

Massachusetts awarded over \$64 million in HUD grants for COVID-19 relief

The U.S. Department of Housing and Urban Development (HUD) has awarded over \$64 million in federal grants to support cities and towns across Massachusetts as they combat the novel coronavirus disease 2019 (COVID-19) pandemic.

The CARES Act established \$5 billion in supplemental Community Development Block Grant (CDBG) funding to help prevent, prepare for and respond to the coronavirus pandemic. This round of funding, which was awarded through HUD's CDBG program, focuses toward communities with households facing a higher risk of eviction including communities with high proportions of job loss and unemployment.

"This funding will go a long way to help Massachusetts communities meet the significant needs of their populations as they mitigate the impact of this crisis on our families – but they're going to need a lot more. The Senate needs to act now to invest real money into stabilizing state and local governments," said Massachusetts Senator Elizabeth Warren.

"The coronavirus pandemic has left families across Massachusetts struggling to pay rent and keep up with their mortgage," said Senator Markey. "The CDBG funding will help assist and prevent these families from being evicted during these challenging times. I am proud that the Massachusetts delegation not only fought to receive this funding but continues to push hard every day to ensure those most vulnerable in our communities receive the resources and support they need."

The cities and towns receiving CDBG funding include:

Arlington – \$320,485
Attleboro – \$398,593
Barnstable – \$513,935
Boston – \$9,781,393
Brockton – \$937,951
Brookline – \$531,034
Cambridge – \$1,256,118
Chicopee – \$528,209
Fall River – \$968,551
Fitchburg – \$435,362
Framingham – \$714,101
Gloucester – \$291,230
Haverhill – \$597,180
Holyoke – \$486,324
Lawrence – \$935,531
Leominster – \$482,977
Lowell – \$1,251,394
Lynn – \$1,212,525
Malden – \$780,411
Medford – \$525,848
New Bedford – \$951,553
Newton – \$607,513
Northampton – \$266,402
Peabody City – \$523,178
Pittsfield – \$475,103
Plymouth Town – \$568,752
Quincy – \$1,176,113
Revere City – \$710,189
Salem – \$537,651
Somerville – \$878,051
Springfield – \$1,749,839
Taunton – \$524,809
Waltham – \$622,149
Westfield – \$333,451
Weymouth Town – \$487,367
Worcester – \$1,963,247
Yarmouth – \$242,315

Turco: Crimes point to urgent need for bail reform in Massachusetts

By Colin A. Young
State House News Service

Month after month, there are murders, kidnappings and rapes in Massachusetts that might be prevented if the Legislature were to advance one of Gov. Charlie Baker's legislative priorities, Public Safety Secretary Thomas Turco wrote to lawmakers Thursday in a plea for late-session action on a bill that's so far gained little traction in the Democrat-controlled Legislature.

Pointing to the case of Shawn McClinton, a Level 3 sex offender awaiting trial on rape and kidnapping who was bailed out by the Massachusetts Bail Fund before allegedly kidnapping, beating and raping another woman, Turco said the Legislature must act quickly to make it easier for police and the court system to detain defendants deemed a risk to the community.

The secretary said the Supreme Judicial Court recently ruled that charges of statutory rape, indecent assault and battery on a child – “quintessentially dangerous crimes” – and the use of an incendiary device like a bomb in many circumstances are not grounds enough on their own to hold a person before their trial.

"The current statute governing bail and pre-trial release simply do not permit judges to make reasonable decisions to detain defendants charged with serious crimes who pose a clear and continuing risk to the public," Turco wrote to Judiciary Committee Chairs Rep. Claire Cronin and Sen. Jamie Eldridge on Thursday.

Turco also raised the issue of a Whitman woman charged in connection with the death of a toddler who was bailed out and then allegedly went on to threaten to "slaughter" her neighbors. He said that case and that of McClinton "highlight a second significant limitation in the existing dangerousness statute: a prosecutor must either seek a dangerousness hearing during a defendant's first appearance in court or forfeit that ability entirely."

The first bill Baker filed in his second term (H 66) would allow judges to consider more than just the specific charges before them when making a decision to release a defendant, expand the list of offenses that can be used to hold a defendant as a dangerous person before their trial, and would permit prosecutors to seek a dangerousness hearing at any point in a criminal proceeding, not just at the outset. It mirrors a bill Baker filed the previous session, two months after a Weymouth cop was killed by a suspect out on bail.

