

HUMAN RIGHTS COMMISSION CITY OF PALM SPRINGS, CALIFORNIA

www.palmspringsca.gov

AGENDA

Monday
March 8, 2021



5:30 p.m.
Regular Meeting

Mission Statement

Palm Springs is an inclusive world-class city dedicated to providing excellent and responsive public services to enhance the quality of life for current and future generations.

Pursuant to Executive Order N-29-20, this meeting will be conducted by teleconference and there will be no in-person public access to the meeting location.

- To view/listen/participate in the meeting live, please use the following link: <https://us02web.zoom.us/j/89592753609?pwd=djUralZqM3h3QVNjVU9XSTVTN1VMdz09> or call (669) 900-6833 **Zoom Meeting ID** 895 9275 3609, **Passcode:** 433110
- Written public comment may also be submitted to cityclerk@palmspringsca.gov. Transmittal prior to the meeting is required. Any correspondence received during or after the meeting will be distributed to the Board/Commission as soon as practicable and retained for the official record.
- The meeting will be recorded and the audio file will be available from the Office of the City Clerk and will be posted on the City's YouTube channel, as soon as practicable.

1. **CALL TO ORDER:** Chair Ron deHarte
2. **ROLL CALL:** Board Members Terrie Andrade, Glenn Flood, Edwin Ramoran, Donna Shepherd, Vice Chair Denise Chappell, and Chair Ron deHarte

Student Representative Ella Cash

3. MISSION STATEMENT & GOALS:

"The Mission of the Palm Springs Human Rights Commission is to promote and protect the diversity of our community and to improve human relations through education and community awareness."

Human Rights Commission Goals:

- To develop community education programs;
- To investigate and mediate instances of discrimination of groups or individuals;

- *To bring persons and groups together in common support of human rights issues;*
- *To acquire the fiscal and human resources necessary to support and accomplish the work of the Commission;*
- *To provide management and coordination for the Commission;*
- *To promote diversity through the appointment of candidates to all city boards and commissions to proportionately reflect the diversity of the population of the City of Palm Springs;*
- *The Commission and each Committee shall develop goals and objectives annually, for adoption by the commission;*
- *The Commission shall work closely with the Mayor, City Council, and City Cabinet and with all other City Commissions and Boards in joint endeavors that support the Commission's mission statement and City's goals and objectives.*

4. QUORUM:

- 5. PUBLIC COMMENTS:** This time has been set aside for members of the public to address the Human Rights Commission on agenda items; and items of general interest within the subject matter jurisdiction of the Commission. Three (3) minutes is allowed for each speaker. Although the Commission values your comments, pursuant to the Brown Act, it generally cannot take any action on items not listed on the posted agenda. Commissioners will not enter into discussion with speakers, but during Commission Comments, may refer the matter to staff for report and recommendation at a future Commission meeting.

- 6. APPROVAL OF MINUTES:** December 14, 2020 and January 11, 2021

7. CHAIR COMMENTS:

Denounce the alarming increase in violent crimes against Asian, Asian American and Pacific Islander members across the country. These expressions of hate and prejudice are abhorrent and have no place in our society.

8. ITEMS FOR DISCUSSION/ACTION:

A. Committees – Chair deHarte and Vice Chair Chappell

Executive Committee (deHarte, Vice Chair)

- a. March 1 – Zero Discrimination Day
- b. Section 14 Apology
- c. International Women’s Day Resolution
- d. Lawrence Crossley Road
- e. April 7th - World Health Day

Community Relations Committee/Budget/Personnel Committee

- a. PSPD LGBT Outreach Committee (deHarte)
- b. Master Calendar (Ramoran)
- c. Main Street (deHarte)
- d. Finance (deHarte, Chappell)
- e. Organized Neighborhoods of Palm Springs

Cultural Affairs Committee

- a. Community Service Awards (deHarte, Chappell)
- b. Desert Highland Gateway Estates Community Association (Andrade, Flood, Shepherd)

Seniors/People with Disabilities Veterans Affairs Committee

- a. Veterans issues (Flood)

Youth/Education Affairs Committee

- a. Student Representatives (Chappell, Cash)

Commission Development/Mediation Committee

- a. Mediation (Andrade)
- b. Retreat (Chappell, deHarte)

B. Committee Assignments

- a. Clean Indoor Air and Health Protection Draft Ordinance with Sustainability Commission Update
- b. Street naming update

C. COMMISSIONER, STAFF AND STUDENT COMMENTS:

D. Topical Newsworthy Items

9. AGENDA ITEMS FOR THE NEXT HRC MEETING:

10. ANNOUNCEMENTS:

11. ADJOURNMENT: The Commission will adjourn to an adjourned regular meeting Monday, April 12, 2021

PUBLIC NOTICES

Pursuant to G.C. Section 54957.5(b)(2) the designated office for inspection of records in connection with the meeting is the Office of the City Clerk, City Hall, 3200 E. Tahquitz Canyon Way.

