



Legislation Details (With Text)

File #:	20-387	Version:	1	Name:	Staff Report Condemning White Supremacy and White Supremacist Hate Groups, Declaring Support for Classifying the Ku Klux Klan as a Domestic Terrorist Organization
Type:	Staff Report	Status:			Filed
		In control:			City Council
On agenda:	9/8/2020	Final action:			9/8/2020
Enactment date:		Enactment #:			
Title:	Staff Report for a City of San Leandro City Council Resolution Condemning White Supremacy and White Supremacist Hate Groups, Declaring Support for Classifying the Ku Klux Klan as a Domestic Terrorist Organization, and Reaffirming the City's Commitment to Diversity and Inclusion				
Sponsors:	Jeff Kay				
Indexes:					
Code sections:					
Attachments:					

Date	Ver.	Action By	Action	Result
9/8/2020	1	City Council	Received and Filed	

Staff Report for a City of San Leandro City Council Resolution Condemning White Supremacy and White Supremacist Hate Groups, Declaring Support for Classifying the Ku Klux Klan as a Domestic Terrorist Organization, and Reaffirming the City's Commitment to Diversity and Inclusion

SUMMARY & RECOMMENDATION

Staff recommends that the City Council adopt a Resolution generally condemning white nationalist and white supremacist hate groups, declaring support for classifying the Ku Klux Klan ("KKK") as a domestic terrorist organization, and reaffirming the City's commitment to diversity and inclusion.

BACKGROUND

Nationally, there has been a rise in white nationalist, white supremacist, and other race-based hate groups, such as the KKK. These hate groups place the interests of white people over those of other racial groups for the stated purpose of maintaining dominion over the demographics in the United States, as well as control over the economy and national politics to espouse white supremacist ideals. These white supremacist groups often exhibit animus against other groups, such as Jewish people, LGBTQ+ people, people with disabilities, and non-white racial groups.

Following the death of George Floyd, an unarmed Black man who was killed in Minneapolis, Minnesota by police officers in May 2020, communities all over the world, including San Leandro, saw mass demonstrations acknowledging the systemic inequalities Black people experience in the United States. Additionally, there was an increase in racially motivated hate crimes and threats, especially against persons of Asian ethnicity, attributed to white supremacist groups when the COVID

-19 pandemic started affecting the United States.

This prompted some members of the community to ask the City Council to take action condemning white supremacy and white supremacist hate groups, such as the KKK, as harmful to San Leandro, and in opposition to the City's values.

At the July 6, 2020 regular City Council meeting, the City Council voted to place on a future City Council meeting agenda the adoption of a resolution in response to the aforementioned issues and movements.

ANALYSIS

Federal law, primarily the Patriot Act of 2001, limits local authority to designate an organization as a terrorist organization or a domestic terrorist organization. The Federal Bureau of Investigation ("FBI") has the authority to designate the KKK as a terrorist organization with the full force of law. Recently, there has been growing support for the federal government to classify the KKK, under the definitions provided by the 2001 Patriot Act, as a domestic terrorist organization. However, the City has authority over all municipal affairs, and may declare support for the movement towards classifying the KKK as a terrorist organization due to the various hate crimes and hateful actions carried out by its members and other white supremacist groups in San Leandro.

The KKK and white supremacist groups have long been active in the United States, the state of California, the City and surrounding areas. Historically in the City, there have been instances of cross burnings in front of homes perpetrated by white supremacist hate groups, once in 1972 and again in 1989. Additionally, in recent months there have been instances of hate crimes and other hateful actions attributed to white supremacist groups throughout the East Bay. For example, multiple nooses and a fake body hanging from a noose were found around Lake Merritt in the City of Oakland in June 2020; Nazi symbols were found spray painted on houses and other buildings in the City of San Francisco in July 2020; self-proclaimed white supremacists have attended and disrupted peaceful demonstrations meant to show support for the Black Lives Matter movement throughout the country and Bay Area; and there have been more than 800 reported incidents of discrimination, harassment, and race-based hate of persons of Asian ethnicity in California following the rise of COVID-19.

The City's values of diversity and inclusion run contrary to these types of hate-based actions perpetrated by any person, and especially by organized white supremacist groups. The City is one of the most diverse in the United States, with more than half of the population identifying as non-white. According to the United States Census Bureau, the San Leandro population is composed of 37.7% Caucasian, 10.7% African American, 1.0% American Indian, 34.5% Asian, 1.0% Native Hawaiian and other Pacific Islander, 6.6% identified as multiracial, 27.3% Hispanic/Latino, and 23.3% identified as White alone (not Hispanic or Latino) (please note, these percentages add up to more than 100% because some people self-identify with more than one ethnic group). Additionally, the City is a Sanctuary City that welcomes individuals from all races, religions, countries of origin, sexual and gender identity, and other backgrounds.

In order to express alignment with the City's values and in support of the City's diverse community, the proposed Resolution would condemn all hate groups driven by racism, white supremacy, xenophobia, bigotry, and other forms of intolerance; declare support for designating the KKK as a domestic terrorist organization, per the definition provided by the 2001 Patriot Act; and reaffirming

that the City does not tolerate hate or hate crimes, and is dedicated to pursuing policies that ensure the safety and wellbeing of the community.

CONCLUSION

Per the City Council's direction, this staff report and the resolution are presented to the City Council for review and approval. Approving the Resolution would be the City Council condemning white supremacy and white supremacist hate groups, declaring support for designating the KKK as a domestic terrorist organization, and reaffirming the City's commitment to diversity and inclusion.

ATTACHMENTS

Attachments to Staff Report

Resolution

PREPARED BY:

Jeff Kay, City Manager
Leticia I. Miguel, City Clerk
Richard D. Pio Roda, City Attorney
Amanda M. Cusick, Assistant City Attorney
Carolina Ugalde, Diversity Fellow 2020, Meyers Nave