

Chairperson
Ellen Shemitz

Vice-chairperson
Elizabeth O'Callahan

Clerk
[vacant]



Human Rights Commission

Members:
Robert Bilotta
Guillermo Creamer Jr.
Randy Feldman
Charles Hopkins
Jamaine Ortiz
Bernard Reese
Jacqueline Yang

HRC Meeting Minutes

Monday, October 2, 2023, 6:00pm

**City Hall Esther Howland Chamber, 3rd floor,
455 Main Street, Worcester, MA 01608**

1. Call to order 6:15 PM

2. Roll Call

- a. Ellen Shemitz, Elizabeth O'Callahan, Guillermo Creamer Jr., Randy Feldman, Dr. Bernard Reese, Charles Hopkins
- b. Absent: Robert Bilotta, Jamaine Ortiz, Jacqueline Yang,
- c. Staff: Victor Perez, Esq. Interim Executive Director of Human Rights and Accessibility

3. A special thank you:

LaToya Lewis has stepped down and we would like to acknowledge and thank her for all of her hard work.

4. Statements:

- a. **Charles Hopkins read a statement honoring the Nipmuc People:** We acknowledge the traditional and ancestral territory of the Nipmuc, the first people of Massachusetts those whose lands we are convening on tonight. While the Nipmuc history predates written history, records from the 1600's inform us that the original inhabitants of Worcester dwelled principally in three locations: Pakachoag, Tatesset (Tatnuck) and Wigwam Hill (N. Lake Ave). It is important to make this acknowledgement and to honor the ancestors that have come before us. It is all too easy to live in a land without ever hearing the traditional names and the history of the people who first resided and prospered in these lands and continue to reside and prosper.
- b. **Chair read a statement of scope of work of HRC:** The Human Rights Commission was established to promote the city's human rights policies. It is the policy of the City to assure equal access, for every individual, to and benefit from all public services, to protect every individual in the enjoyment and exercise of civil rights and to encourage and bring about mutual understanding and respect among all individuals in the city. Our work requires us to address institutional racism so that as a community we can achieve racial equity. Our work also requires us to make visible the unheard, unearned, and unquestioned privilege enjoyed by some member of our community to the detriment

of others. We take time to make this acknowledgment, to educate so a path can be cleared for healing.

- c. **Vice Chair read a statement explaining key terms:** The term “institutional racism” refers specifically to the ways in which institutional policies create different outcomes for different racial groups. The institutional policies may never mention any racial group, but their effect is to create advantages for whites and the oppression and disadvantage for people from groups classified as people of color. The term “racial equity” is the active state in which race does not determine one’s livelihood or success. It is achieved through proactive work to address root causes of inequalities to improve outcomes for all individuals. That is, through the elimination or shifting of policies, practices, attitudes, and cultural messages that reinforce differential outcomes by race or fail to eliminate them. The term “privilege” describes the unearned social power and informal institutions of society to all members of a dominant group. For example: “white privilege” and “male privilege.” Privilege is usually invisible to those who have it because we are trained to not see it but nevertheless it puts them at an advantage against those who do not have it.

5. Chair informed public that participation will be allowed after each agenda item.

6. Welcome to HRC’s Special Guest: The Chair thanked Akuahah Wheaton, Tribal Council Member with the Nipmuc Nation’s Hassanamisco Band, who was present to speak to the HRC.

7. Approval of meeting minutes from June 12, 2023 tabled for next meeting and September 11, 2023 minutes were approved unanimously.

8. HRC’s Ongoing Conversations with the Worcester Police Department

1. Updates on Citizen Academy and Ride-Alongs
 - i. Citizen Academy is due to start on November 29th of this year and will take place every Wednesday from 6:00 PM to 9:00 PM. Graduation will take place on February 7, 2024. He will get more information from the Department on whether there will be a remote option. Some HRC members are interested in attending the academy. Members should notify Officer Paul Letourneau. Interested Commissioners could also notify Victor Perez of their interest.
 - ii. Ride Alongs- WPD is offering a ride along program and the WPD has indicated they are flexible with times and days. HRC members should let Victor Perez know if interested or if they need more information. The Chair thanked the City Manager and Interim Chief for addressing HRC’s recently expressed concerns on lack of Citizen Academy and Ride Alongs.
 - iii. Regarding discrepancy between information in Police report and the Post report; HRC members received the memo from POST of what it wanted the WPD to submit, and it is completely consistent with what the WPD presented to the HRC.