It is the intention of the City of Palm Springs to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, or in meetings on a regular basis, you will need special assistance beyond what is normally provided, the City will attempt to accommodate you in every reasonable manner. Please contact the Office of the City Clerk, (760) 323-8204, at least 48 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible.

AFFIDAVIT OF POSTING

I, Jay Virata, Director of Community & Economic Development, of the City of Palm Springs, California, hereby certify this Agenda was posted at City Hall before 6:00 p.m., March 4, 2021, and posted on the City’s website as required by established policies and procedures.

/S/ Jay Virata _____
Jay Virata
Community & Economic Development

**Human Rights Commission
CITY OF PALM SPRINGS, CALIFORNIA**



FOR APPROVAL

**MINUTES
Regular Meeting**

Monday, December 14, 2020
Virtual Zoom Meeting

FY 2020/2021

COMMISSIONER	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
Terri Andrade	X		X	E	X	E						
Denise Chappell, Vice Chair	X		X	X	X	X						
Ron deHarte, Chair	X		X	X	X	X						
Glenn Flood	X		X	X	X	X						
Edwin Ramoran	X		X	X	X	X						
Donna Shepherd	X		X	X	X	U						
Solange Signoret, Student Rep.			X	U	U	U						
Ella Cash, Student Rep.					X	X						

X = Present
E = Excused Absence
U = Unexcused Absence
R = Resigned

Other Staff Present:
Jay Virata, Community and Economic Development Director

1. **CALL TO ORDER:** Chair deHarte called the meeting to order at 5:31 P.M.
2. **MISSION STATEMENT:** The Mission Statement was read aloud by Vice Chair Chappell.
3. **QUORUM:**
4. **PUBLIC COMMENTS:** None.
5. **APPROVAL OF THE MINUTES:** November 9, 2020
MOTION: By Vice Chair Chappell, second by Commissioner Flood to approve the minutes as presented. Motion carried unanimously.
6. **COMMISSIONER, STAFF AND STUDENT COMMENTS:**
Commissioner Ramoran – Commented on International Migrants Day being recognized this week and stated audience member Craig Scott drafted a proclamation that he will be sharing with the full Commission.

Chair deHarte – Congratulated former Human Rights Commissioner Mayor Christy Holstege for her service on City Council and on becoming the first female mayor for the City of Palm Springs. He thanked everyone who participated in the Study Session last week.
7. **ITEMS FOR DISCUSSION/ACTION:**
 - A. **Committees – Chair deHarte and Vice Chair Chappell**

Community Relations Committee/Budget/Personnel Committee

a. PSPD LGBT Outreach Committee (deHarte) –

Chair deHarte - For the month of November one hate crime was reported. The incident was assault and battery. During the assault there was language used against the perceived gender or sexual orientation of the victim. The case is ongoing.

b. Master Calendar

Commissioner Ramoran commented on adding Renaming of Streets Committee related items to the Master Calendar such as considering Martin Luther King Street during the month Martin Luther King is observed because they go hand in hand.

Chair deHarte – Committee can bring forward a suggested action to the Full Commission at any time, including endorsing an activity to the calendar.

c. Main Street (deHarte) – No report update.

d. Finance

Chair deHarte and Vice Chair Chappell - Presented for approval the proposed budget for Fiscal Year 2020-21 in the amount of \$2000. A line item of \$1,213.95 was identified as a designated contribution raised by the Commission through the Film Legacy Project. The amount is not identified as an expenditure. The Committee proposes carrying those dollars forward into the Fiscal Year 2021-22 budget unless in the next 6 months the Commission sees a need for expending those funds.

MOTION: By Commissioner Flood, second by Vice Chair Chappell to adopt the Human Rights Commission Budget for fiscal year 2020-21 as presented. Motion carried unanimously.

e. Organized Neighborhoods of Palm Springs – No report update.

Cultural Affairs Committee

a. Community Service Awards (deHarte, Chappell)

Chair deHarte introduced the proposed 2021 slate of nominees and asked that the Commissioners identify organization or individuals only by the number aligned with their name. An overview was provided on the slate endorsement process.

