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SELECT BOARD SPECIAL MEETING

WEDNESDAY, JANUARY 27, 2021

REMOTE MEETING

7:30 PM

Approved by
the Select Board on:

3/15/2021

CALL TO ORDER

Roy Epstein called meeting to order for the Select Board. Vice Chair Tom Caputo, and Select Board member Adam Dash were present. Town Administrator Patrice Garvin, Superintendent John Phelan, Chief of Police James MacIsaac, Captain DeMarco and Lieutenant Jake McNeilly from the Belmont Fire Department, State Senator Will Brownsberger, and State Representative Dave Rogers were also present, in addition to members of Belmont community organizations and committees.

Epstein announced that this meeting is being organized as a community forum on the tragedy of the death of Henry Tapia. The Select Board wanted to bring people together to talk about this tragic event and to try to bring a positive outcome from it. The forum has been structured with a professional panel to initiate discussion and then Belmont residents will have an opportunity to comment.

The forum is moderated by Robert Trestan, Executive Director, Anti-defamation League Boston.

Panel includes:

- Sarah Bilodeau, Community Organized for Solidarity (COS)
- Jennipher Burgess, Community Organized for Solidarity (COS)
- Michael Collins, Belmont Against Racism (BAR)
- Kimberly Haley-Jackson, Belmont Humans Rights Commission and member of COS
- James MacIsaac, Police Chief of Belmont
- Brian Nadeau, Belmont Human Rights Committee
- Marian Ryan, Middlesex District Attorney
- [Superintendent John Phelan, members of Fire Rescue Service and Belmont against Racism members will be joining later.]

Robert Trestan reminded everyone that we are here due to loss of life and he asked for a moment of silence. We are looking for preventing future loss of life to help make Belmont a stronger community.

James MacIsaac, Chief of Police summarized the events that transpired in Belmont on January 19, 2021.

- The first 911 call was first recorded on Jan. 19 at 4:19 pm – it was 50 seconds in length. Second 911 lasted 3 minutes and was made a minute after the first call. On the second 911 call, an emergency medical dispatch was made and additional questions were asked by the dispatcher. The callers reported that a pedestrian was struck on Upland Rd. Belmont Police officers were dispatched from dispatch 1 at 4:20 PM and three officers were at scene of the crime at 4:21 PM. Officer Anthony Destefano self-dispatched to scene on his own when he realized the severity of the issue. Officers administered first aid, provided oxygen and bandages to the victim, and provided medical assistance until ALS and Belmont Fire and Rescue arrived at the scene. Fire was dispatched and because an entire complement of Fire was at the nearby High School, they

also came to scene of crime. Police officers remained at the scene of crime until the C3 Engine and Rescue 1 arrived on scene and took over care of patient. Prior to the ambulance arriving, officers activated a BOLO (Be on Lookout), to find the vehicle and the person who fled the scene.

Panelist discussion:

- District Attorney Ryan stated that we are at the beginning of a prosecution. But prosecution does not remedy this loss.
- Ryan reported that she received notice of the crime at 6:00 PM on Tuesday night at which time she went straight to the Belmont Police Station and continued the investigation and work that the Belmont police officers had started. She and her team interviewed those who had made the 911 calls. The next day, the defendant was arraigned at Cambridge District Court on three charges: leaving the scene of a crime of serious personal injury, civil rights violation, and assault and battery with deadly weapon (his car). At that time, Ryan asked for a dangerousness hearing and was granted that request. She said that they are given three days to get ready for that type of hearing. She and her team continued to interview witnesses and get information from the Medical Examiner. She also received information from the State reconstruction team and they proceeded to check vehicles for defects. On Monday, when they went back to court, the charges were changed to murder, and leaving scene of death. Because of the murder charge, the defendant is being held without bail and will be returning to court on March 1.
- Ryan said they are continuing to gather and confirm information about the nature of the argument. Witnesses reported that it looked like the argument between defendant and victim was over, and then the defendant used racial slur and that seemed to reignite the argument, prompting defendant to, allegedly, intentionally drive truck into Mr. Tapia to cause injuries. During the course of their investigation there were some allegations raised that Mr. Tapia had threatened defendant. She said these claims were investigated and it was determined that there was no other evidence supporting that claim. There was no gun found on Tapia. And we did not find any evidence from witnesses that this allegation was true. Currently, the defendant is being held without bail and he will be back in court on March 1.
- Trestan stated that the civil rights charge was one of initial charges and that is not common. There was immediate evidence right away that this was more than road rage. That's why we have come together to talk about this because this conversation is so important. He asked Jennifer Burgess and Sarah Bilodeau from COS to tell us why this event is connected to so many other systems of oppression and systemic racism.
- Ms. Burgess thanked Trestan for calling it what it is. She said that she lives right near where the crime happened. She works with Communities Organized for Solidarity (COS). She said she could connect it to systemic racism, by relating experiences she has had through her life, including her experiences in Belmont. She said people assume that Black people are aggressive. With COS we do a lot of initiatives to uplift marginalized voices, we do standouts in Cushing Square every Thursday and Sunday, and COS also does mutual aid, where we work with different groups in Belmont and also Roxbury and Boston to uplift marginalized voices. We recently started a speaker series to focus on police reform. We have a Black in Belmont public school family group to bridge gaps between Boston and Belmont families of color. We want to start community conversations for shared experiences. She said she works with COS because it