A member identified confusion about 17 items that WPD reportedly did not have full information on. The Chair clarified that this was hate crime data; and some were reportedly handled by WPD, but others were handled by State Police. The Chair asked for an update on the 17 cases as they make their way in the courts. The Chair wanted to have more

information regarding the hate crimes that were investigate by WPD, including status report six months from now by WPD and information about the investigations themselves.

A member expressed confusion as to why the WPD would have to redact hate crime information because of CORI information.

Regarding the documentation HRC requested the WPD said there were CORI restrictions, but Chair advised they more likely meant private personal information they could not release, such as social security numbers.

Documents were going to the City's Solicitors Office Department to redact for any personal information. Victor Perez spoke to Atty. Janice Thompson in the City's Solicitors office who stated that the WPD had provided all the requested documentation to them, but in her experience a review of each report could take several hours because they are looking for data that they don't want to share with the public or affect the investigation process and need to redact names of witnesses. It takes about 2-3 hours to go through each report and the HRC have requested 43. Per internal practices Atty. Thompson would be the person to review the documents and after she finishes another person would also have to review and this poses an undue burden. The Law Department suggested a narrowed scope the provision of 12 investigation reports where there was a sustained findings and discipline.

The Chair clarified the two outstanding requests:

- One is for internal affairs to provide disciplinary documents for Officer JM for conduct unbecoming an officer in 2022
- The HRC did not ask for detailed information on all the 43, but rather the Chiefs report that goes to POST.
- There could be a time when HRC wants to look at all the cases, not just the sustained cases. The HRC has an interest in reviewing the investigations process.

A member communicated a curiosity about the settlement information that was provided. The HRC would like to hear from the Law Department about the settlement amounts and the decision process.

The HRC approved the updated information requests that:

- the WPD provide copies of the full investigation reports for the 12 cases involving sustained allegations that were brought to POST's attention in 2022, including for Officer JM, and copies of the forms submitted to POST in 2022 for the remaining 31 or so cases involving unsubstantiated findings¹;
- the WPD provide copies of the investigation reports relevant to the 17 hate crime incidents that took place between July 1, 2022 and June 30, 2023 and which fell within the WPD's jurisdiction; and
- a representative from the City Solicitor's Office attend an HRC meeting to help Commissioners understand the nature of the settlements for the 13 civil rights cases

¹ As part of the articulated motion, the Chair stated that the HRC may wish to eventually request the full reports for the 31 cases.

between FY19 and FY23, the process behind any decision to settle, and any potential policy considerations that the City Solicitor’s Office sees behind the settlements.

9. Update on the Civil Service stats reflecting passage rates for promotional exams, including demographic information such as ethnicity, gender, and race:

Victor Perez reported that Sgt. Angel Miranda is trying to get the requested information and will work with Human Resources to provide the information. However, the person who can get the information from HRD is out until tomorrow. There will be an update at the next meeting.

10. Worcester Police Department’s Policy Review Committee - HRC Role

Due to the number of policies, it may not be possible for Commissioners to review them all; members agreed to each take a policy to review. There was discussion as to whether HRC should schedule a sub-committee meeting to review the relevant social justice policies before the next meeting. The Co-chair stated that past HRC meetings may have covered issues in various WPD policies that could be relevant to the conversation. The Chair asked whether members were interested in forming a sub-committee to do initial screening of policies. Four members volunteered to help. In order to avoid the potential complication of making a sub-committee, which would require a public meeting and require review of other potential considerations un the Open Meeting Law, the Chair suggested a smaller screening group and then have a subcommittee review it later. She invited two members to form this group. This group would categorize and organize policies for further review among members.

11. Recent HRC Communications.

The HRC is very appreciative of Victor Perez’s Memorandum to the City Manager’s Office, dated September 18, 2023: “The Human Rights Commission’s Approved Motions Regarding Certain Worcester Police Department Practices and Policies.” It is also appreciative of the draft letter to Secretary Pete Buttigieg, dated September 18, 2023, supporting the Department of Transportation & Mobility’s application for the Reconnecting Communities Grant.

Victor Perez reported that City Manager received a copy of the memo and gave the green light to follow up on what was voted on. Regarding recommendations relative to language access policy, Victor Perez will do the research and create deliverables to be reviewed and adopted by the City/the WPD. He will follow up on both items that HRC voted on and keep the HRC apprised. He is looking at other organizations for best practices with language help for LEP.