Vice Chair Chappell – Having served on the Committee for 6 years encouraged Commissioner to nominate individuals they feel is deserving of recognition through the Community Service Awards in the years to come.

Chair deHarte – Indicated the information is not public record until the Commission approves the slate and the honorees have accepted the recognition. The floor was opened for discussion and then proceeded to the following motion coming out of the Committee:

MOTION BY: Vice Chair Chappell, Second by Commissioner Flood to adopt the 2021 Community Service Awards Slate as presented. Motion carries unanimously.

b. Desert Highland Gateway Estates Community Association (Andrade, Flood) – No report update.

Senior/People with Disabilities Veterans Affairs Committee

a. Veterans issues (Flood) – No report update.

Youth/Education Affairs Committee

a. Student Representatives (Chappell, Signoret and Cash)

Vice Chair Chappell – No update. The Committee will be meeting in January.

It was identified that Student Representative Signoret has three unexcused absences with today's meeting resulting in her seat being vacated. Vice Chair Chappell will be following-up regarding her commitment to the position and seat vacancy.

Executive Committee (deHarte, Chappell)

Chair deHarte identified the dates being acknowledged by the Commission for the month of December. A brief presentation was made of those days being observed. Dates observed are referenced below.

- a. International Day of Persons with Disabilities – December 3
- b. Human Rights Day – December 10
- c. International Migrant Day – December 18

Commission Development/Mediation Committee

a. Mediation (Andrade) No report.

b. Retreat (Chappell, deHarte) –

The Committee met to discuss the planning objectives for the Commission's off-site meeting/ retreat once in person meetings can resume. Some of the committee ideas were shared with the Commission.

Mr. Virata – At the request of the Committee, to follow-up on how to place an order for the Human Rights Commission pink shirts for Commissioners.

B. General Plan Update – Vote on Unified Response to Planning Department on Proposed Vision & Priority Statements

Chair deHarte – Presented the comments that came from the December 7, 2020 Study Session for the Commission's submission to the planning department. Comments include but not limited to changes to wording for priority No. 4. No further comments added or suggested during the meeting.

MOTION: By Vice Chair Chappell, Second by by Commissioner Ramoran to accept and endorse comments as presented from the Study Session as a Unified Response in the submission to the Planning Department. Motion passed unanimously.

Mr. Virata to forward the action to Mr. Newell, Assistant Director of Planning.

C. Topical Newsworthy Items. None.

9. AGENDA ITEMS FOR THE NEXT MEETING:

The following Agenda items were proposed:

- 1. International Migrants Day Proclamation
- 2. Election Etiquette presentation by City Clerk

It was confirmed that the Community Service Awards Ceremony planning would come out of committee, including knowing whether the honorees accepted their award.

Chair deHarte - Stated the need to appoint a new rotating Commissioner to serve in the Executive committee. Commissioner Flood was nominated/volunteered to service as rotating Commissioner. The committee will determine if he will complete former Commissioner Owen's quarter or they start a new quarter now.

10. **ANNOUNCEMENTS:** None.

11. **ADJOURNMENT:** The Commission adjourned at 6:13 P.M. to a Regular Meeting, Monday, January 11, 2021 at 5:30 P.M. via teleconference.

Respectfully submitted,

Annie Rodriguez
Housing Program Assistant

**Human Rights Commission
CITY OF PALM SPRINGS, CALIFORNIA**



FOR APPROVAL

**MINUTES
Regular Meeting**

Monday, January 11, 2021
Virtual Zoom Meeting

FY 2020/2021

COMMISSIONER	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
Terri Andrade	X		X	E	X	E	X					
Denise Chappell, Vice Chair	X		X	X	X	X	X					
Ron deHarte, Chair	X		X	X	X	X	X					
Glenn Flood	X		X	X	X	X	X					
Edwin Ramoran	X		X	X	X	X	X					
Donna Shepherd	X		X	X	X	U	E					
Ella Cash, Student Rep.					X	X	X					

X = Present
E = Excused Absence
U = Unexcused Absence
R = Resigned

Other Staff Present:
Jay Virata, Community and Economic Development Director

1. **CALL TO ORDER:** Chair deHarte called the meeting to order at 5:30 P.M.
2. **MISSION STATEMENT:**
3. **QUORUM:**
4. **PUBLIC COMMENTS:** None.
5. **COMMISSIONER, STAFF AND STUDENT COMMENTS:**
Commissioner Ramoran –Shared New Year’s wishes and stated today was observed as National Human Trafficking Awareness Day.

