

## **TMMA Executive Committee Minutes: June 20, 2006**

### **Attendance:**

#### **TMMA Officers:**

Gloria Bloom – (Chair Pct 4)  
Alessandro Alessandrini – (Treasurer Pct 2)  
Darwin Adams – (Clerk Pct 3)  
David L. Kaufman – (Communication Officer Pct 6)

#### **Precinct Officers:**

Pct 8: Melinda Walker  
Pct 7: Marsha Baker  
Pct 6: Jane Pagett, Edith Sandy, Deborah Strod  
Pct 5: Eph Weiss, Paul Hamburger, Andy Friedlich  
Pct 3: Bonnie Brodner, Reid Zurlo  
Pct 1: Ellen Basch

#### **Guests:**

Pct 3: Patrick Mehr  
Pct 8: Lorraine Fournier  
Pct 1: John Bartenstein – representing the Communications Working Group

#### **Agenda:**

Gloria called the meeting to order at 7:31 pm in room G-15 of the Town Office Building. The topic was “A Special Meeting regarding the publishing of aggregated public information on the TMMA email list server.”

Gloria outlined the scope of the discussion – that we need not make any decisions at this meeting, but to discuss the issues and recommend actions which might be placed on the warrant next year for a change to the Standards of Conduct for the TMMA.

The discussion began with several people making similar points:

- There is a distinction between Town Meeting and the TMMA. They are different legal entities with different rules.
- TMMA can express dismay regarding the public display of private information even when no rules or laws have been broken.
- TMMA received a formal letter of complaint from Ana Flaster and we should provide some kind of response.
- Perhaps TMMA should write a letter to Mr. Mehr expressing its opinions
- TMMA should be careful about its formal response. The website incident did not occur during Town Meeting and the website was not on a TMMA computer. The only connection with TMMA was the posting of a link to the website.
- The Acceptable Use Policy of the TMMA email list should prevent this sort of problem.

Patrick Mehr spoke about his motivations in publishing the information. He expressed a concern about the role of money in politics. He was shocked to see campaign contributions of \$5000 from individuals. He wanted to present his case on the website and back it up with facts so that people would believe that these large contributions actually occurred.

Edith Sandy felt that such actions might put a chill on larger donations to political causes.

Alessandro suggested that the website did not need to name names and the information could have been posted without personal identification of each donor. This is not a reflection of national politics where citizens or politicians expose personal information about candidates. This is elected officials publishing information about private citizens.

Patrick Mehr said that he could not understand why people would be embarrassed, but apologized for publishing people's date of birth and age.

Lorraine Fournier noted that the names of campaign donors were published in the Minuteman in 2003 and there was no outcry. Why are we so concerned about this information in 2006?

Gloria Bloom suggested that aggregating information – including spouses, where they work, and house assessments – and placing it on the internet where it is very public is quite different from simply naming donors and amounts in the newspaper.

Andy Friedlich announced that the Communications Working Group had drafted a resolution which might satisfy the needs of TMMA to respond to this situation. Andy read the resolution:

A controversy has arisen about the recent dissemination, via a link in a message on the TMMA list, of aggregated personal information, all taken from public records, about contributors to a ballot question committee. At issue is a well-recognized conflict between freedom of speech and the public's right to know the source of political campaign funding on the one hand, and the contributors' right to privacy on the other.

The TMMA Executive Committee does not believe it would be appropriate to amend its Acceptable Use Policy to preclude the communication of information that is a matter of public record, or that is derived from public records, and that otherwise meets the content and civility guidelines of the existing policy, nor to officially sanction or censure such conduct.

Nevertheless, the TMMA Executive Committee believes that Town Meeting Members and others eligible to post have a responsibility to exercise their privilege to communicate freely on the TMMA list in a way that is sensitive to and respectful of the privacy concerns of other TMMA members, staff members and town residents. It deplores the recent disclosure and publishing on an internet website of aggregated personal information, albeit obtainable from public records to the extent that the information presented went beyond what was necessary to establish a point.

The Executive Committee urges list members in the future to give careful consideration, before posting or linking to personal information about others, to the potential unintended consequences of such disclosure, including the risk of identify theft or harassment, and to make every effort to limit such information to that which is strictly necessary to make a point that is otherwise within the guidelines of the Acceptable Use Policy.

A discussion ensued regarding the proposed resolution. The discussion included more comments and questions about the nature of the posting and its potential consequences.

- There are other websites on the web that publish some personal information – e.g. “know-thy-neighbor.com”.
- Any analysis involves some aggregation of information. Simply presenting raw data would not make an effective presentation.
- There is nothing to stop the posting of personal information. The only link to TMMA is the posting of a link to the email list.
- What has TMMA done in the past when complaints have been made? (two people were removed from the TMMA email list for repeated violations of the AUP).
- Perhaps we could change the email list to a moderated list where each posting is examined prior to delivery to the list. (David Kaufman strongly opposed this).

Vicki Blier moved that the resolution created by the Communications Working Group be adopted. And that a letter be written by TMMA Executive Council and made public.

John Bartenstein asked that the resolution be in the minutes of the TMMA, but not published in the Minuteman.

Marsha Baker and John Bartenstein asked that the resolution not name Mr. Mehr directly.

A vote was taken on Vicki Blier’s amendment to the resolution. The amendment failed to pass.

Paul Hamburger suggested a slight change to the wording which would delete the word “disclosure”.

A vote was taken on this amendment. The amendment passed.

Some more wordsmithing ensued and the resolution in the following form was put to a vote:

Resolved,

A controversy has arisen about the recent dissemination, via a link in a message on the TMMA list, of aggregated personal information, all taken from public records, about contributors to a ballot question committee. At issue is a well-recognized conflict between freedom of speech and the public's right to know the source of political campaign funding on the one hand, and the contributors' right to privacy on the other.

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The Executive Committee urges list members in the future to give careful consideration, before posting or linking to personal information about others, to the potential unintended consequences of such disclosure, including the risk of identify theft or harassment, and to make every effort to limit such information to that which is strictly necessary to make a point that is otherwise within the guidelines of the Acceptable Use Policy.

The resolution, as amended above was voted and passes with one abstention.

Gloria asked if the group felt the resolution was an appropriate response to the request by Ana Flaster. The group agreed that it was responsive.

The meeting was adjourned at 9:11pm