

# Immigrant Voting and the Movement for Inclusion in San Francisco

## Appendix 3. The Fight to Win Immigrant Voting in San Francisco: 1996, 2004, 2010, 2016

Ron Hayduk, Megan Dias, and Olivia Marti  
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### Anti-Immigrant Policy and the Movement for Immigrant Rights

One of the most visible and contentious anti-immigrant initiatives that arose in California — which had ripple effects into national politics and policy — was Proposition 187, a 1994 ballot initiative that denied undocumented immigrants access to health care and education.<sup>1</sup> Although Prop 187 was never implemented because of a court challenge, it contributed to an intense national debate on immigration and led to the passage of subsequent anti-immigrant legislation by Congress. Three such bills were passed in 1996 and signed by President Clinton: the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), the Anti-Terrorist and Effective Death Penalty Act, and the Personal Responsibility and Work Opportunity Reconciliation Act (aka, “welfare reform”).

To immigrant advocates, this legislative onslaught revealed their lack of political power. But the attack on newcomers led immigrants and their allies to seek ways to fight back and increase their capacity to influence politics. Community and labor groups organized immigrants across the state and conducted voter registration and mobilization drives to make elected officials more responsive to their needs. In seven years after Prop 187 in California alone, more than 1.6 million immigrants became citizens.<sup>2</sup> Civil and immigrant rights advocates, such as Maria Blanco, executive director of the Lawyer’s Committee for Civil Rights of the Bay Area, observed

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<sup>1</sup> Proposition 187 was passed by a majority of California’s voters who came to the polls in November 1994, an initiative that was supported by the state Republican Party and Governor Pete Wilson’s reelection campaign.

<sup>2</sup> Zepeda-Millán, Chris. *Latino mass mobilization: Immigration, racialization, and activism*. Cambridge University Press, 2017; Pastor, Manuel. *State of resistance: what California’s dizzying descent and remarkable resurgence mean for America’s future*. The New Press, 2018.

that immigrants “saw the legislative process and initiative process as impacting their lives” and got involved.<sup>3</sup> Then Governor of California Pete Wilson (R) and other anti-immigrant Republicans suffered losses at the polls at the hands of these new citizens who “were forged in that moment.”<sup>4</sup>

Immigrants were emboldened by these victories to expand their political power further, including by launching initiatives to extend the franchise to noncitizens in local elections beginning in 1996, as well as advance struggles for other rights and benefits that over time have been ensconced in law and policy.<sup>5</sup> Social justice organizations and labor unions conducted a broad range of organizing campaigns and actions, which elevated immigrant voting rights among other demands. Advocates see the struggle for immigrant voting rights as part of the larger movement for immigrant rights and fights for language access, labor protections, affordable housing, good schools, and more responsive public policy.

## 1996

During the early 1990s, which saw the rise of harsh anti-immigrant rhetoric and measures, a broad range of social justice organizations and labor unions conducted various campaigns and actions in response. According to Eric Mar, “immigrant groups, civil rights groups, labor and progressive groups mobilized in big ways in response to Pete Wilson and Prop 187 and Prop 209 and other conservative measures that stripped away rights won by civil rights groups.” In San Francisco, the Immigrant Rights Coalition elevated immigrant voting rights among other demands. The Immigrant Rights Coalition and the California Immigrant Policy Center began “immigrant days” in San Francisco and Sacramento to fight back. Among their key demands were immigrant voting rights looking at the education system in the Bay Area, along with papers for all, bilingualism, and labor rights.

Several elected officials took up the call for immigrant voting rights in San Francisco. San Francisco school board president Tom Ammiano floated a proposal to allow noncitizens to vote for school board members. Similarly, Eric Mar, a school board member, also raised the issue.

Although the idea generated some discussion and debate, it did not lead to formal legislative action. The first formal proposal to grant voting rights to noncitizens in San Francisco occurred in February 1996, when then Board of Supervisors member Mabel Teng submitted a proposal to

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<sup>3</sup> Hetter, Katia. “Immigrant Status Stirs Host of Issues: Noncitizens Persist in Fight for Rights, Democratic Voice,” *San Francisco Chronicle*, July 18, 2004.

