

Four Freedoms Democratic Club Board Meeting May 11, 2021

Attendees: Flor, Erica, Jordan, Gabe, Amy, Jeremy, Jon, Alex, Frank, Ben, Lauren, Marina, Jerry, Esther, Ruth, Kim

Proposed Revisions to Code of Ethics

- Currently Adopted Code of Ethics (Exhibit A)
- Proposed Code of Ethics (Exhibit B)
- Discussion:
 - We should not vote on this at this meeting, but instead have a discussion and reflect
 - Might require a bylaws change, especially if we want to give independence, but a board member needs to be persuaded that we need an ethics committee
 - As a board, we are uniquely positioned to uphold the values of the members
 - We might want to be too procedural than not procedural enough. If we feel we need to remove ourselves as a board from a specific instance, we need something there that kicks in.
 - Are other clubs doing this? How do they handle situations like this? And kudos to us for taking this on!
 - Erica didn't see anything from local political clubs
 - MYD does it where the board handles it but if a board member is involved they have the full membership vote to create an ethics committee
 - We should approve what's before us and then tweak and add to it later
 - We shouldn't push things off though—we don't want to continue with the “we need it, where is it?”
- Motion to adopt the proposal by Jordan
 - Amy wants to amend the motion so as to give a set date of when to come back with amendments
- *Motion was tabled. By next board meeting, Erica et al will work on amendments to the proposed procedures to be voted on then*

Complaints of Ethics Violations at April Meeting

- Complaint of Amy (Exhibit C)
- Complaint of Helene (Exhibit D)
- Complaint of Flor (Oral)
- Complaint of Jeremy Berman (Exhibit E)
- Discussion:
 - This is an important discussion and we should use it as an opportunity to decide how we want members to engage with one another moving forward. What seems obvious to some is not obvious to others when it comes to how we engage. Saying shut up to someone else is inappropriate discourse.

- Would like for this to be a learning moment instead of focusing on punishment. We invited Antonio to speak to us about unconscious bias, and a board member was offended with Member 1 comment in the chat. By doing that, Member 1 took the attention away from what we asked Antonio to come and speak with us, and we missed what he said as a result. Member 2 is Puerto Rican man and identifies as Latino. We shouldn't do anything more than encourage both 2 and Member 1 to attend our unconscious bias training and make a statement at our next meeting about how we expect members to conduct themselves. But we do not need to formally vote to discipline anyone.
- Nonwhite was an insulting word to be used. I wanted to be the one to say something about it because I couldn't find the courage because every time Member 2 sees me, he bullies me. I do not want to be known as nonwhite.
- Someone needs to speak to Member 2. The details here matter. I went back and listened to the meeting and the phrase used nonwhite had been used once, and it was not used in the way we are implying here at this meeting. When Member 1 jumped in at that sentiment, Member 2 jumped down his throat in a very aggressive way that turned off current and prospective members. If we are approaching this moment with grace it would be to assume the best intention of all sides.
- Not really sure what the action on the table is, if there's a free-flowing discussion or there is something to vote on. If this was anyone other than Member 2 the convo would probably be different.
 - There is nothing on the table right now, just having a discussion but once we all express our views, we will entertain motions
- What complicates this is what was brought up before is that this might be a pattern of behavior. It is worth, even in a non-disciplinary way to reach out to Member 1 to talk about it, but with Member 2 it's different. If someone doesn't feel comfortable speaking up at our meetings, that's an issue. As far as I know, no one talked to Antonio about this.
- We also need to discuss what facilitation looks like moving forward.
- Talking to Member 2 will not improve his behavior.
- The remote element might make this more complicated. There is no love lost between me and Member 2, he's screamed at me on many occasions but I do think we want to try and be consistent and understand what we are punishing. Do I think that someone who makes a comment in a chat that's insensitive, yes. But words and actions are different and Member 2's were close to action in trying to silence other members.
- Someone said that Member 2's words could drive away members and potential members, but so could Member 1's words. Maybe the convo with Member 2 needs to be stronger than the convo with Member 1, but by not talking to Member 1, the Club is saying we don't have the people who were hurt backs.
- I am not looking for Member 2 to be punished for being impolite to me in the street. I could've been the one to say what Member 1 did and that's because it is not a term accepted in my community. Attacking a rich white person is the most racist thing a person can say.

