

RECENT LEGISLATION

LOCAL GOVERNMENT — NONCITIZEN VOTING AND IMMIGRANT RIGHTS — BURLINGTON EXPANDS VOTING IN MUNICIPAL ELECTIONS TO CERTAIN IMMIGRANTS. — VT. STAT. ANN. tit. 24 app., §§ 3-8 to -8a (2024).

The presumption that noncitizen immigrants cannot vote in elections is a historical anomaly.¹ In fact, for most of United States history, immigrants without legal status could vote in local, state, and even federal elections.² Several cities across the country are once again embracing the American tradition of noncitizen voting,³ and Vermont is now home to three of them.⁴ Recently, on June 20, 2023, the city of Burlington overcame the final procedural hurdle in enacting an amendment to its city charter to allow legal immigrants to vote in its municipal elections.⁵ This is a significant expression of solidarity and a meaningful first step in improving the well-being of all immigrants in the city. And though the amendment currently excludes undocumented immigrants,⁶ Burlington has a critical opportunity. The city can and should use the momentum of its noncitizen voting success to formally include all immigrants in its political community and pass laws that fight the economic precarity many immigrants face. By doing so, Burlington, and cities like it, can become an exemplar of city-level resistance against exclusionary federal immigration laws.

Burlington accomplished noncitizen voting through a process that involved not just the city government but also the Vermont State Legislature and Executive. At the municipal level, the amendment first

¹ See Ron Hayduk, *Why Non-citizens Should Be Allowed to Vote*, JACOBIN (Nov. 6, 2018), <https://jacobin.com/2018/11/noncitizen-voting-undocumented-immigrants-midterm-elections> [<https://perma.cc/SL7C-N3HM>].

² RON HAYDUK, *DEMOCRACY FOR ALL: RESTORING IMMIGRANT VOTING RIGHTS IN THE UNITED STATES* 3 (2006).

³ See Caroline Sullivan, *Understanding Voting Rights for Noncitizens*, DEMOCRACY DOCKET (Dec. 7, 2021), <https://www.democracydocket.com/analysis/understanding-voting-rights-for-non-citizens> [<https://perma.cc/76YN-Y5EJ>]. But not without challenge. San Francisco only recently overcame a legal challenge to a law that allows noncitizen parents to vote in their children's school board elections. *Lacy v. City & County of San Francisco*, 312 Cal. Rptr. 3d 391, 396 (Ct. App. 2023). And the New York State Supreme Court struck down a measure passed by the New York City Council that extended the right to vote in local elections to noncitizens. Jeffery C. Mays, *New York City's Noncitizen Voting Law Is Struck Down*, N.Y. TIMES (June 27, 2022), <https://www.nytimes.com/2022/06/27/nyregion/noncitizen-voting-ruling-nyc.html> [<https://perma.cc/2BMQ-V52Z>].

⁴ Brave Little State, *"Now I Have My Voice Here": The Impact of Noncitizen Voting in Vermont*, VT. PUB. (Nov. 16, 2023, 4:30 PM), <https://www.vermontpublic.org/podcast/brave-little-state/2023-11-16/now-i-have-my-voice-here-the-impact-of-noncitizen-voting-in-vermont> [<https://perma.cc/2VXA-TWMR>].

⁵ 2023 Vt. Acts & Resolves No. M-16 (codified at VT. STAT. ANN. tit. 24 app., §§ 3-8 to -8a (2024)).

⁶ KATHERINE SCHAD, CITY OF BURLINGTON, OFFICIAL COPY OF PROPOSED CHARTER CHANGES 1 (2023).

needed approval by the city’s voting residents.⁷ The text of the amendment was itself modest in scope. It granted the vote only to immigrants who are “in compliance with federal immigration laws” and applied to “local City of Burlington or Burlington School District election[s].”⁸ Burlington’s city website characterizes the measure as an “All Legal Resident Voting” amendment, a description clearly meant to convey how the amendment does not cover undocumented immigrants.⁹ Nonetheless, the city’s “Charter Change Committee” championed the amendment, and the committee’s head, city councilor Gene Bergman, praised it for allowing immigrants to “be involved in a full and meaningful way.”¹⁰ This careful framing was successful. On November 21, 2022, the city council unanimously approved the amendment for the 2023 municipal ballot.¹¹

