



CITY AND COUNTY OF SAN FRANCISCO

IMMIGRANT RIGHTS COMMISSION

San Francisco Immigrant Rights Commission
Full Commission Meeting
May 8, 2023 at 5:30 pm PDT
SF LGBT Center, 1800 Market Street, Rainbow Room
San Francisco, CA 94102

Online: <https://sfpUBLIC.webex.com/sfpUBLIC/j.php?MTID=mad94e66babb9af81ddba1ebdfb9373b1>

Phone: 1-415-655-0001 / Access code: 2590 629 4315 / Password: 2023

Overview: Members of the Commission will attend this meeting in-person. Members of the public are invited to observe the meeting in-person or remotely using Webex or by calling the phone number and entering the access code above.

Each member of the public, whether attending remotely or in person, may address the Commission for up to two minutes. Members of the public attending the meeting in person will have an opportunity to provide public comment on every item. In addition to in-person public comment, the Commission will hear up to 20 minutes of remote public comment on each agenda item. The Commission will hear remote public comment on each item in the order that commenters add themselves to the queue to comment on the item. Because of the 20-minute time limit, it is possible that not every person in the queue will have an opportunity to provide remote public comment. Remote public comment from people who have received an accommodation due to disability will not count toward the 20-minute limit.

1. Call to Order and Roll Call

Chair Kennelly called the meeting to order at 5:40 p.m.

Present: Chair Kennelly, Vice Chair Paz, Commissioners Chaudhary, Gaime, Latt, Obregon, Ricarte, Ruiz, Senghor, Souza, Wang (arrived 5:41 p.m.)

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

OCEIA staff present: Director Rivas, Clerk Shore, Filipino Language Specialist Borres, Operations and Grants Administrator Chan, Senior Communications Specialist Richardson, Deputy Director Whipple.

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. Announcements and General Public Comment

(Information)

This item is to allow Director Rivas to provide announcements on interpretation services, public comment, and other information related to today's hearing; and 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.

Director Rivas provided announcements on how to access interpretation services and make public comment. Chair Kennelly called for general public comment.

1. A speaker who is from Brazil and works as a program director for mental health services in the LGBT Center, said that all of his clients are immigrants, and 75% of them are asylum seekers. All are Portuguese speakers, and more than half of them are HIV positive. He noted that Portuguese and Brazilian consular support is lacking for LGBTQ people in San Francisco.

4. IRC Hearing on LGBTQIA+ Immigrants in San Francisco

a. Introduction (Chair Kennelly, OCEIA Deputy Director Whipple, Commissioners Latt and Ruiz)

(Information)

This item is to allow the Chair, OCEIA Deputy Director Whipple, and Commissioners Latt and Ruiz to introduce today's hearing, thank the hearing's partners and co-sponsors, and provide an overview of the purpose of the hearing. The hearing will focus on the needs of LGBTQIA+ immigrants in San Francisco and steps the City of San Francisco can take to support community members.

Chair Kennelly welcomed attendees and recognized co-sponsors Sen. Scott Wiener, Supervisor Rafael Mandelman, and Supervisor Joel Engardio. She thanked Commissioners Jessy Ruiz and Zay Latt, staff from the Office of Civic Engagement & Immigrant Affairs (OCEIA) and the Office of Transgender Initiatives (OTI), and Anjali Rimi, executive director of Parivar Bay Area.

Deputy Director Whipple introduced the hearing. According to estimates by UCLA's Williams Institute, 1,274,500 LGBTQ foreign-born adults live in the United States, including 289,700 who are undocumented. One in three LGBTQ asylum seekers lives in California. In 2015, the Immigrant Rights Commission held a hearing on LGBTQ immigrants with then-Supervisor Scott Wiener. Community members discussed the need for culturally competent services, and gaps in resources, with many individuals being turned away because of lack of capacity. OCEIA, OTI, and Equality California began convening quarterly meetings with service providers. Currently, OCEIA provides limited funding to organizations that serve LGBTQ immigrants.

Commissioner Latt welcomed attendees and discussed the need to do more to support LGBTQ immigrants, and Commissioner Ruiz shared her experience as an asylum seeker who has struggled to find stable housing.

b. Opening Remarks (Supervisor Mandelman)

(Information)

This item is to allow Supervisor Mandelman to provide opening remarks on today's hearing.