- I'm in favor of speaking to Member 1 and on the other hand we give Member 2 a more formal warning
- I think Member 2 is unhinged. Having a discussion with him is going to be volatile. If we don't address it we kind of enable him. We have to draw the line about what is acceptable and what isn't. We should write a letter to Member 2 and just sign the board and say this is not the behavior we expect. We can address it to Member 1 too and say we need to be kinder to everyone. It's not a matter of punishment.
- Motion from Jerry: With respect to Member 2, Jerry will draft an email that will politely but firmly say it's not acceptable to tell people to shut up and tell them they cannot have an opinion at a meeting, and if it continues, we might have to ask him to leave a meeting
 - Seconded by Jordan
 - Amendment proposed to drop the end because it can sound like a threat. Jerry accepts it as a friendly amendment.
 - It was raised that it sounds like we are afraid of Member 2. Jerry says that's not true. He will send a draft email around to those who want to give input. He thinks it's important to put things in writing.
 - Ruth is unsure if it's proper for her to vote because she didn't see the chat
 - VOTE: passes unanimously
- Motion from Jeremy: With respect to Member 1, draft communication that says that the way he communicated his opinion upset some people
 - Seconded by Marina
 - Amy says there are people that disagree with it because what he said wasn't wrong. Jeremy clarifies that it's about the way he brought up his comment, not what his comment was.
 - Alex thinks it's clear to Member 1 that people are upset because of responses in the chat. The facts and the details here matter and I don't want us to buy into a narrative that didn't occur.
 - Not sure its appropriate for us to recommend someone take a course that's being given by one of our members
 - I don't know what context Antonio used this term in but if he was using it to prove a point then I understand that. What came back to my mind was our meeting where someone spoke to a member who asked "why did they kill that girl" at the Black History Month event. Does Member 2 saying shut up warrant more discussion than Member 1 interrupting Antonio?
 - I don't believe that we would be having this conversation about Member 1 if Member 2 hadn't gone after him.
 - I don't think a motion like this is a good use of our time. It feels like a tit for tat just because we are talking about Member 2.
 - VOTE: 4 in favor, 6 opposed, 1 abstention *motion fails*

Scott Stringer Endorsement

- Ben circulated a reso about this earlier. Many people are not only upset about the accusations but his conduct towards the person who made the accusations. I don't want it to distract from the important work we will be doing in the next few weeks. It is in the

best interest of our club that was disassociate ourselves from his campaign. I do not want to drag this to a full membership meeting.

- Ruth points out how the full membership voted on the endorsement, and doesn't have the authority to rescind an endorsement without the full membership
- Our bylaws do not lay out how we move forward with rescinding endorsements. The board controls how our resources flow. We can make a statement and we don't want club members to feel alienated on procedural grounds.
- Jordan is in favor of Ben's proposal. The real question shouldn't be whether we believe the accusations. Question should be what is the risk of continuing to support Stringer? And the risk is very large, the benefits to continue supporting him are low.
- It's important we take this action and adopt this whether you believe the allegations because of the specific part a democratic club is involved and the power dynamics that do exist there behoove us to take it up. For the purpose of this vote, Dan Quart said that everyone knows FFDC shows up for our candidates. It does seem clear that our club heart is no longer in this race.
- I give Ben credit for a well-thought out solution to a problem that could become all-consuming. But this is not a recession of the endorsement, so if it does not go far enough for some board members, then we need to bring it the full membership.
 - Ben thinks this rescinds our endorsement.
- It's very important for Four Freedoms to rescind endorsement. I don't appreciate what Scott did. I would like to bring this up at the full meeting
- Are other clubs rescinding their endorsement? (Yes.)
- Two motions will be on the table:
 - One is to support Ben's statement.
 - Seconded.
 - Motion carries, 3 abstentions
 - The second is to bring the recession to the full membership, noting on the website that our endorsement is under review
 - Frank seconds. Vote passes unanimously
- A third issue, though is do we then do a substitute endorsement? Concern is that we have some really great speakers lined up plus a forum.
 - Gabe doesn't think a vote on a new endorsement will take up a lot of time, encourages a quick up and down vote
 - Marina said we did RCV! Alex could recalculate without Scott (Alex agrees)
 - Amy said we should give members the opportunity to decide if they want to re-vote
 - Esther thinks our statement and not rescind could be confusing. And that we should not have a new endorsement vote.
 - It sounds like we have two options before us: We hold a rescission vote and have a new endorsement vote, or we hold a rescission vote without a new endorsement vote.
 - Motion: if the rescission passes, immediately following we will have a follow up endorsement vote.
 - Seconded
 - In favor – 6 Against -- 5