is direct action. At the stand out tomorrow, we will be focusing on Black Lives but also on Nadia Brown who has been missing since January 17th. She added that growing up in Belmont we say that the problem isn't with us, but our community needs to come together to speak the truth to hear what each other is saying and try not to be defensive.

- Trestan affirmed that we shouldn't be afraid to have these conversations. He asked Sarah Bilodeau why COS focuses on standouts.
- Ms. Bilodeau replied that the standouts are important especially in places like Belmont. We were horrified with all the Black deaths this summer. But people forget and move on. We can't let that happen in Belmont. We are not going to allow our community to forget; schools, elected officials and surrounding communities should be rallying around these tragedies. All our quality of life and rights are taken away when we don't respect the rights of our Black and Brown neighbors. Standouts increase the visibility of our concerns and allow people to connect when they walk by. The standouts help to build a culture around real talk.
- Trestan asked Kim Haley-Jackson and Bryan Nadeau to talk about their reaction and to discuss the role of the Belmont Human Right Commission in response to this hate crime. There are almost 200 people on this virtual forum and hopefully this is entry point for engagement.
- Kim Haley-Jackson replied that the Belmont Humans Rights Commission services all the community. They are available for anyone regardless of gender, race, etc. In this instance, we would have made a statement but because there was a racial component, it compelled us to make a stronger stance so we spoke at the vigil. This draws attention to undercurrents of racism that occur in town. It's the Human Rights Commission's duty to educate. The incident brought too light what we deal with on a daily basis. It's easy to look away, but we need to show that it's our problem.
- Trestan said that there may be people listening who don't understand this. He asked Kim to explain why is it everyone's problem.
- Ms. Haley-Jackson said she has lived in Belmont for 10 years and the demographics are changing. She said that she has three children, and they have all experienced some form of racism in the community. She said as an example, when we registered our daughter for school, the automatic assumption was that we were part of METCO program. My son was followed by police officers, they were just walking home and officers wondered why there was a Black male walking around. These are things invisible to others. Black and Brown people have an added layer of concern that our White neighbors don't have.
- Trestan thanked Kim for sharing her pain and harm due to her personal experience. He asked Bryan Nadeau, as the Chair of the Human Rights Commission, to share his perspective.
- Mr. Nadeau thanked all for hosting the forum. The Human Rights Commission is here for two reasons: 1) The Commission fields complaints about discrimination and tries to help residents navigate through the issues; and, 2) Our primary charge is to educate on the subject of discrimination including systemic racism. We are currently partnering with high school/ middle school to help bring the conversation in the hallways to the surface. Another avenue is to foster community discussion around the topic of discrimination.
- Trestan asked Mike Collins to talk about the Belmont against Racism group. He iterated that he is hoping that at the end of this night, there will be outlets for people and this conversation will be Step 1 of a very long road.