Chair Kennelly introduced Supervisor Mandelman, who provided opening remarks. With over 500 anti-LGBTQ bills proposed across the country, and the prevalence of anti-transgender and anti-queer violence, in addition to housing and economic insecurity, and planned cuts to the City's budget, he said it is critical to figure out how to prioritize the most vulnerable. He noted the work of those serving LGBTQ immigrants at today's hearing, in addition to AGUILAS, Openhouse, and other organizations.

c. Invited Speakers

(Information/Discussion)

This item is to allow the Commission to hear from invited speakers on the topic of today's hearing.

1. Pau Crego, San Francisco Office of Transgender Initiatives

Pau Crego, executive director of the Office of Transgender Initiatives (OTI), described OTI's role in building trust between transgender communities and local government. He discussed OTI's work on housing for transgender San Franciscans, a guaranteed income pilot program, an economic fellowship program for transgender immigrants, and the City's commitment to end homelessness for transgender community members. Despite these efforts, local providers continue to face challenges and are receiving threats.

2. Anjali Rimi, Parivar Bay Area

Anjali Rimi, executive director of Parivar Bay Area, provided an overview of Parivar Bay Area's work, and J Jha of Parivar Bay Area described their experience seeking asylum. Director Rimi introduced videos by community members and highlighted the importance of funding resources for transgender immigrants and continuing these conversations. Parivar also has launched a community survey that is available in 10 languages.

3. Sofia Dorantes, El/La Para TransLatinas
Sofia Dorantes, deputy director of El/La Para TransLatinas, provided an overview of the work of El/La Para TransLatinas. The organization provides trauma-informed care, advocates to end immigrant detention, and helps some of the most marginalized community members. Its staff are transgender, intersex, and gender diverse immigrants, and its two case managers serve over 300 participants. El/La Para TransLatinas, Parivar Bay Area, and the LGBT Asylum Project work together on the Trans Immigrant Coalition and held their first symposium in 2022.
4. John Ilesha Ena, Samoan Community Development Center
The Samoan Community Development Center was unable to attend the hearing.
5. Black LGBTQI+ Migrant Project (invited)
The Black LGBTQI+ Migrant Project was unable to attend the hearing.
6. Rachel Kafele, Oasis Legal Services
Rachel Kafele, who helped found Oasis Legal Services and directs its legal program, provided an overview of the organization's work using a preventative care model to provide legal and social services to LGBTQ immigrants. She discussed the need for funding to screen clients for immigration relief, provide free legal representation to LGBTQ immigrants, and conduct trainings so all legal providers can work effectively with LGBTQ clients. She highlighted the need for sustainable funding to provide universal representation and wraparound services for all LGBTQ immigrants.
7. Okan Sengun, LGBT Asylum Project
Okan Sengun, executive director and co-founder of the LGBT Asylum Project, explained key differences between LGBTQ and other asylum seekers. For example, other asylum seekers often have access to the support of their families. The one-year deadline to apply for asylum can be more challenging for LGBTQ asylum seekers, who have been forced to keep their own sexuality or true gender hidden. He highlighted the need to fund LGBTQ asylum service providers in San Francisco. In 2023, his organization served 420 LGBTQ immigrants in San Francisco. The LGBT Asylum Project currently represents 28 transgender immigrants and has a waitlist.
8. Dr. Triveni Defries and Dr. Raul Gutierrez, UCSF Health and Human Rights Initiative
UCSF Health and Human Rights Initiative Pediatric Co-Director Dr. Raul Gutierrez and Education and Training Director Dr. Triveni Defries discussed their work providing trauma-informed health care and medical evaluations for asylum seekers. Dr. Gutierrez stated that asylum seekers who undergo evaluations increase their

chances of attaining asylum, from 42% to 82%. UCSF Health and Human Rights Initiative currently has a 100% success rate. Dr. Defries described one client whose medical evaluation reflected years of attacks and forced conversion. Although the client was successful in attaining asylum, he faces other challenges, including isolation and racism in the United States, trouble being accepted both in queer spaces here, and by other immigrants from his home country. Dr. Defries highlighted the importance of providing trauma-informed care.

9. Cara Jobson of Wiley & Jobson PC and Pamela Mercado Garcia, National Center for Lesbian Rights

Pamela Mercado Garcia, immigration project associate with the National Center for Lesbian Rights (NCLR), described NCLR's work with asylum seekers. LGBTQ migrants often have trouble finding shelter that is safe. She recommended that the City provide housing and shelter assistance, and a list of shelters that are LGBTQ friendly. She discussed the need for an organizing network of professionals, and highlighted the importance of psychological evaluations and medical and psychological services. She also stressed the need to fund organizations that serve LGBTQ migrants. Cara Jobson, a private practice attorney who serves as a pro-bono attorney for NCLR, noted that individuals have a greater chance of attaining asylum if they have an attorney. She discussed the Biden administration's new rule on asylum, which considers migrants ineligible for asylum if they did not first seek asylum in a country they traveled through. Many of the countries they pass through on their way to the United States have high rates of violence against LGBTQ people.

