

TRANSCRIPT

"WHY CITIES PROVIDE SERVICES TO UNDOCUMENTED MIGRANTS"

A Conversation With Fatima Shama and Sarah Spencer

Moderator: Archana Sahgal

* * *TRANSCRIBER'S NOTE: AUDIENCE BACKGROUND NOISE THROUGHOUT.*
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ANNOUNCER:

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STEPHEN HUBBELL:

My name is Steve Hubbell with the Open Society Fellowship Program. Sarah Spencer is one of our current Open Society fellows. I'm going to turn over the mic to-- my colleague, Archana Sahgal, from-- from-- who is program officer with Equality Fund of U.S. programs here at OSF. Archana, thank you so much.

ARCHANA SAHGAL:

Thank you so much, Steve. Hello everyone, welcome. Thanks for joining us on this kind of cloudy Wednesday afternoon. I'm very excited-- to be able to have-- facilitate this conversation about why cities provide immigrants-- excuse me, services to undocumented migrants. We've got two incredibly esteemed speakers.

To my left, we have Sarah Spencer-- esteemed Open Society fellow and the former chair of the Equality and Diversity Forum. Sarah has also-- served on a number of organizations'-- boards and as staff-- as-- deputy chair of the Commission for Racial

Equality. And in 2007, she won a major award in recognition for her work on human rights and equal opportunities.

And to my right is the very esteemed Fatima Shama. Fatima is the commissioner for Immigrant Affairs for the city of New York. And you cannot go anywhere in New York City or for that matter ('cause she's taking her show on the road,) (LAUGH) without knowing anyone that has not come (UNINTEL) the amazingness known as Fatima Shama, given the fact that-- really connecting the work of immigration, immigrant rights-- with state and localities around the country. So it's a real pleasure to have this conversation here today.

We're hoping that Sarah will be able to start and have a conversation for the next eight to ten minutes. And in response-- Fatima will be able to respond. And then we'll be able to ask a few questions. And I'm hoping that this is a real conversation. Many of you in the room have deep experience in working with immigrants-- deep experience working for city governments.

And so hoping that this is not a typical panel discussion, but this is a real opportunity to get into real lessons learned-- to have a conversation about what we're experiencing and what's possible across the-- across the way. So thank you. And with that, Sarah, we'd love to hear from you.

SARAH SPENCER:

Thank you. It's-- fantastic to be here. Having an Open Society fellowship has been the most wonderful opportunity, an incredible luxury to explore an issue in depth and-- indulge my interest in it and hopefully create something useful and-- and help shift agendas, which was the purpose of it. And of course I've been looking at the European experience of-- as government and city responses to undocumented migrants.

And-- the last time I met Fatima, we were in Turin in Italy at a transatlantic dialogue between cities on integration. And integration in Europe means legal migrants. But Fatima was bold enough to ask the cities, "Yes, but what about the undocumented migrants? None of you have mentioned those." And the reaction from them was very telling. They froze.

There was one particular-- German representative-- who said, "I can't answer that question. That's a matter for the national government." And essentially we don't talk about this in public. I think the American cities were somewhat bemused-- by this because your experience is so different.

But it was very telling for me-- their reaction and-- realizing that this was something that the cities didn't talk about. And in fact when I organized a session at the conference of Eurocities (that's the network of the largest European cities, largest 130), in Tampere in Finland in September, it was the first time they had ever discussed-- this issue.

And yet cities across Europe of course do provide services to irregular or undocumented migrants-- from education to health care, from child protection to emergency welfare payments to shelter to language classes. They do provide-- services, but they do so quietly. And-- in Europe, European migration scholars, they draw a distinction between what they call the sunshine politics of talking about immigration control, that's where you talk about it very loudly, you want a big fanfare because the public love it.

And-- they talk about the shadow politics of immigrant rights. That's what you talk about very quietly. This has a low visibility. You're trying to avoid any controversy, any political risk-- to the politicians involved. You'd much rather adjust the rules behind the scenes than have to take it to the full meeting of the assembly or the parliament-- to discuss to publicly.

And that's exactly what I found when I've been going around talking to-- cities and national governments across Europe about what services-- people are entitled to and why. And with some-- few exceptions like Utrecht for instance in the Netherlands, which-- was able to have a full debate amongst all its aldermen and get agreement on provision of services after a young undocumented woman was raped in the city and the shock that this could happen, a homeless young woman in the city-- was so great that it sort of galvanized them into a political agreement.

But it's much more common to have-- for instance in Barcelona they do talk about it, the officials and the politicians together, but they don't actually write it down. So it's not there in documentary form. Or indeed in Athens where they have a food bank for migrants and they give the leftovers to irregular migrants. I have to say they always make sure there are a lot of leftovers to make sure that they can get them.

But they can't acknowledge that this is what they're doing. So it's sort of done behind the scenes. And then there are German and-- and Finnish and other-- cities which actually do it through NGOs, not-for-profit organizations. They give the money to provide services to migrants and they just make sure there are no questions asked about what their immigration status is. Now, what that means of course is the whole thing is a sort of gray area, it's sort of ambiguous and uncertain-- and very-- vulnerable at a time of recession-- to-- being pulled back.

So for instance in Athens they always allow the children to go to preschool, not just to-- compulsory education, but actually wanted them to be in the nurseries. They just didn't ask what their immigration status was. I understand that's now much more difficult. They have to ask, and that means these kids won't get to go to school.

It creates (UNINTEL) uncertainty for migrants, whether they're entitled or not, very difficult for the NGOs, and interestingly also very difficult for the city staff. In the briefing that you have-- that I did for this conference a couple of weeks ago, you'll see a quote from a Danish city official who works with homeless people who said, "It's the most difficult thing about my job, this sort of being acknowledged-- and not being acknowledged, accepted and not accepted."

And so I think the question is why do the cities do it if it's all so difficult? And the

answers they give are, well, you know, humanitarian concerns, ethical concerns particularly where children are involved. Human rights law, sometimes that actually in European context overrides national law. So they'll provide it for that reason.

But also for the pragmatic reason that they simply can't achieve many of their objectives if they don't include this section of the population. So public health, crime prevention, reducing street sleeping, reducing the number of street prostitutes, all of these issues p-- cohesion-- social cohesion or avoiding reliance on emergency services by making sure people get them-- when they're less ill for instance, all of those pragmatic reasons are part of the rationale for why they do it and why they feel it imperative-- to do it despite the obstacles.

National governments of course feel some of the same imperatives. It's interesting that Sweden for instance, the national government-- changed the law this year to provide undocumented migrants with access to health care. The U.K. government, despite our politics on this issue, decided last year to provide full access to AIDS treatment purely on public health grounds that they couldn't actually achieve their objectives on AIDS if they didn't include this group.

But the difference of course is that national governments feel the overriding imperative most of the time of immigration control. And for the cities the priorities are very different. So as a public health official in Rotterdam said to me, "The national government doesn't need to bother with the problems that we have every day." And the cities regularly find themselves thwarted in their effort to provide services by national immigration restrictions-- that-- make it difficult for them to do so.

So I thought I'd just-- close with-- four lessons or observations that-- throw into the pot-- for-- discussion that I would take from this. One of them is that in Europe it's the cities that are driving this agenda-- through their practices of provision of services, but actually also through succeeding in changing the law.

In Italy for instance it was the municipalities providing access to nursery education that in the end led to the government-- changing the law through a test case. In the Netherlands it was municipalities insisting on the right of the undocumented young people to do apprenticeships after they left school that again resulted in a change of the law actually because the alderman in Amsterdam who'd been fighting for this then became the social affairs minister in the government. So he could hardly change his mind at that point.

