

**Human Rights Commission**  
**Meeting Minutes**  
**November 10, 2009**  
**7:30 PM in the Newton City Hall cafeteria**

**Attendance:**

Commissioners present: Jane Brown, Muriel Esdale, Marianne Ferguson (Chairperson), Judy Fischbach, Brenda Krasnow, Sheila Mondschein, and Sona Petrossian

Commissioners absent/regrets: Peter Brown and Susan Thomas

Advisory Council Members present: Lt. Bruce Apotheker, Dianne Chilingirian, Sam Glass, Nazik Kazimi, Viviana Planine, Suzy Rosenthal, and Joan Rubin

Advisory Council Members absent/regrets: Lillian Backman, Ann Capoccia, Homer Franck, Carol Kelley, Norman Lazarus, Carleton Merrill, Myrna Offen, and Frank Wolpe

Advisory Students present: Lily Konowitz (NSHS)

Staff present: Beverly Droz

Guests: Robert Muollo, Ophelia Boachie, Leona Markiewicz, Dr. Jack Porter, Andy Turpin and Gail Deegan

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**The meeting opened** at 7:30 PM and was chaired by Marianne Ferguson.

Introductions were made around the room and guests were welcomed.

**School Updates:**

**Newton North High School** - No report

**Newton South High School** –

Lily reported that the first term has just ended. Teachers are having a conference on mental illness this week and how to identify it. A student inquired about having her country's home flag on display, as it is not currently present. There is going to be a reassessment of the flags to insure that all representing the student body are displayed. Sophomore and Junior Spanish classes will hear from senior Elissa Spinner about her experience in Latin America. MINGA will meet Thursday, November 12, 2009 and the Tanzania Club is holding a presentation on the world hunger epidemic on Friday, November 13. Viviana stated that To Be Glad Day and Transgender Day are coming up. A copy of the NSHS paper, "Lion's Roar" was passed around.

**Analysis of Impediments (Fair Housing)**

Robert Muollo from the City of Newton Planning Department returned to discuss the Analysis of Impediments to Fair Housing. (See the 10/14/09 minutes for an overview). He referred to the memo he had distributed to the HRC prior to November's meeting. He spoke about past impediments, of which there were four major ones ranging from zoning to a lack of education and outreach, and asked the Commission if they feel that any of the past impediments are still relevant today. He also inquired if there are any impediments or actions to furthering fair housing that are not identified.

Sona asked about what consideration is given to providing for affordability when new housing is built. Rob acknowledged that there is little physical space for building and this can present a problem. Jack Porter wanted to know who investigates fair housing complaints, if it's MCAD or the HRC. (It was noted that local complaints often come directly to Beverly and the Grievance Committee determines if the case should go to MCAD as opposed to the HRC.) He also inquired how accessibility is addressed with regard to condominiums, which are individually owned.

Brenda stated that land and real estate are very expensive so a problem exists regarding where things are located. Viviana suggested it is good using schools that were sold off (i.e. Warren House) for low-income housing. Rob noted that the Planning Department does address affordability but that the Analysis of Impediments involves more than just affordability; it identifies barriers that exist for protected groups.

Sheila noted that the lack of familiarity people have with people of other nationalities or religions and their cultures can make problems more likely. The HRC can take actions by getting people together to meet each other and understand one another. This may make it more welcoming to new residents and prospective residents if they know that Newton is taking such action. Other communities perform similar actions.

Rob asked if we thought more education on fair housing was needed. Jack Porter suggested that brokers be educated and then, in turn, educate owners so that they don't discriminate. Marianne suggested finding a way to educate everyone whether they are renters or owners. She also suggested that imposing fines for discrimination and publicizing it would help in educating and drawing attention to the issue.

Another issue that was raised is lack of transportation services. During the week, it isn't as much a problem since the buses run more frequently, but after 6pm on weekdays and on weekends, transportation can be problematic. Rob stated that there is a format that analyzes employment opportunities, housing and transportation and their linkage. Marianne added that childcare is something that should also be addressed.

Jane stated that the most discriminated against group is the disabled and that Newton should be more welcoming to that group. Rob said he is also visiting the Mayor's Committee for People with Disabilities and is aware of the discrimination they have experienced. He referred to the testing that was performed which proves it exists.

The Commission thanked Rob for his visit and presentation.

## **Hate Crimes/Incidents**

Lt. Apotheker reported on three incidents.

- Last year, a Jehovah's Witness was assaulted and battered on Beacon Street by a man who was subsequently arrested. Today, he was convicted on all counts in court.
- A hate incident was reported at 250 Hammond Pond Parkway where the keypad to the entry was written on with the word "Jews" with a big G, but nobody seems to know what the G refers to.
- A student at Andover Theological School reported that the chalkboard on her door had a swastika on it. The student is not Jewish. A letter was circulated among the residents of the building asking for anyone with information to come forward.

Lt. Apotheker announced that he was at the University of Massachusetts at Boston for a conference on the Polish invasion of 1938. He stated that there was a lack of knowledge because the Soviet Union was so controlling until 1980, that it wasn't well publicized. The museum on campus is trying to get the information out. He referenced a movie, "The Train to Nowhere", which he suggested might be suitable for using as an education tool in the schools.

