



CITY AND COUNTY OF SAN FRANCISCO IMMIGRANT RIGHTS COMMISSION

San Francisco Immigrant Rights Commission Full Commission Meeting

October 17, 2022 at 5:30 pm PDT

Online: <https://ccsf.webex.com/ccsf/onstage/g.php?MTID=ea23443afe7b047cd194a06e0d1beb130>

Phone: 1-415-655-0001 / Event number: 2485 360 8079

Note: As authorized by California Government Code Section 54953(e) and the Mayor's 45th Supplement to her February 25, 2020 emergency proclamation, this meeting will be held remotely without providing a physical location. Members of the Immigrant Rights Commission will participate and vote by video. Members of the public may observe the meeting and provide public comment online. View [instructions](#) for providing public comment.

1. Call to Order and Roll Call

Chair Kennelly called the meeting to order at 5:41 p.m.

Present: Chair Kennelly, Vice Chair Paz (5:42), Commissioners Khojasteh, Latt, Obregon, Ruiz (5:46 p.m.), Souza, Wang.

Not present: Commissioners Enssani (excused), Gaime (excused), Rahimi, Ricarte (excused).

OCEIA staff present: Acting Director Whipple, Commission Clerk Shore, Operations and Grants Administrator Chan, Policy and Civic Engagement Officer Noonan.

2. Ramaytush Ohlone Land Acknowledgment

This item is to allow the Commission Chair to acknowledge that the Commission is on the unceded ancestral homeland of the Ramaytush Ohlone who are the original inhabitants of the San Francisco Peninsula.

Chair Kennelly read the land acknowledgment statement.

3. General Public Comment

This item is to allow members of the public to address the Commission on matters that are within the subject matter jurisdiction of the Commission and that do not appear on today's agenda.

There was no public comment.

4. Action Item: Resolution to Allow Teleconferenced Meetings

(Discussion/Action)

- a. Adoption of resolution making findings to allow teleconferenced meetings under California Government Code Section 54953(e)
Discussion and possible action to approve a resolution making findings to allow for continued remote meetings due to the COVID-19 emergency. Explanatory Document: [Findings Resolution](#)

Commissioner Wang motioned to adopt the resolution, seconded by Commissioner Souza. Chair Kennelly called for public comment, and there was no public comment on this item. The motion was approved by the eight Commissioners present.

5. Action Item: Approval of previous minutes

(Discussion/Action)

- a. Approval of September 12, 2022 Full Commission Meeting Minutes
Discussion and possible action to approve the minutes of the Immigrant Rights Commission's September 12, 2022 Full Commission meeting. Explanatory Document: [Draft IRC Full Commission Meeting Minutes – September 12, 2022](#)

Commissioner Souza motioned to approve the minutes of the September 12, 2022 meeting, seconded by Vice Chair Paz. Chair Kennelly called for public comment, and there was no public comment on this item. The minutes were approved by the eight Commissioners present.

6. Action Item: Vote to Amend IRC Bylaws to Include Parental Leave

(Discussion/Action)

- a. Vote to Amend IRC Bylaws to Include Parental Leave (Acting Director Whipple)
Discussion and possible action to amend the IRC bylaws to comply with required language related to parental leave and make minor changes including updating office and website addresses. The Board of Supervisors adopted an ordinance last year establishing a parental leave policy for members of appointive City boards, commissions, and advisory bodies. The ordinance is codified in [Administrative Code Chapter 67B](#). The ordinance requires each board, commission, and advisory body to add the parental leave policy to its bylaws or rules of order and to share a copy of the policy with each member. Explanatory Document: [Proposed Amendments to IRC Bylaws](#)

Vice Chair Paz motioned to approve the proposed amendments to the IRC bylaws, seconded by Commissioner Wang. Chair Kennelly called for public comment, and there

was no public comment on this item. The amendments were approved by the eight Commissioners present.