Campaign Issues (Jerry, Kim, John and Esther to recuse themselves)

- All 3 have departed
- Formation and Funding of Independent Expenditures Committee
 - Motion from Gabe to form a political independent action committee with Jerry as president and treasurer, and transfer 10k for the purpose of supporting our endorsed candidates. Allows us to do this without running afoul of the law. 10k is an approximation, if it's more we can be told.
 - Jerry would do all of the compliance stuff
 - What percentage of our budget is this? It's a little less than 50%.
 - VOTE: 6 in favor, 1 abstained.

Exhibit A

Four Freedoms Democratic Club Code of Ethics and Conduct

Section 1. Applicable Parties.

This code of ethics and conduct shall apply to all Four Freedoms Democratic Club (FFDC) Officers, FFDC Board members, and FFDC Committee and Working Group Chairs, general FFDC members, and all candidates and elected officials (hereinafter known as “applicable parties”).

Section 2. Applicable standards

Under no circumstances are racism, misogyny, sexism, ableism, bullying, discrimination, or harassment of any kind to be tolerated by or among applicable parties. Harassment or discrimination based on race, color, religion (creed), gender, gender identity and expression, age, national origin (ancestry and/or culture), disability, marital status, sexual orientation, or military status will not be tolerated.

Applicable parties, as well as non-members attending an FFDC event (i.e. event-goers), or participating in a conversation on an FFDC-controlled social media page (including the club's Facebook and Twitter accounts and any other similar website), shall treat each other with respect and dignity and are expected to encourage a welcome, open space for all individuals, free of bullying, harassment, and discrimination. FFDC Officers and members shall be respectful of and promote equality among race, gender identity and expression, and sexuality. FFDC will not tolerate any harassment or any other unwanted interactions by or to non-members at an FFDC -hosted or co-hosted meeting or event, whether the meeting or event is in person or online.

Section 3. Remedy

Failure to adhere to this code may result in accountability measures including but not limited to removal from an event or any other accountability measure as prescribed in the FFDC by-laws and constitution.

Exhibit B

Proposed Revisions of FFDC Code of Ethics and Conduct

Four Freedoms Democratic Club

DRAFT: Updated Code of Ethics and Conduct

Section 1. Applicable Parties.

This code of ethics and conduct (hereinafter known as “the Code”) shall apply to all Four Freedoms Democratic Club (FFDC) Officers, FFDC Board members, and FFDC Committee and Working Group Chairs, general FFDC members, and all candidates and elected officials (hereinafter known as “applicable parties”).

Section 2. Applicable standards

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Section 3. Remedy/Recommendations

Failure to adhere to this code may result in accountability measures including but not limited to removal from an event, required attendance at an unconscious bias training or a similar event, or any other accountability measure as prescribed in the FFDC by-laws and constitution.

