

Chairperson
Aaron Richman



Members:
Shawna Curran
Lilian Chukwurah
Izaida Gonzalez
Robyn Kennedy
Edward G. Robinson
Elizabeth O'Callahan

Vice-chairperson
Cara Berg Powers

**City of Worcester
Human Rights Commission**

**Monthly Meeting Summary – Monday April 3rd, 2017, 6pm
Worcester City Hall, Esther Howland Chamber, 455 Main St., Worcester, MA**

Members Present: Aaron Richman, Cara Berg Powers, Izaida Gonzalez, Robyn Kennedy, Lilian Chukwurah, Edward G. Robinson, Elizabeth O'Callahan

Members Absent: Shawna Curran

Staff Present: Jayna Turchek, Ana Velazquez and Simon Elliott

1. **Call to Order:** A quorum was established and Chairperson Aaron Richman called the meeting to order at 6:09pm. The Chairperson welcomed the Commissioners and those present, Commissioners, staff and guests, briefly introduced themselves.
2. **Approval of March 6th, 2017 meeting minutes:** Commissioner Gonzalez motioned to approve the minutes as written. Commissioner Robinson seconded. Unanimously approved as written.
3. **New Business:**
 - a. **Review Commission statement in support of our Muslim and Jewish neighbors**

Vice-chairperson Berg Powers motioned to approve the statement. Commissioner O'Callahan seconded. Unanimously approved as written. The Chairperson read the statement aloud, which is as follows:

As the City of Worcester Human Rights Commission, we are committed to supporting our Muslim and Jewish neighbors. We stand in solidarity against all prejudice and discrimination directed towards all Muslim and Jewish communities and residents within and beyond our shared community.

We recognize that there exist intersections between hate crimes and anti-immigration rhetoric, and we encourage everyone to actively defend the rights and freedoms that we should all enjoy, among our Muslim and Jewish communities.



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The Commission also goes on record to declare our concern about the recent bomb threats made against the Worcester Jewish Community Center (JCC) and other Jewish institutions around the country.

As stated in the City of Worcester Human Rights Policy: *It is clear that behavior which denies equal treatment to any of our citizens as a result of their race, color, religious creed, national origin, sex, gender identity, sexual orientation, genetic information, ancestry, disability or source of income undermines civil order and deprives persons of the benefits of a free and open society.*

We further endeavor to build bridges of partnership and dialogue within our religious and non-religious communities and encourage all City residents, City Government, and employers to do the same.

With this statement we affirm that the diversity of religious and cultural beliefs and backgrounds found in our community is what makes us great.

b. Affordable Housing and Fair Housing training (Community Legal Aid & Worcester Fair Housing Project):

Director Turchek introduced Ana Velazquez, the Housing Discrimination Intake Worker at the City of Worcester Office of Human Rights & Disabilities. The City, through a partnership with Community Legal Aid, has a grant for the Worcester Fair Housing Project (WFHP). Velazquez spoke about the mission of the WFHP, which is to educate members of our community about fair housing laws that protects residents from discrimination. Velazquez provided the Commission with folders that included a WFHP brochure order form and five brochures, including: Tenant's Rights and Responsibilities, Lead Paint, Housing Discrimination on the Basis of Religion, Housing Rights for Victims of Domestic Violence and Reasonable Accommodations for persons with disabilities.

Velazquez reported to the Commission that over the last three years, the intake worker has held approximately 180 educational meetings with different agencies, and has distributed roughly 16,000 brochures, in an attempt to reach the maximum amount of people around the city and beyond. Additionally, the intake worker conducted around 136 housing discrimination intakes in the last three years.

Jane Edmonstone and Emilee Gaebler, staff attorneys from Community Legal Aid (CLA), came to the Commission to speak about Fair and Affordable Housing in the Worcester context and more in general. Community Legal Aid serves residents of Berkshire, Franklin, Hampden, Hampshire and Worcester counties. This non-for-profit serves predominantly low-income residents of central of western Massachusetts with civil legal issues aligned with their social justice priorities. Some examples of cases that CLA takes include public benefits, domestic violence, restraining orders, custody, immigration, education, civil rights work, eviction defense and other housing cases that work to help people stay stabilized in their homes.

