

RUTHZEE LOUIJEUNE BOSTON CITY COUNCIL PRESIDENT

Dear Colleagues,

On Thursday, July 31, 2025, the City Clerk received a response from the Attorney General's Office regarding the Open Meeting Law complaint dated January 11, 2025, referred by this Council to the Law Department on January 15, 2025 (Docket #0286). This response is attached. *See Attachment 1*.

In response to the Attorney General's determination, the following actions will be taken:

- 1. The City Clerk will amend the minutes of the December 11, 2024 Council Meeting to document roll call votes of all councilors by name and the names of all members present. These minutes, as amended, will be on the agenda to be adopted, as amended, at the August 27, 2025 Council Meeting.
- 2. All written communications between Councilors regarding the December 2024 letter to Governor Maura Healey about the state's emergency shelter policy to which several Councilors were signatories will be published on the City's website (via this communication, publicly available online at boston.legistar.com after August 25, 2025). See Attachment 2.
- 3. In collaboration with the Clerk's Office, future meeting notices will specify the date of the minutes to be approved; and future meeting minutes will list councilors in attendance individually, and record all roll call votes by documenting the vote of each Councilor.
- 4. Following the August 27 Council Meeting, a certification of the above actions will be returned to the Attorney General's office.

Best,

Ruthzee Louijeune

Boston City Council President



THE COMMONWEALTH OF MASSACHUSETTS OFFICE OF THE ATTORNEY GENERAL

ONE ASHBURTON PLACE BOSTON, MASSACHUSETTS 02108

Andrea Joy Campbell Attorney General (617) 727-2200 www.mass.gov/ago

July 31, 2025

OML 2025 - 107

VIA EMAIL ONLY

Christina Constas, Esq. Assistant Corporation Counsel City of Boston Law Department Boston City Hall, Room 615 Boston, MA 02201

christina.constas@boston.gov

RE: Open Meeting Law Complaint

Dear Attorney Constas:

This office received two complaints from Laura Ortiz on April 7, 2025, alleging that the Boston City Council (the "Council") violated the Open Meeting Law, G.L. c. 30A, §§ 18-25. The complaints were originally filed with the Council on January 11, 2025, and you responded on behalf of the Council by letter dated January 31, 2025. The complaints allege that the Council (1) deliberated outside of a posted meeting regarding a letter to Governor Maura Healey about the state's emergency shelter policy; (2) posted notice of its January 8, 2025 meeting that was not sufficiently specific; and (3) approved minutes of its December 11, 2024, meeting (the "December 11 Meeting") that were not sufficiently detailed.

Following our review, we find that the Council violated the Open Meeting Law in the ways alleged. In reaching this determination, we reviewed the Open Meeting Law complaint, the Council's response, and the request for further review. We also reviewed materials forwarded by the complainant with her request for review. We reviewed minutes of the December 11 Meeting, and the notice and minutes of the January 8, 2025, meeting. Finally, we communicated with your office via email.

<u>FACTS</u>

We find the facts to be as follows. On or about December 13, 2024, a letter was sent to Governor Maura Healey regarding changes to the state's emergency shelter policy ("the

Letter"). The Letter was signed by elected officials of 39 municipalities, including councilors constituting a quorum of the Council. Neither the Council nor any of its members ("Councilors") contributed to the preparation of the Letter. The letter was initially received by one of the Councilors via email from a Salem City councilor. That email contained a link to the Letter, which was in the form of a Google doc. The Google doc included a rolling list of names of councilors from across the Commonwealth who endorsed the Letter. The Councilor who received the email from the Salem City councilor forwarded the Google doc link via email to their fellow Councilors individually with the message "Sharing this letter to the Governor re: shelter policy in case you would like to sign on." Councilors did not discuss the content of the Letter amongst themselves. Councilors wishing to sign the Letter added their name directly to the Google doc. As names were added, they could be seen by anyone who later accessed the Google doc. The Councilors do not know how the letter was forwarded to the Governor. Councilors were not copied on the Letter when it was sent to the Governor.