Commissioner Andrade – Apologized for her absence last month.

6. **ITEMS FOR DISCUSSION/ACTION:**
 - A. **Committees – Chair deHarte and Vice Chair Chappell**

Community Relations Committee/Budget/Personnel Committee

 - a. **PSPD LGBT Outreach Committee (deHarte) –**
Chair deHarte – Shared the following hate crime incidents reported at the Committee meeting:
 1. December 4, 2020 – Vandalism of a City Sign at North Palm Canyon Drive and Tramway due to use of visual symbols associated white supremacy and something that depicted an image resembling an African American female. No suspects or leads at this time.
 2. December 21, 2020 – Vandalism documented at the 100 block of South Palm Canyon, use of a swastika sticker and a nazi reference. Cardboard had been taped to a stair railing. One sign

had a swastika on the top and bottom with the words ' Newsom nazi' written in between the symbols. The other sign read 'Newsom failure' with the letter 'f' circled. No leads or suspects at this time.

3. December 31, 2020 – Vandalism and Graffiti reported at Palm Springs High School. An unknown suspect used spray paint to write multiple slogans in a phallic symbol. At least two of the slogans contained hate speech that was derogatory towards African Americans. No evidence or leads obtained relating to the incident.

b. Master Calendar

Commissioner Ramoran – The following date was noted as a National Day of Service to encourage people to look at how they can volunteer in their communities.

- January 18 Martin Luther King Jr. Day

Additional dates noted:

- January 20 - Presidential Inauguration
- Black History Month Celebration

c. Main Street (deHarte) –

Chair deHarte – Reported Main Street continues to have conversations about business recovery in Palm Springs. The City is very active in the conversations including Mr. Virata. Outside of the COVID related impact, there are no human rights related items to report.

d. Finance

Vice Chair Chappell – The Committee is looking at how to best utilize the funding.

e. Organized Neighborhoods of Palm Springs –

Chair deHarte – Although they do not have a liaison assigned, he acknowledged and recognized the passing of Dr. Diane Ross. Dr. Ross was a 20-year resident of Palm Springs who was very active in the development and formation of ONE-PS and an active player throughout the Deep Well Community. Her legacy achievements and awards were recognized

Cultural Affairs Committee

a. Community Service Awards (deHarte, Chappell)

i. Community Service Awards – Monday, February 8, 2021, 5:30p.m., Virtual/Teleconference

The Committee announced the 2021 Community Service Awards Honorees to be:

- FIND Food Bank
- Young Justice Advocates –
 - Areli Galez,
 - Hina Marie Malik, and
 - Jazlina Morgan
- David Powell
- Jane Garrison
- Lee C. Wilson Jr.
- Keisha D Mimms

The committee explained the awards ceremony process and Commissioner responsibilities. Each Commissioner was assigned an honoree to present during the Ceremony next month and timing introduction guidelines given. The committee will follow-up with an email on the instructions.

It was agreed that the Commission will have a brief separate meeting at 5:00pm on February 8, 2021 prior to awards ceremony. Mr. Virata noted the meeting will be Agendized due to all Commissioners being present.

Chair de Harte – Highlighted that this will be Vice Chair Chappell’s last opportunity to be apart of the Community Service Awards since this is her last year. As a former recipient herself, the event is bound to be memorable.

b. Desert Highland Gateway Estates Community Association (Andrade, Flood) – None.

Senior/People with Disabilities Veterans Affairs Committee

a. Veterans issues (Flood) –

Commissioner Flood – The Veterans Administration (VA) sent out a News Release to raise awareness of the Disability Compensation for Conditions Related to Military Sexual Trauma (MST). Veterans can go to the <https://www.va.gov/> for more information.

Mr. Virata - To post the information as a resource on the Human Rights Commission webpage at the request of the Commission.

Chair deHarte – Took a moment to acknowledge Capitol Officer Brian Sicknick as one of the individuals who was killed at the riots at the Capitol. He was a Veteran and served with the Air National Guard. His name will be held up and his service recognized and mourn his passing.

Youth/Education Affairs Committee

a. Student Representatives (Chappell, Cash)

The Committee reported that they would meet this month and plan how to increase school awareness of the opportunity to be Student Representative for the Commission. Student Representative Cash will provide information to other students, teachers and counselors about the opportunity to fill the Student Representative vacancy.

