

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, February 26, 2024, 6:00pm

Attendance : Chair Ellen Shemitz, Vice-Chair Elizabeth O'Callahan, Robert Bilotta, Guillermo Creamer Jr., Randy Feldman, Charles Hopkins, Dr. Bernard Reese, Jacqueline Yang

Absent: Jamaine Ortiz

Staff : Victor Perez

Gust: Executive Director Enrique Zuniga, Massachusetts Commission on Peace Officer Standards and Training

1. Call to order: 6:05 p.m.

2. 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.

3. 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.
4. **Unanimous approval of January 22, 2024 minutes by roll call vote.**
 5. **Conversation on Massachusetts POST Commission reporting requirements with Executive Director Enrique Zuniga:**

The Chair introduced Mr. Zuniga and referenced the questions that the HRC had submitted to the POST Commission before the meeting. The questions include:

- Please walk the HRC through the POST review process from Police submission of a complaint record through POST determinations.
- Please walk the HRC through the process as it relates to Police submissions of complaints, investigations, findings, and discipline records that predate POST's formation.
- Please describe the documents and information that Police Departments, including Worcester, are required to provide to POST and the circumstances that trigger such submissions.
- Please describe the documents and information that Police Departments, including Worcester, are not required to provide to POST, even where the complaint contains allegations of bias; excessive, prohibited, or deadly force; or an action that resulted in serious bodily injury or death.
- Are Police Departments, including Worcester, required to provide documents and information relevant to police complaints, internal investigations, findings, and discipline when the accused police officer(s) has/have retired?
 - What are the reporting requirements if the accused officer(s) retire and later return to duty?
 - How does POST enforce reporting in these circumstances?
- Please discuss POST's role in reviewing matters that were investigated by Police Departments, including Worcester, where internal investigations did not result in substantiated allegations.
 - To what extent are Police Departments, including Worcester, required to provide documents and information related to matters where internal investigations did not result in substantiated allegations?

Mr. Zuniga provided a PowerPoint to respond to the Human Rights Commission's questions. Mr. Zuniga introduced his colleague, Cindy Campbell.

1) [Overview](#)

POST Mandate

- Develop certification standards for officers in collaboration with the Municipal Police Training Committee (MPTC)

- Certify officers, school resource officers, and law enforcement agencies
- Receive complaints, investigate, adjudicate
- Implement a fair process to discipline officers who engage in misconduct, including power to suspend, condition or limit certification, order retraining or decertify an officer
- Maintain a public database with certain disciplinary records and certification status of officers

POST can receive complaints directly from members of the public and from police agencies.

Question: What percentage of complaints are from the public versus municipalities?

Answer: The vast majority come from agencies because individuals usually complain to the police first. Also internal reports against officers would also come to POST from the police agencies. POST received complaints directly that have also been submitted to the police agency. Sometimes the public is reluctant to file a complaint directly with the agency. The Commission checks to see if it has been reported by a law enforcement agency and if so, is only counted once. There will be an audit of the collected information to assure compliance. At this stage there is eagerness to comply. Direct resident complaints make up a small percentage. It's about a 1 to 10 ratio.

POST has two divisions: Certification and Standards.

Certification

- POST Certification is required for appointment and employment as a law enforcement officer
- Certification is required to conduct police duties and functions including powers of arrest, the ability to utilize force (including deadly force) conduct warrantless searches, etc.
- With the passage of Police Reform, active officers as of July 1, 2021 were certified by statute with staggered certification expiration dates (according to their last names)
- POST Certification is valid for three years and must be renewed to maintain police powers

Disciplinary Process – Division of Standards

- POST also has an important role in the disciplinary process
- Agencies are required to submit internal or external complaints (incident reports) within 2 business days of receiving such complaint
- Agencies are required to investigate complaints and submit results of Internal Affairs (IA) investigation, disposition and discipline as soon as available (processed is governed by 555 CMR 1.00)

- POST can receive complaints directly from members of the public and from agencies. complete the investigation and/or independently investigate and adjudicate

Question: What is submitted and how does POST ensure the two-day rule is followed? If not followed, what are the sanctions?

Answer: Mr. Zuniga will get through some of this during the slides, but he said POST knows the two-day rule is a challenge for everybody. They stress the need for credibility and taking a reasonable amount of time to ascertain this credibility before the two-day rule applies. Anonymous complaints also count.

Question: Is there auditing as to what is submitted and what came in from an agency?

Answer: This is a work in progress. Mr. Zuniga will discuss the relevant portal that will help ensure compliance.

Question: How is credible defined?

Answer: POST did not give guidance on this. If anyone complaints of bias, excessive force, serious bodily injury, etc., that MUST be submitted.

Question: In a gray area violation that may or may not be credible. If that is not reported, how does one know what their decision making process is?

Answer: 3 processes. POST is releasing audit regulations. When POST knows a report was supposed to be submitted and was not, POST can suspend administratively whomever is responsible. Some agencies have reported everything to avoid issue, including minor matters. POST can certify agencies to look into systemic matters and policies that need to be improved, including compliance with POST regulations.

2) Certification Process & Timeline

- All officers employed as police officers in Massachusetts on July 1, 2021 were certified by statute. The law also set the timeline for POST recertification based on the officer’s last name
- Officers with last names A-H were recertified as of July 1, 2022
- Officers with last names I-P were recertified by July 1, 2023
- Officers with last names Q-Z will be recertified by July 1, 2024

Individual Officers Certified by POST *

Certified	16,216
Conditionally Certified	273
Not Certified	206
Not Certified –On Leave	278
Suspended	47
Administrative Suspension	4
Decertified	11

*As of February 1, 2024- Does not include individuals who were active on July 1, 2021, and whose last name starts with Q-Z

School Resource Officer (SRO) Certification

- Chapter 6E requires that a school resource officer meet certain additional criteria and be certified as an SRO by POST
- Prior to SRO Certification, officers must be certified as a law enforcement officer (LEO) by POST
- POST collaborated with MPTC in the formulation and deployment of the SRO application and certification
- SRO certification is governed by 555 CMR 10.00 “Specialized Certification for School Resource Officers

SRO Certification

- An individual officer may seek SRO certification, and/or the Chief of Police may seek an SRO certification on their behalf
- A certified police officer is required to attend SRO annual training provided by the MPTC. This training is offered twice per year.
- In addition, the officer is required to fill out an SRO application form and the SRO attestation form (and make certain representations about their role) *
- POST began certifying SRO October of this year. To date there are 427 individuals who have completed the required training and obtained an SRO certification

* SRO application and attestation forms are available in POST website

POST Deployed New Agency Portal in May 2023

- Certification information is entered directly into portal
- Officers to be recertified are prepopulated in the portal
- Last year POST sent notifications to agencies & asked agencies to distribute
- This year POST sent notices directly to officers’ agency email
- Neither personal e-mail nor physical addresses are public records

- Agencies can access reports in the portal
- New platform will soon have functionality for submitting complaints and other reports due to POST

Question: Does every officer have access to this portal?

Answer: 3-5 logins per Agency. Worcester is using the portal. Notice is given to officers of any action being taken. Mr. Zuniga was not sure of officer's access to portal.

Question: What are the criteria for certification.

Answer: There are nine criteria for an officer to be certified.

Question: Do you track of how many officers to not pass certifications and track by race, ethnicity, and gender?

Answer: POST does not track by those backgrounds, but POST keeps track of who has not been certified.

Question: How many people work in the two divisions? What is an example of moral standards when police does not attest to good moral character?

Answer: POST has 40 people, including 12 in standards and 5 within certification, in addition to retirees who help out. There are people from tech, communications, and legal as well. Perhaps officer has something in disciplinary history and something was resolved; but given many cases, there is no comfort to attesting to one's good moral character. However, cannot discount good moral character is matter had been resolved in favor of officer (whether or not sustained). Exception is multiple instances of similar conduct that constitute a trend.

Question: What is the source for the rule on moral character?

Answer: Certification regulations from POST.

Question: Is there a tipping point when there are too many sustained incidents in someone's record? When does POST say we need to reconsider?

Answer: It is a case-by-case situation. It depends on the egregiousness of the infraction.

Question: So prior misconduct that has been addressed shall not or need not be considered in consideration of moral aptitude?

Answer: Shall not. Unless it constitutes a trend of similar related misconduct.

Question: How is mental health evaluated with recertification?

Answer: A test for recertification is physical and mental fitness.

Question: Does POST provide standards on support systems for officers?

Answer: Not yet. This has been suggested.

