

YARMOUTH DEMOCRAT

The Voice of the Yarmouth Democratic Town Committee

133 Center Street Yarmouth Port, MA 02675

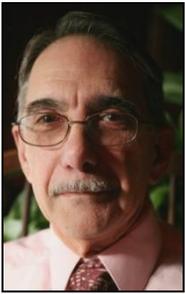
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Web Site: <http://www.yarmouthmassdems.org/>

April 2018

CONSTITUTIONAL CRISIS WE LIVE IN

By [Bob Isadore](#)



The daily head spinning news reports of Russia and Trump, porn stars, election manipulation, White House staff running out the door faster than they can be replaced has given many Americans including myself a perpetual migraine. The constant breaking news, sometimes happening minute by minute, created by the present occupant of the White House, I believe is a purposely planned

strategy to create a smoke screen to cover up the true goal of Mr. Trump which is the systematic dismantling of the agencies we as Americans depend on and sadly take for granted.

I do not have to tell you of the damage his appointees and cabinet members have unleashed on the environment, education, health care, voting rights, civil rights, etc. The most frightening is the constant drum beating effort to discredit the free press, judicial system, and the agencies we depend on for our national security. Historically we have been there before. The blueprint of the rise of fascism and authoritarian rule remains the same. Cannot happen here you say? The same was said in Germany and Italy. We have a president who believes he is above the law, and the inability and reluctance of the Republican congress to keep this president in check makes them equally guilty. This alone should be a wakeup call to us all. Yes, we are on the verge of a constitutional crisis.

But there is hope on the horizon. Since Trump took office, all around the country red seats are flipping to blue. It happened in deep red Kentucky and Alabama, and let's not forget Wisconsin, Pennsylvania, and Virginia. Democrats are motivated and are on the ground knocking on doors and registering new voters. We all must continue to be more active politically. If you or your friends have not attended your local Democratic Town committee meetings, do so. Write letters to the editor. Be sure you get your friends and family who are not registered to vote, registered and be sure they vote. This election cycle is not the time to stand by the sidelines. We in Massachusetts are fortunate enough to have a Democratic delegation representing us in D.C., but we must work hard to keep them there. Every race is important. Support local Democratic candidates. Re-elect our federal delegation. Whatever the level of your involvement, the most important act you can do is **vote**. *Make your voice heard!*

Bill Galvin SECRETARY OF STATE



The 2020 Census is extremely important for Massachusetts. It will determine whether we keep our present number of members of Congress (and present number of Electoral College votes).

In many cases it will also determine eligibility for federal funds. I am the official census liaison responsible for coordinating our state response. I performed the same duties in 2000 and 2010. I believe the Trump administration is seeking to sabotage the accuracy of our count and that of other states that have large immigrant populations by inserting into the official questionnaire the question "are you a citizen". ([See my Statement](#))

Just last year Massachusetts experienced the highest level of net international immigration since 2000 – a net inflow of 45,298 per persons. Federal law requires that "all persons" be counted, not just citizens. The addition of the question is clearly designed to confuse and discourage non-citizen persons from cooperating with the census, compromising the accuracy of an official count.

Based upon my experience I know how difficult it is to get an accurate count. In past efforts we have worked diligently to find undercounted communities through innovation programs.

I have consulted with Attorney General Healey and on our behalf she is pursuing a legal challenge. ([See Her Comments](#)) I applaud her efforts but we must compliment her legal effort. My office is already working to reach into immigrant communities, employing techniques that have been successful in the past.

I want to continue that effort to protect our communities from being short-changed and keep our strong voice in the federal government policy making and presidential elections.

I need your help to continue this work and I ask for your support.

