



County of Los Angeles  
**CHIEF ADMINISTRATIVE OFFICE**

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DAVID E. JANSSEN  
Chief Administrative Officer

July 28, 2003

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To: Supervisor Yvonne Brathwaite Burke, Chair  
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From: David E. Janssen  
Chief Administrative Officer

**MOTION TO OPPOSE THE CLASSIFICATION OF RACE, ETHNICITY, COLOR AND NATIONAL ORIGIN (CRECNO) INITIATIVE (ITEM NO. 76-B, SUPPLEMENTAL AGENDA OF JULY 29, 2003)**

Item No. 76-B on the July 29, 2003 Supplemental Agenda is a motion by Supervisor Burke to oppose the Classification of Race, Ethnicity, Color and National Origin (CRECNO) Initiative, previously known as the Racial Privacy Initiative, because of its detrimental impact on the residents of Los Angeles County. The motion also instructs all County Departments to work closely with the Commission on Human Relations to provide the public with information regarding the Initiative, its specific requirements, and its program and fiscal impacts on the County.

The CRECNO Initiative would prohibit the State and other public entities from classifying any individual by race, ethnicity, color or national origin for purposes of public education, public contracting, or public employment. It would also prohibit classification for any other State purpose unless the Legislature determines that the classification serves a compelling State interest and is approved by a two-thirds vote of the Legislature and by the Governor. The measure exempts the Department of Fair Employment and Housing from conducting classifications by race for ten years, unless extended by the Legislature. Classification of medical research subjects and patients is also exempt. The CRECNO Initiative will be on the October 7, 2003 Statewide special election ballot. If approved by the voters, the measure would become effective on January 1, 2005.

Proponents of the measure contend that it will help move California and the nation toward a color-blind society. Opponents charge that the measure would make it impossible to enforce anti-discrimination laws or to propose or evaluate public policies to determine if they are in the best interests of the communities they are intended to serve.

The Department of Health Services (DHS) is concerned about the initiative from a public health perspective because it may limit the Department's ability to detect health trends in ethnic communities and make data-based recommendations. The measure would severely reduce the department's ability to produce an accurate depiction of health status, behavior, and health care utilization and to provide evidence of health disparities, to pinpoint specific health problems, and to gather accurate health information for public health and health services planning.

The Department of Public Social Services (DPSS) indicates that the Department routinely collects information on the ethnicity, race and primary language of applicants and recipients. This information is sorted by program such as CalWORKs and food stamps, and by geographical units such as political districts, cities, and zip codes. This measure would prohibit the Department from continuing to collect and use data on ethnicity and race to help understand the effectiveness of programs for various categories of recipients and to tailor programs to particular geographical areas.

The Office of Affirmative Action Compliance strongly opposes this initiative because it would eliminate the ability of the County to collect information on the race or ethnicity of all County employees and applicants for employment. The initiative would make it impossible for the County to objectively investigate race related employment discrimination charges because much of the County's affirmative defense relies on analyzing this data. Moreover, the initiative would prohibit the County from collecting data on minority-owned businesses, making it impossible to assess progress toward increasing the participation rates of minorities in contracts awarded by the County.

The Sheriff also strongly opposes the CRECNO initiative.

The Los Angeles County Commission on Human Relations indicates that the CRECNO Initiative would prohibit the Commission's collection and analysis of annual hate crime data for Los Angeles County, making it impossible to track hate groups and focus resources on areas of interracial and intergroup tensions. It would make it impossible to investigate and prove discrimination and to determine objectively if racial profiling is taking place. **The Human Relations Commission recommends that the Board of Supervisors oppose the CRECNO Initiative because the loss of this data would undermine Commission programs, the distribution of resources, and the ability of**

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**the County to develop sound public policy and effectively deliver needed services. DHS, DPSS, the Sheriff, and the Office of Affirmative Action Compliance join the Commission in recommending opposition to the measure, and we concur.**

We will continue to keep you advised.

DEJ:GK  
MAL:MS:ib

c: Executive Officer, Board of Supervisors  
Commission on Human Relations  
County Counsel  
Department of Health Services  
Department of Public Social Services  
Office of Affirmative Action Compliance  
Sheriff