

## **WHAT'S WRONG WITH THIS POLICY? PLEASE DO ASK**

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### **Body**

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The most striking feature of Executive Order 34, the city's new "don't ask" confidentiality policy for city agencies, is its lack of common sense.

While the city is living through dangerous times, the main effect of the new policy is to scare the hell out of immigrants - both documented and undocumented. And to keep them from reporting crimes or serving as witnesses.

"In a city that is 40% foreign-born," said City Councilman Hiram Monserrate (D-Corona), who chairs the Black, Latino and Asian Caucus, "it is essential that these communities don't fear accessing city services."

Monserrate, a former cop, is right, of course. And that is why he met with the mayor on Thursday to discuss his concerns about the new executive order.

One of those concerns is that it does not place limits on police inquiries regarding immigration status. Another is that it allows city workers to share information with federal authorities.

"The mayor committed himself to revisit the executive order and to hold a second meeting with me this week," said Monserrate who, late last year, introduced in the Council the "Access Without Fear" bill.

If approved, Monserrate's new bill would put in place a "don't ask, don't tell" policy protecting all confidential information, including sexual orientation, and assuring immigrants they could cooperate with the police without fear.

"The councilman and I have discussed our mutual understanding and concern for undocumented immigrants who need to access city services," Mayor Bloomberg said after the meeting. "We are trying to protect immigrants and all New Yorkers while meeting the mandates imposed on us by federal law."

Promoting welfare of all

And he added, "In the end, it is our job to promote the public health, welfare and safety of all residents."

Actually, Monserrate had met on May 29 with Carol Robles-Roman, the city's deputy mayor for legal affairs, to discuss the new policy before it was officially announced. The mayor, though, had signed it on May 13.

"She told me that they wanted my input - 'The ink is still wet,' she said at the time," the councilman remembered. "Then, the following day she made the new executive order public and presented it as a victory for immigrants. This created some friction."

Staging a protest

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On June 3, Monserrate and several other Council members and immigration advocates staged a protest against Executive Order 34 at City Hall. The Corona councilman also **asked** to see the mayor, which resulted in Thursday's meeting.

The new **policy** is far-reaching. "[It] will radically change the city's relationship to its millions of immigrant residents," said Moises Perez, executive director of Alianza Dominicana.

Without a doubt, the new executive order is a radical departure from the "don't tell" **policy** adopted 13 years ago by then-Mayor Ed Koch that prohibited city agencies from revealing immigration-related information to federal authorities, unless the immigrant had committed a crime. Mayors David Dinkins and Rudy Giuliani reaffirmed it.

Which made a lot of sense.

As Allan Wernick, a New York immigration lawyer and Daily News columnist said, "We have to **ask** ourselves, what kind of benefit does society get by stigmatizing a group of people? The answer is, of course, that there is no benefit at all.

"With terrorism in the air," Wernick continued, "don't we want every person capable of reporting on a threat to be willing to do it? This **policy** is counterproductive."

Hopefully, this week's meeting between Monserrate and City Hall will restore some common sense to the new **policy**.

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