- Mr. Collins thanked the group for inviting Belmont Against Racism to this forum. He thanked COS for all the work they have already done to support the Tapia family. He feels that they work they have been doing since spring has resulted in renewed energy and has fostered process of building new partnerships.
- Belmont Against Racism was started 1992 with the onset of the Rodney King riots. It was originally called the Diversity Committee and evolved to the current name. We have been working with other groups in community for the past 27 years to try to make Belmont a more welcoming community to people of all color. We have seen incidents over the time that Jennifer describes and we have worked with the schools and police to bring improvements. The Henry Tapia incident gives us cause to pause and it highlights the need to keep this dialogue alive. After supporting the Tapia family we will still have more work to do. We will bring additional focus and use our involvement and experience. He said that he would like to see a multi-generational approach in combatting racism. Some of the generations not previously involved should get involved.
- Trestan agreed that a multi-generational approach is what is needed. He asked Sarah how people could get involved in the COS organization?
- Ms. Bilodeau said that COS has a website: COSNewEngland.org. She encourages residents to get on the mail list. The regular e-mails are sent out about one to three times per week. The COS also sponsors mutual aid, standouts, a speaker series, and parent groups. She reminded people that there is a standout being held tomorrow night at Cushing Square. The more people who come out the better we can support the organizers' work and help to elevate their voices.
- Trestan added that one of dangers is that when we go into winter, that there are less people who participate. So many people were active during summer after George Floyd, but then people forget. If people show support and get engaged on a regular basis, then it keeps the message front and center.
- Trestan stated that we know that statistically hate crimes and civil rights violence are the most under reported crimes. Some of the things that people experience are not really crimes, but they affect them deeply. He asked Bryan, Michael and Kim, what kind of advice do you have for people who have these experiences?
- Mr. Nadeau said the Human Rights Commission can't litigate, but they can listen, and are willing to speak to the offending party. If need be, he said they will bring to police attention.
- D.A. Ryan agreed that there are things that happened that we can't prosecute but they affect our town. We have to live what we say. A year and half ago, we started tracking incidents similar to what Kim described that are not a crime, but eat at the fabric of the community. We formed an anti-hate, anti-bias task force in Middlesex County. We brought in stake holders locally and across the county. We spent time educating about the type of things out there. Ryan said that In Middlesex County a lot of communities think they are not a part of this. On Tuesday, we are filling a position, Director of Racial Justice Initiatives. Sometimes it's not clear what instigates violence and a broader lens is necessary. We are training our police every week so that people feel comfortable bringing those things to us and then we can work with the Human Rights Commissions and Police Departments.
- Ms. Haley-Jackson added that she thinks it's important to stop thinking of aggressions as micro aggressions. Aggression is aggression, when it is large or small.

- Trestan said we shouldn't judge a community they day a problem arises, but more on what happens tomorrow and how communities react to the problem. No child should be afraid to walk to school. No parent should be judged on their skin color. Change comes when people join active organizations and support them to prevent future loss of life. Let's be engaged in learning. People may say the wrong thing but they have to have the courage to learn.

COMMENTS FROM TOWN RESIDENTS:

Roy Epstein announced that they will now turn to questions from town residents. Patrice Garvin will help to direct and monitor the questions. He said that Captain DeMarco from the Belmont Fire Department and Jake McNeilly from the Belmont Police Department, and Superintendent John Phelan have also joined the forum. He said he would like to maximize the opportunity for each person to speak. People will be recognized in the order that their Zoom hand is raised. In efforts to keep to time limit, he is asking to limit questions to two minutes and asked people to identify themselves before they speak.

Kate Agidos said that this is an incredibly critical moment and we have to attend to this with full heart and mind. She said she wants to do what she can as part of Human Rights Commission to support this movement.

Ann Mahon feels that it's important for more of the community to join in the cause. During standouts, we get people who drive by and shout out vulgar things and we're holding a sign saying Black Lives Matter. The Community should be joining us. The bigger we are, the stronger we get. She asked for people to come to standouts on Thursdays and Sundays. She said she would feel more comfortable if a police officer was available during the standouts because often there are aggressive people who confront us. She asked if a police officer could join us. Chief MacIsaac offered to send a police officer to these standouts.

Jennifer Burgess countered that COS is not asking for police to come. We're not asking for barriers or protection.

Sarah Bilodeau thanked the police for being always ready to support.

Audie Batista thanked MacIsaac for his leadership on this issue. As a tall, big Black man in Belmont, I'm sure that people may have a certain perception of me when they first meet me. In general, he says he has had a positive experience in Belmont. He questioned whether the Select Board could take any type of action around the specific issue that we are faced with and action about racism in general.