Chair Kennelly thanked the speakers and invited Commissioners to ask questions.

In response to a question from Commissioner Souza, speakers discussed barriers to housing for LGBTQ immigrants. Rachel Kafele of Oasis Legal Services noted that barriers to enter shelters include the requirement to fill out the form in English, present an ID, and answer questions that may feel intrusive. She recommended making it easier to apply by lowering the threshold of what is required. Pamela Mercado Garcia of National Center for Lesbian Rights (NCLR) noted that shelters are not safe for many transgender immigrants, and there is a long waitlist, which further puts them at risk. Anjali Rimi of Parivar Bay Area highlighted the importance of understanding transgender needs in a housing space and community members' awareness of where they can go. J Jha of Parivar Bay Area and Sofia Dorantes of El/La Para TransLatinas discussed the difficulty of finding a job. Dr. Gutierrez noted that many community organizations have had to create their own navigation

systems. Commissioner Ruiz thanked the speakers and discussed the discrimination she encountered as a transgender woman in North Carolina and challenges she faced finding housing in San Francisco.

Commissioner Obregon asked Anjali Rimi of Parivar Bay Area about recommendations to address the needs of LGBTQ immigrants and growing resettlement programs for transgender immigrants. Anjali Rimi noted that resources for immigrants do not address the needs of LGBTQ individuals, and LGBTQ resources do not address the needs of immigrants. She highlighted the need to provide resources beyond legal services, such as information about which shelters are safe for transgender immigrants, and how to find work and educational opportunities.

In response to a question from Commissioner Chaudhary, speakers discussed how to increase awareness about asylum in the transgender community. Ruby Rose of Parivar Bay Area recommended that mental health professionals and those who work in housing learn about asylum to help inform community members. J Jha of Parivar Bay Area urged the Commission to increase the visibility of the transgender community and to make information available for all organizations.

d. Public Comment

This item is to allow members of the public to address the Commission on matters related to the topic of today's hearing.

Chair Kennelly called for public comment on this item, beginning with in-person public comment.

1. The first speaker recalled being placed in a men's shelter as a transgender female. She described having to shower at 4:00 a.m. and needing a chaperone to use the restroom. She also noted that much funding goes to staff salaries at organizations.

2. Gerardo, who identified as a gay undocumented San Francisco resident, highlighted the need to build trust. He said the District Attorney's Office has refused to certify U-Visa Supplement B forms without listing the reasons for their denial. He asked that the District Attorney's Office respond with a detailed reason for the denials.

3. Ruby Rose of Parivar Bay Area said that if her employer laid her off, she would only have 29 days to find another job, noting that she does not have a family she can go home to. She noted the importance of mental health care and transgender care. She asked the Commission to advocate to extend the 29-day limit to 180 days for those who

are laid off to find another job.

4. David described the effects of substance abuse, noting that LGBTQ immigrants are more at risk. Many have to resort to sex work. Clients ask escorts to consume drugs with them, and those who refuse are not hired again. David recommended that substance abuse awareness education be offered to LGBTQ immigrant community members.

5. Dora, who is from Colombia, has lived in the United States for one and a half years, and has moved seven times. Thanks to the LGBT Asylum Project, Dora did not have to pay for legal representation. However, housing remains a challenge and more support is needed.

6. Alessandra Garcia, who identifies as trans Latina, stressed the importance of continuing to work together. She said the first goal is to find a safe place for everyone to live. She also highlighted the need for job opportunities for transgender immigrants.

7. Parivar Bay Area played a video clip from Ashish, who is from India and identifies as genderqueer. They work in tech and are dependent on their employer-sponsored visa. Going back to India is not an option, they said, noting that they would be persecuted.

8. Anjali Rimi, executive director of Parivar Bay Area, said that in India, transgender people are relegated to begging and sex work. She noted that some transgender immigrants in the United States do not access asylum services because they don't know they exist, or they have been in the country for longer than a year.

9. Sasha, an intersex immigrant from Russia, suggested hosting an LGBTQ Immigrant Week or Month, with community events, and more brochures in different languages.

