

City of Cambridge

GOVERNMENT OPERATIONS, RULES

AND CLAIMS COMMITTEE MEMBERS

*Councillor Jim Braude, Chair
Councillor Henrietta Davis
Vice Mayor David P. Maher
Councillor Michael A. Sullivan
Councillor Timothy J. Toomey, Jr.*

In City Council November 6, 2000

The Government Operations Committee held a public hearing on September 21, 2000, beginning at 5:20 p.m. in the Sullivan Chamber for the purpose of considering a proposal for a home rule petition to enable non-citizens to vote in School Committee elections.

Present at the meeting were Councillor Jim Braude, Chair of the Committee, Vice Mayor David P. Maher, Councillor Michael A. Sullivan and City Clerk D. Margaret Drury.

Councillor Braude convened the hearing and explained the purpose. He invited the proponents to make a presentation.

Elena Latona, Executive Director of Centro Presente, 54 Essex Street, began the presentation. She stated that the petition is practical in that parents can make decisions regarding their children's schools. It also continues Cambridge's tradition of welcoming immigrants as full participants in the community and providing security and a sanctuary.

Mario Davila, Cambridge resident and employee of the American Friends Service Committee, stated that he has been in this city for seventeen years and is still waiting for citizenship. However, he has been a very active member of the community. He has two children in the Amigos School program in Cambridge. He is very concerned about what goes on in the schools. He added that in 1984 the City Council declared Cambridge as a sanctuary city for South American immigrants. Cambridge has a history of supporting immigrants. He urged the City Council to adopt a home rule petition to enable immigrants to vote in School Committee elections.

Natalie Smith, 385 Washington Street, staff member of the Campaign for Immigrant Voting Rights, stated that she is an immigrant mother of a nine-year-old child. Immigrants often feel compelled to hide the fact that they are not citizens. She feels that the child is not getting the very best education because of her immigrant status. She can understand not being allowed to vote in other elections, but the School Committee election is different. She cares deeply about the education of her child and wants to be able to voice her concerns to elected officials and know that they will listen. Allowing this vote will not discourage application for citizenship. The security of one's status here is the overriding concern. This would address the issue of parent participation where it is lacking. Yes, parents are allowed to go to meetings but immigrant parents are often working two to three jobs. In this situation, it is important for them to be represented at the School Committee.

Jean Jeune, Cambridge, stated that he is speaking on behalf of Haitian Services, 19 Brookline Street, and as a parent. He expressed his support for the proposal. It would allow parents to really participate in their children's education.

Councillor Braude asked how many kids in Cambridge public schools have non-citizen parents.

Mr. Davila replied that they do not have those statistics but that he speculates that about 20-25% of these children have non-citizen parents.

Councillor Braude asked whether the working committee members have thought about conditioning the right to vote in School Committee elections on certain criteria, such as having children in the school system, how long the family has lived in Cambridge, whether the parents have filed an application for citizenship, etc.

Ms. Natalie Smith stated that the campaign has discussed this, but no citizen in Cambridge has to show anything to vote. The committee would like the same rules to apply to non-citizens. There is a danger in setting up a different set of criteria for a particular group. There is also increased danger to non-citizens with respect to documentation.

Vice Mayor Maher asked whether the proposal includes both parents and non-parents, and was told that both are included.

At this time, Councillor Braude read a letter from Councillor Davis explaining that she could not attend this meeting because she is attending a work-related conference out of state and expressing her strong support for the proposal. He then invited comments from elected officials.

Nancy Walser, School Committee member, stated that she supports the proposition for two reasons:

1. To increase the interest and involvement of a broader group of families; and
2. To help the School Committee to better understand the educational problems these children face and the concerns that their families have.

She added that if immigrants could vote, they would be approached every two years by candidates and asked their opinions and concerns. It would also mean that immigrants would get to know their elected officials better and would feel more comfortable contacting them for assistance.