DISCUSSION

I. The Council deliberated about the Letter outside a meeting.

The Open Meeting Law was enacted "to eliminate much of the secrecy surrounding the deliberations and decisions on which public policy is based." Ghiglione v. Sch. Comm. of Southbridge, 376 Mass. 70, 72 (1978). Except when convened in executive session, "all meetings of a public body shall be open to the public." G.L. c. 30A, § 20(a). A "meeting" is defined, in relevant part, as "a deliberation by a public body with respect to any matter within the body's jurisdiction." G.L. c. 30A, § 18. The Open Meeting Law defines "deliberation" broadly as "an oral or written communication through any medium, including electronic mail, between or among a quorum of a public body on any public business within its jurisdiction;" Id.

Here, one Councilor received the Letter in the form of a Google doc link and forwarded that link to the remaining Councilors. By forwarding the Letter to a quorum of the Council, the Councilor engaged in deliberation. First, sharing the link via email "in case you would like to sign on" constituted communication. Second, for the reasons set forth below, the communication was on public business within the Council's jurisdiction.

The elected officials who signed the Letter explicitly reference the role their respective municipalities play in providing services to the unhoused population. Indeed, it is in their capacity as elected officials that the signatories press their request that the Governor rescind certain restrictions. The Letter opens with the statement that "We are writing as elected officials representing 39 cities and towns. . . ." Signatories' town and office are listed at the end of the letter. The six Boston City Councilors are identified as such. In support of the request that the Governor's administration rescind recently enacted policies regarding access to shelters, and that

¹ There were prior iterations of the Letter as well. Some of the communication may have concerned those prior iterations, not the one that was sent on December 13, 2024. A complaint alleging deliberation outside a meeting may be found to be untimely if filed more than 30 days after the alleged violation. See G.L. c. 30A, § 23(b) (requiring that complaint be filed within 30 days of the date of the alleged violation). However, we do not consider the timeliness of the complaint, as it was not raised by the Council.

² It appears that the Letter was prepared by member(s) of the Worcester and / or Salem City Council(s). The Letter is also the subject of four other determinations issued contemporaneously herewith.

it "invest more robustly in homelessness prevention and rehousing supports," the signatories note that, among other things, the new shelter restrictions "leave[] municipalities to absorb the cost of Emergency Rooms, Fire, Police, and Inspectional Services." The Letter closes with a call for the Governor to "work with state and local leaders to develop thoughtful and humane policies. We are committed to working with you to build solutions that will benefit and better the livelihood of all our residents in Massachusetts." Where the signatories express concern about the extra strain on municipal services and ask the Governor to work with them to "develop thoughtful and humane policies" and "build solutions," the Letter, and the email forwarding it, touches on public business within the Council's jurisdiction.

The Council maintains that the Letter and email forwarding it deal only with state policy, which does not fall within the Council's jurisdiction. A topic falls outside the scope of a body's jurisdiction where: (i) it does not involve the public body's exercise of governmental business, policy, or administration; (ii) it relates to personal matters, such as the safety and well-being of public body members and/or their families; and (iii) collective action by the body, such as taking a vote, is not anticipated on the topic. See OML 2018-1.³ For example, where a local public body has no authority over, and plays no role in determining the location of a federal post office or the parking available at a store, those topics fell outside the body's jurisdiction. See OML 2023-22. Additionally, we have said that a topic is outside the jurisdiction of a public body if it is a political statement not likely to come before the body. See OML 2014-135.

Ultimate authority over a policy is not required to find that a discussion of that policy falls within the body's jurisdiction. See OML 2023-152 ("Even if the Council has no direct oversight or authority over the Police Department, it nonetheless has broad authority to set policy and to set the goals for the Town Manager, and its jurisdiction is similarly broad."); OML 2022-37 ("Here, even if the Board does not have ultimate authority to appoint or approve the appointment of the Director of Public Health, a discussion of the qualifications and suitability of the candidates for Director of Public Health, the person who would head the Department of Public Health which in turn carries out the Board's directives, is a discussion that by its nature involves the Board's exercise of governmental business, policy, and administration."); OML 2021-54 (question of whether to paint over pictures of biblical story of Noah's ark on town playground was a matter of public business within selectboard's jurisdiction even though Town Administrator was the town's chief executive officer with authority over town playground). Moreover, jurisdiction of a public body is not so limited as to include only matters requiring a vote. See OML 2020-160.

