

Meeting Place: Remote

Meeting Called To Order: 6:17, Monday, February 8, 2021

Vice Chair read the Chairperson Statement.

Role Call: Loreen Flockerzie, Daniel Yalowitz, Maureen Lyons, Carolyn McDaniel, Wendy Goodman, Wid Perry

Regrets: Tracey Burley, Peter Michael Smith

Others Present: Keith Barnicle, Communications Director, Town of Greenfield; Dan Sontag, Franklin/NQ Site Director, Department of Mental Health

Because the meeting started late (technical issues) and the guest speaker had a 7:00 commitment, we moved Dan Sontag (Site Director, Franklin/NQ Department of Mental Health) to the top of the agenda to discuss Emergency Room Crisis Services. Dan has twenty plus years of service with the Greenfield Crisis Services prior to his current role as Site Director. The Franklin/NQ DMH Office serves about 190 people with a mental health diagnosis.

Crisis Services (A Program of Clinical and Support Options) averages about 200 evaluations a month – conducted either in the community, at the Crisis Services Office, or in the Emergency Room of Franklin Medical Center (those evaluated in the ER often are presumed to be hospitalized and need to be medically cleared first).

Ideally, evaluations in the community are preferred as those conducted in the ER can be problematic, especially if people are sectioned against their will (Section 12A) if they are determined to be harm to themselves or others. Being committed can be troubling and traumatizing for the individual. Placement can be difficult depending on bed availability and insurance.

Diversion (from hospitalization) is an optimum goal – Crisis Service operates a 14 bed Crisis Stabilization Bed Unit that offers therapy, medication attention, and a chance to regroup for individuals who may not reach/need a hospital level of care.

Regarding Human Rights: A right to an attorney, basic human rights, family representation, right to written material, right to file a grievance – although due process in the Mental Health system can be challenging.

The goal is to obtain voluntary agreement and negotiating a solution if further treatment not necessary. Those held involuntarily must meet a level of care which causes exit issues.

Question: How are issues of equality/inclusion handled?

State Ombudsman available. State laws are a bit leant in favor of authority but conscious of dignity of risk balancing safety with human rights (caring for those who could cause “serious harm” to themselves or others).

The desire is to meet people’s needs when they are voluntary and creating the best outcomes for those who are seen involuntary (which doesn’t happen a lot but is still frequent enough).

What can the Human Rights Commission do? Advocacy. Stigma awareness (Mental Health IS Public Health).

A motion was made by Wendy to approve the January Minutes, motion seconded by Daniel and approved unanimously

Public Open Forum: Nothing to discuss.

Announcements: (Daniel): Housing as a Human right (We can make it Happen!) – a virtual exploration and call to action (March 27 – May 19, 2021).

Keynote speaker on March 27 (How Did We Get Here and Where Are We Going?) and eight workshops over seven weeks.

For more information and to register: housingishumanrights.com

Lifting The Veil: Racism in Franklin County). A three-part Zoom program sponsored by the Interfaith Council of Franklin County with panelists exploring the realities of racism and the important work of anti-racism. Wednesday, February 24th at 7:00 p.m., Thursday March 11th at 7 p.m. and Thursday March 25 at 7:00 p.m.

Can we post these type of announcements on the HRC Web Page? (One of the goals of the subcommittee).

Recommendations of the Subcommittee that looked at Section 136 (Human Rights Commission) of the City Charter.

The subcommittee (Carolyn, Pete, Loreen, Wid) recommended last month that the rules of procedure should be drafted to satisfy the requirements outlined in 136-6 G-H.

Tasks:

1. Revisit the Mission Statement to make sure it is what it should be for 2021 and beyond and consider adding a Vision Statement if it is felt that we need it.
- 2.

Mission Statement:

The Greenfield Human Rights Commission believes that all citizens of the community have the right to be treated with dignity, respect, fairness, impartiality and justice without regard to race, color, national origin, ancestry, gender, sexual orientation, age, religion or disability.

The Human Rights Commission will:

- Promote a positive sense of community and unity based on our similarities and differences
- Provide a forum for the promotion of dialogue, education, healing and celebration of our diversity
- Investigate, mediate, respond and report to the community on allegations of human rights violations
- Provide resources, direction and counsel

The Commission shall work toward enhancing the quality of life in Greenfield through promoting understanding, appreciation and respect.

3. Draft and adopt rules of procedure, as named in code section 136-4 B:

Subject to the approval of the Mayor, the Commission shall adopt a set of rules for its administration which are consistent with the laws of the commonwealth and ordinances of the Town.

These rules of procedure should be drafted to satisfy the requirements outlined in 136-6 G-H:

- To publish as a public document its bylaws, policies, and practices for both internal functions and external activities, excluding those documents which are confidential under federal or state law
- To publish its rules of procedure for the conduct of its investigations, hearings, and negotiations. Said rules shall ensure the due process rights of all persons

and/or entities involved in an investigation. At any hearing before the Commission, or any committee thereof, a witness shall have the right to be advised and represented by counsel.

