



BOSTON CENTER FOR
INDEPENDENT LIVING



To: Hon. Maura Healey, Governor; Hon. Kim Driscoll, Lieutenant Governor; and Governor's Staff

Re: Concern with Open Meeting Law reforms in the Municipal Empowerment Act

February 26, 2023

Dear Governor Healey, Lieutenant Governor Driscoll, and Staff,

Our coalition of disability access and open government advocates came together during the pandemic to build on temporary changes to the Open Meeting Law (OML) that expanded public access. Those temporary reforms removed long-standing barriers for many groups including people with disabilities, the elderly, people without transportation access, and more, by enabling people to participate in public meetings without having to attend in person.

However, in order to permanently secure the benefits of expanded access going forward, it is not enough to codify the temporary reforms. Now that the public gathering restrictions of the pandemic are thankfully behind us, allowing public bodies subject to the OML to conduct their meetings in any format they wish means that some bodies will revert again to meeting exclusively in person, shutting people out anew. For this reason, our coalition supports legislation to strengthen the OML by guaranteeing hybrid or remote access for everyone.

We met with members of your team last April to discuss this goal, so we were surprised and disappointed when we saw that the Municipal Empowerment Act would permanently reform the OML without ensuring adequate access for people with disabilities and others.

Respectfully, the Open Meeting Law provisions of the Municipal Empowerment Act are a step backward. These reforms will shut people out of the democratic process by only allowing — and not requiring — municipalities to provide hybrid or remote participation options. Giving every government body covered under the OML complete discretion about how to provide public access to their meetings means people with disabilities, parents with young children,

people with limited transportation, and others will be completely shut out when city councils, select boards, or school committees decide to hold meetings exclusively in person.

We're also concerned that the level of access to local public meetings will vary dramatically from municipality to municipality, or meeting to meeting. The Open Meeting Law has always ensured a statewide standard, and should continue to guarantee equal access for all residents.

As we mentioned to your staff, we believe it is time to remove long-standing barriers to participation by guaranteeing a reasonable level of hybrid and remote access under the OML. We hope that you will consider a more robust and equitable set of permanent reforms than those initially proposed in the Municipal Empowerment Act, and we look forward to working with you, the House and the Senate to pass and enact such legislation.

Sincerely,

ACLU Massachusetts

Boston Center For Independent Living

Common Cause Massachusetts

Disability Law Center

League of Women Voters of Massachusetts

Massachusetts Newspaper Publishers Association

Massachusetts Public Interest Research Group

New England First Amendment Coalition

New England Newspapers and Publishers Association