3) Exceptions to Certification

Conditional Certification

Officers deficient in one or more of the following requirements have an opportunity to complete them within a set timeframe

- Work requirements for Bridge Academy (2,400 hrs. by Jan 1, 2027)
- In-Service Training (September 30)
- Current CPR or First Aid Certificate (September 30)
- Completion of High School Education or Equivalent (July 1, 2024)

Officers on approved or extended leave must complete their certification requirements no later than 90 days after the date of their return to active service, and advise POST of their return by filling out an "Officer Status Update Form"

Declining to grant full Certification

If an officer does not meet the certification requirements and/or the time to complete the requirements expires:

- Most common instance: Chief declines to attest to good moral character of officer
- Division of Certification reviews and may decline to grant certification and designate the officer as "Not Certified"
- **A decision that does not provide for full recertification is different from decertification**

Possible Action Following Decision

- Officer may submit a written petition to the Executive Director requesting review of the decision

- Executive Director Review: Within 21 days
- Executive Director may ask for additional information, including a meeting with the applicant and issue a written decision on the petition within a reasonable time
- Opportunity for Hearing: An officer may request a hearing before the Commission concerning an application for certification
- Vacating of prior decision to recertify: If a decision declining to recertify is vacated, the officer shall be deemed to have been certified during the period between the decision not to recertify and the decision to vacate
- Reapplication by officer: An officer may reapply for certification after a decision declining to certify. However, where an officer has received a decision denying a full recertification, the Commission may attach limitations, conditions, or restrictions on the officer's ability to reapply

Question: One certification qualifier is high school diploma – any officers who did not have that?

Answer: One has until 2025 to complete his diploma.

Question: Once someone is not certified and exhausts their appeal, is that the same as decertified?

Answer: No. Not certified means someone still has recourse. Decertified is final – cannot be recertified elsewhere. They cannot still be officers. Nor can they be dispatchers.

Question: If someone is decertified can they retire and collect pension.

Answer: It depends locally. POST does not have control of that.

4) Future Certification Policy Matters

1. The Second Round of Recertification begins July 2024

- The first group to be certified by POST were those graduating from academies after July 1, 2021. Officers with last names A-H will be required to be recertified on July 1, 2025
- Process for recertification need not be the same as initial certification
- Chapter 6E directs POST to examine compliance with the requirements of the statute every three years, yet also affords POST broad discretion

- Section 4 §13(i) requires that “...the Commission certify that the applicant for recertification continues to satisfy the requirements of subsection (f)”

2. Physical & Psychological Fitness

- Initial certification by POST ascertained whether an agency had ever administered a physical and psychological evaluation to a given officer
- The statute assumes an on-going requirement of physical and psychological fitness
- Improving officer health and wellness is a broad topic

3. Certification of Agencies

- Chapter 6E §5 states that all law enforcement agencies shall be certified by the Commission
- Areas for certification of agencies include all major areas of policing (use of force, code of conduct, response and investigation procedures, internal affairs and complaint investigation, etc.)
- In consultation with MPTC, establish minimum certification standards for LEA's

4. Addressing these policy matters will require research, consultation and deliberation

- Previous work and expertise within agencies
- Required consultation with MPTC
- Multiple stakeholders
- Broad discretion means different ways to approach
- Broad mandate merits incremental (ongoing) approach

5) Disciplinary Process

Information due to POST

- Law Enforcement Agencies are required to submit to POST credible complaints alleging misconduct by an officer within 2 business days
- Complaints can originate from a member of the public (external complaint), from personnel at the agency (internal complaint or incident), or any other source

- Other reports due to POST include excessive force, officer-involved shooting, or events that resulted in serious bodily injury or death
- Process governed by 555 CMR 1.00
- Additional guidance is available at the POST website

Question: Do you have an internal audit regarding excessive number of complaints or reports from any particular municipality or town?

Answer: Yes. Focus has been on ensuring compliance and getting structure in place.

Question: Who is investigating, police or POST?

Answers: The police conducts the investigation. POST acts like a superior court, and determines to take additional action or act in lieu of what the police do.

Question: WPD indicated that if someone retired, do not send information on them to POST. Is that true?

Answer: To clarify – the statute says all agencies must submit historical disciplinary records to POST. POST noticed errors in submitted information. POST then told everyone to resubmit but take out anyone who is retired. If an officer retires, the investigation must continue and documentation should be submitted to POST. What discipline would have been- that should be submitted too.

Question: Do you post discipline for someone who retired? The HRC asked about officers with sustained allegations who retired that was not on POST website. They said they did not need to submit if retired.

Answer: Yes. It may depend on timing of when they retired.

Question: What exactly has to be submitted to POST as part of report?

Answer: Before the portal, it was a form from the police. With the new portal, there will be more structured data. It will be the investigative report. Witness statements do come with IA report.

Question: Short of death or violence, which cases do POST take over more of the evaluation without leaving for local agencies to do?

Answer: If a Chief is involved, POST takes a big part in it. Same where there are signs of trends. When Chief recommends decertification, the POST opens up a preliminary inquiry.

Questions: How many complaints the WPD forwarded to POST in FY22 and FY23? That would be great to provide to HRC. Please also provide a copy of reports from FY 22 and FY 23.

Answer: Will do. For calendar year 2023 there were 47 submissions.

Question: When there is an excessive force allegation – is there preliminary inquiry?

Answer: No. POST may chose to investigate or not.

Question: How many agencies not completing investigations in 90 days? What about City of Worcester?

Answer: Minority of complaints. Doesn't know regarding Worcester.

Question: How many cases did POST do independent inquiry with Worcester related to excessive force?

Answer: That information is confidential until a disposition.

Question: What is the percentage of excessive force cases over an annual basis are there independent inquiries? Throughout the state specifically.

Answer: Whatever information POST can provide will be made available.

All complaints and incidents that fall in the following four categories must be submitted to POST:

1. Complaints alleging bias based on race, ethnicity, sex, gender identity, sexual orientation, age, religion, mental or physical disability, immigration status, or socioeconomic or professional level
2. Complaints regarding use of force (excessive, prohibited, or deadly force)
3. Actions that resulted in serious bodily injury or death (including officer-involved shootings or "OIS")
4. Incidents involving prohibited conduct (section 10, 14 and 15 of c. 6E)

Complaints that allege "unprofessionalism" are also due to POST, except for minor matters like discourtesy, grooming violations, tardiness, inattention to detail, etc.

Actions Following a Complaint

- LEA's are required to investigate the complaint and submit the results of that Internal Affairs (IA) to POST within 90 days of the incident; a description of the Investigation (IA Report) and findings (Unfounded, Not Sustained, Sustained, Exonerated)
- Any discipline imposed
- IA Report and Disposition (discipline) may be different submissions
- Head of Agency may recommend POST take certain action (up to an including decertification)

- In the event of appeal or reversal => submit update to POST

Historical Disciplinary Records

- POST published historical disciplinary records earlier this year, and issued updated version earlier this month to include 274 agencies and 3,887 disciplinary records and 5,486 allegations
- Records include sustained complaints, and exclude not-sustained complaints
- Officers who have resigned or retired in good standing are not included: data includes those who have resigned or retired to avoid discipline

Question: If an officer has multiple complaints, some sustained, and the officer was not decertified; if that officer resigns in good standing, what happens if they wish to return to another department 5 years later? Can the police ask POST for information not on the site? Can information go back on the site?

Answer: After 5 years they need to go through training, full background check and that includes review of history with POST, then POST certification. If the officer rehired, their records would reappear on the website.

Question: Does the law require that a department notify POST of any misdemeanor or felony charge?

Answer: Yes that is the 2 day requirement.

Suspensions

Administrative Suspensions

The Commission administratively suspends the certification of an officer who fails to complete in-service training within 90 days of the imposed deadline

- Exceptions for injury or physical disability, leave of absence or documented hardship
- Certification is reinstated once the officer completes the training requirement
- An officer may also face administrative suspension for failure to submit certain reports due to POST

Mandatory Suspensions

- The Commission shall immediately suspend the certification of an officer who is arrested, charged or indicted for a felony

- Officer may request a hearing before a single Commissioner prior to the mandatory suspension
- If charges are dropped, or reduced officer may request lifting that suspension to the full Commission

Other Commission Imposed Suspensions

- The Commission may suspend an officer who is charged, indicted or convicted of a misdemeanor
- If the Commission determines by a preponderance of the evidence that the crime affects the fitness of the officer to serve as a law enforcement officer

Preliminary Inquiries

Division of Standards initiates a Preliminary Inquiry (PI) if:

- Complaint, report or other credible evidence that officer was involved an officer-involved injury or death;
- Committed a felony or misdemeanor, (whether the officer has been arrested, indicted, charged or convicted);
- Engaged in prohibited conduct (chapter 6E section 10);
- Commission receives an affirmative recommendation by the head of an appointing agency for disciplinary action by the Commission, including retraining or suspension or revocation of the officer's certification.

Preliminary Inquiry proceedings are confidential

- Division of Standards request approval from Commission to initiate PI in Executive Session
- Officer, Head of Agency, and Head of Bargaining Unit are notified of these proceedings (within 30 days)
- Commission may suspend certification of an officer as part of a
- After PI Report, Commission may vote to initiate adjudicatory proceedings (Hearings)

Adjudicatory Hearings

- Commission may conduct hearings to issue findings, impart discipline, order retraining, condition, limit or revoke the certification of an officer

- POST will not initiate revocation proceedings until an LEA has issued a final disposition or a year has passed (whichever is sooner)
- Hearings are presumed to be public, but part or all the hearing may be closed at the discretion of the chair
- After hearing, Commission will consider all evidence submitted as part of the record, deliberate and issue a written determination

Question: Where do the hearing take place?