Chair deHarte – Thanked Student Representative Cash and her family for sharing and reporting the experience she and her family had in November during an exchange with a Palm Springs Police Officer. There is now an internal investigation ongoing. When they hear of any outcomes, they will report back to the Commission. Chair deHarte additionally gave acknowledgement to the Police Department for being very responsive after hearing of the incident.

Executive Committee (deHarte, Chappell)

Chair deHarte – Made a brief presentation on the background and importance of the date below acknowledged by the Commission:

- a. International Day of Education – January 24

Commission Development/Mediation Committee

a. Mediation (Andrade)

Commissioner Andrade - Thanked Mr. Virata for providing the mediation services information that the County of Riverside provides. A discussion ensued regarding but not limited to the following: Utilizing the County’s mediation services vs. providing a duplication of service and certify Commissioners, certification costs, current/future mediation referral process and continuing to look for training availability. The Committee recommended the following motion:

MOTION BY: Vice Chair Chappell, Second by Commissioner Flood to utilize the Riverside County Mediation Services Program when the need arises. Motion passed unanimously.

Chair deHarte – Thanked Commissioner Andrade for bringing the recommendation forward and doing the background work.

b. Retreat (Chappell, deHarte) – No report.

B. International Migrants Day Proclamation

Commissioner Ramoran – Thanked Palm Springs resident Craig Scott for volunteering his time to draft a proclamation for International Migrants Day observed on December 18. The draft proclamation has been forwarded to Llubi Rios, Executive Administrative Assistant, Office of the Mayor and Council.

Mr. Scott recommended that the Commission provide a timeline/procedure clarification for the public for future efforts relating to proclamations. He further requested that the Commission not take any action with the work he has completed.

A discussion ensued. The commission did not take action as requested and suggested that he follow-up with the Ms. Rios regarding the date the proclamation will be Agendized on the Council Calendar, and appreciated bringing forward his suggestion.

C. Topical Newsworthy Items.

Commissioner Andrade – Participated in the Transgender Day of Remembrance held on November 20, 2020, in support of their efforts as part of the Human Rights Commission. The Transgender Health and Wellness Center nicely presented the ceremony. Commissioner Andrade is now the keeper of the Commission banner.

7. AGENDA ITEMS FOR THE NEXT MEETING:

The following Agenda items were proposed:

- Finance Committee – Present the Human Rights Commission 2021-2022 Budget for Approval
- Clean Indoor Air and Health Protection Ordinance with Sustainability Commission Update

Mr. Virata – At the request of the Commission will resend the Master Calendar to the full Commission via email.

8. ANNOUNCEMENTS:

Chair deHarte initiated the adjournment of the the meeting in memory of Pearl White, who recently passed away at the age of 104. She was a significant figure in the community for many years and throughout the Coachella Valley. They acknowledge the passing of a wonderful woman that the City lost.

9. ADJOURNMENT: The Commission adjourned at 6:33 P.M. to a Study Session on Monday, February 8, 2021 at 5:00 P.M. via teleconference and a Regular Meeting, Monday, February 8, 2021 at 5:30 P.M. via teleconference.

Respectfully submitted,

Annie Rodriguez
Housing Program Assistant

Memorandum

To : Honorable Charles A. O'Brien
Chief Deputy Attorney General
Department of Justice
6000 State Building
San Francisco, California 94102

Date May 31, 1968

File No.:

From : Loren Miller, Jr. —
Office of the Attorney General
LOS Angeles

Subject: Palm Springs, Section 14 Demolition

The Attorney General's Office was requested on July 22, 1966, by the Fair Employment Practices Commission to contact Mr. Ernest Moore of the Office of Economic Opportunity in Palm Springs, California concerning the removal of several hundred residents from an area of that city known as Section 14. The FEPC request to the Attorney General's Office was the result of a letter which Mr. Moore had written to Governor Edmund G. Brown.

Deputy Attorney General Loren Miller, Jr. went to Palm Springs and consulted with Mr. Ernest Moore concerning his complaint. Mr. Moore said that the City of Palm Springs had burned down the homes of Negro residents of Section 14--destroying their personal belongings, as well as the buildings--without giving the residents sufficient notice of the planned destruction.

Following this initial meeting, on July 25, 1966, extensive interviews were conducted by Mr. Miller and a special agent of the Department of Justice. The interviews included city officials, contractors involved in the property destruction, conservators for the Indians, and

residents of Section 14. Most of the demolition occurred in late 1965 and in 1966. Delay in issuance of the final report resulted from extended unavailability of certain participants and workload problems within the Attorney General's Constitutional Rights Unit. Every statement in this report is based on substantial testimony by knowledgeable witnesses and participants.