<sup>4</sup> Quote from Maria Blanco, executive director of the Lawyer’s Committee for Civil Rights of the Bay Area, cited in Katia Hetter, “Immigrant Status Stirs Host of Issues: Noncitizens Persist in Fight for Rights, Democratic Voice,” *San Francisco Chronicle*, July 18, 2004.

<https://www.sfchronicle.com/politics/article/Immigrant-status-stirs-host-of-issues-2707362.php>

<sup>5</sup> Colbern, Allan, and S. Karthick Ramakrishnan. *Citizenship reimagined: A new framework for state rights in the United States*. Cambridge University Press, 2020; Zepeda-Millán, Chris. *Latino mass mobilization: Immigration, racialization, and activism*. Cambridge University Press, 2017; Pastor, Manuel. *State of resistance: what California’s dizzying descent and remarkable resurgence mean for America’s future*. The New Press, 2018; de Graauw, Els. *Making immigrant rights real: Nonprofits and the politics of integration in San Francisco*. Cornell University Press, 2016; Mancina, Peter. *In the spirit of sanctuary: Sanctuary-city policy advocacy and the production of sanctuary-power in San Francisco, California*. Vanderbilt University, 2016.

allow documented noncitizen parents to vote in school board elections and to allow noncitizen community college students to vote for City College Trustees.<sup>6</sup>

Teng explained her rationale: "This proposal is intended to initiate a serious dialogue among all segments of our diverse community on the issue of voter participation and parent involvement, and to explore new options for increasing broader involvement in our electoral process. The proposal deals with permanent legal residents. They should not be confused with undocumented aliens, temporary visitors or temporary workers. Permanent residents are just that: permanent and legal. They pay income, sales and property taxes. They have the same obligation as citizens to serve in the military, should the need arise. By enfranchising permanent legal residents, the education system will be more accountable to those families whose children attend school. It will benefit the school system, the children and our city. For our schools and community colleges to serve our city effectively, students and parents, citizen and noncitizen alike, must have a voice in the design and administration of public education. Immigrants value education for themselves and their children. Allowing them a voice in school board elections will only improve the quality of education. The right to vote has evolved since the founding of the United States. Once denied to African Americans, other minorities, women and those without property, the eventual extension of voting rights to these groups came only through the long process of Reconstruction and the civil rights and women's suffrage movements. Voting rights have become increasingly inclusive of the true diversity of our nation. San Franciscans should be proud to move voting rights into the 21st century."<sup>7</sup>

Teng's proposal quickly drew criticism in the anti-immigrant post-Proposition 187 climate in California. State Senator Quentin Kopp called the proposal "lunacy" and Secretary of State Bill Jones said the courts would strike it down as unconstitutional.<sup>8</sup> Teng countered that the proposal should be allowed to go forward to foster debate and discussion of the issue. She noted the proposal would enfranchise an estimated 50,000 noncitizens and was projected to increase the pool of registered voters by at least 10 percent. "These people work and pay taxes, and just because they have not passed the legal requirements for citizenship, we should not disenfranchise them. I think if these people start voting in school elections because of this legislation, they would also be motivated to become citizens so they could vote in other elections."<sup>9</sup>

The city attorney Louise Renne, however, opposed the idea, saying her office would conduct research about the legality of the proposal. Although no report was ultimately produced, other issues — including legislation to protect immigrants from the 1996 welfare reform act and the city's moving to district elections from at-large elections — dwarfed Teng's proposal.<sup>10</sup>

Two months later a San Francisco Bay Area group, Immigrant Rights Movement, submitted a ballot initiative to allow all noncitizens, documented and undocumented, to vote in all municipal

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<sup>6</sup> Carlsen, William. "Teng Voting Plan Faces Criticism, Enfranchising Noncitizens is 'Lunacy.'" *San Francisco Chronicle*, Feb. 7, 1996, at A13.