Although the Letter here requests rescission of state policy regarding shelters, that state policy directly impacts municipal policy, decision making, and resource allocation, as explained in the Letter. In that regard, the subject of the Letter is similar to letters the Princeton selectboard sent to Governor Charlie Baker and the Wachusett Regional School District, urging each to adopt a mask mandate and vaccine mandate in response to COVID-19. We found the subject of those letters to be within the selectboard's jurisdiction even though the selectboard had no authority to establish mask and vaccine policies on behalf of Governor Baker or the regional school district. See OML 2022-23.

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³ Open Meeting Law determinations may be found at the Attorney General's website, www.mass.gov/ago/openmeeting.

We appreciate that the Boston City Councilor who forwarded the link to remaining members of the Council did so in neutral language and did not invite a discussion over email of the Letter's merits. Nonetheless, the Letter itself discussed a matter within the Council's jurisdiction. 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. See OML 2021-178; OML 2016-104; OML 2012-73. The Open Meeting Law does not carve out an exception to the definition of "deliberation" for discussions that do not result in a decision or vote. See OML 2021-178; OML 2020-93.

It is also significant that when signing on to the Google doc, Councilors were able to see who else signed the Letter. In other cases where we have found no deliberation, we have noted that the document was circulated by an outside party, and those signing did not know who else signed or that their signature would be communicated to any other member. See, e.g., OML 2025-103 (finding no violation where Cambridge city councilors added their names to identical letter at issue in the instant complaint; each city councilor independently contacted outside party to give authority to sign without copying fellow city councilors); OML 2025-104 (same as to Lynn city council); OML 2025-105 (same as to Medford city council); OML 2011-33 (independent signing of petition did not constitute deliberation).

Finally, the email circulating the Letter is not excepted from the Law's definition of "deliberation" as the distribution was not done in anticipation of a discussion at a meeting. See G.L. c. 30A, § 18 (establishing that "'deliberation' shall not include the distribution of a meeting agenda, scheduling information or distribution of other procedural meeting [sic] or the distribution of reports or documents that may be discussed at a meeting, provided that no opinion of a member is expressed"). In short, because circulation of the Letter via email constituted written communication among a quorum on public business within the Council's jurisdiction, and it did not fall within the narrow exceptions to the definition of deliberation, we find that the Council violated the Open Meeting Law.

II. Notice of the Council's January 8, 2025, meeting was insufficiently specific.

The complainant alleges that in the notice of its January 8, 2025, meeting, the Council failed to identify minutes to be discussed for approval. The Open Meeting Law requires that, except in an emergency, "a public body shall post notice of every meeting at least 48 hours prior to such meeting, excluding Saturdays, Sundays and legal holidays." G.L. c. 30A, § 20(b). The notice must be printed in a legible, easily understandable format and must contain the date, time and place of the meeting, as well as a listing of topics that the chair reasonably anticipates will be discussed. Id. The list of topics shall have "sufficient specificity to reasonably advise the public of the issues to be discussed at the meeting." 940 CMR 29.03(1)(b). We generally consider a topic to be sufficiently specific when a reasonable member of the public could read the topic and understand the anticipated nature of the public body's discussion. See OML 2015-35. When review and approval of minutes is an anticipated topic of a meeting, notice of that meeting should identify the specific meeting minutes to be reviewed and approved. See OML 2025-57; OML 2020-34; OML 2013-199.

Notice of the Council's meeting of January 8, 2025, included as a topic "Approval of the minutes." At the January 8, 2025, meeting, the Council voted to "adopt" minutes of the December 11 Meeting. Because the Council posted notice which did not identify the minutes to be approved at the January 8, 2024, meeting, it violated the Open Meeting Law.

Minutes of the Council's December 11 Meeting are insufficiently detailed. III.

The Open Meeting Law requires that a public body "create and maintain accurate minutes of all meetings, including executive sessions, setting forth the date, time and place, the members present or absent, a summary of the discussions on each subject, a list of documents and other exhibits used at the meeting, the decisions made and the actions taken at each meeting, including the record of all votes." G.L. c. 30A, § 22(a). When reviewing minutes for compliance with the Open Meeting Law, we look for substantial compliance with the accuracy requirement. See OML 2016-105; OML 2013-64. By substantial compliance, we mean that the minutes should contain enough detail and accuracy so that a member of the public who did not attend the meeting could read the minutes and have a clear understanding of what occurred. See OML 2025-18; OML 2012-106.

