

NEEDHAM HUMAN RIGHTS COMMITTEE MEETING

Minutes

February 25, 2021

Tina Burgos, acting chair, called the meeting to order at 7:30 PM virtually on Zoom.

Committee members in attendance: Tina Burgos, Cynthia Ganung, Jen Howard, Kerry Hurwitch, Amelia Klein, Ashok Mehta, Marcus Nelson, Bud Schram, Marlene Schultz, Julie Venables

High School liaisons: Jared Pizzuto, Sophia Dedek

Town of Needham liaison: Katie King, Assistant Town Manager

Police liaison: Lt. Belinda Carroll

Needham Select Board members: Maurice Handel, Marianne Cooley

Guest: Drake Pussey, Co-Chair Arlington Human Rights Commission

Tina started the meeting by reading the requirements for remotely conducted open meetings.

Minutes of January 21, 2021 were approved with revisions to three sentences in the paragraph on the “complaint repository”.

Old Business

NHRC Complaint Resolution Process - Presentation by Drake Pussey, Co-Chair, Arlington Human Rights Commission (AHRC). <https://www.arlingtonhumanrights.org>

Marlene introduced Drake Pussey. She was a member of the AHRC some years ago and was impressed with their complaint process. Drake was asked to present the AHRC process so the NHRC can think about how it could work for Needham.

The AHRC started in 1993. He joined in 2019 and became co-chair in Jan. 2021. There are 13 commissioners. The AHRC incident process has its roots in the town bylaws, Article 9, <https://www.arlingtonma.gov/town-governance/laws-and-regulations/town-bylaws/title-ii-committees-and-commissions#A9> It was revamped last year to cover more customer service considerations. He presented the town policy including the list of protected classes. They respond to complaints and initiate investigations. He described the Functions, Powers and Duties of the HRC to receive and investigate complaints and initiate actions. They also have the power to engage in mediation and hold hearings which they haven’t done but might in the future.

Complaint Resolution Procedures. Each month a different HRC commissioner is on duty to respond to and document complaints and their response to complainants, receiving assistance from other commissioners, as needed. They work to have consistency between the monthly commissioners. Being objective and transparent in their assessment and responses. The guiding principles are: 1. Responsive 2. Empathy 3. Respect what complainants want: outcome and the degree of privacy 4. Connect complainant to resources and professional help. Including a. public safety b. health & wellness c. legal, etc. 5. Track incidents and outcomes 6. Have a material impact. Goals include making them heard, investigate and connect to people who can help them. Many complainants want to have an impact, not just be heard. When a complaint is against a town employee. If the complainant has a lawyer the HRC steps out.

Drake presented the *Ecosystem*, a diagram of the relationship between the HRC, thru the co-chairs to the town, EDI, Arlington Police (APD), Disability Commission, Rainbow Coalition and other groups. Drake noted that 60% of the complaints come from the APD. It is harder to reach some of the marginalized communities. The HRC tries to be objective and respond to issues and not take stands for or against individual people. Some community groups see AHRC as a town mouthpiece.

The complaint process. Initiation of a complaint. When it is received they ask: Is a town employee involved? Is it a crime? Does the Rapid Response Team need to be activated? For example, in the situation where there was arson of a rabbi's house. Consider for initiation –* time, did it happen in the last four months (sometimes longer). *Is the target a specific individual or a group *Is the perpetrator known.

During the complaint process they express empathy and set expectations for the next steps. Investigation. Find out what the complainant wants, sometimes not much they can do, and who else needs to be contacted. Report to co-chairs – what to do, what has happened, recommended conclusion and action. Circle back to parties involved. 24 hours to reach out.

Considerations: Empathy, privacy, accountability, additional resources, Human Services, APD, LGBTQIA+ Rainbow Coalition, School, Arlington Youth.