4. Expand narrative descriptions of, and standard operating procedures for achieving each core function of the HRC, as identified in 136-5 A-D:
 - A. To improve the quality of life of the Town by enlisting community-based groups in educational programs and campaigns to increase mutual self-respect, harmonious intergroup relations and the peaceful enjoyment of life in our diverse community.
 - B. To respond to complaints by persons who believe that their human or civil rights, as defined by existing local, state and federal law, have been violated in Greenfield.
 - C. To initiate investigations into circumstances for which a formal complaint is received or where cases of alleged discrimination are brought to the Commission by other Town boards, commissions or officials.
 - D. To work with municipal government departments, the School Department, commissions and boards, to increase compliance with appropriate local, state and federal laws and to raise the level of awareness and sensitivity to human rights issues in municipal business with the public through workforce-wide required training programs.
5. Establish a formal calendar of HRC business that includes (but is not limited to) key responsibilities outlined in code:
 - a. Annual reporting
 - b. Ongoing/annual assessment schedules
 - c. Budgets
 - d. Publications

Examples from other Human Rights Commissions to use as inspiration and to inform our efforts:

mission/vision statement

Mission Statement:

To enforce civil rights laws and empower the citizens of Fort Wayne through education on diversity and discrimination issues. Metro seeks to partner with people and organizations who promote Metro's vision.

Vision Statement:

To make Fort Wayne a more diverse and inclusive City where every member of the community has equal opportunity to thrive and flourish and is empowered to assist in the eradication of discrimination.

We envision an inclusive society where everyone takes responsibility for promoting and protecting human rights; where everyone is valued and treated with equal dignity and respect; and where everyone's human rights are a lived reality.

We believe that the way to realize this vision is to activate and engage the full range of our functions and powers under the Ontario Human Rights Code and our institutional expertise to dismantle the complex, intersecting dynamics and conditions that foster and perpetuate systemic discrimination.

Our mission is to promote and enforce human rights, to engage in relationships that embody the principles of dignity and respect, and to create a culture of human rights compliance and accountability. We act as a driver for social change based on principles of substantive equality. We accomplish our mission by exposing, challenging and ending entrenched and widespread structures and systems of discrimination through education, policy development, public inquiries and litigation.

A credible, effective, connected and highly-valued organisation that makes human rights real and relevant within and outside the organisation, confident in its Te Tiriti-based aspiration and making a positive impact for all individuals,

Mission

We create continuous meaningful improvement in the realisation of human rights for all people in Aotearoa New Zealand by:

Promoting better understanding of the human rights dimensions of Te Tiriti o Waitangi

- Practising kaitiakitanga in our stewardship of human rights in New Zealand
- Challenging breaches of human rights by voicing opposition and demanding change
- Standing with and supporting those whose human rights have been violated
- Brokering evidence-informed human rights solutions
- Holding government and business to account for respecting, protecting and fulfilling human rights for all people in Aotearoa New Zealand
- Promoting better understanding of the human rights dimensions of Te Tiriti o Waitangi
- Supporting human rights advocacy and advancing action at community, local, regional and national level, and
- Urging government and all those in positions of power and influence to demonstrate human rights leadership in practice in a global context.

Mission Statement

The mission of the Human Relations Commission is to conduct outreach and educational activities that promote justice and cultural understanding, and improve relationships among all people of the City of Topeka.

Vision Statement

The Topeka Human Relations Commission is the key educational and services connecting resource for the city to its people to help eradicate inequality, provide cultural education and create a diverse, accepting community that assists, adapts to and upholds every member in its midst with fairness, kindness and a path to a stable and prosperous future. by laws

<https://cms5.revize.com/revize/cityofwillmar/bylaws.20191217154058.pdf>

<http://www.fortwaynemetrometro.org/metro-s-rules-regulations.html>

136-4

<https://www.ilga.gov/commission/jcar/admincode/056/05605300sections.html>

136-5 A-D

<https://www.jagranjosh.com/general-knowledge/national-human-rights-commission-nhrc-1595496404-1>

The subcommittee is unclear as to whether we should break out each of these tasks into smaller groups or address each topic one at a time per meeting.

Wendy made a motion to set an Agenda item for next month's meeting (20 minutes) to brainstorm mission statement and vision statement and form subcommittee to continue. Motion seconded by Daniel and passed unanimously.

Old Business: None

New Business: Wendy proposed a new agenda format.

