

Chairperson
Ellen Shemitz

Vice-chairperson
Elizabeth O'Callahan

Clerk
[vacant]



Human Rights Commission

Members:
Robert Bilotta
Guillermo Creamer Jr.
Randy Feldman
Charles Hopkins
Jamaine Ortiz
Bernard Reese
Jacqueline Yang

MEETING MINUTES

Monday, December 4, 2023, 6:00pm

**City Hall Esther Howland Chamber, 3rd floor,
455 Main Street, Worcester, MA 01608**

1. Call to order – 6:03 p.m.

2. Introductions

3. Roll Call- Present: Ellen Shemitz, Chair, Liz O'Callahan, Vice Chair, Robert Bilotta, Dr. Bernard Reese, Guillermo Creamer., Randy Feldman, Jamaine Ortiz, Charles Hopkins, Jacqueline Yang

4. Instructions for public participation

Public Comment (*Time will be allotted for each item as it is introduced or at Chairperson discretion*)

5. Mission of the Human Rights Commission:

The Human Rights Commission was established to promote the city's human rights policies. It is the policy of the City to assure every individual equal access to and benefit from all public services, to protect every individual in the enjoyment and exercise of civil rights and to encourage and bring about mutual understanding and respect among all individuals in the city. Our work requires us to address institutional racism so that as a community we can achieve racial equity. Our work also requires us to make visible the unheard, unearned, and unquestioned privilege enjoyed by some member of our community to the detriment of others. We take time to make this acknowledgment, to educate so a path can be cleared for healing.

6. Terms:

The term “institutional racism” refers specifically to the ways in which institutional policies **create** different outcomes for different racial groups. The institutional policies may never mention any racial group, but their effect is to create advantages for whites and the oppression and disadvantage for people from groups classified as people of color. The term “racial equity”

is the active state in which race does not determine one’s livelihood or success. It is achieved through proactive work to address root causes of inequalities to improve outcomes for all individuals. That is, through the elimination or shifting of policies, practices, attitudes, and cultural messages that reinforce differential outcomes by race or fail to eliminate them. The term “privilege” describes the unearned social power and informal institutions of society to all members of a dominant group. For example: “white privilege” and “male privilege.” Privilege is usually invisible to those who have it because we are trained not to see it but nevertheless it puts them at an advantage against those who do not have it.

- **Statement Honoring the Nipmuc People:** We acknowledge the traditional and ancestral territory of the Nipmuc, the first people of Massachusetts whose lands we are convening on tonight. While the Nipmuc history predates written history, records from the 1600’s inform us that the original inhabitants of Worcester dwelled principally in three locations: Pakachoag, Tatesset (Tatnuck) and Wigwam Hill (N. Lake Ave). It is important to make this acknowledgement and to honor the ancestors that have come before us. It is all too easy to live in a land without ever hearing the traditional names and the history of the people who first resided and prospered in these lands and continue to reside and prosper.

7. Approval of meeting minutes from November 13, 2023, unanimously approved Amended

8. Continued Discussion of the Human Rights Commission’s Priorities

- a. Updates on Communications with the City Manager from Interim Executive Director of the Human Rights and Accessibility Office Victor Perez:

The Chair: During the October 2nd meeting, we asked that WPD provide full investigation reports on 12 sustained allegations of officer misconduct, investigation reports on 17 hate crimes, and that a representative for the City Solicitor come to talk about 13 civil rights cases involving the WPD settled between FY 19 and FY 23. Those motions were summarized in the October 17

memo. On October 20, 2023, HRC leadership met with the CM. The CM said he was not granting those requests and wanted us to shift focus to support his works and his staff's efforts on Equity and Inclusion. We asked for a written response stating why he was denying it and that he and his staff attend the next HRC meeting to clarify. The City Manager submitted a memo to the HRC that did not respond to the requested information, but asked that HRC refocus its work on EODEI related tasks. Last meeting, we reviewed that memo and had lingering questions. The HRC asked for a written response describing the reasons for denying police information requests, that the CM provide clarification from his memorandum referencing discrimination against WPL staff involving unhoused residents, and that the CM or a designee attend the next meeting. During the November 21 City Council Meeting, Councilor Nguyen motioned to ask the City Manager attend or send a representative to the next HRC meeting. The motion passed by roll call with 11 yeas and 0 nays. The CM did not meet or send a representative, but made a public statement communicating his vision for the HRC. The public statement reviewed the powers of the HRC to investigate complaints, hold hearings and issue orders/reports but it failed to mention the power to review departmental policies and review departmental disciplinary actions. The public statement stated that "In the spirit of transparency," the CM indicated that he will publish the BOP public records on the 17 founded investigations and the statistics and demographics on hate crimes, so the HRC can look at that and focus on his directives. Vic Perez will update the board from the City Manager.

Director Perez: At the last meeting, you asked the CM, ACM, the City Solicitor, or Assistant City Solicitor to come and provide clarity, in response to the memo the HRC received from CM asking for clarity on what he wants done. I held a few meetings with the CM's Office. In regard to PD requests, the CM reiterated that there is currently a DOJ and ongoing racial equity audit. He thought it was redundant and not necessary to have the HRC going over the same information. He does not question the authority of the HRC to look at these matters or intend to deny any information, but he asked this not be an HRC focus right now. This is was not about "hiding the ball," which the CM hoped was evidence from his public statement regarding the release of WPD related information, but he wanted the HRC to look at what views as a priority on what he wants done in the city. After the Equity Audit and DOJ are complete, they will be

available to the HRC. Racial Equity Audit findings will be made available to the City Council sometime in January. The CM encouraged ongoing work between the HRC and the WPD, including the annual updates that have historically occurred during the spring, review of WPD policies, and a review of received Civil Service Exam Information.

The information relevant to hate crimes data will be shared with HRC sometime in December. The CM asked that DEI work be interwoven into the HRC. The CM will publish other documentation relevant to HRC requests, that should not be the priority for the HRC at this time.

The CM also said a lot about his vision. He said he spoke with HRC leadership for many months about how the HRC will be changing as the EODEI is structured. The City Council approved the CM's requested changes to EODEI; he had articulated to the City Council at the time that he wanted the four Commissions aligned with the EODEI, such as the HRC, to incorporate certain goals relevant to the DEI office, including a review of DEI policies and review of ongoing work to ensure pay equity among City workers. This work was meant to supplement the work of Commissions, not replace their usual work.

The CM's requests are in response to issues related to various departments. He identified the EEO and Affirmative Action Policies and pay equity, and indicated that these are issues that the DEI Commission could have addressed. But Commissioners from that Commission came to HRC. This work logically flows into HRC work given the combining of the Commissions and the works relation to the Human Rights Ordinance. While some Commissioners believe that some of this work belongs to HR, and he does not expect the HRC to take over HR work but rather to work together with HR on some of these policies. This is similar to how the Equity Officer will work with HR and how HRC is working with the WPD to review their policies and make recommendations. He is not looking at the HRC to do everything by themselves but to work along with these departments on other areas, including the creation of a resident grievance process and the requested educational materials.

