

Greenbelt Reparations Commission Meeting Draft Minutes
Greenbelt Municipal Building, 25 Crescent Road, City Council Room
Tuesday, September 19, 2023, 7:00 p.m.

Agenda

- Welcome
- Transitional Justice & Reparations (presentation by Shabnam Mojtahedi)
- Agenda/Minutes Review
- Subcommittee reports
 - Facilitation Subcommittee
 - Education Subcommittee
 - Historical Subcommittee
- Administrative Items
 - Executive Committee Update
- Public Comment
- Adjourn

Attendance

Commissioners Present:

- Chelsea Barnes (virtual)
- Francis DeBernardo (virtual)
- Rhema Bjorkland
- Adriane Harris (virtual)
- Joseph Hamlin
- Chiquita Jackson (virtual)
- Mark Miller
- Shabnam Mojtahedi
- Denise Nadasen
- Bob Rand
- Lois Rosado
- René Sewell-Raysor
- Jonathan Taylor (virtual)

Alternates Present:

- Gail Crichlow (virtual)
- Mark Wilson (virtual)

Staff Liaison(s) Present: Megan Searing Young

Not Present:

- Tom Adams
- Lorena Ferdinand
- London McCloud
- Sarah Wampler
- James Williams, Jr.
- Yashuah Ford

Former Commission members who have stepped down:

- Konrad Herling (stepped down because he is serving on the City Council)

Pamela Taylor (stepped down because she moved away from Greenbelt).

After technical problems with Zoom were overcome, a quorum was present, so acting facilitator Denise Nadasen called the meeting to order at 7:16 p.m. Denise welcomed all those attending in person and online.

Approval of Minutes: Lois Rosado moved to approve the Minutes of the August 16, 2023, meeting. René Sewell-Raysor seconded. No corrections or objections were noted, so the Minutes were unanimously approved.

Adoption of Agenda: Mark Miller moved approval of the agenda. Josh Hamlin seconded. The agenda was adopted without opposition, with Shabnam's introduction to Transitional Justice to be presented once technical issues were fixed.

Facilitation subcommittee report:

Rhema Bjorkland identified the facilitation subcommittee members (Rhema, Tom Adams, Denise Nadasen, James Williams, Jr., Frank DeBernardo, and Sarah Wampler) and reported on the number of responses to the RFP. Rhema noted that some candidates had highlighted their expertise and experience in the area of reparations, whereas other candidates focused more on their organization-facilitating skills. Rhema said the subcommittee's sense was that it was primarily charged with seeking expert guidance through the RFP for organizing the Commission to help us get our reparations work done, although subject-matter expertise in reparations would also be valuable to support the Commission's work. Rhema projected a timeline of six weeks from the interview and selection process to the signing of a contract.

Education subcommittee report:

Lois Rosado reported from the education subcommittee. At the August meeting, Lois shared information from her interview with the chair of the San Francisco Reparations Advisory Committee; Sarah Wampler has interviewed members of the Reparations Committee of Evanston, Illinois. Lois said that the education committee expects to focus now on educating the public and members of the Commission.

Bob Rand asked whether the education subcommittee has access to the reading list developed by the Greenbelt Interfaith Leadership Association (GILA); Bob offered to make those materials available. Denise noted that the education subcommittee has recommended public events, such as the "Traces of the Trade" documentary film shown several weeks ago as part of the Reel & Meal series at the New Deal Café in Greenbelt.

Historical exploration subcommittee report:

Bob Rand reported that the historical exploration subcommittee has been developing an annotated bibliography of historical resources. Bob noted that the knowledgeable local historian Ben Fischler will be meeting with the subcommittee next week. In response to a question, City liaison Megan Searing Young said she was requesting a link from the City's main Reparations page, to the historical resources gathered by the subcommittee, and also to Commission minutes and other public documents. Adriane thanked Megan for the two tours of Greenbelt Museum Megan recently provided for the historical exploration subcommittee.

Transitional Justice & Reparations (presentation by Shabnam Mojtahedi)

Shabnam observed that, although the transitional justice approach involves radical similarities across various countries, each context is at the same time radically unique.

Shabnam showed a famous December 2010 photograph of autocratic Tunisian President Zine El-Abidine Ben Ali visiting street vendor Mohamed Bouazizi in the hospital. The photo shows Bouazizi lying near death, bandaged and comatose after having set himself on fire in response to repeated official harassment and humiliation. Intended as a photo-op to display empathy on the part of Ben Ali, the picture badly backfired, fueling growing public anger and sparking intense protests against government misconduct. Within weeks, revolutionary protests led to the ouster of Ben Ali, who fled Tunisia and was tried and convicted in absentia.