Epstein replied that the Select Board has not had time to talk about it at Select Board meeting. His first concern was that the police and emergency responded in a professional and quick manner. He is now satisfied that the police response was timely and appropriate for a Belmont emergency situation. Epstein said that in terms of a broader program he feels this is an issue that needs to involve other groups at the community level before action can be taken at the Select Board level.

Audie Batista suggested a task force could be coalesced. He said that once in the past, he did report one negative event he had experienced, but that he didn't follow up on it. It behooves us to look inward and see what we can all do differently. There could be others who act that way towards people of color. He looks forward to seeing Epstein's and the Select Board leadership on this.

Michael Collins suggested that a prominent statement of mission and values could be added to the front page of the Town of Belmont website that could make Belmont more welcoming. He believes that would be good start. Epstein said that this would be a good time to add a statement of this nature to the website because we have recently created a committee to redesign the town website.

Jennifer Burgess said that if the town is willing to provide funds, we could do some great work to involve other people.

Epstein said that would require more discussion. He said that the vast amount of work in Belmont is done on volunteer basis. Human Rights, Belmont Against Racism is done with volunteers. He can't commit that they could add this to the budget, but he could make sure this type of activity can be included in the scope of things we are doing.

Sarah Bilodeau questioned that we need healing and there is no money in budget? She asked if Epstein could at least promise to look into putting money in budget for anti-racism projects.

Epstein said that he cannot commit to adding a line in the budget for this kind of activity at this point. He said he is happy to look into it, but this type of budget item has to be passed by Town Meeting.

Grace McAthy asked if charges will be brought against girlfriend as accomplice?

D.A. Ryan replied that they are not at the end of our investigation, but she promises to look at all issues.

Betsy Lipson (Town Meeting member) commented that she has heard throughout this discussion that we are asking actions of our leadership. We are looking around the country and our neighboring communities and realizing that we want action and we are not seeing that occurring in our town. We are seeing action in our neighboring Newton; they are revamping zoning codes. There is a lot written about how zoning is a tool of White supremacy and linked to "red lining." Statistics show that the average White household in the greater Boston area has assets much higher than Black households. If we eliminate single family zoning, Belmont could put in more affordable housing. Belmont currently shows student enrollment changes based on increased diversity in K – 12 enrollment. We are trying to hold open actions so we don't have to reinvent the wheel. She feels that the Select Board needs to step in and help.

Jennifer replied to Betsy that she does not like to be called "the Blacks." We go by many names, but "Black" is not one of them.

Chief MacIsaac said that he has been involved in attending many different meetings. When he first came to Belmont he didn't know about the history of "red lining" in the housing market that Betsy was talking about. Maybe when COVID lifts, after we create a better website, we can have a place to share ideas. It is difficult to disseminate thoughts, unless you are moving in those circles. When we began the Ferguson meetings in 2014, I started learning and I continue to learn, and the town should continue to facilitate this conversation.

Epstein commented that zoning articles are complicated. And discussions about zoning would need to start with the Planning Board.

Kelly Ouburn said she has two children, and works at Tufts as human resources trainer. Our goal at Tufts is to make it an anti-racist institution. She believes this starts with education. Are there further plans for curriculum in Belmont regarding tackling implicit bias?

Superintendent Phelan replied to Kelly that in the past three years, the school has been conducting surveys with students, staff members and parents about how they felt in school, if they felt comfortable. When we separated these survey replies by race, it shows that two students did not feel safe or known in school. We have dedicated our professional development time towards culturally responsible teaching. We have worked with ideas from the EDCO collaboration. The schools are developing building based groups for best practices. Our hope is to not have a specific curriculum on the subject, but our hope is to have these cultures imbedded in every class. The School Committee recently put in place an Equity Subcommittee. An equity and access audit will be done from an outside vendor in order to formalize that work. School Committee allowed us to add a new employee to budget to help us improve what we do in schools every day. When I first took the job as Superintendent in Belmont, he says he thought he understood what my work was, but he realized last spring that he has to reevaluate the issues. Our children need to believe that they are safe in order to cultivate the optimum learning environment. We have to work a little harder for ESL and students of color. We have to work harder with our school staff to impact the community in a positive way. He feels they have been doing this for the past 3 years, but more work needs to be done. Our teachers work with Belmont Educators of Color and Allies (BECA) that we work with and they work with COS. He would like to see the approach be less curriculum based and imbedded in day-to-day activities

Epstein suggested that subsequent public comments be directed more to the panel because the forum was convened to take advantage of their expertise.

