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SELECTMEN'S RECOMMENDATION

Article 26 is a petitioned article that asks Town Meeting to adopt a resolution reaffirming sanctuary status for undocumented immigrants. The Town first declared its commitment as a Sanctuary Town in November, 1985, by a vote of Town Meeting. The resolved clauses ask Town Meeting to do the following:

- Reaffirm the Town's commitment as a Sanctuary Town
- Endorse the platform of the Keep Our Families Together Campaign
- Call upon the U.S. Department of Homeland Security and U.S. Immigration and Customs Enforcement to issue a moratorium on immigration raids until Congress comes to an agreement on comprehensive immigration reform
- Reaffirm the basic human rights of every human being
- Use "undocumented" instead of "illegal" and use "immigrant" instead of "alien"
- Urge the U.S. Senate to defeat HR 4437 and urge the President to veto any such legislation

- Forward a copy of the resolution to the Massachusetts Congressional delegation and to President Bush.

The Selectmen worked with the petitioner to make a number of changes that included recognizing the efforts of immigrants who go through the process and get documentation and eliminating the reference to international trade.

The Selectmen recommend FAVORABLE ACTION, by a vote of 4-0 taken on October 24, 2006, on the following resolution:

VOTED: That the Town adopt the following resolution:

WHEREAS, The Town of Brookline has been built and enriched by generations of immigrants, and has a proud history since November 1985 as a Sanctuary for refugees from El Salvador, Guatemala, and Haiti:

WHEREAS, There are now approximately 12 million undocumented immigrants in the USA who have been systematically denied the opportunity enjoyed by past generations of immigrants to become legal permanent residents or citizens of this country; over the past two decades, immigration policy has become even more restrictive and punitive and closed off avenues previously available for immigrants to obtain legal permanent residency, while the US-Mexico border has been further militarized;

WHEREAS, In 2005, record numbers of migrants seeking to support their families, with no means to migrate safely into the USA, perished in the desert along the US-Mexico border; and the migration experience has adverse emotional and psychological effects on families, kept apart for many years due to unjust immigration policies and backlogs in visa applications; and undocumented immigrants are especially vulnerable to workplace abuses and housing discrimination;

WHEREAS, Current US immigration policy does not reflect the standards of Brookline residents regarding what is just, humane and moral; and both undocumented and documented immigrants in the US fuel our economy and those of their countries of origin;

WHEREAS, On December 16, 2005, the US House of Representatives passed HR-4427, which would have drastic consequences for nearly all immigrants to this country, their families, their neighbors, and those who support them; and the US Senate recently agreed to a companion bill with some of the same counterproductive measures, including further militarization of the border.

WHEREAS, We commend the great effort and expense that many immigrants to the United States have made and continue to make to become legal residents of this country, but we recognize that immigrants are facing increasingly onerous and expensive barriers to becoming fully legal residents:

WHEREAS, The public discourse surrounding immigration has become increasingly negative using pejorative terms to describe undocumented immigrants with the resulting

dehumanizing effect that helps to justify policies criminalizing and excluding such immigrants, such as the raids by the federal government on workplaces and homes. Those raids instilled fear and panic in the immigrant communities and created an environment that is ripe for intimidation, harassment, and racial profiling.

WHEREAS, Numerous cities, including Maywood, Huntington Park, and Coachella, CA have recently declared themselves Sanctuary Cities, and cities from Cambridge, MA (May 8, 2006) to Chicago and San Francisco have reaffirmed their earlier commitments as Sanctuaries,

THEREFORE, BE IT HEREBY RESOLVED THAT:

1. The Town of Brookline reaffirms its commitment as a Sanctuary Town, as declared by Town Meeting in November 1985, and expands it now to include all undocumented immigrants from all countries;¹
2. The Town endorses the platform of the Keep Our Families Together Campaign, an initiative of the National Alliance of Latin American and Caribbean Communities that seeks to (a) enable immigrants who currently live and work in the United States to Obtain Permanent Resident status and have the option to apply for citizenship through a fair and rational process; (b) increase the number of visas available in the quota system with a preference for family unification; (c) establish a limit of no more than six months for the processing and resolution of immigration applications; (d) facilitate the integration and participation of immigrants into the political, social and economic life of this country; and (e) enable future immigrants to enter the United States under a legal system that is just and respectful of human rights;
3. The Town calls upon the US Department of Homeland Security and the US Immigration and Customs Enforcement to issue a moratorium on immigration raids, at least until the US Congress comes to an agreement on comprehensive immigration reform, so that the debate can be carried out in good faith rather than against a backdrop of fear, repression and intimidation;
4. The Town affirms the basic human rights and dignity of every human being;
5. We reject the use of the word “illegal” to describe human beings and the use of the word “aliens” to describe immigrants, and hereby adopt the language “undocumented” when referring to those who do not have federally recognized resident status and “immigrant” to refer to those who have migrated to the US from another country;
6. The Town of Brookline urges the US Senate to defeat any further harsh proposals from HR 4437 and urges the President to veto any such legislation if approved by the Senate; and

7. The Town Clerk shall forward a copy of this resolution to the Massachusetts Congressional delegation and to the President of the United States on behalf of the Town of Brookline.

¹ The operative 1985 language “RESOLVED THAT:

“the Town of Brookline become a sanctuary for refugees from El Salvador, Guatemala, and Haiti, and that they shall be afforded all rights and privileges offered and supplied to all people residing or working in the Town;

“it is the policy of the Town that, to the extent legally possible, no department or employee of the Town will violate established or future sanctuaries by officially assisting or voluntarily cooperating with investigations or arrest procedures, public or clandestine, relating to alleged violations of immigration law by refugees from El Salvador, Guatemala or Haiti or by those offering sanctuary;

“the Town supports and appreciates its residents who may provide bedding, food, health and other settlement assistance, as well as friendship to refugees from El Salvador, Guatemala, and Haiti; and the Town will not participate in any form in the compounding of injustice against these refugees or in the Federal Government’s persecution of those who in good faith offer humanitarian assistance to these refugees;

“the Town supports all efforts intended to provide free, effective legal representation for any person residing in Massachusetts who is seeking asylum in the U.S. because of fear of persecution in his or her homeland, including Mass. Senate Bill #1063 sponsored by Senator Jack Backman.”

ROLL CALL VOTE:

Favorable Action

Allen

Hoy

Daly

DeWitt

*** Material omitted ***

2006 FALL TOWN MEETING RESULTS

ARTICLE NUMBER	SUBJECT	SELECTMEN FVNo ActionL VOTE	ADVISORY COMMITTEE FVNo ActionL VOTE	TOWN MEETING VOTE
	1 Unpaid Bills	Favorable Action (4-0)	Favorable Action (21-0)	Favorable Action
	2 Collective Bargaining Agreements (HR)	No Action (4-0)	No Action (21-0-1)	No Action
	3 FY2007 Budget Amendments (Selectmen)	Favorable Action (5-0)	Favorable Action on Town Hall (15-2) Favorable Action on all other items (18-0) - Favorable Action as Amended (14-3-2) - Refer Waldeigh/Dean to Zoning By-Law Review Cmte (20-1-2)	Favorable Action
	4 Zoning - F District (P&CD)	Favorable Action as Amended (4-1) Refer to Zoning By-Law Review Cmte (5-0)	Refer to Zoning By-Law Review Cmte (16-2-1)	Refer to Zoning By-Law Review Cmte
(A)	5 Zoning - Yard and Setback Regs (P&CD)	Favorable Action as Amended (4-1)	Favorable Action as Amended (12-6-1)	Favorable Action as Amended
	6 Zoning - IPOD Extension (P&CD)	No Action (5-0)	No Action (17-0-1)	No Action
	7 Zoning - Zoning Map Change (Basile)	Refer to Zoning By-Law Review Cmte (4-0)	No Action (13-5-2)	Refer to Zoning By-Law Review Cmte
	8 Zoning - Retail Establishment Parking (Trachtenberg)	Refer to Zoning By-Law Review Cmte (4-0)	Refer to Zoning By-Law Review Cmte (14-0-1)	Refer to Zoning By-Law Review Cmte
	9 Zoning - Setbacks on Demolished Parcel (Richmond)	Favorable Action as Amended (4-0)	Favorable Action as Amended (14-6-1)	Favorable Action as Amended
	10 Zoning - Design Review of Demo (Mroz)	No Action (4-0)	No Action (18-1)	Refer to Zoning By-Law Review Cmte
	11 Zoning - Change of block from I to G (Callanan)	No Action (3-1)	No Action (12-3-2)	No Action
	12 Retirement Board Stipend (Ret. Bd.)	Favorable Action (5-0)	Favorable Action (17-0)	Favorable Action
	13 Inter-Municipal Health Agreements (Dir. of Health + Human Svcs.)	No Action (5-0)	No Action (16-0)	No Action
	14 Flu Shots (Allen)	Favorable Action as Amended (5-0)	Favorable Action as Amended (21-1)	Favorable Action as Amended (Adv Cmte Version)
	15 Pledge of Allegiance (Ziskend)	No Action (4-0)	Favorable Action as Amended (21-0)	Favorable Action as Amended (Adv Cmte Version)
	16 Town Meeting Notice (Spunt)	Favorable Action as Amended (3-1) Favorable Action on Motion 1 (3-2) Favorable Action on Motion 2 (3-2) No Action on Motion 3 (3-2) No Action on Motion 4 (4-1)	No Action (19-0-3) Favorable Action on Motion 1 (13-10) Favorable Action on Motion 2 (12-11) No Action on Motion 3 (16-7) No Action on Motion 4 (19-4)	No Action Favorable Action on Motion 1 Favorable Action on Motion 2 No Action on Motion 3 No Action on Motion 4
(B)	17 Special Cmte Reporting -- 280 Days (Allen)	Favorable Action as Amended (4-0)	Favorable Action as Amended (19-2)	Favorable Action as Amended
(C)	18 Campaign Finance (ModComm)	Refer to Selectmen's Cmte (5-0)	Refer to Selectmen's Cmte (14-0)	Refer to Selectmen's Graffiti Cmte
	19 Demolition By-Law (Preservation Comm)	Refer to Selectmen's Cmte (5-0)	Refer to Selectmen's Cmte (12-2)	Refer to Selectmen's Graffiti Cmte
	20 Graffiti (Wise)	Refer to Noise Control By-Law Cmte (5-0)	Refer to Noise Control By-Law Cmte (22-0)	Refer to Selectmen's Noise Control By-Law Cmte
	21 Graffiti Fine (Wise)	Favorable Action (5-0)	Favorable Action (18-0)	Favorable Action
	22 Leaf Blowers (Daisy)	Favorable Action (5-0)	Favorable Action (19-0)	Favorable Action
	23 Transfer of Fisher Hill Reservoir (DPW)	No Action (5-0)	No Action (21-0-1)	No Action
	24 Easement (DPW)	Favorable Action as Amended (4-0)	Favorable Action as Amended (16-5)	Favorable Action as Amended (Selectmen Version)
	25 ModComm to Study Assessment of Lodging Houses (Pauli)	Favorable Action as Amended (5-0)	Favorable Action as Amended (19-2)	Favorable Action as Amended
(D)	26 Reso. on Undocumented Immigrants (Rosenthal)	No Action (4-0)	No Action (12-6)	Favorable Action as Amended
(E)	27 Reso. on Elementary World Language (Koch)	Favorable Action (4-0)	No Action (20-0-2)	No Action
	28 Reso. on Committee Meeting Times (Ross)			
	29 Refuse Fee Explanation (Wayne)			
	30 Reports			

- (A) See Supplement 01 - Selectmen's Recommendation. The word "final" was deleted from the last sentence of the vote found on Supplement 01 for Article 6.
- (B) See Supplement 02 - Revised Motion of the Moderator's Committee on Campaign Finance for the Motions.
- (C) See Supplement 02 - Corrected Motion under Article 19.
- (D) See Supplement 01 - Ross Motion
- (E) The Selectmen's Report on the Refuse Fee was accepted.