Alice Turkel, School Committee member, spoke in support of the proposal. We are trying to teach children in school to be active citizens. What are we telling kids if we do not let their parents vote? She said that parent involvement is key to improving schools and student performance.

Councillor Braude asked whether the proposal should include the right to vote for City Councillors.

Ms. Turkel said that there is idealism, but there is also strategy. This is a good first move. It would show that the proposal is positive, not threatening. For people with doubts, it is good to start with a small step.

Councillor Braude then moved to public comment and invited parents with small children to speak first.

Guy Stuart, 8 Florence Street, spoke in support. He is an immigrant, and his child has started kindergarten at the Fitzgerald School. In nursery school, he was allowed to vote as a member of the board and to participate fully in decision-making. This issue is a "no-brainer." He cannot understand why he cannot have a vote in electing the people who will make the educational decisions that affect his child.

Nancy Murphy Spicer, 478 Huron Avenue, stated that she is the mother of two Amigos program students. She is not an immigrant but several of the parents of her children's schoolmates are. They care as much about their children's education as citizens do. Especially in Cambridge, which celebrates diversity, there should be full opportunity for all parents to be involved in choosing the representatives who decide the issues that affect their children's education.

State Representative Jarret Barrios, Prospect Street, stated that he represents a number of parents in public schools. He urged the City Council to send to the Legislature a home rule petition to enable non-citizens to vote in School Committee elections. He said that over 30% of children in Cambridge public schools have parents who speak a first language other than English. This is one of the most important ways Cambridge has to involve parents. The moment that you enfranchise immigrants is the moment that candidates start knocking on their doors and seeking their opinions. School Committee elections should not be compared with other elections. The educational system is what improves a child's opportunities for success. Representative Barrios emphasized that citizenship is very important, but the reality is that it can take 12-18 years, before an immigrant is naturalized. By that time, their kids are out of school.

Vice Mayor Maher asked for Representative Barrios's best guess about the likelihood of getting this home rule petition through the legislature. Representative Barrios said that Amherst had a much broader bill which included City Council elections, and it was voted out of the Election Committee with a favorable vote. The Amherst bill had been filed late in the session and did not make it through the legislature before the session ended. He would work very hard to try to get this proposal enacted.

Councillor Braude asked Representative Barrios his opinion as to whether there be other criteria such as parenthood, length of residence in Cambridge, whether the individuals had children in the school system.

Representative Barrios said that we have to be very careful about setting up an administrative nightmare for the Election Commission. Also, such a credential-based system would inevitably intimidate non-citizens and prevent many from voting.

Ellen Schacter, 17 Marie Avenue, attorney for Cambridge and Somerville Legal Services, spoke in support of the proposal. She reported that at the Cambridgeport School, which her child attends, the School Council voted unanimously to endorse the proposal. There are many barriers that stand in the way of integrating immigrant families completely into the

system. This will empower them and help their children. It is also a great opportunity for Cambridge.

Hector Reismberg, Latino community liaison to the Cambridge Public Schools, spoke in support of the proposal. Immigrants leave everything behind to come to the United States. They are not looking for a quick "fix;" they understand the opportunities are for their children and know that a solid education is the key to this. He works every day with dedicated immigrant parents.

Rosa Beato, Co-Chair, School Council at the Kennedy School, reported the School Council's support for this proposal.

State Representative Alice Wolf, Huron Avenue, expressed her strong support for the proposal, on behalf of many whom she represents and as an immigrant herself. Her main reason for supporting this proposal is that there is nothing more important for children's education than the participation of their parents. They should have an ability to participate in those decisions. It is a wonderful way for these parents to become part of the system. There is a very long wait to become citizens.

Gustaf Pierre Louis, 101 Washington Street, translated by Germain St. Genevieve, expressed his support for the proposal. He has lived in Cambridge for more than five years. Immigrants care very much about their children's education and they pay taxes that go to support the school system.

