



# CITY OF SOMERVILLE, MASSACHUSETTS

## HUMAN RIGHTS COMMISSION

JOSEPH A. CURTATONE  
MAYOR

**Thursday, April 17, 2007, 6:30 p.m.**  
**167 Holland Street, Tufts Administration Building**  
**Meeting Minutes**

Members Present: Chris Hope, Barry Rafkind, Cesar Urrunaga, Yvette Verdieu  
Others Present: Martha Costa (Police Liaison), Mary Lu Mendonca (Executive Director)  
Members Absent: Ben Echevarria, Susan Goldstein, Ralph Hergert, Ify Mora

### 1. Administrative

There were not enough members to constitute a quorum, so we did not discuss or vote on minutes from our last meeting (Feb. 15).

Mary Lu went over the "Complaints and Incidents" and "Events/Meetings" from the director's report. Some highlights that prompted discussion:

- There was an incident recently in which an immigrant was arrested by Somerville Police for a driving infraction and found to be under a standing deportation order. While SPD is not independently enforcing immigration orders, suspects in custody are fingerprinted through an electronic system which sends information to the FBI and other agencies. In this instance, Immigration then contacted SPD with a detainer for the suspect, requiring them to hold the man for processing by ICE. Mary Lu worked with a social worker at MAPS (the Mass. Alliance of Portuguese Speakers) to draft a letter to the man and his family, informing them of their rights and offering referrals to community resources. Commissioners thought we should continue to do this kind of outreach in conjunction with other agencies. Mary Lu will send out an e-mail with the letter for commissioners' input.
- We received a report that immigrants parked outside a factory were stopped and questioned by SPD about their "documents". Aru Manrique of the Multicultural Commission is in contact with the complainant and will follow up with us. Commissioners noted that based on the limited information we had about the location of the incident, it may not have even occurred in Somerville.

Mary Lu also explained to Commissioners that the HRC probably will be restructured during this budget cycle. We will go from being a city department to being a program of the Health Department. This will affect the Multicultural Commission as well, and will put us in the same position as the Women's Commission is currently. Commissioners had questions about what the change would mean. Some were worried that we would not have the same authority to act as we did as an independent department. Mary Lu said she thinks it will be better for the HRC to have administrative support and guidance from the Health Department, since it will free up more time for her to work on programming and building capacity.

Commissioner updates – The Commissioners welcomed Barry Rafkind, who has been appointed as a new member. Barry reported that he attended a recent rally in Boston in support of the New Bedford immigrants who were raided at their workplace by immigration officials. Many of the immigrants have been separated from their family, including young children. Barry spoke at the rally, identifying himself as an HRC member, and saying that we support immigrants' rights to be reunited with their families.

Attendance policy – Several commissioners suggested prior to the meeting that we discuss the attendance policy. Since there was no quorum and we had no copy of the policy available, Barry suggested that Mary Lu distribute these via e-mail to everyone, along with data on all commissioner's attendance records.

## **2. Issues**

Arlington/SHS incident and investigation review – At our last meeting we agreed to have our investigatory committee review the School Department's investigation report. This committee had still not met, so we set a date of next Thursday evening to meet. Commissioners briefly discussed the incident. There were questions about whether procedures had been put into place at SHS sports events, and Martha remarked that there are officers on detail present.

Fair Wages Ordinance – The Board of Aldermen recently introduced an ordinance that would "require contractors working on city projects to pay fair wages and provide benefits and training to workers" (from the Somerville Journal). The Commission discussed whether to endorse the ordinance. There were many questions, such as:

- What is the status of the ordinance?
- Would it affect KTI (the city's recycling contractor, which in the past was excused from a fair wages ordinance)?
- Would it affect no-bid contracts over \$100,000?
- Who are the companies it would affect (those with contracts over \$100,000)?
- Would it have an effect on the working status of undocumented immigrants?
- How would it apply to Somerville resident workers?
- What are the pros and cons of the apprenticeship requirement?
- Would this be "micro-managing" businesses?

After discussion, Commissioners thought there were too many questionable aspects (including feasibility/enforceability) of the ordinance to take a stand on it one way or another.

Same-sex marriages statement – Barry suggested that we issue a statement of support for the governor's recent pledge to uphold same-sex marriage petitions by out-of-state couples. The mayor has already done so. Commissioners noted that there was no quorum to make a decision about this. In the past, we drafted template statements (one for positive developments in which we applaud given actions and another for negative developments in which we condemn them) and Mary Lu will send these out to the committee so we can revisit and revise them if necessary.

Gender and Hate Crimes bill – Representative Carl Sciortino has contacted us asking for support of H1722, "An Act Relative to Gender-Based Discrimination and Hate Crimes". The bill would add "gender identity" to the protected status category in discrimination law. Commissioners questioned why the bill's language did not explicitly include the term "transgender", but indicated that we should support the sentiment behind the bill. Cesar suggested that we submit a written statement. Mary Lu thought that there might be future opportunities to speak publicly about the bill, either at a forum or the bill hearing. She will contact Rep. Sciortino's office for more information about the language of the bill and how we can help.

### Other issues:

- Martha reported that SPD officers have new badges. We advocated in the past that officers should have identifying numbers displayed on their badges, rather than on hats. Although this goal was not mentioned in the press release accompanying the badges, people felt that it was a strong influence on the decision to get them.
- Barry brought up a proposed resolution that will come before the Board of Aldermen. This would oppose the construction of a Bio-Lab at nearby Boston University and is up for a public hearing on Thursday evening. Barry described some of the adverse effects of being in close proximity to a lab conducting experiments with biological weapons. Chris felt that from a scientific perspective there are also benefits to having laboratory like this. No decision was made for HRC action.
- The Somerville News recently reported that a Somerville Police officer has filed a civil rights lawsuit against the city, alleging that he was denied a promotion because of protected speech activity (presence at a public demonstration in favor of a contract for officers). Commissioners noted that we have asked the city solicitor repeatedly to keep us informed of pending civil rights suits in which the city is a party, but he refuses to do so. The case is pending.
- Mary Lu noted that Tisch College of Citizenship and Public Service has been restructuring, and that many community agencies are upset about the process. Representatives from groups such as CAAS and SCC object to the lack of opportunity for community input in the changes, particularly since the program's focus is meant to promote better models of community engagement.

### **3. Program**

Outreach Campaign/Committee – Barry suggested that we work create a committee or campaign to work on community outreach. Commissioners agreed that this should be on the agenda for our retreat.

Arts Union Event Series proposal – There is grant money available through Arts Union for one-time cultural/artistic events in Union Square. Commissioners thought we had too much on our plate right now to create a new project proposal by the deadline in May.

HRC Retreat – We did not have enough members present to set a date for the retreat, but Commissioners agreed that we need to do so soon.

Conversations Project – Mary Lu reported briefly on the status of the Conversations Project. Group dialogues are coming to a close, and the final Congress event is scheduled to take place on May 11. We have a lot of planning to do, and scheduled a meeting for Thursday the 26<sup>th</sup> to discuss the Congress.

### **4. Upcoming Events**

Mary Lu went over a list of upcoming events, which commissioners are encouraged to attend. On April 26 there will be a conference at Suffolk Law School about implementing human rights principles in state and municipal government. Mary Lu requested permission to pay the admission fee with HRC funds, and Commissioners present (Chris, Barry, and Cesar) agreed. Mary Lu will check with other commissioners.