

7

ENOUGH ROOM
ROY BERCAW, EDITOR

2003 FEB 19 P 4:48

PO BOX 400297, CAMBRIDGE, MA 02140 USA
617-491-0433 bercaw@iustice.com

Honorable Cambridge City Council
795 Mass Avenue
Cambridge MA 02139

February 19, 2003

Unlawful CCTV abuses

The Cambridge City Council must address continuing abuses at Cambridge Community Television. This is not as august an issue as the resolution opposing military action by the US Government, nor as sexy an issue as the awarding of a key to the City to a Hollywood film director. Nevertheless Civil Rights abuses by a City funded non profit corporation is a matter that merits the close scrutiny of the City Council.

The Council's attention is needed because previous complaints about abuses at CCTV were ignored by the Executive Director. Then complaints to the Board of Directors of CCTV about the Executive Director were likewise ignored.

My previous letters to the Council have brought empty assurances from the Chair of the Cable Television Committee that CCTV was being scrutinized. But on February 8, 2003 another arbitrary and counterproductive programming change was implemented at CCTV. This occurred with no notice to or input from the viewers, nor any notice to or input from the unpaid producers affected by the change, nor from the members.

Among the repeated claims made by the Executive Director is that the BeLive shows produced mostly by volunteers, are the "most popular." For many years the BeLive shows were rebroadcast beginning at 9:00 AM the morning following the live production. Then a third time at midnight the night following the live production. The exact times of the rebroadcasts were uncertain.

Recently each show was given an exact time for the rebroadcasts so that regular viewers of one or another BeLive show could tune in to see the individual rebroadcasts.

On February 8, 2003 this rule was ended without notice. Now part of the Belive shows are rebroadcast beginning at 7:00 AM or at least that is what I was told about my show. But others are rebroadcast at other times, not allowing viewers to tune in for a specific show. But also there is only one rebroadcast, not two, after the Feb. 8th change. This change discourages viewers. It does not encourage them.

There were signs posted at the station on Tuesday February 11, 2003 announcing this change; after the fact. One employee told me that letters were sent to the producers announcing this change. But as of Friday February 14, 2003 I did not receive any letter, nor any email about the change.

As noted in my recent letters to the Council, decisions at CCTV are made for the benefit of the staff, many of whom do not live in Cambridge. The members are not consulted. Though Board

Letter to City Council from R Bercaw February 19, 2003

meetings are open to members, the weekly staff meetings are not. Historically the Board of Directors is simply a rubber stamp body for the desires of the Executive Director. As I noted, many members of the Board believe that CCTV is owned by and should be operated for the benefit of the Executive Director.

This allows for the abuse of City funds for personal and political desires of the Executive Director who uses the facilities and staff to promote her interests instead of allowing all points of view equal access to the staff and facilities. This is a violation of state ethics laws, and an abuse of power. It is particularly offensive at a community media outlet.

Again I urge the City Council to study the way that CCTV is run and insure that the facilities are equally open to all political views, and especially equal access to persons with disabilities. This is where the initial abuse began three years ago, which gave rise to my first complaints. This is an area of unlawful actions by the Executive Director and the staff which simply obeys the instructions of the Executive Director.

Using City funds for personal and political purposes is unlawful. Denying members equal access based upon the perception of a disability is also unlawful. These illegal practices must end. It jeopardizes the non profit status of CCTV. The Council's attention is needed to protect this remarkable City resource, and to stop the unlawful abuses.

This is essentially a First Amendment issue, but also abuse of power. The Executive Director denies equal access to the station facilities based upon political perspective. The Executive Director and the staff harass critics, which is retaliation for the exercise of First Amendment rights. There is a repetitive history of this at CCTV.

These basic abuses must be addressed especially in view of the uniformity of political opinion of the nine Councilors and the City Manager. The desire to conform is a human characteristic. The First Amendment applies to all persons even Republicans, Green party members, Libertarians, and persons with disabilities. All Councilors swore an oath to protect and to defend the US Constitution. The First Amendment guarantees to all points of view a congenial atmosphere for expression.

Acting with City funds and non profit status from the state, the Executive Director created a hostile environment for the free expression of views she disagrees with. She surrounds herself with persons who agree with her views, who also do not extend the same rights to persons who disagree with them. This is more like the democracy in Poland and Iraq.

The Executive Director installed and encourages a policy which denies to some persons with disabilities, equal treatment and equal access to the public accommodation which CCTV is. For example, on December 10, 2003 if she attacked me as she did, and I was black, her actions would merit an immediate firing on the spot.

Letter to City Council from R Bercaw February 19, 2003

The City Council does not tolerate any instance of discrimination toward a black person in this City. But contrary to the statement printed on the Council agenda each week, this was an egregious instance of humiliation, ridicule and insult to a person the Executive Director thought to be mentally ill. Yet the City has done nothing. The Council Chair of the Cable TV committee ignores this unlawful abuse showing her acceptance of unlawful bias toward disability discrimination.

The City spends thousands of dollars, and City employees spend hundreds of hours striving for sensitivity to diverse races, ethnicities and genders. The intrusion into the thoughts of City employees, is Orwellian; this "training" has almost created thought crimes!

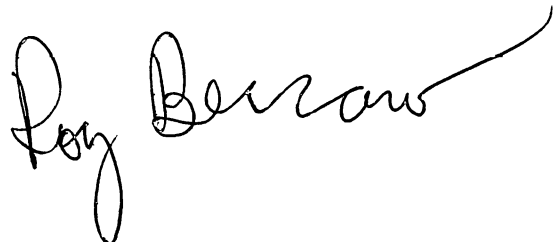
At the same time diverse points of view are not tolerated, and regularly discouraged. Persons who criticize such abuses are designated Republicans, which in Cambridge is considered a disability. Laws protecting persons with disabilities from abuse, and unlawful discrimination are simply ignored.

The Executive Director subscribes to the unified opinion theory of governance. If you agree with her you may be hired, or may be on the Board of Directors. She is not unique in Cambridge. Neighborhood associations, Harvard's public relations staff, the Chair of the Cable TV Committee, the Peace and Nuclear War Commission, and some elected officials share this totalitarian notion. For them, two people who agree is called a dialogue. Disagreement is called "irrational," or "intemperate" by some; "oppositional disorder" by others.

This form of democracy is promoted by Harvard as the local paradigm. This includes having neighborhood associations led by Harvard partisans; City boards and commissions chaired by Harvard supporters; and promoting the single view of politics at local media outlets.

Stopping the abuse at CCTV will send a message to the rest of the City that censorship and bias will not be tolerated for all persons not just the favored few of the cronies of the Council. Currently the statement on the weekly Council agenda is a meaningless phrase. Saying that the City does not discriminate but tolerating open abuse by City funded non profits undermines the credibility of the Council and the City.

In an article, George Will, ("The New FBI," *New York Post*, February 9, 2003, page 27) observed that the FBI had a serious communication problem. It prevented prior knowledge suggesting an attack on September 11th, which was never shared. CCTV has a similar problem of only sending information down to the members. Will suggests the need "to share information horizontally rather than just vertically." Taken with the absence of any meaningful oversight by the Board this allows a continuation of the abuses I've outlined in my previous letters.



S-61

Communication #7

A communication was received
from Roy Bercaw, regarding
CCTV.

In City Council February 24, 2003

PLACED ON FILE.