We don't have public grievance process for the public, but will hire a DEI officer and additional investigator. The hope is to fill these positions and openly communicate the process to residents.

The CM has a few comments regarding his authority. The notion that he does not have the authority to establish directives over HRC is mistaken. The CM has the authority to oversee each board and commission, per the Ordinance, in relation to their special employment and as they as “established under the jurisdiction” of the CM.

The CM referenced a meeting with HRC leadership from July 2023, where the chair asked what his strategic goals were and how the HRC can help achieve them, and the kind of relationship he envisions with HRC. The CM has shared this information and hope he made himself clear on his response. Mr. Perez said he was happy to answer any additional questions.

The Chair: That the CM was releasing all the information the HRC was requesting is not true. We are not requesting public records, but full investigation records. We are authorized to get disciplinary records under the ordinance. This is significantly more information than the CM is providing. We would like the full investigation records. Regarding the hate crimes – statistics and demographics is great. We do not know if the release will include full investigation reports, which we requested.

Board member: We need to move forward as a Commission. Our work is not political. We don’t act in political faith. We act on behalf of the CM’s administration. We meet 12 times a year and we have a lot to do. Relationship with CM is different from prior administration. For the first time in a while, we are mapping out our own 12 months. The CM understands that we will not stop our PD work, but it is not our sole focus. It does take up a 1/3 of our time. We worked hard on the body cameras and met with districts and made recommendations to the CM. That is the work I believe the CM is trying to push. I think we are on track for working with the CM, but the noise shouldn’t be too loud. We are still going to do Police work, we have a solid relationship with the police. We should be focusing on homelessness and other important matters.

Board Member: Should the CM’s near-term vision as articulated and related recommendations be the priorities?

The Chair: The HRC has always set its own priorities. The HRC wants to work with the CM. We asked him what his priorities are so we could align. But we have to follow our mission and make independent judgment. We try to align as much as possible with the CM. We work our best when we are in line with the CM, but we still decide what we work on. The Vice Chair and I have been talking about forming work groups to research and make recommendations. These groups would be less than quorum. If we have small work groups they can meet without violating Open Meeting Law and do research and present at each meeting. This can help us advance our work and help realize the CM's vision. We appreciate that the CM is making this information available.

Board Member: Regarding the items on making available educational information for the public on housing and other info and the creation of an investigations process; what is the starting point?

Director Perez: Complaints are generally from employees and rarely from the public. We conduct training to employees with clear information on the investigation process. Resident complaints are minimal right now. A lot of complaints come in through the 311 line or through the supervisor; there is not mention of this service to residents on the City website. All managers are trained on bringing these complaints to the Investigators. The City is looking to hire a new Investigator and simultaneously make clearer to the public what the investigation process is and that it is available.

The Chair: She made a motion that in order to advance the CM's vision on DEI, the hiring of a Director of Human Rights and Accessibility and another Investigator should be a priority. This way, we can go forward and review the educational information.

Director Perez: A point of clarification; the CM is not asking that the HRC create these educational materials; such would come from my office. We don't have to wait for an

investigator, but we can create a grievance process and create educational materials and have both in place when they get there.

Board Member: Doesn't pay equity go through the unions?

Director Perez: Some employees are unionized and some are not.

Pam Callahan: Fire, WPD, Clerks, DPW, Inspectional Services, Library, etc. are civil service or union representative. That's the majority of employees.

Board Member: Perhaps pay equity could go through unions then? Some of us are confused about what we are supposed to be doing. I look at the CM's memos and maybe he is confused himself.

Board Member: The CM's office said they are not coming in to clarify. Director Perez is our liaison at this point.

Board Member: Some of CM things fall into HR and some fall squarely into our camp. We probably don't have the data and systems in place to log patterns and trends. We can start to document and track data driven complaints.

Board Member: Working groups is a great idea so we can do more. So the CM is going to release only hate crimes data.

The Chair: The municipality will publish BOPS public records requested and will post statistics and demographics on hate crimes. But we wanted the full investigation reports.

Director Perez: If there is confusion from our discussion, I would refer you to the CM's statement which fully describes his position on what is being released.

The Chair: In order to advance the CM's priorities with the DEI and educational materials and process for public complaints, the CM should prioritize the hiring of the Director of Human Rights and a second investigator. The motion was approved unanimously.

The Chair: She suggested that the updates regarding the Worcester Police Department be moved to the end of the meeting. With no objections, let's move to topic 3 section c. You hopefully received Victor's email reflecting the priorities.

The Chair reviewed all of the priorities identified and described in Director Perez's email. The Board discussed these areas and the Chair stressed that these are just examples that could be fleshed out in work groups. In response to Director Perez's questions, she stated this process was to prioritize what the primary foci are and not to exclude potential agenda items that need to be discussed. When asked about what if the CM's agenda was selected as the lowest priority, she indicated that she did not want to get into hypotheticals. Commissioners were then asked to communicate their priorities and they answered as follows:

- Ellen Shemitz: 1) Fair police policies and practices, 2) Housing and homelessness, 3) Supporting a large and fully staffed DEI and working to ensure their practices will handle complaints, 4) civic engagement
- Liz O'Callahan: 1) Fair housing and homelessness, 2) police, 3) city policies that leave out disenfranchised populations, 4) civic engagement. She is happy to assist with work groups.
- Robert Bilotta: 1) Homelessness and fair housing, 2) advancing DEI, 3) Fair policing, and 4) Accessibility.
- Guillermo Creamer: 1) Fair policing, 2) DEI, 3) fair housing and homelessness, 4) on pride month bring up issues relative to the LBGQ+ community
- Randy Feldman: 1) advancing HR DEI, 2) Fair policing, 3) Civic engagement, 4) Fair housing and homelessness
- Charles Hopkins: 1) fair policing, 2) fair housing, 3) DEI, 4) civic engagement
- Jamaine Ortiz: 1) Fair housing, 2) DEI, 3) Fair policing, 4) Civic engagement

- Bernard Reese: 1) DEI, 2) Fair policing, 3) Fair housing, 4) Health Inequities, 5) Civic engagement
- Jacqueline Yang: 1- Fair policing, 2-fair housing, 3-DEI,4-civic engagement, 5-health inequity indigenous community

Director Perez: The rankings were as follows: 1) Fair policing, 2) EODEI restructuring, 3) Housing and homelessness, 4) Other Subjects 5) Civic Engagement.

The Chair: She will propose a calendar to reflect what was voted on. Individually email Vic with what work group you will be in. First choice and second choice.

