



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

February 9, 2017

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

Enclosed please find a proposed ordinance, *Sanctuary for Peace: A Human Rights Declaration*, that is being submitted for your review and consideration following weeks of discussions and outreach with a coalition of community leaders, many of whom have signed on to show their support for this action.

The question of how we treat our neighbors, how we treat one another, is the moral basis of our government. Are we advancing policies that keep our community safe, or will we allow the corrosion of community policing in the name of fear? Are we providing services impartially to all who walk through the doors of City Hall, or do we pick and choose who is deserving of public services? When we adopted – unanimously – our landmark non-discrimination Ordinance just a few short years ago, Salem sent a clear message that we collectively viewed Salem as a City that valued community safety, inclusivity, and equal protection under the law. "What is this life?" asked famed Salem Reverend William Bentley shortly after the American Revolution, "A storm at sea! Let us help each other." The matter before the City Council now asks simply: will we help?

Here, in summary, are the components of this Ordinance:

1. City services are to be provided to all residents who so qualify, regardless of immigration status, unless provision of said service violates state or federal law. This, in many respects, adds immigration status to our existing non-discrimination Ordinance.

2. City employees shall not ask for immigration status from a resident in providing a service, unless they are required to do so by state or federal law.
3. Salem Police officers shall abide by existing Police Department policy that states that members of the Police Department shall not undertake immigration-related investigations, nor shall they routinely inquire of any person their specific immigration status during normal police operations unless required by law.
4. In compliance with existing federal law, the City shall not discriminate in employment matters on the basis of immigration status and all persons hired by the City shall be required to verify identity and eligibility to work in the United States.
5. Nothing in the Ordinance shall confer additional benefits to immigrant residents of Salem.
6. An Inclusion Advisory Community shall be formed to advise City officials on how best to provide services and information in a manner that protects and supports the civil rights of all residents.
7. Nothing in the Ordinance shall violate state or federal law or result in a loss of federal funding to the City.

Perhaps no other place in America has the same relationship with the tragic lessons of what can transpire when those in power reject these values. 325 years ago, Salem struggled with a crisis that saw fear used as weapons against those who were perceived to be different. We hope the lessons and the legacy from our own tragic historic episode here in Salem can serve as a cautionary example. Distrust, division, and hate will never create a more secure environment in our city. In fact, it will only undermine it.

In Salem, we continue to view local law enforcement through a community policing lens. We know that when local law enforcement is able to foster strong, collaborative relationships with the communities that they protect, everyone is safer. If local police were to play a role in enforcing federal laws related to deportation it would only serve to erode trust in local law enforcement among many of our immigrant families. We do not want our immigrant friends and neighbors to fear calling police or be less likely to report crimes or cooperate with local law enforcement. Moreover, we don't expect Salem Police to enforce any other federal laws, including federal tax laws, federal labor laws, federal workplace safety rules or, by and large, any other violation of federal law.

To be clear, nothing in this proposal prevents federal authorities from enforcing federal laws and policies in Salem. Nothing in this proposal prohibits Salem Police from sharing information with federal officials. It is entirely possible, indeed desirable, for local police to communicate with and collaborate with federal law enforcement authorities. However, it is not the role of our local police department to be enforcing federal law. In fact, the 10th Amendment to our Constitution ensures that no federal statute or executive order can compel or commandeer a local police force to carry out a federal policy. This separation of powers was so important to our Founders that it was incorporated in the Bill of Rights itself.

Further, this Ordinance does not violate federal law or executive order. This proposed ordinance will not disqualify the City from any federal funding. It does not protect any criminal – whether or not they are an undocumented resident – from deportation. And it does not shield undocumented residents who are found guilty of a criminal act from deportation pursuant to federal statute.

Beyond the public safety arguments, it has also been proven that cities that welcome and include immigrants are more prosperous than those that do not, with higher median incomes, lower poverty levels, and slightly lower unemployment rates. There is a reason why our most diverse cities in America are also our most prosperous, our hubs of innovation and growth, and the lifeblood of our national economy and the social service programs that millions of Americans, in red states and blue states alike, rely upon to survive. When communities protect all of their residents, all of their residents see economic benefits. When communities enact policies that keep families intact, the household's economic integrity is enhanced, contributing to the enhancement of the community's economic integrity.

While Salem is known for its rich and diverse history, we also benefit from a rich and diverse immigrant population over our nearly 400-year history. Salem was founded by immigrants and built by immigrants. Our shores have welcomed waves of newcomers from all manner of nations and continents, all of whom helped to shape our community's economic and social fabric and all of whom continue, to this day, to bring cultural and linguistic diversity to our streets, our neighborhoods, and our schools.

As the Council continues this public conversation about how our community will treat those who live among us who were not fortunate enough to have been born here, we hope we will do so with respect and an awareness that our incredible city has a nearly four century legacy of being a safe and welcoming home to immigrants seeking a place in America to make a better life for themselves and their families. We won't turn our backs on that legacy. And we won't turn our backs on them.

We believe that rhetoric that targets a segment of our population because of their immigration status, or their race, or their faith – because of *who* they are – is directly contrary to the values of our community and of our country.

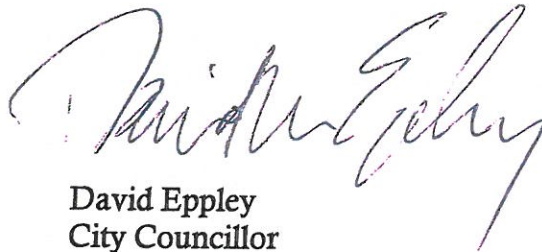
In Salem, 'equal rights' is not just a slogan. It is a value that inspires us to tangible, meaningful action, and it is deeply and directly connected to our history. From a town where neighbors once turned so viciously and so terribly on each other, we have become, instead, a community where we turn toward each other. The legacy that marred Salem then is part of what drives the positive actions we take today to lift up our City: Salem is not and never ought to be a place for hate.

Robert Kennedy said, "We must recognize the full human equality of all our people before God, before the Law, and in the Councils of our government. We do this not because it is economically advantageous – although it is – and not because the laws of God or Man command it – although they do... We must do it for the single and fundamental reason that it is the right thing to do." There could be no more true test of that sentiment than this.

Sincerely,



Kimberley Driscoll
Mayor
City of Salem



David Eppley
City Councillor
Ward Four