

diversity of Town departments and staff. The School Superintendent and the Library Director, or their designees, shall annually provide a report to the Commission on their statistics on employment diversity, including but not limited to the most recently completed EEO-5 form. The Police Chief shall annually present a report to the Commission on other police matters that touch on the Commission's mission. The Commission may respond to such reports through dialogue and/or through written reports; and all Town departments, including the Brookline Public Schools, are encouraged to cooperate with the Commission as it reasonably requests.

#### SECTION 3.14.6 REPORT

With the assistance of the Director, the Commission shall submit an annual report to the Select Board, the School Committee, and the Board of Library Trustees, detailing its activities and the results thereof. This report shall include (i) a review of the implementation of the diversity and inclusion policy by the Town, (ii) the Commission's Goals and a report on the extent to which the goals have been achieved to that point, (iii) a review of reports received by the Commission from the Director of Human Resources, the School Superintendent, the Library Director, and other Town departments or agencies, (iv) a narrative discussion of any impediments to the implementation and achievement of the Commission's Goals and its diversity and inclusion policy, and (v) recommendations of ways that such impediments could be removed. A synopsis of such report shall be published as part of the Annual Report of the Town.

#### SECTION 3.14.7 FIVE YEAR REVIEW

Beginning no later than July 1, 2019 and at least every five years thereafter, the Commission shall review this Bylaw and any other related Town by-laws, in consultation with other pertinent departments, and propose changes if necessary, by preparation of appropriate Warrant Articles for consideration by Town Meeting. The Commission shall prepare a written report summarizing its review and proposing any changes no later than February 1, 2020.

### **ARTICLE 25**

Submitted by: Amy Hummel, TMM12

To see if the Town will adopt the following version of a new Article 8.39 of the Town By-Laws,

#### ARTICLE 8.39

#### BAN ON TOWN USE OF FACE SURVEILLANCE

##### SECTION 8.39.1 DEFINITIONS

1. "Face surveillance" shall mean an automated or semi-automated process that assists in identifying an individual, or in capturing information about an individual, based on the physical characteristics of an individual's face.
2. "Face surveillance system" shall mean any computer software or application that performs face surveillance.
3. "Brookline" shall mean any department, agency, bureau, and/or subordinate division of the Town of Brookline.

4. "Brookline official" shall mean any person or entity acting on behalf of Brookline, including any officer, employee, agent, contractor, subcontractor, or vendor.

#### SECTION 8.39.2 BAN ON TOWN USE OF FACE SURVEILLANCE

1. It shall be unlawful for Brookline or any Brookline official to:
  - a. obtain, possess, access, or use (i) any face surveillance system, or (ii) information derived from a face surveillance system;
  - b. enter into a contract or other agreement with any third party for the purpose of obtaining, possessing, accessing, or using, by or on behalf of Brookline or any Brookline official, (i) any face surveillance system, or (ii) data derived from a face surveillance system; or
  - c. issue any permit or enter into a contract or other agreement that authorizes any third party to obtain, possess, access, or use (i) any face surveillance system, or (ii) information derived from a face surveillance system.

#### SECTION 8.39.3 ENFORCEMENT

1. Face surveillance data collected or derived in violation of this By-Law shall be considered unlawfully obtained and shall be deleted upon discovery, subject to applicable law.
2. No data collected or derived from any use of face surveillance in violation of this By-Law and no evidence derived therefrom may be received in evidence in any Town proceeding.
3. Any violation of this By-Law constitutes an injury and any person may institute proceedings for injunctive relief, declaratory relief, or writ of mandate in any court of competent jurisdiction to enforce this By-Law. An action instituted under this paragraph shall be brought against the respective Town department, and the Town and, if necessary to effectuate compliance with this By-Law, any other governmental agency with possession, custody, or control of data subject to this By-Law.
4. Violations of this By-Law by a Town employee shall result in consequences that may include retraining, suspension, or termination, subject to due process requirements and provisions of collective bargaining agreements.
5. Nothing in this Article shall be construed to limit any individual's rights under state or federal law.

or act on anything relative thereto.

#### **ARTICLE 26**

Submitted by: School Committee; Deborah Brown, TMM1; Anne Greenwald, TMM8; Maya Norton

To see if the Town will vote to name the PK-8 school located at 345 Harvard St., Brookline, MA 02446 the "Florida Ruffin Ridley School", effective September 1, 2020, or act on anything relative thereto.