Priorities: - privacy - be neutral - open minded about the truth - gather information

Document process: be clear, concrete recommendations, could be private to the individual or a public statement, mediation, informal action, private reprimand, events like a vigil (eg. when arson) or workshop

Conclusion. Report by commissioner back to complainant. Sometimes they want the town to know – eg. Discrimination by a business – might result in action, eg. educate about public accommodation.

Annual retreat of HRC -they meet as a group, not a public meeting, work on leadership, information, governance, connecting as a group.

Goals for all of HRC work – Equity, Diversity, Inclusion. “The AHRC strives to ensure the fair and equal treatment for all people who live, work and pass through our community.”

Drake showed a map of where incidents had happened in the town – such as abuse, or taking BLM signs. A way to show community that it is a real problem.

AHRC has a role in the social justice system. Their official role allows them to have data from the APD and schools and work on how they can benefit the town on human rights issues.

Questions and Answers:

Jen – When do you refer to MCAD (Mass Commission Against Discrimination)? Do your investigations have legal standing?

Drake. They have never been asked to testify in court. The Police chief reaches out to them. Sometimes the HRC can talk with someone in a different way.

Marlene – How many complaints are there in a year?

Drake – 2020-52 incidents, up from 2019. HRC compares lists with APD.

Categories: 34 from APD, 2 – homophobic, 4- racial, 1 – misogynist, others were hate-based.

Cynthia – What is the Rapid Response Team and how does it work?

Drake – The HRC coordinates the Rapid Response Team. It includes Chief of Police, Town reps, faith leaders. They coordinate a community response, such as a vigil after the arson on the rabbi's house; a vigil following the killing of George Floyd. When they reached out to faith leaders, many responded. HRC calls the Rapid Response Team. There was a local Back the Blue rally planned. local participants had a different point of view than some groups from out of town who were connected with hate groups. There was a counter protest planned by local people. HRC talked with the local people who were part of who agreed to meet down the street from the rally and were peaceful. Then a Boston group of counter protestors came and stood across the street from the rally which brought the media which the HRC had not wanted.

Question - When members of HRC are appointed, are they selected for their work on the complaint process?

Drake – It is part of the formal job description for all members of HRC. There is training of members, including by legal counsel; and about public meeting laws. Each commissioner takes a month to be responsible for responding to complaints and if there are too many, another member helps. The co-chairs help a new person.

Bud – What contact does the HRC have with the town?

Drake – Monthly meetings with the chief of police, weekly meetings with the Town Manager. The HRC attends a lot of the Select Board meetings, make proposals, eg. banners for Black History month, change to Indigenous Peoples Day.

Moe – How is it administered?

Drake – Arlington hired a DEI (Diversity, Equity, Inclusion) coordinator for AHRC, LGBTQIA+Rainbow Coalition and Disability Commission. DEI is under the town's Department of Health & Human Services. The DEI coordinator does a great job. *Envision Arlington* a diversity taskforce started AHRC. The loudest group in town is "Arlington Fights Racism". They did not like the HRC response to an incident with an APD officer. AHRC builds bridges with the police dept., there are police representatives at their meetings. If someone with a complaint does not want the police present, the AHRC commissioner can talk with them individually.

Moe – Public information – how safeguard privacy?

Drake – AHRC does not publicize individual complaints or names – just aggregate information.

Ashok – Can the AHRC do things independently?

Drake – Yes. They can make statements with approval from the HRC. A person drafts a statement, it can be approved by the co-chairs and sent to HRC members to see if anyone disagrees. If there is time, they wait to have approval at the HRC meeting.

There is a town email address for HRC. They have their own website not connected to the town, the town website is not great. They have a newsletter. They have working groups handling communications - outreach, connections to the community, events, rules and procedures, housing, BLM, IDP. Working groups have less than 6 commissioners and community volunteers.

Ashok – What happens if the HRC disagrees with the town?

Drake – Some criticize the HRC for not taking a stand. They take stands on issues not people. They look for what will get the best result, a loud statement or quiet work. Sometimes they are too quiet for the more activist groups.

Marianne – Does HRC have a budget?

