

Offered by City Councilor Julia Mejia



City OF BOSTON IN City COUNCIL

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

- WHEREAS,*** The City of Boston has over 690,000 residents, of which 29% are foreign-born and many are the children of immigrants, 15% of residents have limited English proficiency, and 35% speak a language other than English at home; *and*
- WHEREAS,*** Boston has historically been home to dozens of immigrant groups, and continues to be a place where many relocated in pursuit of new opportunities, many of which are fleeing violence and political and economic instability in their countries of origin; *and*
- WHEREAS,*** With the expiration of Title 42 in May of 2023, Boston has been experiencing a sharp increase in immigration. We need to assure new immigrants feel welcomed and safe here; *and*
- WHEREAS,*** Immigrant residents as well as new arrivals need access to information and resources. We need to ensure all department communication is shared with our immigrant community in a language they understand so that they can receive the assistance they need; *and*
- WHEREAS,*** The City of Boston needs to conduct research on 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, in order to be effectively responsive; *and*
- WHEREAS,*** The Mayor created an Office of Immigrant Advancement, but this Office was never codified into law, giving the people of Boston an opportunity to define for themselves how they would like to see the City serve our immigrant population; *and*
- WHEREAS,*** The City of Boston reaffirms its commitment to being a welcoming City by officially establishing an Office within its charter dedicated to immigrants; ***NOW THEREFORE BE IT***

ORDERED: That the City of Boston Code, Chapter XII, is amended by adding the following new section and subsections:

SECTION 1.

12-19.1 Purpose.

The City City recognizes that a large percentage of its inhabitants were born abroad or are the children of parents who were born abroad and that the well-being and safety of the City is put in jeopardy if the people of the City do not seek medical treatment for illnesses that may be contagious, do not cooperate with the police when they witness a crime or do not avail themselves of City services to educate themselves and their children. It is therefore desirable that the City promote the utilization of City services by all its residents, including foreign-born inhabitants, speakers of foreign languages and undocumented immigrants.

12-19.2 Establishment of the Office of Immigrant Advancement.

There shall be established in the City of Boston the Office of Immigrant Advancement (hereafter known as the Office) which shall be under the charge of an Officer known as the Director of Immigrant Advancement (hereafter called the Director). The Office shall be headed by a Director, who shall be appointed by the Mayor.

The Office shall also ensure that any service provided by a City agency shall be made available to all immigrants who are otherwise eligible for such service to the same extent such service is made available to citizens unless such agency is required by law to deny eligibility for such service.

12-19.3 Director Responsibilities.

The Director, or designee, of the Office shall have the power and the duty to:

1. advise and assist the Mayor in developing and implementing policies designed to assist immigrants and speakers of languages other than English in the City , in consultation with the Office of the Office of Language and Communication Access with respect to language accessibility;
2. enhance the accessibility of City programs, benefits, and services to immigrants and speakers of languages other than English by establishing outreach programs in conjunction with other City agencies and the council to inform and educate immigrants and speakers of languages other than English of relevant City programs, benefits, and services;
3. perform policy analysis and make recommendations concerning immigrant affairs; and
4. perform such other duties and functions as may be appropriate to pursue the policies set forth in this section.

The Director, or such other Office or agency as the Mayor may designate, shall have the power and the duty to:

1. 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;

2. consult with relevant City departments on implementation of sections of the charter and the administrative code that are relevant to immigrants;
3. participate in interdepartmental efforts, as appropriate, relating to the handling of confidential information about individuals held by City agencies and those contracting with City departments;
4. solicit community and stakeholder input regarding the activities of the Office, including but not limited to the Office's consultations with relevant agencies on implementation of sections of the charter and the administrative code that are relevant to immigrants.

12-19.4 Reporting Requirements.

- a. All City departments shall cooperate with the Office and provide information and assistance as requested; provided, however, no information that is otherwise required to be provided pursuant to this section shall be disclosed in a manner that would violate any applicable provision of federal, state, or local law relating to the privacy of information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement.
- b. The Office shall provide to the City Council and post on the Office's website a report regarding the City's immigrant population and the activities of the Office during the previous calendar year, including, but not limited to the following information, where such information is available:
 1. The size and composition of such population, including, but not limited to demographic information, socio-economic markers, and estimates of the immigration status held by members of such population, if any;
 2. Information regarding the needs of such population including, but not limited to, social services, legal services, housing, public benefits, education, and workforce development needs;
 3. Information regarding barriers faced by such population in accessing such services, and recommendations on how the City could address such barriers;
 4. Information and metrics relating to each programmatic initiative of the Office, including initiatives that are conducted in partnership with other Offices or agencies, including but not limited to:
 - a. total program capacity, disaggregated by service type;
 - b. number of intakes or program eligibility screenings conducted;
 - c. number of individuals served, disaggregated by service type.
 - d. number of matters handled, and aggregate data on the outcomes achieved, disaggregated by service type; and
 - e. with respect to legal services initiatives, number of cases accepted for legal advice and full representation, as well as the number of cases referred to other legal services providers, disaggregated by service and case type, and aggregate

data on the outcomes achieved in cases accepted for full representation during the reporting window.

SECTION 2.

Severability. The provisions of this ordinance are severable, and if any provision, or portion thereof, should be held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such unconstitutionality or invalidity will not affect the remaining provisions, which will remain in full force and effect.

SECTION 3. Effective Date.

This ordinance shall be effective within six months of passage.

Filed in City Council: June 28, 2023