Meeting minutes must include, among other things, "the record of all votes." G.L. c. 30A, § 22(a). Because the Open Meeting Law requires a public body to create accurate minutes, all votes taken during a meeting must be accurately recorded. Thus, to be accurate, minutes must document a roll call vote by listing the names of each public body member and how each voted. Even unanimous roll call votes should be recorded by roll call in the minutes. See OML 2025-54; OML 2015-131; OML 2013-195.

Here, votes were conducted by roll call during the December 11 Meeting. However, the minutes of that meeting do not reflect the vote of each Councilor by name. Rather, the minutes record the votes as, for example, "the order was passed; yeas 11, present 1 (FitzGerald), not present 1 (Fernandes Anderson);" "the order was passed; yeas 13."

Because the minutes of the December 11 Meeting fail to record the roll call votes by documenting the vote of each Council member, we find that the Council violated the Open Meeting Law. Had the minutes included a list identifying the members who were present at the meeting, then perhaps the minutes may have been sufficient where the vote of each member, recorded in that way, could be discerned from the minutes without reference to any other source of information. See, e.g., OML 2021-196 (finding minutes sufficient where the combination of listing the five Committee members present at the meeting, combined with the statement "5 yeas" or "4 yeas, 1 nay" with the name of the Committee member voting in the negative, clearly

December 11 Meeting simply state "All Councilors present." As such, these minutes do not satisfy the Open Meeting Law's requirement that the minutes set forth "the members present or absent." See G.L. c. 30A, § 22(a). We recommend that the Council amend the minutes of the December 11 Meeting to include the names of the

members who were present, as no member was absent.

⁴ Although not raised by the complainant, we note that minutes of the December 11 Meeting do not list the names of the Councilors present. The Open Meeting Law requires that minutes of meetings include a list of the members who were present or the members who were absent. See G.L. c. 30A, § 22(a); 940 CMR 29.11(1). Minutes of the

and accurately recorded the roll call vote of each Committee member). However, minutes of the December 11 Meeting do not include a list of Council members present. As such, the minutes are not a self-contained record of how each Councilor voted during the roll calls. Therefore, the minutes of the December 11 Meeting fail to satisfy the requirements of the Open Meeting Law.

IV. The violations are not intentional.

The complainant maintains that the Council's violations are "deliberate and willful" and asks that we fine the Council, among other remedies requested. Upon the finding of a violation, the attorney general may issue an order to impose a civil penalty upon the public body of not more than \$1,000 for each intentional violation. See G.L. c. 30A, § 23(c). An intentional violation is an "act or omission by a public body or a member thereof, in knowing violation of [the Open Meeting Law]." 940 CMR 29.02. An intentional violation may be found where the public body acted with deliberate ignorance of the law's requirement or has previously been advised that certain conduct violates the Open Meeting Law. Id. We do not find this violation to be intentional. There is no evidence that the Council willfully violated the Open Meeting Law when it acted as it did. Moreover, the Council has not been previously warned about the violations that are the subject of this complaint.

CONCLUSION

For the reasons stated above, we find that the Council violated the Open Meeting Law when it deliberated outside a posted meeting, posted a meeting notice that was not sufficiently specific, and approved minutes that were not sufficiently detailed. We order immediate and future compliance with the Open Meeting Law, and we caution that similar future violations may be considered evidence of intent to violate the law.

We also order the release of any written communication, including emails, between Councilors about the Letter and order the Council to amend the minutes of the December 11 Meeting to record all roll call votes by documenting the vote of each Council member.⁵ We order the Council to certify to this office within **forty-five (45) days** of the date of this letter that it has done so. See 940 C.M.R. 29.07(4).

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⁵ The Council may publicly release the emails by reading their content during a meeting and listing the emails in the meeting minutes, or by referencing the emails during a meeting and posting the emails along with the minutes on the municipal website.

We now consider the complaint addressed by this determination to be resolved. This determination does not address any other complaints that may be pending with the Council or with our office. Please feel free to contact our office at (617) 963-2540 if you have any questions regarding this letter.

Sincerely,

Matthew Lindberg Assistant Attorney General

Division of Open Government

cc: Laura Ortiz (via email:

Boston City Clerk (via email: cityclerk@boston.gov)

This determination was issued pursuant to G.L. c. 30A, § 23(c). A public body or any member of a body aggrieved by a final order of the Attorney General may obtain judicial review through an action filed in Superior Court pursuant to G.L. c. 30A, § 23(d). The complaint must be filed in Superior Court within twenty-one days of receipt of a final order.