Sincerely,

William F. Galvin
Secretary of the Commonwealth

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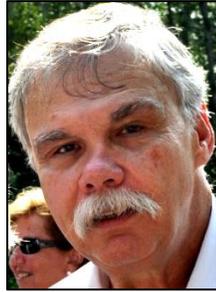
A VETERAN'S VIEW



DEPORTING VETERANS

By [Dick Carey](#)

Our government has permitted non-citizens to serve in the military since 1775. These non citizens are no different from our American citizens in that they risk life and limb to safeguard our liberty and way of life. Yet many are deported if they are convicted of certain crimes. To me this seems to be excessive and unwarranted.



We have a two-tier system of punishment in this country. The first is the denial of individual freedom through imprisonment and, secondly, we label these people as life-long criminals. Now, there is a third punishment for our non-citizen veterans: deportation. Once these veterans have served their time in prison, they are immediately deported.

These veterans enlist in the armed forces as non citizens believing this will lead to their becoming citizens. The Pentagon is well-aware of their citizenship status at time of recruitment and are also well-aware that these veterans believe their service will lead them to citizenship. *It does not.*

Neither the government nor the penal system keeps documentation as to the number of veteran deportees. Under this existing administration it is unlikely this course of action will be reversed.

In March 2017, a bill by Rep. Raul M. Grijalva [D-AZ-3] was introduced to set right this problem. This bill is still in committee. There are 62 co-sponsors with only two Massachusetts Representatives being among the co-sponsors: Rep. James P. McGovern and Rep. Seth Moulton.

H.R. 1405 - Veterans Visa and Protection Act of 2017

This bill requires the Department of Homeland Security (DHS) to: (1) establish a program to permit eligible deported noncitizen veterans to enter the United States as, and to permit eligible noncitizen veterans in the United States to adjust their status to that of, a noncitizen lawfully admitted for permanent residence; and (2) cancel the removal of eligible

noncitizen veterans and allow them to similarly adjust their status.

A "eligible" veteran is a veteran who: (1) was not ordered removed, or removed, from the United States due to a criminal conviction for a crime of violence or for a crime that endangers U.S. national security for which the noncitizen served at least five years' imprisonment; and (2) is not inadmissible to, or deportable from, the United States due to such a conviction. DHS may waive such eligibility requirements for humanitarian purposes, to assure family unity, due to exceptional service in the U.S. Armed Forces, or if such waiver otherwise is in the public interest.

A noncitizen veteran or service member shall not be removed from the United States unless he or she has a criminal conviction for a crime of violence.

A noncitizen who has obtained the status of a noncitizen lawfully admitted for permanent residence under this bill shall be eligible for naturalization through service in the U.S. Armed Forces, except that: (1) the grounds on which the noncitizen was ordered removed from, or rendered inadmissible to or deportable from, the United States shall be disregarded when determining whether the noncitizen is a person of good moral character; and (2) any period of absence from the United States due to the noncitizen having been removed or being inadmissible shall be disregarded when determining if the noncitizen satisfies any requirement relating to continuous residence or physical presence.

A noncitizen who has obtained the status of a noncitizen lawfully admitted for permanent residence under this bill shall be eligible for all military and veterans benefits for which the individual would have been eligible if he or she had never been removed from, or voluntarily departed, the United States.

DHS shall: (1) identify cases involving service members and veterans at risk of removal from the United States, and (2) annotate all DHS immigration and naturalization records relating to any noncitizen involved and afford an opportunity to track the outcome.

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HIGHLITES: MASSACHUSETTS GUN LAWS



The Commonwealth of Massachusetts has numerous laws that currently exist regarding firearms.

The laws can be complicated and extensive. We receive many questions regarding the current laws and we thought it would be helpful to know some of the basic existing laws.

Thanks to our Records Division Officer Phil Magnuson, here is a basic breakdown of some of the most important laws regarding firearms in Massachusetts:

LICENSING

A permit is required to possess or buy a gun:

- a. Firearms identification card (FID) for non-high capacity shotguns and rifles.
- b. License to carry (LTC) for handguns and high capacity guns.

LICENSING PROCESS

Permits are issued by the local police chief.