Gerry Bergman, 82 Elm Street, spoke in support of the proposal. He has lived for thirty years in Area 4 which has the highest percentage of immigrants and children under 18. It is important to every single member of the community to create a community that fully involves all who live there.

Nekita Lamour, 645 Cross Street, Malden, stated that she is a former Cambridge resident forced out by high rents. She went to Cambridge public schools and her mother could not vote. Then her children went to Cambridge public schools and she could not vote until her child was a junior. This is not fair. Like most immigrants, she works very hard and pays taxes.

Reverend Vernon Little Arrow Carter, Harvard Street, spoke in support of the proposal. He thinks of the issue in philosophical terms. We are all connected. His niece is Philippino, his cousins are Cape Verdean; other family members are from Puerto Rico and several other countries.

Laurie Sutherland, 132 Pearl Street, organizer for the Painters Union, spoke in support. In her work she meets immigrants every day and has great respect for their struggles. They work and pay taxes and deserve the opportunity to have a say.

Councillor Braude read into the record a statement of support from Nancy Ryan, on behalf of the Women's Commission of which she is the Executive Director.

Cathy Hoffman, Executive Director of the Peace Commission and a Cambridge resident for 45 years, spoke in support of the proposal. This proposal is all about democracy, to involve every possible person. She does not support special requirements of being parents, etc. In her view, this is the beginning of non-citizens being able to vote in all Cambridge elections. She noted the issues of race and class in this city and the need for equity. She also noted the creation of Jews as a stateless people as a first step in Nazi Germany.

Claudia Lobo, Director of Social Services for Massachusetts Association of Portuguese Speakers (MAPS), spoke in support. It is important for parents to be represented and most important, to be part of the system. MAPS helped over 400 Portuguese speaking people to become citizens just last year. It can be a long process.

Steve Meacham, 10 Laurel Street, stated that we live in a world economic system which has been recently globalized. People are being pushed here. We need to welcome them when they come and create a community that includes all of us.

Jason Kramer, Associate Director of Campaign on Contingent Work, stated that over 30% (nationally and in Massachusetts) now find themselves in contingent jobs - part time, piece work, etc. Good jobs are being chopped up into lousy jobs with no benefits. Many immigrants work in these jobs. He urged support of the proposal.

Washington Taylor, 7 R.C. Kelley Street, spoke in support as a teacher.

John Downing, 17 Miller Avenue, stated this should be called the petition for the right of non-citizens to vote. He added that he knows of no other jurisdiction that allows non-citizens to vote. He said that it is unreasonable to equate participation in one's child's education to voting. There are many ways that non-citizens as well as citizens can participate in their children's education. He asked how illegal aliens can be distinguished and prohibited from voting. Failure to do so would provide an incentive to illegal aliens. Then what other special groups will seek the vote. SPOA (Small Property Owners Association) will be next. They own property but live outside of Cambridge. This proposal would dilute his vote as a property owner. A school committee vote can be an important budget vote. He urged rejection of the proposal. It is improper, dangerous, and not called for. Parents who are concerned should get active in their local schools and supervise their children's homework and activities.

Attorney John Wilshire Herrera, an immigrant and an attorney practicing immigration for over fourteen years described the complicated process involved in becoming a citizen. A large number of people wait a very long time.

Attorney Nancy Kelley, Greater Boston Legal Services, immigration lawyer, provided additional information on the difficult process.

Councillor Sullivan noted the misconceptions of the general public, for example, marrying a citizen. He then asked Attorney Kelley to describe other misconceptions. She explained that an immigrant has to be a permanent resident for five years before he/she can apply for citizenship. Then the citizenship process itself can take years. She described the

situation of a client who has had to wait fourteen years for a green card that she should have received at the beginning of the application process. Now she will have to wait five more years to apply for citizenship.

Attorney Kelly spoke in opposition to making the right to vote subject to criteria. It will create additional confusion and bureaucracy.

