

Brookline Commission for Diversity, Inclusion, and Community Relations Meeting

February 17, 2016, 6:30 – 8:30 p.m.

Public Health Building – Denny Room

Commissioners Present: Sandy Batchelder, Malcolm Cawthorne, Alex Coleman, Ernest Frey, Tony Naro, Kelly Race, Enid Shapiro, Kea van der Ziel

Liaisons and Staff Present: Bernard Greene – BOS, Phil Harrington – Police Department, Lloyd Gellineau - Director of Diversity, Inclusion, and Community Relations

Commissioners Absent: Wesley Chin, Brian Myles, Dwain Tyndal, Ginny Vaz

Liaisons Absent: Ben Chang – School Committee, Michael Gropman - Police Department,

Reporter: Kelly Race

Minutes

Meeting called to order by Alex Coleman, Chair at 6:35 p.m.

Motion to appoint Kelly Race to take the minutes for tonight's meeting. Approved by unanimous vote.

Discussion of the Commission's 1/5/16 Statement to the BOS

Alex informed the commission that Town Counsel has asked that we reconsider our statement. Some commissioners were concerned that the statement has been interpreted to have a different meaning than we intended. Alex believes that what is lacking in our statement is the indication that our statement was not a result of fact-finding or investigation.

Ernie said the objective of our discussion is to finalize a statement to the BOS. He proposed that we consider the statement that has been prepared by Marty Rosenthal and Frank Farlow. Malcolm asked whether we have determined whether we will make an additional statement to the BOS at all. The commissioners then agreed that we are a deliberative body and we will decide by vote after discussion.

Marty and Frank were asked to tell us why they would like us to present a statement. Marty responded that the intent is to build bridges – present an olive branch to the BOS. The statement is intended as an addendum to our January 5th public statement. Our voting on it makes it part of the public record. Our statement has been used as a legal statement and has been entered in court and presented as factual findings. It is being used in a way to inflame emotions rather than inform. It is important to clarify our statement to protect the credibility and integrity of the commission. It is important for the commission to work effectively with the Town. Marty is concerned about the missing context of the statement.

Alex reminded those present that we know we did not deliberate about the allegations of the officers. We did not conduct an in-depth investigation. We have not yet formalized our complaint process. We know all of these things but the general public does not.

Bernard stated that this statement has gotten worldwide distribution and has hurt the town. The language is inflammatory and many people just hear the provocative words and nothing else. Bernard maintained that the commission needs to rescind the statement. Once we do that then the BOS and the commission can get back on the right foot. Bernard feels we should not dig in, even if we feel that we need to stand by our statement. The commission should be advising and guiding the BOS. Bernard asked if we haven't done an investigation, what is the basis of the opinions? The Town has been poked in the eye and we have been hurt badly.

Tony stated that the statement was always an opinion. It was not anything else. It has not been changed from anything other than an opinion. Tony watched the BOS meeting on television. By the time Alex made the statement (at the BOS meeting) it was the 20 to 30 people who came before whose stories hurt the Town's reputation. If only half of them are true, they are shocking. Tony is concerned that the BOS seems to be threatening not to work with the CDICR if we don't rescind the statement. It sounds like the BOS is digging in rather than listening to all of the problems that were presented that night. The BOS has not acknowledged that there have been past mistakes. We have not heard a commitment to do better in the future.

Enid stated that this commission has a responsibility to describe what we would like to do in light of the charges that have been made. We need to discuss where we go in the future. We should present how to move ahead to the BOS.

Sandy told us about speaking with Joslin Murphy and facts we may not be aware of about the firefighters and the police officers. The Police Chief can come to our March meeting to talk about what has been done to eliminate racial profiling. We should draft something that says that we want data on racial profiling and more information about the survey results.

Malcolm stated that what is being missed in the statement is the history of what has gone on in the Town with racial profiling. Malcolm told of his experiences from growing up in Brookline in the '70s to today. If the BOS feels that our one minute statement is a poke in the eye, then maybe their eyes have been closed. Bernard acknowledged the existence of racism and similar personal experiences growing up in Philadelphia. Bernard agreed with Enid that we should think about how to be a positive force in the future.

Alex stated that the fact that CDICR exists is acknowledgement that there are issues in Brookline. We were also basing our "opinion" on the experiences of some commissioners and members of the public and our information gathering on the complaint process and employment issues. We want to work collaboratively but we have only gotten negative input from Town Counsel.

Tony addressed the concerns about open meeting law. We drafted the statement as a group. We approved it with no changes. Tony emailed it to everyone. Kelly made some edits. Tony apologized that there was a possible inadvertent violation of Open Meeting Law but we corrected it and Alex read the original statement as approved. (Tony then left the meeting.)

Malcolm moved that we table the discussion on the January 5th statement. The motion was seconded and carried unanimously AC, SB, EF, ES, MC, KR, KZ

Election of Officers

Ernie moved that we extend the terms of the current officers to September to coincide with the BOS appointments. Motion carried unanimously AC, SB, EF, ES, MC, KR, KZ

Public Records Request

Craig Bolon provided legal information on Public Records Requests. Almost all of what Town Counsel has requested are not public records. There is a procedure to determine whether something is a public record under Mass law. There is no evidence that this has been done with this information. Ernie spoke with Joslin about the short time frame. Commissioners can send a letter telling Town Counsel we received the request and indicate a reasonable date we will provide the requested records. Ernie reported that Joslin is only concerned with the information that refers to the statement we prepared on January 4.

Many commissioners felt that the individual letters are divisive and intimidating. Kelly moved that Alex contact Joslin to ask exactly what Joslin is looking for and whether there are any additional documents other than our published documents that fall under the public records request. The motion was seconded and carried unanimously AC, SB, EF, ES, MC, KR, KZ

Annual Report

Lloyd informed us that the chair of each commission submits an annual report. We have been trying to work collaboratively and have asked each committee chair to write a brief summary. Enid moved that we authorize Alex to submit the annual report without the review and approval of the commission. Motion carried unanimously AC, SB, EF, ES, MC, KR, KZ

Public Comment

Arthur Conquest made a public comment that the BOS has publicly denied or privately swept racial issues under the rug for so many years. It is the job of the CDICR to force the BOS to address the issues that are raised. Arthur applauds the commission for its statement. It is about time. The statement was completely consistent with the comments of the 20+ people who spoke before Alex.

The meeting was adjourned at 8:52 p.m. by Alex Coleman, Chair.