The Judiciary Committee gave the governor's bill a hearing in May 2019, and in June 2019 House Speaker Robert DeLeo told reporters the House planned to take up "part of" Baker's dangerousness bill that month. But the bill never moved out of the Judiciary Committee and it has been sitting there since.

The pre-trial bail reform provisions have had the support of police chiefs including Boston Police Commissioner William Gross, and were opposed by the local chapter of the American Civil Liberties Union.

"Session after session, advocates for reform have been told

that it could not move forward because there was the absence of empirical data to justify some of the progressive reforms that we had been advocating for,” Rahsaan Hall, the racial justice program director for the American Civil Liberties Union’s Massachusetts chapter, said at last year’s hearing. “Now we sit on the heels of some pretty progressive and transformative legislation that was enacted last session and are presented with a bill that would dramatically draw back some of those reforms without a scintilla of evidence that the proposed reforms that are included in the governor’s bill are rooted in science or data or any type of empirical analysis.”

In early August, House lawmakers agreed to a third extension for the committee, giving the panel until Nov. 12 to decide what to do with Baker’s bill. Typically, an issue left in committee this late in the legislative session would be considered dead, but legislators extended their time allowed for formal business until early January 2021.

“Taking away someone’s freedom while they await a charge is a serious matter, which is why I understand the need for careful deliberation. But after nearly two years’ worth of such deliberation, and following these recent developments, I ask that the committee report out the Governor’s bill favorably as soon as possible. You have a rare opportunity to close this loophole and protect the public from violent people now that the legislature’s formal session has been extended,” Turco wrote. “Serious crimes, from murder to rape and kidnapping, crimes you could help prevent, continue to occur month after month.”

The House and Senate in late July voted to extend formal sessions for the year into early January but in the ensuing six weeks have kept an extremely light schedule. Legislative leaders in July didn’t indicate if they intended to limit their focus in extended sessions to state budget bills and five major bills pending before conference committees, or open up the menu to the full slate of legislation pending before

the branches.

Federal judge lets Massachusetts eviction moratorium stand for now

Chris Lisinski

State House News Service

A federal judge allowed the state's temporary ban on evictions and foreclosures to remain in place, a decision outlined in a Thursday ruling that prompted parties on both sides of the issue to see positives.

Judge Mark Wolf told attorneys Thursday that he will not intervene to lift the ban, according to both the lawyer representing plaintiffs and a state lawmaker who co-authored the original moratorium. Wolf plans to explain his decision in detail in a forthcoming written opinion, according to the online court docket.

Gov. Charlie Baker signed a moratorium in April blocking most evictions and foreclosures for several months, aiming to avoid housing disruptions during the COVID-19 pandemic. He later extended its expiration to Oct. 17. Three landlords sued the state, alleging the ban breaches the Constitution's contracts clause and prevents them from exercising free speech, petitioning the judiciary, and acquiring compensation for unlawful land taking.

"While we are currently awaiting the written ruling, my understanding is that today Judge Wolf indicated he would be

denying every challenge that was made by the landlords against the eviction moratorium statute itself,” said Rep. Mike Connolly, who co-authored the legislation. “I think this affirms the principle that we as legislators are protecting the public health when we act to ensure housing stability during a pandemic.”

Richard Vetstein, who represented the landlords, wrote on Twitter Thursday that while the judge did not lift the ban on filing new eviction cases or issuing notices to quit, he was “pleased” that Wolf expressed some concerns about its viability going forward.

Black Lives Matter sign maker: Some customer signs are being stolen

The following was submitted to New Bedford Guide by Ian McGonnigal:

“A couple of months ago, Nick and I decided to start an organization called Southcoast Helps.

We’re both small business owners who wanted to do something to give back to our beloved Southcoast community. The idea is to create several small initiatives that support Human Rights & Social Justice, Education, Health & Wellness, Arts & Culture, Conservation, and other areas where we see there is a need. We keep it small and nimble, with no bureaucracy, fund our efforts with personal investments, and volunteer our time. 100% of any proceeds we get go directly to the local organizations we choose to support.

Black Lives Matter:

For our first project, we decided to support local black organizations. To do so, we invested in printing Black Lives Matter lawn signs for community members to show their support and solidarity against the racial injustice we see every day.