9. Annual Update on Homelessness in Worcester with Homeless Projects Manager Evis Terpollari and Homeless Strategist Henock Assefa from HHS

The data provided was from different sources, from homeless providers and outreach data. Evis works with homeless people on the streets. Henock started in September, we hired an outreach worker as well in June, one recovery coach who goes out with us and provides those services. The data is from organizations and outreach workers.

- a. Questions sent to HHS from HRC
 - i. The ethnicity and gender part: overall we track through a data slide show and some of that data is updated on a quarterly basis. 544 unhoused in shelters, as of 10/1 2023. We keep track of chronically homeless: 131 individuals who are chronically homeless for 12 consecutive months or 4 episodes in the last 3 years.
 - ii. The hardest to reach in the city: a lot of people don't want to be in a shelter or have significant health issues that prevent close proximity. Worcester is one of the first to say homeless coming in are less than going out. Through the pandemic, we saw a spike in chronic homelessness. We saw a rise in family homelessness, so we are tracking that too.

Projects are underway. In addition to chronic homelessness, we have families with children: 791 total individuals and that is combination of adults and children. Massachusetts has a right to shelter law. About 150 individuals are sheltered through our outreach services. The majority of homeless is Worcester. If you live in other cities and towns without those services, they will come where services are available. 53% of people in shelters self-report mental health issues. The number of mental health issues are a lot higher, as many are not seeing a doctor or in treatment. About half of the homeless struggle with mental health or disability. Some come from foster care, and we have the largest number of youth, who are homeless. They can't afford rent. They have a great need for services in the city. We can talk about the efforts we are making in respect to chronic homeless.

- iii. What are leading causes of family homelessness: Inflation is playing a major role in affordability. The average rent is \$1966/month with less than .5% vacancy rate. The units available are being allocated for individuals with higher income, credit scores, lack of incarceration history. Looking at the pie chart, nearly half of Worcester County spends more than 30% on rent. It is the same in many cities and towns across the country. It is difficult to build more affordable housing because of zoning etc. and other barriers, pushback from neighborhoods. We are looking for very low rent for people who have less than \$12,000 a year. Affordability continues to be a driver. Trying to make the City more accessible to build affordable units in all neighborhoods: typically these have always been in the poorest neighborhoods. 10 % are section 8. All towns have the 10% rule of affordable housing. We have surpassed that with 14% or maybe 15% or higher. The City is building, but just can't build fast enough, the volume is huge. This is creating more pressure for more low-income families to get those units.
- iv. What can the HRC do: Maybe we can come up with a recommendation but there seems to be a lot of government employees for homelessness. Advocacy

works; advocacy needs to be done. We need to advocate for more affordable housing for all homeless, low income.

- v. How do we overcome the challenges: we have a lot of difficulty hiring services has been historically low paying field – advocacy helps. Non-congregate shelters to treat people with respect. More transitional housing. We have 5-8 percent vacancy. We have to advocate for non-congregate shelter with their own room. We have to advocate for no term limits, or work with dual issues.
- vi. How do we help people keep their quality care? Give us numbers on the gap between programs capacity and the need is. How many individuals have no access because the resources are full to capacity?: For SMOC – there is a 50 bed capacity and it can get congested, overcrowded. Currently housing 161 individuals in SMOC shelter with 50 bed capacity. Everyone wants housing. The MLK shelter has 54 beds. Abby’s house has only a couple, but they are doing renovations. Veterans Inc. has 24 beds. All the beds are full. The 60 beds at the temporary overflow shelter we are opening should help the numbers. Numbers are higher in the winter, we take half of the people in the shelter and put them in seasonal shelter. We try to go to the encampment and try to get people into shelter. We lost the Detox beds at CHL- that was unfortunate – we try to get 4-5 people into treatment every week. We really rely on Spectrum and Adcare for their detox treatment.
- vii. Chair asks question about difference between estimated unhoused population of 544 and current capacity of less than 250. As it stands right now, we have 160 total at SMOC’s sites, 54 at MLK, 24 Vets Inc. and a few at Abby’s house. That’s our capacity we have right now. We are looking at hotel rooms, but we don’t want to rush people into rooms for winter just to see them homeless after winter. Chronic homeless are eligible for subsidies and other services. We need more housing for the elderly. LGBTQ + homeless bill of rights is something we must work on with the state. The library staff are so

wonderful with the way they care for the homeless. Hiring good staff is the difficulty in providing those services.

- viii. Could you talk about the bill of rights: The only state that has this bill is Rhode Island. Of the non-family homeless, you said they have a high incidence of mental health: Open Sky has opened their center for people who have been incarcerated and get food, clothing and fill out job applications. Staff at WPL do such a terrific job with the homeless. There are challenges with mental health, if they are at the library, they are going to exhibit those behaviors there.
 - ix. The first tiny homes are being built; we are screening the 24 applicants of chronic homeless. Worcester community housing are building 90 units of housing and will be done in about a year. SMOC is looking to build a building for chronic homeless.
 - x. 30 Lyman St. is going to be redone with 15 beautiful units available next month. In conjunction with the CDC, we are building tiny homes in a village with homes, not apartments. We are looking to build 18 tiny homes in the next two years. We are looking to remove the regulation of no more than 3 per household so families can live together with different last names. We have \$4 million in ARPA funding for this type of unit. The Adoption of the bill of rights is important. Advocacy is important! If you see homeless people out there, chances are we have met with them and know them.
- b. Following this presentation of information and data, a quorum of the HRC approved the following motions:
- i. The HRC respectfully requests that the City create an emergency taskforce in partnership with surrounding towns to help formulate a comprehensive plan on homelessness and specifically address the short-term crisis.
 - ii. The HRC endorses the City Council's recent recommendation that the City develop a strategic plan on hot spots.
 - iii. The HRC respectfully requests that the report recently requested by the City Council on the impact of shelter closures be shared with HRC after it is made available to the City Council.

- iv. The HRC respectfully requests that the City prioritize efforts to create climate controlled shelters that are available year round.
- v. The HRC respectfully encourages the City Manager to explore options for a day resource center in the City.
- vi. The HRC respectfully asks that the City Manager support their request for the Office of Economic Development to: 1) share information about the status of a proposed day resource center and 2) provide information on the current performance measures and benchmarking criteria used to quantify the impact of homelessness programs.
- vii. The HRC respectfully asks that the City Manager support their request for Charles Goodwin or an appropriate designee to provide information to the HRC on the status of cooling and climate-controlled centers in the City, and that the City Manager provide an update on Councilor Thu Nguyen's Order from February 1, 2022. This Order requested that the "City Manager provide City Council with a report concerning the feasibility of implementing additional warming centers and cooling centers throughout the City."
- viii. The HRC respectfully requests that the City explore additional non-congregate shelter options and expand capacity for housing the homeless.

The Chair: We will open for public comment.

No public comment.

The Chair: Dr. Castiel will come next month for further conversation. We will follow up on the WPD updates that were identified on the agenda for this month, which we were unable to address today. This includes the Civil Service Exam data we had received, and police traffic stops data.

