



Diane Nichols Tradd
Assistant City Manager/DPD Director
Craig Thomas
Deputy Director

MEMORANDUM

TO: Eileen M. Donoghue, City Manager *EMD*

FROM: Diane N. Tradd, Assistant City Manager/DPD Director

SUBJECT: COUNCIL MOTION OF 07/10/18 BY COUNCILORS ELLIOTT AND MILINAZZO
REQUEST CITY COUNCIL DISCUSS ESTABLISHING A HUMAN RIGHTS COMMISSION SIMILAR
TO NUMEROUS OTHER CITIES IN THE COMMONWEALTH

The Department of Planning and Development has researched several Human Rights Commissions across the Commonwealth and found that their makeup and specific focus vary slightly across communities. For the purposes of making recommendations for Lowell, DPD staff focused on councils and commissions in other Gateway Cities, below is a small selection of DPD's research:

In **Lawrence** the Human Rights Commission is comprised of 9 members appointed by the Mayor and voted on by the City Council to serve 1-3 year terms. Responsibilities of the Lawrence Human Rights Commission include:

- To enlist the cooperation of racial, ethnic, civic, fraternal, benevolent, private and public agencies in eliminating discrimination and promoting better relations between all sectors of the community by cultivating an atmosphere of mutual understanding and harmonious intergroup relationships.
- To encourage community participation in policy making relevant to housing, education, public safety, employment, community development and all other areas that touch on the lives of citizens of Lawrence, and institute and conduct educational programs to encourage the granting of equal rights and opportunities to all persons, regardless of their race or political or religious opinions or affiliations.
- To initiate investigations and hold hearings into the existence of unlawful discrimination or harassment which may deny or tend to deny equal access to, or opportunities in housing, employment, education, public accommodations, services and facilities to any person or group.
- To offer a hearing to any person or group with a human rights grievance and to investigate any such grievance;
- To resolve matters of unlawful discrimination whenever possible through mediation, but when this is not possible and after investigation of any such matters, to forward a written report of its findings and recommendations to the mayor, the city council, and any other body the commission deems appropriate.
- To hold hearings in the course of investigations of unlawful discrimination; with the power of subpoena witnesses, compel their attendance, to administer oaths, to serve written interrogatories, take testimony of any person under oath, and require the production of any evidence and/or answers relating to any matter in question or under investigation before the commission. These powers enumerated in this subsection may be exercised by a vote of three-fourths of the commission members only, and in compliance with the General Laws stipulations.¹

In **New Bedford**, the Human Relations Council had 9 volunteer members appointed by the Mayor and voted on by the city council for 3 year terms. The Commission has an Executive Director who is employed by the city of New Bedford. The mission of the New Bedford Human Relations Council is to:

- Advocate for the human and civil rights of all residents of the City of New Bedford
- Educate the public about their rights and create greater awareness of human rights issues
- Intake, mediate, or refer complaints of human rights violations
- Outreach – Work with public and private organizations to increase compliance with local state and federal laws and raise the level of awareness and sensitivity to human and civil rights issues²

In **Worcester** the Human Rights Commission has 9 members appointed by the Mayor for 3 year terms and are voted on by the city council. The Worcester Human Rights Commission was established to promote the city's human rights policy. It is the policy of the city to assure that every individual shall have equal access to & benefit from all public services, to protect every

¹ <http://www.cityoflawrence.com/495/Human-Rights-Commission>

² <http://www.newbedford-ma.gov/community-services/divisions/human-services/human-relations-commission-2/>

individual in the enjoyment & exercise of civil rights & to encourage & bring about mutual understanding & 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 & equally by eliminating bigotry, discrimination, intolerance & prejudice.³

Several other Gateway Cities and other cities and towns across Massachusetts have active Human Right Commissions (or councils). In some communities these commissions run volunteer members and work closely with Mayor's or City Manager's offices, in several communities city staff administer the councils or work in Human Services Departments and oversee the work of the volunteer council.

If the City of Lowell is interested in creating a Human Rights Commission there are several very good examples we could look to for guidance. The City Council would need to determine which model would work best for a Commission of this kind; identify a mission for the group, and identify areas of focus. At this time there are three City of Lowell commissions which may overlap in some ways with a newly created Human Rights Commission:

The City of Lowell currently has a Commission on Disability which can have up to 9 members appointed by the City Manager and voted on by the City Council. Commission members serve 1-3 year terms and duties include:

- Research local problems of residents with disabilities.
- Advise and assist City officials and employees in ensuring compliance with state and federal laws and regulations that affect residents with disabilities.
- Coordinate or carry out programs designed to meet the problems of residents with disabilities in coordination with programs of the Massachusetts Office on Disability.
- Review and make recommendations about policies, procedures, services, activities and facilities of departments, boards and agencies of the City of Lowell as they affect residents with disabilities.
- Provide information, referrals, guidance and technical assistance to individuals, public agencies, businesses and organizations in all matters pertaining to disability.
- Coordinate activities of other local groups organized for similar or related purposes.

Some communities specifically include discrimination of people based on disability under the purview of their Human Rights Councils. At this time the City's Disability Commission is an active group with members meeting regularly, the Disability Commission does not have a staff administrator appointed at this time.

The City of Lowell Immigration Assistance Commission was originally created in 1997; the group became inactive after several years. In 2008 the Commission was reinstated with a new focus on serving as an "advocacy and advisory body on issues facing immigrants and refugees." The Immigration Assistance Commission is currently dormant; the last member appointments were made in 2013.

The City of Lowell Diversity Council was created in March 2017. The Diversity Council was created to "give voice to all ethnic groups to participate in their City, enhance their quality of life, and to reflect the pride of residency in Lowell." The Diversity Council has not had any members appointed to date.

The City could consider combining the Immigration Assistance Commission and the Diversity Council and brand this new council as a Human Rights Council. This would require language to expand the focus of the prior groups to more than just ethnic and cultural diversity. This expanded focus could be related to race, color, religious creed, national origin, sex, age, disability, veteran status, ancestry, sexual orientation, or public benefit status. Using examples from other diverse Gateway Cities the City could formulate a mission and directive for a Human Rights Council that can address many of the issues the former councils were created to deal with, with additional areas of focus such as fair access to housing, employment, education, public accommodations, services and facilities. For issues as important as Human Rights concerns the City should consider whether or not it would be appropriate to designate a city staff member to work with the board.

DNT/ns

8/23/18

cc: Yovani Baez-Rose, Neighborhood Planner

³ <http://www.worcesterma.gov/human-rights/commission-committees/human-rights-commission>