<https://www.sfgate.com/news/article/Teng-s-Noncitizen-Voting-Plan-Assailed-Proposal-2994958.php>

<sup>7</sup> Teng, Mabel. "Why Noncitizen Legal Residents Should Vote in School Elections," *San Francisco Examiner*, February 18, 1996.

<sup>8</sup> Walsh, Diana. "Ballot Plan Would Let Noncitizens Vote in S.F.," *San Francisco Examiner*, April 23, 1996.

<sup>9</sup> "Ruling Ends Bid to Allow Voting by Noncitizens," *San Francisco Chronicle*, May 11, 1996.

<sup>10</sup> Kini, Tara. "Sharing the Vote: Noncitizen Voting Rights in Local School Board Elections," *California Law Review* 93 (January 2005): 271.

elections.<sup>11</sup> The immigrant rights movement was formed in 1994 to fight anti-immigrant initiatives such as Proposition 187. The group's far-reaching proposal, however, met with even harsher and swifter opposition than did Teng's.

San Francisco Registrar of Voters estimated that Teng's proposal would be too costly and would have no significance on regular elections. The Registrar projected that it would cost an additional \$125,000 per election if Teng's proposal had become law. Furthermore, the Registrar opposed the Immigrant Right Movement's proposal because its cost, even if unknown, would be high, and argued that the money should be spent for education, not for noncitizen voting.<sup>12</sup>

The city attorney Louise Renne challenged the initiative in court even before it qualified for the ballot.<sup>13</sup> San Francisco Superior Court Judge William Cahill found that the ballot measure violated Article II of the California Constitution, which required citizenship for voting. San Francisco Registrar of Voters also opposed the initiative and filed a motion to block the Initiative from getting on the ballot.<sup>14</sup>

In 2000, Mark Sanchez, a progressive and supporter of immigrant rights, was elected to the Board of Education. His election spurred additional energy into engaging immigrant parents and voters to push back against the anti-immigrant activity San Francisco was facing.

In the end, according to Mar, "parents could not vote and were not as involved. We saw voting as one way to change that and as a way to resist the anti-immigrant and English only folks. We thought immigrant parent voting (IPV) would be one way to change the school system and Mission-based orgs were central in that work."

## 2004

Immigrant representation was back on the political agenda in 2002 with Proposition C, a measure that would give noncitizens the right to be appointed to certain public offices (boards, commissions, and advisory bodies). The measure was defeated by the voters at the polls by a margin of 68.24 to 31.76 percent. This was due in large measure to a technical error in drafting the proposition. Prop C as drafted would have allowed nonresident noncitizens to be appointed to public office in San Francisco, which is illegal. This error became apparent to the League of Women Voters and some labor unions who opposed the proposition, pointing out that the proposition would likely be found illegal. Soon after, other organizations, elected officials, and progressives of various stripes took a hands-off approach to Prop C. As a result, there was little organizing done to support Prop C. Indeed, post-election analyses led some advocates to conclude that another kind of campaign might have a chance of winning. In fact, only a small proportion of all voters actually cast ballots on this measure (about 21,000 total votes out of

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<sup>11</sup> Hayduk, Ron. "Democracy for all: Restoring immigrant voting rights in the US." *New Political Science* 26, no. 4 (2004): 499-523; Yang, Bryant Yuan Fu. "Fighting for an Equal Voice: Past and Present Struggle for Noncitizen Enfranchisement." *Asian Am. LJ* 13 (2006).

<sup>12</sup> Yip, Alethea. "S.F. Initiative Seeks Vote for Non-citizens: Courts Question Legality of Proposed Ballot Measure," *AsianWeek*, May 3, 1996.

<sup>13</sup> Yip, Alethea. S.F. Initiative Seeks Votes for Noncitizens: Courts Question Legality of Proposed Ballot Measure, *AsianWeek*, May 3-9, 1996. <https://www.asianweek.com/database>

<sup>14</sup> Hayduk, Ron. "Democracy for all: Restoring immigrant voting rights in the US." *New Political Science* 26, no. 4 (2004): p 511.

over 225,000 total voters). Finally, Prop C came soon after September 11, 2001, when anti-immigrant sentiment was running high, which also fueled Prop C's defeat.