CONCLUSION

There is no evidence that any crimes were committed in the removal of the residents from Section 14 and the destruction of their homes. Yet the incident displayed a unique insensitivity on the part of the City of Palm Springs to the problem of adequate minority housing, in particular, and to minority-community relations, in general.

The manner in which the demolition of Section 14 was accomplished, makes it a classic study in civic disregard for the rights and feelings of minority citizens.

Homes were destroyed with no real concern on the part of the city that the families were properly notified of the impending destruction.

Accompanying the imperious destruction of the Negro homes in Section 14 is the city's continuing disconcern for relocation of these citizens. This has resulted in many minority citizens being forced to live in Beaumont or Banning-- twenty-five or thirty miles from their working places in Palm Springs. Other former residents of Section 14 moved into a formerly defunct housing tract in a desolate, wind-swept area of North Palm Springs, where they live two and three families to a house.

While Palm Springs is a relatively small city, and the number of persons involved was only 1,000 -- this does not excuse the city's action, nor does it diminish the

antagonism of the persons involved in the eviction and destruction.

In terms of proportionate population, Palm Springs' action is equivalent to the arbitrary removal of 200,000 persons from their homes in Los Angeles.

When a natural holocaust devastated sections of the wealthy Los Angeles suburb called Bel Air, it was declared a disaster area and received special federal benefits. The minority residents of Section 14 did not receive such aid when their homes were destroyed by a city-engineered holocaust. Such inequities give rise to antagonisms.

The hostility created by the hardship forced on the city's Negro population is not the only problem caused by Palm Springs' clearance of Section 14. The Indians who own the land are also disillusioned, since the land which once produced revenue for them now lies vacant. This disillusionment is closely connected with the federal government's investigation of the administration of Indian guardianships and conservatorships in Palm Springs. There is evidence of unusual cooperation between developers, the Indian conservators, and the City of Palm Springs, in the demolition of Section 14. The Section 14 situation reinforces the question of Indian conservator conduct which was initially raised by the Department of Interior.

RECOMMENDATION

While the harm caused by the Section 14 removal cannot be erased, we would recommend that the City of Palm Springs undertake special efforts to correct the problems of inadequate minority housing and the general low level of relations between the city government and the minority residents of Palm Springs. Housing discrimination and other race-connected problems which are prevalent throughout California

seem exacerbated in the somewhat isolated, resort atmosphere of Palm Springs. At the same time, there seems to be a civic attitude that such racial problems are of less concern in this exotic locale. No city in California can ignore the necessity of guaranteeing all its residents full citizenship. This responsibility applies equally to the Indians, Mexican-Americans, and Negroes living in Palm Springs and other small communities, as well as to the residents of the barrios and ghettos of Los Angeles and other major cities.

BACKGROUND

For about 35 years, the main available living area for working people of Palm Springs was Indian land adjacent to the downtown business area of the city. Known as Section 14 of the Indian reservation, this square mile of land is bounded by Indian Avenue on the west, Ramon Road on the south, Sunrise Way on the east, and Alejo Road on the North. During the past three decades, this area became the primary residential area for the Negro and Mexican-American population of Palm Springs. This resulted from two main factors:

- the average minority person could not afford to live in any other area of Palm Springs;
- de facto racial residential segregation was prevalent in Palm Springs, as in other parts of California.

When these tenancies first were created and for many years after, the leases of the land from the Indians were limited by federal law to a five-year duration.

Under the tenancy created on the reservation land and approved by the Bureau of Indian Affairs, the tenant

leased the land from the Bureau for a stated price and was then permitted to build or relocate a dwelling place upon that piece of land. The lease further provided that the tenant owned the dwelling place in which he resided and was free at any time to remove the dwelling place from the land.

Homes on the Indian land were equipped with utilities and the majority were built under permits issued by the City Building Department. City Building Inspectors passed on the buildings while they were under construction. Homeowners also paid taxes to Riverside county, based on the value of their residences. House values ranged from \$1,000 to \$8,000.

In 1959, a new federal law distributed the Indian-held land in Palm Springs to individual members of the Agua Caliente tribe. It also provided for 99-year leases on Indian property, rather than the traditional short-term leases. When the new 99-year leases became available, the City of Palm Springs and various real estate developers became interested in the commercial development of Section 14.

Originally, the city planned to use abatement laws to clear Section 14, but conflicting jurisdiction between the city and the Bureau of Indian Affairs frustrated this scheme. Conflicts between the city and the Indians over proposed zoning for this area also arose, following 1959.