11. Human Rights and the Nipmuc, a conversation with Katherine Akuahah Wheaton, Tribal Council Member with the Nipmuc Nation’s Hassanamisco Band:

- a. Ms. Wheaton thanked the HRC for the invitation and found the HRC to be extremely respectful considering the Nipmuc nation. She said we are the Nipmuc Nation, which is a federated umbrella administrative government for all Nipmuc People. Hassanamisco Band Tribe has been well known.

- b. Ms. Wheaton wished to offer four messages. She identified selfishness and greed as an ongoing issue. This leads to racism, discrimination, and persecution. She identified a collective focus on economic opportunity and related political movements as forcing marginalization.
- c. Ms. Wheaton provided some background of the Nipmuc people. The Nipmuc people of Canada and Northeast quadrant speak the Algonquin language. The Nipmuc people of Massachusetts, who have been here for the past 10-12 thousand years, encompassed 2/3 of land with Worcester at the center.
- d. She said:
 - i. During 1700-1800, all the land of the Nipmuc people was settled upon and taken resulting in our retaining the smallest reservation in the country.
 - ii. We have 3 1/2 acres in Grafton. The entire town and region belonged to the Hassanamisco Band Tribe. The Nipmuc people and tribe have never been compensated for the land stolen from us, there are writings by Government of Mass for compensation for the taking of our land and it is still outstanding. The colony and state have never done anything for the Nipmuc people. This is a 400-year-old human rights violation for the Nipmuc people. They have taken our lives, our names and land but not our spiritual beliefs. Acquiring land is the number one priority for the Nipmuc people. We have been talking to the state for some time, and the time has come and would be wonderful if the HRC could lend its support to the Nipmuc people for the state to expedite the process of our having a significant piece of land for our homeland reservation. There are approximately 3000 Nipmuc people, and we need to live together in common culture 365 days, its how our culture is passed on and preserved. There are many idiosyncrasies in our families, phrases, knowledge, thinking to pass down to our children. When the time comes, I would like to present myself to the HRC and ask for a letter in support of the state for us to acquire our own land. It would be most appreciated.
 - iii. Her second message is about human rights. Humans receive privileges from Mother Earth and have a duty to care for Mother Earth. A duty becomes a fundamental right to take care of the earth. With respect to what has been occurring in recent years and development since the industrial revolution we know we must take action to take care of the earth. Ms. Wheaton read a piece on the sacredness of the earth's bounty and the responsibility of humans to take care of the land that takes care of us. We have allowed humans to strip the earth of her resources and we must take care of each life on Mother Earth, and she will continue to take care of us. We are robbing the earth of natural resources and not replenishing it. We are

harming the earth which is in turn harming humans and creatures. We are failing as caretakers of Mother Earth. We must act to save it by recycling, picking up, and taking care. We should take care of resources, reduce pollution, store rainwater, save our bees, and take other actions. We should preserve our earth for future generations. We must take care of all life on Mother Earth.

- iv. The great seal of Massachusetts depicts a picture of a Native American, which is fine. However, in the picture the Native American is holding a sword which has upset Nipmuc people for a long time. It has a negative connotation. Citizens are commenting on whether to have the sword removed and the HRC can discuss this.
- v. We can move to change the state motto. The has to do with warfare and arms and it is negative. An initiative to change the motto is open to public comment. I ask the HRC to consider these words for a state motto: “Primary directive - duty, social compact, love, respect, share and care for each and all by deed and by law.”
- e. Chair and Vice Chair voiced that the HRC has taken action to change the state seal. In 2020 meeting, 40 cities and town have moved forward to remove the picture of the sword, except Worcester. There was a move to ask the City Manager to move forward on this. Ms. Wheaton advocated for the same picture to stay on the seal, but to remove only the arm and sword, however, the motto goes hand in hand with the state seal.
- f. Ms. Wheaton said land can be given by purchase or grant or combination. The selection of the land is the only challenge because about 300k acres have been taken by the state in different parcels. There is public land; there is a lot of public land for recreation and conservation.
- g. The HRC thanked Ms. Wheaton for her presentation and indicated they would look forward to her coming back to the board in person.

12. HRC Agenda Strategic Planning:

- a. The Chair requested all members to consider what they are passionate about and to bring those areas of focus to the next meeting so they can engage in strategic planning.

13. Adjournment at 8:00 pm

Next monthly meeting of the Human Rights Commission Monday, November 6, 2023, 6:00 pm.