

Derrick Wheeler-Smith - Seattle Office for Civil Rights Seattle City Council Confirmation Questions

Background and Vision

1) Why do you want to be the Director of the Seattle Office of Civil Rights? What are your primary goals for the Department?

I am wired for Social Justice. For me, being the Director of the Seattle Office of Civil Rights (SOCR) isn't a vocation, it's a calling. When the founding Fathers of this country crafted the Constitution, the first three words were, "We The People". Unfortunately, the "We" were limited to cisgendered, heterosexual white men. Since I was a young man, I saw the wrong in that and have since dedicated my life to expanding opportunities for those not represented at the Constitutional Convention.

Being the Director of SOCR is a calling not to merely be a professional with a title, but to inspire us all to be friends, neighbors, colleagues, residents, and lovers of the global world. In doing so, we are redefining the "We" in "We the People" in a way that widens the circle of human concern and dispels the notion that somebody has to have the power to dominate others for us to have a Civil Society. Enforcing the rights of Seattle residents' political and social freedom for the last year I've served as Interim Director has been an honor.

My goal for the department is to organize systems and structures of belonging, increasing agency for the persecuted and prevented groups in the city of Seattle. We do that by undertaking enforcement, policy, and education activities that align with the mission of a city of thriving and powerful communities that fosters shared healing and belonging. If confirmed by the City Council, there are so many opportunities I hope to pursue, civil rights laws to enforce, and voices to uplift. A few examples include my aim to develop a proactive Policy Agenda that engages internal and external stakeholders, especially our four Commissions. I also want to pursue a Comprehensive Strategy that allows all 44 departments to think about how we collectively work with communities to make the kind of investments that will generate widespread social and economic benefits.

2) What have you learned in the first few months on the job? What are the biggest opportunities and challenges for the Department?

Since serving as Interim Director, I've learned how many compassionate and active City employees are driven to affect change in the city they call home. Our employees inspire me and what drives me to continue my work every single day. I've also learned through direct review of civil rights cases what kind of loathsome forms of discrimination people experience in Seattle on a daily basis. It's also been humbling to learn the challenges that come with the high thresholds tied to enforcement of our civil rights laws.

For the opportunities and challenges ahead, we must move from a model of Scarcity to a model of Abundance. Scarcity says there is not enough. So, we see need, problems, deficiency, and lack. This sparks competition for survival and creates the conditions for violence. Given overall City budget

challenges, we need strategies that involve fiscal blending for transformative placemaking allowing us to create connected, vibrant, and inclusive communities.

SOCR is moving from (S)hero to host, functioning as a convener with reach across the City to develop and strengthen the office's container for designing and facilitating effective, results-based convenings that support a culture for reimagining what is possible for a just and equitable community for Black, Brown, and Indigenous people, women, those with disabilities, our LGBTQ+ community, and other communities that historically have been left out of prosperity in Seattle. This is an opportunity to promote shared learning, effective group decision-making, reflection, visioning and goal setting, and mutual accountability.

Executive and Staff Management

3) What do you see as the greatest challenges for SOCR as an office, and for each division of the office (policy, investigation/enforcement, RSJI, community investments)?