Will Brownsberger (state senator) said that one of the projects he has been working on is to strengthen support against racial bias for state educators. He said he is hoping to get a flow of funding from DESE next year to help with this cause.

Mary Lewis addressed her question to the whole panel in response to Phelan's comments. A year ago when graffiti appeared in a Chenery bathroom. It was quickly removed. The former police chief brought the kids together, but she said she doesn't know what was written on those mirrors. Should we have a bigger conversation?

Jennifer Burgess said she is an educator in a neighboring town. She says we need to stop protecting folks in Belmont from that hate and language. That makes people think it doesn't happen here. We need to protect Black and Brown students and not put them in the center. It's important to call it what it is and learn from it.

Trestan said he has seen a lot of aggression incidents occur in schools and it's important to be transparent in the community. Most of the students are talking about it anyway. I worked in this area for years. In the past, it was covered up, but transparency is important.

Michael Collins said, in the past, graffiti was on the walls of an under pass in Belmont. And we had families look at it before it was painted over.

Superintendent Phelan said the last two years of professional development was spent "marking the moment." You have to learn from the moment. And adults, not just children, have to be trained. He also

believes that we have to start calling things what they are. We have to give teachers the skills to have those conversations. We have to balance impact on Black and Brown students and facilitate lessons for White students. Tomorrow night there is parent meeting at Burbank and they will be having conversations with students before they involve the parents.

Lishang Pouk said she is an immigrant from China. She said that Asians don't seem to be mentioned. She feels they are invisible because they are the newcomers. She feels that the current media portrays Asians badly and that this effort should try to embrace all immigrants. She asked if there are any resources that she could use in town newspaper so that she could write a human interest story so that people could get to know her race better.

Jennipher Burgess wants to acknowledge we are all people of color and we share the same experiences living in Belmont, a White wealthy town, and she appreciates that other ethnicities and races want to become involved. COS is creating space for all people of color. However, she feels there is an anti-Black sentiment in country right now, and we are focusing on the murder of a Black man because the act was racially charged. That's why we are here tonight. She said she would love to connect with others to get all people of color together in Belmont to work towards a common goal. Email us at COS.org and we can work on that.

Gay Austinar said she is on the Human Rights Commission. She said there people who verbally assault COS shoutouts. We have to be specific, this is White supremacist racism. They are encouraged because they are looking at town institutions and most are White. She asked if the town would ever create a position for diversity equity and include such a position in the budget. To expect people of color to do work for White people's racism is a lot to expect.

Superintendent Phelan said they work with BAR to retain diversity. One of the main roles our equity subcommittee is working on is an equity audit which hopefully will lead us to hire a diversity director position. We know we have to do a better job of recruiting, hiring and retaining staff of color.

Chief MacIsaac reported that in 2019, when he interviewed for the police force, he was asked about diversity. When we talk about hiring in the police force, the Issue of Civil Service comes up. Under the rules of Civil Service we can hire only Belmont residents who take the exam. You have to have a reason to bypass these rules. He said, as he has stated many times, if we want to diversify our candidates, we need to remove ourselves from Civil Service. The recently passed state police reform bill includes a new commission that is tasked to review the Civil Service policies because of the overall problem. Lexington got out of civil services.

Maria Olagungu piggybacked off Gay's comment. I am a Windbrook parent, and I have two children in school. We moved here for the excellent public schools and we studied the demographics. We moved here knowing Black and Brown was 1% of the population. But since 2017, we have not seen a single teacher of Asian, Black or Brown background. We need to show our children a different picture of equality. We have to have our children know people different than themselves. I have not encountered a single person of color as an employee of the in town, police, fire, library or schools. If hatred has no home, then we must not give it a safe environment to grow. She is asking that we hire people of color in the town so we can all be represented.

Suzy Feinberg thanked everyone for having this forum. This is the first time I've heard conversation about Belmont. I am a White resident and a parent. I work in a bordering city, much further ahead than Belmont on these issues. I feel like there is a lot of work to do in Belmont. It may have to start at the governmental level. I think all city departments should be doing work like school department. It's important for White people to understand what Black and Brown people understand. Until you start listening, it's hard to understand. It's easy to not care, because it doesn't affect us. Belmont is different, than other towns outside Boston, it's more conservative than bordering towns. What can city government do to address systemic racism in town government and the schools?