Section 4. Submitting a complaint

If an applicable party or non-member attending an FFDC event believes the code was violated, they may submit a complaint for review and investigation by the Ethics Committee.

Such complaint should be filed as soon as possible. The complaint must include:

- The name of the person submitting the complaint and their contact information, including email and phone number;
- The date or in the event a specific date cannot be determined, the date range, that the alleged incident(s) took place;
- The names of parties involved in the alleged incident, including the name of the person who allegedly violated the code, the person or people harmed, and potential witnesses;
- Details of the alleged incident in violation of the code

The complainant may also include any supporting documentation, and/or reconciliation and accountability measures sought by the complainant.

The complaint should be submitted via email to: xxxxxxxxxxxx. If submitting the complaint electronically is a barrier for a complainant, they may request to speak with the chair of the ethics committee, who will write up the complaint on behalf of the complainant.

Section 5. Responding to a complaint

Within 15 days of receiving a submitted complaint, the Ethics Committee shall notify the respondent of the alleged misconduct. Respondent shall have 15 days to respond, if they so choose, to the complaint. The response should be submitted via email to xxxxxxxxxxxx. If

submitting the complaint electronically is a barrier for a complainant, they may request to speak with the chair of the ethics committee, who will write up the complaint on behalf of the complainant.

Section 6. Investigation

Upon receipt of the response, or 15 days after the respondent was notified of their alleged misconduct, the Ethics Committee shall conduct a thorough investigation of the complaint. The investigation must include, but may not be limited to:

- Follow-up interviews with the complainant and respondent in order to go over the alleged violation and ask any follow-up questions;
- Interviews with any potential witnesses;
- Acquiring and reviewing supporting documentation

The Ethics Committee must keep contemporaneous notes of the investigation. The investigation must not take more than 60 days. Should the committee need additional time, they can seek an extension of up to 60 days from the FFDC Board by a simple majority vote. Should an extension be granted, the Ethics committee must notify all parties involved.

Once the investigation is complete and within the 60 day time period, the Ethics Committee must formally submit its findings and recommended remedies to the FFDC Board. The Ethics Committee must also notify the complainant and respondent that the investigation is complete and that a report has been submitted to the FFDC Board.

At the monthly scheduled board meeting immediately following the submission of the report, the Ethics Committee will present its findings and recommendations to the Board, and answer any questions.

Section 7. Adoption of recommendations

Recommendations made by the Ethics Committee shall be adopted by a two-thirds majority vote. In consultation with the Ethics Committee, recommendations may be amended by the board.

Within 3 days of the adoption of the recommendations, the Ethics Committee will notify the complainant and respondent via email.

Section 8. Confidentiality

Complaints and deliberations shall be confidential until a decision is reached. Violation of confidentiality will result in the immediate removal from the Ethics Committee, and may result in removal from the FFDC Board, and/or general membership.

Exhibit A

Complaint of Amy Schwartz

Hi Jerry,

Over the weekend, Flor de Maria Eilet reached out to alert me to an upsetting act of bullying on chat during the 4/15/21 board zoom meeting. I was unaware of the exchange on chat; Flor emailed the attached photo of the statements by Member 2 Bolobin during the chat.

