



DRAFT

**BARNSTABLE COUNTY
HUMAN RIGHTS ADVISORY COMMISSION**

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**Minutes of Regular Meeting
Monday, July 13, 2020, 5:00-6:30 PM
Remote participation**

Advisory Commission Members Present:

Alan Milsted, Dave Schropfer, Patricia Oshman, Jeanne Morrison, Katie Riconda, Wendy Bierwirth, Kate Epperly, Morgan (Mwalim) Peters, and Paul Thompson

Also Present: Brian O'Malley, Barnstable County Assembly of Delegates liaison, Susan Quinones, Human Rights Coordinator

Public Members: Stephen Buckley (Open Chatham), Mike Darring (Open Chatham), Lily Hennessey (Enterprise News), Danielle Toby. and Richard Vengroff (Guest Speaker)

1. Call to Order and Roll Call:

Alan Milsted called the meeting to order and Susan Quinones conducted a roll call @ 5:05 pm. With a quorum present, Alan proceeded to the first item on the agenda.

2. Open meeting law requirements

Susan reviewed the order issued by Governor Charlie Baker, allowing HRAC to post its agenda electronically, and to allow HRAC to meet remotely. Otherwise, all provisions of the OML are still operative. We had a quorum. Susan requested that this meeting be recorded as it is an option on Zoom.

3. Approval of Minutes

Alan made a motion to table the June 15, 2020 meeting minutes until the next meeting, which motion was seconded and unanimously approved. Susan will be posting the minutes as "draft minutes" once reviewed.

4. Guest Speakers, Richard Vengroff, Immigration Counselor, CACCI

Richard Vengroff, a former Human Rights Commission member, came to discuss the impact of new asylum regulations being proposed by this Administration. Richard introduced himself by noting that he has spent the last decade serving refugees in Lowell, immigrants in Cambridge, and now clients from all over the world as counsel with the Community Action Committee of Cape and Islands (CACCI), out of their Falmouth office. CACCI counselors are certified by the Department of Homeland Security to guarantee there are people with the appropriate backgrounds who can provide guidance to Immigrants.

Concerning the proposed new regulation, Richard observed that:

- The goal of the administration is to use asylum seekers as part of a political agenda.
- Asylum seekers must have a fear of being persecuted, unwilling to or fear of returning to country, and must be in the United States.
- No client he has met with wants to seek asylum in the United States; instead, this is something they do as a last resort.
- Criteria for approval includes being affected by one of the following: discriminated based on political opinion, race, social group, etc.; economic migration is excluded. This administration has tried to limit social group category as it includes HIV status, LGBTQ+ rights, etc.
- Most clients are coming to the United States for economic reasons, which is NOT a valid reason for seeking asylum.
- Numbers are assigned to people; they decide how many people can be handled for one day. Applicants are forced to wait in Mexico. Number of applications per day are limited.
- Asylum transit ban – sent back to Mexico and told to go to one of several other countries; this was overturned by a federal judge on June 30; however, the policy has not stopped.
- Safe countries – if go through any one of the “three safe countries” you are unable to seek asylum in the United States.
- There is also a restriction on immigration judges – judges organized under Article 1 of the Constitution. They are administrative judges. Their positions are not permanent. Clients are not entitled to translator or lawyer; client would have to pay for either one.
- Most recently, because of COVID-19, all hearings at the border have been suspended.
- If parents have committed a crime (crossing the border) their children are taken away from them.
- Sending people back across the border is against treaties the United States has signed; clients have difficulty obtaining resources and being provided legal counsel. Clients do not know when and where they will be assigned to court. Immigration lawyers usually will not go into another country to serve clients.
- Alan asks how the HRAC can be helpful? Rich noted that since asylum are unable to legally work for a year, the greatest need is in helping them find housing on the Cape.
- Trish asked if abuse referrals were being made to Independence House? Rich said “Yes”.

5. Report on intake and complaint working group

Jeanne Morrison reported on the July 10th workgroup meeting. The group reviewed existing policy statement and reviewed intake forms that Wendy Bierwirth had assembled from various agencies. Next steps include:

- Need to determine process: who, what, how.
- Must keep consistent with state’s statutes, MA Human Rights law.
- Select best features of various complaint intake forms and policies and procedures from human rights commissions, UN, government, and ACLU, for HRAC to develop its own criteria, and its own form(s).

