



BOSTON CITY COUNCIL

Committee on Government Operations
Ricardo Arroyo, Chair

One City Hall Square ♦ 5th Floor ♦ Boston, MA 02201 ♦ Phone: (617) 635-3040 ♦ Fax: (617) 635-4203

REPORT OF COMMITTEE CHAIR

October 4, 2023

Dear Councilors:

Docket #1188, An Ordinance Amending City of Boston Code, Ordinances, Chapter XII, Section 12-19, Immigrant Advancement for Public Health and Welfare, was referred to the Committee on June 28, 2023, and sponsored by Councilor Julia Mejia. The Committee held a hearing on August 29, 2023.

Summary of Legislation As Filed:

Docket #1188 would amend the City of Boston Code of Ordinances by codifying the Mayor's Office of Immigrant Advancement ("MOIA"). The proposal would establish the Office in the City Code. The proposal also describes its purpose, structure and responsibilities.

Information Gathered at the August 29, 2023 Hearing:

The Committee heard testimony from Executive Director Monique Tú Nguyen, MOIA. Executive Director Nguyen explained that MOIA is the former Office of New Bostonians which was established in 1998 and that the name was changed in 2016 in order to be more effective and inclusive of the immigrant community. Executive Director Nguyen described the purpose of the Office explaining that it seeks to meet the growing and changing needs of newcomers and immigrants. Executive Director Nguyen explained that MOIA's purpose is to strengthen the ability of immigrants to participate in the economic, civic, and cultural resources of the City. Executive Director Nguyen explained that MOIA accomplishes its purpose through providing constituent services, hosting legal clinics, having citizenship days, connecting immigrants to services, and providing advocacy. Executive Director Nguyen discussed language changes explaining that the current language does not fully represent what the office does. Executive Director Nguyen stated that there should be additional language about immigrant status and that the current language contains inaccuracies about the legal work provided by the Office. Executive Director Nguyen stated that the division of labor language in the proposal needs review and that there may be language referring to confidential information that needs to be removed. Executive Director Nguyen explained that the ordinance should reflect the current needs of the Office.

The Committee heard from a community panel consisting of the following individuals: Jonathan Goldman, Executive Director, Student Clinic for Immigrant Justice; and, Myraida Claros, Director of Health Justice, Lawyers for Civil Rights ("LCR"). Ms. Claros expressed support for the ordinance in order to provide more resources. Mr. Goldman and Ms. Claros also stated that the office could provide direct recommendations for legal advice. Mr. Goldman expressed

support for the proposal explaining that it is a crucial step for a more inclusive Boston. Mr. Goldman stated that the impact will go beyond policy and will signify Boston's commitment to the immigrant community and that the immigrant community is valued. Mr. Goldman discussed the importance of legal representation and stated that the office could offer legal consultation services and the critical role of language access. Ms. Claros stated that LCR is supportive of the proposal and that more needs to be done to provide resources.

The Committee heard comments from the public. The public comments reflected support for the proposal because it will give the Office permanent status. Comments described the support that the Office provides and its important role in welcoming newcomers and providing support to achieve success. Public comments expressed that MOIA is an indispensable partner for these resources and support systems.

Summary of Amendments:

Based on information gathered at the hearing, the docket is amended from its initial filing as follows:

- in the last *Whereas* clause “its charter” is stricken and replaced with the “City Code” because the ordinance is a local law that will be part of the Code;
- the purpose clause has been amended to clarify the objectives of the office;
- Section 12-19.1, Purpose, in the second sentence is amended to read as follows: “It is important for members of this community to fully and equitably participate in economic, civic, social, and cultural life in Boston.”;
- Section 12-19.1, Purpose, is amended by adding the following as the last sentence: “Further, the City has a strong interest in advancing the rights of immigrant residents and removing barriers that unnecessarily impede immigrants from integrating into the City in an equitable manner.”;
- 12-19.2, Establishment of the Office of Immigrant Advancement, is amended to fully reflect what the Office does; the following new language has been added:

“2. support the City in creating a welcoming environment for immigrant residents where they can experience belonging, stability and integration.