Like many departments in our City, one of the chief challenges we face is a workforce who have worked themselves to exhaustion. We can only address the massive challenges our city faces with a healthy and invigorated workforce, so I've prioritized restoring my team through conversations, through mentoring, through training, and by working through issues *together*. Resource scarcity is also an ongoing challenge. For instance, we face an ongoing wage issue for the Civil Rights Analyst classification, which results in a high turnover for this position and delays in providing services to claimants who file discrimination charges. We are actively looking at how we can rectify this issue. We also face challenges when new civil rights laws are passed by the City Council but resources aren't also dedicated for outreach campaigns and community trainings to inform people about those laws and their rights. There is also a need for a business liaison to provide technical assistance to businesses to ensure compliance with civil rights laws and develop relationships with business owners to develop best practice to prevent discrimination, harassment, and retaliation. Regarding development of good policy, the biggest challenge is *time*. We need time to develop nuanced reviews of pressing issues, perhaps identifying a third way when a conversation is polarized at two extremes. In our Community Investments division, Participatory Budgeting has brought a unique set of challenges because we didn't have historic infrastructure and expertise in contract procurement and implementation. We're doing our best and relying on expertise of departments with this kind of experience, and I am hopeful for the program's rollout later this year. Our RSJI Division is responsible for offering trainings to City employees. Now that we're past the peak of the pandemic, we need to roll up our sleeves to expand and offer a wide array of trainings for City employees who want to (or need to) expand their knowledge and perspective. This team was down to two staff at one point. I have built it back up to four staff, so we have only opportunities ahead.

4) Now that RSJI was made permanent via ordinance, what is your vision for the future of RSJI?

As I respond to this question, the RSJI ordinance hasn't been adopted *yet*, but I'm excited for the forthcoming vote! It was my pleasure to serve as a bridge between SOCR, the Council, and the Mayor's Office as this important legislation was developed and refined. RSJI was founded in 2004. It's taken roughly two decades to wire this ground-breaking racial equity work through all 44 city departments. Imagine a city where everyone has food security, health care, childcare, access needs met in terms of disabilities and language, affordable housing and the ability to build generation wealth and family ties of choice. Imagine a vision for RSJI over the next 20 years and beyond where we design a city *without* racial

disparity in deep partnership with communities that our society has historically excluded by systemic racism and Tribal status. I am truly excited to embrace this work *together* because we have nothing but opportunities ahead.

5) SOCR is often expected to respond to quickly changing or emergent needs. How will you balance this need for responsiveness to immediate needs with the long-term goals and strategies of the Department?

While rapid change requires us to be nimble to meet emergent needs, I always keep my eye on the long game. As we advance toward our long-term goals, I try to provide conditions and good group processes for people to work together and develop relevant measures of progress to make their achievements visible. Having a clear picture of where you are in your work plan allows you to hold the tension between long-term goals and emergent needs. It allows you to think through the scarcest commodity of all, which is time. It's equally important to ensure that high expectations are met with high support; it takes time to be thoughtful and inclusive. Urgency often keeps us replicating bad choices that have been made over and over again. Part of my job will be creating an oasis where people are less encumbered by short-term senseless demands and figuring out how to keep some of the bureaucracy at bay until we can bring it into balance.

6) Given the budgetary challenges facing the City, how will you prioritize spending in the Department and protect the essential services provided by SOCR?

Please see my response in question 7.

7) What is your overall philosophy towards the management of your team?

a. Specifically, describe your philosophy towards managing a team, developing and implementing a budget (for your department), overseeing data collection and information systems, addressing internal personnel issues, and ensuring that work plans are followed?

I'm a collaborative, values-based leader who believes in setting high expectations and providing a high level of support. In the management of my team, I function like a coach, lifting leaders up, removing obstacles from their path, and helping them become more successful than they are. I lead with relationships; I want to know my team's story. It's important to get to know them as a person not simply as someone who is filling a role on the team. This helps me understand the strengths of the team and I do what I can to make those strengths shine. I embrace vulnerability while also challenging convention. This often leads to embracing experimentation and challenging the status quo to come up with something better.

When it comes to personnel issues, we partner with Human Resources to ensure that we are following appropriate processes and procedures. Internally I make sure staff know what's expected of them and that they have the materials, equipment and support to do their jobs well. We monitor progress throughout the year and offer opportunities for staff to learn and grow.

As for work plans we recently took the time to reassess our vision, mission & values. Setting the overarching vision created space for each division to develop a work plan. Each work plan names the specific things that each division will do and the benchmarks that will be evidence of progress toward goals. The work plan is the team's driver as it determines what happens at each meeting. Regular reflection weekly/monthly helps to identify progress towards goals and provides the opportunity to make course corrections.