Social justice activists, community groups and labor unions held "immigrant rights days" in Sacramento and put immigrant voting rights alongside other demands in an effort to fight back against the assault on bilingualism and other rights. They built effective coalition work with labor and community groups in the lead. In San Francisco, Mission-based organizations and the largely Latinx teachers association (SEIU) pushed back against harsh attacks on immigrants. In 2000, Mark Sanchez and Eric Mar were elected to the San Francisco School Board,<sup>15</sup> and along with community groups, "sought to engage immigrant parents and voters to push back against the anti-immigrant activity we were facing" (Interview with Eric Mar, January 19, 2023). Eric Mar was a member of the Chinese Progressive Association and the Immigrant Rights Coalition before being elected to the San Francisco School Board.

Together they concluded that "low-SES status and immigration status held many communities back; that parents were not as involved in school settings. We saw voting as one way to change these conditions. Immigrant voting could involve parents more, resist anti-immigrant and English only attacks. We thought IPV was one way to change the school system" (Interview with Eric Mar, January 19, 2023).

In 2004, several progressives ran for office and promoted immigrant voting rights more broadly, including Renee Saucedo and Matt Gonzalez (both were members of the [Green Party](#)). According to Norman Yee, who worked in Chinatown in 2004, "I wondered, 'Why aren't they listening to our community? To our immigrant parents?' This work led to formation of the Asian Parent Education Network (APEN) which organized candidate forums, because at the citywide forums, there were no Asian representatives taking the lead and no translation. Everybody's voices should be heard, whether parents or youth. I didn't see that happening in my experience growing up and attending in SF. And when I had kids, my daughter was a student rep on the school board and listened to discussions, but said there was 'little discussion of English language learners.' I don't get it — immigrants are close to 50% of the students and parents. So I knew something had to be done. CAA took the lead and it was easy for me to get involved. I ran for school board in 2004 and got on the school board in 2010." (Yee later was elected to the San Francisco Board of Supervisors).

Matt Gonzalez, who was then president of the San Francisco Board of Supervisors became a candidate for mayor and proposed permitting noncitizens to vote in school board elections. Gonzalez's proposal, which was one of the planks of his mayoral campaign, specifically called for allowing parents who have children in the San Francisco Unified School District (SFUSD) to vote for representatives in school board elections. "Noncitizens with children have a vested interest in the state of our City's schools. They need to have a voice in how the schools are run and in how policy is set. As Mayor, I will push for legislation allowing noncitizens with children to

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<sup>15</sup> According to SFUSD, "Mark Sanchez held a seat on the San Francisco Board of Education from 2001-2009, serving as President from 2007-2009. He was re-elected to the Board in 2016. He is currently Board representative on the Council of the Great City Schools Board of Directors located in Washington D.C. which comprises the nation's 74 largest school districts." <https://www.sfusd.edu/about-sfusd/board-education/commissioner-mark-sanchez>

vote in San Francisco School Board elections.”<sup>16</sup> During the 2003 mayoral election, the San Francisco Immigrant Voters Coalition, a nonpartisan group with over thirty community-based and immigrant rights organizations,<sup>17</sup> sponsored a forum where Gonzalez and other mayoral candidates — Supervisors Tom Ammiano and now-Mayor Gavin Newsom — expressed support for the measure.<sup>18</sup>