And German cities-- German regional governments that refused to pass on the data of undocumented peoples to the national government as they were supposed to do, and then eventually were successful in getting the national government to change the law so that didn't-- data didn't have to be handed over, which meant that the kids actually could go to school.

So I think if funders or NGOs were looking for nontraditional allies on this issue, then cities-- would have to be up there as one place to start. And another place would be doctors. It's significant how often they appear as leading-- advocates in the campaign

to get access to the health care. And the NGOs have been very effective in working with doctors to get their voice heard.

The second point I wanted to make is that I've found (and I keep being-- told this), that how the issue is framed is incredibly important in whether the campaign is successful or not. If it can be framed as a technical change, not a big political issue of principle, but actually just a shift in the rules for instance on whether the data of the service users has to be passed onto the police or doesn't have to be passed on, that can make all of the difference in whether the entitlement is there or it isn't.

And secondly, if it can be framed as an existing practice, the cities do this anyway. The regional governments do this anyway. Then the national governments think it's not such a big thing to do it. We can just say that this is what's happening already. And I think the lesson from that is it doesn't always pay to frame the issue as a big issue of principle in human rights terms. There actually might be an easier way-- to win the argument.

The third point is that I'm finding that there is some scope for European level, that overarching super national level, to make progress in this. We had a superb roundtable in the Open Society Brussels office two weeks ago looking at European Union agendas in relation to children and found there's actually some movement there, some possible scope for getting their agendas to embrace undocumented children within health agendas, education and poverty and so on, even if the migration agenda, policy agenda is so difficult.

And at the Council of Europe level, which you know is a completely separate body, the human rights body-- there is part of that, the social charter, which is being-- the committee that oversees that is being very proactive-- in taking-- the rights of undocumented children to be part of the rights that they protect. And they're looking for more test cases in order to take that protection further.

And my final point would be, I think European cities could learn a hell of a lot from American cities. And we'll see when we've heard what-- Fatima has to say, it's true that you-- you're polarized here, and there's some cities we don't want to learn from-- experience. But experience of New York or Chicago or New Haven, and I know a number of other cities, your practices and policies are way ahead of what is happening in Europe. And you have any hot tips in our how we can shipshape our debate in your direction, I'm all ears and very interested to know.

ARCHANA SAHGAL:

Well, all eyes are on you now.

FATIMA SHAMA:

Great, great, yeah. So-- so thank you, Sarah. It's a pleasure to be-- having this conversation with you, and Archana, for you to be-- sort of guiding us if you will. We

had a chance actually to meet Sarah when she started on this research. And-- and-- it was-- it's-- I think it's fun to sort of come full circle.

So I'm going to speak a little bit about what-- Sarah just shared. And then I'm gonna specifically speak about New York City-- because there is a very large distinction between what-- localities and states across the country do in this work. And-- we, like places like Chicago, L.A., San Francisco-- New Haven, are certainly on the-- I think more progressive side of things. There are many localities-- that are not.

And some of that actually is not because of their desire, but largely because of state governments and-- forget national governments and what, you know, the federal government-- does, but-- but state governments, which have become more divisive and-- really have-- hampered and injured our-- our work with immigrant integration largely across the country.

But more importantly I think-- in-- as I have experienced-- the-- the reality of how folks talk about serving the undocumented population, in New York we're pretty comfortable to talk about this. I will openly say though that you won't find everyone who's very comfortable talking about this. But-- but generally speaking New York City-- is pretty clear that we're here to serve any and every New Yorker.

And it starts for us, the-- the f-- the idea of framing is really important because leadership matters. But you will find that-- it is in fact-- oftentimes it can be as quiet-- about how and-- and-- the kind of work that we do. And-- and I'm gonna try to give examples as I talk through this. But-- a most recent example for us here in New York has been around-- the hurricane, Hurricane Sandy and its implications on-- on immigrants and-- in particular-- undocumented immigrants.

We-- we were able to very much recognize that we have-- legal status households, mixed status households that-- being-- you know, perhaps undocumented parents with U.S. citizen born children, which provides them benefits-- in some instances and-- but we have undocumented households. And we actually came up, I would say for many of us internally who find ourselves-- to be real advocates on this issue, we found ourselves really challenged by our colleagues who-- sometimes didn't think-- that this was-- as important an audience for us to serve.

The good-- the good news here is that there were a lot more people on our side than there were on the other side. And so we were able to sort of plow through. But I think, you know, that-- that there is still a lot of work to be done-- in this space. And-- and-- in government it's very progressive, but I-- I-- I would say we still-- certainly in local government here in New York City, but on the state level-- we still have lots and lots of challenges, lots of challenges.

The City of New York actually has a confidentiality policy which every single New York City employee learns about when-- when they are hired. And there's a confidentiality policy that-- that Mayor Bloomberg signed-- in 2003-- that really focuses on a number of protected-- classes of information that we might ask an individual when they come to us for a service.

And immigration status is included. New York City employees are all aware that

when you take that information, we maintain it confidential. So when you're enrolling a family for schools-- for our school system, you shouldn't ask them whether they're documented or undocumented quite honestly, but if in the event that someone does-- that m-- information is maintained confidential. It becomes most evident and most important around-- public benefits such as social service benefits-- or health care or housing where-- the distinction quite honestly is around funding sources.

So on the federal side when money is-- is essentially give to us by the federal government and sort of makes its way into-- community programs-- and community services-- we've gotta differentiate who that-- who those dollars are representing. And in some instances it's quite clear that it goes to legal permanent residents. But in other instances it's not.

In the City of New York, and-- and to its credit, the State of New York, actually supplements a good amount of money to ensure that we aren't-- demonstrating this distinction. And in-- in a place where you see that very evidently is around health care. So I'll get into that. Why do we in the City of New York care so much about serving-- the population? For lots of reasons.

1) I would say that this actually-- the good-- the good news here is that this is not-- Bloomberg is very strong on this, but this is something that precedes us as an administration. Giuliani, who most understand to be not as-- forgive me, kind a mayor of the City of New York, was actually not bad on this issue. He was very strong on this issue. We-- during his time as mayor in the city we actually sued the federal government because they were asking us to disclose people's status. And Giuliani said we weren't gonna do that-- and so-- to his credit.

And prior to that, both Dinkins and Koch-- all very clear that this is a city where-- where-- documentation status isn't a distinction. We want to ensure that children are enrolled in our schools. We want to ensure that families-- are cared for. And part of this actually is a public safety narrative. Part of it is the right thing to do, but part of it for New York is actually around a public safety narrative.

Around public health in particular we want all children to be immunized, so we need to make sure that you have access to health care. Because one child in a classroom with-- without immunization or without-- some-- ability to access a primary care physician could fundamentally mean that that child is now passing around something to the rest of the class. So there-- there's a public safety nuance there.

Also people, when they're more comfortable they tend to-- live their lives more successfully. And New York's narrative is really about-- I think we like to say-- you know, when you invest in your communities, they invest in you. And-- and so the return on investment of our ability to provide services to-- every New Yorker, irrespective of status, fundamentally means we know that they will thrive here better. That-- that is a simple-- that is a simply fact for us-- which is a good thing.

Unique to New York though is in fact that we have a lot more power in our city. The state has lots of power in New York-- the governor certainly does. His politics are

very progressive, so we're lucky. The state legislature-- a good number of them come from New York. So-- so they're not-- they're-- it's not a uniform voice, unlike our city council here, but they are not influe-- they can't be-- our delegation is pretty powerful on the state level.