Data is an incredibly powerful tool that can be weaponized based on how we determine success. So, it's important to combine historical, quantitative and qualitative data with a focus on the racial equity impacts of each decision we make in order to identify and eliminate policies that further alienate the prevented and persecuted groups of society. One of the ways we do this is through an Equity cycle of inquiry & action.

Lastly, budgets are moral documents that reveal priorities and values. It identifies what areas, issues, things, or people are most important. As it relates to the development of the SOCR budget, there are four things that go into development & implementation, and these are not in order:

1. The Executive's Budget/Priorities
2. Council's Budget/Priorities
3. The Duties of SOCR according to the Municipal Code
4. The espoused values of the system and the lived experiences of the people we are called to serve (the work is in closing that gap)

We are expected to undertake enforcement, which is our primary book of business. It's the reason why the office exists. Then there's policy, education activities, staffing commissions, etc. Ideally, our budget reflects our values and what we have been charged with. Ultimately, the City Council sets the budgets for City departments, and we will make do with the resources afforded to us.

8) The culture of an office or organization is critical – what will you do to ensure that SOCR is an inclusive, supportive work environment where employees feel safe to voice concerns?

Last year we focused on who we need to become so that we can do what we are called to do as an office. This is rooted in the leadership of self and understanding how each of our personal locations impacts how we show up in the world. Healthy cultures aren't built by themselves; they are formed by intentional molding, designing and construction. One of the tools I've used to build culture is Community Agreements, as they are a foundation for a positive culture. It's essentially a system to sustain emotionally intelligent practices. Norms are what cultivate trust and safety. They exist to prevent unhealthy conflict from mushrooming, to guide our behavior, and, most importantly, to help us do whatever it is we've decided to do as a team. When a team establishes agreements and values, it becomes easier to make a collective decision as our agreed values drive our decisions. Whenever someone is acting outside of what the community has agreed to, it creates an opportunity for a courageous conversation. Some examples are paying attention to power dynamics, creating space for multiple truths and putting relationships first. The important work of creating and managing culture is an ongoing part of my job as the goal is to build Beloved Community.

9) Tell us about an important assignment or task that you delegated. How did you ensure that it would be completed successfully?

Development and adoption of an ordinance that codifies the RSJI Initiative was one of my key priorities this last year, and I delegated this important work to my Policy Director after the Interim RSJI Director left the office. Whenever I delegate, I'm delegating authority to do the task, but as the Director, I'm responsible for the results. Ensuring success meant that I needed to communicate the task, which included wide implications, performance standards, potential problems, obstacles, and opportunities. I also had to determine the standards, grant authority, and provide ongoing support via regular check-ins to monitor process. Now that the vote on the final legislation is near and I look back on the work of this past year, I could not have made a better decision than to empower our Policy Director, Caedmon Cahill, to undertake this notable effort.

10) Tell us about a tough decision you had to make recently at work, how did you go about making the decision?

It's been said that culture eats strategy for breakfast. Upon entering this office, one my challenges was finding the ties that would bind the office together. This meant expanding the management team, shifting who reported to whom. As I began to cast a compelling vision for the future, it became clear that we would need to revisit the Vision, Mission and Values. I went about that by talking through the current mission, vision, and values and assessing together our approach to revise it to match our aims. I brought in a neutral facilitator to combine hindsight and foresight to help us think through what we wanted to become. These were challenging conversations (that at times felt endless), but ones that needed to be had. Ultimately, after considerable discussion, I made the final decision to establish those new Mission, Vision, and Values. It can be tempting to allow conversations to continue forever, but at times, a decision must be made so we can begin the real work to affect change.

11) What is your general philosophy for working and communicating effectively with the City Council? How do you plan to ensure that Councilmembers and their staff receive information from your department to make policy and financial decisions? How will you be responsive to Council requests, specifically regarding priorities that may differ from those of the Executive Branch?