Answer: Virtually a few times. Officers want more in person. Going forward it will be in person in Boston offices. POST notifies the public about hearings.

Question: Requested that POST identify what City is involved in the hearing.

Answer: POST will implement that.

Decertification

An officer may be **decertified** as a result of certain forms of misconduct after appropriate procedures have been taken by the Commission

- Decertified officers cannot work for a law enforcement agency, a sheriff, or the Executive Office of Public Safety and Security in the Commonwealth in any capacity
- The names of decertified officers are placed in the National Decertification Index (“NDI”)
- Note: Being classified as not certified is different from being decertified

Meetings & Hearings

- Public Meetings are held monthly
- Public Hearings are held periodically
- Public comment: POSTC-Comments@mass.gov
- Sign up for email alerts of meetings, hearings and Commission news
- All meetings and hearings are available online Visit our website: www.mass.gov/orgs/post-commission and click “Commission Meetings and Hearings”
- Visit our YouTube channel for past meeting

Questions: Please go back and provide information on questions asked for two fiscal years re Worcester. Within a few weeks would help as HRC is preparing data request for WPD.

Answer: Will do.

Motion was made and seconded that the Human Rights Commission request that the City Manager have the Worcester Police Department place a link to POST decertification and disciplinary information on their Website. Approved by roll call.

Question: What is the time between when complaint reported and submitted to POST?

Answer: 2 days.

Question: Do you have thoughts on local civilian review boards?

Answer: It depends on the strength. Boston and Springfield have such boards. Their recommendations do not always come to fruition though. The boards are good community relations. He added POST will not replace the local process that has been happening over the years. They welcome any critical help.

Discussion on Subcommittees:

- a. Review of Open Meeting Law position communicated by City Solicitor's Office and related conversation with the Attorney General's Office

The Chairperson reminded the Commission how the City Solicitor's Office communicated that Commission members created subcommittees and thus would need to adhere to the Open Meeting law requirements while having working group meetings. This also affected the possibility of a quorum of the subcommittees meeting. She subsequently spoke with a member of the Attorney General's Office who, without providing legal advice, suggested the Solicitor's office was correct. The AG contact said that an alternative included designating one Commissioner to work on a topic; that person could unofficially confer with other Commissioners. The contact also indicated that the Chair and Vice-Chair could meet on a Commission agenda as long as the work of the subcommittee is not being advanced.

Based on this information, the Chairperson looked to the Commission to see if eliminating the working groups that were formed was in order. The Commission discussed this. Another Commissioner mentioned that the Commission has been substantially limited in moving the work forward due to staffing resources. Some Commissioners highlighted the general logistical issues behind subcommittee meetings. That the Director has not yet been hired has impeded the HRC's work. There was a caution given that individual members should not take on more than can be handled, but to take on a small issue.

The Commissioners also discussed the Director of Human Rights and Accessibility job posting, and the listed minimum requirements. Some Commissioners expressed that the minimum job requirements should include more educational background and experience.

Director Perez confirmed, following a Commissioner's question, that the voting to dissolve the subcommittees would be effective. As for the idea that an individual Commissioner could take on a topic, he was not present for the Chairperson's conversation with the AG's office. He is able to confirm the plausibility of the one person assignment plan with the City Solicitor's office.

After discussion, a motion was made to dissolve the subcommittees that it created in January 2024, but it will revisit the possibility of reforming subcommittees when the EODEI is fully staffed. The motion was seconded. The motion was approval with 7 Yes and 1 No taken by roll call. The HRC will revisit the possibility of reforming subcommittees when the EODEI is fully staffed.

The Commission discussed the Director job posting, and what appropriate minimum qualifications should be. Some felt a higher educational degree was needed and others disagreed. There was also a concern that the job description minimized the accessibility portions of the job.

The Commission moved to request the City Manager, in hiring the Director of Human Rights, and Accessibility, give due consideration to the new requirements of the newly written job under the reorganization, which includes holding hearings, and that the legal expertise and substantive knowledge in areas of civil rights, human rights, disability, equity, opportunity, and anti-discrimination be given heavy weight. This motion was seconded and approved with 7 Yes and 1 No taken by roll call.

A Commissioner asked Director Perez about the history of the Director position. Director Perez indicated that he was unaware of the individuals who filled the two positions that were combined to create the Director position.

Updates on EODEI hiring:

- a. Unfortunately, the result of the first interview process for the Chief Equity Officer was not successful. Commissioner Creamer was on the city's interview team for the last round of interviews; he will not be available for the next round. Commissioner Creamer appreciated the opportunity, but he had to decline due to time restraints. A motion was put forward to have Chairperson Shemitz serve on the interview team on behalf of the Commission. The motion was seconded. All approved by roll call vote.

Continued Conversation regarding the Worcester Police Department:

The Commissioners discussed the division of the below topics such that individuals would be assigned to do work, and then report back to the larger group at the next meeting. Then the HRC can make decisions moving forward based on the presentations. Commissioners Creamer, Bilotta, and Hopkins did not receive assignments.

- A. Discussion of Police Policies – Commissioners should mark up their suggestions on the policies and make a five-minute presentation on them.
 - i. Language Access- Commissioner Yang will do this.
 - ii. Juvenile Arrest Procedures- Commissioner Feldman will do this.
 - iii. Use of Force- Commissioner O'Callahan will do this.
- B. Civil Service Exam Pass Rates – The HRC recently received this information from HRD. Dr. Reese will take on this matter.

1. [Civil service promotional bias suit, initiated by Worcester officer, settles for \\$40 million \(telegram.com\)](#)

C. December WPD Submissions to HRC

D. Hate Crimes Data Summary – Director Perez is in contact with the WPD to reconcile the differences between FBI hate crimes data and what was post to City website. There was delays in getting the information, in part due to the absence of a relevant informational source. There will be no presentation on this.

E. News Reports of Traffic Stops by Race and Ethnicity- This can inform data requests to WPD. The Chairperson will work with Director Perez on drafting the questions.

- i. [Investigation: How Saugus Police Department misidentified Hispanic drivers \(usatoday.com\)](#)
- ii. [Mass. officials tout no racial profiling. State report questioned. \(usatoday.com\)](#)

Scheduling Update

HRC is scheduled to meet on the following dates: April 8 [Virtual], May 6, June 24, July 22, August 26, September 23, October 28, November 25, December 30

The Commissioners discussed possibility having Charles Goodwin speak in April. May would be a discussion on the data, and June would be WPD questions. HRC would get list of questions ready by April 8th.

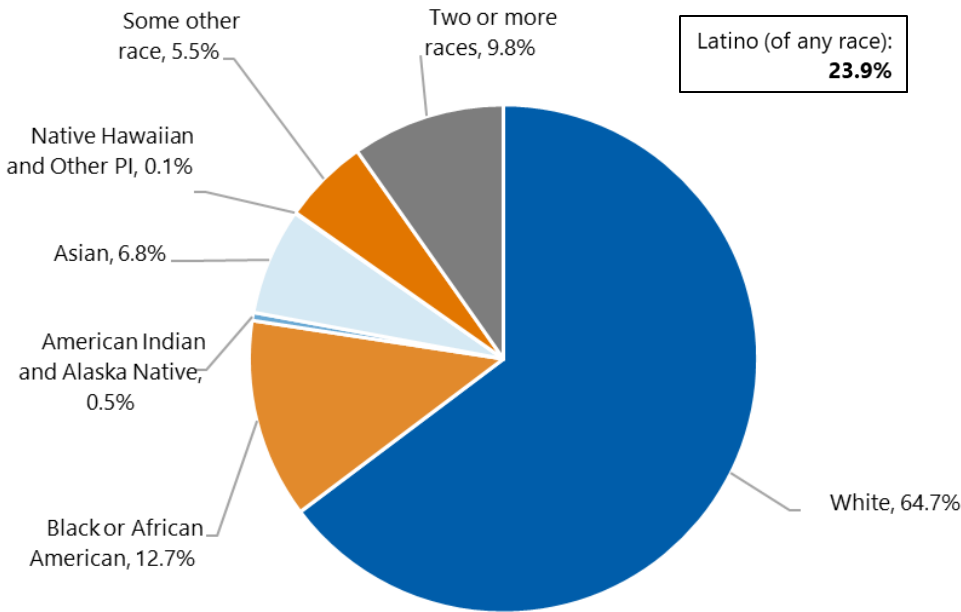
Announcements

- February is Black History Month.
- Music Mania Television Studios has organized an event on February 29th from 1 to 4 p.m. at the Worcester County Courthouse. The event will include a recitation of Frederick Douglass’s Speech, “What to the Slave is the 4th of July?” and remarks from a number of guests, including City leadership.
- Catch the fire exhibit at Worcester Craft Center until the end of the month.

