releasing incarcerated individuals from crowded jails, and just as Governor Newsom has applied his broad emergency powers to impose a shelter-in-place order and close down schools and businesses, he can do so to close immigrant detention centers, many of which are private facilities as well as municipal and county run jails; and

WHEREAS, It is urgent that we protect our most vulnerable neighbors who are trapped in overcrowded detention centers that could become sites of major outbreak and death if we fail to act, and most of the people held by ICE, including very young children, have homes to go to or can access support from the hundreds of community organizations willing to help provide housing; now, therefore, be it

RESOLVED, That the San Francisco Democratic County Central Committee (DCCC) urges Governor Newsom to use his emergency powers to release all immigrants currently detained in California immigrant detention centers in the interest of public health; and, be it

FURTHER RESOLVED, That the DCCC also urges Governor Newsom to suspend the transfer of individuals from California state custody to Immigration and Customs Enforcement, and halt the expansion of immigrant detention facilities.

PROPOUNDED BY: Hillary Ronen

Adopted: (Date 05/27/20) By the San Francisco Democratic County Central Committee

DAVID CAMPOS, CHAIR

Member(s) requesting to be added as cosponsors: Campos, Mahogany, Ibanez, Baraka, Berry, Gallotta, LaCroix, Morales, Moliga

Motion to approve: Member Gallotta; Second: Member Ibanez

Vote Count: Approved by acclamation

Abstention(s): Feinstein, Kounalakis, Ma

RESOLUTION IN SUPPORT OF SENATE BILL 855 (Wiener-D) "MENTAL HEALTH AS A MEDICAL NECESSITY."

Sponsors: Loftus, Cohen, Mandelman

WHEREAS, California is currently experiencing a mental health and substance use crisis, which has been exacerbated by the COVID-19 pandemic. Layered atop growing racial and economic disparities in the impact of COVID-19, patients with serious mental illnesses or substance use disorders will be among the hardest hit in the wake of the virus. The negative psychological and social dimensions of this epidemic caused by mandated social distancing, unemployment and financial stress will be felt by Californians for years to come. Given that employment in California may not return to its previous peak levels until late 2022, we need to prepare to help individuals deal with the long-term mental health impacts of the crisis.

WHEREAS, Those with mental illness and substance use disorders pre-pandemic, and those newly affected, will likely require mental health and substance use services. The pandemic spotlights both existing and new barriers to accessing mental health and substance use disorder services. A vital part of being prepared for our worsening mental health crisis is to ensure that every Californian can get the mental health and substance use services they need.

WHEREAS, Currently, insurers have wide latitude in determining medical necessity and often use criteria that are inconsistent with the accepted standards of care for behavioral health. As a result, a person suffering from a mental health disorder or a substance use disorder is wrongly denied necessary coverage. Homelessness, housing, education and criminal justice challenges are exacerbated when our health care system doesn't provide adequate mental health and substance use disorder treatment services to those who desperately need it. Senate Bill 855 (Wiener-D) strengthens the California Parity Act to require that insurers cover medically necessary treatment for all mental health and substance use disorders to ensure individuals receive the comprehensive care they need to treat their underlying conditions.

THEREFORE BE IT RESOLVED, that the San Francisco Democratic Party supports SB 885 "Mental Health as a Medical Necessity" and urges it's swift passage into law and implementation; and

BE IT FINALLY RESOLVED, that copies of this Resolution be sent to the author Senator Scott Wiener, the California Senate, California Assembly and Governor Gavin Newsom.

PROPOUNDED BY: Suzy Loftus

Adopted: (Date 05/27/20) By the San Francisco Democratic County Central Committee

DAVID CAMPOS, CHAIR

Member(s) requesting to be added as cosponsors: Campos, Moliga, Avalos, Li

Motion to approve: Member Wiener (proxy: Rothschild); Second: Member Li

Vote Count: Approved by acclamation

Abstention(s): Morales

Absent: Ma