So even though there might be some policies that are discussed on the state level that might be unfriendly-- to immigrants-- undocumented immigrants statewide, it sort of-- it sort of dies on the vine up there-- in Albany. And we're very lucky with that reality.

It's very different than what has happened in Arizona or in Alabama for example or in a state like North Carolina where these state legislatures are in fact recreating policies that are so detrimental to immigrants, in particular undocumented (TRUCK HORN) immigrants in their-- in the state that places like Charlotte or places like Birmingham are suffering-- or Phoenix are really suffering and battling out-- how do they provide appropriate services to an audience they find is important to them-- for a lot of the reasons: public safety, the right thing to do. Localities are burdened with this responsibility because we are the ones who serve people. We are the ones who directly serve people in every way.

So-- so there's a difference. You know, a lot of-- a lot of folks recognized this as blue cities and red states. And New York isn't that, right, we are a blue city and a blue state. This is the sort of distinction around the sort of partisan lines. But-- but it is a phenomena that exists-- that is unique to us that I think-- mirrors a bit about the-- some of the European-- reality.

In New York I wanna just-- mention a couple of things. And so-- the child welfare-- narrative is important one. We in the City of New York when it comes to children in particular-- and I actually think it's-- it's a federal-- I think it's something that we demonstrate as-- forgive me if this sounds Pollyanna-ish, but you know, I think it's an American thing.

I think we care about-- children. And I think-- we provide services to ensure children and their wellbeing. In the city-- or in the state of New York we have this opportunity when-- a woman is pregnant, to provide-- prenatal care assistance free-- irrespective of status.

When a woman is pregnant and presents at a hospital, no hospital can turn her away because the federal government through the state will pay for that chi-- for that woman to receive prenatal care and postnatal care. In the state of New York-- we signed up for that as a state. So this is very important for us. It's actually-- an opportunity that states across the country can take-- not all take it-- but we in New York do.

And the reality for children in fact is that when they're born they then get access to eligible-- they get-- access to health care-- which will be changing under the exchange but still is relevant and-- available-- (UNINTEL PHRASE) there's Child Health Plus-- but-- but in essence continuing this opportunity that a child can always have access to-- to health care. And that's actually pretty important. When we have

kids who are removed from their homes and that end up in our foster care system-- those kids are provided every single benefit, irrespective of status-- as any other child. I would say that when we have children who actually are U.S. born, whose parents are undocumented and need public health-- assistance-- public assistance, food stamps, food vouchers-- housing, our system provides benefits to that child, but it includes that family.

And we're not penalizing the family. We're not saying, "You can't get any benefits because your parent is undocumented." That's actually not what we do at all. So many families exist and can-- and can s-- in-- in some instances survive (and I'm not saying well), but they do get benefits that allows the family to-- get access-- so it could in fact help supplement some rent, it could in fact help-- supplement some-- weekly food subst-- substances-- or subsidies. So it's-- it's-- it's a pretty big deal.

The other thing I want to just mention is the police. Police and community for us in New York is a big deal. And it is actually across the country, and I would say a lot has been written about this. Europe struggles a lot with this discussion. (SIREN) For us it's pretty clear, you've-- and this is actually the Giuliani narrative that carries over-- which is in order for you to create an-- an environment and communities that feel comfortable coming forward in the event of a crime, they need to feel comfortable and you need to protect them.

And this is-- this is quite real. There's lots of debate about this these days with our police department. But-- but in fact in a city like New York we have a very robust-- police department that really mirrors the diversity of New York City's-- residents.

We've got-- an immigrant outreach unit that is embedded in the Community Affairs Division at the police department. And their sole job is to go out into new immigrant communities and create these relationships to ensure that people aren't afraid and that we're responding to some of the challenges that we see.

So a lot of these strategies are quite unique to us, but they're not-- they're not-- they're not things that other cities can't borrow or learn from. And not that they're (DOOR SLAMS) perfect, but they have in fact-- provided a great opportunity for us locally to be able to respond-- to challenges on the ground fairly quickly, so.

ARCHANA SAHGAL:

Great. So I have a few questions-- because I could spend all day with these fabulous ladies. But I know that you probably have some questions as well. So maybe I'll start it off and then open it up to the audience and we can just have a conversation. So one of the things I find really fascinating right now in the U.S. is that the economic arguments that are driving the narrative to-- to reform the immigrant system and the contributions that immigrants make-- from an economic perspective has been very powerful.

So I'm curious about-- what are-- are there any narratives-- you talked about the narratives and the frames that are so important, Sarah, (DOOR SLAMS) in getting

folks to-- to shift their thinking around migration and migrants and undocumented migrants. So I'm curious about whether you've been able to see any-- economic arguments-- to be able to support-- leadership at the-- at the local level.

SARAH SPENCER:

You mean economic argument for inclusion?

ARCHANA SAHGAL:

Exactly, exactly. Taxes-- helping local economies.

SARAH SPENCER:

We're so far from that. I mean, the idea that you might argue that-- I mean, I saw recently the argument that you should have a driving license here so that you can go to work. The U.K. government's just proposed making sure that it's absolutely impossible to get a driving license. And the idea that we might use the argument, "But then we won't be able to go to work--" is unthinkable because their p-- retort to that is, "Well, they shouldn't be working. They're taking other people's jobs."

So there is no narrative-- other than recognition from NGOs that-- irregular migrants are doing jobs (SIREN) that perhaps other people don't want to do. The governments would be united in thinking that-- the priority must be to keep people out of work because that will be the greatest incentive to leave the country.

So the way in which the economic argument is playing is making it more difficult to provide services. Municipal government is stretched financially, losing funds. Funds are being taken away from the welfare services. So those gray areas where it was possible to provide access-- (TRUCK HORN) are narrowing down-- the discretion is going. So in Greece for instance doctors who choose to go beyond what they're allowed to do to provide a service might still choose to do that. But they can no longer get the medicines that they once could prescribe-- because that leeway in the system-- is becoming much narrower.

The only-- up side if you like is that the-- harsher conditions that people are experiencing is-- is raising awareness amongst people who-- perhaps on the more progressive side about this particular issue who weren't concerned about it before. So although-- greater hostility from one side, greater aware-- wareness and willingness to contribute-- on the other.

ARCHANA SAHGAL:

That's actually really helpful--

SUZETTE MASTERS:

Can I tack on to your question?

ARCHANA SAHGAL:

Sure, please go ahead--

SUZETTE MASTERS:

So--

ARCHANA SAHGAL:

--and if you'd introduce yourself.

SUZETTE MASTERS:

I did.

ARCHANA SAHGAL:

Oh, just one more time just so we can start a conversation. (LAUGH)

SUZETTE MASTERS:

Suzette Masters from the J.M. Kaplan Fund. So just to tack onto Archana's point, I think w-- we in the United States were not far from where Europe is today five years ago. And I think there's been a concerted effort to build the economic case. It had been a rights based case. It wasn't goin' anywhere.

And I think there's been a concerted effort to repackage the debate to blur the distinction between immigrants who are here legally and those who aren't and just blanketly say, "This is what immigrants have done for the United States, this is what they can do for localities." And-- someone that Fatima works from closely with, Jeremy Robbins, at the Partnership for a New American Economy has been brilliant in packaging a whole bunch of studies to really recast the benefits of immigration.