We sell these signs for \$20 each, and hand-deliver them to community members in a safe, socially distanced manner. To date: residents in Dartmouth, Fairhaven, Fall River, Freetown, Marion, Mattapoisett, and New Bedford have ordered signs and we've installed them in their front yards. We even have one community member who purchased several of these signs to distribute to other people who cannot afford them. We've promoted this on Facebook, and keep all recipients confidential.

We've had reports from some supporters that their signs were stolen. In some cases the supporters simply ordered a new sign giving more support to our cause, in other cases, they decide not to replace the sign for fears it will only be stolen again. And while we are disappointed that people would commit larceny to show their disdain for a human rights issue, we're also grateful it has helped us raise more money via replacement signs.

It's a challenging time for our society for sure. There is misinformation everywhere, and people are taking up sides when there should be none. Human rights have been politicized. The fact of the matter is most people have more complex views than choosing either side of a coin. I find we're all so busy yelling at one another, we're not hearing what is being said. If we could all take a moment to listen to understand, rather than listen to respond, we'd be in a better place.

The First Amendment provides every one of us freedom of speech, and we need to respect that."

Have an essay you'd like to share? Email

Independent probes of police shootings sought by Massachusetts families

By Chris Van Buskirk
State House News Service

Rahimah Rahim, the mother of Usaamah Rahim, said her son was a good man and cared about other people.

“He cared about the people that were homeless, the people who didn’t have shelter, the people who didn’t have food, and he reached in his pockets many times to dole out money for people who didn’t have what he had,” she said Wednesday at a rally in front of the State House.

Usaamah Rahim was shot and killed by a Boston police officer and an FBI agent in 2015 after police officials say he approached officers with a knife. Rahimah Rahim attended the rally organized by Mass. Action Against Police Brutality to call on Gov. Charlie Baker to assign a special prosecutor to reopen all past cases of police brutality in the state.

Among the cases the group wants a special prosecutor to investigate are the deaths of Massachusetts residents Terrence Coleman, Eurie Stamps, Usaamah Rahim, Burrell Ramsey-White, and Juston Root.

The protest comes just over three weeks after police in Kenosha, Wisconsin shot Jacob Blake, whose severe injuries furthered nationwide protests calling for an end to systemic

racism and police brutality. The protest on the State House steps Wednesday was held in solidarity with Blake's shooting.

Rahimah Rahim said she raised her five children to be respectful citizens and to look out for other people who didn't have the privileges they had.

"How many other mothers have to lose their children to this brutality? How many more of us have to lose our relatives, our families? It's genocide," Rahimah Rahim said. "We cry out as Americans about what's going on in other countries. We cry for the people who are being persecuted there. What about us? Cry out for us. Cry out for us."

At a press conference earlier in the day, Baker said he didn't know if he had the authority to reopen closed cases.

"It's always been my impression that the state official who has the most latitude with respect to reopening cases is the attorney general," he said. "And I do know the attorney general can choose to take cases that DAs either don't take or aren't interested in. I don't know if the attorney general has the authority under existing law to reopen a case that's been closed. And as I stand here, I don't if I do either."



The names of Eurie Stamps, Terrence Coleman, and others killed by police in Massachusetts were written across the Beacon Street pavement in chalk letters during Wednesday's protest. [Sam Doran/SHNS]

Organizers of the rally said their effort had the support of nine families of men shot by police in the state, some of whom showed up to share their stories. Among them was Hope Coleman, the mother of Terrence Coleman.

Terrence Coleman, who was diagnosed with schizophrenia, was shot in 2016 by Boston police after his mother called for an ambulance to take him to the hospital. Prosecutors allege he attacked personnel responding to the call with a knife.

"All I heard was two shots," Hope Coleman said Wednesday. "I didn't hear him holler."

Brock Satter, co-founder of Mass. Action Against Police Brutality, started off the evening with a chant, "Indict, convict, send those killer cops to jail. The whole damn system

is guilty as hell.” As he called on Baker to appoint a special prosecutor, Satter responded to the governor’s comments from earlier in the day.

“He was under some question about whether he had the power to reopen the cases. So who knows? Who knows in government how to run it?” he said. “But what you and I know is what needs to happen is that when police commit crimes, they need to be held accountable for the crimes they commit. So they need to figure it out ... whoever has the power, they need to figure it out.”



