

STEVEN P. DINKIN A Path Forward

TOWARD BECOMING AN ANTIRACIST: THE JOURNEY CONTINUES

At the beginning of last year, I made an unusual resolution: to embark on a personal journey to become an antiracist.

I was influenced by a convergence of events in 2020 that put racial injustice front and center in our country.

There were tragic killings: George Floyd Jr. and Breonna Taylor by police, and Ahmaud Arbery by neighborhood vigilantes. COVID-19 took lives, too, disproportionately in communities of color.

I first learned about the idea of antiracism from Dr. Ibram X. Kendi, author of *How to Be an Antiracist*. Kendi participated in a conversation about racial justice hosted by the National Conflict Resolution Center. An antiracist, according to Kendi, is someone who sees racial groups as equals and supports policies that reduce racial inequity — rather than enrichment programs that aim to assimilate disadvantaged racial groups. An antiracist is also an ally.

And so today, Juneteenth, seems like the perfect day to reflect on my progress toward antiracism — and to share some

ideas with those of you on your own journey.

Juneteenth, which became a federal holiday last year, commemorates the ending of slavery in the United States.

It's a day for truthfully acknowledging a painful period in our history that shaped and continues to influence our society today. For many people, that acknowledgment doesn't come easy.

NCRC has been working to make conversations about race a little less difficult. In 2020, we launched the ART of Inclusive Communication 2.0, a workshop that builds skills like active listening to facilitate frank dialogue. Participants explore why talking about race and racism is so important (and challenging) and learn to share their perspectives in non-confrontational ways. They dive into their own experiences with prejudice or privilege.

So far, we've conducted 123 ARTIC 2.0 workshops for more than 2,500 people, in partnership with workplaces and community organizations across San Diego County.

An important part of the workshop is self-assessment. Participants consider their relationship to race and racism on a continuum, from most racist (believing in racial supremacy) to least (or anti) racist. Turns out, I'm right in the middle. I believe that we are all created equal. And I believe that racism is wrong.

But those beliefs aren't enough, really, if we are to root out racism once and for all. It's why I began my own journey of racial reckoning. In the last year and a half, I've learned that it's a process — with an elusive finish line.

But there are things we can do along the way. ARTIC 2.0 trainers Carol Brookins and Dhalia Balmir talk about the importance of a routine check-in to assess where you are on the antiracism path — what you've accomplished and what you'd still like to do. It's also a time to consider what could be holding you back.

That may mean thinking about racism in broader terms, Balmir says. Most commonly, we focus on "interpersonal" racism —

the prejudice and bias that affect our individual interactions with people of different races.

An emerging explanation contends that interpersonal racism is a symptom of a more fundamental system of racism — cultural norms and institutional policies and practices that routinely produce racially inequitable outcomes, often without individual intent or malice.

In our work at NCRC, we see this disparity in schools that still rely on disciplinary practices like suspension and expulsion, which disproportionately affect youth of color and impede their opportunities for success.

The good news, from our trainers' perspective, is that conversations about race are going deeper today than they did two years ago, when we launched ARTIC 2.0. The reason, they believe, is greater cultural humility. We're more willing to learn about, be open to, and respect the cultures, experiences and values of others.

With greater understanding, we can find a path forward. But true allyship requires action, says Brookins, beyond even

protesting. She makes an important point: For many of us, it feels natural to express our support for others and willingness to assist them. We are conditioned to make feel-good statements like "I'm always here for you." They roll off the tongue.

But an ally does more. They check in — more than once. They speak up, if a policy or practice seems racist. They intervene, if a person or group is being discriminated against.

As Kendi (a cancer survivor) wrote, "What if we treated racism in the way we treat cancer? Saturate the body politic with the chemotherapy of antiracist policies that shrink the tumors of racial inequities. Remove remaining racist policies the way surgeons remove tumors. Detect and treat a recurrence early, before it can grow."

Maybe then, we can reach the finish line after all.

Dinkin is president of the National Conflict Resolution Center, a San Diego-based group working to create solutions to challenging issues, including intolerance and incivility. To learn about NCRC's programming, visit ncrconline.com



BOB HOFFMAN PHOTOGRAPHY AND VIDEO

Beverly Barrow, Mike and Patty Blum and Ian Barrow.

SCENE

Home Start's 50th anniversary

Fundraising gala benefits programs that battle child abuse

BY U-T STAFF

Home Start, a nonprofit organization dedicated to child abuse prevention and to providing family strengthening services, celebrated its 50th anniversary May 14 at The US Grant Hotel.

The event raised \$201,077, exceeding the organization's goal. Funds will go toward Home Start's programs and services to help children and parents affected by homelessness, domestic violence, hunger, abuse and neglect.

The event, titled "IMAGINE Families Living Life in Peace," was dedicated to 1972, the organization's founding year. It welcomed nearly 300 guests, many

dressed in '70s attire, and featured live entertainment from funk band Full Strength, and Leigh Scarritt Singers, a children's singing group.

To celebrate this milestone, Home Start founder Dr. Allana Elovson shared her story of the organization's birth and its mission of strengthening families and communities across San Diego.