Despite the anti-immigrant climate immigrants and their advocates continued to mobilize around a range of issues, which provided cover and impetus for officials to advance such initiatives. For example, several hotels and restaurants were accused of taking advantage of immigrant labor and using nonpayment as a tool to discourage union activities. Struggles around the minimum wage and day labor issues were also flash points for immigrant organizing (de Graauw, 2009). These and other struggles spurred on candidates like Gonzalez to champion immigrant causes who pointed to an opening to advance the notion of noncitizen voting rights. Initially, Gonzalez and the advocates focused on a legal strategy to pursue noncitizens’ voting rights. Advocates consulted with a team of lawyers, including Tara Kini, who developed a legal theory and strategy to move forward with a proposal. Kini and other legal advocates pointed to sections of the California constitution that give charter cities, such as San Francisco, authority to enfranchise noncitizens.<sup>19</sup> Legal advocates believed they had strong arguments that would

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<sup>16</sup>Gonzalez, Matt. “Immigrant Rights: Protecting Our City’s Diversity,” policy paper, 2003. Gonzalez proposed a broad range of immigrant policies, which included the following: “Enforce the ‘Equal Access’ Ordinance to ensure that all San Franciscans have access to City services regardless of language spoken; Support the recently enacted State Driver’s License bill and advocate against its repeal; Extend the right to vote in school board elections to noncitizens with children; Promote the acceptance of matricula consular ID cards for immigrant workers; Support passage of the ‘Privacy Initiative Ordinance’ so that immigrants and others are not afraid to access City services; Protect the privacy of San Franciscans by altering the way the Patriot Act is implemented locally; Oppose the implementation of the federal Clear Act and ensure no collaboration between local police and federal immigration enforcement; Support national legalization efforts for immigrants; Build subsidized housing for undocumented immigrants; Grant more authority to the San Francisco Immigrant Rights Commission.”

<sup>17</sup> The San Francisco Immigrant Voters Coalition included the American-Arab Anti-Discrimination Committee; Asian American Community Voice; Asian Pacific Islander Family Resource Network (APIFRN); Asian Perinatal Advocates; Bay Area Immigrant Rights Coalition; Cambodian Community Development; Central American Resource Center, San Francisco (CARECEN-SF); San Francisco Lodge, Chinese American Citizens Alliance; Chinese for Affirmative Action; Chinese Newcomers Services Center; Chinese Progressive Association; Chinese Radio; Chinese Star Radio; Interfaith Coalition for Immigrant Rights; La Raza Centro Legal; Lesbian Gay Immigration Rights Task Force (LGIRTF); Love Sees No Borders; National Center for Lesbian Rights; National Congress of Vietnamese in America (Western Region); New California Media; Northern California Chinese American Media Association; Northern California Citizenship Project; Russian American Community Development Center; Russian Center of San Francisco; San Francisco Neighborhood Association; Sing Tao Daily; Southeast Asian Community Center; Vietnamese American Community Center of San Francisco; Vietnamese American Voters Alliance; Vietnamese Elderly Mutual Assistance Association; Vietnamese Woman’s Association in San Francisco; and West Bay Pilipino Multi-Services, Inc. E-mail communication from Sheila Chung, director of the Bay Area Immigrant Rights Coalition, June 22, 2004, Hayduk, 2006, chapter 6.

<sup>18</sup> Other mayoral candidates in attendance were City Attorney Angela Alioto and City Treasurer Susan Leal. Julian Guthrie and John Wildermuth, “Candidates Try to Woo Immigrants,” *San Francisco Chronicle*, October 31, 2003; and Kini, 2005.

<sup>19</sup> The legal team was led by David Chiu, a former immigrant rights attorney, founder and senior executive of Grassroots Enterprise, and now the San Francisco city attorney; and members from the Lawyers Committee for Civil Rights, including Robert Rubin, Ted Wang of Chinese for Affirmative Action, and Tara

withstand any legal challenge and hoped the new city attorney, Dennis Herrera, would be more sympathetic to the measure.