Jennifer Root Bannon, whose brother Juston was killed by local police in February, said her message is that “law enforcement cannot, I say cannot, be investigating themselves.” [Sam Doran/SHNS]

Jennifer Root Bannon, whose brother Juston Root was killed by police in February, filed a wrongful death suit in U.S. District Court in Boston on Aug. 10. Police shot at Root 31 times after he led them on a chase from Brigham and Women’s Hospital in Boston into Brookline with a replica gun. The six

Boston and State Police officers involved in the shooting were cleared by prosecutors.

On Wednesday, Root Bannon called for an end to police brutality and for officials to hold accountable officers who break the law. She said the departments need mandatory independent investigations by an impartial department for incidents involving deadly and excessive force.

“Not only here in Massachusetts but across this country. Today, the message I want to make very clear: law enforcement cannot, I say cannot, be investigating themselves. Continuing on this current path will never bring about justice,” she said. “Gov. Baker, I’m going to ask you again, reopen my brother’s case for an independent investigation. Reveal the truth.”

Two pieces of legislation to reform police accountability and curb use of force tactics remain in conference committee, where lawmakers negotiate differences between bills behind closed doors. The Senate first passed its version on July 14 and the House followed suit with similar legislation on July 24.

The bills largely do the same thing – set up an independent body to certify and decertify police officers in the state. The bills also limit the use of chokeholds and tear gas, and restrict qualified immunity from civil lawsuits for police officers accused of alleged misconduct.

Massachusetts

Supreme

Judicial Court hears arguments in COVID-19 cases brought by inmates

By Chris Lisinski

State House News Service

Two Massachusetts men facing years in prison are hoping the state's highest court will pause their sentences with the COVID-19 pandemic still posing threats six months after it first reached the state.

After mixed rulings in lower courts, Supreme Judicial Court justices heard arguments Wednesday from attorneys representing two convicted men who argued that the unprecedented circumstances warrant keeping them out of custody until the public health crisis subsides.

"Any enclosed congregate environment is not safe during this pandemic. We've seen it time and again," said David Rangaviz, an attorney representing appellant Joseph Elibert. "Most pertinent here, prisons and jails are the sites of 80 percent of the top COVID-19 national hotspots. The risks in prisons are inherent. Of course, steps can be taken to try to mitigate that risk, but it cannot be eliminated."

Justices considered the two separate cases during one stretch of arguments Wednesday morning, after which they did not indicate when they plan to issue a ruling.

Prisons and jails have been a key area of concern amid the outbreak of the highly infectious coronavirus, with many inmates typically living and interacting in close quarters.

Through Tuesday, 392 Department of Correction inmates had tested positive since the start of the pandemic, the

department said Wednesday. Eight died from COVID-related causes, while all others have recovered except for one active case, while 127 DOC staff have cumulatively tested positive.

In county jails, 286 inmates and 200 staff members tested positive through Sept. 2, according to the latest weekly data report required under an April SJC decision. Two inmates in county jails have died as a result of COVID-19.

The scale of the outbreak has slowed in facilities compared to the spring. No deaths have been reported in DOC prisons since May 13, and only two more inmates and eight more staff have tested positive since July 2, according to the department's data.

The 64-year-old Elibert was convicted in January of indecent assault and battery on a child under 14, and he was sentenced to four to six years in prison.

In April, during the height of the COVID-19 outbreak in Massachusetts, a trial judge temporarily delayed when Elibert would need to begin that term, writing that his medical history with Type II diabetes "makes him at heightened risk of infection and/or injury or death."

Elibert was released on home confinement with a GPS monitor, but that stay was revoked on June 30 because no one at the MCI Cedar Junction facility had tested positive in the most recent round. Following an appeal, the state's highest court will now decide where Elibert goes.

Rangaviz, his attorney, argued Wednesday that Cedar Junction reported a positive case in recent weeks, undermining the lower judge's own reasoning for ordering Elibert to serve his prison sentence.

"Mr. Elibert's life is at stake," Rangaviz said. "There's no basis to return him to custody in the middle of a pandemic to which he's highly vulnerable when he complied with the

conditions of release.”

