

Human Rights Commission Meeting Minutes
Monday, April 3, 2023, 6:00pm

Virtual meeting link:

<https://cow.webex.com/j.php?MTID=m9d233db4f78bb0528628acf433e3ce8a>

Meeting number: 2311 007 3698 Password: C6GputMFp79 Phone: 415-655-0001

Attendance:

Present: Chairperson Guillermo Creamer Jr., Charles Hopkins, Elizabeth O’Callahan, Edward G. Robinson, Ellen Shemitz

Absent: Jamaine Ortiz, LaToya Lewis, Jacqueline Yang

Staff: Jayna Turchek

Call to order and introductions

Chairperson Creamer opened the meeting and welcomed members and the public. Director. Turchek provided the technology instructions for public access to the meeting.

Mr. Creamer began with an acknowledgement of the traditional, ancestral, territory of the Nipmuc, the first people of Massachusetts and those whose land we are convening on tonight. While the Nipmuc history predates written history, records from the 1600s 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 acknowledgment 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.

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 members 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.

Mr. Robinson shared the terms of the Commission.

The term “institutional racism” refers specifically to the ways in which institutional policies create difference 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.

Approval of meeting minutes from March 7 2023

The Chairperson moved approval of meeting minutes from March 7, 2023. Commissioner Shemitz seconded the motion. All approved by roll call 5-0-0.

Annual meeting with the Worcester Fair Housing Project

www.worcesterma.gov/human-rights/know-your-rights/fair-housing

Attorney Jane Edmonstone from Community Legal Aid and Yomaira Galan from the City Human Rights Office shared about their work.

Community Legal Aid is the civil legal program that serves Central and Western Massachusetts and provides legal assistance to those facing basic civil issues like shelter, food. The program is funded by non-profits, state, and federal dollars. The agency helps with homelessness, evictions, welfare, disability benefits, unemployment compensation, help with domestic violence and family issues, help students having difficulty in school for example IEP, disciplinary issue. There is a special program for restitution of damages from a civil situation. There is a sister agency, Central West Justice Center that helps with immigration cases.

The fair housing work is part of Community Legal Aid’s overall housing work that also includes access to housing, safety while in housing and loss of housing. State and federal fair housing laws cover a wide range of issues. The work being done in Worcester is primarily with renters.

Question: Is the demand for services greater since the pandemic? Yes, at or above the demand of pre pandemic level. Locally, the demand has always been greater than the resources. Over half of the people eligible by income are turned away. The issues are prioritizes such as evictions while other housing issues are not dealt with.

Question: Is the demand related to discrimination and/or use of housing vouchers or other issues?

The program does not keep track of income resources, so it is hard to respond to the question. Affordability is the greater issue. People do not interact with landlords to have discrimination issues. There are many more people that qualify for vouchers than are vouchers. When a person does receive a voucher, it often does not cover the cost of housing as well as a long process for making sure paperwork is in order. We are at a point to be able to successfully use vouchers is on the verge or is a crisis. Also, in Massachusetts, it is illegal to refuse renters who have a voucher, but still happens.

Question: Why do landlords choose not to take vouchers?

Those landlords that have accepted vouchers like the program. The program provides a safety net for renters and income for landlord. Landlords may not know how the program works or have a misconception or bias against people who are low income. There can be delays. They may think it is an administrative burden. Landlords may not do an inspection every year. The Legislature Was clear about these issues and none are a legitimate reason not to accept vouchers.

Some discrimination is obvious. The more and less obvious situations include still finding high rates of racial discrimination; People of color are receiving a high rate of non-responsiveness: black women have the highest rate of barriers in the market: making units physically accessible: right to assistance animals of safe space: eviction defense; young children (noisy, too many, may be lead paint); people who have been involved with the criminal justice system (new program for this area.

The Office at City Hall with Yomaira provides another in person method to contacting the project and those intakes go to Community Legal Aid.

April is fair housing month. The Federal Fair Housing Act was passed in 1968 days after Dr. King's assassination. Enforcement is critical and CLA is here for this.

Question: What are the existing barriers and how can the Commission support the work?

The situation is such at present that almost no one's income can afford housing. While Massachusetts has a lot of protections there are evictions that could be resolved but aren't. Preserving housing would go a long way. Resources and enforcement would help. CLA has a grant to help with voucher issues. Federal law does not protect from discrimination. State laws do. How are things put in place the laws work?

Question: Are there communities that provide housing resources (enforcement) beyond Worcester?