Sent: Monday, October 28, 2024 12:32 PM EDT To: Benjamin Weber

benjamin.weber@boston.gov>

Subject: Fwd: 5 Day Shelter Advocacy

Hi Councilor,

Sharing this letter to the Governor re: shelter policy in case you would like to sign on.

Best.

Ruthzee

----- Forwarded message ------From: **Kyle Davis** < <u>kdavis@salem.com</u>> Date: Sun, Oct 20, 2024 at 3:52 PM Subject: 5 Day Shelter Advocacy

To:

Hi there,

My name is Kyle Davis and I am a City Councilor in Salem. I'm reaching out to ask you to add your name to a sign-on letter to Gov. Healey regarding the 5 day shelter limit policy. If you'd like to sign on, please respond to this email to let us know. $\underline{https://docs.google.com/document/d/1AzBs7rc-NWZzj118NLBCBLMczugrdE8cCZxiCeVmT9A/editalited by a superscript of the action of the property of the property$ We currently have 60+ elected officials signed on.

We know that 5 days is not enough time for anyone to find and secure safe, quality, and long-term housing that they can afford let alone those that are facing all the challenges that come with being unhoused. Although I understand that addressing our housing crisis is an ongoing battle that requires the tireless work of leaders, including local leaders like us, sending people and families back on to the street after 5 days is simply not the solution.

Here in Salem, we have incredible partners like Lifebridge that have the hands-on experience to understand that everyone's situation is different. Some need temporary relief to get back on their feet, some require more time and support. In our neighboring city of Lynn, nonprofits like Casa Mariposa have created not only a wonderful safe haven for those in need, but also a network of former residents that volunteer their time to do maintenance on the house and cook for those staying in the rooms.

We need to expand our capacity for shelter and support our community partners in this struggle to ensure housing as a human right, not impose harsh restrictions and communicate to immigrants that they should not come and are not welcome. I hope that this letter can start a dialogue between local leaders and the Governor to explore other solutions to the crisis at hand.

Here are some additional ways you can help:

- . Please encourage other councilors, school committee members and other leaders in your community to reach out to us to sign on to the letter as well.
- . If a handful of leaders decide to sign on in your community, please reach out to your local paper and ask for coverage of your community's support for the letter.

President, Boston City Council Boston City Councilor At-Large 1 City Hall Square, Suite 550 Boston, MA 02201

Office: 617-635-4376

Email: Ruthzee.Louijeune@boston.gov

About City Councilor At-Large Ruthzee

Louijeune

Sent: Monday, October 28, 2024 12:32 PM EDT To: Enrique Pepen <enrique.pepen@boston.gov>

Subject: Fwd: 5 Day Shelter Advocacy

Hi Councilor,

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Best.

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----- Forwarded message ------From: Kyle Davis < kdavis@salem.com > Date: Sun, Oct 20, 2024 at 3:52 PM Subject: 5 Day Shelter Advocacy To:

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President, Boston City Council Boston City Councilor At-Large 1 City Hall Square, Suite 550 Boston, MA 02201

Office: 617-635-4376

Email: Ruthzee.Louijeune@boston.gov

About City Councilor At-Large Ruthzee

Louijeune

Sent: Monday, October 28, 2024 12:32 PM EDT To: Henry Santana <henry.santana@boston.gov>

Subject: Fwd: 5 Day Shelter Advocacy

Hi Councilor,

Sharing this letter to the Governor re: shelter policy in case you would like to sign on.

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Office: 617-635-4376

Email: Ruthzee.Louijeune@boston.gov

About City Councilor At-Large Ruthzee

Louijeune

Sent: Monday, October 28, 2024 12:33 PM EDT To: Julia Mejia <Julia.Mejia@boston.gov> Subject: Fwd: 5 Day Shelter Advocacy

Hi Councilor,

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These actions will help us continue to apply pressure to this administration and hopefully help us to change course in the way that we as a state address this issue.