Prior to issuing permits we review the applicant's criminal record for disqualifying convictions and check for disqualifying mental health commitments.

If a disqualifying conviction or commitment is found, the application is denied.

SUITABILITY DENIALS

We also check local police reports for factors which do not show up on a criminal records check or instant background check, including:

- a. Incidents which did not result in arrest but reveal violent tendencies or irresponsible behavior.
- b. Mental health incidents or history which did not result in an involuntary commitment to a state facility, such as suicide attempts, hallucinations, psychotic episodes and section 12 commitments to a local facility.
- c. Drug and/or alcohol abuse.

If these factors are found, the chief can deny the license for unsuitability.

PRIVATE TRANSFERS OF FIREARMS

Legal only between licensed individuals and must be filed on line with the firearms records bureau. The Massachusetts licensing requirements are more stringent than the federal instant check system.

SEIZURE OF FIREARMS

If a person who already has a gun permit is involved in an incident which would disqualify him/her from receiving a permit in the first place, or which indicates that (s)he is no longer a suitable person to hold a gun license, the chief can suspend or revoke the permit and seize the person's guns. The licensee has the right to a judicial hearing after the suspension and seizure.

AGE REQUIREMENTS

Under current law a person must be 18 years old to buy shotguns and rifles and 21 years old to buy handguns. However, a license to carry (LTC) is required for high capacity shotguns and rifles, so persons 18-21 cannot buy or possess them. Minors age 15-17 can receive a Firearms ID Card (FID) with parent's consent, and can hunt after completing a hunter safety course, but cannot buy guns or ammunition.

ASSAULT RIFLES

So-called "assault rifles" may not be sold in Massachusetts. However, two classes of assault rifles are "grandfathered" and can be lawfully possessed with a LTC:

- a. Weapons which were lawfully possessed before September 13, 1994; and,
- b. Weapons which were exempt from the federal assault weapons ban (and exempt from the Massachusetts as it was interpreted prior to July of 2016), and lawfully possessed in Massachusetts prior to Attorney General Healy's edict of July 20, 2016.

HIGH CAPACITY MAGAZINES

Pistol and rifle magazines with a capacity of over 10 rounds and shotgun magazines with a capacity of over 5 rounds are defined as "Large Capacity Feeding Devices." Possession or sale of large capacity feeding devices is illegal. However, such devices lawfully possessed before September 13, 1994 are exempt from the law.

SECURITY REQUIREMENTS

All guns must be secured by a trigger lock or in a locked container when stored to prevent them from falling into the hands of unlicensed people. A gun is "stored" when it is not under the immediate control of the licensee or other authorized person.

Depending on the circumstances, security violations can be a misdemeanor or felony.

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BUMP STOCKS

Effective February 1, 2018, Bump Stocks are illegal in Massachusetts- they cannot be sold or possessed by anyone. There are no exceptions and no grandfather provisions.



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SELECTMEN DENY PUBLIC INPUT

By [Sara Jane Porter](#)

About 12 people that I had contacted, including a few from the YDTC, showed up at the Selectmen's meeting last night. Of course there was no opportunity for public input. This is what I wrote to them this morning. You'll see that the Selectmen voted unanimously NAY.

"Thank you so much for coming to the selectmen's meeting and staying so late.

I suspected that the petition would not get support from the Selectmen. Still the CC Coalition for Safe Communities had encouraged me (at present I am the only Yarmouth resident on this committee) to move forward with the petition all the way to Town Meeting. I brought this up many months ago after speaking to one of the selectmen who I thought would be most favorable.

If enough advocates of Safe Communities come to Town Meeting, we stand a good chance that we could pass this petition in spite of the Selectmen's opinion. It may not be easy, but worth talking about it in a public forum.

The CCCSC prepared the statement I read last night except for which towns passed the resolution and how this petition hopefully expressed the values of our community. Some members of the group prepared another similar statement to be read at the Town Meeting which I intend to use.