The evening also featured stories from graduates who have survived domestic violence and reflected on the lives changed during the past five decades.

Laura Tancredi-Baese, Home Start CEO, presented the San Diego Foundation with the Outstand-

ing Community Funding Partner Award. The Presenting Sponsor for the event was The Rodeki Foundation, and the Gold Sponsors were U.S. Bank, Guild Mortgage and MUFJ Union Bank.

If your organization has held a philanthropic event, you're welcome to email a high-resolution photo along with information on the event to society@sduniontribune.com.

Please clearly identify those in the photo, make them aware their image might appear in print and online, include the photographer's name for credit and be sure to include the who, what, where, when and why information on the event.

SMOLENS Democrats can't get on same page

FROM B1

had stalled since 2001.

Some 830,000 DACA applications have been approved since 2012, though around 600,000 people remain in the program.

Beyond the individual and societal good DACA has done, polls indicate the program is popular across the political spectrum. Surveys showed strong support among Democrats and independents. Support is weaker among Republicans, though a majority still supported the program.

Even a majority of supporters of Donald Trump wanted to protect DACA recipients from deportation, according to a Politico/Morning Consult poll in 2020. Keep in mind that Trump demagogued undocumented immigrants as a candidate and president.

For years, there appeared to be enough bipartisan support in Congress to give some form of permanent legal status to DACA recipients. Trump, whose effort to end DACA was blocked by the Supreme Court, at times talked about supporting a deal to save DACA.

That went nowhere, even though Republicans had full control of Congress during his first two years in office. There was no progress after Democrats won a House majority in the 2018 election.

Along the way some peculiar dynamics emerged.

At one point, there were discussions about Democrats backing off opposition to Trump's border wall

project in exchange for a DACA deal. That fell apart in March 2018. Some Democrats could not accept the wall under any circumstances and it was never clear whether there was enough Republican support for the deal.

A month earlier, former Mexico President Vicente Fox made a surprise plea for the U.S. to fix DACA once and for all. In a video, Fox talked about the importance of DACA recipients, many of whom were born in Mexico.

"I mean, imagine kids with a university degree with the knowledge that very few have. With the capacity and the skills they have developed in themselves," he said.

"We would love to have them in Mexico, but we respect their will to be ... in the United States. We respect that they love their families and they want to stay."

The political reality has been that Democrats and Republicans often want more than just a straight-up DACA bill that the other side wouldn't accept.

Further, there's a core of Republican voters that won't support giving legal status to any undocumented immigrants, and GOP members of Congress either agree with them or are wary of crossing them.

Meanwhile, Democrats still have trouble getting on the same page, even with control of the White House and slim majorities in both houses of Congress.

On President Joe Biden's first day in office he proposed a comprehensive bill to overhaul the immigration system, including a pathway to citizenship for the estimated 11 million undocumented immigrants in the country along with a DACA deal.

But the president and

immigration advocates eventually considering taking a piecemeal approach, seeing that sweeping legislation was stalling as it had for decades.

The split in strategy was symbolized by how California's two Democratic U.S. senators commemorated DACA's anniversary last week. Sen. Dianne Feinstein called for "comprehensive immigration reform, including a pathway to citizenship for DACA recipients." Sen. Alex Padilla continues to back a comprehensive overhaul, but argued for narrowly focused legislation to provide "permanent protections, pathway to citizenship for Dreamers."

In March 2021, the Democratic-controlled House passed a measure creating a path to citizenship for Dreamers that was supported by nine Republicans. Its prospects of getting past a Republican filibuster in the Senate have always been grim.

"Congress has had a decade to solve this issue, and it defies reason that they have not found a way forward," Neil Bradley, chief policy officer for the U.S. Chamber of Commerce, told The New York Times.

A reasonable Congress would be nice to have.

Tweet of the week

Goes to Bill Kristol (@BillKristol), political writer and commentator.

"Why did the lessons of Watergate mostly hold for 40 years? It's not just that Nixon was forced to resign. It's that his agents were punished. Government officials saw they could go to jail. That's why the lack (so far) of accountability for the Trump attempted coup is dangerous."

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ASH ST. • City of San Diego lawsuits ask judge to void high rise, Civic Center leases

FROM B1

"The lease was unconditional; the city had to pay no matter what," he said. "The only way to comply with Article 16, Section 18 (of the state constitution) is if the city gets comparable value for each year's installment, and we know that is not happening."

The Gordon lawsuit, which survived two dismissal attempts by the City Attorney's Office, asserts that the Ash Street lease must be voided because it conflicts on its face with the state constitution.

The city's two cases are asking a judge to void the leases due to undisclosed conflicts of interest and award various damages.

Short of that, the city wants the court to rewrite the Ash Street deal to allow San Diego to withhold rent payments until the building can be occupied.

'Hell or high water'

Generally, credit tenant leases are secured by deeds of trust. But they are typically valued on the amount a tenant is able to pay — not on the amount the property under contract is worth.

They are also known as "hell or high water" leases because the tenants are required to pay virtually no matter what.