An update on report in October of the 14-year old boy who arrested for hate crimes was given. Today, two adults were charged in conjunction with that for civil rights violations and criminal harassment.

Jack Porter reported on two anti-Semitic incidents that he knew of; one at Simmons College where a sukkah was torched, and one at Hyannis where a synagogue was burned. He feels that the media doesn't make the connections to these types of crimes and the failing economy. Lt. Apotheker stated that the larger percentage of incidents in Newton are anti-Semitic, which is likely due to the population. Overall, he feels that things are going well and cited the two gay and lesbian high school principals that have been employed without incident and the election this month of an African American mayor without incident.

## **Administrative Business**

**A motion to approve the minutes from the October 14, 2009 meeting was made by Suzy and seconded by Sona and the motion passed unanimously.**

## **COMMITTEE REPORTS:**

### **Fair Housing:**

Sheila described the process for fair housing and other civil rights discrimination complaints. Complaints are channeled to Beverly who then submits them to the HRC Grievance Committee. Informal resolutions can be attempted but the HRC lacks formal enforcement authority. However, a hearing can be scheduled. The complaint can be dismissed, or referred to an agency with formal enforcement powers such as HUD or MCAD. Following a hearing, the HRC can provide information to the City Clerk's office for publication about the resolution of the complaint, which would result in bad publicity for the offender. Sheila also spoke to the fact that the Fair Housing Task Force did a lot of work including trainings and developing a fair housing action plan. As chair of the Fair Housing Committee, she is pushing for more education and training among other things.

Muriel inquired as to whether de-leading must be a burden solely on the landlord or if there were programs to provide assistance for abatement. Rob stated that the City has a program but that it is in high demand and therefore there is currently a waiting list.

### **Program Committee:**

Brenda reported on the Program Committee meeting with Kristen McNeally, who is responsible for assisting with programs relating to "Traces of the Trade". The committee is considering the best approach for community outreach: having representatives from each village to talk to people in their community about it or having clergy see the film and discuss it with their congregants.

The HRC program would: (1) show the film, (2) solicit ideas from viewers of how to promote it, (3) have a facilitator and break into groups for discussion. Currently, the committee is looking for locations to hold the program including the Swedish Home and library. One barrier to choosing a location is the lack of good DVD and sound equipment. At this time, the program is slated to begin in February or March.

### **Education Committee:**

Sona reported that she continues to be in touch with the high school principals and students. Currently, we have only one representative from NSHS and that may be all we have this year. But the schools are in process of recommending the student human rights award recipients to Sona.

**Communications:** No report

### **Membership:**

Muriel welcomed the guests and invited everyone who is interested to approach her with questions. The HRC had a table at the Volunteer Job Fair on October 26 and a variety of people expressed interest. She also stated that the October Open House was well attended.

**MAHRC:** No report

### **Clergy Association:**

Sam stated that they have not yet had a fall meeting. Rabbi Gurvis has been contacting clergy to schedule a meeting, but one will not be scheduled until a commitment is made by people to attend.

### **HRC Awards Committee:**

Judy stated that everything is falling into place for the ceremony to take place on December 3 at the Newton Senior Center. Audrey Cooper will be the 2009 award recipient, as will four students from the two high schools. Bev provided an overview and had additional invitations for members to take. She thanks Suzy for helping with the mailing. She requested that everyone planning to attend RSVP since a large number of invitations were sent out, and space is limited.

## **Other Business & Announcements**

### **Restorative Justice Update**

Bev provided an update on Restorative Justice. NSHS has been piloting the project over the last three years and they are looking for outside help in supporting it in the community. Newton partnerships have been set up to perpetuate the program and include having a second teen center and mentoring program. The Youth Commission is looking to adopt and promote the program. They may turn to our HRC for co-sponsorship or general support.

Lt. Apotheker gave an overview of the diversion program in the court system, which has students doing community service to avoid going before a judge. He expressed concern for this program if there is a turnover in the district attorneys office and how it will manifest itself with restorative justice. The diversion program does not involve the victim in the process whereas the restorative justice program does.

**OTHER:**

Jane reported that the petition circulated earlier this year to support Congressman Barney Frank's call to cut the military budget by 25% gained over 1000 signatures and a resolution in support of the measure was recently passed by the Newton Board of Aldermen. She also informed everyone that there will be a vigil on Thursday, November 12 from 5-6pm in Newton Centre to withdraw troops from Afghanistan.

Marianne referred back to Lt. Apotheker's report last month regarding the 14 year old charged with hate crimes and brought up how the HRC might do something to address the issue of bullying. She noted the Program Committee has thought about this before and may want to consider it again.

Marianne pointed out that Mayor Cohen's term ends on December 31, 2009 and suggested that we invite the incoming mayor, Setti Warren to an HRC meeting, as has been done in the past. Bev suggested that some of the commissioners may want to arrange a meeting with him to discuss the importance of the HRC.

**The meeting was adjourned at 8:55 PM.**

**NEXT MEETING: Wednesday, December 9, 2009**

**Reminder: 25<sup>th</sup> annual Awards Ceremony is Dec. 3, 2009**

Respectfully submitted, Suzy Rosenthal, HRC Advisory Council and Beverly Droz, HRC staff director