And so for example it doesn't matter whether you're a documented or undocumented, if you're an entrepreneur, you know, you're a net gain, right. Or if you're-- occupying housing that was abandoned and renting properties that were abandoned, right, that's a net positive for the economy, the local economy.

So I think there's been a whole rebranding effort that's really gained steam and is working now. But they will both tell you, Archana and Fatima, five years ago we were exactly where Europe is, maybe even behind where Europe is: no driver's licenses, you know, the-- what was the name of that awful act? Real ID. You know, there were-- just awful things happening and lots of demonization. But I think what's interesting is that I think there's a playbook here that can be adapted, you know, for other cities.

FATIMA SHAMA:

Just h-- how-- Suzette, how did they win the argument that while legal migrants contribute to the economy--

(OVERTALK)

SUZETTE MASTERS:

They still contribute.

FATIMA SHAMA:

The--

SUZETTE MASTERS:

They still pay taxes.

FATIMA SHAMA:

Yes, but if they weren't there, wouldn't other people have those jobs? H-- how do they overcome--

SARAH SPENCER:

So-- so-- so--

FATIMA SHAMA:

--that argument?

SARAH SPENCER:

--interestingly enough, one of the reports actually-- that was done was the-- and it might have been-- collaborative, but the-- it was a s-- it was a stark-- reality for me was the-- a report on the agricultural industry and the reality of what-- undocumented labor means for the agricultural industry. And our inability to actually fundamentally do more to ensure that we have more people working means we actually throw away-- annually \$73 million of unpicked fruits and vegetables.

And-- so-- so the truth is-- is that with the labor that's doing the jobs no one else wants to do, we still aren't in fact even responding to-- to all of the job opportunities that can exist because if people wanted those jobs, we'd actually be able to pick--

FEMALE VOICE:

And the other thing--

FATIMA SHAMA:

--much--

(OVERTALK)

FEMALE VOICE:

--that went with that campaign was businesses, right, speaking up at the same time and being a counterpoint to the anti immigrant folks and saying, "Hey, we want to hire these people, we can't under our current system. You haven't created other ways for people to come in, so we are in-- between a rock and a hard place, you know. And we need these people and they contribute and--" so I think there was a whole bunch-- a different pieces coming together that hadn't been there before that are now helping to get us where we are.

FATIMA SHAMA:

But I wanna pick up on something that you said which is-- which we've all, I think, witnessed and-- and-- pushing forward which is framing, right. I think the-- the-- you know, the-- the sort of point that you made-- around a framing reality is-- is really quite critical. I was at a talk that-- that was done where-- where-- a fairly-- the former secretary of commerce during the Bush administration whose name escapes me, but whose been sort of, you know, the Republican lead on comprehensive reform said, "We can't do this without-- undo-- you know-- the reality of-- of immigrants in all of their capacity."

Right, it is the restaurant worker and the chef. It is the hospital-- you know, the maintenance worker and the doctor. It is the, you know, student and the professor. Like, that is the-- the landscape that these audiences all take up. And we can't-- we as a nation have to recognize everybody in their full capacity. And I just think it is a framing reality. We're talking about it differently.

SARAH SPENCER:

And-- that means that you've got great transparency about who these people are, what kind of jobs they're doing so that that case can be made. So that evidence needs to be there--

FATIMA SHAMA:

The other thing that--

SARAH SPENCER:

--first.

FATIMA SHAMA:

--I think is interesting is-- just s-- on the case of what they're doing is someone I heard speak-- is a colleague of ours, (UNINTEL)-- doesn't call low wage immigrant workers, low wage immigrant workers. He actually terms-- the audience as essential hands. And I think every time he speaks and he says, "These are essential hands, these are essential hands, these are--" you start to hear people respond to that very differently. So--

SARAH SPENCER:

So framing--
(OVERTALK)

ARCHANA SAHGAL:

It's a framing piece. I have a million questions, but I know I saw a question from you in the corner. And can you say your name just so (UNINTEL PHRASE)?

HELEN EPSTEIN:

H-- Helen Epstein. Yeah, I have-- have I guess two questions for Commissioner Fatima. One of them is-- you said that undocumented women, if they're pregnant, are guaranteed free prenatal and antenatal care. But who pays for delivery, especially when it's complicated and cesareans and all that sort of stuff. Is that--

(OVERTALK)

FATIMA SHAMA:

So it's all inclu-- if--

FEMALE VOICE:

All of that--

(OVERTALK)

FATIMA SHAMA:

--if-- yeah, you get basically something called prenatal care assistance. It's-- it's-- you-- you get access to the prenatal care assistance plan-- s--

(FEMALE VOICE: UNINTEL)

FATIMA SHAMA:

Acronym is PCAP, yeah.

HELEN EPSTEIN:

And--

FATIMA SHAMA:

And it covers everything.

HELEN EPSTEIN:

--and the other question is can you tell us a little-- I know this is sort of awkward about the sort of ramifications, if there's any discussion about, you know, the-- the Baby Hope Case for those who don't know. There was a little girl about 20 years ago

who was found inside a picnic cooler. And it seems as though according to the *Times* yesterday that-- a lot of her-- her-- she was an-- from an undocumented migrant family from some-- Mexico, I think.

And one of the reasons why her relatives including her parents didn't come forward sooner is because they were afraid it would jeopardize their immigration-- situation, that they would be deported--

FATIMA SHAMA:

So--

HELEN EPSTEIN:

--and so-- I was just--

FATIMA SHAMA:

So I don't know the case. But if somebody here does you should feel comfortable talking about it. So I don't-- so I don't-- I'd have to do some good reading and then we can talk. But--

HELEN EPSTEIN:

Yeah, and I-- I think it's probably early days, but I would imagine the police (UNINTEL) would--

FATIMA SHAMA:

But if it's something that you picked up about-- Helen, about the-- the relationship between local law enforcement-- and communities that they are in service towards and what's that relationship look like in an ever changing conversation around migrants-- undocumented migrants and what have you, and so I'm curious about the role that law enforcement has played-- in-- in your research-- and whether they've been effective advocates for more rights of undocumented migrants-- or have they been quieter? Be-- and I'd love for you to share a little bit more about your experience in working with law enforcement-- in the context of immigrant reform in this country.

SARAH SPENCER:

I've struggled to find examples where the police are effectively allowing safe

reportings so that-- they-- can hear from undocumented migrants without threat of deportation. There's-- a great example in Spain where there's actually a national ordinance which-- says that if an undocumented woman is the victim of domestic violence, she can report that without fear that she will be deported, that-- they tried to do that through an unwritten understanding. And that didn't work, people didn't feel able to come forward.

And-- the national ministry responsible for equality had a major drive on domestic violence. The evidence-- from research and-- NGOs and so on showed that there was a significant problem amongst this section of the community. So the ministry decided they weren't going to be able to achieve their targets and what they wanted to do unless they were able to reach this group of people.

So they passed this ordinance which provides the sort of protection we're talking about. There's an example in one of the Dutch police forces where they have-- not a written rule but what they call a gentlemen's agreement-- which-- is known throughout the city-- that people can come forward to report that they're the victim or a witness to a crime and they won't be deported. But because it's not written down, they cannot absolutely be sure that that won't happen. There might still be officers who are gung-ho.

And-- so-- it's-- there's nowhere where that kind of thing-- is written down. Many places I was told, well, the police probably are-- use their discretion in the way-- in-- one might want them to. But it's not established enough for the undocumented migrants to feel confident in coming forward. So they must be very vulnerable at all sorts of offenses. And it means the police of course are not getting the information that they need.

