



## **Brookline PAX Recommendations**

### **Special Town Meeting, November 19, 2013**

#### **Article 6 & 7 – Establish new bylaws concerning Registered Marijuana Dispensaries (RMDs) **SUPPORT****

PAX commends the Town officials who have honored both the strong mandate of our citizens to make possible a Registered Marijuana Dispensary in Brookline, and their promise at the Annual Town Meeting not to unnecessarily prolong the moratorium enacted at that time. It appears that these articles have adopted only reasonable restrictions (e.g., the “buffer zone”), and they deserve passage. Time is of the essence due to the limit of five per county.

#### **Article 10 – Off-street Parking Space Requirements (Zoning Bylaw) **(No Recommendation)****

While we appreciate the hard work that many people have put into producing this proposal, we remain unconvinced as to its likely and/or significant marginal impacts on several areas of concern to PAX—specifically, climate change, the development of affordable housing, avoidance of additional density in the already-dense parts of Brookline (which are among the densest in the state), and a steadily increasing school population. The PAX board wants to hear these issues debated on the floor.

#### **Article 16 – Resolution urging selectmen to fill Human Relations Commission vacancies **SUPPORT AC MOTION****

Since last spring, PAX has repeatedly urged the selectmen to fill the vacant seats on the Human Relations-Youth Resources Commission. The number of vacancies initially made it difficult to obtain a quorum; the number today makes it impossible. The Committee on Town Organization and Structure also recommended to the selectmen last spring that the Commission “be brought up to full strength as soon as practically possible.” The work of the selectmen’s Diversity Committee has been a singularly unconvincing reason not to fill the seats as mandated by the Town By-laws.

We are not convinced that Town Meeting should recommend the appointment of any particular candidates, especially unnamed ones. However, the Advisory Committee amendment makes clear enough that of all committees and commissions, it is this one that must contain a substantial representation of people of color. And we are pleased that the selectmen—no doubt spurred by this article—last week began to interview candidates in earnest.

#### **Article 17 – Resolution concerning U.S. approach to Syria **SUPPORT PETITIONERS’ MOTION****

Revised as a result of the promising diplomatic developments regarding both Syria and Iran, the petitioners’ motion now commends the Obama administration for its restraint and urges it to continue vigorously pursuing a diplomatic course to resolve the tensions in Syria. The petitioners have made extensive changes in the original version of the resolution to meet most of the stated concerns of both the Advisory Committee and the selectmen.

#### **Article 18 – Resolution urging selectmen to remove DHS cameras **SUPPORT****

This is basically the resolution that Town Meeting passed by about 2-to-1 in 2009, opposing the installation of DHS-funded police cameras in major intersections across town. Sentiment then was for freedom from intrusive surveillance, especially if accessible to national databases, that was seen to violate our citizens’ privacy—maybe our rights under the Fourth Amendment (if not for a Supreme Court that has eviscerated it), but in any event the sincere desires and expectations of many of our neighbors. Since then, the selectmen, unconvinced by major British studies concluding that even widespread cameras provide very limited public safety benefits, instituted a nighttime-only “compromise”; now they are being urged by Chief O’Leary, whom we otherwise greatly respect, to expand to 24/7.

To do so, they must turn a blind eye both to rapidly developing technological developments and to radically increasing government intrusions into privacy—intrusions that would have grossly offended the core values of our Founding Fathers. Some isolated violent and traumatic events, especially the Marathon bombings, have led our Police Chief and the selectmen farther and farther down this slippery slope, often downplaying the proven utility of proliferating, but far less worrisome, private cameras. While we, too, are frightened by such shocking attacks, we are equally alarmed by recent revelations of our government’s spying on millions of U.S. citizens and on our allies and their leaders. Exaggerated (albeit unintentionally) safety “needs” are coming at an increasingly high price.

The police in Boston (as in other cities) have a unit that infiltrates religious and political organizations, spying on law-abiding citizens with all manner of technologies in the guise of identifying “terrorists.” Rummaging through our trash bags (which must be put out on the sidewalk in Brookline) and collecting DNA of arrestees have already been approved by the Supreme Court. Facial recognition programs are already in use by numerous state, local and federal law enforcement agencies, and municipal surveillance drones are well on their way—some 15,000 are reliably projected in the next ten years. A slippery slope, indeed.

We now have record-breaking low major crime in Brookline, and our police are very good at solving it without surveillance. Although they currently enjoy the trust and respect of most residents, a future change in their leadership could present many risks, including repression of First Amendment rights and gradual transformation into a less “free” community. This is a country-wide phenomenon to which an aware citizenry must cry “Stop!”—now. Whether night-time only or, worse, 24/7, cameras that do the bidding of a Department of Homeland Security—including the NSA, FBI, etc.—are a menace to a free society and should be removed.

A free society makes many trade-offs to stay free. Those in Article 18 are clearly worthwhile. Ben Franklin said, *"They that give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety."*

And as Supreme Court Justice Brandeis put it, *"The makers of our Constitution ... conferred, as against the government, the right to be let alone— the most comprehensive of rights and the right most valued by civilized men. ... Experience should teach us to be most on our guard to protect liberty when the Government's purposes are beneficent. Men born to freedom are naturally alert to repel invasion of their liberty by evil-minded rulers. The greatest dangers to liberty lurk in insidious encroachment by men of zeal, well-meaning but without understanding."*

Marty Rosenthal (TMM-9) and Frank Farlow (TMM-4), Co-chairs

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