

Responses to Questionnaires re Noncitizen Voting in 2020

by Mary Ann Wilner, Action Director, LWVBC

On January 1, 2020 I emailed leaders of Leagues located in 11 cities and two states with noncitizen voting (according to our 2016 study) to collect information on their city/state's experiences with noncitizen voting. I also wanted to learn of their League's involvement in the local efforts.

I received seven responses. All respondents want to know what position LWVBC develops. None of the local Leagues were actively involved in their local efforts nor did they take a position pro or con. In several cities individual League members advocated or wrote proposed legislation to offer voting rights to noncitizens. Based on these quick responses, it appears that none of the areas that considered or enacted legislation identified a specific term of prior residency.

Maryland has the most towns and cities that have enacted legislation for noncitizens. I did not speak with each of the towns. News articles sent to me described efforts in Takoma Park and College Park where legal noncitizens, those with student visas and green cards, can vote in local elections, including school board and city council. The Maryland League took no position. Takoma Park's law was enacted in 1992. College Park passed legislation in 2017 and allowed voting beginning in 2019.

Massachusetts follows the LWVUS language that voting is a "citizen's right," though the towns of Amherst, Cambridge and Wayland each passed their own legislation—even more than once—enabling resident aliens (green card holders) to vote. Massachusetts requires the state legislature to "take action" on these town votes. The legislature has never taken such action.

Minneapolis has not had a proposal to give voting rights to noncitizens. However, they have a policy to give all residents—citizens and noncitizens and those who are undocumented—access to municipal identification cards. They believe this may open the door to a voting policy by inferring a legal status to those with a municipal ID.

Washington, DC, law states that a "qualified elector" is a citizen of the US. They have had proposals for noncitizen voting in the past but none was ever enacted.

Portland, Maine, has had a proposed charter amendment allowing individuals with green cards and certain visas, but not those without documentation, to vote in city elections and for school boards and commissions. It was not approved and was postponed in 2018. It would have needed citizen approval via a ballot initiative before becoming law. The local League did some research, but did not testify pro or con. There was considerable debate even among the immigrant population, with ACLU voicing concern of a risk to undocumented citizens who might vote without realizing the illegality.

Montpelier, VT, passed a charter change in 2018 to allow only legal noncitizen residents to vote in municipal elections. Eligible noncitizens were identified as those with a green card or any individual who is considered "domiciled" in Montpelier. No residency term was required. By law, charter changes are first passed by citizens, then approved by the state legislature. The state has taken no action, so the law is not yet enacted.

Burlington, VT City residents were to consider noncitizen voting on the March Town Meeting Day ballot in 2020, but the council member who made the proposal withdrew it in January to allow time for more public discourse. In late 2019, the city council had approved 9-1 his ballot proposal, that Burlington residents who are not citizens but "who reside in the United States on a permanent or indefinite basis in compliance with federal immigration laws" should be allowed to vote in municipal elections. City voters rejected a similar measure in 2015.

Responses via email in 2018

NOTE: These emails from **July 9, 2018**, were forwarded to us by Marlys Robertson (past LWVUS VP) on December 10, 2019. Elaine Wiant (past LWVUS Treasurer) had forwarded them to Marlys, after doing a search of the Google group for LWV State Presidents.

- July 9, 2018, 9:14 AM, from Ann Luther <ann.m.luther@gmail.com>, Advocacy Chair, LWV of Maine : Hello, everyone --

I will check the Clearinghouse, too, but have any of your Leagues done work or taken positions on non-citizen voting in municipal elections?

- 11:41 AM, from: Helen Hutchison <hhutchison@lwvc.org> - LWV of California
Subject: Re: Immigrant Voting
To: Ann Luther <ann.m.luther@gmail.com> Advocacy Chair, LWV of Maine
Cc: <lwv-state-presidents@googlegroups.com>

We don't have a specific position about the issue, but Leagues in California are using our voting rights position along with the principles to support measures to allow non-citizens to vote in local elections.

We recognize that this is a stretch — but also that this stretch fits well within the League principle that our democracy is stronger when more people participate. By allowing people to have a voice in the issues that affect us all every day, we build a stronger community, and a stronger democracy.

- 1:52 PM from: <lwv-state-presidents@googlegroups.com> on behalf of Laura Ladd Bierman, Executive Director LWV of New York State <laura@lwvny.org>
To: Ann M. Luther; League of Women Voters State Presidents
Subject: RE: Immigrant Voting

Not allowed in NYS and I can't imagine that changing anytime soon. We're still trying to get early voting and easier voting registration!

- 12:51 PM from: Toni Zimmer <tzimmer@lwv.org> Secretary, LWVUS
Subject: Re: Immigrant Voting
To: LWV New York - ED - Laura Bierman <laura@lwvny.org>, Ann M. Luther <ann.m.luther@gmail.com>, <lwv-state-presidents@googlegroups.com>

Well, it's pretty amazing when you think about it: Every year, more than 8,000 Green Card holders -- but who are non-U.S. citizens -- join the military. So, these men and women can risk their lives serving our country, but they can't vote, even at the local level. Also, it's fine for so many of our legal immigrants to work hard and pay millions of dollars in taxes, but voting is off limits.

If you've read the article that Ann Luther shared, some of the comments at the end of that article are pretty disturbing. Here's the link again:

<http://thehill.com/homenews/state-watch/396069-non-us-citizens-may-be-getting-the-right-to-vote-in-boston-report> [*copied on next page]

We need to keep this discussion going and keep an eye what happens in Boston. Thanks for sharing.

* *The Hill*- 07/09/18

Boston considers allowing non-U.S. citizens to vote in local elections: report by Aris Folley

Officials in Boston are considering allowing non-citizens to vote in local elections, according to The Associated Press.

The City Council's Committee on Government Operations is scheduled to hold a hearing Tuesday to discuss allowing immigrant residents with legal status in the United States to participate in municipal elections.

"The purpose of our local government, including the Mayor's Office of Immigrant Advancement, is to strengthen the ability of diverse, cultural, and linguistic communities to play an active role in the economic, civic, social and cultural life of the City of Boston," City Council President Andrea Campbell, who requested the hearing, said earlier this year, according to local ABC affiliate WCVB.

The city is reportedly exploring methods that will make its local election more inclusive by allowing participation by legal permanent residents, visa holders and residents who are legally residing in the U.S. under Temporary Protected Status or the Deferred Action for Childhood Arrivals program.

Immigrant residents account for almost 28.5% of the city's population, according to Campbell. A spending report from 2015 said immigrant residents in the city have paid \$116 million in state and local taxes and generated about \$3.4 billion in spending.

Comments

This is an indication of just how panicked and desperate Democrat/Socialists are for voters.

[reply] The city can decide who they want participating in local elections, and your attack shows how desperate you are to smear people who support democracy, troll.

[reply] We live in a Constitutional Republic, genius. That's why they can decide who they want participating, No taxation without representation. You're a nitwit, of course. Trump supporter?
[and so on]