--

President, Boston City Council Boston City Councilor At-Large 1 City Hall Square, Suite 550 Boston, MA 02201

Office: 617-635-4376

Email: Ruthzee.Louijeune@boston.gov

About City Councilor At-Large Ruthzee

Louijeune

Sent: Monday, October 28, 2024 12:33 PM EDT To: Elizabeth Breadon <LIZ.BREADON@boston.gov>

Subject: Fwd: 5 Day Shelter Advocacy

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Louijeune

Sent: Monday, October 28, 2024 12:33 PM EDT To: Brian Worrell <bri> ston.gov> Subject: Fwd: 5 Day Shelter Advocacy

Hi Councilor,

Sharing this letter to the Governor re: shelter policy in case you would like to sign on.

Best.

Ruthzee

----- Forwarded message ------From: Kyle Davis < kdavis@salem.com > Date: Sun, Oct 20, 2024 at 3:52 PM Subject: 5 Day Shelter Advocacy

To:

Hi there,

My name is Kyle Davis and I am a City Councilor in Salem. I'm reaching out to ask you to add your name to a sign-on letter to Gov. Healey regarding the 5 day shelter limit policy. If you'd like to sign on, please respond to this email to let us know. $\underline{https://docs.google.com/document/d/1AzBs7rc-NWZzj118NLBCBLMczugrdE8cCZxiCeVmT9A/editalited and the action of t$ We currently have 60+ elected officials signed on.

We know that 5 days is not enough time for anyone to find and secure safe, quality, and long-term housing that they can afford let alone those that are facing all the challenges that come with being unhoused. Although I understand that addressing our housing crisis is an ongoing battle that requires the tireless work of leaders, including local leaders like us, sending people and families back on to the street after 5 days is simply not the solution.

Here in Salem, we have incredible partners like Lifebridge that have the hands-on experience to understand that everyone's situation is different. Some need temporary relief to get back on their feet, some require more time and support. In our neighboring city of Lynn, nonprofits like Casa Mariposa have created not only a wonderful safe haven for those in need, but also a network of former residents that volunteer their time to do maintenance on the house and cook for those staying in the rooms.

We need to expand our capacity for shelter and support our community partners in this struggle to ensure housing as a human right, not impose harsh restrictions and communicate to immigrants that they should not come and are not welcome. I hope that this letter can start a dialogue between local leaders and the Governor to explore other solutions to the crisis at hand.

Here are some additional ways you can help:

- . Please encourage other councilors, school committee members and other leaders in your community to reach out to us to sign on to the letter as well.
- . If a handful of leaders decide to sign on in your community, please reach out to your local paper and ask for coverage of your community's support for the letter.

President, Boston City Council Boston City Councilor At-Large 1 City Hall Square, Suite 550 Boston, MA 02201

Office: 617-635-4376

Email: Ruthzee.Louijeune@boston.gov

About City Councilor At-Large Ruthzee

Louijeune

Sent: Monday, October 28, 2024 12:33 PM EDT To: Gabriela Coletta <gabriela.coletta@boston.gov>

Subject: Fwd: 5 Day Shelter Advocacy

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Office: 617-635-4376

Email: Ruthzee.Louijeune@boston.gov

About City Councilor At-Large Ruthzee

Louijeune

From: Benjamin Weber

Sent: Wednesday, October 30, 2024 8:16 PM EDT
 To: Ruthzee Louijeune <ruthzee.louijeune@boston.gov>

Subject: Re: 5 Day Shelter Advocacy

Thanks, just signed on.

On Mon, Oct 28, 2024 at 12:32 PM Ruthzee Louijeune <u>∢uthzee.louijeune@boston.gov</u>> wrote:

Hi Councilor,

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Ruthzee

------ Forwarded message ------From: **Kyle Davis** <<u>kdavis@salem.com</u>>
Date: Sun, Oct 20, 2024 at 3:52 PM
Subject: 5 Day Shelter Advocacy

10:

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These actions will help us continue to apply pressure to this administration and hopefully help us to change course in the way that we as a state address this issue.