I welcome a collaborative and forthcoming relationship with City Council, where I want SOCR to be responsive to City Council requests for information, analysis, and guidance. Upon request, we welcome opportunities to provide information to inform Council policy proposals and their impact on communities most impacted by racism and institutional oppression.

While a healthy relationship with the Executive calls for transparency and information-sharing with the Executive regarding our work with City Council, we endeavor to provide an independent analysis when requested by City Council even when this analysis may differ from the goals of the Executive Branch.

12) Please describe your vision for innovation and creativity when it comes to civil rights in this city. How does partnership with the county, state, and federal government come into play?

When it comes to civil rights in Seattle, I seek a shared vision across our 44 departments so we can act as a collective. It allows the City space to co-create with community. It's a "Community Development Eco-System approach." I seek:

1) shared vision across agencies and actors

2) creation of an eco-system map which makes it clear who the prevented and persecuted groups are. Many of the challenges we face are complex and require an acknowledgement of the layers of trauma and systemic hardship individuals face. But by mapping their barriers and pathways to care, we can outline key interventions to address gaps in social service provision.

3) sustainability for collaborative governance is continuous commitment, assessment, and adaptation to the environment.

By focusing on Catchment Zones based on Public Health Data, we can establish a culture of collaboration across siloes to address a range of issues impacting the community. I want us to act and think in tandem -- as one. We can move across each district which creates an opportunity for partnership with the County & state.

This could remove community-based hunger games and opportunity hoarding. We can take communities from rivalry to peacemaking by funding an eco-system to address complex issues, providing resources for them to be a think tank to address the issues. Then we track the social determinants of health in these communities instead of outcomes on an RFP.

Race and Social Justice

13) As a leader of anti-racist and social justice work in an institution, you will need more than positional and institutional power – power must also come from community support. What are your relationships with the anti-racist organizing community in Seattle? To whom are you accountable?

Our Race and Social Justice Strategy team is deeply committed to building power with communities who have been historically harmed by racism and colonization. A part of the work has always been understanding plural community perspectives around how to contend with racism and having a sense of accountability and responsibility to communities who settler colonialism and systemic racism have harmed while always leaving space for a broad, rich, and deep sense of our shared humanities. I hold personal principles around "broadening the circle of human concern". But as someone who is indebted to many centuries of anti-racist work in Black, Indigenous, immigrant of color communities, I know and can hold a principled understanding that communities may ask me and other city leaders in plain and direct language for how the City can be a place where everyone can thrive. When communities hold City leaders accountable, they are often saying we are *capable*. I will always hold myself capable of listening with the highest standard and acting with integrity when communities ask for change. And I am committed to creating space to break down siloes for those who are the persecuted and prevented. Anti-racist work takes many forms and is an intergenerational practice as well. My hope is to be accountable to communities in ways that are broad, dynamic, and effective and being a learner who maintains curiosity and practices care.

14) What are your specific ideas for addressing institutional and structural racism in the workplace?

Right now, SOCR and RSJI is looking at the space of belonging and healing as the tangible work behind our collective racial equity practice with other City teams and the broader community. In the immediate future, I plan to create space for professional learning communities to craft a sense of deepened relationships between city leaders and frontline staff. I also am committed to working closely with Workforce Equity and Seattle Human Resources to deepen our support systems for retaining Black and Brown women, non-binary and trans BIPOC workers. I believe that with the right support, we can break out of siloes and also have a radical imagination about what a world without structural racism might look like.

Community engagement

15) How can the City do a better job prioritizing the needs and viewpoints of marginalized communities in our policy development and program administration?