Yes. Sanitary codes are regularly enforce. The city is in court with regularity. There is the Massachusetts Commission Against Discrimination. Housing and Urban Development (HUD) does its own enforcement. There are communities with Fair Housing Commissions that do what the state or federal entities would do based on local complaints. Boston and Cambridge have Fair Housing Commissions.

Question: Do you see the need for a Fair Housing Commission in Worcester?

There would be a need for gathering more information such as are people using the forums already in place? If there is a problem specific to the city where the city could provide additional local relief/enforcement beyond what is available at the state/federal level. Also there is often a gap between the people needing help and awareness about the resource.

Question: In 2018 and again 2020 the Affirmatively Furthering Fair Housing rule was reduced/held up in terms of scope, is this what is creating the crisis? The Federal Fair Housing Act was passed to counter the way housing was dealt with since slavery. Over the years different administrations have provided guidance on what this idea means. When this happens, it does not affect the enforcement actions. There will always be a lack of resources to solve all issues. So, what was done to the law is not directly related to the current crisis. Housing stock and rising rents have more to do with the crisis.

Question: Do you work with homeless people and how does this relate to fair housing? There are many groups having different roles working with the homeless population. The fair housing law covers shelters. CLA can monitor and enforce how people are treated in shelters. More work can be done to keep people in their homes. Also the waiting period and the current fair market rate is a problem for people who get to the top of a waiting list for a voucher who still can not afford the rent.

Question: Given the housing work of CLA, what would you have this Commission do? Working toward having lead-safe homes. Also in thinking about barriers vouchers holders face there needs to be more behavioral health resources to provide housing stability.

The Commission is determining what to focus on and to have specifics would be helpful. So, please share other ways as they arise.

Question: Thinking about generational housing. Has there been any thought or work done talking to young people about their next steps? For example: information about credit, not to spend more than 30% of income on housing etc. CLA is not leading this. Central Mass. Housing Alliance received a large grant to study youth homelessness. It is hard to provide education that would be meaningful. Households simply don't have enough money to cover necessities. However, the education should not be abandoned. She suggested following up with Mass. Housing Alliance.

Question: There is a roundtable (The HUB) in the city that works with individuals needing assistance, would CLA get involved if contacted? Absolutely.

Conversation with Peter Dunn, Chief Economic Development Officer, on the Analysis of Impediments to Fair Housing Choice study and ongoing work relating to affirmatively furthering fair housing

For reference- Read the Analysis of Impediments to Fair Housing Choice (April 2021): www.worcesterma.gov/uploads/04/cf/04cfdb028682e1a40845ab776319e7c1/analysis-impediments-to-fair-housing.pdf

Peter Dunn, Chief Economic Development Officer, provided the Commission with the following information.

He appreciates CLA's Fair Housing work. His office works on the supply and planning side. He intends to provide an update on the recommendations made in the Analysis of Impediments to Fair Housing Choice (April 2021): There is a lot of movement on many fronts thanks to the city's community partners.

1. Received funds from the federal government related to the pandemic. 15% went to the Housing Affordable Trust Fund. This was a recommendation and is one more tool in the toolbox to create affordable housing. This is added to the other funds received by the city including HUD and CDBG funding.
2. The city voters created A Community Preservation Fund. This was not in the recommendation list. This fund will rely on The Community Preservation Act Fund to capitalize the Housing Affordable Trust Fund when ARRA funds are no longer available.
3. Developed a First Time Homeowners Program. - thinking about homeowners not only renters. – Started with 25 million dollars (home ownership creates wealth). A couple of applications have been received and are underway. Dollars would offset construction costs.
4. Owner-occupied housing rehab – Dollars to help improve the housing stock. And is wrapped up with the Greater Worcester Healthy Coalition Initiative
5. Sustaining Housing Solutions Task Force which has adopted the Housing First Model to address some of the homeless issues. Working with the Worcester Housing Authority at 38 Lewis Street.
6. Flood Insurance Program – thinking about climate change and environmental justice
7. In the Accessibly arena: usually 5% of units need to be accessible and the rest adaptable. The Affordable Housing Trust Fund has doubled that to 10% A few contractors have come to the fund's Commission already. Supporting 1st phase of Worcester Housing Authority's Curtis Apartment rebuild and the rebuild of the Boy's Club at Lincoln Square -Mixed income with different levels of affordability with 14% ADA compliant units

The following have been undertaken with CARES Act federal funds:

1. \$1.9 million in rental assistance for people facing gaps in the state and federal funding.
2. Down payment Assistance Program is but slow due to use of state program funds

3. Funds into the NOW/NEXT Plan finer details on zoning are included, opportunities to do more on public transportation near housing
4. Inclusionary housing has been supported by the City Council and will take a vote on April 11th.
5. Annual Landlord summit
6. Rental Registry being developed in Inspectional Services. This registry will require landlords who rent to list units in a number of ways to avoid having to use constables, better way of racking inspections and for safety issues example knowing who occupies a unit in case of a fire.