--

President, Boston City Council Boston City Councilor At-Large 1 City Hall Square, Suite 550

Boston, MA 02201 Office: 617-635-4376

Email: Ruthzee.Louijeune@boston.gov

About City Councilor At-Large Ruthzee

<u>Louijeune</u>

This email is subject to MGL: Chpt.66, Sec.10 Public Records Law

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Benjamin J. Weber
Boston City Councilor - District 6
1 City Hall Square, Boston, MA 02201
benjamin.weber@boston.gov
617-635-4220 (o) | 617-635-4203

Honorable Maura Healey Governor, Commonwealth of Massachusetts State House, Room 360 Boston, MA 02133

Re: Change to State's Emergency Housing Shelter Policy

Statement on Changes to the State's Emergency Shelter Policy

Governor Healey,

We are writing as elected officials representing 39 cities and towns, along with advocates, families, renters, and health care providers, to ask you to protect the right to access shelter and services for families experiencing homelessness. We ask your administration to:

- Restore the right to shelter and rescind the policy that bars families who stay in overflow shelters from accessing shelter
- Rescind the two-track policy that places some families in barrack-style respite centers for 30 days and allows other families to stay in emergency shelter for just six months
- Invest more robustly in homelessness prevention and rehousing supports

Massachusetts is the second-most expensive state in the United States. After months of apartment searches, most families can barely find anything affordable. This was true before. It's true today. How can families with children find an affordable apartment in thirty days or six months in these rental market conditions? Forcing families to double up temporarily with family members or friends is not the equivalent to stable and permanent housing. While we appreciate the proposed increase in funding for HomeBASE, families remain at the mercy of a brutal real estate market in which it can take more than six months to secure an apartment. We understand that the state has limitations regarding providing shelter to people and families seeking refuge in Massachusetts. However, this is simply not the solution . Immigrants didn't create this crisis, yet they have become easy scapegoats and targets.

Housing is a human right. We cannot sit idly by when witnessing a policy that has forced and will force families with children to sleep in apartment hallways, Emergency Rooms, parks, cars, and vacant commercial stores.

We have seen our community work tirelessly to support unhoused families. Massachusetts has long served as a beacon for immigrants by sheltering them. It has reaped enormous benefits from the recent migration of large groups who have come here from places like Vietnam, the Dominican Republic, and Haiti and who have thrived in our state. The stories we hear from our

constituents, providers, and advocates tell us that the policy you've implemented has not achieved the intended goal of deterring people from coming to Massachusetts or alleviating the shelter crisis.

The new shelter restrictions unintentionally harm families by forcing them into dangerous and unsustainable situations. It leaves municipalities to absorb the cost of Emergency Rooms, Fire, Police, and Inspectional Services. It leads organizations and community groups strapped for more resources to meet the high demand.

This policy will increase the stigma and anti-migrant rhetoric against migrants as calls for mass deportations become reality. We appreciate your public commitment to not participate in mass deportations. We must protect families with children from immigrant communities who are experiencing homelessness, in addition to anyone with no safe options.

While we understand there are many challenges with the shelter system, we ask you to rescind the policy that bars families who stay in overflow shelters from accessing shelter, preserve the integrity of the right-to-shelter system, and fund robust ways to support families experiencing homelessness. We urge you to heed what advocates and providers are seeing in our communities and work with state and local leaders to develop thoughtful and humane policies. We are committed to working with you to build solutions that will benefit and better the livelihood of all our residents in Massachusetts.

Signed: List in formation

Name	City/Town	Office
Francesca Arsenault	Acton	Selectboard Member / Chair
Alissa Nicol	Acton	Selectboard Member / Clerk
Rebecca Wilson	Acton/Boxborough	School Committee Vice Chair
Leela Ramachandran	Acton/Boxborough	School Committee Member
William Walsh	Andover	Assistant to the Town Administrator and Select Board
Charles Bloom	Barnstable	Town Councilor
Shawn Hanegan	Bedford	Selectboard chair
Hannah Bowen	Beverly	At-Large City Councilor
Ruthzee Louijeune	Boston	City Council
Benjamin Weber	Boston	City Councilor Ward 6

