



City of
GREENFIELD, MASSACHUSETTS



OFFICE OF THE MAYOR

WILLIAM F. MARTIN

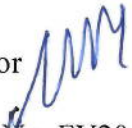
Mayor

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Memorandum

Date: September 3, 2019

To: City Council

From: William Martin, Mayor 

Subject: Disapproval of Order No. FY20-016

The process of this ordinance has left several questions about the Charter and the lack of the Executive to take action during a Citizen Referendum petition. The July Council vote was temporarily suspended when Councilor Sund submitted a motion to reconsider. The Citizen Referendum submitted to the clerk's office was to overturn that July vote. In August, the Council voted to reconsider the July vote, nullifying the July vote. The Council then voted again, creating this August vote, which is the subject of this veto. At the August meeting, the Council also accepted the Citizen Referendum petition to put the July vote on the ballot. This process did not allow the Executive (Mayor) to exercise the authority granted in the Charter.

Pursuant to the veto authority provided the Mayor in Article 3, Section 3-7 of the Town of Greenfield Charter approved by the voters of Greenfield June 11, 2002 and effective July 1, 2003, I, William Martin, Mayor, hereby Disapprove of Order no FY20-016 for the following reasons:

In the winter and spring of 2017, the City of Greenfield took part in the national discussion of immigration and "sanctuary" cities. As mayor, I participated in community forums and read reports and recommendations from town commissions, committees, and staff. It was after this research that I worked to find a unifying message of respect and issued Executive Order 2017-3.

Since the Executive Order of 2017, the city of Greenfield remains a safe city. Crime has decreased; violent crime is absent; and no city resources, human or otherwise, have been allocated to state or federal initiatives relative to 287(g) whereby a city opts in to assist immigration officials other than for Judicial Orders.

My Executive Order specifically is limited to the Police Department. This is due to the fact that many departments ask about citizenship for a wide range of reasons including voting, marriage, veteran's benefits, and hiring. This ordinance, as adopted by the Council, lacks a definition of "immigration," and therefore it is unclear what line of questioning may be allowed or disallowed under this ordinance.

This ordinance does not allow the Police Department the ability to ask individuals immigration status when relevant to a potential crime but not legally mandated. Particularly in a human trafficking situation, when the information may be required to charge someone else with a crime in order to protect the victim.

This ordinance is a false sense of security for those it purports to protect, as the Police Department relies on a national database which is accessible to all agencies. Therefore, the arrest of a suspect may provide national agencies with this information.

The ordinance proposed and voted by the Council says "the provisions of this ordinance shall be effective immediately upon passage," however it also acknowledges that it impacts "policies, practices, procedures and training" without any time or financial support for implementing the ordinance. Without appropriate policies, education, and training, this ordinance sets up members of staff to fail.

For centuries the Town of Greenfield, and more recently the City of Greenfield, welcomed immigrants from many global nations; in fact, the growth of the area is dependent upon the new energy and love of community brought to this county.

We are all a community and strive to assist and support that process to citizenship for all people. It is my opinion that we welcome the legal process and encourage others to engage in that process to become American citizens. I suggest that the city provide and fund an access point for this path to citizenship by partnering with the Center for New Americans, or other like entities, to facilitate new immigrants in the area. In addition, for those who would like to see changes to the legal process, I encourage them to engage with our federal legislative delegation.

Let us move to a middle ground to practice compassion and refrain from divisive dialogue. It is not fear we should harvest from conversation but trust.