This was not an insignificant victory. Only two years before, the same city council prevented the measure from going to a citywide vote.¹² At that time, Councilmember Ali Dieng, an immigrant himself, voted against noncitizen voting because he believed that there was “no input from the community.”¹³ But attitudes changed in 2022, as Councilmember Dieng “chose to back” the noncitizen voting measure after “talk[ing] to more refugee constituents who . . . supported [it].”¹⁴ On March 7, 2023, notwithstanding its former failures, noncitizen voting received sixty-eight percent of Burlington voters’ support.¹⁵

Immigrants themselves had a substantial hand in mobilizing support for the effort, but not all immigrant advocacy groups shared equal enthusiasm for its eventual success. Jeetan Khadka, a refugee from Bhutan, had rallied behind noncitizen voting for almost a year, claiming that

⁷ See *id.*

⁸ *Id.*

⁹ *All Legal Resident Voting*, CITY OF BURLINGTON, <https://www.burlingtonvt.gov/AllLegalResidentVoting> [<https://perma.cc/76DS-S93K>].

¹⁰ See Katharine Huntley, *Will 3rd Time Be the Charm for Noncitizen Voting in Burlington?*, WCAX3 (June 27, 2022, 5:25 PM), <https://www.wcax.com/2022/06/27/will-3rd-time-be-charm-noncitizen-voting-burlington> [<https://perma.cc/FJ4D-ESRQ>].

¹¹ Lilly St. Angelo, *Burlington City Council Puts Election-Related Charter Changes on Town Meeting Day Ballot*, BURLINGTON FREE PRESS (Nov. 25, 2022, 4:56 AM), <https://www.burlingtonfreepress.com/story/news/local/2022/11/25/burlington-politics-council-votes-to-put-three-charter-changes-on-ballots/69668467007> [<https://perma.cc/4APZ-JTWW>].

¹² Courtney Lamdin, *In Reversal, Burlington City Council Won't Put Noncitizen Voting on Ballot*, SEVEN DAYS (Jan. 27, 2020, 11:03 PM), <https://www.sevendaysvt.com/OffMessage/archives/2020/01/27/in-reversal-burlington-city-council-wont-put-noncitizen-voting-on-ballot> [<https://perma.cc/9N5R-S9ND>].

¹³ Courtney Lamdin, *Burlington Considers Allowing Noncitizens to Vote — Again*, SEVEN DAYS (Feb. 28, 2023, 6:43 PM), <https://www.sevendaysvt.com/news/burlington-considers-allowing-noncitizens-to-vote-again-29470335> [<https://perma.cc/C8UJ-44KM>].

¹⁴ Piper French, *Refugee Organizing Helps Spur Noncitizen Voting in Vermont Cities*, BOLTS (Sept. 28, 2023), <https://boltsmag.org/vermont-noncitizen-voting> [<https://perma.cc/B8C6-KTPR>].

¹⁵ See Mac Brower, *Burlington, Vermont Voters Approve Noncitizen Voting*, DEMOCRACY DOCKET (Mar. 8, 2023), <https://www.democracydocket.com/news-alerts/burlington-vermont-voters-approve-noncitizen-voting> [<https://perma.cc/89T3-PUZR>].

voting is a crucial step toward full participation in civic life.¹⁶ Hemant Ghising, another Burlington community member, views the policy as “very important” and “the first step for the long journey.”¹⁷ In contrast, advocates for undocumented immigrants, like Marita Canedo, saw noncitizen voting as doing little for the most vulnerable immigrants in Vermont. Canedo explains how noncitizen voting did not “change anything for [the] community”¹⁸ of over one thousand undocumented farmworkers in Vermont.¹⁹ Instead, organizations like Migrant Justice have found alternative advocacy routes, such as campaigns to offer driver’s licenses to undocumented Vermonters.²⁰

The amendment had to jump through additional procedural hoops at the state level because Vermont requires state legislature authorization to change municipal voting laws.²¹ Two months after Burlington voters approved the amendment, both branches of the legislature approved it.²² But Governor Philip Scott vetoed it,²³ requiring the state legislature, a month later, to override the veto by a two-thirds margin.²⁴ With this override, the charter amendment was officially enacted.²⁵ Albeit in modest strides, noncitizen voting in Burlington is catching on. As of March 2024, sixty-two noncitizen immigrants have registered to vote,²⁶ up from only four in November 2023.²⁷

Burlington is not the only city in Vermont to pass noncitizen voting while overcoming Vermont’s contrived procedural mechanisms. In 2018, Montpelier residents voted to amend their charter to establish noncitizen voting,²⁸ and in 2020, Winooski residents did the same.²⁹ In

¹⁶ See French, *supra* note 14.