Transitional justice is not a one-size-fits-all model. However, five pillars of transitional justice are generally recognized:

Criminal prosecutions to hold accountable those individuals most responsible for atrocities (often with blanket amnesties for lower-level participants because the goal of transitional justice is healing rather than political revenge);

Truth commissions that do not simply investigate the facts of what happened, but instead more broadly seek to garner legitimacy for a common narrative, a common truth. Shabnam noted that the process of developing a common truth is complicated by the fragmentation of information in the era of the internet and social media.

Reparations can involve both material restitution and symbolic remedies, in either case designed to redress harms (collective or individual). Examples of reparations in this sense could be to rebuild a house that was wrongfully destroyed or to compensate an injured victim. But the word “reparations” is often used more broadly to include other pillars of transitional justice.

Memorialization: To illustrate the pillar of memory, Shabnam showed three photographs: (1) a “stumbling stone” in the Czech Republic that forms part of a decentralized monument consisting of tens of thousands of stones and plaques throughout Europe marking the locations of victims of Nazi persecution at their last place of residency or work; (2) statues from the four-decade era of Communism in Hungary that were taken down and relocated for display in Memento Park in Budapest; and (3) a 100-foot tall ornate modern structure built by the U.S. and opened in 2003, six months after the U.S. invaded Iraq, as a monument to the victims of the 1988 massacre in Halabja, Kurdistan, Iraq.

Memento Park in Budapest has something in common with the disposition of some of the Confederate monuments (installed during the Jim Crow era) that are being taken down across the U.S. Instead of glorifying Communism (or the Confederacy), the relocated monuments are placed in a new context to provide an educational opportunity for studying the tools of propaganda and oppression. The story surrounding the erection of the Halabja monument is instructive: this area of Kurdistan had been devastated by years of armed conflict and the city of Halabja was rubble-strewn, so when the U.S. military occupied Iraq and built the massive and showy new Halabja Massacre monument (including a new large highway to take visiting dignitaries to the monument) on the outskirts of Halabja, many local people felt upset that resources were used for a public relations purpose in a grandiose showcase outside of town, while much-needed rebuilding of the war-torn everyday infrastructure of their city was ignored.

Institutional reform: The fifth pillar of transitional justice explores the ways societal institutions and structures have contributed (and may continue to contribute) to unjust harms.

This pillar works to identify ways to develop new institutional cultures. Even a revolutionary change of government will often simply continue or replicate entrenched institutional patterns of oppression. Shabnam pointed to the dissolution of the repressive SAVAK secret police upon the overthrow of the Shah in the Iranian Revolution; the new government then substituted its own “revolutionary” system of repressive secret police. Rebuilding a culture through institutional reform is essential to transitional justice.

Shabnam observed that four of the five transitional justice pillars seem relevant to our Greenbelt Reparations Commission. Our Commission will not be involved in criminal prosecutions, of course. But elements of the other four pillars are likely to be part of our broader work on reparations. A holistic approach that involves multiple pillars and explains programs in ways the public can understand is likely to be most effective. To take an example, a narrow program that focused solely on monetary reparation awards without genuine reform to prevent ongoing injury could risk seeming like hush-money payments.

Shabnam showed a slide that noted three aspects of justice that are often conceptually distinguished: (1) retributive justice (aimed at punishing blameworthy violations of human rights); (2) restorative justice (focusing on identifying the victims of harm and seeking to involve those victims in developing remedies); and (3) transformative justice (looking broadly at harmful social circumstances and structural features with a view to taking measures to change harmful structures and prevent future recurrences of harms).

Shabnam’s presentation prompted considerable discussion. Transitional justice processes typically operate on a national scale (for example, after a national civil war, or upon the overthrow of an autocratic national government), so several members wondered whether such processes can be scaled down successfully to the municipal or local level. Shabnam acknowledged that local community reconciliation at the town or village level is typically part of a broader national process. Lois Rosado observed that because there is no progress on reparations at the federal level in the U.S., localities are not going to wait for federal leadership and so are instead taking it upon themselves to move forward with reparations.

Administrative Items and Executive Committee Update

Amending meeting schedule Acting facilitator Denise Nadasen pointed out there might no longer be good reasons for the Commission’s pattern of alternating Tuesdays and Wednesdays. One drawback of that schedule is that the City Council room is not available for us on Wednesdays. This has made us convene every other month in a meeting room at the Youth Center. That room is less conducive to a good meeting for various reasons. **MOTION: Lois Rosado moved that the Commission amend the schedule to meet on the third Tuesday of each month** (and not alternate with Wednesday). Second by Josh Hamlin. **The motion carried unanimously.** (No one opposed the motion and no one registered an abstention.)

Denise pointed out, as Frank DeBernardo had also drawn to the Commission’s attention, that the third Tuesday in November would run up against the week of Thanksgiving, so the Commission decided by consensus (with no one raising an objection) to make this November an exception to

the rule of third Tuesdays. The Commission will instead meet on the second Tuesday this November, which is November 14.