Moreover, advocates believed this relatively modest proposal — allowing only immigrant parents of children to vote in school board elections — was politically more palatable and feasible than the 1996 proposal put forth by the Immigrant Rights Coalition that would have allowed all immigrants to vote in all municipal elections. Moreover, the legislation contained additional provisions designed to mute potential opposition: the law would sunset in four years (after two school elections). In this way, advocates could argue that the city was embarking on an experiment, which, if deemed unsuccessful or undesirable, provided a mechanism to eliminate it. Eric Mar, a commissioner of the SFUSD, said providing immigrant parents the right to vote in school elections would make the school system more representative, responsive, and accountable to immigrant parents.<sup>20</sup>

The initiative, introduced by Gonzales, was supported by nine of the eleven San Francisco Board of Supervisors. A proposal (Prop F) was put before the voters via an initiative that November, which sought to amend the language in the city charter to allow a resident of San Francisco, who is at least eighteen years of age, and has a child in the school district or serves as a legal guardian or care-giver for a child in the school district, to vote in local school board elections regardless of citizenship status and legal documentation. City attorney Dennis Herrera affirmed Prop F, citing the city's Home Rule powers.<sup>21</sup> The San Francisco Department of Elections estimated that it would cost approximately \$700,000 to print and distribute voting materials, train poll workers, and separately register people who would be eligible to vote in school board elections.<sup>22</sup>

The campaign was marked by local, state and national groups weighing in for and against the measure.<sup>23</sup> Proponents, working under the banner of Parents United for Education, a coalition of immigrants, community groups, labor, churches, elected officials, and citizens, organized a grassroots campaign of community-based meetings, rallies, press events, door knocking, leafleting, and phone banking. According to David Chiu, it "took a lot of public education work to convince people" of the merits of immigrant voting. "There have been many misperceptions about voting. We had to challenge deeply-held notions with facts. Did you know that immigrants could vote in most states during the first 150 years of our country's history? Or that in recent

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Kini, a law student at University of California - Berkeley. Kini, Tara. "Sharing the vote: noncitizen voting rights in local school board elections." *Calif. L. Rev.* 93 (2005): 271.

<sup>20</sup> Interview with Eric Mar, June 17, 2004, offices of the SFUSD.

<sup>21</sup> Article XI, Section 5, of the California Constitution is a home rule provision that permits California city charters to supersede state laws pertaining to municipal affairs. However, a memo from Herrera's office was leaked to the press that said the proposal would likely be struck down as unconstitutional if challenged in court. Yet, Herrera's memo noted there is precedent for supervisors to introduce questionable legislation or ballot measures that might overturn legal precedent. Furthermore, he said, "It is the prerogative of the city's elected policy makers to challenge the limits of the law . . . so long as there is a cognizable legal argument in support of their challenge." Herrera did not take a position on the proposal, legally or politically.

<sup>22</sup> Yang, Bryant Yuan Fu. "Fighting for an Equal Voice: Past and Present Struggle for Noncitizen Enfranchisement." *Asian Am. LJ* 13 (2006), citing S.F. Voter Information Pamphlet, *supra* note 162, at 107. In 2004, the city's budget was about \$5 billion, which meant the cost for the noncitizen voting law would be only 0.00014% of the total budget.

<sup>23</sup> Hayduk, *Democracy for All*, 2006, pages 110-133.

years, immigrants have been allowed to vote in Chicago, Maryland and New York? Or that 1 in 3 children in San Francisco public schools have non-citizen parents?"

The campaign was unique in that it brought many people across divides — racial, class, and neighborhoods — including Black people, labor and union members, Greens, Democrats, and LGBTQ+ people, who could recognize denial of legal status. Even in the business community, there was a split; some businesses supported Prop F, seeing the value of improving education to better prepare students for the workforce.<sup>24</sup> Chiu said they held many “monolingual meetings with parents in Chinese and Spanish,” which made it “complicated” but incredibly “heartwarming and empowering” as they talked and organized about “collective experiences, needs, kids.” Chiu added, “About 10 key people ran the campaign and we had about 100 volunteers. It was very energetic with many new people who participated in the campaign; not as many of the usual suspects.”<sup>25</sup>

The campaign raised \$15,000. The coalition handed out 40,000 pieces of mail and mailed another 20,000 pieces for a total of 60,000 voter contacts. According to Chiu, Parents United for Education was a “completely volunteer effort. The campaign against immigrant voting had much more money than we did. They used their money to send campaign mailers to white voters saying the measure would allow ‘illegal immigrants to take over our schools,’ while simultaneously sending mailers to neighborhoods with predominantly Latino and Asian voters that suggested a Republican attorney general would move to deport immigrant families if non-citizen parents were allowed to vote.”