¹⁷ Brave Little State, *supra* note 4.

¹⁸ French, *supra* note 14.

¹⁹ See Bindu Panikkar & Mary-Kate Barrett, *Precarious Essential Work, Immigrant Dairy Farmworkers, and Occupational Health Experiences in Vermont*, INT’L. J. ENV’T. RSCH. & PUB. HEALTH, Apr. 1, 2021, at 1, 3.

²⁰ French, *supra* note 14.

²¹ See VT. STAT. ANN. tit. 17, § 2645(d) (2023). Vermont is a “Dillon’s Rule” state, which means municipalities can pass certain laws only after the state legislature authorizes it. Joshua A. Douglas, *The Right to Vote Under Local Law*, 85 GEO. WASH. L. REV. 1039, 1084 (2017).

²² See 2023 Vt. Acts & Resolves No. M-16 § 1. The Vermont House of Representatives passed the bill on May 3, 2023, and the Vermont Senate passed it on May 11, 2023. *H. 509 (Act M-16)*, VT. GEN. ASSEMBLY, <https://legislature.vermont.gov/bill/status/2024/H.509> [<https://perma.cc/HP2K-6P42>].

²³ Letter from Philip B. Scott, Gov. of Vermont, to Hon. Betsy Ann Wrask, Clerk of the Vermont House of Representatives (May 27, 2023).

²⁴ JOURNAL OF THE SENATE OF THE STATE OF VERMONT, at 1979–80 (2023).

²⁵ 2023 Vt. Acts & Resolves No. M-16, at 3.

²⁶ Email from Sarah Montgomery, Assistant City Clerk, Burlington, Vt., to author (Mar. 4, 2024) (on file with the Harvard Law School Library).

²⁷ Brave Little State, *supra* note 4.

²⁸ Erin Petenko, *Vermont Supreme Court Rules Montpelier Can Allow Noncitizen Voting in Local Elections*, VTDIGGER (Jan. 20, 2023, 1:30 PM), <https://vtdigger.org/2023/01/20/vermont-supreme-court-rules-montpelier-can-allow-noncitizen-voting-in-local-elections> [<https://perma.cc/LT82-2MUT>].

²⁹ Lisa Rathke, *Noncitizens to Vote in Local Elections in 2 Vermont Cities*, AP NEWS (Feb. 28, 2022, 1:48 PM), <https://apnews.com/article/2022-midterm-elections-voting-united-states-elections-vermont-3cfc1ff8e6d6b91fdef729ee97cd338> [<https://perma.cc/Q7UA-AN3Z>].

both instances, the cities went through the same process — a vote on a city charter amendment, state legislative approval, executive veto, and bicameral override.³⁰ And, in early 2023, Vermont’s Supreme Court also weighed in, ruling in *Ferry v. City of Montpelier*³¹ that city laws allowing legal noncitizens to vote in municipal elections are valid under the Vermont Constitution.³² Backed by these successes, Burlington was well equipped to ensure that the State’s procedural hoops would not dampen the will of its constituents.

Burlington’s noncitizen voting effort is best understood by contextualizing it within the contemporary, national immigrant rights movement. Doing so reveals how the voting effort can be, per Burlington resident Hemant Ghising, a “first step”³³ in a larger fight for immigrant rights. Since at least 2010, undocumented immigrants have taken the helm of the immigrant rights movement and have focused on reconfiguring power asymmetries within the American immigration system by primarily organizing against federal deportation efforts.³⁴ At first blush, noncitizen voting might sit awkwardly within this undocumented-centered and deportation-focused movement. Despite its different focus, noncitizen voting is a significant achievement. It invites immigrant-friendly cities like Burlington to join the larger immigrant rights movement by making the municipality a tool to continue expanding its political community and to respond to the most pressing issues immigrants face.