F. Adjournment

Next monthly meeting of the Human Rights Commission Monday, March 25, 2023, 6:00 pm at the Esther Howland Chamber in Worcester City Hall

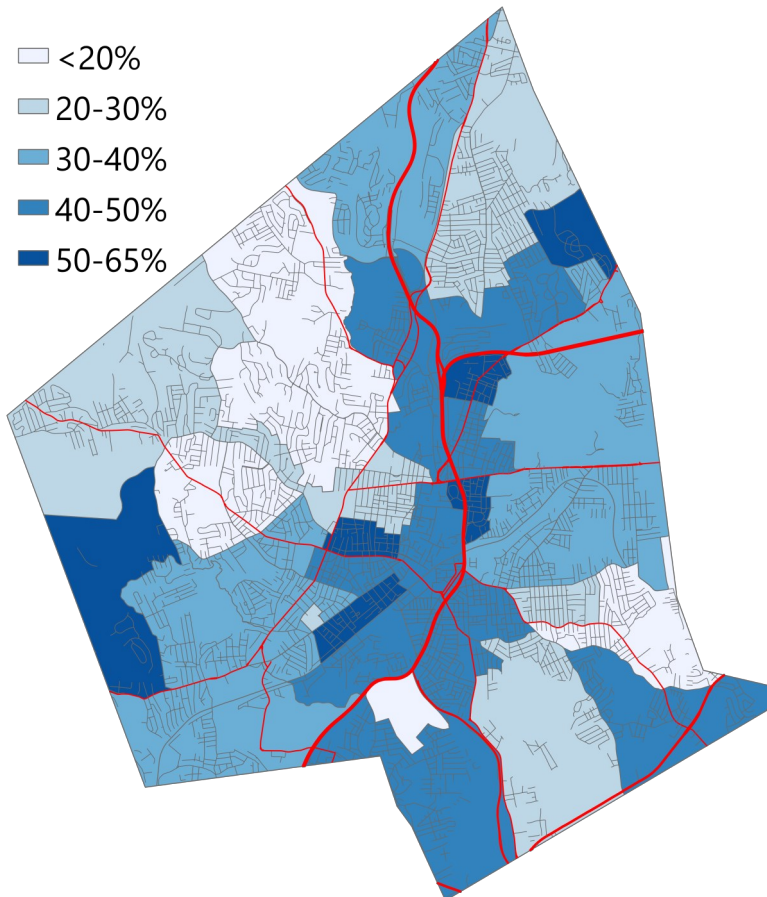
WORCESTER: POPULATION BY RACE & ETHNICITY, 2021



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

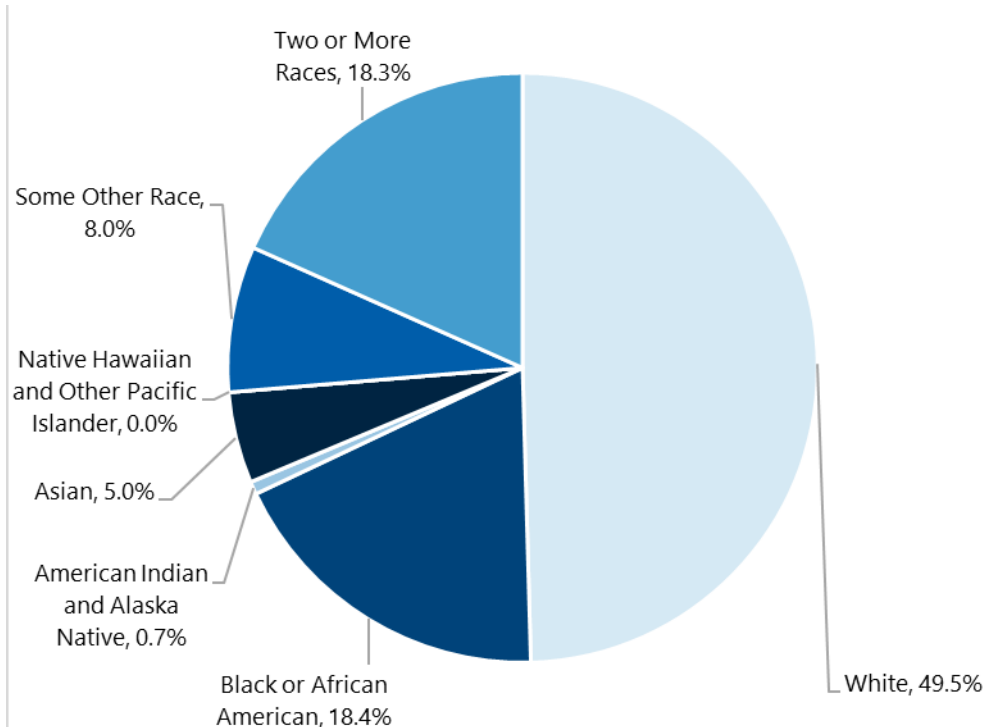
WORCESTER: PERCENT NON-WHITE POPULATION, 2021



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

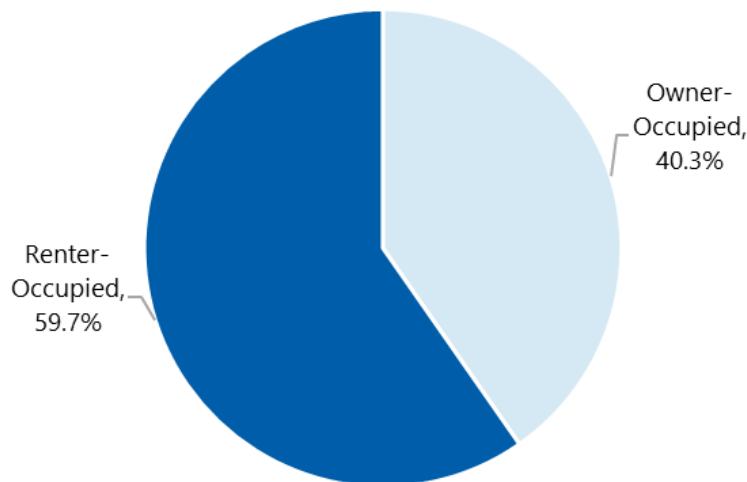
Hispanic or Latino Origin (of any race)	38.8%
Not of Hispanic or Latino Origin (of any race)	61.2%

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

From: [Perez, Victor](#)
To: [Castiel, Matilde](#)
Subject: Questions re HRC Meeting 1/22
Date: Friday, January 12, 2024 11:28:00 AM

Hello Dr. Castiel,

Thank you again for agreeing to attend the January 22nd HRC meeting. In anticipation of that meeting, HRC Commissioners put together a number of questions they would like for you to address. Please take a look at these questions.

1. How do emergency services meet the full needs of the Worcester homeless outside of bed placement and the provision of food?
 1. Are there any pending day-time initiatives to address the needs of the homeless? If so, what?
2. What plans are in place to address the deficit in low income housing in our community?
3. What are the biggest unmet public health needs in Worcester that need to be addressed?
 1. Are there any issues relevant to housing insecurity and homelessness that you do not usually get asked about and that you wish to highlight for us?
4. What is your overall impression of the permanent and temporary shelters in Worcester and their existing mechanisms for ensuring safety for program participants? What are the positives and the challenges that you have witnessed or of which you are aware?
5. The HRC recently became aware of ongoing difficulties with Worcester Public Library Staff being able to meet the needs of the visiting homeless residents. What kind of practices and procedures do you feel might address this reality?
6. What is the current status of homeless encampment sweeps in the City of Worcester? What can you tell us about their focus, frequency, and how they are executed?
7. The conversation about the cause of homelessness popularly revolves around limitations in affordable housing. Do you believe this is the sole factor? If not, what other factors are at play? Are these other factors more or less to blame than limitations in affordable housing?

Please let me know if you have any questions leading up to the meeting. Thank you.

Best,

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.****

2022 Hate Crimes Data Summary

Date	Reported As	Victim(s)	Suspect(s)	Charges	Complaint Charges	Additional Information
04/07/2022	Bomb Threat	School/Religious	Male/unknown (juvenile)	No	N/A	FBI/Joint Terrorism Task Force involved
02/27/2022	Assault with a Dangerous Weapon	Male/Unknown/24	Male/unknown/22	Yes	A&B on Family or Household Member Assault and Battery	
			Male/unknown/22	Yes	A&B with a Dangerous Weapon Civil Rights Violation with Injury	Suspect made statements re: sexual orientation of victim
			Male/unknown/22	Yes	A&B	
04/28/2022	Home Invasion	Male/Hispanic/26	Male/Hispanic/56	Yes	Home Invasion Threat to Commit a Crime	
		Female/Black/26	Female/Hispanic/41	Yes	Home Invasion Civil Rights Violation	Suspect made statements re: sexual orientation of one of the victims
04/29/2022	Assignment	None	None	No	N/A	Report of white nationalist sticker on a trail post (removed)
06/27/2022	Malicious Mischief	Male/Unknown/49	None ID	No		Victims' mailbox destroyed; MSP Bomb Squad assist. Possible civil rights hate crime based on domestic relationship of victims.