Arguing on behalf of the state, Assistant District Attorney Erin Knight said Elibert should not remain out of prison, saying that judges should consider the “leaps and bounds” taken by Cedar Junction to improve health safety in the facility.

“Due to his convictions and sentence, the defendant’s baseline is incarceration,” Knight said.

“The commonwealth’s concession that he, as anybody, would be safer at home is hardly groundbreaking, but the defendant stands convicted of indecent assault and battery on a child under 14.”

The other case before the SJC involves Daniel Nash, who was sentenced to serve five to seven years in prison following conviction on two counts of rape, one count of indecent assault and battery on a person over 14 years old and one count of photographing an unsuspecting nude person.

Similarly, a trial court judge agreed to pause Nash’s sentence in May and released him before an appeals court justice reversed that decision, prompting the SJC to step in and weigh the ultimate outcome.

His attorney, Rosemary Scapicchio, argued that the judge who revoked Nash’s stay considered factors outside of those outlined by the SJC for review, such as whether he had any underlying health conditions that create greater COVID-19 risks.

“Even where a defendant can establish a documented health condition and reported cases at his facility, the courts have morphed the requirements even further, apparently requiring new documented cases within hours of the decision,” Scapicchio wrote in a legal brief.

Jennifer Sprague, an assistant district attorney, told

justices that the state's official position supports the lower court ruling that Elibert should no longer have his sentence delayed.

"If your only grounds for the stay is COVID, then that's a medical issue that should be dealt with with a request for medical parole," Sprague said.

Advocacy groups and some elected officials fought in the spring for widespread release of inmates whenever possible to reduce populations in prisons and jails, arguing that social distancing would not be possible at current capacities.

On April 3, the SJC ruled that individuals facing nonviolent criminal charges held on bail ahead of trial could petition for release during the pandemic.

Through last week, 1,808 inmates in county jails were released under the provisions outlined by the court, according to the most recent court-ordered data report. At the DOC level, 30 sentenced inmates have been released since the SJC order along with 204 pre-trial detainees and 35 who received medical parole.

New Bedford man arrested for trafficking cocaine on Bullard Street

On September 4, New Bedford Police Department detectives arrested a New Bedford man and seized 82 grams of cocaine and \$2,285 after observing a transaction just west of N. Front St. on Bullard St.

As a result, 30-year old Ramon Adorno of 2 Durfee St., Apt. #1 was charged with trafficking cocaine. Officer Jessica Nicoli and Detective Stephen Gwozdz were the arresting officers.

If you have any information on criminal activity in your neighborhood, the New Bedford Police Dept. wants to hear from you. You can leave an anonymous tip on our voicemail at (508) 991-6300 Ext. 1.

No COVID-19 deaths in Boston over past week, but city sees 12 shootings in 3 days

By Katie Lannan
State House News Service

Boston has gone a week without a COVID-19 death, marking what Mayor Martin Walsh described on Tuesday as a “very encouraging” span.

Walsh said 25 new cases of the coronavirus logged Tuesday brought the city’s cumulative caseload to 15,967 since the onset of the pandemic, and its death toll has held steady at 754 since last week.

Statewide, there have been 121,214 total test-confirmed cases and 9,141 deaths among people with confirmed or probable COVID-19 cases, according to the Department of Public Health.

In an afternoon press conference outside City Hall, Walsh discussed Boston’s COVID-19 metrics and the dozen shootings that city police responded to over the holiday weekend.

After “a couple of weeks of decline,” the city’s positive test rate stands at 1.7 percent, Walsh said. East Boston continues to have the highest positive rate of any neighborhood in the capital city, at 8.7 percent as of Sept. 1. That number is down from 11.4 percent three weeks ago.

“That’s a good way to see the numbers go,” Walsh said. “We want to continue that downward trajectory, if you will, over in East Boston, with testing.”

Walsh said city officials launched an “elevated outreach plan” three weeks ago, targeting East Boston with efforts like the distribution of kits with cleaning supplies and virus information, partnerships with churches, and messaging for people in multi-generational households about strategies they can use to limit transmission.

12 Shootings in 3 Days

Separately, Walsh and Police Commissioner Willie Gross said Boston city departments and other agencies convened ahead of the Labor Day holiday to plan violence prevention and response efforts. Walsh said some sort of violence “is not unusual for Labor Day weekend” – though he said any act of violence, at any time, is unacceptable – and Gross characterized the weekend as a long one, with 12 unrelated shootings in the city.