Director Perez: The WPD is currently reviewing the Use of Force Policy and asks the HRC for feedback.

The Chair: Email Vic about work groups preferences.

10. Adjournment: 9:00 PM

Eric D. Batista
City Manager



MEMORANDUM

TO: The City of Worcester Human Rights Commission

CC: Victor Perez, Esq., Lead Investigator/ Interim Executive Director of the Human Rights and Accessibility Office

FROM: Eric Batista, City Manager

DATE: November 6, 2023

RE: A Vision for the Continued Success of the Human Rights Commission

A. Introduction:

It is my pleasure to discuss the future of the Human Rights Commission amid the many ongoing changes affecting the City's Executive Office of Diversity, Equity, and Inclusion (EODEI).

I am very appreciative of the Human Rights Commission's work over the years and its numerous accomplishments, including the pending creation of the Worcester Police Department's Language Access Policy and related trainings, which I understand is making tremendous progress. The Commission achieved these accomplishments despite the limitations inherent to the Commissioner role, given that it is volunteer based, many Commissioners have full-time positions or other substantive time commitments, and there is a limited two-hour window each month to meet, discuss, and execute relevant duties and responsibilities.

In order to ensure the Commission's enduring success in light of the above changes and ongoing constraints, one of my duties as City Manager as guided by Article 15, Section 10 of the City's Revised Ordinance of 2015 ("the Ordinance") is to communicate a focused vision for the Human Rights Commission going forward, which I outline in detail below.¹

¹ In accordance with Article 15, Section 10(a) of the City's Revised Ordinance of 2015 ("the Ordinance"), the Human Rights Commission was established to "promote the human rights policy of the city [of Worcester]." Article 15 Section 10(d) of the Ordinance clearly lays out the Commission's duties and responsibilities, and it provides legal authority for the Commission to execute the same. Ultimately, the Human Rights Commission, as is true for all City Departments and Commissions described in Articles 2 through 18 of the Ordinance, was established and operates "under the jurisdiction of the city manager." Article 15, Section 10(a). The City Manager retains authority over the special employment of each Commissioner, whom they appoint for three-year terms. Article 15, Section 10(b).

Historically, the City Manager has overseen City departments and commissions, which are established by Ordinance "under the jurisdiction of the city manager," at both macro and micro levels, and accordingly has directed these entities, for example, relevant to the creation or maintenance of special initiatives, the prioritization of their activities based on available/limited time and resources, and employment decisions, including hirings, suspensions, and terminations.

Your work impacts so many members of our City family, including employees, residents, and other constituents. I believe that together we can accomplish even more, and the Commission is a vital partner to advancing the City's community engagement and quality of life goals.

B. HRC Duties and Responsibilities:

In line with my past conversations with both Commission leadership and the Worcester City Council, I intend for the Human Rights Commission to play an important role in the restructure of the City's EODEI. To be clear, this is not something that should wait until the hiring of the new Chief Equity Officer or other supporting staff in the newly reorganized Department. Rather, this role can and should commence *immediately* given its high importance.

First, the Commission should work to align its functions with those primarily outlined in the Ordinance, which lists chronologically as its first four of 12 duties and responsibilities: investigating denial of equal access and discrimination in employment, housing, education, recreation, and public accommodation against private entities; holding hearings; conducting mediations; and issuing orders and reports upon completion of any investigations or hearings. Article 15 Section 10(d) (1-4). My administration will collaborate with the Commission to provide the resources and support needed to eventually ensure its compliance with these duties and responsibilities as detailed in the Ordinance.

In the meantime, the Commission should work with the Lead Investigator and offer recommendations on how a public intake process can and should be formed. In the short term, this framework would serve the needs of the Investigation Unit in handling resident complaints of discrimination and harassment against City employees and services. In the long term, this framework could also serve the needs of the Human Rights Commission's third-party investigations.

Second, the Commission should review DEI implementation plans and related policies, and it should provide feedback on these plans and policies. Such feedback is invaluable to my administration, and my near-term vision is for the Commission to make recommendations in relation to:

- 1) The creation of a Worcester Equal Employment Opportunity Policy and a revision of the Affirmative Action Policy,
- 2) Pay equity for City of Worcester employees,
- 3) The creation of education materials on topics such as fair housing, workplace harassment prevention, and addressing implicit bias, and
- 4) Addressing reported patterns of discrimination and harassment against Worcester Public Library staff from members of the public, including residents who are unhoused, dealing with mental health issues, and/or substance abuse issues.

As we restructure and staff up the EODEI, my office will continue to provide the resources and strategic support necessary for the Commission to execute its related duties and responsibilities for all the City's Departments and subdivisions, and I am always happy to discuss any further questions you have.

C. Going Forward:

I look forward to the Human Rights Commissions' continued success, particularly as Commissioners immediately begin to work diligently to implement my communicated vision and enforce the City's human rights policy. I am encouraged by our ongoing communication and regularly scheduled in-person meetings. My office and I remain a resource for you, and we are available for support as you prioritize the aforementioned long-term and short-term goals.



The City of
WORCESTER

MEMORANDUM

TO: Eric D. Batista, City Manager

CC: Hung Nguyen, Assistant City Manager

FROM: Victor Perez, Esq., Lead Investigator/ Interim Executive Director of the Human Rights and Accessibility Office on behalf of The Human Rights Commission

DATE: November 17, 2023

RE: The Human Rights Commission's Approved Motions from the Public Meeting on November 13, 2023

A. Background:

On November 13, 2023, the Human Rights Commission (HRC) convened for its monthly public meeting. The members discussed another meeting, which took place on October 20, 2023 and involved the City Manager and HRC leadership, and a memorandum from the City Manager to the HRC, dated November 6, 2023.

B. Approved Motions:

During the public meeting on November 13, 2023, a quorum of the HRC approved the following motions:

1. The HRC respectfully asks that the City Manager provide a written response describing the reasons for denying the HRC's most recently communicated requests for information relevant to the Worcester Police Department¹ in light of the HRC's duties and responsibilities detailed in the City Ordinance.
2. In the City Manager's aforementioned memorandum, he asked that the HRC address "reported patterns of discrimination and harassment against Worcester Public Library staff from members of the public, including residents who are unhoused, dealing with mental health issues, and/or substance abuse issues." The HRC respectfully asks that the City Manager provide clarification around this statement, in light of member-identified concerns around the language used in reference to the unhoused.
3. The HRC respectfully asks that the City Manager, Assistant City Manager, City Solicitor, or Assistant City Solicitor attend its next public meeting to discuss the City Manager's vision for the HRC going forward.

¹ See the memorandum from the Human Rights Commission to the City Manager, dated October 17, 2023.



The City of
WORCESTER



Eric D. Batista
City Manager



Statement on the Human Rights Commission.