- Discussed setting up a database where HRAC can track complaints from the beginning of a filed complaint, through the time when the case is closed. Database can also be used to identify trends, that may require additional action by HRAC or Barnstable County.
- Will need public outreach (once forms are available) to make public aware of the kinds of resources HRAC can provide.
- Alan asked how to address complaints not within the human rights equal opportunity discrimination policy, affecting our ordinance such as gender identity?
- Susan gave an example of someone who had called about bullying in a school – the concern was that she did not want to launch a formal complaint due to possible retaliation. What sort of role should we or could we take in such a situation? Jeanne said every call should be an opportunity for dialogue; we could educate the person about retaliation, but as a group determine how we can work with the person to provide suggestions on how to deal with their issue.
- Paul said that if the complaint does not seem to fit within the scope of the ordinance, as it is currently written. We would need to analyze the complaint and find a referral organization that can assist with the complaint.
- Jeanne promised Commission members that they will have an opportunity to review forms and provide feedback once the forms are completed.

6. Coordinator's Report:

- Time for us to re-evaluate the makeup of the working groups, due to time constraints that people have; as we move forward Susan will speak to each commissioner individually to see if want to remain in working group or join a new working group; goal to refocus and reactivate working groups.
- Website and Facebook pages are starting to get more followers. Send Susan articles and information to be posted.
- HRAC will be requesting approval from the Regional Commissioner's to hire an Administrative Assistant for 5 hours per week.
- Other items are listed in the Coordinator's Report posted online.

7. Delegation of Authority to Act on behalf of HRAC between Board meetings

- Alan said that a lot is happening and as a full Board they have not had a lot of time to work on actions. Therefore, Alan proposed that the Board delegate to Kate, Alan, and Susan the power to take action on behalf of the Board and report back at next meeting; David Schropfer amended the proposal to delegate the power for Susan to act on behalf of the HRAC in consultation with and with direction from Kate and Alan. The motion, as amended, was seconded and unanimously approved.

8. Police chiefs meeting

- Alan proposed reflecting on June 26 meeting and finding a way forward.
- Paul – was not involved but heard that people did not have a chance to speak their mind; it was more controlled.

- Dave – concern that as groups grow larger and larger cannot really manage them; felt larger group inhibits progress.
- Trish – people are looking for ways to speak up; chiefs need to listen story by story; we don't want to tell the police how to do their job, but police need to hear how community perceives what's happening;
- Kate – believes the structure was an issue; must be mindful of not having an equitable environment in this work.
- Jeanne – agrees with Katie and Trish; was not the best structure; biggest issue was their dismissiveness; not a process that is going to be useful currently. Urge the conversation where issues can be validated rather than people becoming defensive.
- Wendy – to me it was a failure of communication on HRAC part. What we had planned to do – why it was structured as a webinar instead of a zoom meeting, what would be discussed. Because of reopen Cape Cod had technical problems. Some people who came into the meeting had different expectations. Thought that goal was to build trust with police. If so, voicing concerns would be next step.
- Mwalim – there are certain social realities about Cape Cod that do not get acknowledged and do not get acknowledged in meetings with police. Struck him that police say there have been no cases on Cape Cod; spoke on landmark case involving cousin being gunned down at a traffic stop. While Police wonder why complaints are not made, the answer is rooted in the public's fear of retaliation. When the discussion touches on real situations, the police immediately jump to policy without addressing or hearing from community members – how is this being addressed in a realistic matter?
- Alan – could be public accountability. One way forward would be to challenge police chiefs around 2020 policing in community engagement.
- Paul – some of us feel it is a matter of life and death, and not a matter of making individuals more comfortable.
- Jeanne – if people are uncomfortable and upset then we are not doing the right thing. Still have problems with the police. Level of work chiefs do themselves to even hear from people of color. Paul is right. This is the exact same story being told generations ago.
- Dave – It would be helpful to have a meeting with all 15 towns – a group that would consist of people of color, etc. One person would be from that town to legitimize meeting. New chief – do not know where he stands and would like to know.
- Suggestions: smaller regional listening forums, trainings of police, commission, and community, forming subgroup to work on this, develop survey on next steps post-meeting to make it better next time. Can happen simultaneously. Do not record. Can obtain stories via video or recording and we can certify that these are Cape Codders – anonymity (Mwalim). Kate- no place for hate group is doing this and she is on it with Jeanne. Can collaborate with them on it.
- It was decided that Kate, Paul, and David would look at some models for future discussions with the Police and have recommendations for the Board to consider at the next meeting.

9. Adjournment

Upon a motion, which was duly seconded and unanimously approved, the meeting adjourned at 6:30 pm.