This is an excellent question and one that transcends departments. We must:

- Make sure that teams are representative of the racial, linguistic, and ethnic composition of the community
- Ask the people most impacted to help identify the key issues. The key issues are related to systems, policies and practices impacting children, families, or communities of color
- Ask the people most impacted to help identify root causes. The root causes include structural and systemic factors
- Ask the people most impacted by the issue help identify strategies. Action plans should explicitly describe strategies directly addressing systems changes that reduce barriers for people of color
- Continue disaggregating data within race and ethnicities. The voices and perspectives of those most impacted by the issue are included in the data
- Have evaluations disaggregate results for people of color & other prevented and persecuted groups.
- Ask the people most impacted by an issue to help identify success criteria
- Follow-through!

16) What is your experience working with community-based organizations and business groups, including contracting with such organizations?

My entire career was spent serving and working on behalf of prevented and persecuted people in society and identifying ways to create new systems of belonging. I've worked with and in CBOs to break down barriers and help expand access to the "system." The regional approach to gun violence is an excellent example of the work I've been involved with – creating an ecosystem where different actors are all engaged toward common cause. I have worked in CBO's and with for-profit businesses. I've executed contracts with CBO's and provided support around the execution of deliverables.

17) Part of social justice work is centering communities most impacted by the policies of the institution. How will you respond if the communities most impacted by a policy proposed by the Mayor or any other elected official strongly object to that policy because of the negative impacts it will have on those communities? How will you address a situation in which elected officials want to move forward with proposals that have not been analyzed with a racially equitable lens?

As a black man working in the institution, I'm often holding the radical middle. I'm not institution enough for the institution working in civil rights and holding the government accountable for racist outcomes. While the majority of my work has been in the community, now that I work in government, I'm not community enough for the community. Holding the radical middle means being a student of everyone's story. It means being soft on people and hard on systems. It means understanding that all perspectives are valid, but all perspectives are partial and that it's only through collective perspective can we drive towards the kind of collective adaptation that gets us to community transformation. My role isn't just about giving voice to the voiceless but giving ears to the earless. It's bridging across difference so that we can figure out what the practical thing is that we can do together. Sometimes it's finding a "3rd way," which is a combination of ideas from both sides. This often means working to decentralize decision-making and creating cooperative systems of co-creation. The people closest to the problem are closest to the solution but furthest away from resources and power. Centering communities most impacted means having the persecuted and prevented at the table. We have to get more people into the decision-making spaces to increase co-creation. I'm not afraid to speak truth to power or to seek mutual accountability and to circle back to policymakers if the approach their taking didn't consider racially disproportionate impacts.

Policy Climate and Enforcement

18) With over 20 protected classes, what are the most pressing issues enforcing civil rights in Seattle? What are your ideas for strengthening civil protections and community education on their civil rights? How can the City ensure that those protected by civil protections are aware of how to exercise their rights when faced with discrimination?

The most pressing issues to enforcing civil rights in Seattle is the lack of outreach and educational resources and staffing capacity to ensure compliance. Every time the City Council adopts a new law to advance civil rights (all of which I've wholeheartedly supported), there is no accompanying ongoing outreach budget or new FTEs to enforce the new civil rights protections (the last FTE gained was in 2019).

The City can invest resources and staffing to ensure that the community is aware of their civil rights protections in Seattle and businesses learn how to comply with these laws.

19) Are there any missing components or unexplored options in the City's current approach to civil rights and enforcement that you believe should be addressed? If so, please describe here these issues and your ideas or suggestions for change.

There is a need for a business liaison to provide technical assistance to business to ensure compliance with the civil rights laws and develop relationships with businesses to develop best practice to prevent discrimination, harassment, and retaliation. More education will lead to fewer instances of discrimination that necessitates enforcement.

The people of Seattle would also benefit from the expansion of the civil rights testing program (“secret shoppers” who attempt to secure rental housing, for instance). A Testing Program Coordinator would increase the capacity of this program to administer, conduct preliminary data analysis, prepare data summaries and conduct research on discriminatory practices in housing and employment. Also, expanding the program to include public accommodations would allow the testing program to conduct testing and auditing for the city’s antidiscrimination laws in public places.