In addition to conservative groups, several mainstream Democrats opposed immigrant voting rights, including Diane Feinstein. Similarly, a moderate Chinese American candidate for the Board of Supervisors argued immigrants should get citizenship before being able to vote. According to Eric Mar, there was a “split along lines of progressives and moderates on elected bodies as well as among voters.”

The ballot measure narrowly lost, according to the San Francisco Department of Elections, with 164,924 no votes (51.45%) and 155,643 yes votes (48.55%). Analysis of the data shows that less than a majority of whites supported Prop F, while more than a majority of Asian and Latino voters supported Prop F.<sup>26</sup> Although the outcome was disappointing to advocates, some took solace in the fact that they nearly won. Many advocates “thought it would be an uphill battle” from the beginning and viewed getting within 1.5 percent as a victory of sorts, or at least “not exactly a loss.”<sup>27</sup> Given the campaign took place over only about six months and advocates were significantly outspent — by about \$15,000 to about \$100,000 — getting as close as they did to winning was remarkable. “It took 100 years for African Americans to get the right to vote after the Civil War; 50 years for women to get the vote after Seneca Falls; we had six months and did pretty well, getting within 1.5%.”<sup>28</sup>

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<sup>24</sup> Telephone interviews and e-mail communications with David Chiu, Eric Mar, Giselle Barry, and other members of Parents United for Education. Hayduk, 2006 Chapter 6.

<sup>25</sup> Telephone interview with David Chiu, January 2005. Hayduk, 2006, Chapter 6.

<sup>26</sup> Richard E. DeLeon, “Preliminary Analysis of the Precinct Vote on Proposition F (Non-citizen Voting in School Elections): Graphs and Statistics,” San Francisco: Department of Political Science, San Francisco State University, December 2, 2004. On file with the author.

<sup>27</sup> Telephone interview with David Chiu, January 2005. Hayduk, 2006, Chapter 6.

<sup>28</sup> *ibid.*



## 2010

According to Jenny Lam who in 2010 was the Director of Community Initiatives at CAA and served as a co-chair of the 2010 campaign along with Berta Hernandez, Tara Kini and Kathleen Coll, "Immigrant voting was at the intersection of CAA's democracy and voting rights work, and our equity and education work." Moreover, CAA "sat in the center of many coalitions, including CENSUS, SFILEN, the campaign for City College, and other work," so "it was natural for CAA to help lead this multiracial work." CAA proved it has the ability "to bring people together and advocate, to win policy and help implement policy. CAA has a long history and has shown it can get things done." For example, CAA helped give rise to AACRE, a national network of grassroots programs, and helped "pass the strongest local workforce ordinance, which gave us momentum." Lam and others explained that CAA knows "how to build coalitions and knows how to build strength to win policy changes." CAA uses effective "levers" to achieve victories, including by using an "inside and outside strategy." In 2010, the Immigrant Voting Campaign Committee engaged in coalition building, by bringing together "education advocates, housing, and labor advocates;" and had an effective "field strategy," and did modest "fundraising."

According to Kathleen Coll, who was a parent of two bilingual children in SFUSD and co-chair of the Immigrant Voting Campaign Committee, it was Jenny Lam and Berta Hernandez who sought to help "bridge Chinatown and the Mission, since immigrant voting rights efforts in both communities hadn't been deeply coordinated before."