Complaints were received by this office, during this period, concerning city redevelopment plans for Section 14. These initially vague complaints concerned possible conflicts of interest and questionable actions of Indian conservators. They also charged over-riding city interest in commercial development of the land, without regard to the interests of current tenants.

Subsequent investigation by the U. S. Department of

the Interior has clarified some of these charges regarding the conservators (see, "The Final Report of the Palm Springs Task Force" United States Department of the Interior.)

The same 1959 law providing for the long-term leases and individual distribution of the Indian land also provided for conservators to protect the individual Indians' interests. In 1964, the City of Palm Springs approached the conservators with a plan to raze Section 14. The city proposed that the Indians -- through their conservators -- terminate the leases or rentals of the land. The city would then clear the land, using city funds.

LEGAL METHOD

The city -- to protect itself against any legal action -- asked the conservators to serve notice upon the tenants that tenancy would be terminated within the statutory period of thirty days. The conservators were also to inform the tenants that permits to clear the land would be issued to the city after the tenants were served with the notices.

Testimony was received that the conservators in many instances did not actually consult with the Indian owners of the land concerning the termination of the leases in Section 14. Testimony from several sources indicated that the conservators, in many instances, executed the eviction notices without making a full disclosure to their Indian wards, who were leasing the land. Further testimony indicated that many of the Indians were induced to execute various documents by statements of the conservators that they could lease the land at higher rentals to commercial enterprises.

To date, land cleared in Section 14 has not been leased and stands vacant.

METHOD OF REMOVAL

The City of Palm Springs moved to raze Section 14 in the following manner:

Once a conservator executed a destruction permit, the city dispatched a demolition crew to knock down the dwellings and stack the lumber and other debris. Then the City Fire Department burned the debris in a controlled fire. Testimony indicated that the city paid little attention to the 30-day requirements set forth in the eviction notices and operated its own demolition plan solely based on receipt of the destruction permits executed by the conservators.

For example: If a conservator gave notice to a tenant to vacate within 30 days -- and at the same time executed a permit to the city, authorizing the demolition and removal of the debris -- the city, acting upon the permit, would burn down or destroy the dwelling in question any time after it had received the permit without actually checking to see whether the time prescribed in the eviction notice had expired.

The city contracted with three separate construction firms for the actual job of demolition: Joe Leonard Construction, Valley Equipment and Sales Co., and, finally, Cal Terra Backhoe Co. The person employed by the city to expedite this project, Don Abercrombie, claimed that the city did not demolish and destroy any occupied dwelling, nor did the city, according to Mr. Abercrombie, have any complaints. This latter statement is disputed by the city manager, who admitted receiving some complaints from occupants whose homes were threatened with sudden destruction. He added that the city was usually able to respond to these complaints. He did not explain the nature of the city's response. The city steadfastly

maintains this position, without clarification.

Joe Leonard, of Leonard Construction Co., indicates that a dwelling which he owned on the reservation land was demolished without notice and that his property inside the dwelling was destroyed and burned.

It should be noted that Lewis Hunt, who was employed by the Valley Equipment and Sales Co. and later became the owner of Cal Terra Backhoe Co., stated that he was threatened with a gun by a Section 14 home-owner when he attempted a demolition. This story was confirmed by Chief of Police Orest Johnson and also by Captain White of the Palm Springs Police Department. This corroborates to some degree the stories of the former tenants of the area that the city was demolishing homes which were occupied and had personal possessions in them.

While the city maintains that all persons living on the land, or known owners of dwellings, received notices that the dwellings would be demolished, the former tenants disagree. A majority of tenants claim that they did not receive 30-day notices, nor 3-day notices, nor any notices.

Many tenants discovered the demolition after the dwellings had been knocked down and their belongings were missing. Among the possessions lost or destroyed were such items as air conditioners, stoves, refrigerators, and clothing. The tenants steadfastly maintain that few of them ever received a notice to vacate their land.

For example: Homer Manning, a member of the City Human Relations Council, was informed by his tenant that his building -- valued at \$8,000 -- was about to be demolished. He was told that a bulldozer was ready to knock down the building. He was able to retrieve some, but not all of his property.

--Mr. Moses Clinton said that his house -- occupied by his son, Harl -- was destroyed without his knowledge while his son was at work. Harl Clinton's personal belongings, along with a stove, refrigerator, furniture, and an air conditioner, were either destroyed or taken from the house.