7. Discussion/Action Items

(Discussion/Action)

- a. Presentation on Voting in Upcoming Elections (Tiff Lee, Department of Elections)
Presentation on voter outreach, how, when, and where to vote, how noncitizens can vote in the November 2022 School Board elections, the recruitment of multilingual poll workers, and other general nonpartisan information for voters ahead of the November 8, 2022 elections in San Francisco, and discussion and possible action by the Commission.

Chair Kennelly asked Acting Director Whipple to introduce the first speaker. Acting Director Whipple discussed OCEIA's partnership with the Department of Elections and introduced Tiff Lee of the Department of Elections. Tiff Lee provided an overview of information for San Francisco voters, including qualifications to register to vote, how to register and vote, the new supervisorial districts, and language access resources. She answered questions from Chair Kennelly on the number of noncitizen voters who have registered and the requirement for noncitizen voters to re-register to vote. She answered questions from Commissioner Souza on language access, Commissioner Wang on new supervisorial districts, and Commissioner Obregon on training for poll workers to assist noncitizen voters. She will share her presentation with the Commission along with more detailed information on the number of noncitizen registered voters. Chair Kennelly thanked the Department of Elections for the presentation and asked Commissioners to share the information with community members.

- b. Presentation on Latest Developments on DACA (Krsna Avila, Immigrant Legal Resource Center)
Presentation on the latest developments on Deferred Action for Childhood Arrivals (DACA), including the publication of the final rule and litigation updates, and discussion and possible action by the Commission.

Chair Kennelly asked Acting Director Whipple to introduce the next speaker. Acting Director Whipple discussed OCEIA's work with the Immigrant Legal Resource Center (ILRC), and introduced ILRC staff attorney Krsna Avila. Krsna Avila provided an update on Deferred Action for Childhood Arrivals (DACA), which is being challenged in court in the case of *Texas v. United States*. Last year, Judge Hanen issued a decision that the 2012 DACA memo was unlawful. On October 5, 2022, the 5th Circuit Court of Appeals agreed

and sent the case back to the lower court to consider the new DACA rule issued by the Biden administration. On October 14, 2022, the lower court's preliminary decision extended its injunction to cover the new rule. For now, DACA recipients can continue to renew DACA and apply for advance parole. No new applications are being processed. The next step will be a final decision by the lower court on the legality of the new DACA rule. The ruling could then be appealed to the 5th Circuit or directly to the U.S. Supreme Court. For now, DACA recipients are encouraged to continue renewing their DACA, apply for advance parole if they do not have a deportation order or criminal history, and consult with a trusted legal services provider to find out if they qualify for another form of immigration relief.

Advocates are encouraging Congress to pass an immigration reform bill. In response to a question from Vice Chair Paz, Krsna Avila discussed several bills including the Dream Act and Dream and Promise Act, but noted that there has not been any momentum to move them forward. Vice Chair Paz, Commissioner Souza, and Chair Kennelly thanked Krsna Avila for his presentation. Chair Kennelly noted that the Commission has always supported DACA recipients and asked him to advise the Commission on any actions the Commission could take.

c. Language Access Ordinance Quarterly Complaint Report (Policy and Civic Engagement Officer Noonan)

Information, discussion and possible action to adopt the quarterly Language Access Ordinance complaint report. This item allows Policy and Civic Engagement Officer Noonan to provide the Commission with an overview of the complaints OCEIA has received and investigated from members of the public regarding the City's language services. Explanatory Document: [LAO Quarterly Complaint Report](#)

Chloe Noonan, policy and civic engagement officer with OCEIA, provided information on the eight complaints OCEIA has received since its last report. Seven complaints were in Cantonese and focused on language access barriers related to City departments' telephonic messages and phone tree systems. One complaint was in Spanish and focused on inadequate bilingual staffing. Officer Noonan answered questions from Commissioners and discussed the need for additional training for City departments to set up and maintain phone messages.

Commissioner Souza motioned to adopt the Language Access Ordinance quarterly complaint report, seconded by Commissioner Wang. Chair Kennelly called for public comment and there was no public comment on this item. The motion was approved by the eight Commissioners present.

