

FILE NO. 051105

RESOLUTION NO.

456-05

1 [Commending the San Francisco Human Rights Commission for its findings of discrimination  
2 against SF Badlands and urging relevant agencies to impose penalties to the fullest extent of  
3 the law.]

4 **Resolution commending the San Francisco Human Rights Commission for its findings**  
5 **of discrimination against SF Badlands and urging relevant agencies to impose**  
6 **penalties to the fullest extent of the law.**

7  
8 WHEREAS, The San Francisco Human Rights Commission (the "Commission") was  
9 established in 1964 with a mandate to address the causes of and problems resulting from  
10 prejudice, intolerance, bigotry and discrimination; and,

11 WHEREAS, For over forty years the Commission has advanced the cause of civil  
12 rights in San Francisco by advocating for civil rights protections, mediating disputes,  
13 investigating discrimination claims, issuing findings of fact, and providing information to the  
14 public about issues of discrimination and human rights in the City and County of San  
15 Francisco; and,

16 WHEREAS, In June 1990, the voters of San Francisco re-affirmed the critical and  
17 ongoing relevance and importance of the work of the Commission by establishing it as a  
18 Charter Commission with authority to investigate complaints of unlawful discrimination and  
19 ensure the civil rights of all person; and,

20 WHEREAS, On April 26, 2005 the Commission issued a Director's Finding in the  
21 matter of Derek Turner, Michael Wyllis, et al v. SF Badlands (the "Finding") based on a 10-  
22 month investigation of numerous complaints of race- and gender-based discrimination  
23 between 2001 and 2004 against SF Badlands and its owner, Les Natali; and,

24 WHEREAS, Prior to launching an investigation, the Commission made repeated  
25 attempts to facilitate a mediation between Mr. Natali and the complainants; and,

\*\*Supervisors Dufty, Ammiano, Maxwell, Alioto-Pier, Daly, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval\*\*  
BOARD OF SUPERVISORS

1           WHEREAS, During the course of their exhaustive investigation, the Commission's staff  
2 of attorneys reviewed photographic and other documentary evidence, heard testimony from  
3 nearly 60 witnesses, including Mr. Natali and twenty-four of his current or former employees,  
4 in addition to customers, job applicants, and others; and,

5           WHEREAS, The Commission, ~~after extensive consultations with the San Francisco~~  
6 ~~City Attorney's office~~, determined in its Finding that Mr. Natali and Badlands had  
7 discriminated against African American customers and job applicants in violation of Police  
8 Code Article 33; and,

9           WHEREAS, The Commission further found that Mr. Natali referred to African American  
10 customers as "non-Badlands" customers who should be discouraged from patronizing the  
11 bar; and,

12           WHEREAS, The Commission further found that Mr. Natali and Badlands had  
13 discriminated against African American customers when they were required to provide  
14 multiple forms of identification, discouraged from entering, arbitrarily and inconsistently  
15 denied entry for carrying bags, subjected to an inconsistent and arbitrarily applied dress code,  
16 and ejected from the bar for pretextual and unjustified reasons; and,

17           WHEREAS, Rather than express remorse for the wrongs detailed in the City's Finding,  
18 Mr. Natali has undertaken a misleading public relations campaign to discredit the  
19 complainants and the Human Rights Commission; and,

20           WHEREAS, Race-based and all other forms of invidious discrimination have no place  
21 in the City and County of San Francisco; now, therefore, be it

22           RESOLVED, That the Board of Supervisors commends the San Francisco Human  
23 Rights Commission for its decades of work to combat invidious discrimination in the city; and,  
24 be it

25  
\*\*Supervisors Dufty, Ammiano, Maxwell, Alioto-Pier, Daly, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval\*\*

1 FURTHER RESOLVED, That the City and County of San Francisco re-affirms its  
2 strong commitment to the mission of the Commission; and, be it

3 FURTHER RESOLVED, That the Board of Supervisors specifically commends the  
4 Commission for the great service it has provided in thoroughly and exhaustively investigating  
5 and documenting egregious and reprehensible discrimination at SF Badlands; and, be it

6 FURTHER RESOLVED, That the Board of Supervisors condemns the discrimination at  
7 SF Badlands as described in the Commission Finding; and, be it

8 FURTHER RESOLVED, That the Board of Supervisors urges the City Attorney and all  
9 agencies with regulatory authority over SF Badlands and Mr. Natali's other establishments,  
10 including the California Department of Alcoholic Beverage Control, the California Department  
11 of Fair Employment and Housing, and the San Francisco Entertainment Commission, to  
12 consult the Commission Finding and to impose penalties to the fullest extent of the law to  
13 ensure accountability for discrimination of the type documented in the Commission Finding.  
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\*\*Supervisors Dufty, Ammiano, Maxwell, Alioto-Pier, Daly, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval\*\*

**BOARD OF SUPERVISORS**

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6/14/2005



# City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

## Tails

### Resolution

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**File Number:** 051105

**Date Passed:**

Resolution commending the San Francisco Human Rights Commission for its findings of discrimination against SF Badlands and urging relevant agencies to impose penalties to the fullest extent of the law.

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June 14, 2005 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

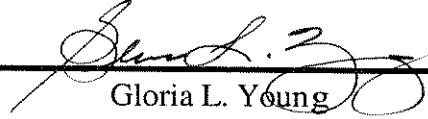
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

June 14, 2005 Board of Supervisors — ADOPTED AS AMENDED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 051105

I hereby certify that the foregoing Resolution was **ADOPTED AS AMENDED** on June 14, 2005 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young  
Clerk of the Board

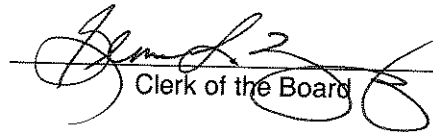
JUN 23 2005

\_\_\_\_\_  
Date Approved

\_\_\_\_\_  
Mayor Gavin Newsom

Date: June 24, 2005

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.



Clerk of the Board

File No.  
051105