“At this time, our investigations reveal that none of the twelve shootings are connected,” Gross said.

Gross thanked residents whose 911 calls helped police make gun arrests or “facilitate investigations.”

“It was a long weekend,” he said. “Instead of being hyper-critical, for some folks, get out there and talk to your constituency, because a lot of the kids that are involved in the shootings or in drag-racing or fireworks are part of your constituency. The police can’t wear all the hats. We need

everyone to do their jobs, not point figures.”

Gross said he welcomes an eventual full reopening of the court system, which like many entities had to rethink its operations to accommodate the realities of the COVID-19 pandemic.

“We definitely welcome the courts to reopen. There’s the COVID-19 situation that prevents them from doing so, but whether it’s virtually or until that time, we need the courts to be open, because these individuals causing violence in our neighborhoods should be locked up,” Gross said. “That’s why you have twelve shootings within three days. There has to be some accountability.”

Like other parts of the state’s court system, Boston Municipal Court and Suffolk Superior Court are open for in-person proceedings on a limited basis with health and safety protocols in place, with other matters conducted virtually. Jury trials originally scheduled to start between March 14 and Sept. 4 were ordered to be continued to dates no earlier than Tuesday, Sept. 8, and no new grand jury could be empaneled before Tuesday unless ordered by the Supreme Judicial Court.

Walsh said that while courts are open, some are operating in modes that are “not as full as they have been.” He said it is important to “send a very strong message that if you do something bad in the city, that you will be brought to court and prosecuted by the appropriate authority.”

New Bedford records 22%

primary voter turnout, picked Kennedy over Markey

According to the data provided by the New Bedford elections office, New Bedford saw 22% of registered voters turn out for the primary elections held on September 1st. Of New Bedford's 61,577 registered voters, 13,834 cast a ballot on Tuesday. 11,753 ballots were cast in the Democrat primary and 2,042 were cast in the Republican primary.

By more than a two to one margin, New Bedford voters cast a ballot for Joe Kennedy over incumbent Ed Markey in the Democratic Senate race – 7,855 to 3,764. New Bedford Republican voters picked Kevin O'Connor over Dr. Shiva Ayyadurai – 1,102 or 891, or 55% to 44%. Markey and O'Connor went on to win their primary elections.

Auchincloss Statement on Massachusetts Fourth Congressional District results

With the Associated Press/Boston Globe declaring Jake Auchincloss the winner of the MA-04 Congressional race, Auchincloss released the following statement:

“In the depths of another crisis, when America had just entered WWII, a poor Jewish kid walked into a Marine recruiting office. That kid was my grandfather.

America saw potential in him and sent him to college. It changed his life, and mine. I joined this race to help make that story of opportunity a reality for this generation of Americans. And tonight, we've taken a step forward.

I'm honored that the people of the Massachusetts Fourth District have chosen me as the Democratic nominee for Congress. We won 25 of the 34 cities and towns across the district, a testament to the strong, full-district campaign we built. My deepest gratitude goes out to the voters who placed their confidence in my capacity to drive progress – and to the volunteers and supporters who shared our message across their cities and towns.

I'd also like to thank my fellow candidates. These talented, hardworking individuals campaigned during unprecedented times with passion and purpose. In doing so, they elevated the stories of working families in need, placed a spotlight on injustices that must be resolved, and crafted solutions that can help fix today's crises. I hope to partner with them for years to come.

I'd like to especially thank Jesse Mermell. This race was close, and I'm proud to have run alongside her.

To my family, most especially my wife, Michelle, and my son, Teddy: it is a joy to share this journey with you. I am indebted to you for your patience and support during a difficult year. I love you.

Though this is a moment of celebration, our campaign is not over. Let's unite now, as Democrats, to win on November 3rd – both here and across the nation. We must defeat the Republican nominee, a Trump Republican. We must rally behind Joe Biden and Kamala Harris to defeat the Trump agenda and get to work rebuilding this country: its institutions, its confidence, and its commitment to justice.

That work starts here at home. There's much to be done across

our district, and it should begin by focusing on an inclusive economic recovery for all of the Massachusetts Fourth. We must leave no one behind.”