ARCHANA SAHGAL:

You may have heard me-- visibly or assuming visibly sigh because despite the fact that how-- scary and terrifying that is, there's some-- a lot of-- connections between what you just described and what's happening in the U.S. But I'd love to hear a little bit more-- if you have any experience in working with local law enforcement around the relationship and the role that they play in (UNINTEL) and protecting all New Yorkers and the role that-- migrants (UNINTEL).

FATIMA SHAMA:

Yeah, so-- so I think the-- the sort of domestic violence example is a really rich one. The country has-- a policy that was recently debated and thankfully-- fell in our favor-- about violence against women and in particular-- viol-- victims of domestic violence who are undocumented who feel comfortable coming forward-- and essentially testifying that their s-- their whomever-- and it's actually not just women, it's anyone who's a victim of-- of violence-- testifying that they are the victim can

actually have a change of status, right, can actually get access to a different visa that-- allows them to essentially get on a pathway to legalization. And--

SARAH SPENCER:

Is this practice or this is what people were arguing--
(OVERTALK)

FATIMA SHAMA:

This is-- well, it's actually law. It's law in-- in-- in the country. And we actually-- it was up again for-- debate-- and-- it-- it-- it actually fell-- it-- it was a little testy, it was touch and go a little-- many of us-- for-- for-- for the nation, but-- the folks in D.C. got it together (unlike what's happening now), and-- and-- and-- and we-- through the Violence Against Women Act, you know, remains law.

And-- but s-- in-- in the City of New York it's actually-- a very big reality for us because we have-- the City of New York has created-- family justice centers, essentially they are-- co-located centers that serve victims of domestic violence. They are co-located with our district attorney's offices. I mean, we literally-- someone who is a victim can come forward, our police-- department-- collaborates. And we are able to really effectively get-- help for-- victims-- fairly quickly actually.

And so our-- I think-- that-- that we do a really-- serious job about ensuring-- if anyone is the victim or witness to a crime, that they are protected. We say it a lot. If someone is in fact arrested and is undocumented, the-- the federal government has-- instituted a nationwide-- system called Secure Communities where they're now essentially taking from every single-- law enforcement agency fingerprints.

In New York as much as we've tried to push back-- we are an activated city. And so anyone who is arrested, their fingerprints does in fact get sent to the federal government, and it can in fact-- trigger-- someone's-- the Department of Homeland Security to instigate a deportation request.

We in the city have used some-- some thoughtful policymaking around how we protect New Yorkers, certainly if they're not convicted, certainly if they fall within any number of categories. So-- so we've pushed back actually on the federal government on this, which is something New York and Chicago have actually done and other municipalities are working on.

ARCHANA SAHGAL:

One of the things that Sarah and I were able to do before coming into this-- luncheon-- was have a little chat about the-- the public face of undocumented immigrants-- around the world. And one of the-- what I-- what I posed was one of

the reasons why we're having a conversation about immigration reform in 2013 and hopefully 2014-- is the fact that those that were most impacted had a louder-- a louder voice and a larger platform to be able to demand and advocate for their own selves.

Because in the '80s and the '90s oftentimes immigration advocates were (I'll just say it,) usually-- straight, white male-- and they were tasked and heralded as being the spokespeople for undocumented immigrants in this country. What I find really fascinating is that over the last 20 years there's been-- a remarkable shift for undocumented immigrants to tell their own stories.

And-- I'm thinking specifically of-- the dreamers-- undocumented young people in this country, and now the dreamer moms. And there's a new group called dreamer moms that got started in Florida. And so it's just been incredibly powerful for young people to be able to tell their stories and in that-- thread a very, very sophisticated gender analysis around this work as well and being able to connect and bring in-- for example domestic workers, and so be able to unite-- domestic workers-- and young people and children.

And so I find that-- that is fairly new. I would say that's probably in the last four or five years that the dreamers and undocumented immigrants to be able to tell their own stories has been very effective. So I'm curious about what you're seeing in-- in Europe. And if there is not that ground, what's possible? And is it possible in five, ten, 15, 20 years?

SARAH SPENCER:

I can see the power-- of that happening and what a difference that must have made to the debate, put a human face, that these are real people and not a threat and the way that-- it can be demonized in the-- in the public imagination. The question is how you got there-- it's-- it's very rare for us to-- even have someone on a conference platform.

The-- umbrella body of NGOs in Europe called PECAM (PH)-- based in Brussels that puts on conferences, they always try to have one person there who is actually undocumented who can tell his or her story to bring it home to us-- what we're spending the day discussing. But that's rare.

It's very rare to see anyone speak publicly because they're laying themselves open to arrest. And-- there is-- there is as yet no movement-- to do that. A little bit more, I think, in France and (UNINTEL) one or two other countries-- and certainly in my own, but still very rare. So there is-- there's no movement there, there's no visibility. And that no doubt contributes to the public sense that these are a different kind of people who pose a threat and-- you know, that one wouldn't want them to stay. So for me the big question is how do we get from where we are to a position where enough people feel comfortable enough to become public and tell their own stories so that the not-for-profits don't have to tell it for them.

ARCHANA SAHGAL:

I mean, to be clear it was unthinkable that undocumented immigrants would have a voice and a platform and to c-- to quote/unquote, "Come out," and be undocumented and unafraid even would you say three years ago, five years ago?

FATIMA SHAMA:

Yeah, I mean-- I mean, I think many of us remember when it started, the sort of organizing. I-- I have to tell you that there's-- maybe it was three or four years ago when-- when it's-- it's the dreamer youth that I think really came forward and really started to say, "We're unafraid, we're unapologetic. And we're-- you know, we're undocumented, we're unafraid and we're unapologetic." And I really feel like-- it-- it did put a human face-- but it also in addition to putting a human face, it was a bunch of-- you know, it was-- it was-- a group of young people who can tell that they arrived at a certain age and that they had grown up here and that they'd known nothing but, you know, this as their home. And they deserved that.

And I will just add that during the Democratic National Convention a young student who was a student of Jill Biden's-- when-- at her community college, introduced her and came out onstage and said, "I was undocumented." I mean, this is on a national platform, this young woman was artic-- articulating her support, you know, and was the recipient of deferred action.

But this is now a very different landscape. That would not have happened, I think, in the previous-- campaign. But it-- I mean, the tone is really-- at-- at-- at a time where-- people are really-- I think coming out is a fair way to say it, you know.

ARCHANA SAHGAL:

But-- but I do think that there's been a little bit of-- deification of some categories of undocumented immigrants and-- demonization of others. So I think the dreamers are riding a wave right now, you know, the-- the valedictorian who all but for status would be going to Caltech. You know, like, I think there is some of that, you know, overlay.

And then I think that people that have been-- in the past viewed more positively are now being demonized. So for example refugees of Muslim backgrounds despite their legal status are being demonized at the local level. And-- you know, so-- so I think it's-- it's more complicated--

SARAH SPENCER:

If I-- respond to that, I mean, th-- I recognize that in the-- in that-- the one set of people who f-- are visible are the people who have been targeted for deportation, so

in f-- you know, f-- whom the way-- the game is up, so they're then public. And sometimes there is then a public campaign to stop them being deported, perhaps 'cause the kids are in the local school and the mum is known to the other mums kind of thing.

And public opinion is-- is fickle in that sense that, you know, there might be a majority of public opinion in favor of a policy that deports people, but once it's somebody you know-- you take a different view. And there the campaign can-- what word you used-- the opposite of demonized, but anyway, you know, sort of sanctify. "This is a good person, they contribute to the community. They shouldn't be deported."