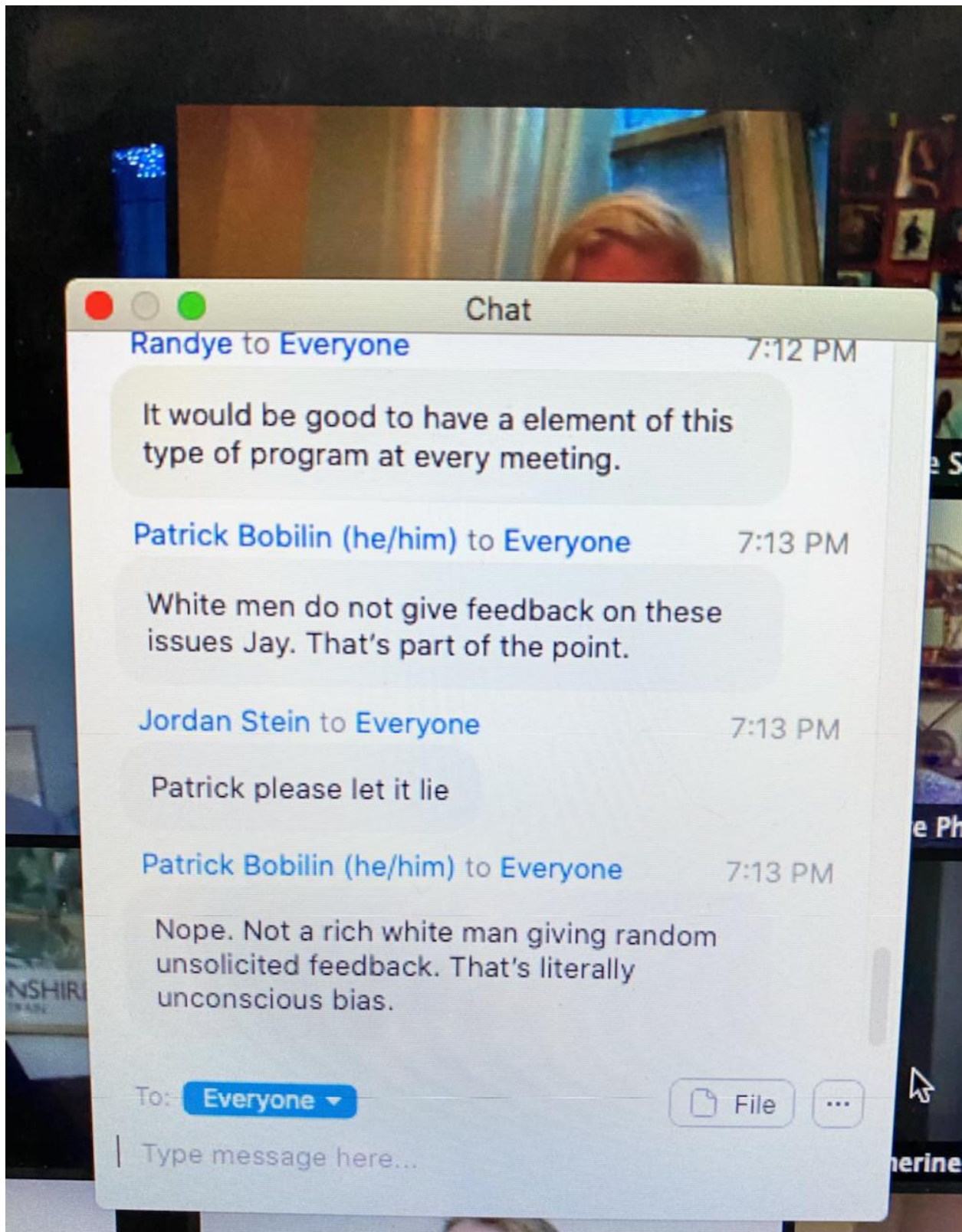
I also heard from another FFDC member, who was disheartened by Member 2's bullying behavior on Chat during the 4/15/21 meeting. I understand some members are sympathetic to Member 2's behavior, but I believe his bullying was inappropriate, especially in light of the broader topic of non-discrimination upon which he was commenting. I also invited several guests to the meeting, with hopes of recruiting as new members. I was disappointed by his aggressive behavior.

I recommend that we review, and invoke the recently adopted Code of Ethics. It clearly states that we would not tolerate bullying, and other forms of harassment, and authorizes remedy action. I attach a draft of the Code of Ethics, which I believe is the one adopted by the Board in January.

Please advise how you recommend we move forward.

Thanks,

Amy



Randye to Everyone

7:12 PM

It would be good to have a element of this type of program at every meeting.

Patrick Bobilin (he/him) to Everyone

7:13 PM

White men do not give feedback on these issues Jay. That's part of the point.