10. Jupiter, a transgender Latina DACA recipient working with Parivar Bay Area, highlighted the need for physical and mental health resources and employment resources. She called for a more solidified safety net of social services for LGBTQ immigrants, including continued funding for the Guaranteed Income for Trans People (GIFT) Program and expansion beyond its 55 participants; continued funding for the LGBT Asylum Project, El/La Para TransLatinas, Parivar Bay Area, and other organizations; making recommendations to the Mayor's plan to end transgender homelessness by 2027 with a specific focus on transgender immigrants; and the importance of hiring LGBTQ immigrants to continue the tradition of peer-led transgender organizations.

11. Dr. Raul Gutierrez of UCSF Health and Human Rights Initiative discussed Medi-Cal's

expansion to all Californians regardless of immigration status, noting that many people are not prepared to get the health care they need. He suggested that the Commission work with the Department of Public Health (DPH) and the San Francisco Health Network to roll out a campaign targeting communities to enroll in Medi-Cal.

12. Valeria Suarez, the coordinator for OCEIA's DreamSF fellowship program, identified themselves as a queer undocumented person who migrated at the age of 16 and was never eligible for DACA. They noted the importance of screening for immigration benefits including asylum and Special Immigrant Juvenile Status (SIJS), and investing in basic needs. They called on the Commission to continue to push for programs like DreamSF and to encourage organizations to hire independent contractors. They highlighted the importance of addressing those who don't qualify for DACA, and asked how we can support the undocumented community as a whole to thrive, not just adjust.

13. Ryan Hundley, president of the board for the LGBT Asylum Project, discussed the importance of amplifying the work of non-profits, noting that much of their work is fragmented. He suggested pulling all of the information together in a way that is easy to navigate. One option is a physical location where immigrants can go to learn about City and non-profit resources.

14. Anjali Rimi, executive director of Parivar Bay Area, recommended making every organization that is funded by OCEIA transgender-competent, and suggested that the Office of Transgender Initiatives (OTI) provide the trainings.

15. J Jha of Parivar Bay Area asked for more opportunities like this hearing, where the community can define what it needs and executive it together, and suggested that the Commission use its position to convene community organizations on a regular basis.

Chair Kennelly thanked members of the public for their comments. She called for remote public comment and there was no remote public comment on this item.

e. Closing Remarks

(Information)

This item is to allow the Chair and Commissioners Latt and Ruiz to provide brief closing remarks on today's hearing.

Commissioner Latt summarized some of the key themes that were raised at the hearing, including housing, mental health, and career training opportunities, and advocacy for a more lenient timeline and fewer restrictions for community members. Commissioner

Ruiz thanked speakers and members of the public for attending the hearing. Chair Kennelly discussed the importance of addressing the needs of LGBTQ immigrants and looks forward to working with Commissioner Latt to develop recommendations on how the City can support LGBTQ immigrants.

5. Action Item: Approval of previous minutes

(Discussion/Action)

- a. Approval of March 20, 2023 Full Commission Meeting Minutes

Discussion and possible action to approve the minutes of the Immigrant Rights Commission's March 20, 2023 Full Commission meeting. Explanatory document: [IRC Full Commission Minutes - March 20, 2023](#)

Commissioner Obregon motioned to approve the March 20, 2023 Full Commission meeting minutes, seconded by Commissioner Chaudhary. Chair Kennelly called for public comment, and there was no public comment on this item. In response to a question from Commissioner Wang, Director Rivas stated that Commissioners may not abstain from voting unless they have a conflict of interest. The motion was approved, with 10 Commissioners voting yes and one Commissioner (Commissioner Wang) voting no.

6. Action Item: Proposed Resolution on California Domestic Workers Bill SB-686 (Commissioner Souza)

(Discussion/Action)

This item allows the Full Commission to discuss and take possible action on Commissioner Souza's proposed resolution in support of SB-686 (Durazo). The Executive Committee has voted to issue the resolution in support of SB-686, following edits by the Executive Committee and OCEIA staff. In 2021, the Full Commission issued a resolution in support of SB-321 (Durazo), the Health and Safety for All Workers Act.

Vice Chair Paz motioned to issue the resolution in support of Senate Bill 686, seconded by Commissioner Obregon. Chair Kennelly called for public comment, and there was no public comment on this item. The motion was approved unanimously by the 11 Commissioners present.

7. Adjournment

Chair Kennelly thanked everyone for attending the special hearing and adjourned the meeting at 7:56 p.m.