Epstein said this will not be the only forum we will be having on this topic.

Stephanie Crement commented that the work being done in the schools is commendable. She feels we have to think how we talk to kids. White supremacy and racism is so pervasive and racism is vivid. She thinks we need a task force at the town level to focus on diversity or we need to hire a Director of Diversity and Inclusion. In general, she thinks we need to take a larger approach to this other than just in the schools.

Emily Rodriguez appreciated the point about microaggression. My son has experienced microaggressions at school and he will never forget them. Words have an impact on him. The positive thing is that his White friends stood up for him when he experienced racist remarks. One thing she was struck by is that if there are only 157 people on this call. What else could be more important? Where is everyone else? This is a start, but I want to underscore, that we need a town wide effort for progress and accountability. She implored the town to put together a collaboration of shared goals, no matter what the cost. No one can do this alone, change must happen now.

Jennipher Burgess said there are people watching on tv that are not on this Zoom. This is being recorded for Belmont TV.

Kim Haley-Jackson said that people of color don't have the luxury of tip toeing around what racism is. She cautioned that people shouldn't pussy foot around your children about this topic. It's an ugly truth, but we owe it to our society to tell our children the truth.

AJ Pathik talked about a few different issues. He said he has lived here for 50+ years. He said his family was one of the first families of color to come to Belmont when there was no color at all. My family has experienced racism. I also grew up with people in this town who are truly caring. And if you get to know them, you know they don't have prejudices. Belmont is fortunate to have good people. He said he is of Indian descent. I always think racism starts small and then grows. I get offended when people refer to me by the color of my skin. I think that racism starts that small. We do a grave injustice by saying that color defines the person. We have twin boys, one dark, one very light with blue eyes. They experienced different prejudices. He agrees that the schools should try to get teachers and staff of color. In regards to standouts, he replied that people get tired of looking at signs. They don't always disagree, they just get tired of being told things. He believes that starting at the community level, can help to solve many problems.

Jennipher Burgess said she appreciated AJ's comments. She understands that your whole identity is not just in the color of your skin. But what she has experienced has a lot to do with my outside features. I went K – 12 with no teachers of color. I don't ever want anyone to look at me and not see that I am a

Black American woman. Because my experience as a Black woman has a lot to do with who I am. Nobody is telling anyone to do anything. When I hold sign, I am not telling you that Black Lives Matter, I am affirming that my life matters. If people get sick of hearing it that's their problem. There is an anti-Black sentiment in this country. You may have a different lived experience. Lived experiences are caused by the way others have looked at my skin.

Frederik Rigolo asked is there a way to address systemic racism for all the aggressions that are not crimes.

Superintendent Phelan replied that discipline data at Belmont High School was reviewed last year. The new principal, Isaac Taylor, wanted to take that on. The data showed that we may not be treating students all the same. Each committee in each school can focus on what they think is important and Principal Taylor is choosing restorative justice at Belmont High. We hope that our audit will come up with more clear issues to work on. We are learning as we go. But we are dedicated to being honest and working through problems at school. This is happening everywhere and we need to get ready for it and we are trying to build skills to get us through it. A few years ago, Belmont high school started the Black in Belmont group. Barbara Joseph, a junior student, organized a standout. She said to me something that I will repeat here: "we get it, you need to help your folks get it."

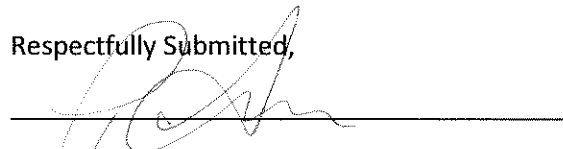
Evelyn Gomez said she is speaking as member of school committee. She is proud to be involved in the Equity subcommittee and she would like to invite the community to join the next meeting of the Equity subcommittee. As a private citizen, she wants to support the funding of a diversity organization. Can Select Board please be committed to include this position in override budget.

Epstein replied that he can't commit to putting an additional position in the budget. He said it could be part of budget discussions, and that he would put it on the Select Board agenda before the next town meeting, but it is too late to put it on the very next Select Board meeting on Monday.

Epstein said he will commit to having more of these sessions in the future.

Motion was made to adjourn the Select Board Meeting. Motion was passed by vote (3-0).

Respectfully Submitted,



PATRICE GARVIN, Town Administrator