Drake – "July – June" -\$7500 – for events, signs. Maybe ask for more in the future, maybe fund raise.

Marlene – Is *Vision 2020* still in existence? They used to have an employee, 4 hrs. a week.

Drake – *Envision Arlington* is the new name; their job is to look ahead. The DEI coordinator is the paid person, and has a part time administrative assistant who helps the HRC.

Jen – How is it handled if a complaint involves someone employed by the town?

Drake – If there is a professional legal involvement, then HRC steps out. It might be that the town human relations dept is involved. Might ask town counsel.

Moe – Thank you, we have learned a lot.

Drake – HRCs should talk with other HRCs.

Tina – This is fantastic. AHRC is on the same path as Needham, just farther along.

Marianne and Mo – join in expressing appreciation. It helps us understand what we are trying to accomplish.

New Business:

2/9/21 Vigil for Marvin Henry

Where does the town stand?

Moe – The independent report should be done in a few days, looking at the police work and civil rights. It will give us more information about this regretful incident.

Jen – Is there an opportunity for us to open up a conversation in the town? A lot of people are suffering from the perception of what happened eg. how might implicit bias impact all of us?

Moe – Investigating because we want to know why it happened and how we make sure it doesn't happen again. The town is not doing it for liability, town began the investigation before we heard about the suit. Liability is now also a concern.

Jen – Our hands are tied – cannot say anything because of waiting for the investigation, so HRC can not respond to the community.

Kerry – As a committee we should show the community we care. It is frustrating that we can't make a statement.

Tina – an important issue. How can we move forward?

Marlene – Arlington allows, Needham doesn't.

Moe – AHRC was established as an autonomous group, Needham as an advisory group. Maybe we should discuss this. Look at the role, could deal with complaints as a broader role. HRC should have a role in the emergency response. This is open to discussion.

Bud – How long would the process take?

Moe – Several months, I don't know if it would require a change in the town charter.

Jen – This makes it difficult for me. It doesn't even work as an advisory role. If it's controversial, we can't take it on to make recommendations to the Select Board.

Bud – We are not asked for advice.

Moe – We can communicate thru Katie King, asst. town manager who attends HRC meetings.

Amelia – Look at where we are now. Things have changed since the original charge to form the HRC in 1995. There are now many groups like the NDI that does forums. HRC members are connected with other groups. What can we do best? Other town group - NUARI. How can we move forward and make recommendations?

Marianne – This ZOOM meeting session with Drake is recorded so other SB members can look at it.

Next NHRC meeting, March 18, 2021

Julie – we could bring our ideas about HRC to the next meeting.

Marcus – We appreciate Mo and Marianne attending.

Cynthia – Yes. This is important to work on now. It is uncomfortable.

Katie - Can have SB discuss what HRC can do, before the next HRC meeting.

Tina asked the HRC members to submit ideas about what HRC can do for consideration at the March meeting.

The meeting was adjourned at 9:05pm.

Announcements:

- Confronting Racial Injustice Panel Series: visit <http://masshist.org/confronting-racial-injustice> for monthly programming and registration details
- March 1, 2021 - The Federal Reserve Bank: *Racism and the Economy Focus on Housing*: <https://web.cvent.com/event/995ce8ea-5885-4055-a5a0-8abd2751580e/regProcessStep1>
- March 21, 2021; 5:30pm - 7:30pm - At My Neighbor's Table: *Fault Lines: Grappling with*

Segregation in our Schools.

- We will discuss the high levels of K-12 segregation in our communities and the detrimental impacts to children
 - Speakers: Liam Kerr, MA State Director, Democrats for Education Reform, Needham resident; Rep. Chyna Tyler (D) 7th Suffolk District
- Future NHRC Meeting Dates and Recorders
 - Mar. 18 - Jen
 - Apr. 15 - Bud
 - May 20 - Ashok
 - Jun. 17 – Marcus

Submitted by Cynthia Ganung (recorder)