

## LOCAL NEWS

## Lowell City Council seeks further review of possible mechanism to remove elected officials for egregious conduct



Lowell School Committee member Bob Hoey, left, used an anti-Semitic slur to describe former Chief Financial Officer of Lowell Public Schools Gary Frisch during a live episode of the local TV program, "City Life." He later recanted about 15 minutes after being called out. "I shouldn't say those nasty names about people," he said. (Amy Sokolow/Lowell Sun)



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LOWELL — Citing concerns with the “slippery slope” of seeking a charter change to allow elected officials to be removed for egregious conduct, the City Council on Tuesday unanimously passed an amended motion that will put the idea through further vetting by the Law Department.

Councilor Rodney Elliott had initially put forward a motion asking the Law Department to prepare a vote to amend the city charter to allow for the removal of elected officials “for egregious, offensive behavior, and speech or conduct unbecoming of an elected official” by majority vote.

Under the amendments he made to the motion during the discussion, the Law Department will be asked to explore all possible options, such as instituting an official code of conduct and fair process for removal by ordinance and raising the margin to a two-thirds vote.

The matter will also be sent to the Rules Subcommittee to allow for resident input on the removal mechanism and process.

Elliott put forward the motion following former School Committee member Robert Hoey’s utterance of an anti-Semitic slur when referring to a former School Department employee on a local TV show Feb. 24.

Hoey resigned two days later. However, in the event he hadn’t, Elliott and others were concerned that there was no mechanism in place for removal of an elected official for such behavior.

Elliott said he doesn’t have all the answers and is open to exploring all possible avenues, but felt it was important to do something.

“We can put measures in place, we can keep our fingers crossed, or we can do nothing, and I don’t think that we should do nothing,” Elliott said. “It’s unfortunate, but to protect the very citizens and the charter, and the oaths that we take when we’re sworn in, I feel that we need to put in place measures that have consequences.”

He mentioned Mayor John Leahy’s previous comments that the mechanism could be “a slippery slope” if used for less egregious circumstances, and acknowledged that it could be used for political or frivolous purposes.

Councilor Vesna Nuon said he agreed it could be a “slippery slope” and was glad for Elliott’s amendments to the motion, which gained his support.

“Something like that is important to have in the city, either that be a code of conduct or a recall,” Nuon said. “Those are some things that we need to have, because if we don’t have that, our hands are tied.”

Councilor Bill Samaras said he believes the city needs a code of conduct for how public officials handle themselves in all settings. He said he also liked the idea of a recall because it puts the decision in the hands of the voters.

Councilor John Drinkwater said he agreed with the intent of Elliott’s motion, and that sending it to the Law Department was the right move.

Instead of approaching it through a charter change, Drinkwater said he thinks the right way is through drafting an ordinance that would “spell out a code of conduct” and remedies for egregious violations.

He said it is important that they be “extremely thorough” in defining the type of conduct that may warrant removal and making sure there is due process, “that if there is a proceeding to consider the removal of a member from office, that both sides of the argument have the opportunity to bring forward evidence and make that case.”

Fallon Manyika, a Lowell resident and member of the Diversity, Equity & Inclusion Consortium-Lowell, spoke against Elliott’s original motion.

She said it is important to hold elected officials to a higher standard for conduct, but she worried the wording of Elliott’s motion could be misinterpreted or used as a political tool.

“A majority vote removal process does not allow for the voices of the individuals and communities that have been harmed to be heard,” Manyika said.

Manyika implored city leaders to “engage the community to ensure that democracy is at the forefront” of the decisions they make, and that those decisions “reflect the voices, concerns and best interests of the people of Lowell.”

Earlier Tuesday, DEI Consortium-Lowell said more than 130 residents had signed onto a letter, penned in conjunction with Solidarity Lowell, Lowell Education Justice Alliance, Latinx Community Center for Empowerment and Afro-American Community Council, that asked the City Council to reconsider the specifics of Elliott’s original motion.

“While we support the awareness shown in this motion, we are concerned with the ambiguous language,” the letter states. ‘Offensive, egregious, and unbecoming’ are subjective and ambiguous terms, and developing an accountability measure around this type of phrasing could lead to abuse of such a mechanism.”

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The letter asked officials to undertake a more inclusive process with more community engagement of diverse voices before instituting this kind of mechanism.

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