						Inactive due to lack of usable video to ID suspect
		Male/White/40				
07/20/2022	Neighbor dispute	Male/Black/69	Female/White/71	Yes	A&B Civil Rights Violation A&B to intimidate for Race/Religion (x3)	Spraying neighbors w hose while making racist statements
		Female/Black/60				
07/21/2022	Neighbor dispute	Male/Black/42	Female/White/71	Yes	A&B with dangerous weapon Civil rights violation (x2)	Spraying guest of neighbor with pepper spray while making racist statements
		Male/Unknown/39				
09/11/2022	Neighbor dispute	Female/Black/36	Male/Hispanic (juvenile)	Yes	Resisting Arrest Disorderly Conduct Disturbing the Peace Threat to commit a Crime (x2)	
			Male/Hispanic (juvenile)	Yes	Civil Rights Violation Vandalize/deface property willful/maliciously Threat to commit a crime Warrant arrest	Harassment and threats; using racial slur against victim
10/04/2022	Malicious mischief	School (public)	Male/unknown (juvenile)	No	N/A	Racist graffiti

10/10/2022	Malicious mischief	Male/Black/31	Male/White/60	Yes	Assault with a dangerous weapon (x2)	Suspect directed racial slurs towards victims
					Civil rights violation (x2)	
					Vandalize/deface property willful/maliciously (x2)	
					Disturbing the peace	
		Male/Black/35				
11/07/2022	Check on the welfare	Female/Hispanic/40	Male/unknown/28	Yes	A&B with a dangerous weapon	Does not fit Massachusetts state definition of hate crime but may be reported under NIBRS (federal)
					Strangulation or suffocation	
					A&B on Family or Household Member	
10/26/2022	Assault and Battery	Female/unknown (juvenile)	None	No	N/A	Reporting past incident that occurred at school; victim reports 2 black males called victim terrorist and pushed victim. No suspect information available.

From: [Perez, Victor](#)
To: [Perez, Victor](#)
Subject: ****Important**** City Solicitor's Legal Advice re Working Groups
Date: Tuesday, January 16, 2024 2:30:55 PM

Hi Everyone,

I hope this email finds you all well and staying warm. In line with my role as Staff Liaison, I reached out to the City Solicitor's Office ("the Office") last month to seek clarity on the potential Open Meeting Law ("OML") requirements around working groups, as was discussed during the last HRC meeting on December 4, 2023. The Office indicated that a memorandum detailing such information was forthcoming. In order to avoid any potential OML violations, we have not been taking concrete steps in furtherance of having these groups meet before the City Solicitor's Office releases a memorandum reflecting its position.

I very recently learned that while the memorandum is not yet complete, the Office believes that the groups "as contemplated by the HRC during its 12/04/2023 meeting would constitute formation of subcommittees." For subcommittees, quorum would be defined not in relation to the total number of HRC Commissioners, but by the total number of participants in a working group. As such, the Office indicated that Commission members would likely violate the OML by meeting in these working groups where there is no posted agenda, meeting minutes, etc., as required for public meetings.

I will let you know once I received the memorandum and any additional information, but I at least wanted to share what I have received thus far.

Best,

Vic

Victor J. Perez, Esquire

Interim Executive Director of Human Rights and Accessibility &
Lead Investigator

Human Resources Department

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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: December 13, 2023

RE: The Human Rights Commission's Approved Motions from the Public Meeting on December 4, 2023

A. Background:

On December 4, 2023, the Human Rights Commission (HRC) convened for its monthly public meeting. The members discussed a public statement from the City Manager regarding the HRC, dated November 30, 2023, and met with Homeless Projects Manager Evis Terpollari and Homeless Strategist Henock Assefa from HHS for a discussion on homelessness in the City of Worcester.

B. Approved Motions:

During the public meeting on December 4, 2023, a quorum of the HRC approved the following motions:

1. In order to advance the City Manager's third and fourth articulated priorities regarding the creation of educational materials and a grievance process for the public, as described in the public statement from the City Manager regarding the HRC, dated November 30, 2023, the HRC respectfully asks that the City Manager prioritize the hiring of a Director of Human Rights and Accessibility and a second Investigator.
2. 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.
3. The HRC endorses the City Council's recent recommendation that the City develop a strategic plan on hot spots.
4. 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.



The City of
WORCESTER

5. The HRC respectfully requests that the City prioritize efforts to create climate controlled shelters that are available year round.
6. The HRC respectfully encourages the City Manager to explore options for a day resource center in the City.
7. 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.
8. 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."
9. The HRC respectfully requests that the City explore additional non-congregate shelter options and expand capacity for housing the homeless.



To: Victor Perez, Esq., Acting Staff Liaison
From: Janice E. Thompson, Assistant City Solicitor
Date: January 17, 2024
Re: Human Rights Commission - Open Meeting Law

You requested guidance related to the Open Meeting Law (OML) pertaining to communications among Human Rights Commission members outside of public meetings, including related to proposed “work groups” as well as issues relating to email or text communications among members.

During the December 4, 2023 meeting of the Human Rights Commission, the Commission proposed that members form “work groups” of three or less members, tasked with meeting privately to research, deliberate, and discuss designated topics for the purpose of presenting to the full body. It was anticipated that following the privately held meetings, members of work groups would report to the full Commission and recommend items for votes and further action. The Chair expressed her intent to structure the groups carefully to avoid an OML violation.

At the December meeting the Commission was specifically asked to consider, “...setting up work groups, so if we set three or four priorities as an organization we can then set up workgroups that are...3 or less people so it is not a quorum...if we have small work groups they can meet without violating the open records [*sic*] law, do research in between meetings, present at each meeting, so that we can actively advance our work and make policy recommendations to the City Manager.” Members then proceeded to engage in a vote to rank their “top priorities” from a given list to determine which topics would be designated for work groups to undertake. Following the vote, the Chair stated, “...we will form work groups in Fair Policing, Housing and Homelessness, and the Executive Office of Diversity, Equity and Inclusion.” Members were instructed to contact the staff liaison or the Chair privately to indicate the work groups they were most interested in serving on. The Chair and co-Chair would then take these preferences into account in assigning members to the work groups. It is my understanding that these work groups have been assigned but the members have not communicated or engaged in meetings.

It is my further understanding that members of HRC have expressed their intention to comply with all aspects of the OML.

The OML is only applicable to public bodies. See G.L. c. 30A, §§ 18-25. A “public body” is defined, in relevant part, as “a multiple-member board, commission, committee or subcommittee . . . however created, elected, appointed or otherwise constituted, established to serve a public purpose.” G.L. c. 30A, § 18. A subcommittee is a “multiple-member body created to advise or make recommendations to a public body.” G.L. c. 30A, § 18.

It is necessary to analyze HRC's actions and whether it intended to create a "multiple-member body." The Commission may not have understood that the plan proposed on December 4, 2023 involved creation of subcommittees, and it is my understanding that the Commission did not actually intend to create subcommittees. However, when the Commission moved forward with plans for "setting up work groups" to carry out tasks, voted on subject matter areas for each group's jurisdiction and specialization, and finally when members were designated by the Chair and co-Chair (outside of open meeting) to serve on specific work groups, these actions resulted in the creation of subcommittees. See OML 2023-177; OML 2023-165; OML 2023-32; OML 2021-78; OML 2019-93; OML 2018-23. (See also OML 2017-111: A public body appointing two members to carry out a task would create a subcommittee.) Based on analysis of the facts in light of the OML, and a review of multiple determinations of the Attorney General's Office Division of Open Government, it is apparent that the HRC created subcommittees subject to the Open Meeting Law. At this point the HRC has not violated the OML, as there has been no communication between members of the subcommittees outside of open meeting, and no meetings of these subcommittees have occurred.

In this instance under the proposed plan for "work groups" the HRC sought to designate members to work in small groups on three specified topics, as voted by the Commission. The Revised Ordinances of the City of Worcester provide that the Commission may create subcommittees for certain purposes (See Article 15, §10(d)(9) "create committees: to create such committees from the members of the commission as, in the commission's judgment, will best aid in effectuating the provisions of this ordinance and to empower such sub-committees to study the problems of prejudice, intolerance, bigotry and discrimination existing in the city due to denial of equal treatment as a result of race, color, religious creed, national origin, gender, age, ancestry, marital status, parental status, sexual orientation, disability or source of income;") Any such subcommittee, including the subcommittees created pursuant to the "work groups" plan set forth during the December 4, 2023 meeting, would be subject to the requirements of the Open Meeting Law, including posting and notice requirements, requirements that all meetings (and therefore all deliberation) shall be open to the public unless subject to an executive session exemption, and requirements to maintain and post minutes.

In summary, the "work groups" discussed by HRC would constitute subcommittees, and such subcommittees would be public bodies subject to the requirements of Open Meeting Law. The contemplation of work groups as occurred during the December 4, 2023 HRC meeting does not constitute an OML violation; however, creation and implementation of such work groups constitute the creation of subcommittees, and each subcommittee must comply with all requirements of the OML.