-- Mr. James Goree said that his house -- valued at \$3,400 and occupied by his sister -- was destroyed without notice. Similarly destroyed was the house of an elderly neighbor, a Mrs. Spilletti, who died following her eviction.

-- Mr. R. L. Lucas, a seventy-seven year old man, received a notice to vacate several dwellings which he owned. He did not believe the notices. The city destroyed five dwellings owned by Mr. Lucas and valued at \$5,100. Mr. Lucas also states that he lost four water tanks, four stoves, four refrigerators, six air conditioners, fifteen beds, and fifteen mattresses. Mr. Lucas depended on a total rental of \$460.00 per month from these units for his support.

-- Mrs. Van Williams received an eviction notice, but disregarded it and took a trip to Los Angeles. When she returned, her house -- valued at \$7,500 -- and all her personal possessions had been destroyed. She had built the home in 1944 and had been a resident of Palm Springs since 1933.

Perhaps the most conclusive evidence of the city's attitude is the fact that the City of Palm Springs kept no official records of the persons displaced and the residences destroyed in Section 14, and could offer no evidence of any attempt at determining that each homeowner and resident had been properly served with eviction notices.

The City of Palm Springs not only disregarded the residents of Section 14 as property-owners, tax-payers, and voters; Palm Springs ignored that the residents of Section 14

were human beings.

A handwritten signature in cursive script, appearing to read "Loren Miller".

LOREN MILLER
DEPUTY ATTORNEY GENERAL

DEPARTMENT OF JUSTICE
Office of Attorney General
THOMAS C. LYNCH
State Building, Los Angeles
Tom McDonald

MEMORANDUM TO THE PRESS

FOR RELEASE: 11:00 a.m., TUESDAY, JUNE 4, 1968

The resort city of Palm Springs was charged today with "a classic study in civic disregard for the rights of minority citizens."

This charge highlighted a report on Palm Springs' demolition of its Negro ghetto. The report was released by Chief Deputy Attorney General Charles A. O'Brien in Los Angeles. Deputy Attorney General Loren Miller, Jr., chief of the Attorney General's Constitutional Rights Unit, prepared the report.

The report linked the ghetto destruction to federal accusations of misconduct by conservators for the Agua Caliente Indians.

In Palm Springs, most minority citizens lived on reservation land leased from Indians. The individuals constructed homes on the leased land. The ghetto area -- known as Section 14 -- lay in the heart of Palm Springs and became an area of interest for developers in 1959 when Indian land became available for long-term leases.

According to the Attorney General's report, homeowners who leased lots in Section 14 saw their homes destroyed without notice and their personal property burned. About 1000 people were involved in the eviction and destruction.

The report recommended "that the City of Palm Springs undertake special efforts to correct the problems of inadequate minority housing and the general low level of relations between the city government and the minority residents of Palm Springs."

"The hostility created by the hardship forced on the city's Negro population is not the only problem caused by Palm Springs' clearance of Section 14. The Indians who own the land are also disillusioned, since the land which once produced revenue for them now lies vacant," the report stated.

The report continued, "No city in California can ignore the necessity of guaranteeing all its residents full citizenship. This responsibility applies equally to the Indians, Mexican-Americans, and Negroes living in Palm Springs and other small communities, as well as to the residents of the barrios and ghettos of Los Angeles and the other major cities."

Documented in the report were instances of homes valued from \$3400 to \$8000 which were destroyed by the city without notice to the owners of the impending destruction.

The city contracted with private operators to knock down the dwellings in Section 14. The debris was then burned by the city fire department in a controlled fire. Indian owners were to execute permits to the city to clear the land and then give their tenants 30-day eviction notices. The report states, "The city paid little attention to the 30-day requirements set forth in the eviction notices and operated its own demolition plan solely based on receipt of the destruction permits executed by the conservators.

Exploring the actions of the Indian conservators, the report states that, "The conservators in many instances executed the eviction notices without making a full disclosure to their Indian wards who were leasing the land." It continues, "Many of the Indians were induced to execute various documents by statements of the conservators that they could lease the land at higher rentals to commercial enterprises. To date, the land cleared in Section 14 has not been leased and stands vacant."

The report concludes, "Perhaps the most conclusive evidence of the city's attitude is the fact that the City of Palm Springs kept no official records of the persons displaced and the residences destroyed in Section 14 and could offer no evidence of any attempt at determining that each homeowner and resident had been properly served with eviction notices.

The City of Palm Springs not only disregarded the residents of Section 14 as property-owners, taxpayers, and voters; Palm Springs ignored that the residents of Section 14 were human beings.

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