- d. Report-Back on Meeting with Parivar Bay Area and Plans for IRC Hearing or Other Action on LGBTQ Immigrants (Acting Director Whipple and Commissioner Latt)
Information on Acting Director Whipple and Commissioner Latt's recent meeting with Parivar Bay Area, and discussion and possible action to plan for an IRC hearing or other action on LGBTQ immigrants.

Commissioner Latt and Acting Director Whipple provided an overview of their meeting with Parivar Bay Area. The Commission presented an award to Anjali Rimi of Parivar Bay Area this year for her work on behalf of transgender migrants from South Asia. Parivar Bay Area asked the Commission to help invite community members to participate in its upcoming conference, and would like to present to the Full Commission on issues faced by transgender migrants. Acting Director Whipple said the Commission can invite them to present separately or as part of a special hearing on LGBTQ migrants. Commissioner Latt suggested that the Commission invite several organizations to discuss how it can support LGBTQ migrants and asylum seekers. Commissioner Souza suggested that Commissioner Latt first attend the conference and report back to the Commission. Commissioner Latt agreed and invited the Chair and Vice Chair to join him. Chair Kennelly and Vice Chair Paz said they would attend the conference, and Chair Kennelly suggested that the Commission consider hosting a hearing on the matter in early 2023.

8. Committee Reports *(Information)*

- a. Executive Committee (Chair Kennelly and Vice Chair Paz)
Report on Executive Committee activities and announcements. This item allows the Chair and Vice Chair to provide brief updates on the work of the Executive Committee.

Chair Kennelly provided updates from the Executive Committee, including its release of a statement on human rights violations in Iran, and follow-up steps from the hearing on housing, including developing recommendations. Vice Chair Paz thanked OCEIA staff for working with City departments on issues related to newcomer arrivals, and said he is participating in planning meetings on behalf of the Commission.

- b. Language Access Committee (Acting Director Whipple and Commissioner Souza)
Report on the Language Access Committee. This item allows the Acting Director and Committee Chair to provide brief updates on the work of the Language Access Committee.

Commissioner Souza provided an overview of the language access committee meeting. Acting Director Whipple encouraged any Commissioners who are interested to join the Language Access Committee with Commissioners Souza and Latt.

9. Staff Reports
(Information)

a. Director's Updates

Report on OCEIA and IRC activities and announcements. This item allows the Director to provide brief updates on activities and announcements. If the Commission would like a full report, we can place that matter on the agenda for a future meeting.

Acting Director Whipple discussed the City's planning efforts to address the needs of newcomers. He also provided an update on the Biden administration's expansion of Title 42 to Venezuelans. October 1 was the deadline for City departments to submit their Language Access Ordinance compliance reports. OCEIA is partnering with the Human Services Agency on a webinar on public charge and public benefits on October 27, 2022, and OCEIA's fellowship program DreamSF is hosting an immigration clinic on October 28, 2022. OCEIA is partnering with San Francisco Pathways to Citizenship Initiative to host the final workshop of 2022 on November 5, 2022 at St. Mary's Cathedral. Commissioners Obregon, Ruiz, and Souza volunteered for the citizenship workshop. Chair Kennelly asked OCEIA staff to send Commissioners information on these events.

b. Reappointment Hearings

Report on vacant seats and four Board-appointed Commissioners whose seats are up for reappointment: Commissioners Ruiz, Gaime, Khojasteh, and Enssani.

Acting Director Whipple provided an update on vacant seats and reappointment hearings. He noted that four Board-appointed Commissioners are up for reappointment and reminded them to submit their applications if they have not already done so. Three Commission seats are currently vacant: one Board-appointed seat and two Mayoral-appointed seats.

Chair Kennelly called for public comment, and there was no public comment on this item.

10. Old and New Business
(Information)

This item is to allow Commissioners to provide updates on items the Commission has

previously discussed, and to introduce new agenda items for future consideration by the Commission.

There was no old or new business. Chair Kennelly called for public comment, and there was no public comment on this item.

11. Adjournment

Chair Kennelly thanked Commissioners and OCEIA staff and adjourned the meeting at 7:18 p.m.