I would like to clarify my position regarding the Human Rights Commission (HRC). As City Manager, it is my responsibility to communicate a focused vision for the HRC and all boards and commissions. Since my appointment just one year ago, I have been consistent about my priorities in restructuring the Executive Office of Diversity, Equity, and Inclusion (EODEI) to make transformational change. I have empowered the HRC to fully exercise the powers of their ordinance and have discussed areas of focus with them in ongoing meetings.

The HRC has the ability to review, provide feedback and make recommendations on DEI polices; investigate human rights complaints related to denial of equal access and discrimination in employment, housing, education, recreation, and public accommodation against private entities; hold hearings; conduct mediations; and issue orders and reports upon completion of any investigations or hearings. This does not include investigations on City employees or departments. The new framework for the EODEI gives the HRC more resources to investigate complaints against private entities.

My near-term vision is for the Commission to make recommendations in relation to:

- 1) The creation of a Worcester Equal Employment Opportunity Policy and a revision of the Affirmative Action Policy
- 2) Pay equity for City of Worcester employees
- 3) The creation of education materials on topics such as fair housing, workplace harassment prevention, and addressing implicit bias
- 4) Assist the Division of Investigations in the establishment of a formal reporting process for grievances from the public.

I take police accountability very seriously. Since day one of my appointment, I have been in pursuit of material outcomes and systemic change, not simply the appearance of such change. Under my management and as part of my commitment to the HRC, I have fostered a strong working relationship between the HRC and Worcester Police Department (WPD) under the new leadership of Interim Chief Paul Saucier, as evidenced by the development of the WPD's Language Access Policy and related trainings. Interim Chief Saucer has also invited the HRC to collaborate with his newly established internal policy review team.

Meanwhile, the City of Worcester continues to work cooperatively and collaboratively with the Department of Justice and looks forward to their findings. Further, the WPD's Racial Equity Audit as performed by CNA—an external party commissioned to execute the work—is expected to be finalized and published by way of transmittal to the City Council in January.

Finally, the City is in the final interview stage for the Chief Equity Officer who will oversee the new EODEL.

Progress is happening, and there is more to come. We must work together, as a municipal body and as a community to see true transformational change.

I am proud of what we have accomplished so far, and I would like to thank Victor Perez, Lead Investigator, interim Director of Human Rights and Accessibility and staff liaison to the HRC for his commitment to this work and for keeping the lines of communication open between my office and the Commission.

I want to emphasize we hold all boards and commissions, be they regulatory, executive, or advisory, to the highest standards and expect that they work with the administration as outlined by the City's ordinances.

I steadfastly stand by the direction that I provided to the HRC in working with my administration and me. However, in the spirit of transparency, the municipality will publish the Bureau of Professional Standards public records requested on the municipal website. Further, we will provide the HRC statistics and demographics from the hate crime reports requested so that they may deliberate solely on that matter, while they also address my other listed priorities. Both sets of documents are currently being prepared, and I expect they will be ready for publication and dissemination by about mid-December.

I will leave folks with a reminder that the City's human rights policy is to assure that every individual shall have equal access to and benefit from all public services, to protect every individual in the enjoyment and exercise of civil rights and to encourage and bring about mutual understanding and respect among all individuals of the city. It is the goal of the Human Rights Commission to ensure that all city residents are treated fairly and equally by eliminating bigotry, discrimination, intolerance, and prejudice.

Office of City Manager Eric D. Batista

City Hall, 455 Main Street, Worcester, MA 01608

P | 508-799-1175 F | 508-799-1208 | citymanager@worcesterma.gov | www.worcesterma.gov

Race/Gender	Pass	Fail
Asian or Pacific Islander		
Female	0	0
Male	2	2
Black or African American		
Female	1	0
Male	5	7
Choose Not to Identify		
Female	0	0
Male	0	0
Hispanic or Latino		
Female	4	4
Male	21	6
Native American		
Female	0	0
Male	0	0
White or Caucasian		
Female	4	3
Male	34	12
	71	34

From: [Perez, Victor](#)
To: [Perez, Victor](#)
Bcc: [Charles Hopkins](#); [Dr. Bernard Reese](#); [Elizabeth O'Callahan](#); [Ellen Shemitz](#); [Guillermo Creamer Jr](#); [Jackie email 2](#); [Jacqueline Yang](#); [Jamaine Ortiz](#); [Robert Bilotta](#); [randyfeldman58@gmail.com](#)
Subject: Next HRC Meeting - PLEASE Read 2/2
Date: Monday, November 20, 2023 4:51:00 PM

Hi Again Everyone,

Below is a list of topics that have received a lot of discussion as possible priorities for the HRC going forward. I ask that you review the list, which includes the City Manager's requests, and let me know if there is anything else that you are interested in addressing. Of course, setting priorities is not intended to limit your ability to pivot and address emerging/urgent issues or react to important topics (for example rights of indigenous peoples, LGBTQIA+ rights, immigrant rights, etc.) over the course of the year. Special thanks to Ellen and Liz for putting this detailed list together!

Civic Engagement inclusive of:

- Raising public awareness and understanding of Worcester City Charter
- Increasing equity and accessibility with regard to voter access
- Public education on civic engagement
- Reviewing policies and practices that increase voter registration
- Supporting proposed policies, practices and community efforts that increase civic engagement

Fair Policing/EMS Policies and Practices inclusive of:

- Annual meeting with WPD leadership to review expansive data requests
- Reviewing WPD and WFD policies, practices, data and technology
- Work related to civil service exam and diversity, equity & inclusion within WPD
- Collaboration on outreach and WPD partnership with community non-profits
- Collaboration with HHS and community partners on mobile crisis work
- Related work encompassing other EMS providers

Advancing Human Rights through Restructuring of Executive Office of Diversity Equity and Inclusion, inclusive of:

- Reviewing policies and practices relative to how EODEI handles resident complaints of discrimination and harassment
- Reviewing city created educational materials on topics such as fair housing, workplace harassment prevention and addressing implicit bias
- Supporting Chief Equity Officer on topics inclusive of equal employment opportunity policy and affirmative action policy as requested

Fair Housing and Homelessness inclusive of:

- Reviewing municipal fair housing policies and practices
- Supporting of proposed policies and practices that support fair housing and homelessness prevention
- Reviewing policies and practices with regard to accessibility and accessible housing
- Educating community members on fair housing rights
- Raising awareness of community housing resources

- Reviewing policies and practices that impact the homeless population
- Supporting efforts to remediate disproportionate impacts on vulnerable communities (e.g. those impacted by mental illness, substance use disorder, LGBTQIA+, victims of human trafficking, etc.)
- Reviewing and recommend policies and practices that address displacement or other known adverse impacts of climate change that disproportionately impact vulnerable groups

Other (please specify)

-Possible topics include the rights of indigenous peoples (reviewing policies and practices that support indigenous land, addressing health inequities for indigenous communities, supporting efforts to increase visibility and representation of indigenous peoples within the broader community), equity in education, city employee pay equity, climate justice, etc.