20) With an increased backlog along with new protected classes, what are some mechanisms that SOCR can implement to improve the closure rate?

Since I’ve taken the helm at SOCR, we no longer have a backlog. I am truly thankful to my team who made that a reality. However, the Enforcement Division faces an ongoing wage issue for the Civil Rights Analyst classification, which results in a high turnover for this position and delays in providing services to claimants who file discrimination charges. SOCR’s Enforcement Division has a need to replace the existing database because we need to improve workflow, track records retention, effectively manage cases, and provide accurate data reporting. The database would need a data analyst to manage all aspects of the database which includes validating data, generating reports, and analyzing trends in discrimination and enforcement practices. These are two key action items that could lessen case review times into the future.

21) What overall barriers do you see to compliance with our anti-discrimination law and how do you plan on overcoming these barriers? What new/emerging trends in civil rights enforcement would support more efficient enforcement?

The highest barrier SOCR faces is the lack of adequate funding to conduct outreach campaigns and community trainings to educate the public on the new civil rights laws passed by City Council.

22) What metrics and measurable racial equity outcomes do you and your staff currently use or intend to use in the future to determine the extent to which City of Seattle policies, practices, and decision-making are advancing the equity goals of RSJI (e.g. income levels, employment rates, home-ownership rates, job growth numbers, etc. in low-income and BIPOC communities,)? Please be specific.

The city of Oakland is doing exciting work on metrics. They have built much of their equity work municipally off our RSJI work in Seattle. Working with cities like Oakland, Portland, Chicago, Los Angeles, Austin would allow us to have real-time ways to innovate or shift gears. We are in active conversation with Oakland to take best practices there to emulate it here in our own City.

Measuring is one important starting place. Programmatically, RSJI’s Impact and Innovation work will look at ways to examine the city’s baseline inequities and the aspirations of its BIPOC communities. We know that communities do NOT want institutions who have harmed them to pretend that problems will be solved by studying them. Instead, we need space and time to retool our practices so that we produce equity rather than disparity. We will need precise tools to avoid conflating the inequitable habits that the City of Seattle has inculcated with the ways that business, schools, healthcare, and government create conditions that are extractive about the potential and agency of Native, Black, and Brown people. This work is an ongoing priority of mine, as I want to know our efforts are affecting real change.

23) As you determine the extent to which city policies/practices/decision-making are or are not advancing our equity goals, how do you plan to share that information with Council and how frequently?

We are combining hindsight, foresight and insight to look at how we advance equity goals. As we uncover policy, practices and procedures that perpetuate harm, we want to look at how to address the root cause of these issues. As we develop data-sharing agreements across departments, it would be most ideal to create a dashboard, which would report these findings out as they come in. There are reports from WEPAC that can be shared now. The challenge is not in what we theoretically learn from these reports but how we move from theory to practice.

24) With over 20 protected classes, what qualifications and/or issue-area expertise do you require for SOCR staff who investigate discrimination allegations, if any? What steps will you take to ensure that staff has a thorough and ongoing understanding of the subject matter, including recent developments? For example, Council recently added to the list of protected classes “caste,” a nuanced concept with which many people in Seattle have little or no experience. What training will you offer staff to keep fully informed on this and other topics?

SOCR is committed to providing professional development which allows staff the opportunity to learn and apply new knowledge and skills that can help SOCR staff to investigate discrimination cases; however, the SOCR does not have a training and development budget. SOCR relies on its Enforcement Division’s leadership team to provide in-house training to investigators by conducting legal research, attending civil rights trainings offered by the EEOC and the WSBA, and seeking guidance from the City Attorney’s Office. For the new caste legislation, the Enforcement Division is creating a training for its Enforcement Division to understand this new protected class, case law, and how to investigate these claims. So far, the EEOC, WSHRC, and other civil rights agencies are looking to SOCR’s leadership on how to handle these new complaints. It’s work we don’t take lightly.