Jordan Stein to Everyone

7:13 PM

Patrick please let it lie

Patrick Bobilin (he/him) to Everyone

7:13 PM

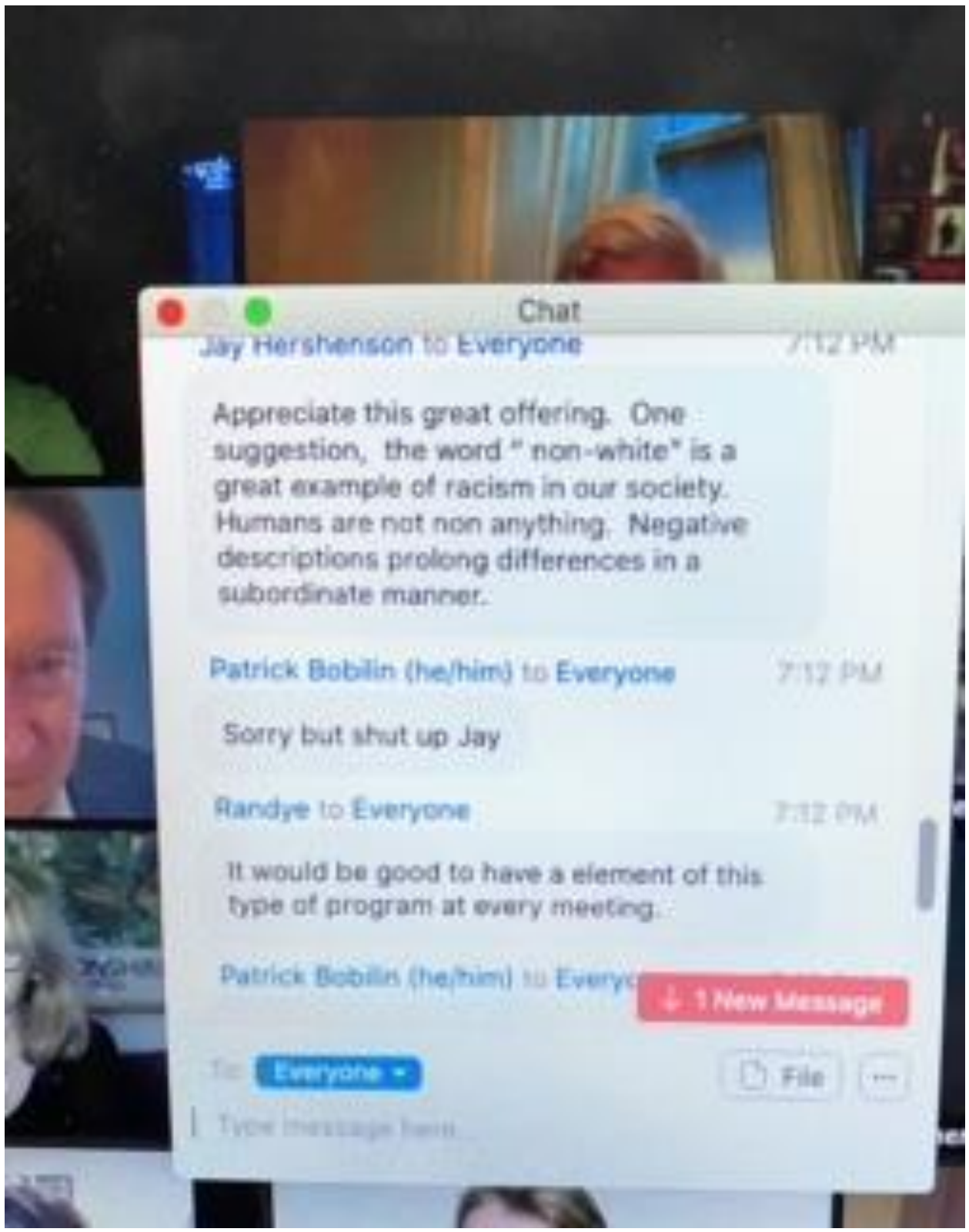
Nope. Not a rich white man giving random unsolicited feedback. That's literally unconscious bias.