Councillor Braude asked her to distinguish illegal immigrants and what would their advice be.

Attorney Wilshire Herrera recommended remaining silent on this issue. It will create a huge bureaucratic mess and will chill the exercise of the right. We are just coming out of an anti-immigrant surge in the United States partly because there is now a global economy. If you do not include people in society you create apartheid and society breaks down.

Councillor Sullivan asked Attorney Kelley to delineate the steps to citizenship.

Attorney Kelly provided the following chronological list of the status changes required:

1. Student or asylum. Temporary status.
2. Then permanent resident status.
3. Wait 5 years.
4. Apply for citizenship. Minimum two-year wait. She noted that marrying a citizen does not confer citizenship.

Councillor Sullivan asked how, if the City Council wanted to have a requirement of intent to become a citizen, it could achieve that result. He also noted that in Cambridge the four or five lowest performing schools have the highest immigrant population.

Attorney Kelley said that it would be a poor choice to draft a law which is dependent on immigration status, it would be preferable to require a declaration of intent of the person to become a citizen.

Councillor Braude asked if it would be legal to seek such a declaration. Attorney Wilshire Herrera stated that he is not sure. He added that people will be afraid to come forward if they are required to establish citizenship. He said that as soon as someone takes a step toward more permanent status, under immigration law they have shown interest to become a citizen.

Vice Mayor Maher stated that voting documents are public records and will list what elections they can vote in. He asked whether that in itself would be a discouragement. Attorney Wilshire Herrera said that it could be, but that the most chilling is the distinction of citizen/non-citizen. As long as all non-citizens are lumped together, he does not believe there would be much of a problem.

Councillor Sullivan outlined the political issues involved in passing a home rule petition.

Vice Mayor Maher said that the committee has two options - it can forward the proposal to the full City Council without a recommendation or keep it in committee for fine-tuning.

Councillor Sullivan suggested keeping it in committee. He noted that a draft home rule petition must be drafted before the City Council can vote on it.

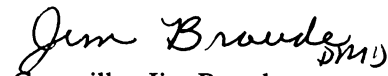
Vice Mayor Maher stated his hope that all parents know that in the Education Reform Act there is a mechanism for parental involvement through the School Council to allow parent input at the school level, which is the most important. This is something that the City Council should think about and understand as it goes forward.

Councillor Braude thanked all those present for their cooperation. He stated that he is hopeful that something positive will happen. He described his personal experience in believing up to one year ago that only citizens should vote. It is important to expand the democracy now withering on the vine, and enfranchising people who want the vote more than many of those who have it, may be a way to revitalize our democracy.

It was agreed without objection that the proposal will remain in committee.

The meeting was adjourned at 7:24 p.m.

For the Committee,


Councillor Jim Braude
Chair

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The Government Operations Committee held a public hearing on November 1, 2000, beginning at 4:30 p.m. in the Ackermann Room for the purpose of considering whether to refer to the full City Council a proposal for a home rule petition to enable non-citizens to vote in School Committee elections.

Present at the meeting were Councillor Jim Braude, Chair of the Committee, Councillor Henrietta Davis, Vice Mayor David P. Maher, Councillor Michael A. Sullivan and City Clerk D. Margaret Drury.

Councillor Braude convened the hearing and explained the purpose.

Councillor Davis made the following motion:

Ordered: That the proposal for a home rule petition be referred to the full City Council without a recommendation.

The motion was passed without objection on a voice vote.

The meeting was adjourned at 4:35 p.m.

For the Committee,



Councillor Jim Braude, Chair

COMMITTEE REPORTS

Reports from Councillor Braude, Chair of the Government Operations Committee, for meetings held on September 21 and November 1, 2000 to consider a proposal for a home rule petition to enable non-citizens to vote in School Committee elections.

In City Council,

November 6, 2000

*Report Accepted &
Placed on file*

*Order adopted - See
Order #17 adopted
by a roll call vote
of 5-3-1.*