Sincerely,

Vic

Victor J. Perez, Esquire

Interim Executive Director of Human Rights and Accessibility &
Lead Investigator

Human Resources Department

City of Worcester | 455 Main Street, Room 109, Worcester, MA 01608

P: (508) 799-1030 ext. 31136 F: (508) 799-1040

E: perezv@worcesterma.gov

www.worcesterma.gov

**** Due to the Commonwealth of Massachusetts' broad public records law, most written communication to or from City of Worcester employees is considered a public record. Therefore, the contents of this email may be subject to disclosure in the event a request is made. No assumption of privacy should be made.****

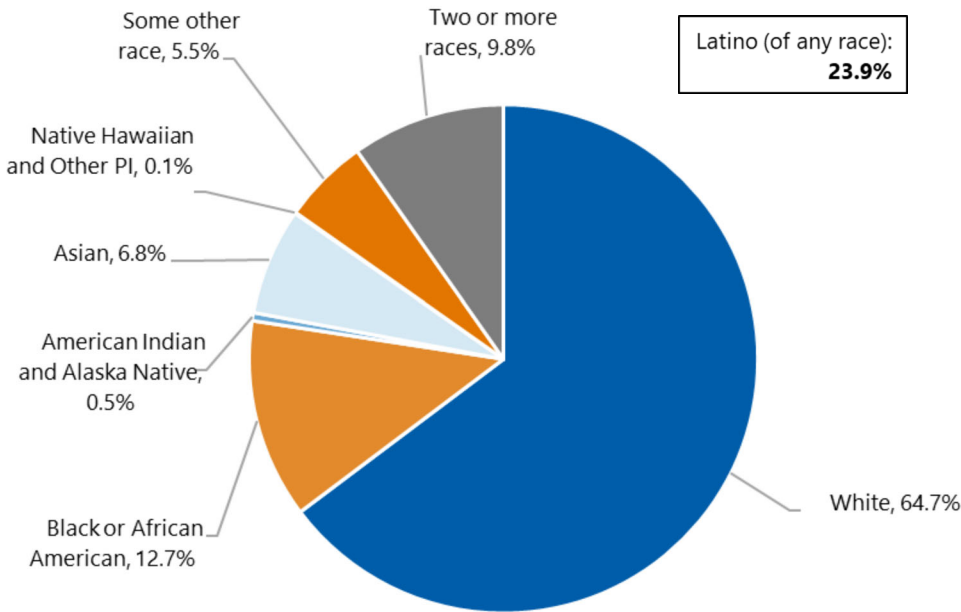
Questions for Homeless Projects Manager Evis Terpollari and Homeless Strategist Henock Assefa

1. Please provide demographic information on the homeless population in Worcester, broken down by age, gender, race and ethnicity. Is there a change in the population from last year (i.e. # of homeless persons, newly homeless, demographic trends)?
2. Please provide statistics on the mental health status of homeless clients.
3. Please provide statistics on the percentage/numbers of the unhoused who were formerly in the foster care system.
4. Please provide an overview of homeless initiatives in the city with an update on any new and/or terminated initiatives/programs/services.
5. Please provide a list of all homeless shelters operating in the city, noting capacity and restrictions (e.g. individual/family, sex trade survivor, drug free).
6. Please provide an update on cooling and warming centers in the city.
7. Article 10, Section 17 of the Worcester City Ordinances states that there is a Homelessness Commission operated from the Department of Health and Human Services under the Transitional Housing Services Division. What is the status of that Commission?
8. When was the last multi-year plan to end homelessness in Worcester published and where is that located on the city of Worcester website?
9. Are there any current efforts to create a regional plan working in concert with the towns surrounding Worcester?
10. What are the current performance measures and benchmarking criteria used to quantify the impact of homelessness programs?

11. What are the most significant challenges faced by the quality of life team?
12. What educational resources do we have in place to prevent homelessness?
13. What wrap around services are offered to the unhoused population?
14. How are calls to 911 and 311 regarding homeless encampments handled? Is there a policy for evicting people in an encampment?
15. The AMA has recently published a study finding that homeless camp sweeps constitute a public health hazard. Does the city HHS have an official position on the continued use of such sweeps in our city? Cf. [Article on AMA Study](#)
16. What is the status of the program for tiny houses for the homeless?
17. Does HHS have a position on whether accessory dwelling units could help/contribute toward serving the unhoused population?
18. Does HHS have a position on whether the current allocation of units for low income earners under the Affordable Housing Trust Fund does enough to prevent the growth in the unhoused population?
19. Is there a need for the City of Worcester to adopt a Homeless Person's Bill of Rights? Is there any support locally or at the state level for its adoption? Cf. <https://nationalhomeless.org/campaign/bill-of-right/>
20. Is the HHS budget sufficient to address peoples' needs and make a real difference in addressing the existence of homelessness in Worcester?
21. Does your office keep demographic information on clients with physical disabilities, including individuals that use wheelchairs? Identify how clients in need of accessible housing are served.



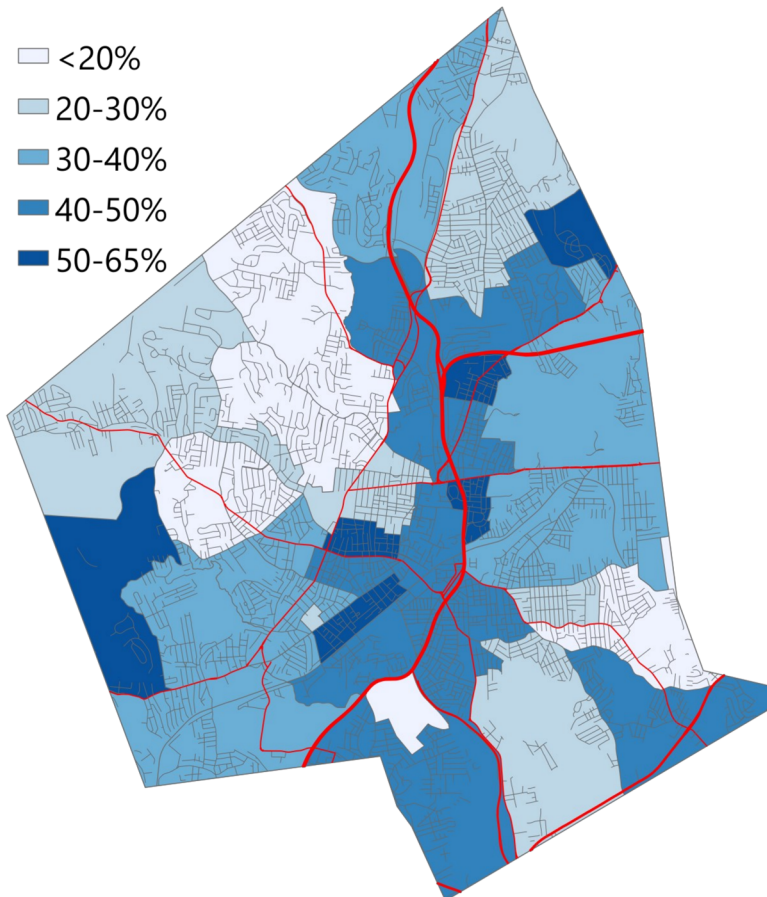
WORCESTER: POPULATION BY RACE & ETHNICITY, 2021



The U.S. Census Bureau tallies five categories of race: "American Indian or Alaska Native," "Asian," "Black or African American," "Native Hawaiian or Other Pacific Islander," and "White." Hispanic origin is defined as ethnicity, rather than race, and persons defined as Hispanic or Latino can be of any race.