Parents responded favorably to the campaign. For example, Maritza DiCicco was an immigrant who went to Woodrow Wilson High School (now Burton) and learned English, and then put herself through college cleaning houses. Eventually, she had two children and in 2010, she worked on the campaign to win immigrant parent voting (Prop D), walking precincts with dozens of other parent leaders from Coleman Advocates and Chinese for Affirmative Action. "The Board of Education makes important decisions about our children," said DiCicco. "The A-G graduation requirement passed because of pressure from parents. Prop D is necessary so that all parents can hold the Board accountable for giving our children what they need to succeed....I'm doing this for my children. Prop D will give all parents a voice and a vote."<sup>29</sup>

One of the main "inside" forces of the campaign was David Chiu, who was then a supervisor on the San Francisco Board of Supervisors. Coll said David Chiu was an "engine behind the whole effort in 2010," and, along with Eric Mar and the broad based coalition, was able to win the support of the "entire School Board, a supermajority majority of the Board of Supervisors, the teacher's union, and a myriad of diverse civic groups" who endorsed Proposition D.<sup>30</sup>

Unlike in 2004, in 2010 the campaign raised more funds and faced little opposition, yet it lost by a larger margin (54% to 46% instead of 51% to 49%).<sup>31</sup> One reason this occurred, according to

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<sup>29</sup> Tara Kini, "Prop D – Democratic Education We All Should Support" *Beyond Chron*. October 14, 2010. <https://beyondchron.org/school-beat-prop-d-democratic-education-we-all-should-support/>

<sup>30</sup> Kathleen Coll, "S.F.'s Prop. D: Share the vote, for all our sake." *San Francisco Chronicle*, October 19th, 2010.

<https://www.sfgate.com/opinion/openforum/article/S-F-s-Prop-D-Share-the-vote-for-all-our-sake-3170506.php>

<sup>31</sup> The Chronicle and Examiner both opposed Prop D in 2010.

observers, was that 2010 was a midterm election (not a presidential election), which typically has lower turnout and a more conservative electorate — fewer low-income, youth, and minority people tend to vote in midterm elections compared with presidential elections.

A changing and different national context also affected the campaign and outcome. Coll recalled that “one big shift between 2004 and 2010 was the national context, including the 2005/2006 immigrant rights marches and rallies. May Day in SF both years featured mass walkouts from Mission district schools as people went to rally for immigration reform. Then, there was the promise of the Obama election in 2008, and subsequent frustration with increased criminalization/incarceration/deportation. By 2010 there was still hope for comprehensive immigration reform but you could reasonably argue that immigrant voting rights in SF was an important attempt to respond to the failure of immigration reform at national level with local initiatives. The Youth Commission was a big supporter, given that many are children of immigrants, they did a lot of canvassing and tied immigrant voting rights to Vote16 in the process.”<sup>32</sup>

What are the takeaways? According to David Chiu, “We found that the most effective messaging was the idea that IPV benefits everyone. IPV uplifts the quality of schools for everyone. It is not a zero-sum game.”

## Winning IV in 2016

The 2016 election presented a set of unique conditions (Trump’s anti-immigrant stance and response) contributed to shifts in vote patterns and successful passage. Across all interviewee groups for this report — parents, staff of the Immigrant Parent Voting Collaborative (IPVC), elected officials — people say that they are excited about winning immigrant voting rights and see it as another tool to exercise power, to affirm immigrant’ voices, to affect decisions on the school board, to improve learning conditions for their children and to achieve benefits that would accrue to families and the city at large.

However, the simultaneous election of Donald Trump dampened such hopes and expectations, and injected fear and trepidation into the process. As David Chiu summed it up, “We didn’t think Trump would win. We had to figure out how to do this.”

Many interviewees (parents, IPVC, elected officials) expressed worries about immigrants’ safety and many parents refrained from registering and voting because of fears their participation could lead to detention and deportation. Some reported that immigration attorneys often advised immigrant parents whose status was precarious or who sought to naturalize not to register and vote. It appears immigrants with lawful status were more inclined to register and vote, according to IPVC members we spoke with and parents, though fear was expressed by every group. In particular, immigrants without status (and those with a deportation order) expressed fears engendered by the Trump administration.

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<sup>32</sup> Vote16 is a campaign to allow 16- and 17-year-olds to vote in municipal elections. <https://www.vote16sf.com/>