Apart from the subcommittee issue, you noted that some questions have arisen related to Open Meeting Law requirements around communication outside of public meetings generally. The following aligns with advice provided by the Attorney General's Division of Open Government:

Any communication between or among a quorum of a public body on any matter within its jurisdiction must be conducted during a noticed meeting. See G.L. c. 30A, §§ 18, 20. A one-way communication from one public body member to a quorum on matters within the body's jurisdiction constitutes deliberation for purposes of the Open Meeting Law, even if no other public

body member responds. Courts have held that the Open Meeting Law applies when members of a public body communicate in a serial manner in order to evade the application of the law. A public body may not engage in serial communication whereby a quorum communicates in a non-contemporaneous manner outside of a meeting on a subject within the public body's jurisdiction. See *Shannon v. Boston City Council*, No. 87-5397 Suffolk Superior Ct. February 28, 1989; *McCrea v. Flaherty*, 71 Mass. App. Ct. 637 (2008) (holding that private serial communications violate the spirit of the Open Meeting Law and may not be used to circumvent the intent of the law).

Discussion by phone, text, or email among members of a governmental body on an issue within the jurisdiction of the body may constitute a violation of the OML. This is true even where individual conversations occur in serial fashion. The long-established prohibition on serial deliberations means that individual conversations, emails, and text messages between members on matters before the Commission may result in OML violations. Outside of public meetings, with respect to matters before the Commission or within the purview of the Commission, members are advised to contact the staff liaison to avoid direct communication with other Commissioners. The Staff Liaison, designated by ordinance to administer the affairs of the HRC, is available to respond to questions of individual members, to compile and distribute materials, and to further coordinate the business of the Commission. Communication from the Staff Liaison will generally be in the form of an individual communication, or to the full body by blind copy to prevent any unintentional OML violation.

To promote compliance and provide additional clarification and guidance, it is recommended that members of the Human Rights Commission participate in an Open Meeting Law training as offered by the Attorney General's Division of Open Government. The Staff Liaison and Law Department can assist in coordinating the training with the Attorney General's Office. Note the definition of meeting under the OML specifically excludes trainings, provided the members do not engage in deliberation. ("meeting" shall not include... (b) attendance by a quorum of a public body at a public or private gathering, including a conference or training program or a media, social or other event, so long as the members do not deliberate G.L. c. 30A, § 18.)



OPEN MEETING LAW COMPLAINT FORM

Office of the Attorney General
One Ashburton Place
Boston, MA 02108

Please note that all fields are required unless otherwise noted.

Your Contact Information:

First Name: Nicole Last Name: Apostola

Address: 231 Wildwood Avenue

City: Worcester State: MA Zip Code: 01603

Phone Number: [REDACTED] Ext. _____

Email: [REDACTED]

Organization or Media Affiliation (if any): _____

Are you filing the complaint in your capacity as an individual, representative of an organization, or media?

(For statistical purposes only)

Individual Organization Media

RECEIVED
WORCESTER CITY CLERK
2023 DEC - 8 AM 11:16

Public Body that is the subject of this complaint:

City/Town County Regional/District State

Name of Public Body (including city/town, county or region, if applicable): Human Rights Commission

Specific person(s), if any, you allege committed the violation: Ellen Shemitz, Chairperson

Date of alleged violation: 12/4/2023

Description of alleged violation:

Describe the alleged violation that this complaint is about. If you believe the alleged violation was intentional, please say so and include the reasons supporting your belief.

Note: This text field has a maximum of 3000 characters.

The commission, led by the chair, elected to establish subcommittees, which they called "workgroups", that would meet outside regular meetings, and which would not be public meetings.

Chair Shemitz specifically said, "We can set up workgroups that are four or less people, so it's not a quorum. Actually, I guess it needs to be three or less people so it's not a quorum. ... If we have small workgroups, they can meet without violating the Open Records Law, do the research in between meetings, present at each meeting."

I believe that this violation is intentional because the law was mentioned, specifically with the intention of working around the requirement for public meetings, including for subcommittees.

What action do you want the public body to take in response to your complaint?

Note: This text field has a maximum of 500 characters.

Every member of the public body must take Open Meeting Law training within 90 days of receipt of this complaint. In addition, staff members who advise this public body should also be required to take OML training.

The public body should also contact the Attorney General's Office for guidance on how to conduct proper public meetings, including the reasons for executive session, whenever there is a question.

Review, sign, and submit your complaint

I. Disclosure of Your Complaint.

Public Record. Under most circumstances, your complaint, and any documents submitted with your complaint, is considered a public record and will be available to any member of the public upon request.

Publication to Website. As part of the Open Data Initiative, the AGO will publish to its website certain information regarding your complaint, including your name and the name of the public body. The AGO will not publish your contact information.

II. Consulting With a Private Attorney.

The AGO cannot give you legal advice and is not able to be your private attorney, but represents the public interest. If you have any questions concerning your individual legal rights or responsibilities you should contact a private attorney.

III. Submit Your Complaint to the Public Body.

The complaint must be filed first with the public body. If you have any questions, please contact the Division of Open Government by calling (617) 963-2540 or by email to openmeeting@state.ma.us.

By signing below, I acknowledge that I have read and understood the provisions above and certify that the information I have provided is true and correct to the best of my knowledge.

Signed: 

Date: 6 December 2023

For Use by Public Body Date Received by Public Body For Use by AGO Date Received by AGO



POLICY AND PROCEDURE NO. 806

Limited English Proficiency (LEP)

Date Issued 12/21/2023	Date Effective 12/21/2023	Revision No. Initial	No. of pages 11
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PURPOSE:

Language barriers can sometimes inhibit or even prohibit Limited English Proficient persons, (*LEP hereinafter*), from accessing assistance and/or understanding important rights, obligations, and services, or from communicating accurately and effectively in a variety of interactions between the public and police personnel. Miscommunications with victims, witnesses, suspects, and people in the community because of language differences can jeopardize safety and create evidentiary and investigative challenges. It is the purpose of this policy and procedure statement to provide methods for Worcester police personnel to effectively overcome possible language barriers with members of the public.

POLICY:

It is the policy of the Worcester Police Department to ensure meaningful communication with LEP persons and their authorized representatives involving police services and activities. The Worcester Police Department will take reasonable steps to ensure that LEP persons have meaningful access to services and an equal opportunity to participate in encounters with the Department regardless of their national origin, or limited ability to speak, read, write, or understand English. This policy will be implemented in accordance with the subsequent procedures delineated herein and in associated directives/general orders.

This policy also provides for communication of information contained in vital documents, which are used or issued by Department personnel. All interpretation and translation services needed to comply with this policy shall be provided without cost to the LEP person being served, and such person will be informed of the availability of such assistance free of charge.

Language assistance will be provided through use of competent bilingual staff, and a contract for language bank services with *Language Line Solutions* who will provide interpretation and translation services either in person or via telephone contact.

The Worcester Police Department has designated the Deputy Chief of Support Services as the department's LEP coordinator. This position will serve as a resource for other staff and will communicate directly with the City's Human Resource staff to report any problems or concerns with the implementation of this policy.

All department employees will be provided notice of this policy and procedure, and those that may have direct contact with LEP persons will be trained in the effective use of an interpreter. Such training will include but not be limited to training directives, roll-call training and/or in service training modules.

DEFINITIONS:

Exigent Circumstances:

Circumstances requiring prompt action before language services can reasonably be obtained in order to protect life, prevent serious injury, to protect substantial property interests; to apprehend or identify a fleeing offender; or to prevent the hiding, destruction, or alteration of evidence. Because 911 responses and police encounters are inherently exigent and rapidly evolving in nature, are uncertain, and because responding officers must at all times preserve scene safety for all, these exigent circumstances allow the responding officer latitude in his or her methods of establishing effective and rapid communications with an individual at the outset and throughout the citizen contact.

Interpretation:

The act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the same meaning.

Limited English Proficiency (*LEP hereinafter*) Person:

An LEP person is someone who does not speak English as their primary language and has limited ability to read, speak, and/or write English at a level that permits them to interact efficiently with English speakers or documents without language assistance.

Translation:

The replacement of written text from one language (source language) into and equivalent written text in another language (target language).

Vital documents:

Paper or electronic material that contains information critical for accessing the Worcester Police Department's services, or is required by law, which may include Miranda Warnings, OUI rights, or other rights advisories.

To determine if a document is "vital", the City of Worcester's Human Resources Office and/or the Law Department will assess whether denial or delay of access to services or information could have serious or even life-threatening implications for the LEP individual. Whether a document is "vital" may depend upon the importance of the program, information, or service involved, and the consequence to the LEP individual if the information in question is not provided accurately or in a timely manner.

Examples of "vital" written documents could include the following:

- Consent and complaint forms
- Intake forms with the potential for important or legal consequences
- Written notices of eligibility criteria, rights, denial, loss or decrease in benefits or services, and other hearings

- Notices advising LEP persons of free language assistance.
- Applications for a program, activity, or to receive a city government benefit or service.