Source: U.S. Census Bureau, 2021 5-Year American Community Survey Estimates

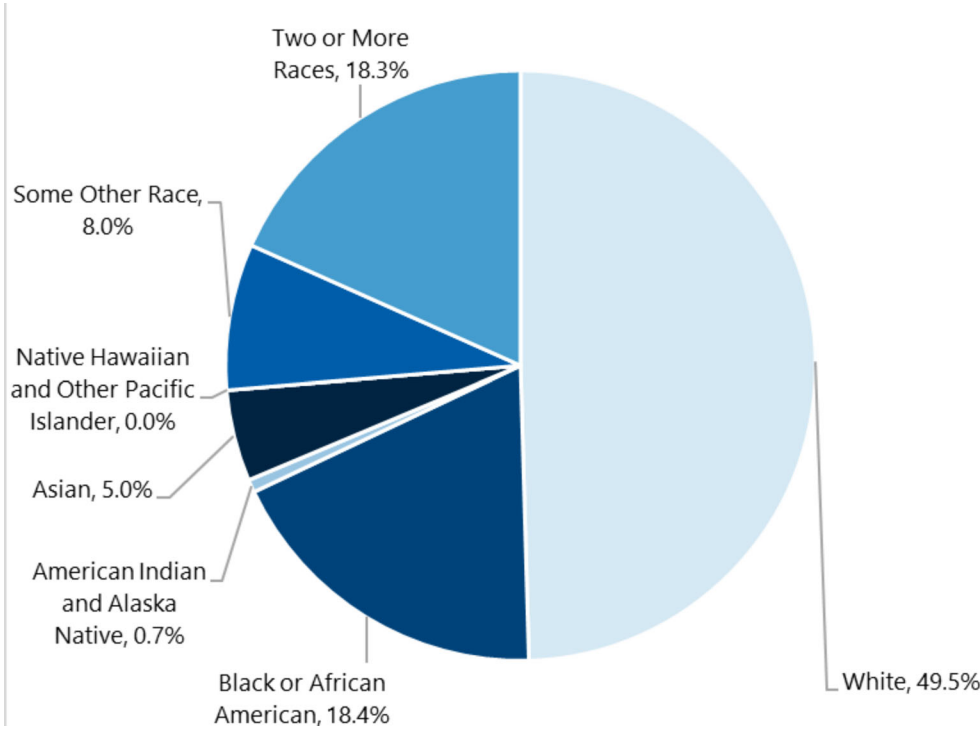
WORCESTER: PERCENT NON-WHITE POPULATION, 2021



Source: U.S. Census Bureau, 2021 5-Year American Community Survey Estimates



WORCESTER: CHILDREN UNDER 18 BY RACE, 2021



Worcester: Children Under 18 By Ethnicity, 2021

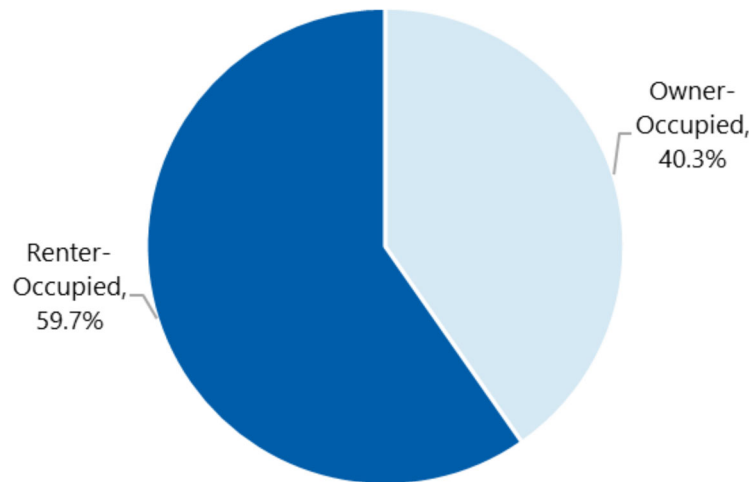
Hispanic or Latino Origin (of any race)	38.8%
Not of Hispanic or Latino Origin (of any race)	61.2%

Source: U.S. Census Bureau, 2021 5-Year American Community Service Estimates

The U.S. Census Bureau tallies five categories of race. Hispanic origin is described as ethnicity, rather than race, and persons defined as Hispanic or Latino can be of any race.

Source: U.S. Census Bureau, 2021 5-Year American Community Service Estimates

WORCESTER: CHILDREN UNDER 18 BY HOUSING TYPE, 2021



Source: U.S. Census Bureau, 2021 5-Year American Community Service Estimates

Annual Worcester County Homeless Point-In-Time Count					
	Sheltered			Unsheltered	Total
	Emergency Shelter	Transitional	Safe Haven		
Homeless under age 18	506	44	0	0	550
Annual City of Worcester Point-In-Time Count					
Households With Children	717	75	0	0	792

Source: Central Massachusetts Housing Alliance



Annual Worcester County Homeless Point-In-Time Count, 2023					
	Sheltered			Unsheltered	Total
	Emergency Shelter	Transitional	Safe Haven		
Total Homeless	1213	244	13	137	1,607
Chronically Homeless	229		12	51	292
<i>Age</i>					
# under age 18	506	44	0	0	550
# ages 18-24	79	27	0	6	112
# ages 24 and older	628	173	13	131	945
<i>Gender</i>					
Female	572	96	2	49	719
Male	599	145	11	88	843
Transgender	41	2	0	0	43
Questioning	0	0	0	0	0
Gender that is not singularly 'Female' or 'Male' (e.g. non-binary, genderfluid, agender, culturally specific gender)	1	1	0	0	2
<i>Race</i>					
White	610	151	8	123	892
Black, African American, or African	502	59	4	9	574
Asian or Asian American	5	5	1	1	12
American Indian, Alaska Native, or Indigenous	4	4	0	4	12
Native Hawaiian or Other Pacific Islander	5	2	0	0	7
Multiple Races	87	23	0	0	110
<i>Ethnicity</i>					
Non-Hispanic/Non-Latin(a)(o)(x)	710	165	9	117	1,001
Hispanic/Latino(a)(o)(x)	503	79	4	20	606
Annual City of Worcester Point-In-Time Count					
Households With Children	717	75	-	-	792
Households Without Children	245	144	13	51	453

