



Rapid Response to Anti-Sanctuary City Bill

Massachusetts Trust Act Coalition takes on an
anti-immigrant state bill



Gabriel Camacho AFSC Cambridge, MA

National Context

- ❖ A number of anti-sanctuary city bills are introduced in Congress in 2015
- ❖ Most of these bills would:
 - ❖ Deny federal funds to local law enforcement
 - ❖ Compel local law enforcement to honor ICE detainers
 - ❖ Contain other punitive measures
- ❖ Senator David Vitter's bill is defeated
 - ❖ Would convert local law enforcement into ICE agents

States Attacks on Sanctuary Cities

- ❖ Tennessee
- ❖ North Carolina
- ❖ Florida
- ❖ Massachusetts
- ❖ New Hampshire (The state has no Sanctuary Cities but lets not have facts in the way of xenophobia and racism)

H. 1856

“An Act Relative to Sanctuary Cities and Towns”

- ❖ “..**any city or town which fails to enforce federal immigration laws** shall not receive unrestricted general government aid, as prescribed by the general appropriations act; provided, quarterly payments of unrestricted general government aid to be disbursed to the city or town shall cease upon verification of the **failure of the city or town to comply with federal immigration laws**. Failure to comply with federal immigration laws **shall include, but is not limited to, a declaration of “sanctuary city” status** by the chief executive or executive board or legislative branch of the city or town.”

Problems with H. 1856

- ❖ Poorly written
- ❖ Can cities or towns enforce federal immigration laws?
- ❖ What city or town department and/or personnel enforce federal immigration laws?
- ❖ What about the Supremacy Clause?
- ❖ What did the Supreme Court say about Arizona's SB 1070?

Quick Talking points on H. 1856

It threatens public safety

It may be unconstitutional

It usurps the local democratic process

It opens up cities and town to liability

It destroys trust built with immigrant communities

It cost municipalities money which does not get reimbursed by the federal government

Detailed Talking Points

- ❖ Municipalities can't enforce federal immigration laws
- ❖ The term “sanctuary city” has no legal definition
- ❖ It is unfair to punish municipalities today for a decision that was made decades ago
- ❖ The State should not undo the decisions made by the local democratic process
- ❖ “Trust” cities are within their rights to limit voluntary collaboration with immigration authorities

Mass. Sanctuary & Trust Municipalities

Locality	Designation(s)	Date
Cambridge	Sanctuary & Trust Ordinance	1985 & 2014
Somerville	Sanctuary & Trust Executive Order	1987 & 2014
Chelsea	Sanctuary City	2007
Northampton	Sanctuary Resolution & Trust Executive Policy	2011 & 2014
Amherst	Trust Resolution	2012
Boston	Trust Act Ordinance	2014
Lawrence	Trust Act Ordinance	2015

Chronology

- ❖ January 2015 HB 1856 is filed by Rep. Lombardo (R)
- ❖ Thursday Dec. 4 bill is scheduled for hearing the following week before the Joint Committee on Municipalities and Regional Government
- ❖ Fri. Dec. 5 & Mon. Dec. 8 Mass. Trust Act Coalition has emergency conference calls and meetings
- ❖ Tues. Dec. 8 & Wed. 9: Committee members are visited or called; talking points are created; testimonies are prepared; Coalition mobilizes members
- ❖ Thursday Dec. 10 – **Hearing day**

Joint Committee on Municipalities and Regional Government



Charting Committee

House	district	# & email	room	comment
Chair O'Day	Worcester	722-2090	504	Gabe called
Madaro	East Boston			Centro Presente in district, Nataly
Heroux				Also on Public Safety, Gabe & Nataly
SENATE				
Chair L'Italien	Lawrence			Trust Act Ordinance
Brownsberger	Watertown			Gabe, constituent

Structuring Testimonies

Organization	name	comment
Chelsea Collaborative		community
Centro Presente		community
SEIU 32BJ		Membership concerns
ACLUM		legal
MIRA		Legal / advocacy
U.U. Mass. Action		faith
A.A.P. Mass. Chp.		Health care
Constituents		
Public Officials		

Immigrant Communities from Sanctuary Cities testify at hearing



Gladys Vega, Executive Director
of the Chelsea Collaborative.
Chelsea became a sanctuary city
in 2007



Nataly Castaño of Centro
Presente. Cambridge
became a sanctuary city in
1985.

Public Officials who Provided Testimony

name	office	comment
Denise Provost	Somerville Rep.	City Attorney in 1987
Marjorie Decker	Cambridge Rep.	
Tim Toomey	Somerville Rep. & Cambridge City Councilor	
Nadeem A. Mazen	Cambridge City Councilor	
Yessenia Alfaro	Chelsea School Comm.	
Joseph Curtatone	Mayor of Somerville	Executive Order 2014
Sal DiDomineco	Chelsea Senator	
Alice Wolf	Former Cambridge Rep. & Cambridge City Councilor	Main sponsor of Sanctuary City Resolution in 1985



The Commonwealth of Massachusetts

House of Representatives

State House, Boston 02133-1054

December 10, 2015

The Honorable James J. O'Day, Chair

Joint Committee on Municipalities and Regional Government

State House, Room 540

Boston, MA 02133

The Honorable Barbara L'Italien, Chair

Joint Committee on Municipalities and Regional Government

State House, Room 413-C

Boston, MA 02133

Re: H.1856, An Act relative to sanctuary cities and towns.

Dear Honorable Chairs:

We write to you in strong opposition to H.1856 and to respectfully ask that the Committee report this bill with a recommendation that it ought not to pass, and at a minimum, take no action.

SANCTUARY CITIES BILL RIPPED AS "LEGALLY INDEFENSIBLE"

By Colin A. Young STATE HOUSE NEWS BOSTON, DEC. 11,

John Roberts, a former executive director of the American Civil Liberties Union of Massachusetts, called the bill an "ill-conceived, legally indefensible bill" and said the state should not "embarrass itself" with its passage.

"I have testified in these chambers on many issues, supporting some and opposing others. But I must say I have rarely seen a more vague or legally problematic piece of legislation than H 1856," Roberts, who led the local ACLU chapter for 32 years, said.

"Specifically, what federal immigration laws are municipal authorities required, or even legally allowed, to enforce?" Roberts asked the Joint Committee on Municipalities and Regional Government, rhetorically. "It is difficult to accept that this is serious legislation. It appears to be more of piling on of anti-immigration hysteria being perpetuated by certain political leaders and presidential candidates in this country at this time."

Conclusions

- ❖ Involving entire coalition at the very beginning was crucial to making a successful rapid response
- ❖ Roles of immigrant, labor, faith and legal communities remain essential for coalitions
- ❖ Public officials were angered at the bill, and more than willing to provide testimony
- ❖ In these times of anti-immigrant madness it was imperative to defend “Sanctuary Cities” and local Trust policies

Mass. Trust Act Coalition after the hearing