PROCEDURE:

Identifying LEP Persons:

At the outset of encounters between Worcester Police Department personnel and a person who may be LEP (whether in the field or at police HQ), personnel shall seek to determine whether that individual is LEP using all necessary methods available to them. Patient, deliberate, open-ended questions to the subject may aid in this determination. Failing that, inquiry with the individuals' companions or others that know, or know of the individual, may be of assistance in determining whether the person is LEP. Such inquiry would be appropriate under circumstances in which the subject is unable to respond and provide relevant information because, for example, they are intoxicated, impaired and/or injured. If the officer, official, or staffer determines the person is LEP, personnel shall then endeavor to promptly identify the language and communication needs of the LEP person.

During 911 call response, the dispatcher generally notifies responding personnel that a language barrier exists and can usually identify the primary language.

Identification of the Primary Language:

After the initial determination is made that a person is LEP, the person's primary language needs to be identified. Methods of discerning one's primary language include but are not limited to the following:

- Self-identification of primary language by the LEP person.
- Language identification cards or online images developed by Language Line Solutions. (See exhibit #1).
- Inquiry with bystanders or persons who know or know of the LEP person.
- A call initiated to the Language Line Solutions reception may be able to discern the primary language at the outset of the contact.

Oral Interpretation:

Exigent Circumstances:

Because police responses and encounters with community members in the field are generally emergent in nature, it is necessary that personnel be permitted greater latitude in quickly establishing communications with community members. Bilingual police department interpreters may be used in all cases where their deployment satisfies the rationale for exigent circumstances (see definition above). The services of bystanders, family members, or others who are present and can rapidly assist in establishing

communications with an LEP individual while the exigent conditions continue to exist, may be utilized during the period as well. (*See restriction and limitation guidelines below.*)

Stable Scene Conditions, Non-Exigent Circumstances:

Bilingual police department personnel may also provide interpretations services under stable scene conditions/non-exigent circumstances where they are on-scene or may be called to the scene without unreasonable delay (in view of the acuteness of the situation/scene). Every effort should be made to assure the subject as to the reasoning for the delay in the arrival of the bilingual officer so as not to delay emergency services or to place the person in fear that he or she is in custody.

The services of bystanders, family members, or others who are present and can assist in establishing communications with an LEP individual is acceptable provided that LEP person does not object to the use of this assisting individual. Quite often, persons who are LEP will present themselves to police accompanied by a trusted interpreter. The use of these interpreters is to be allowed subject to the restrictions and limitation guidelines below.

Restricted Language Assistance Practices Absent Exigent Circumstance:

Language assistance obtained through minors, family members, neighbors, friends, volunteers, or bystanders can be unreliable, particularly in: (1) communications involving witnesses, victims, and potential suspects; (2) investigations, collection of evidence, and negotiations; (3) imparting of rights advisories, and (4) sensitive types of investigations such as suspected domestic violence, child abuse, child abduction, and/or sex assault. Accordingly, once the exigency has passed, personnel should refrain from using the interpreter services of minors, family members, neighbors, friends, volunteers, or bystanders wherever possible.

If exigent circumstances require WPD personnel to use restricted language access practices, as described above, the WPD employee shall seek the assistance of qualified bilingual personnel, an interpreter, or a telephone interpreter to confirm or supplement the initial information acquired using unauthorized language assistance as soon as practicable.

Bilingual police department personnel may provide interpretations services under stable scene conditions/non-exigent circumstances where they are on-scene or may be called to the scene subject to the restrictions below.

Bilingual Personal Interpretation:

Police personnel may be used for interpretations services under emergent and non-emergent conditions provided their level of bilingual ability allows for effective interpretation with the subject and where their interpretation skill facilitates effective communication. In making such a determination, Police department personnel should consider the following non-exhaustive factors:

- The frequency with which they utilize the language or form of communication in question,
- Their ability to think, perceive, and understand the language or form of communication,
- Their command of relevant terms related to law enforcement and varying circumstances, and
- The extent to which their attempts at interpretation could prejudice or harm the subject.

Police personnel (sworn or civilian) who engage in interpretive services must continually evaluate the quality of their discourse with the LEP person to affirm that the individual is fully understanding the interpreted messages.

In more significant matters, where the police interpreter has any level of doubt as to the effectiveness of his or her communications with a subject and where the subject may have to waive certain rights to a knowing and intelligent standard, or where certain rights advisories need to be imparted, it is advisable to err on the side of caution and acquire a professional interpreter for these purposes. In yet other cases, (i.e., M.G.L. Ch. 221 Sec. 92A) the use of interpreters is statutorily mandated. Moreover, as the Language Line services offer third-party, uninterested interpreters, it may be prudent to make use of that service where a conflict of interest may be alleged. While the good will and abilities of bilingual staff are recognized and appreciated, the potential for legal implications may require that the services of professional interpreters be used.

Engaging Language Line Interpreter Services:

Language Line Solutions will be accessed via telephone. Personnel are directed to call the Language Line Solutions at the following number and using the Client ID below:

1-866-874-3972

Client ID: *(see intra-department memo)*

Upon receipt of this call, Language Line Solutions will arrange for an immediate interpreter to speak to the customer on the phone. See Exhibit #3 for call access information.

Alternatively, personnel may elect to put the Language Line App in their phone. This is by far the easiest mode to use this service and it allows for video interpreting where you, the interpreter, and the person you are speaking with can see one another. The visual aspect used via the app is a necessity when engaging with individuals who are deaf or hard of hearing and can use American Sign Language.

Access to this app is as follows:

Download the Language Line App
Enter authentication code: (see *intra-department memo*)
Enter a device name.

(See instruction sheet Exhibit #4)

In Person Interpretation:

For those times when telephonic interpretation is not adequate to meet the LEP person's needs, the staff person will contact Language Line Solutions and make an appointment for an on-site interpreter within 48 hours.

Documenting the LEP Event:

In instances where personnel utilize the services of an interpreter, entry is to be made in the call record or in the incident report indicating this occurrence and the name and ID number, if applicable, of the interpreter.

Providing Written Translations:

The City will make every effort to provide written translation of vital documents for each eligible LEP language group that constitutes five percent or 1,000, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered. See Exhibit #2 for primary languages spoken in Worcester.

If there are fewer than 50 persons in a language group that reaches the five percent threshold, the City does not translate vital written materials but provides written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

Original documents being submitted for translation will be in final, approved form with updated and accurate legal information.

To determine if a document is “vital”, the WPD’s LEP Coordinator can confer with the city’s DEI Office and/or Law Department to assess whether denial or delay of access to services or information could have serious or even life-threatening implications for the LEP individual. Whether a document is “vital” may depend upon the importance of the program, information, or service involved, and the consequence to the LEP individual if the information in question is not provided accurately or in a timely manner.

Examples of “vital” written documents could include the following:

- Consent and complaint forms
- Intake forms with the potential for important consequences
- Written notices of eligibility criteria, rights, denial, loss or decrease in benefits or services, and other hearings

- Notices advising LEP persons of free language assistance.
- Applications for a program, activity, or to receive a city government benefit or service.

Language Identifier Postings/Images:

Personnel will be provided with a language identification notices or posters to determine the language services provided. The posters will serve to alert LEP individuals that interpretation is available in their language and provide staff with the number to call for service. In addition, when records are kept of past interactions with subjects, the language used to communicate with the LEP person will be included as part of the record.

Deaf and Hearing-Impaired Persons:

While the handling and service to persons who are deaf or hearing-impaired are addressed in separate policy and procedure, personnel should be aware of the restrictions delineated in M.G.L. Chapter 221 §92A¹.

PER:



Paul B. Saucier
Chief of Police

¹ MGL Chapter 221 Section 92A: *(in pertinent part)*

Interpreters for the deaf or hearing-impaired; arrests; admissibility of evidence

Whenever a deaf or hearing-impaired person is arrested for an alleged violation of a criminal law, including a local ordinance, the arresting officer shall procure and arrange payment for a qualified interpreter to assist such person regarding any interrogation, warning, notification of rights, or taking of a statement. No answer, statement, or admission, written or oral, made by a deaf or hearing-impaired person in response to any question by a law enforcement officer or any prosecutor, in his official capacity, in any criminal proceeding may be used against such deaf or hearing-impaired person unless such statement was made or elicited through a qualified interpreter and was made knowingly, voluntarily and intelligently or, in the case of waiver of interpreter, unless the court makes a special finding that any statement made by such deaf or hearing-impaired person was made knowingly, voluntarily and intelligently. In any criminal proceeding wherein, counsel has been appointed to represent an indigent defendant, the court shall also appoint a qualified interpreter for such defendant, whenever such defendant is deaf or hearing-impaired to assist in communication with counsel in all phases of the preparation and presentation of the case.