Source: Central Massachusetts Housing Alliance

Worcester: Veterans, 2021			
Number of Veterans	6,440	Period of Service	
Veterans as % of Population 18 and Older	3.9%	Gulf War (September 2001 or later)	1,415
% of Veterans - Male	90.5%	Gulf War (August 1990 to August 2001)	847
% of Veterans - Female	9.5%	Vietnam era	2,204
% of Veterans - 18 to 64	52.7%	Korean War	406
% of Veterans - 65 and older	47.3%	World War II	183
% of Veterans - Disabled	29.9%		
% of Veterans - Below the Poverty Line	11.3%		

Source: U.S. Census Bureau, 2021 5-Year American Community Survey Estimates



Eric D. Batista
City Manager

CITY OF WORCESTER

cm2023nov07011500

Attachment for Item #

8.18 A

November 14, 2023

TO THE WORCESTER CITY COUNCIL

COUNCILORS:

The attached information relative to the different types of homelessness experienced by individuals in the city of Worcester, as received from Dr. Mattie Castiel, Commissioner of Health and Human Services, is forwarded as requested by your Honorable Body.

Worcester is currently facing a significant increase in homelessness. Over the past three years, the number of individuals experiencing chronic homelessness has doubled, reaching 132 from 65. The city is also facing challenges in accommodating migrant families as the available shelters are at full capacity.

The rental vacancy rate in Worcester has plummeted from 1.7% to 0.5%, marking the city with the lowest vacancy rate in the entire country. This shortage of available rental properties is intensifying the homeless situation further.

Additionally, the single adult homeless shelters in the city are operating at or near their maximum capacity. This strain severely restricts Worcester's ability to provide housing for those experiencing chronic homelessness.

Respectfully submitted,

Eric D. Batista
City Manager

Date: November 7, 2023

To: Eric D. Batista, City Manager

From: Matilde Castiel, MD, Commissioner of Health & Human Services

Re: City Council Report on HHS Homelessness Division

I respectfully submit the following report in response to Council Order #12897, aiming to provide an update on the various forms of homelessness experienced by individuals in our city. I kindly request that this information be shared with the City Council for their review and consideration.

Introduction:

Homelessness presents a significant challenge in the city of Worcester, stemming from various underlying causes. These issues are frequently linked to a scarcity of affordable housing, substance use, mental health concerns, displaced families arriving to the city, and the absence of a robust support system. Gaining insight into the different types of homelessness offers a significant advantage when addressing and devising solutions for the homelessness crisis in the city.

Types of Homelessness in Worcester Massachusetts

Reversible Homelessness:

Reversible Homelessness is described as the lack of inadequate shelter for an individual or group. Some examples are staying with friends, and family. Staying in a bed-and breakfast or a hostel, living at risk of violence, living in poor conditions that pose a risk to your health, living in overcrowded conditions, and living with insecure tenancy.

Irreversible Homelessness:

Irreversible homelessness typically refers to a situation where an individual or family experiences homelessness with significant barriers or circumstances that make it extremely challenging to transition out of homelessness and into stable housing. This could be due to a variety of factors such as chronic mental health issues, substance abuse problems, lack of a support network, limited access to resources, or a combination of these and other complex issues.

Chronic homelessness:

Chronic homelessness is a severe and complex issue in Worcester, affecting individuals who have been homeless for a year or more or have had at least four episodes of homelessness in the past three years. Moreover, those experiencing chronic homelessness often have a disabling condition as defined by the Department of Housing and Urban Development (HUD).

Episodic Homelessness:

Episodic homelessness is another prevalent category in Worcester, where individuals experience cycles of homelessness, with intermittent periods of being without a home throughout their lives.

This form of homelessness can be characterized by multiple instances of homelessness within a year. Individuals facing episodic homelessness often struggle with health concerns, mental health challenges, or substance use disorders.

Transitional Homelessness:

Transitional homelessness in Worcester represents a short-term housing instability resulting from unexpected crises. Individuals experiencing this form of homelessness often seek short-term housing or temporary shelter due to diverse causes. These causes may include job loss, health crises, sudden evictions, or individuals discharged from institutions without immediate housing options.

Unsheltered Homelessness:

Unsheltered homelessness in Worcester is a critical challenge, reflecting a section of the homeless community residing in the streets, parks, or inadequate shelter setups. The presence of unsheltered homeless individuals in Worcester can be attributed to several contributing factors. These encompass a range of challenges, including a shortage of affordable housing options, economic hardships leading to financial instability, insufficient mental health support, substance abuse issues, and inadequate community resources.

Family Homelessness:

In Worcester, homeless families, especially single parents with multiple children, face financial instability, a lack of affordable housing, and domestic challenges. These difficulties lead families to seek temporary housing, making it tough to establish a stable home. Additionally, the increasing number of migrant families has reduced available family shelters in the city, contributing to more families experiencing homelessness.

Hidden Homelessness:

Hidden homelessness in Worcester is a widespread yet often overlooked issue, involving diverse individuals facing unstable living conditions. This demographic includes people living in overcrowded homes, engaged in couch surfing, or in precarious housing due to financial constraints. It goes beyond those visibly on the streets to encompass young adults transitioning from foster care, families sharing homes for financial reasons, and individuals in severely overcrowded apartments due to limited affordable housing options.

Key Statistical Insights per CMHA, SMOC and Outreach team:

- Chronic homelessness in the city of Worcester doubled from 65 to 132 individuals between September 2020 and August 2023.
- The January 2022 point-in-time count in Worcester identified 51 individuals living in encampment sites, which tends to be higher during summer months.
- Currently, shelters for single adults in Worcester (25 Queen Street and MLK), are at full capacity or near full capacity. Between October 27th and October 30th, 25 Queen Street shelter hosted an average 94 individuals, while MLK shelter accommodated 53 people.
- 288 households with children in Worcester currently reside in shelters.
- Presently, all family shelters in Worcester are at maximum capacity and continue to be at high demand in a daily bases.
- Over 20,000 renting households in Worcester spend more than 30% of their income on rent, facing significant financial burdens due to the high cost of living.

- The rental vacancy rate in Worcester has decreased from 1.7% to 0.5% in recent months, making the city of Worcester, the community with the lowest vacancy rate in the country.
- In 2022, substance use, including alcohol, drug use, or both, was reported as a disabling condition in 59% of adults seeking assistance through the shelter or street outreach system

Respectfully,

A handwritten signature in cursive script that reads "Matilde Castiel MD".

Matilde Castiel, M.D.
Commissioner
Health & Human Services Department