Jane Edmonstone outlined to the Commission an abridged history of Fair Housing, which is as follows: beginning with the abolishment of slavery after the Civil War, many states and local governments passed laws and established legal mechanisms that protected and further deepened segregation, among other things. Many of these laws were abolished by the Supreme Court in 1917, but private entities continued to employ tactics which enforced segregation. These methods, in the private market, were legal until 1968. With the Civil Rights Act of 1968, also known as the Fair Housing Act of 1968, the refusal to sell or rent to an individual because of his race, color, religion or nation of origin was considered discrimination, and henceforth illegal. The Civil Rights Act law also dictated that the states must actively promote and encourage local entities to take action to identify what ways they could improve. That obligation has gotten new eyes as of late. In 1974, the Fair Housing Act was amended to include protection of those individuals with disabilities and to forbid denial of housing based due to familial status.

State law in Massachusetts is actually more protective than at the Federal level as it extends protection against discrimination based on one's veteran status, marital status, sexual orientation, gender identity, gender expression, and government assistance. Discrimination looks different in different times and for different reasons. Sometimes there exists direct evidence of discrimination; other times there is not complete denial of housing, but the requiring of renter's insurance or higher rent (any example of being treated differently) can also be interpreted as discrimination. Lead paint in Worcester is also frequently a point of contention in housing discrimination cases. Lead paint laws do require that if a child under the age of six lives in the house, or is seeking to rent the house, the landlord is required to remove or abate the lead. If not, he or she is in violation of housing discrimination law. There is no positive regulation requiring landlords to test for lead in the absence of a child under six living in the house.

Disparate impact, upheld by the Supreme Court, is a legal doctrine which states that an ostensibly neutral policy or practice that has a disproportionately adverse effect on members of a protected class is discrimination. The validity of a disparate impact approach to fair housing was sustained by the United States Supreme Court, the *Texas Department of Housing and Community Affairs v. the Inclusive Community Project (ICP)*. In this case, the Supreme Court ruled that the disparate impact of the repeated locating of affordable housing in low-income neighborhoods violated Fair Housing Rules.

Emilee Gaebler works on the preservation of affordable housing in Worcester, and focusses on big patterns of what is happening in Worcester. There are a few affordable housing options; such as the Worcester Housing Authority, which oversees public housing. People move into these units and pay 30% of their income to rent, and the government covers the rest. In order to continue to receive the subsidy, the people must remain in the same subsidized location. There also exists a voucher program, which is overseen by Section 8, with which the individual may move with the voucher, as it is connected to the individual and not to the unit. A person with a voucher may live in locations that are public housing, or in privately-owned.

Massachusetts communities must provide 10% of its housing as affordable housing, yet meeting that threshold does not necessarily mean that the need in a community is met. Recent data in Worcester is showing that even if all of 30% of one's income goes to housing, many individuals are still unable to afford rent at the fair market rate and that it is pushing the percentage of income threshold higher and higher. Jane Edmonstone distributed a document from the National Income Housing Coalition, titled "Out of Reach 2016," which outlines the growing disparities between the average renter wage and the wage required to rent a 2-Bedroom unit.

Landlords are not required to lower rents to individuals with vouchers, and thus, following recent trajectories, the supply for affordable housing will continue to dwindle as the amount of people who need more and more affordable housing will increase. Much of affordable housing is located in Main South and the Piedmont neighborhood and less so on the West Side, exemplifying the segregation and discriminatory patterns of which Jane spoke at the onset of this meeting and posing a fair housing challenge. As downtown Worcester continues to develop, in the sense that new restaurants, coffee shops, residencies and other destinations are being established, many affordable housing renters that used to be in the downtown/Main South area are now being pushed out because of increasing rents.

- 4. Location of next meeting (6pm, April 10th, 2017): City Hall, Esther Howland Chamber**
- 5. Public comment (3 minutes per individual): None**
- 6. Adjournment at 7:54pm**