Exhibit #1:

LanguageLine Solutions® Interpretation Services Available

<p>English English Point to your language. An interpreter will be called. The interpreter is provided at no cost to you.</p>	<p>Nepali नेपाली आफ्नो भाषातर्फ आँल्याउनुहोस्। एक दोभाषेलाई बोलाइनेछ। तपाईंको कुनै खर्च बिना, एकजना दोभाषे उपलब्ध गराइनेछ।</p>
<p>Albanian Shqip Tregoni me gisht gjuhën tuaj. Do të thërrasim një përkthyes. Përkthyesi ofrohet falas për ju.</p>	<p>Polish Polski Proszę wskazać swój język i wezwiemy tłumacza. Usługa ta zapewniana jest bezpłatnie.</p>
<p>American Sign Language  Point to your language. An interpreter will be called. The interpreter is provided at no cost to you.</p>	<p>Portuguese Português Indique o seu idioma. Um intérprete será chamado. A interpretação é fornecida sem qualquer custo para você.</p>
<p>Arabic العربية اشر الى لغتك. وسيتم الاتصال بمترجم. نقدم خدمة المترجم مجاناً لك.</p>	<p>Russian Русский Укажите язык, на котором вы говорите. Вам вызовут переводчика. Услуги переводчика предоставляются бесплатно.</p>
<p>Burmese မြန်မာစာ သင့်ဘာသာစကားကို ဝိုင်းညွှန်ပြီး စကားပြောပေးပါမည်။ သင့်အတွက် စကားပြောဆရာပေးပါမည်။</p>	<p>Sango (Ubangi Creole) Sango Sörö yanga ti kodro ti mo. Fadé a yeke iri mbéni wagbiango yanga ti kodro na mo. Fadé a yeke hounda mo ti fouta nginza ndali ti gbiango yanga ti kodro ti mo apé.</p>
<p>Cantonese 廣東話 請指認您的語言，以便為您提供免費的口譯服務。</p>	<p>Somali Af-Soomaali Farta ku fiqluqadaada... Waxa laguugu yeeri doonaa turjubaan. Turjubaanka wax lacagi kaaga bixi mayso.</p>
<p>Farsi فارسی زبان مورد نظر خود را مشخص کنید. یک مترجم برای شما درخواست خواهد شد. مترجم بصورت رایگان در اختیار شما قرار می گیرد.</p>	<p>Spanish Español Señale su idioma y llamaremos a un intérprete. El servicio es gratuito.</p>
<p>French Français Indiquez votre langue et nous appellerons un interprète. Le service est gratuit.</p>	<p>Swahili Kiswahili Onyeshia lugha yako. Mkalimani ataitwa. Utapewa mkalimani bila gharama yoyote.</p>
<p>Ga Ga Tsoomɔ owiemɔ le mli. Aabaatɛ mo ni tsoɔ wiemɔ le shishi le. Wohaɔ mo ni tsoɔ wiemɔ shishi ni wöheɛ bo shika.</p>	<p>Tagalog Tagalog Ituro po ang inyong wika. Isang tagasalin ang ipagkakaloob nang libre sa inyo.</p>
<p>Haitian Creole Kreyòl Lonje dwèt ou sou lang ou pale a epi n ap rele yon entèprèt pou ou. Nou ba ou sèvis entèprèt la gratis.</p>	<p>Twì Twi Kasa Fa wo nsa kyere wo kasa a woka. Yebefre obi ama wabekyere asee ama wo. Saa mmoa yi yerennye wo hwee.</p>
<p>Khmer ខ្មែរ សូមចង្អុលភាសាអ្នក។ យើងនឹងហៅអ្នកបកប្រែភាសាមកជូន។ អ្នកបកប្រែភាសានឹងជួយអ្នកដោយមិនគិតថ្លៃ។</p>	<p>Urdu اردو اپنی زبان پر اشارہ کریں۔ ایک ترجمان کو بلاجائے گا۔ ترجمان کا انتظام آپ پر بغیر کسی خرچ کے کیا جائے گا۔</p>
<p>Mandarin 普通话 請指認您的語言，以便為您提供免費的口譯服務。</p>	<p>Vietnamese Tiếng Việt Hãy chỉ vào ngôn ngữ của quý vị. Một thông dịch viên sẽ được gọi đến, quý vị sẽ không phải trả tiền cho thông dịch viên.</p>

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Language Solutions: On demand audio and video interpreting, on site interpreting / Bilingual and Interpreter Staff Testing and Training / Translation and Localization

Exhibit #2:

Examination of the languages spoken in Worcester as determined by the City of Worcester's Executive Office of Human Resources have determined that the languages spoken in Worcester entail the following percentages of frequency. All other languages do not reach the 5% requiring written translations.

CurrentYear_StudentSummary_NativeLanguage	23992	
Native Language	Students	% of Students in District Schools
English	9788	40.8%
Spanish	7995	33.3%
Portuguese	1322	5.5%
Twi	991	4.1%
Vietnamese	813	3.4%
Arabic	547	2.3%
Albanian	419	1.7%
Swahili	259	1.1%
Miscellaneous languages	215	0.9%
Nepali	179	0.7%
French	133	0.6%
Haitian French Creole	120	0.5%
Somali	98	0.4%
Khmer	75	0.3%
Creoles & Pidgins (French)	74	0.3%
Ga	66	0.3%
Urdu	59	0.2%
Chinese	59	0.2%
Polish	39	0.2%
Greek	33	0.1%
Russian	33	0.1%
Sango (Ubangi Creole)	31	0.1%
French Patois	30	0.1%
Kinyarwanda	28	0.1%
Persian	27	0.1%
Yoruba	23	0.1%
Tagalog	23	0.1%
Pushto	22	0.1%

Exhibit #3:

Language Line Solutions phone access and access code:

LanguageLine Solutions®

Quick Reference Guide

City of Worcester

TO ACCESS AN INTERPRETER

1. DIAL:
2. PROVIDE: **Client ID**
3. INDICATE: **Language**

Document the interpreter name and ID number for reference.
Brief the interpreter and give any special instructions.

IMPORTANT INFORMATION:




WORKING WITH AN INTERPRETER – At the beginning of the call, briefly tell the interpreter the nature of the call. Speak directly to the limited English proficient individual, not to the interpreter, and pause at the end of a complete thought. Please note, to ensure accuracy, your interpreter may sometimes ask for clarification or repetition.

3-WAY CALL – Use the conference feature on your phone, and follow the instructions above to connect to an interpreter. If you are initiating the call, get the interpreter on the line first, then call the limited English proficient individual. If you are receiving a call, ask the caller to "Please Hold," and then conference in the interpreter.

LANGUAGELINE DUAL HANDSET PHONE – If you have a LanguageLine Dual handset phone, lift the handset and press the pre-programmed button to dial, then follow the prompts. Once connected to an interpreter, give the second handset to the limited English proficient individual.

CUSTOMER SERVICE – To provide feedback, commend an interpreter, or report any service concerns, call 1-800-752-6096 or go to www.LanguageLine.com and click on the "Customer Service" tab, scroll to "Provide Feedback" and complete a "Voice of the Customer" form.


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Enabling Communication in Any Situation.™ www.LanguageLine.com   

Organization Name: **City of Worcester**

Activating the LanguageLine App on Your Device

Easily access audio and video interpreting empowering you to provide outstanding service when communicating with the Limited English Proficient and Deaf or Hard-of-Hearing. The LanguageLine app is available for iPads, Smartphones, tablets, and laptops to quickly connect to professional interpreters anytime, anywhere 24/7/365. Follow these instructions to complete a one-time activation of your device.

Laptop/PC with Google Chrome Browser	iPhone or iPad	Android Device
 <ol style="list-style-type: none"> Using Chrome, enter this url: https://InSight.LanguageLine.com Insert your Authentication Code Type a Device Name Click on "Activate Device" Click on "ALLOW" for access to your camera and microphone. 	 <ol style="list-style-type: none"> On your iPhone or iPad tap the App Store icon and search for "LanguageLine InSight". Tap "Get" and "Install". After download is complete, tap the "Interpreters" icon and follow the screen prompts to complete the one-time authentication of your device. After you tap "Activate Device", tap "OK" two times to allow the application to access your microphone and camera. 	 <ol style="list-style-type: none"> On your Android device tap the Google Play store icon and search for "LanguageLine". Tap the "Interpreters" icon. Then tap "Install". After download is complete, tap "Open". Tap "OK", then tap "Allow" twice to allow the application to access your microphone and camera. Follow the screen prompts to complete the one-time authentication of your device.

YOUR AUTHENTICATION CODE AND DEVICE NAME

Authentication Code (not case sensitive):

Device Name (15 digit maximum):

TIPS FOR A SUCCESSFUL INTERPRETATION SESSION

1. Introduce yourself and brief the interpreter.
2. Speak slowly in short sentences.
3. Allow the interpreter time to interpret.
4. Check for understanding.

QUESTIONS OR NEED ASSISTANCE?

Contact your LanguageLine Account Executive or CustomerCare@LanguageLine.com / 1-800-752-6096
For 24/7 Technical Support call 1-844-373-1951