In the past decade, the immigrant rights movement has entered a new stage of advocacy that centers undocumented immigrants and aims to reduce the power of the U.S. deportation machine. Characterized as “immigration disobedience,” this activism sets out to limit federal means to criminalize and deport those deemed unlawful.³⁵ Primarily led by undocumented immigrants, “immigration disobedience” consists of direct action, deportation resistance, and hunger strikes.³⁶ The movement demands policy changes like “defunding ICE[,] . . . ending immigration detention, and ending contracts with private companies that participate in immigration enforcement.”³⁷

The persistence of “immigration disobedience” is helpful in evaluating how Burlington’s noncitizen voting can fit in the larger immigrant rights movement. Two insights emerge. First, the centrality of undocumented immigrants in the contemporary fight highlights their absence in Burlington’s noncitizen measure. This tension may fragment local

³⁰ *Id.*; Petenko, *supra* note 28.

³¹ 296 A.3d 749 (Vt. 2023).

³² *Id.* at 753.

³³ See Brave Little State, *supra* note 4.

³⁴ See Jennifer J. Lee, *Immigration Disobedience*, 111 CALIF. L. REV. 71, 73, 75 (2023).

³⁵ See *id.*

³⁶ *Id.* at 73.

³⁷ *Id.* at 117.

immigrant rights movements and weaken political support for causes that demand more transformative change. Burlington, thus, should experiment with ways to formally include undocumented immigrants in its political community. Second, the national movement focuses on dire and pressing problems immigrants face, like deportation.³⁸ Federal policies continue to create other types of pressing problems, like economic ones that arise from restrictions on rights to work.³⁹ City governments like Burlington's are well positioned to join in on efforts to solve these sorts of problems.

Burlington should consider how the noncitizen voting measure alone can risk creating divisive subclasses within the immigrant population. Because undocumented immigrants are excluded in the noncitizen voting measure, they may need to separately advocate for policy solutions that are responsive to their unique needs. There are hints of this already happening in Burlington, where undocumented farmworkers created independent advocacy avenues through Migrant Justice as the noncitizen voting measure was underway.⁴⁰ Artificially created divisions such as these can sometimes frustrate a social movement's ability to organize and mobilize.⁴¹ They can also make demands that are more ambitious and tailored to the most vulnerable immigrants seem politically less palatable. For example, city-funded health care for all may be criticized as too costly when compared to the comparatively "free" noncitizen voting effort. To prevent this from manifesting, it is critical that Burlington, and all similarly positioned cities, continues to work on including undocumented immigrants in its political community.

Extending the municipal vote would most efficiently include undocumented immigrants in the political community, but this policy would face many challenges. On its face, the reasoning in *Ferry v. City of Montpelier* gave room for this expansion. The court focused on the municipal nature of the measure and did not interrogate the constitutionality of expanding the vote to *all* immigrants.⁴² The court's silence could be understood as an implicit approval, but an expanded vote would likely face legal challenges centering this unaddressed topic. This also assumes the city can amass the political will needed to pass this new amendment. While not impossible, it is likely that the city and its constituents may want to first focus on implementing the existing measure

³⁸ *Id.* at 78–80.

³⁹ See Jennifer J. Lee, *Legalizing Undocumented Work*, 42 CARDOZO L. REV. 1893, 1894–95 (2021).

⁴⁰ French, *supra* note 14.

⁴¹ For example, splintered poverty alleviation efforts due to racism during the Roosevelt Administration resulted in the exclusion of Black workers. See Derrick Johnson, Opinion, *Viewing Social Security Through the Civil Rights Lens*, NAACP (Aug. 14, 2020), <https://naacp.org/articles/viewing-social-security-through-civil-rights-lens> [<https://perma.cc/HGJ3-8VST>].

⁴² *Ferry v. City of Montpelier*, 296 A.3d 749, 764 (Vt. 2023) (holding that "local elections are subject to different voter qualifications from statewide elections" and therefore were not limited by the state constitution).

before substantively changing it. Instead, Burlington can look to the singular tools it has as a city to empower its undocumented residents.

Cities like Burlington are uniquely poised to productively engage with their constituents' decided agendas for social change.⁴³ Cities are where people “struggle together in the messy and daily work of sharing space . . . [and] resources,”⁴⁴ which can make them “fertile gathering places for social movements and social transformation.”⁴⁵ With city laws and programs, immigrants can build democratic power that squares up against federal immigration enforcement.⁴⁶ And by placing city-level reforms within a larger, ongoing struggle, immigrants can transform a city into a powerful force for the overall immigrant rights movement.⁴⁷ Burlington, and other cities that have passed noncitizen voting measures, can use its momentum to develop policies that both enhance the political participation of and economic outcomes for its undocumented and poor immigrant populations.