I would appreciate any feedback about the Selectman's meeting and the petition (which cannot be altered in any way even if desired). Frankness would be appreciated; it may be helpful as we move forward."

UPDATE FROM BEACON HILL



Our State Senator Julian Cyr has been hard at work on Beacon Hill, as many of the most important issues for democrats and our State are being debated.

First, on the Safe Communities Act: Senator Cyr has been a co-sponsor of the bill since the beginning. And he is grateful to all the Cape Cod democrats who have

made their voices heard in support of the bill. Recently, the bills lead sponsors (Senator Jamie Eldridge and State Rep. Juana Matias) announced a successful agreement with the Mass. Chiefs of Police Association and Mass. Major City Police Chiefs Association, on a redrafted version of the bill which both police chief organizations have now endorsed.

The redrafted version is a real compromise (some in our progressive community have said too much of a compromise), but ACLU, the Cape Coalition for Safe Communities and other key organizations have maintained their support for the redrafted bill. The new drafted bill would still bar '287-G' agreements, and maintain other key original elements of the bill. The hope was for this bill to now move through the legislature by now. However, it is still being held up for unknown reasons. Julian is advocating with his colleagues for movement on this as soon as possible. Julian has also been recently working with Congressman Keating's office on protection from deportation for immigrants who have suffered abuse and domestic violence, and he has co-sponsored a bill that State Senator Cindy Creem has filed to put in place those protections on the State level.

Senator Cyr is also advocating for the legislature to move Senate Bills 1004 and 1048, which are the bills the 'Raise Up MA' coalition has been advocating for implementation of a \$15 hour minimum wage and bring paid family leave to Massachusetts. If the legislature does not pass these bills by July, both will be on the ballot this November for the voters to decide on.

This week, Senator Cyr also successfully passed the 'Cape Cod and Islands Water Protection Fund' proposal in the senate. This is a proposal that Julian and Rep. Sarah Peake have worked on for a year, and the entire Cape & Islands legislative delegation supported. This fund will provide new funding to our towns for implementation of sewer and other badly needed

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wastewater and water quality improvement projects in our area.

There is more to come on Senator Cyr's efforts on our behalf.

EXTREME PROTECTION ORDER: H 3610

By [Donna Wald](#)



L to R: Janet Polito, Judy Recknagel, Donna Wald, Ann Grammer

Last week, concerned constituents met with Representative Tim Whelan to discuss his position on H 3610 (Decker Bill) which is currently in the Joint Committee on Public Safety and Homeland Security. The Bill is supported by many groups including police chiefs in major Massachusetts cities. Basically this bill enables courts to remove guns temporarily from a home where there is suspected abuse or mental illness which could result in the firearm being used against oneself or family members. It outlines a comprehensive judicial process which protects everyone involved while providing resources for families in distress.

Up Date

On 4/12, Rep. Whelan after hearing from our local supporters for the Decker Bill H.3610, indicated his support for the measure and has notified chairman Naughton conveying his support. According to Rep. Whelan the bill should be reported out favorably within the next week.

Great Job Yarmouth Dems: Janet, Judy, Donna, and Ann for helping to convincing Rep. Whelan.

YARMOUTH DEMOCRATIC TOWN COMMITTEE MEETING SCHEDULED

The Yarmouth Democratic Town Committee will meet Saturday April 21, **2:00 PM** at the Yarmouth Police Dept. meeting room, 340 Higgins Crowell Rd, West Yarmouth. After opening business we will hear from *Cape Cod Safe Communities*.

Our guest speaker will be candidate for Governor, **Mayor Setti Warren**.