And the sense is that they're sort of good-- irregular migrants who we want to stay and maybe others who we don't. So I-- you know, I recognize the distinction you're making. I suppose the strength of starting somewhere is that there's-- a chink that opens the door. So-- with children for instance-- putting a lot of effort on changing policies for children-- is a start (CAR HORN) from which then we might grow (UNINTEL) and s-- as I-- (UNINTEL) I'm not the-- advocate but the-- you know, the not-for-profit advocates would take it-- from there.

ARCHANA SAHGAL:

(UNINTEL) oh, we have two questions. Maybe we can stack them so we'll get both. You first, and then we'll--

(OVERTALK)

AUDIENCE QUESTION:

I have a question about specifically New York. I know that there's a movement now to extend-- municipal voting rights to undocumented migrants in the city. And I was wondering if you could speak a little bit about that, both arguments for (which are fairly self evident,) and there's against. I know it's likely to pass, and I think-- they already voted on it recently, right, last week or something? Or an initial resolution, I don't know the--

FATIMA SHAMA:

So-- yeah--

AUDIENCE QUESTION:

--specifics about-- yeah.

FATIMA SHAMA:

--so-- so I'll-- I'll-- I'll s-- I'll speak to it, yeah. Do you wanna ask--
(OVERTALK)

AUDIENCE QUESTION:

I have a question for you and a question for you as well. My question is about extending health care benefits-- to undocumented migrants. Does this include-- mental health care as well as-- combinations for disabilities? It does?

FEMALE VOICE:

Yes, yes.

AUDIENCE QUESTION:

That's huge.

FATIMA SHAMA:

If anyone-- so-- so I'll just answer that--

FEMALE VOICE:

Yeah, please-- please do.

FATIMA SHAMA:

First, I'll get to the health care question--

AUDIENCE QUESTION:

(UNINTEL) another que--

FATIMA SHAMA:

Okay, so ask-- so ask your question and then I'll--

AUDIENCE QUESTION:

My question has to do with how much of the-- undocumented movement or whatever in-- in your-- in-- recognizes the (UNINTEL) population and the experiences they have with-- being ejected from certain countries in the name of (UNINTEL).

FATIMA SHAMA:

So on the-- health and then I'll answer (UNINTEL)-- voter rights-- question. So on the health question-- New York City-- has a really robust public hospital system-- known as the Health and Hospitals Corporations. And so you've passed these places, Bellevue Hospital, Metropolitan-- here in the city-- Gouverneur-- I can list every one for you if you're interested, but (UNINTEL). Anyway it's a very robust system.

And it really is in fact where-- we turn no one away. And so-- there are-- there's a law on the books that no hospital can turn ever a patient away. That sadly is not what we have witnessed before. With that said we know in the City of New York that we have a public hospital system-- who will ensure that care of anyone who walks through its doors. (DOOR SLAMS)

I will say that for children-- w-- with mental health issues, a big issue-- their services abound. And-- and they're included in that, they're the child health-- insurance-- portfolio, benefits as well as if you walk through the doors. And we've-- we've seen some-- challenges-- with individuals who come through. And we know that there's care there.

The other-- area is around disability. So-- so this is another reality around the American nuance, which is-- individuals with disabilities get benefits-- uniquely. And there's something called Emergency Medicaid that a hospital can activate or can apply for.

And one of the-- justifi-- this is a very weedy. One of the justifications could in fact be-- a child's-- anyone's disability. But-- but-- so-- so the federal government will allow certain benefits, and disability is one of them, demonstration and proving it. On the voter rights issue-- so this is where I'm gonna sound like-- a gross bureaucrat, so I'm sorry, which is we in the City of New York-- have not endorsed-- municipal voting rights.

This is a conversation and debate that's happening within our city council. This is where I will sound further bureaucratic, which is of course they would want to ensure that there are-- voting opportunities, because it provides for-- more people on the local level to participate. Once upon a time in the City of New York when people would do-- when there were elections around school boards, anyone could participate.

We now have something called Community Education Councils. Again anyone can participate in those-- those-- opportunities-- and furthermore sounding like a

bureaucrat, we in the administration do not-- comment on resolutions. But it is a resolution that has passed. A resolution's a recommendation-- in the law. I think that we are gonna see a greater debate about this in the next mayoral-- administration.

AUDIENCE QUESTION:

So it's very nascent at the time?

FATIMA SHAMA:

It's very-- it's very-- but it's been a conversation that has been underway-- for quite some time. And-- we've got a policy brief on it if you're interested. (LAUGH) But-- so--

SARAH SPENCER:

Can you say why the mayor's office doesn't endorse the move to-- to extend voting rights?

FATIMA SHAMA:

Oh God-- why d--

SARAH SPENCER:

Just-- so obviously it's politically--

FATIMA SHAMA:

It's not something--

SARAH SPENCER:

--sensitive?

FATIMA SHAMA:

--I mean, I-- I-- I think it's-- I think it's been our administra-- I think every mayor quite honestly, not just Bloomberg, has not been in favor of-- voter-- un-- for un-- for

un-- for undocumented-- immigrants participating in-- in-- in local municipal voting. There's a question around-- legal permanent residents, right, 'cause you have to be a citizen to participate. There's, I think, been some g-- debate. But I think that the argument we have heard in this last conversation was one of the benefits of being an American is to participate in this political process, and we must maintain it-- you know, sort of keep the sanctity of that--

SARAH SPENCER:

It's been--

FATIMA SHAMA:

--so it's--

(OVERTALK)

FATIMA SHAMA:

--can't say that I endorse it per se, but it's just--

SARAH SPENCER:

Does it-- did it raise the whole question of where the line should be drawn and-- it seems to-- you know, in-- in human rights debate we have this concept of proportionality. Is-- is it-- (DOOR SHUTS) proportional to-- first of all, you know, is it the-- is there a legitimate reason to deny access? And then is it proportional to actually do it?

And one might say, well, it's disproportional to deny access to education for a child, but it's perfectly proportional to deny the right to vote because the consequences are-- are different, and that's-- I'm just interested that that's one of the places that you draw the line, that there isn't that stronger case for extending voting rights as there is for allow kids to go to schools.

FEMALE VOICE:

Well, I think (UNINTEL) really interested in justification in terms of what's proportional in where do you justify policies. And I'm not putting out my personal opinion either. But-- one of the technical-- one-- something that's interesting technically is that if you do vote as a green card holder in a local election, let's say theoretically-- (SIREN) and somehow that leads to a confusion for you and that-- that leads you to vote in a federal election-- you actually run into trouble down the road--

with-- in adjusting status-- in that it's-- it's illegal to vote--
(FEMALE VOICE: UNINTEL)

FEMALE VOICE:

--right, exactly-- which jeopardizes your status. So as a city-- don't we have an interest in-- in protecting-- the ability of our residents to become citizens in the future? So--

FEMALE VOICE:

And therefore not encouraging them--

FEMALE VOICE:

--I think that's a cons--

FEMALE VOICE:

--to participate in any--

FEMALE VOICE:

Because of that risk.

ARCHANA SAHGAL:

Interesting, okay. There's a question in the-- in the back.

FEMALE VOICE:

Oh, but wait. I don't think she answered--

ARCHANA SAHGAL:

Oh, there's another question--

FEMALE VOICE:

--the other question about the Roma.
(OVERTALK)

ARCHANA SAHGAL:

--oh excuse me, that's right.