Old format

AGENDA:

1. Call to Order
2. CHAIRPERSON STATEMENT: If any person present is recording this meeting you must notify the Chairperson at this time.
3. Roll Call-
4. Approve minutes.
5. Public Open Forum
6. Guest speaker-
7. Notices/Announcements
8. Recommendations from the Subcommittee - Re-Mission statement and By-laws.
9. Old Business
10. New Business
11. Adjournment

Wendy suggested making some minor changes to our Agenda format and process to better inform the public as to what (when and for how long) items we will be covered. Further, it provides commissioners with a vehicle to have their items for discussion clearly entered into the agenda by re-ordering items, providing more detail and clarity (under old and new business, with an additional item called 'emerging items'), and adding estimated time allocated per topic.

Proposed format:

AGENDA:

1. Call to Order (with the first 4 items using 5 minutes)
2. CHAIRPERSON STATEMENT: if recording meeting, you must notify the Chairperson at this time.
3. Roll Call-
4. Approval of previous meeting minutes .
5. Public Open Forum (open)
6. Guest speaker (1/2 hour)

7. Old Business (Items begun previously or on previous agenda that didn't get addressed
 - A. Recommendations from Subcommittee: by laws/process (1/2 hour)
 - B. *Note: under this model, the agenda and intake process would fall under old business, as they would have been on the previous months agenda, specifically and did not get addressed.*
8. New Business: (items (sent by commissioners) Prior to publication of agenda
 - a. Agenda creation (15 Minutes)
 - b. Intake process (15 minutes)
9. Current concerns:
 - a. items coming to notice after the agenda was submitted.
10. Announcements/ Information *We might choose to do this upfront?*
- 11 Send off/Reminders: next meeting , don't "reply all" (Open meeting laws reminder)
12. Adjournment

Motion: Amend agenda items to include new items as discussed, time allotments, and do not "reply all" to any e-mails. Seconded: Carolyn.

Discussion: Deadline for agenda item submissions is the Monday before the scheduled monthly meeting, noon.

Motion passed unanimously

Motion: Procedures for complaint submissions until we establish hard rules by updating website with e-mail link (chair, vice chair, mayor). Daniel seconded.

Discussion:

Wendy's concern arises from her not knowing how to proceed when she hears a concern as well as wanting to ensure that the entire GHRC is apprised of issues and has had the opportunity to discuss next steps before any action is taken other than gathering more information from the complainant (and perhaps others that s/he has identified as involved or 'in the know'.)

This follow up is suggested in order to get as much information for the Commissioners' meeting as possible. Also, the complainant should/would be invited to attend the next scheduled GHRC meeting with a list of follow up questions that all commissioners follow when pursuing a concern)

Questions for Commissioners when following up on a complaint. **[with an awareness that some of these queries may receive a N/A or D/K]**

Who was involved?

What are [thought to be or known to be] the relationships?
What led up to the incident or situation?
What has already been done (who else has been contacted)?
What type of resolution would complainant like to see?
Would the person coming forward [or her/his/their designee] be willing to come to the next GHRC meeting , please to share, explore, and discuss with Commissioners?

The issue is then placed on the agenda for the next meeting and discussed by the entire commission with the complainant as next steps get determined.

It might look like this:

- 1) update the website (Caitlin indicated she does it and it is easy to do)...so it's easy to contact the GHRC directly.
- 2) The website has a link to submit concern, the link would send the email (and in the future the intake form that's being worked on) to the GHRC Chair, Vice Chair and Mayor.
- 3) The Chair and Vice Chair jointly decide who will follow up/make personal contact with the concerned constituent. Using the scripted (agreed to) intake questions.
 - a. Reaching out may also be delegated to a commissioner if that is deemed effective and appropriate by chair and vice chair. (perhaps due to personal connection or a particular commissioner having more interest/knowledge about a subject)
 - b. Confirming email to the 3 parties (Chair, Vice Chair, Mayor) and delegated commissioner (if appropriate)
 - c. party/parties are invited to next meeting (as per intake protocol)
- 4) The issue then gets put on the agenda (new business) for the next scheduled GHRC meeting,
 - a. A report is made on findings
 - b. Complainant speaks if desired
- 5)
 - a. Discussion: Questions/concerns shared
 - b. Possibilities and next steps are discussed by the commission at large.
- 6) A report or some type of feedback completion mechanism.

Keith mentioned that we need to fix the procedure and utilize the form drafted (see below) and add the steps and post the form.

We need e-mail communication access either by creating a city e-mail address for the HRC or posting the Chair and Vice Chair's personal e-mail addresses.

Motion passed unanimously.

Draft Complaint Form:

If you have experienced discrimination or been denied opportunities in housing, employment, education or access to public accommodations because of your race, color, religion, national origin, ancestry, sex, sexual orientation, gender, gender identity, age, ethnic background, disability, marital or veteran status, or because you have children or receive public assistance, you may file a complaint form with the Greenfield Human Rights Commission (HRC). Filing a discrimination complaint with the Greenfield Human Rights Commission is **not** a substitute for [filing a discrimination complaint](#) with the Massachusetts Commission against Discrimination (MCAD). To preserve your legal rights, you must also file an official complaint with MCAD within 300 days of the alleged discriminatory act.