Question: Do you know how many employees in your office rents/owns?

He did not. The Commissioner thought this might be interesting to know. Voluntary of course! Mr. Dunn went on to explain that the staff has lived renting experience and the membership of the Affordable Housing Trust Fund Commission has the requirement of two members have lived affordable rental experience.

Comment and question: Thank you for the work that is being done. Pre-CoVID when we met last. There were a lot of plans. Glad to see the work has continued. Where is Worcester in terms of housing stock now?

We are working on this. The 2020 census is not ready for this analysis; We are absolutely growing the housing stock. The 2020 State figure for subsidized, affordable housing was 13.5%. He expects the State come out with an update in May. We do know the pipeline has been on market rate than on affordable. The ways affordable housing needs to change. With inclusionary housing there is the shift from public funding to private funding balancing out new market and affordable housing. The city council provided tax relief for a project by Union Station as an example of using the right tools at the right time. Another tool the city is working on in "natural affordable" rent. The rents were affordable and may not have been included in the State's 13.5% number. With rising costs in Boston, people coming to Worcester, the costs of what were "natural affordable" rents are increasing.

Question: When we talked last there were a number of large projects on the drawing board, do you know where they are now?

Do not have all the information at the fingertip, but do make note when projects refinance etc. Right now, the office is working with WINN Development and Community Builders.

Question: Have you had a chance to review Boston's zoning ordinance which has enforcement for affirmatively furthering fair housing? And would you come back and share with the Commission your review?

Sure, we are in the process of a larger review of our zoning ordinance as well as looking at our next planning steps. This is a timely request.

Notice: City Council vote on proposed reorganization of the Executive Office of Diversity and Inclusion, and the Department of Health & Human Services See City Council Meeting March 28, 2023 Item 14a. Eric D. Batista, City Manager, transmitting an edited reorganization ordinance for the Executive Office of Diversity, Equity, & Inclusion

The City Council voted to approve the reorganization on March 28, 2023.

Update from HRC leadership meeting with City Manager Batista regarding reorganization and impact on the Commission

Chairperson Creamer, Vice Chairperson O'Callahan, and Commission Shemitz along with staff liaison, Ms. Turchek, met with the City Manager last week. His observation was that there will be no immediate change for the Commission with the exception for having three new members from the former Diversity Commission which could happen as soon as next month until their terms expire. He requested the resumes of these people so this Commission would know who was coming on to the Commission. He sees this as a long-haul project and Commission should decide if they want to continue as time goes on.

Commissioner Shemitz saw this as an opportunity to think strategically and build out the work of the Commission for the next five years and give to the City Manager. The Manager agreed to have another meeting with leadership withing next 6 months.

Commissioner O'Callahan reported takeaways as more to come and building out plan would be a collaborative effort.

Election of officers

Chairperson Creamer said that he would not seek re-election as chairperson. He thanked the members for a great year and hopes the leadership will be as passionate about Human Rights as he is. He did note that the Clerk position was vacant.

Commissioner Creamer nominated Ellen Shemitz for Chairperson. Commissioner O'Callahan seconded the motion. Ms. Shemitz accepted the nomination.

Commissioner Shemitz nominated Elizabeth O'Callahan for Vice Chairperson. Commissioner Hopkins seconded the motion. Ms. O'Callahan accepted the nomination.

With no other nominations, nominations were closed.

Discussion: Anytime anyone would like to step into one of these roles just let us know.

Discussion/comment period closed.

One vote casted for Commissioner Shemitz as Chairperson. By unanimous roll call 5-0-0. Commissioner Shemitz was elected the Commission's Chairperson.

One vote casted for Commissioner O'Callahan as Vice Chairperson. By unanimous roll call 5-0-0. Commissioner Shemitz was elected the Commission's Vice Chairperson.

Adjournment

Meeting was adjourned by roll call at 6:42pm.

Next meeting: Monday May 1, 2023, 6pm.