FEMALE VOICE:

--about the Roma, the very, very fascinating question--

FEMALE VOICE:

Sorry, sorry.

SARAH SPENCER:

No, the--

FEMALE VOICE:

Thank you--
(OVERTALK)

SARAH SPENCER:

--the-- the (UNINTEL) is an interesting one in that there is obviously-- a huge focus in Europe at the moment on trying to address the situation (UNINTEL) society's many efforts there. But most of the Roma in Europe are European Union citizens. Because of the extension of the b-- the borders of the Europe Union the people who are from eastern European countries are now EU citizens with the full rights of EU citizens. So they're in no way undocumented.

(FEMALE VOICE: UNINTEL)

SARAH SPENCER:

Absolutely. But that makes it-- in a sense-- a different set of issues and a different set of campaigning organizations that are dealing with it. So the NGO--

AUDIENCE QUESTION:

(UNINTEL PHRASE) from France for being from Romania when they're evicted from Italy for just not being Italian, I mean, that's--

SARAH SPENCER:

Major issues--

AUDIENCE QUESTION:

--a similar issue.

SARAH SPENCER:

--t-- taken up for not-for-profits, tested through litigation, so on. It's just it wouldn't be helpful for them to be deemed undocumented, they're not--

AUDIENCE QUESTION:

No, no, (UNINTEL)-- some are.

SARAH SPENCER:

--they are EU citizens. So-- so it's addressed by the organizations that deal with EU citizens-- and seek to protect the rights of EU citizens-- who-- indeed are not even supposed to be called migrants because we're merely exercising our mobility rights within the borders of the European Union. And there's a whole debate there about the fact that people have the same-- face the same barriers as any other migrant.

But-- actually you can't be called a migrant and you can't access the same funds in Europe that are o-- open to people from outside of Europe. But-- so-- big issues, yes, being addressed in a major way-- but not within the framework of undocumented migrant (UNINTEL PHRASE).

ARCHANA SAHGAL:

Thank you. And now to the back of the room. If you could speak up, that'd be great just because--

AUDIENCE QUESTION:

Sure, so I just wanted to clarify two things and then I have a question for Dr. Spencer. Regarding the citizen voting rights, just to be clear to the best of my knowledge the New York City Coalition to Expand Voting Rights is really only pushing for legal residents to have voting rights in the elections. So I don't think there's a mainstream push for undocumented immigrants at this point. And the issue with non citizens voting in federal elections, I don't think that would be a big deal here in New York because our state and local elections are held on different years than the federal elections. So it seems like a very simple public education campaign would be able to address that potentially large issue.

And then my question for you, Dr. Spencer, is are you familiar with whether this is gaining traction in Europe? I know there's cities or municipalities in Germany that have resident voting rights. And I wanted to ask whether you've come across this in your research elsewhere.

SARAH SPENCER:

I haven't been working on that at all, really interesting issue. But it hasn't come up in the course of (UNINTEL) at all. And I'm not (UNINTEL) with how far it's progressing in the European level. There are debates, but how far it's gone I'm not sure.

AUDIENCE QUESTION:

Thank you.

ARCHANA SAHGAL:

And we'll maybe we'll stack the next two questions. So Lee and then--

AUDIENCE QUESTION:

So I guess I have a question about maybe to try to discuss a little more about the historical and social framing of the issue because I think there's a huge impact where we talk about immigration and how it's a different contest (UNINTEL) European migration or and how we treat individuals as such.

And even within local cities and, you know, the legacy of New York as a city opposed to, like, St. Louis is very different. So I mean, I just wonder also if you both of you can talk more about the historical and the social context and how much that needs to be reframed or changed within a different you know, in sort of the reframing of narrative? And really to what degree is an can we initiate change in public opinion

to sorta align that? Or is it a matter of, you know, a situation context where there are opportunities that present themselves with defam-- in demographic shifts? And so the-- you know, there's a imperative to, you know, change the conversation?

AUDIENCE QUESTION:

That's actually-- sort of connected to my question in a way which is that in the U.S. obviously the immigration debate has been heavily burdened with racism-- and xenophobia. So-- and clearly those are also issues in Europe-- to a greater or lesser extent depending on the country.

So I'm wondering to what extent does-- do you perceive that racism and xenophobia and other kinds of discrimination are impacting the way that services are provided in cities to migrants versus just the legal, technical impediments that exist?

SARAH SPENCER:

Two really good questions. The-- yeah, the idea of having to reframe the whole narrative and not just the issue, I think you're absolutely spot on. I was-- very taken when I was here before talking to-- Fatima and to other city people-- about your narrative, the city built on the hardworking immigrant. And-- also that many of those people started off as undocumented and look where they've got, they've built this great city.

And we just don't have that narrative at all. I understand in the south there's-- there's a competing narrative of-- of the immigrant as-- being-- a welfare scrounger. And-- that's where we are-- particularly the undocumented. I mean, they're either taking people's jobs or they're on benefits or both. And we don't have this sense of Europe as having been built-- through the hard work of immigrants. Although if you look at trends and numbers and so on-- I'm not sure that the experience is so different.

So yes, we-- we need to change the narrative, not just frame the issue. And how we do that-- is a very difficult question. I think there are places-- if I-- if I think of the places where the issue is most openly discussed and it's mostly openly acknowledged that undocumented migrants are there and that they're part of the city-- so a place like Barcelona or Genoa in Italy or Amsterdam-- where there is much greater recognition now than there was-- even five years ago, that these are cities that have been built-- on the back of immigration, that at least a third or more of the population even now are sort of foreign born, the narrative there is changing.

And many of these cities are branding themselves-- as having a diverse, inclusive image as part of the public selling of the city. London is very much the same. Now, I suppose it's still a step from there to say not just any immigrants, but actually let's face it, this is included undocumented as well, we're definitely not there yet.

But perhaps we've taken a step in that direction. There are certainly many more

cities now that are comfortable with-- with an inclusive narrative and-- overtly trying to help their residents feel part of the city even if they can't necessarily always feel part of the country where the politics is-- is less conducive.

Racism-- is just hugely significant in anti immigrant feeling, no way around-- that. What I've been surprised to find is that in those cities and in the debates at the national level on including undocumented migrants, it hasn't figured strongly. So-- (UNINTEL) for instance the fact that the people that we're talking about was-- from say an African background as opposed to an east European background doesn't seem to have figured in the debate. So it certainly does overall in terms of the-- you know, hostility to migrants. I have to say in my own country people are pretty well as hostile to east Europeans as they are to people from anywhere else.

So it's very complicated. It's as though we've-- we've-- we have-- sort of racial discourse about people regardless of color if they come from abroad, (UNINTEL) xenophobic, our debate. But how it's wound up in whether some cities respond positively and others don't is a very complicated-- question which is difficult to-- to answer.

FATIMA SHAMA:

So-- I think that-- this is an interesting space 'cause you're-- I mean, the truth is that the American narrative is fundamentally that we were peopled. And-- and the reality of a story of a place like New York as a continuous gateway, you know, quite different than-- a St. Louis that is a new gateway city or some parts of the south or, you know, different, you know, places that just-- you know, the coastal cities have always seen immigration.

And-- and generally speaking, any number of us randomly can articulate some story, right. I think, you know-- it's important and we-- we sort of har-- you know, the-- the president has done this, we locally have done this, but we saw the sort of anti immigrant sentiment, you know-- rearing its head in Arizona. It made its way to New York where we had a number of-- of-- of-- of attacks on immigrants-- here.

