Council on American-Islamic Relations
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October 18, 2024

VIA ELECTRONIC MAIL

Board of Directors
The Metropolitan Water District of Southern California
ChairoftheBoard@mwdh2o.com
dl-boardsupportteam@mwdh2o.com

Re: Potential Discrimination Coloring the Placement of Mr. Adel Hagekhalil on Administrative Leave

Dear Board of Directors of the Metropolitan Water District of Southern California,

I am the Legal Director for the Council on American-Islamic Relations, Greater Los Angeles area office, one of four offices that make up CAIR California (CAIR-CA). CAIR is America's largest American-Muslim civil liberties and advocacy organization, with staff, attorneys, and regional offices nationwide.

I write to you following up on the letter I sent to the Board on July 8, 2024, regarding my organization's concerns about the placement of Mr. Adel Hagekhalil on administrative leave and the surrounding circumstances regarding this decision and the ongoing investigation. Again, Mr. Hagekhalil is proudly the first Muslim Arab American General Manager in the Metropolitan's 100 years of history, and we are concerned about the potential discriminatory, anti-Arab, and Islamophobia sentiment coloring his placement on leave and the current investigation. We have been monitoring the situation and reiterate the concerns from our prior letter.

It has also come to our attention that some of the Board members who decided to place Mr. Hagekhalil on leave and who are tasked with deciding his fate have engaged in problematic statements and actions that indicate an animus towards him based on his ethnicity, national origin, and religion. We are aware that Board members have used derogatory terms against immigrants, Muslims, and Arabs. Such alleged statements include the following: "When are we going to get rid of those refugees?" "When are we going to hire someone that we can pronounce their last name," and calling Muslims and Arab Americans "Camel Jockeys." These remarks are indicative of a strong animus and unlawful discriminatory intent by Board members. Such animus is not only morally reprehensible, but if this animus motivated the actions against Mr. Hagekhalil these actions would clearly be in violation of California and federal anti-discrimination laws.

Again, we ask that the potential discrimination and harassment against Mr. Hagekhalil be addressed and remedied and that no discrimination or harassment, Islamophobia, anti-Arab sentiment color or influence any of the Board's decisions on Mr. Hagekhalil. To the extent such animus played a role in the Board's prior decisions regarding Mr. Hagekhalil, such actions must be immediately remedied. Regardless of his protected categories, Mr. Hagekhalil must be treated

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with respect, fairness and provided with due process. And because of his status as a Muslim Arab American, the Board must take active steps to ensure that he is not targeted or treated unfairly because of his protected categories.

Sincerely,

Amr Shabaik, Esq.,
Legal Director
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October 18, 2024

Chairman Adán Ortega
Metropolitan Water District of Southern California
700 North Alameda Street
Los Angeles, CA 90012

RE: Los Angeles Times Article, "Something is Rotten in SoCal's Metropolitan Water District," by Sammy Roth, October 17th

Dear Chairman Ortega,
This is a difficult letter for me to write. Earlier this week I had the opportunity to provide comments to the Women In Water-Inland Empire chapter on their 5th Anniversary. Five years is recognized with a gift of wood or a tree; representing wisdom, stability, and longevity. I told this group of young women that we needed to pause and recognize the women who had come before us. You plant trees not for your generation, but to movie elude and shelter for the next. After reading the Los Angeles Times article written by Sammy Roth made me realize that we have not provided shade nor shelter for this generation of women in water, especially at Metropolitan, and if I don't stand up and say something now, who will?

I was shocked to read how such grievous allegations were handily dismissed by the "reporter" as timid and frivolous because the accused had been classified by some as a "nice guy" as well as because the Los Angeles environmental community liked him! Therefore, the process the Metropolitan' Board of Directors has laid out regarding these types of issues should not be followed? Rather, this behavior should be tolerated and the complaints overlooked because he is a nice guy and special interests ***like*** him. Throughout my entire 25-year professional water career, there have been plenty of Nice-Guy, Environmental, Conservative, Liberal, and every-other-affiliated group-you-can-think-of individuals that have been condescending, inappropriate, sexual harassing, verbally harassing, intimidating, threatening, insulting, and inappropriate in every manner to me at every level; One has absolutely nothing to do with the other. As a matter of fact, that inappropriate behavior does not change no matter what side of the dais you sit on.

Bringing allegations forward takes bravery. No one wants to be a part of that process. It is not pleasant and there is a stigma that follows you, as a woman, after you do. For most of my career, and I am sure for most women at the table and around the room, we were directly told to "Be a good girl and don't rock the boat." "It will ruin your career," they said. Or even worse, leadership tells you that he/she is such a great engineer, litigator, board member, manager, etc., that we can't afford to lose them so therefore the responsibility to avoid the individual and mitigate the behavior falls on us. I thought things had finally changed.

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I can't imagine how the woman felt that was kissed on her head as an apology. Although this is alleged behavior, I have a difficult time believing someone made that up. It was also alarming to think that not only was unwelcome physical contact made in the form of something so intimate as a kiss, but allegedly as an apological gesture! What heinous behavior required that level of intimate apology? If these allegations are indeed true, there is only one course of action. As the leader of the organization, the General Manager sets the culture and tone. Condoning this behavior tells the women at Metropolitan that they are indeed second-class citizens, that inappropriate behavior is encouraged and rewarded, and that politics, special-interests, and the press matter more.

Metropolitan's Board has a defined a fair and equitable process developed with EEO office staff expertise, based on best practices, and through outside counsel if the complaint is made regarding a department head or board member. From the very beginning, throughout this entire process, and sadly with many of the complaints, the media and others have been involved with the intent of circumventing the process and making it political. To tie these proceedings to upcoming Bay Delta decisions is a diversion tactic. I have been around long enough to see a few Metropolitan General Managers come and go. Through that entire time, the highest quality drinking water was delivered 24-7, 365 days. Operations did not change. These last five months have been difficult, however, with your leadership Chairman, Metropolitan has continued to move the CAMP 4 H2O process forward, had an historical, unified letter from all 26 Member Agency General Managers, continued to address issues at the desert facilities, and more.

For Mr. Roth to imply that Los Angeles Mayor Karen Bass should weigh-in and make this a political issue, appears to be in the interest of a few, and as a "reporter" completely irresponsible. He owes Metropolitan and the women that have come forward an apology. And Mr. Chairman, in my opinion, in the very least, you should demand one.

I am not speaking on behalf of the water district I was elected to represent. I am speaking for myself and for so many that I know are still too afraid to speak for themselves. As they say, actions speak louder than words, so what the Board chooses to do, will speak for itself.

Respectively,

Darcy M. Burke, M.B.A.
President & Chief Executive Officer