Filling vacancies on the Commission:

Denise noted that two former commissioners, Konrad Herling and Pamela Taylor, have stepped down from the Commission. Konrad became disqualified when he was selected to serve out an unexpired term on the City Council. Pamela Taylor is no longer able to serve because she is no longer a Greenbelt resident, having moved away.

Denise read a brief cordial message written by Konrad addressed to the Commission. Konrad thanked his colleagues on the Commission and noted his willingness, at some point after he is no longer serving on City Council, to be considered for service as an alternate on the Reparations Commission.

MOTION: Lois moved that the Commission fill those two vacancies with Mark Wilson and Gail Crichlow, who were already appointed by the City Council to serve as alternates. Rhema seconded the motion. Despite an express opportunity to object or oppose the motion, no one voiced any opposition, and all those who spoke were enthusiastically in favor. **The motion carried unanimously.**

Removal for excessive absenteeism:

One member of the Commission has failed to attend any Commission meeting for at least the past five months. Denise Nadasen has made efforts to communicate with the member but has received no response. The City Code, and the Code of Conduct, indicate that the Commission is not itself authorized to remove a member directly. Instead, the chair or facilitator of a commission or committee is to draw a member's pattern of absences to the attention of the City Council, in order for Council to take whatever action (e.g., removal) Council deems fit. After noting the unanimous support for (and no objection to) having the Facilitators report the member's absenteeism to the City Council, Denise as acting facilitator declared that, by consensus, the **Commission is directing the Facilitators to report this absenteeism situation to the City Council.**

As an aside, Josh noted that the governing language seems to make it discretionary on the part of City Council whether to remove an excessively absent member of a public body. Josh said he might at some point recommend that the City consider replacing the discretionary power with a mandatory rule requiring removal in such circumstances.

Seeking confirmation with Counsel for the City re: interpretation of Open Meetings Act:

René Sewell-Raysor and Josh Hamlin serve as parliamentarians for the Commission. In addition, Josh Hamlin works professionally as an attorney dealing largely with municipal regulations and administrative law. Josh has developed his own informal but considered opinion regarding the question of whether the Open Meeting Act requires subcommittees of the Commission (which is of course a public body) to comply with the open meetings and public access laws. In Josh's view, the Open Meetings laws do not apply to the subcommittees. However, Josh recommended that the Commission seek a formal opinion from legal counsel for the City. In addition to questions about the Open Meetings Act, there are parallel questions regarding the applicability of Maryland's Public Information Act to the Commission. A related question is whether the City Clerk is ultimately the custodian of records for the Commission and what practical or legal effect this might have on the management of Commission documents.

Approval of Draft Report to City Council:

Denise asked whether there were any objections or corrections to the draft report from the Commission to the City Council that had been circulated to all commissioners. No objections were voiced, although a few suggestions for possible minor improvements were made. Denise said that, with those minor amendments, the Commission has now approved the Report by consensus.

Public Comments:

- The Commission was asked whether the individual commissioner whose name will be referred to the City Council for removal due to absenteeism had been given fair notice that attendance is mandatory, and whether the individual had been offered warnings or an opportunity to come into compliance before being excluded.
- Lois Rosado explained that each commissioner upon accepting appointment by the City Council had signed the Code of Conduct for Advisory Board and Committee Members, which clearly states that absenteeism is a cause for removal and that attendance is mandatory. The Code of Conduct authorizes the City Council to remove a member who, without excuse, misses either three consecutive regular meetings, or more than one quarter of the meetings held in a calendar year. The member in question has failed to meet either prong of that standard and has not communicated or offered any explanation for the absences. Denise further explained that she has made reasonable efforts to reach the habitually absent member, without ever receiving a response.
- An interesting historical research question would be whether the federal government kept records identifying the laborers who worked on building Greenbelt. Might the National Archives house such records?
- City liaison Megan Searing Young noted that some researchers have already tried to locate such records, without success, but she added that this doesn't prove conclusively that no such records exist.
- A student journalist in attendance from the University of Maryland expressed interest in interviewing members of the Commission. Megan Searing Young told the student she would give him her contact information so he could make his request through her, and she would then forward his request to the Communication team (Lois and Shabnam).
- A question arose about the date of the October meeting with emphasis that the broader public participation and public involvement are very important to the Commission's process. Because public buy-in will be crucial to the success of whatever recommendations the Commission eventually makes regarding a reparations program in Greenbelt, it is important not to give the public any reason to think the Commission is secretive or less than fully transparent, specifically suggesting that the work of the Commission's subcommittees should be as open as possible to public awareness and participation.
- The Commission clarified that the next meeting will take place the third Tuesday, October 17, 2023, and agreed to review the Open Meetings Act with regard to subcommittees.

Adjournment

Upon motion by Lois Rosado, the Commission meeting was adjourned at about 8:45 p.m., until Tuesday, October 17, 2023, 7:00 p.m.

Draft minutes prepared by temporary substitute recording secretary Mark Miller.