We have to sort of-- we in the City of New York have to do what we can to make people remember, you know, the immigrants of yesterday were becoming the discriminators of today and we sort of had to sort of have-- a celebration of our stories-- and you know, it resulted actually in-- a full public service campaign with me on-- a t-- you know, on-- doing 16 commercials. But all that to say that-- that people here took it seriously.

So-- so you're right, it is a distinction. I will say that the new gateway cities really struggle with this conversation of race. And-- this I will say is a struggle we still have in New York. I think we're better about it, largely because we really are a city of colors-- and it-- it is a celebration that we all really-- recognize and own and in fact s-- largely a big reason why people are here.

And you know, what would be considered, you know, an African American or our

black communities, you know, three generations ago were Caribbean and were-- you know, could-- could track their-- could trace their roots to-- to some part of, you know, the Caribbean. So-- so it's a little different.

I will tell you recently being in the south-- and having this debate where we were having a conversation about, you know, the fact is, you know, is-- is America black or white or is it multiracial? This is not a conversation America is ready to have. It's different, I think-- in Europe, though I think Suzette said it best.

I think what you're seeing now is-- a new demonization of a new group, right. So once upon a time there was real anger towards Latinos, specifically Mexicans in this very derogatory, divisive, disgusting language. You now hear people use that towards-- Muslims-- and-- and-- and refugees who've been resettled certain places.

In Europe forget it, all bets are off. People say whatever they want about anybody and if they're Muslim even more so, right. Like, it's really crazy actually. But in the U.S. I think we're seeing this real debate. The other thing, there's a lot of literature written on this, on-- this black/white narrative-- or this multiracial narrative and the fact that Latinos come in or immigrants come in largely and they're recognized and treated, quote/unquote, as-- African Americans are or-- or once where.

But as they move in their-- economic and social-- path, they tend to achieve-- points of success that then invites them to be part of the white-- audience, and therefore it becomes a new demonizing or-- becomes-- a distinction between black and immigrant, right. And for many of us who've been in communities and have seen this, this is a real challenge and one that we struggle to unpack.

But I have to admit that I am a very comfortable, outspoken American woman. And in Europe-- and I'm Muslim and in Europe I am uncomfortable, right. And it is very clear that people have a real-- reaction to me. And-- to my-- ethnic roots and-- and what I identify as. It's very-- alarming. I'm sorry, but for me-- I feel very uncomfortable.

ARCHANA SAHGAL:

I'm actually-- so it's-- 1:47 and I actually have a question that may take us to the end of the conversation. So as part of your fellowship at the Open Society Foundations, I know that you are looking into the U.S. experience for insights-- despite the fact that we've got this very contentious political issue that we're navigating ourselves.

And so I do think it's-- fascinating that we tend to sweep-- the things that are not so great that's happening right now, and you had mentioned the stuff that's happening in Arizona and the work that's happening in Alabama, so it's been really challenging. So I'm very curious about what (DOOR SHUTS) insights-- you are taking with you-- after having spent the last few moons-- kind of speaking and talking and learning and-- and sharing with other advocates.

SARAH SPENCER:

Oh, that's another good question. (UNINTEL) I spent 95% of the time looking at issue in Europe. There are 28 member states and-- they have hugely different migration histories, welfare states, everything. So actually just trying to unravel why they're doing things the way they are there has been-- exceedingly complicated. So I quickly-- recognized that there was no way I could do anything sort of comparative with the U.S. other than just looking for insights-- when I've had the opportunity to be here.

I suppose what I've found with-- not withstanding the huge variation (DOOR SHUTS) here and recognition that in your new gateways in the south and so on there's some very alarming practice, but-- but-- but looking at New York and-- the other-- cities which have been let's say progressive in pushing the (UNINTEL) to provide services and-- enable safe reporting and so on, I think-- what I have found valuable about it is just seeing how the issues are framed because-- we can learn from that.

The arguments that are used here that have been successful in shifting the terms of the debate-- and then (UNINTEL) whether it can be successful-- the-- the arguments are transferable, the politics and the history and some of the narrative clearly isn't. So that's sort of disen-- disentangling and I think there are definitely lessons (DOOR SHUTS) we can learn about-- how we frame it in economic terms or pragmatic terms and (UNINTEL) in human rights terms and so on.

Just giving the example, for instance I think it was-- someone from New Haven telling me that what was-- what really shifted the debate there was recognition that undocumented migrants were walking ATMs 'cause they couldn't have a bank account-- everybody knew that on payday they were carrying money on them and they were consistently the victims of muggings-- and the police were frustrated they couldn't do something about that.

Well, I recognize that issue and other people recognize that issue. And the fact that-- New Haven dealt with it in the way that it did, talked to the banks, got them to agree that they should open a bank account, just-- a s-- a sort of pragmatic response, so sensible, it gives us the idea maybe we could actually get something like that going as well. So it's those kind of transferable ideas and the transferable rationales for it that are exciting.

And it'll take a lot longer for us to actually shift the whole narrative, but I'm not sure that our experience certainly in many cities is so very different from New York-- for instance in terms of the-- extent to which its history is wound up with immigration and indeed undocumented migration. So I think there are lessons to take there, too.

FATIMA SHAMA:

You know, the thing I failed to include-- in the response to the peopling is actually--

so both when we were in-- Turin and a previous trip that I had had in-- with Florence-- there was this vernacular of, like, no, you know, we cannot have these-- these migrants here. And I remember a colleague of ours-- Musaf Archisty (PH), turning to the audience and saying-- "You know, you sent 20 million of your people to my country." And the Italian audience was like, "What?"

And he said, "You--" and so we actually sort of-- he and I picked up on this, we were on this panel together. And the truth was that the folks in the room had forgotten that they were in fact sending nations to us and that when their people came to the U.S., they were mistreated. And what they were doing was essentially (TRUCK HORN) reenacting that with new audiences. I mean, you know, Europe peopled for a good chunk of time with a number of undocumented individuals--

(OVERTALK)

FATIMA SHAMA:

--though that's not what it was called then-- exactly. You know, and-- and I think-- so there's a space, I wonder, in the framing and narrative how do people understand that they in fact were responsible for the peopling of Latin America. I mean, you know, the reality of Argentina or Brazil and the sort of roots that they can connect back to Italy and the rest of-- you know, and Germany and-- and-- and-- and to the region as a whole is-- it's where, you know--

AUDIENCE QUESTION:

Can I add something? There's a film called *Lamerica* which looks at this exact issue, it looks as-- it-- I mean, I'm not gonna get into the plot, but it sort of mirrors the experience of Albanian immigrants coming into Italy and Italian immigrants going into the U.S. And it's a really beautiful story. And it-- it just picks up exa-- it's *Lamerica* without an apostrophe. And it's just this exact same situation you were saying. And-- Italians tend to forget that. I lived in Italy for three years and there's this reactionary sort of rejection of anything that's foreign. But they don't remember that they were going to the U.S.

FATIMA SHAMA:

And their wealth and their success is largely due to the-- to the success of their-- of their-- (UNINTEL) coming to, you know, the-- y-- to-- to the U.S. and Latin America and being able to, you know, go back home and help families and that-- sort of, you know, this idea of-- rem-- you know, remittances was real than as it is now. So we're just different colors.

ARCHANA SAHGAL:

And with that this has been the best 90 minutes of my day. Thank you so much, Sarah Spencer and Fatima Shama. (APPLAUSE)

* * *END OF TRANSCRIPT* * *