First, Burlington can look beyond the vote to include undocumented immigrants in the political community by creating an independent political infrastructure that immigrants control themselves. In 2022, California fast-food workers successfully organized to establish a ten-person, statewide council made up of workers, business representatives, and government officials.⁴⁸ This council was responsible for setting workplace standards across the state, including those for wages and worker health and safety.⁴⁹ Burlington can replicate this at the city level to focus on immigrant well-being. A diverse, elected council could create proposals based on a wide array of immigrant experiences. These proposals could be binding recommendations that then become citywide policies.

Second, Burlington can couple the success of its charter amendment with a suite of policies that respond to economic precarities many immigrants face. In the United States, half of all low-income

⁴³ Indeed, this is the vision of the newly revived “municipalist” movement, which envisions city governments as substantive forums for grassroots discussion and change. See Erik Forman, Elia Gran & Sixtine van Outryve, *The Municipalist Moment*, DISSENT (Winter 2020), <https://www.dissentmagazine.org/article/the-municipalist-moment> [<https://perma.cc/6S9E-MQGE>].

⁴⁴ Daniel Farbman, “*An Outrage upon Our Feelings*”: *The Role of Local Governments in Resistance Movements*, 42 CARDOZO L. REV. 2097, 2178, 2179 n.256 (2021).

⁴⁵ *Id.* at 2179 n.256.

⁴⁶ See Peter L. Markowitz, *Undocumented No More: The Power of State Citizenship*, 67 STAN. L. REV. 869, 871, 873 (2015) (describing how “restrictionists” support state laws that “rid[] communities of unwanted immigrants,” *id.* at 871).

⁴⁷ Cf. Amna A. Akbar, *Non-reformist Reforms and Struggles over Life, Death, and Democracy*, 132 YALE L.J. 2497, 2497, 2511 (2023) (describing “non-reformist reforms” as those that engage with existing systems but are part of an overall effort to “shift” “balance[s] of power” and “build mass organization,” *id.* at 2511).

⁴⁸ See Recent Legislation, *CAL. LAB. CODE §§ 96, 1470–1473 (West 2020 & Supp. 2023) (effective Jan. 1, 2023)*, 136 HARV. L. REV. 1748, 1748 (2023).

⁴⁹ *Id.*

immigrants have problems affording food, housing, and health care.⁵⁰ And many immigrants are unable to address these problems because they cannot receive work authorizations.⁵¹ Vermont also has a significant low-income population; nearly one in three children of immigrants live in low-income families.⁵² If Burlington invested resources in lifting these material obstacles that keep poor immigrants in economic precarity, then it would create opportunities for some of the most marginalized immigrants to be better integrated and invested in their city-communities.

One way Burlington can do this is by supplementing its noncitizen voting effort with active resistance against a federal immigration system that illegalizes undocumented work. Expanding employment rights may help solve pressing problems that contribute to the everyday instability of the most vulnerable immigrants.⁵³ Burlington would help *legalize* undocumented work, allowing immigrants to take care of their basic needs.⁵⁴ These sorts of interventions are procedurally advantageous because they can be accomplished without amending city charters and without requiring state authorization.

First, Burlington can take advantage of the relaxed standards for independent contractors under immigration and labor laws. While immigration laws prevent employers from *knowingly* hiring immigrants without work authorization, they do not change that independent contractors need only a social security number (SSN) or individual taxpayer identification number (ITIN) to work.⁵⁵ Burlington can fund partnerships with local institutions that provide all immigrants with technical training in obtaining SSNs or ITINs; business management software for inventory, sales, and invoicing; and financial instruments like bank accounts and low-interest loans.

Second, Burlington can use its procurement processes to expand work opportunities for all its immigrants. Under immigration laws, the city only needs to verify the employment status of direct employees and

⁵⁰ SHANNON SCHUMACHER ET AL., KFF, UNDERSTANDING THE U.S. IMMIGRANT EXPERIENCE: THE 2023 KFF/LA TIMES SURVEY OF IMMIGRANTS (2023), <https://www.kff.org/report-section/understanding-the-u-s-immigrant-experience-the-2023-kff-la-times-survey-of-immigrants-findings> [https://perma.cc/Z4VT-3F5N].

⁵¹ See U.S. CITIZENSHIP & IMMIGR. SERVS., DEP'T OF HOMELAND SEC., OMB NO. 1615-0040, FORM I-765: INSTRUCTIONS FOR APPLICATION FOR EMPLOYMENT AUTHORIZATION (2022) [hereinafter EAD Instructions].