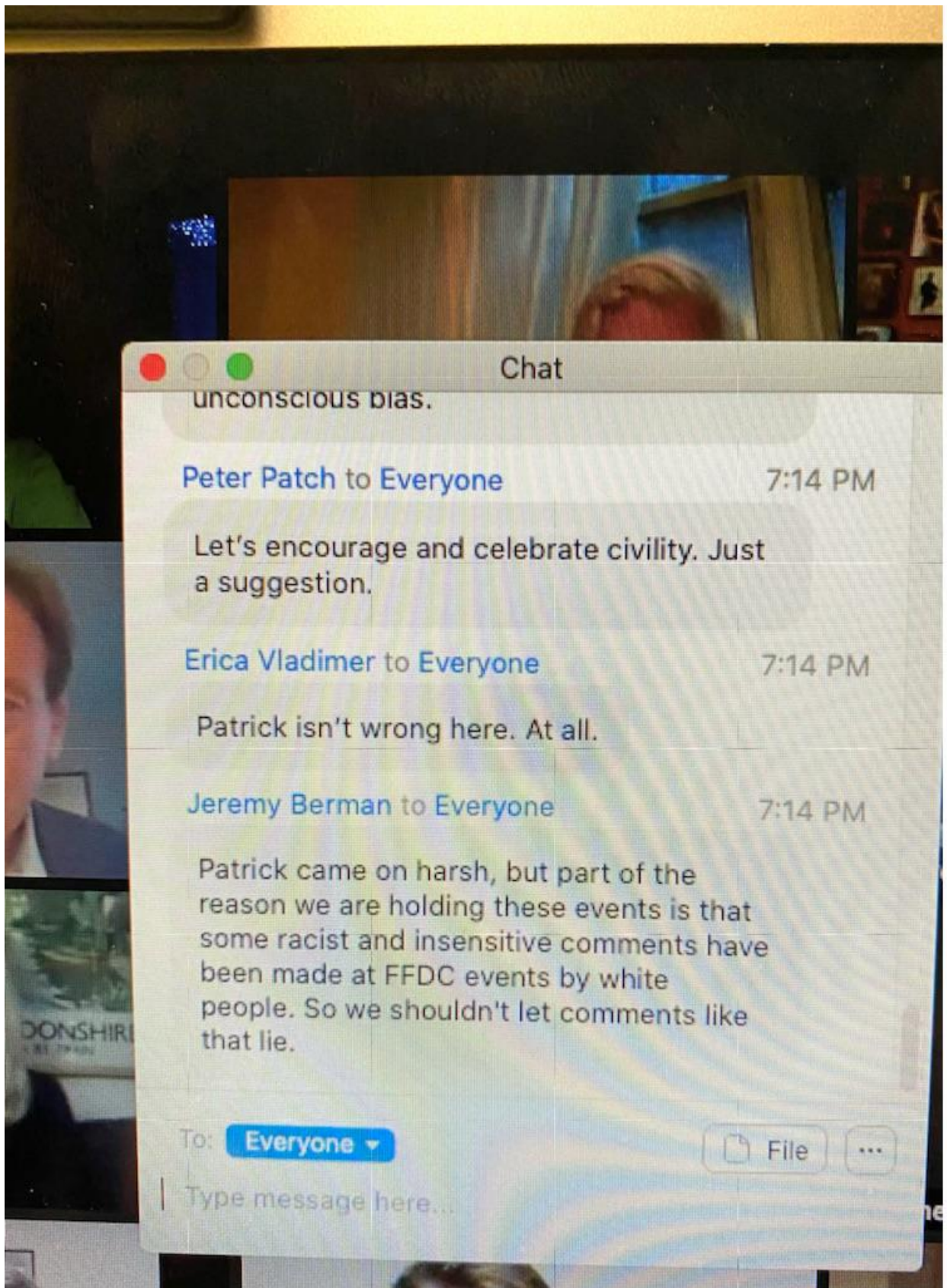
To: Everyone ▾

File

⋮

Type message here...





unconscious bias.

