

July 12, 2022

Dear Mayor, Council Members, and Mr. Clifton,

The City of Palm Springs continues to act in bad faith regarding the relocation of the Frank Bogert statue. There is absolutely no reason the City needs to remove the statue at this time since there is a pending court action. There is a real possibility the City might have to return the statue to its current location at public expense.

The City's actions over the past year have been a disingenuous charade trying to create the illusion there was a fair process to genuinely listen to all residents, when, in reality, a decision based on false information had already been made to remove the statue. In April of 2021, then Mayor pro tem Lisa Middleton met with the entire Bogert family and informed them of the decision, which was made prior to any public comments or attempts by Councilmembers to educate themselves on Section 14's complex history.

There would be **no fact-finding and no discussion about Section 14**, but rather a political statement that disparaged a dedicated public servant without evidence. **Efforts by the Friends of Frank Bogert and the Bogert family to find a compromise have been brushed aside in favor of rejecting all public property locations.**

The City has continued to falsely claim there is no consensus regarding another site for the statue. Then they claimed they were unaware of the Village Green site. A formal request was sent to the City on June 8th, 2022.

Mr. Clifton's response to the request for a Village Green relocation is yet another example of City's bad faith tactics.

At the February 24th council meeting, the City Council instructed Mr. Clifton to work with stakeholders to find a mutually agreeable site for the statue within 60 days. Despite this instruction, not once did Mr. Clifton reach out to the Bogert family or Friends of Frank Bogert to find an agreeable location. Mr. Clifton's response on Friday afternoon, July 8th was the only communication.

Even worse, Mr. Clifton says in the last paragraph of his letter that "absent a mutually agreeable site for relocation, I have been instructed to proceed with removal of the statue." Contrary to this statement, the City had already decided to remove the statue. Indeed, a mere 72 hours later and without even allowing Friends of Frank Bogert to respond, the City announced the statue's removal. This is yet another attempt by the City to portray that it is working in good faith to find a resolution to the statue's relocation, when in fact it is doing the opposite.

The City's claim, via Mr. Clifton's letter, that the statue cannot be relocated to the Village Green because "numerous community members have expressed a strong opinion that the statue should not be relocated on City-owned property" is hypocritical and lacks credibility. There are numerous individuals and groups that support the Village Green. The City had no difficulty

ignoring the [40,000 people who objected the placement of the Forever Marilyn statue on Museum Way](#).

Mr. Clifton's letter states that there is a "divide in the community" which makes "relocation of the statue to any City-owned parcel problematic." This rationale lacks credibility and merit **because it is due solely to the City's smear campaign of Bogert and its distortion of history to justify the statue's removal, that we have a divided community in the first place.**

Our findings from a public records request, in addition to our [extensively sourced rebuttal](#), prove that the City prioritized the statue's removal above all else. As a result, the City's spread disinformation about Bogert and Section 14, leading to a divided and misinformed community.

Specifically, our PRA revealed the following alarming findings:

- Chairman Ron deHarte admitted in an email that **"there are gaps in our case to remove the (Bogert) statue."** Working in conjunction with Councilmember Kors, former Councilmember Ginny Foat, and even a high ranking operative at the Democratic National Committee, he then proceeded to fill those "gaps" with outright lies about Bogert since the historical record didn't support the City's objective of removing the statue.
- Councilmember Kors **encouraged the HRC to vote on the resolution to remove the statue**, based on his personal opinion of the Bogert statue, and **without reference to Section 14**.
- Numerous city officials, specifically Councilmember Kors and Chair deHarte, misled the community about the HRC report's production process, authorship, and motivations behind the commission's resolution/report.

Media outlets and city officials continuously parroted the false claims and inflammatory language in the HRC's report, which perpetuated a false narrative about Bogert. The City has made no effort to correct the record or to facilitate opportunities for stakeholders to respectfully discuss the facts of Section 14 in a format that promotes education instead of scapegoating.

Our rebuttal provides an overwhelming amount of evidence about the facts regarding Section 14, including a multiyear timeline of Bogert working "tirelessly" (as the Desert Sun described at the time) to alleviate the harms of the evictions and to secure low-cost housing for Section 14 residents. Inexplicably, **not a single one of Bogert's efforts detailed in the rebuttal were included in the HRC's report/resolution**. In order to create a false narrative to justify the statue's removal, the HRC purposely omitted an abundance of evidence detailing Bogert efforts to help Section 14 residents. By prioritizing the statue's removal for political reasons above fact-based education, the HRC violated the commission's own stated goal of improving "human relations through education and community awareness" and stoked racial tension in the community in the process.

Sadly, Section 14 survivors and descendants have made numerous false statements consistent with the disinformation contained in the HRC's report. We understand why the community and Section 14 descendants are confused about Bogert and the history. **The community is divided due to the City's bad faith tactics throughout this process, and the Council is now using this manufactured division it created as rationale to reject the statue's relocation to the Village Green.**

The City stated in a media release on Monday, July 11th that it "remains committed to working with the Friends of Mayor Frank Bogert to find a mutually agreeable location to install the statue." Given City's actions over the past year, this is clearly not true.

We again request that the City move the statue to the Village Green. Additionally, the City Council owes it to the community and to actual Section 14 survivors and their descendants who are now seeking reparations, to accompany any statue relocation with a fact-based acknowledgment of the historical record.

Because the statue's removal is, in the words of Chairman deHarte, a **"political effort made to appease one other group"**, this prevents the City from finding a "mutually agreeable location to install the statue." Therefore, we call upon the City Council to take an **apolitical action that appeases concerns on both sides of the statue debate** by relocating the statue to the Village Green.

Sincerely,

A handwritten signature in black ink, appearing to read "Don Estel". The signature is written in a cursive, somewhat stylized font.

Friends of Frank Bogert