In the 101 Ash St. deal, the city assumed all liability for the property's condition, including hazardous materials and failing mechanical systems, without the benefit of an independent inspec-

tion.

"Tenant waives all rights now or hereafter confirmed by statute or otherwise to quit, to terminate or surrender this lease, or to any abatement or deferment of rent," the 2016 lease states.

The city agreed to pay \$535,000 a month for 20 years — a total of \$128 million — even though an appraisal done a few months earlier concluded the 19-story high rise was worth just over \$67 million.

The payments translated to an annual interest rate of 7.25 percent on a 20-year loan for \$67 million — roughly double the 3.65 percent average for a typical mortgage in 2016.

In 2015, San Diego agreed to pay \$270,000 a month — or \$3.2 million per year — for the Civic Center Plaza, but with annual 2.5 percent increases.

Those terms pushed the city's total obligation past \$82 million for the building, which had been appraised at \$45 million. It generally equated to a 6.5 percent fixed rate on a 30-year mortgage.

The Ash Street property has been vacant for all but a few weeks since Sempra moved out of the building in 2015. In 2020, a consultant said it needed \$115 million in repairs before it could be safely occupied.

The Civic Center Plaza also was acquired "as-is," but the city has been a tenant there for decades and the property remains in satisfactory condition.

The city suspended the monthly payments on the Ash Street office tower in September 2020, a few weeks after the Gordon case was filed. The landlord never moved to retake possession of the building.

When the city stopped making monthly payments on Civic Center Plaza last year, the landlord quickly threatened to evict city employees from the building and city officials soon reinstated the monthly payments.

Corruption allegations

The targets of the city's lawsuits are business entities created by Cisterra Development of San Diego and CGA Capital of Maryland.

They also include real estate broker Jason Hughes, who described himself as a volunteer adviser to former Mayor Kevin Faulconer, but later made \$9.4 million from the two leases.

The city's legal complaints allege violations of state anti-corruption laws because, the city says, the defendants did not publicly disclose that Hughes earned millions of dollars from deals he helped the city negotiate.

Hughes has informed at least six city officials, including the former mayor and his chief of staff, that he planned to seek compensation for his expertise.

The city is asking a judge to void the contracts and award damages and other costs. If the Ash Street lease

is not voided, the city wants the court to rewrite the terms to allow the city to withhold payments until the property can be safely occupied.

Lawyers for Cisterra and CGA Capital argued that the Ash Street property was in good condition when the city took over the building.

They said city work crews exposed long-dormant asbestos when they initiated renovations designed to increase the number of employees that could be housed in the building.

Aguirre said his client's case is much more straightforward.

The Gordon lawsuit claims that the credit tenant lease violates the state constitution because cities and counties are prohibited from paying for services during any year in which they do not receive a direct benefit.

With the Ash Street building unsafe to occupy, the city is receiving no benefit from its investment, the Gordon case claims.

Among other evidence, Aguirre cited an independent legal opinion prepared for CGA Capital specifically finding that municipalities cannot spend public money that fails to secure a direct benefit.

"The obligation to pay rent is contingent on, and in consideration of, the city-tenant's use and enjoyment for that period," states the opinion from Los Angeles law firm Richards Watson Gershon.

The City Attorney's Of-

fice declined to explain why it has not based its claims on the alleged constitutional violation.

The attempt to negotiate a settlement to the Ash Street and Civic Center Plaza cases is not new. The claims have been in mediation since early last year, court records show.

'An unfortunate transaction'

Gloria and City Attorney Mara Elliott say they were never told about the payments to Hughes.

"From the beginning, the public and the members of the then-City Council, including myself, were deceived," said Gloria — who was a councilman in 2016 and made the initial motion to approve the Ash Street lease — in a June 2021 press release.

"Questions still remain about who else knew of the secret payment to Jason Hughes and what other laws may have been broken," Elliott said in the same news release. "We will continue to dig for answers and to use every tool we can to return taxpayer funds to the city treasury."

But any settlement appears likely to include significant concessions to Cisterra and CGA Capital, meaning buyouts of the two leases or an agreement to void the original deals and sell the two properties to the city.

The San Diego Union-Tribune reported last week that the city recently ordered title searches for the

two buildings — a step that generally is taken only when a sale or purchase is imminent.

It's not clear what would happen to the Gordon lawsuit if the city agrees to settle its two cases out of court. The complaint is before a different judge.

Earlier this month, attorneys for the city of San Diego filed a motion to consolidate all three lawsuits into a single proceeding before Judge Timothy Taylor.

The city said the move is designed to save time and money — and to avoid potentially conflicting decisions.

A hearing on that matter is scheduled July 22.

In February, just before the council began settlement discussions, Aguirre proposed a resolution to his case that called for the city to walk away from the Ash Street property.

The City Attorney's Office never responded to the offer.

During the public portion of the council meeting last Tuesday, several speakers urged the council not to approve any settlement of the Ash Street case.

"This is an unfortunate transaction that is costing taxpayers," San Diego resident Paul Krueger told the council. "It will be \$200 million by the time this thing is all wound down and we still don't know how and why exactly it happened and who is responsible."

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