Peter Patch to Everyone 7:14 PM

Let's encourage and celebrate civility. Just a suggestion.

Erica Vladimer to Everyone 7:14 PM

Patrick isn't wrong here. At all.

Jeremy Berman to Everyone 7:14 PM

Patrick came on harsh, but part of the reason we are holding these events is that some racist and insensitive comments have been made at FFDC events by white people. So we shouldn't let comments like that lie.

To: Everyone

File ...

Type message here...

Exhibit 2

Complaint of Helene Goldfarb

Dear Jerry,

I am a relatively new member of the club and I have a couple of things that I would like to discuss with you. I am not sure when would be a good time to speak. You can call me at 212-517-3144 any time today except between 1 and 2.

Here are the two problems for me right now...

1. I have been a dues paying member since January but have yet to get any announcements of the meetings. I think I am now able to vote but if my friend did not send me the link, I would not know how to get on the meeting. Three months is too long.

2. At last night's meeting, I found Member 2's response to Member 1 Hershenson abusive and unnecessary even though I agreed with Member 1 on the use of the term "non-white." I thought all members of the club could make their feelings known without being called names and being told to shut up. Why didn't you call him out for doing what he did. Telling Member 1 to shut up was not only abusive but uncivil and makes other members of the club not willing to speak at meetings. This is not what I expected this club to be like.

I would appreciate hearing from you on these two matters.

Thank you.

Helene D. Goldfarb

Exhibit 3

Complaint of Jeremy Berman

At our last general body meeting, we invited Antonio del Rosario to speak to us about a training we've invited him to give members on unconscious bias and racism, and microaggressions. In that discussion, Antonio used the phrase "non-white," a phrase which he extended to himself as well. Member 1 Hershenson, who had not been invited to speak on this concept, posted the following in the group chat:

"Appreciate this great offering. One suggestion, the word "non-white" is a great example of racism in our society. Humans are not non anything. Negative descriptions prolong differences in a subordinate manner."

I was deeply offended to see Member 1, a white man, tell Antonio, a person of color who essentially told us all that he identified as "non-white," that Antonio's use of that phrase was an example of racism. Member 1 accused Antonio of racism in writing, when we had invited Antonio to teach us to be less racist. I believe that this inappropriate policing of Antonio's language, and this description of Antonio's language of self-description as an "example of racism," was bullying, in violation of our code of conduct. My recommendation would be that Member 1 be spoken to by a club member who can explain why his statement was inappropriate. I also think it should be strongly recommended to Member 1 that he take Antonio's course with us. I do not think any formal punishment is necessary here, just a conversation and encouragement to take the course.

I also want to speak about Member 2 Bobilin's response to Member 1, which was to tell him to "shut up." As I said in the public chat at that meeting, I thought Member 2's response was too harsh, and I don't think that language makes our conversations any better. However, I think we need to bear in mind that Member 2 is a Puerto Rican man who identifies as Latino, and just as some might want to extend grace to Member 1 for his perhaps unconscious bias, we also should extend grace to Member 2 for having a strong and hurt reaction to seeing a white man tell another Latino man that his self-description is "a great example of racism." I think it would be a horrible mistake for us to punish or reprimand Member 2 in any way beyond how we handle Member 1's comments, as it would be against our goals of having a group more welcoming to people of color to punish a person of color for their authentic reaction to what they saw as racism against them. This was not a matter of Member 2 telling someone to shut up because they expressed disagreement on tax policy or whether to defund the police, this was something that many in the group (including myself) perceived as a hurtful comment. I think this is a time to act with grace and understanding, and not with an eye towards punishment or strict adherence to a code of conduct regardless of circumstance.

