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**ENOUGH ROOM**  
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Honorable Cambridge City Council  
795 Mass Avenue  
Cambridge MA 02139

2002 FEB -7 P 4:44  
OFFICE OF THE CITY CLERK  
CITY OF CAMBRIDGE, MASSACHUSETTS

Re: City Employee Abuse

Quoc Tran, Executive Director of the Cambridge Human Rights Commission (CHRC) refuses to take complaints about unlawful discrimination by City agencies and City employees contrary to City ordinances. His refusal is a breach of a legal duty, a crime.

On Tuesday January 29, 2002 at about 12:40 PM I called to the office of the CHRC and inquired of the office manager, who answered the phone, if the CHRC was aware of the current discussion about wheelchair accessible taxis within the City. She said she was not. She suggested that I call the Cambridge Commission for Persons with Disabilities (CCPD). I explained that the CCPD has no enforcement powers; that the CHRC has those powers. She then suggested the MCAD. I asked what the CHRC did differently from the MCAD.

I inquired if the CHRC had received any complaints about being denied access to taxis within the City. She said she would find out.

The Executive Director of the CHRC (ExDir) came on the phone. He too suggested that I contact first the CCPD, then the MCAD.

I again inquired if the CHRC was aware of the discussion about wheelchair accessible taxis. The ExDir said he was not. I asked what the procedure was for filing a complaint and what the response of the CHRC would be.

The ExDir said the CHRC accepted complaints for discrimination in housing and in employment. I asked if the CHRC accepted complaints for denial of access to public accommodations, and for government services.

The ExDir said that the CHRC does accept complaints for denial of access to public accommodations. The ExDir explained that after an investigation a fine could be issued, and if the offender did not comply the City Attorney would prosecute the enforcement of the violation.

I inquired if the CHRC had received any complaints about being denied accessible taxis. The ExDir said that was confidential information.

I explained that the CHRC is a public agency that the CHRC is liable for requests under the Public Records Act.

The ExDir asked who he was speaking with. I identified myself, and noticed a change in the tone of the ExDir.

I said "We can do this the easy way by you telling me on the phone, or we can do it the hard way." Without hesitating the ExDir said, "We'll do it the hard way." Then he hung up the phone.

Letter to City Council from R Bercaw Feb. 7, 2002

At about 1:20 PM on Tuesday January 29, 2002 I called to the Office of the City Manager. Public Relations flack Ini Tomeo explained that she was covering the phones. I asked if she was aware of the taxi medallion discussion. She too suggested that I call the CCPD. It is obvious that no one in the City is aware of what the legal duties are of City agencies. Ini Tomeo said she would look into the matter.

On Wednesday January 30, 2002 at about 11:17 AM I received a voice mail message from Ini Tomeo who reported that the CHRC did not receive any complaints about denial of access to taxi service. She also explained the procedure for requesting information from the City under the Public Records Act. Like other employees of the City, Ini Tomeo and Quoc Tran are not trained in how to respond to requests for records from the public. Written requests are NOT required.

This shows poor priorities by the City. It was noted in the *Cambridge Chronicle*, on January 30, 2002 that one City attorney (Arthur Goldberg) obstructed attempts by that paper to obtain information ordered to be released by the Secretary of the Commonwealth.

This unlawful act is not the first by that City attorney. I wait for almost two years to get a copy of a video tape requested in April 2000. The same City Attorney (Arthur Goldberg) has a habit of delaying the releasing of information. He is the reason for the Cable TV office not complying with the state order to release tapes.

It is advisable to review the quality of work done by the City Attorney. Their appearances before the City Council shows a lack of preparation and lack of knowledge of the area of law they are paid to know. In addition they create liability for the City by violating state and local laws.

On Monday January 28, 2002 at about 11:00 AM I called to the office of the CCPD leaving a message for the Executive Director, Michael Muehe. After seeing part of the City Council Meeting on Monday January 28, 2002 I left three more messages with questions for Muehe at 12:20 AM, 5:00 AM and 7:15 AM on Tuesday January 29, 2002. It was not until after the calls to the CHRC and the City Manager's office on Tuesday January 29, 2002 that Muehe returned those calls at about 2:20 PM on Tuesday January 29, 2002.

As of this date the questions remain unanswered. Muehe said to me, "You know more about this [the taxi medallion discussion] than I do." Muehe was expecting a conference call and was unable to answer the questions. Muehe assured me that he would "brief" the CHRC about the taxi discussion.

The lack of awareness by City employees, which includes the City attorneys, may explain why the City Council feels unrestrained to thwart the requirements of the Americans with Disabilities Act, the State Constitution and Chapter 151 B of the Mass General Laws.

The City stands in open defiance of those laws due to poor training of the City agencies (Law, CHRC, CCPD) charged by law to

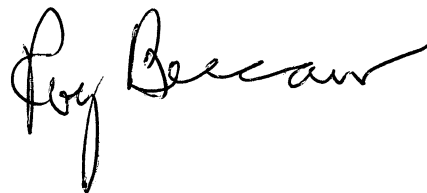
Letter to City Council from R Bercaw Feb. 7, 2002

enforce those laws; but also shows lack of concern by seven members of the City Council to obey state and US laws on discrimination. These seven Councilors have an unlawful priority making discrimination in public accommodations due to race, religion, sexual preference and gender more important than discrimination based upon disability. The law makes no distinction. The City is liable for intentional defiance of those laws by their acts on Monday January 28, 2002.

It is outrageous that the City Council approved by a late order, that did not appear on the Council agenda, squandering taxpayer funds for City employees to travel to a country which conducts espionage against the United States.

The Council spends taxpayer funds to improve libraries and health care for Cubans; but refuses to comply with City ordinances, state and US laws which mandate allowing American citizens and residents access to public accommodations within the City. Like the display of the flag of a racist nation in the City Council chambers, this order shows ignorance and self interest by Councilors. The Councilor who wrote that order was less than candid in explaining why the particular Cuban city was chosen for sister city status. Undisclosed was the fact that Rep. Barrios' cousin lives and works in that city at the library which receives the books and supplies sent.

Spending taxpayer funds for a ninth sister City for the benefit of a relative of a state Rep. may be beneficial to the state Rep. but it is an insult to persons with disabilities. That state Rep. expressed to me his refusal to address unlawful discrimination toward persons with disabilities. Supplies to an enemy nation using City taxpayer funds is a higher priority to this City Council than complying with state and US law and making taxis accessible to citizens. This Council openly ridicules the taxpayers.



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**Consent Communication #7**

A communication was received  
from Roy Bercaw, regarding  
complaints about city employees.

**In City Council February 11, 2002**

**PLACED ON FILE**