

December 19, 2006

Open Letter to the Mayor of Bridgeport, Members of the Bridgeport Borough Council, and the Citizens of Bridgeport:

Recently, the Montgomery County Advisory Council to the Pennsylvania Human Relations Commission (the Commission) was notified that Bridgeport Borough Council had adopted three ordinances that potentially impact groups of people who are protected by the State Human Relations Act. The Commission enforces Pennsylvania's laws that prohibit discrimination in the areas of employment, housing and commercial property, education and public accommodations. The Montgomery County Advisory Council was created by the Commission to assist on the local level by creating awareness of the Human Relations Act and to raise awareness of the role of the Commission in the practice of equal opportunity through the elimination of discrimination.

The Advisory Council supports the Commission's views that "English only" laws that limit the use of languages other than English is detrimental to all citizens. "Any restrictions on the ability to communicate with all residents of our Commonwealth or of any municipality therein has a negative impact on the effectiveness and accessibility of government services. Furthermore, the declaration of English as the "official language" creates a chilling effect on government workers and on entities doing business or providing services with government resources who wish to be helpful to people with limited English proficiency. The chilling effect extends into communities and can contribute to intergroup tensions that require the attention and resources of government agencies at all levels."¹

An unintended consequence of the proposed ordinance may be that legal European, Asian, Black, Caribbean and Latin American immigrants and African Americans may be denied housing, employment, or services if they are suspected to be "illegal" or "unwanted" because they are still learning to speak English, have a foreign accent, or because of the color of their skin.²

The Advisory Council is concerned that enactment of local laws that seek to discourage the presence of "illegal immigrants" in communities will have tremendous fiscal and social costs associated with litigation that is likely to be stimulated by adoption of such ordinances..

Current federal legislation such as the Immigration Reform and Control Act of 1986 which prohibits employers from knowingly hiring persons who are not authorized to work in the United

¹ PA Human Relations Commission, Testimony Regarding Immigration and Immigration Related Issues, PA House of Representatives, Republican Majority Policy Committee, Whitehall, PA, 7/26/2006

² PA Human Relations Commission, Testimony Regarding Immigration and Immigration Related Issues, PA House of Representatives, Republican Majority Policy Committee, Whitehall, PA, 7/26/2006

States, likely preempts, prohibits or makes unnecessary any local imposition of additional civil or criminal sanctions relating to unlawful immigration.”³

“English Only” legislation may be found to amount to unlawful discrimination either under state law or federal law including the Pennsylvania Human Relations Act or Title VII of the Civil Rights Act of 1964. When a municipality adopts an ordinance that may violate state/and or federal law, the municipality unnecessarily exposes itself to the risk of lawsuits.⁴ Already, a memorandum from the Congressional Research Service to Congressional Representative Paul E. Kanjorski has noted that the such ordinances may give rise “to legal challenges if it results in discrimination on the basis of national origin”⁵

For the past twenty-five years the Advisory Council has sought to ensure that all people in Montgomery County are treated in a non discriminatory manner and that a person’s race, skin color, nation of birth or ancestry does not result in exclusion, or in less favorable treatment with respect to basic areas of their lives – jobs, schooling, where to live, shop or access various services that our state and local government are mandated to provide.

We, the undersigned, members of the Montgomery County Advisory Council to the Pennsylvania Human Relations Commissions urge you to consider the detrimental impact these ordinances will have on the Bridgeport Community.

Signatories: * connotes individual and organizational endorsement and the organization is listed for identification purposes only. Organizations listed connote an endorsement from the organization.

Gabriela Assagioli
Elizabeth Albert, Fair Housing Council of Montgomery County
Dr. Donald Clark, NAACP, Willow Grove*
Ms. Evelyn Warner, NAACP, Ambler*
Dr. Herb Levine, Fellowship Farm*
Dr. Sharon Richardson
Joanne Weaver Stroh, No Place for Hate*

³ ibid

⁴ Ibid

⁵ Congressional Research Service, Memorandum, June 29, 2006, To: Hon. Paul E. Kanjorski, From: Jody Feder & Michael Garcia, Legislative Attorneys, American Law Division