⁵² CARY LOU ET AL., URB. INST., CHILDREN OF IMMIGRANTS AND THE FUTURE OF VERMONT 1 (2020), https://www.urban.org/sites/default/files/2020/02/24/children_of_immigrants_and_the_future_of_vermont.pdf [https://perma.cc/F8F6-6YXW].

⁵³ See Jennifer J. Lee, *Redefining the Legality of Undocumented Work*, 106 CALIF. L. REV. 1617, 1621 (2018).

⁵⁴ See *id.*

⁵⁵ See ILIANA PEREZ, IMMIGRANTS RISING & UNIV. OF CAL., INCOME GENERATION OPTIONS FOR UNDOCUMENTED STUDENTS TOOLKIT 12 (2020), <https://undoc.universityofcalifornia.edu/files/income-generation-options-for-undocumented-students-toolkit.pdf> [https://perma.cc/63K4-Y27S].

is not required to ask independent contractors about their immigration status.⁵⁶ So long as Burlington (and other contractors) ensure their postings are open to all independent contractors, they are free to choose a bid that best serves their needs, without inquiring about a bidder's immigration status.⁵⁷ Burlington can also facilitate internships with local employers who hire interns as independent contractors, helping immigrants build deeper ties with local members of their communities.

Lastly, Burlington can partner with United States Citizenship and Immigration Services (USCIS) to create flexible work authorization programs. Currently, USCIS is solely responsible for issuing employment authorization documents that immigrants must have to lawfully be employed by another business,⁵⁸ and there is a substantial backlog to receive them.⁵⁹ Burlington can propose partnerships to help alleviate the backlog. For example, it might propose that its municipal departments could issue "Employment Authorization Permits" that function only within city bounds.⁶⁰ Such partnerships would not be unprecedented, as the federal government frequently partners with city governments to enforce immigration law.⁶¹

These proposals are certainly not exhaustive. But when Burlington allows *all* immigrants to advocate for themselves and to utilize their skills on their own terms, the city creates new means to establish grassroots power. Because Burlington has a relatively small immigrant community,⁶² it is the perfect place to begin small-scale experiments that cities with larger immigrant populations can then replicate. With such interventions, these communities, small and large, can advocate on more stable footing. No longer consumed by the crisis of everyday living, immigrant communities, with cities as their tools, will have more time to imagine liberatory futures and the steps needed to get there.

⁵⁶ See Adam H. Miller, *Curbing Worker Misclassification in Vermont: Proposed State Actions to Improve a National Problem*, 39 VT. L. REV. 207, 215 (2014). However, independent contractors enjoy far weaker labor law protections. See *id.* at 215–17 (overviewing federal and Vermont labor protections that are not guaranteed to independent contractors).

⁵⁷ *Id.* at 215.

⁵⁸ EAD Instructions, *supra* note 51.

⁵⁹ Muzaffar Chishti & Julia Gelatt, *Antiquated U.S. Immigration System Ambles into the Digital World*, MIGRATION POL'Y INST. (Nov. 29, 2023), <https://www.migrationpolicy.org/article/us-immigration-backlog-digital-world> [<https://perma.cc/SF2X-32SZ>].

⁶⁰ See Ahilan Arulanantham, *Solutions that Work? Analyzing State Employment Authorization for Noncitizens in the US*, JUST SEC. (Nov. 30, 2023), <https://www.justsecurity.org/90346/solutions-that-work-analyzing-state-employment-authorization-for-noncitizens-in-the-us> [<https://perma.cc/K3VL-Q9UD>].

⁶¹ Cf. AM. IMMIGR. COUNCIL, *THE 287(G) PROGRAM: AN OVERVIEW 1* (2021), https://www.americanimmigrationcouncil.org/sites/default/files/research/the_287g_program_an_overview.pdf [<https://perma.cc/G68W-TT5Z>] (describing the 287(g) program that allows city law enforcement officers to "collaborate with . . . federal government [officers] to enforce federal immigration laws").

⁶² Vermont has 0.1% of the U.S. immigrant population. *U.S. Immigration Population by State and County*, MIGRATION POL'Y INST., <https://www.migrationpolicy.org/programs/data-hub/charts/us-immigrant-population-state-and-county> [<https://perma.cc/3C2A-RBUM>].