Brian Worrell Boston City Councilor

Elizabeth Breadon Boston City Council

Enrique Pepen Boston City Councilor

Tania Fernandes Anderson Boston City Council

Steven Leibowitz Brewster School Committee Member

Susan Robinson Bridgewater Councilor At Large

Michael A Sandman Brookline Select Board

Denise Simmons Cambridge Mayor

Burhan Azeem Cambridge City Councilor

Marc McGovern Cambridge City Councilor

Sumbul Siddiqui Esq Cambridge City Councilor

Jivan Sobrinho-Wheeler Cambridge City Councilor

Ayesha M. Wilson Cambridge City Councilor

Roberto Jimenez Chelsea City Councilor

Lisa Santagate Chelsea City council

Owen Zaret Easthampton City Councilor

Koni Denham Easthampton City Councilor

Tamara Smith Easthampton City Councilor

Guerline Alcy Jabouin Everett City Councilor At Large

Cobi Frongillo Franklin Town Council

Jason Grow Gloucester At-Large City Councilor

Dylan Benson Gloucester City Councilor

Rachel Gordon Greenfield City Council

Lora Wondolowski Greenfield City Council

John Garrett Greenfield City council

Katherine Golub Greenfield City Council

William Perry Greenfield City Council

Sara Brown Greenfield City Council

Devan Ferreira Haverhill Ward 3 City Councilor

Katrina Hobbs Everett Haverhill City Council

Jonathan Guzman Lawrence School Committee

Julio Mejia Lawrence School Committee

David Cormier Leominster City Councilor

Brandon Robbins Leominster city council

Jeanine Wood Littleton School Committee Member

Wayne Jenness Lowell City Councilor

Brian LaPierre Lynn At-Large City Councilor

Coco Alinsug Lynn City Council

Natasha Megie- Maddrey Lynn Lynn City Council

Nicole Mcclain Lynn City Council

Obed Matul Lynn City Council

Pete Meaney Lynn City Council

Carey McDonald Malden At-Large City Councilor

Ari Taylor Malden City Councilor

Amanda Linehan Malden City Council

Keith Bernard Malden School Committee

Kit Collins Medford City Councilor and Council Vice President

Zac Bears Medford City Councilor and Council President

Emily Lazzaro Medford City Councilor

Anna Callahan Medford City Councilor

Matt Leming Medford City Councilor

Maya Jamaleddine Melrose City Councilor

Kimberly Vandiver Melrose City Councilor

Martha Bixby Newton Ward 6 City Councilor

Andreae Downs Newton Ward 5 At-Large City Councilor

William Humphrey Newton Ward 5 City Councilor

Alison Leary Newton Ward 1 At-Large City Councilor

Alan Lebovits Newton Ward 6 At-Large City Councilor

Randy Block Newton Ward 4 City Councilor

Maria Scibelli Greenberg Newton Ward 1 City Councilor

Rena Getz Escudero Newton Ward 5 Councilor At-large

Alex Jarrett Northampton Ward 5 City Councilor and Council President

Steven Leibowitz Orleans School Committee

William Cameron Pittsfield School Committee Chair

Diana Delair Pittsfield School Committee

Alisa Costa Pittsfield City Council

Denise Donnelly Rockport Select Board

AJ Hoffman Salem School Committee

Veronica Miranda Salem School Committee Member

Beth Anne Cornell Salem School Committee Member

Jeff Cohen Salem Ward 5 City Councilor

Caroline Watson-Felt Salem City Council Ward 2

Andrew Varela Salem Ward 7 City Councilor

Kyle Davis Salem At-Large City Councilor

Alice Merkl Salem At Large City Councilor

Willie Burnley Jr. Somerville At-Large City Councilor

Kristen Strezo Somerville City Councilor At Large

Jesse Clingan Somerville Ward 4 City Councilor

Ben Ewen-Campen Somerville Council President and Ward 3 City Councilor

Wilfred Mbah Somerville At-Large City Councilor

Judy Pineda Neufeld Somerville Council Vice President and Ward 7 City Councilor

JT Scott Somerville Ward 2 City Councilor

Jake Wilson Somerville At-Large City Councilor

Naima Sait Somerville Ward 5 City Councilor

Jasmin Rivas Southbridge Town Councilor

Zaida Govan Springfield At-Large City Councilor

Latonia Monroe Naylor Springfield School Committee

Lavar Click Bruce Springfield City Council

Maria Perez Springfield Ward 1 City Councilor

Tom Markham Wakefield School Committee

Mehreen Butt Wakefield Town Councilor

Colleen Bradley-MacArthur Waltham At-Large City Councilor

Rachel Kay Watertown School Committee Member

Michael Squindo Wilbraham Select Board

Nicholas Golden Wilmington School Committee

Thu Nguyen Worcester At-Large City Councilor

Khrystian King Worcester At-Large City Councilor and Vice Chair Council

Etel Haxhiaj Worcester District 5 City Councilor

Luis Ojeda Worcester District 4 Councilor

Jenny Pacillo Worcester District 1 City Councilor

Sue Mailman Worcester School Committee Member

Vanessa Alvarez Worcester School Committee Member