To file a complaint with the Greenfield Human Rights Commission:

- You must file your complaint in writing using the Commission's complaint form. You can pick up a complaint form from the City Clerk's Office on the first floor of City Hall, 14 Court Sq., Greenfield, MA or visit www.greenfield.ma.gov. The complaint form is available on the Human Rights Commission's webpage.
- Complete the complaint form and sign it.
 - Be sure to include:
 - A. Your contact information: full name, address, telephone number; and e-mail address;
 - B. The name of the person(s), organization, business you allege has discriminated against you; and the contact information for that person or entity: full name, address, telephone number; and e-mail address;
 - C. A written statement detailing the discriminatory act. Please include as much of the following details as possible (use additional sheets if needed):
- **YOU MUST SIGN THE COMPLAINT**
- You may bring your complaint in person to the Human Rights Commission at the City Clerk's Office, City Hall, 14 Court Sq, Greenfield, MA 01301. You may also mail it to the Commission by certified mail.
- No later than 30 days after you file your complaint, you will receive a letter from the Commission confirming that your complaint was received. The Commission

will also mail you a copy of the Commission's official rules about the complaint procedure.

- A copy of your complaint will be sent by certified mail to the person or a representative of the organization or business you allege discriminated against you. That person has the right to file an answer to the complaint with the Commission.
- In reviewing your complaint, the Chair of the Commission will appoint a 3-person ad-hoc subcommittee, the Fact-Finding Committee, will determine whether to continue fact finding or whether to dismiss your complaint if your complaint doesn't fall under the definition of Unfair Practices or has exceeded the 300 day time limit for filing a complaint. For a definition of Unfair Practices see the "Complaints" document mailed to you by the Commission.
- The Fact-Finding Committee may ask to meet with you, the person or a representative of the business/organization who discriminated against you, as well as any witnesses. You will be informed of any meetings taking place. You have the right to attend those meetings. You also have the right to have a lawyer with you at any meetings at your own expense. Meetings of the Fact-Finding Committee are not subject to open meeting law because they do not represent a quorum of the Commission and they are an ad-hoc composition and not a standing body.
- The Commission may also decide to refer you and the person or representative of the organization or business who discriminated against you to mediation or to another agency or organization that may better help you resolve the complaint.
- You have the right to withdraw your complaint at any time by filing a written request with the Commission stating the reasons why you wish to withdraw the complaint.
- While the Commission is investigating your complaint, all information and documents relating to your complaint will be kept confidential by the Commission to the extent permitted by law. However, once the complaint process is completed, any documents made or received by the Commission will be public records unless the document is exempt from disclosure under the Public Records Law, M.G.L. c. 4, § 7, cl. 26..

If you have any questions regarding this procedure feel free to contact the City Clerk's Office at 413-772-1555

Discrimination Complaint Form

Greenfield Human Rights Commission

Date:

Name of complainant:-

Street address, City, ST, ZIP Code:

Primary phone number: _____ Other phone number: _____ Email address:-

1. Nature of complaint

- Education Employment
 Hate incident Other (please specify)

2. Please describe the nature of your complaint. You may attach additional pages if needed.

3. Who do you believe discriminated against you?

Respondent (Person/Organization who you believe engaged in discrimination)

Address of respondent Date of most recent discriminatory activity

4. Have you lodged your complaint with the respondent? Yes No

5. Have you filed your complaint with a federal, state, or local anti-discriminatory agency? Yes

No If yes, which one?

6. Have you filed your complaint with any court? Yes No

If yes, which one?

Signature of Complainant: _____ Date:

Please return this form to: Greenfield Human Rights Commission,
14 Court Square, Greenfield, MA 01301

-or- [email](#)

Reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the City of Greenfield – Office of the City Clerk at 413-772-1555 or townclerk@greenfield-ma.gov

New Business: The Chair received an email regarding the offensive sticker placed on a parking meter on Bank Row. David Singer will be added to the agenda for next month's meeting to address concerns regarding local white supremacy group.

Keith gave a quick COVID update – testing is going well and vaccine distribution will increase with several clinics for Franklin County, one at the John Zon Community Center. All city first responders have been vaccinated. Phase 1 is age 75 and up, Phase 2 will be more wide spread beyond CVS and Big Y. The Veterans Clinic is also administering vaccine for Vets.

A motion was made to adjourn the meeting at 7:45. The motion was seconded and approved.

Next Meeting: Monday, March 8th 2021 at 6:00 p.m. Submit agenda items to Loreen no later than noon, Monday, March 1, 2021.