YDTC Executive Committee

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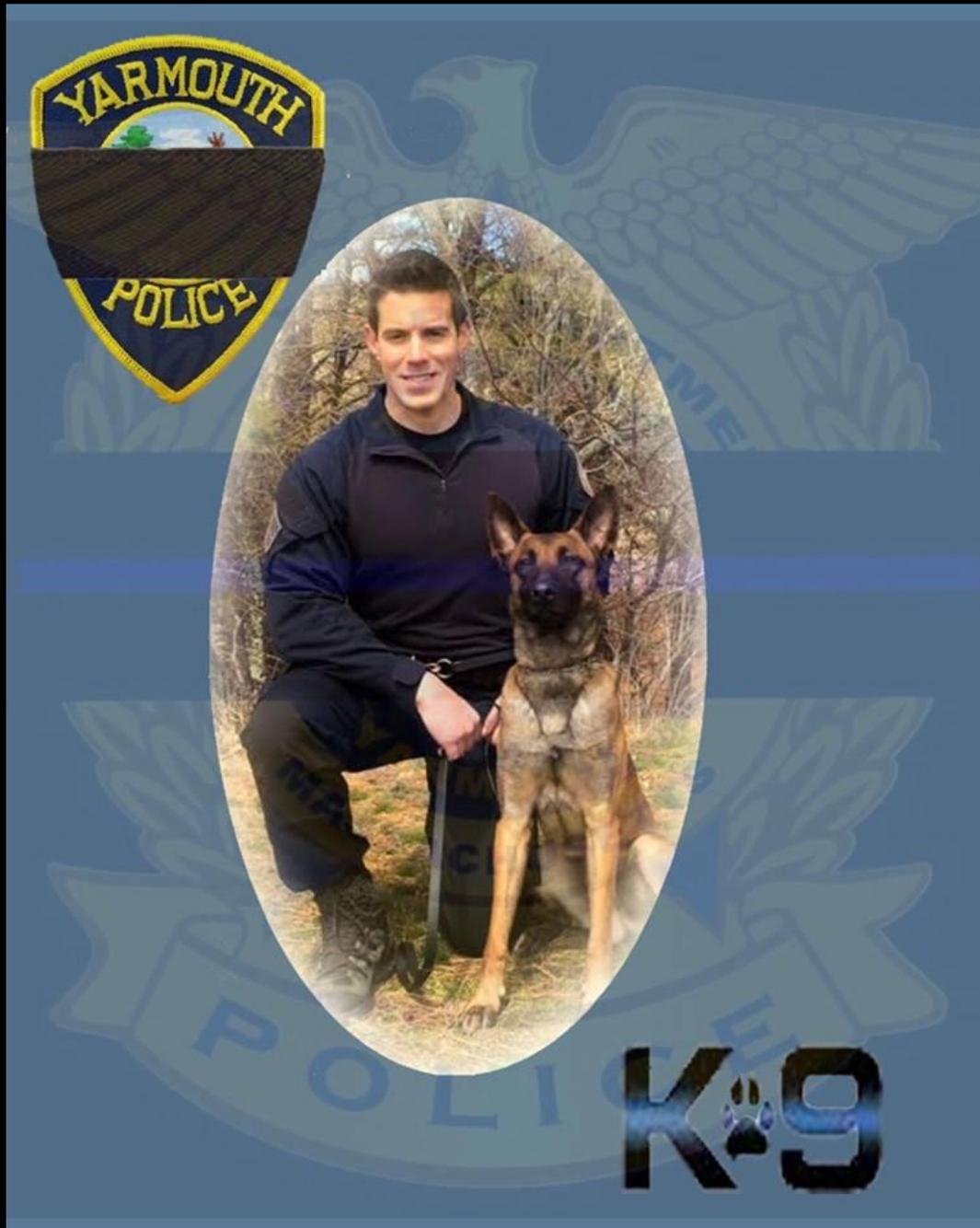


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With a heavy heart, our condolences go out to the family and friends of Officer Sean Gannon and our brothers and sisters of the Yarmouth Police Department. We are also praying for the recovery of Officer Gannon's K-9 partner who was also injured during this tragedy.