3. ensure that immigrant communities can actively participate in government and other civic and community efforts.

4. promote the recognition and public understanding of the contributions of immigrants to the City.

5. advance systemic reforms of laws, policies and practices in support of immigrant residents.”;

- Section 12-19.3, Director Responsibilities, is amended by amending “the Office of in subsection 1;
- Section 12-19.3, Director Responsibilities, is amended in subsection 2 by adding the following provision: “in consultation with the Office of Language and Communication Access”;
- Section 12-19.3, Director Responsibilities, is amended by striking subsections 3 and 4 as filed, striking the sentence that states “The Director, or such other Office or agency as the Mayor may designate, shall have the power and duty to”; adding additional subsections that define the director duties and renumbering the subsections;
- Section 12-19.3, Director Responsibilities, subsection 3 strikes the following provision “and speakers of languages other than English”;
- Section 12-19.3, Director Responsibilities, subsection 3 is amended as follows: conduct research and advise the Mayor on challenges faced by immigrants and speakers of languages other than English, including, but not limited to, obstacles to accessing City programs, benefits, and services, and on socioeconomic trends related to such persons;

- Section 12-19.3, Director Responsibilities, subsection 4 adds the following language: monitor and conduct analysis on local, state, and federal laws, policies, enforcement tactics, and case law regarding issues relating to and impacting immigrant affairs, including potential strategies for addressing such developments and maximizing the positive impacts to local immigrants;
- Section 12-19.3, Director Responsibilities, subsection 5 adds the following language: promote equitable treatment of immigrants by City offices, departments, board and commissions and other governmental agencies;
- Section 12-19.3, Director Responsibilities, subsection 6 language is added as follows: make recommendations and provide coordination and support to City departments and agencies concerning public policies, programs, services and regulations, including sections of the charter and the administrative code, as they affect or may affect immigrants;
- In Section 12-19.3, Director Responsibilities, language is removed about participation in interdepartmental efforts with the handling of confidential information;
- In Section 12-19.3, Director Responsibilities, subsection 7 is added as follows: serve as liaison between the City and its immigrant communities, in order to support the safety, growth and general welfare of such communities;
- In Section 12-19.3, Director Responsibilities, subsection 4 as filed is now subsection 8;
- In Section 12-19.3, Director Responsibilities, subsection 9 is added as follows: perform such other duties and functions as may be appropriate to pursue the policies set forth in this section;
- Section 12-19.4, Reporting Requirements, is amended to provide that MOIA shall conduct a report annually and file that report with the City Council and on its website with certain information that is readily available;
- In the Reporting Requirements section, language was removed regarding cases accepted for legal advice because the City does not provide legal advice and language was added to include information of individuals directly supported by legal initiatives.

Rationale and Recommended Action:

Passage of this ordinance will codify MOIA. This is significant because codifying this Office will give it permanent status and shows the City's commitment in ensuring that immigrants have the opportunity to participate in the economic, cultural, civic, and social resources of the City. Further, when an office or department is created the City Council and the Mayor must act together by ordinance and this proposal will do that. Codifying MOIA will ensure that the City remains committed to providing resources and support services to the immigrant community. The amended language further defines the purpose of the office, outlines its responsibilities, and describes specific services that it provides. Passage of this docket in its amended draft will ensure that these services will continue to be provided including language access, that the City will continue to research and monitor policies that impact immigrants and that the City will promote policies, programs, and resources to advance the immigrant community.

By the Chair of the Committee on Government Operations, to which the following was referred:

Docket #1188, An Ordinance Amending City of Boston Code, Ordinances, Chapter XII, Section 12-19, Immigrant Advancement for Public Health and Welfare,

submits a report recommending that this docket **ought to pass in a new draft.**

For the Chair:

A handwritten signature in blue ink, consisting of the letters 'Ra' followed by a horizontal flourish.

Ricardo Arroyo, Chair
Committee on Government Operations