



Agenda

9/30/14 TIME 2:29

BY Terrie Rodriguez

FOR

Immigration Committee
October 7, 2014
500 Market Station, Suite 200
Round House Conference Room
4:30pm to 6:00pm

1. Roll Call
2. Approval of Agenda
3. Approval of Minutes – August 5, 2014
4. Announcements
5. Community Comments
6. New Business
 - a. Welcome to Police Chief Eric Garcia – Alejandra Seluja
 - b. Councilor Maestas, wage theft resolution
 - c. Pablo Sedillo, SF County Public Safety Director
 - d. Presentation by Victoria Ferrara on Ortiz Middle School
 - e. Resolution to address women and minor's detained in Artesia – Alejandra Seluja
7. Old Business
 - a. ICE Detainers Report - Marcela Díaz
 - b. Letter to SFPS - Alejandra Seluja, Cara Esquivel, Amparo Guerrero
 - c. City Minimum Wage Enforcement Policies. Topics to present to City Attorney - Marcela Díaz
8. Communications from Staff
9. Communications from Committee
10. Next Meeting and Adjourn

Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6520 five (5) working days prior to meeting date.

IMMIGRATION COMMITTEE
INDEX
OCTOBER 7, 2014

Cover Page		Page 1
Call to Order and Roll Call	The Immigration Committee meeting was convened by the Chair at 4:30 pm, Market Center, Santa Fe, New Mexico. A quorum was declared by roll call.	Page 2
Approval of Agenda	<p>Ms. Rodriguez noted that in the agenda she listed the topic of discussion for Councilor Maestas presentation as Wage Theft Resolution – it is to be listed as an ordinance amending the business license.</p> <p>Ms. Hemmer moved to approve the agenda as amended, second by Ms. Guerrero, motion carried by unanimous voice vote.</p>	Page 2
Approval of Minutes	<p>Corrections:</p> <p>Page 4, (D) – Mrs. Guerrero’s comment should be an approximate number and the number is not for SFPS but for Ortiz school.</p> <p>Page 4 (D) - Name of person is Karla Melendez.</p> <p>Page 5 under communications, should be part of community comments under #6.</p> <p>Page 4 (B) – talking about ICE detainees, 3rd paragraph. Santa Fe stopped engaging in the criminal alien program, not Marcela Diaz....</p> <p>#5 – National Latino AIDS Day (AIDS all caps). Mexican Consulate not Consul</p> <p>Page 3: Congressman Pearce – not Pierce</p> <p>Ms. Diaz corrected a statement Page 3, 2nd paragraph: She did not say that there were children coming across the border with diseases. It must have been what other misinformed people are saying.</p> <p>Strike: Ms. Diaz said that there were reports of chickenpox within the facility.</p> <p>Ms. Hemmer moved to approve the minutes of August 5, 2014 as amended, second by Ms. Guerrero, motion carried by unanimous voice vote.</p>	Page 3
Announcements	Informational	Page 3-4
Community Comments	Informational	Page 4

<p>New Business</p> <p>A. Welcome to Police Chief Eric Garcia</p> <p>B. Councilor Maestas, Wage Theft Resolution</p> <p>C. Pablo Sedillo, SF County Public Safety Director</p> <p>D. Presentation by Victoria Ferrara on Ortiz Middle School</p> <p>E. Resolution to address women and minor's detained in Artesia</p>	<p>Item #D – Tabled</p> <p><i>Ms. Hemmer moved to have a letter prepared to the City Council in support of amending the business license ordinance, second by Ms. Diaz, motion carried by unanimous voice vote.</i></p> <p><i>Ms. Diaz made a motion to recommended taking out page 2, line 25 and page 3, strike \$3.7 billion dollar request made by President Obama, and that the governing body calls on the City's Congressional delegation to address the urgent humanitarian situation on both side of the southwest border of the United States which includes funding to support the immigrant women and children currently housed in Artesia, second by Ms. Esquibel, motion carried by unanimous voice vote.</i></p>	<p>Page 4-10</p>
<p>Old Business</p> <p>A. ICE Detainers Report</p> <p>B. Letter to SFPS</p> <p>C. City Minimum Wage Enforcement Policies</p>	<p>Informational</p>	<p>Page 10-11</p>
Communications from Staff	None	Page 11
Communications from Committee	Informational	Page 11
Next Meeting	November 5, 2014 at 4:30 pm	Page 11
Adjournment	Meeting was adjourned at 7:15 pm	Page 12
Signature Page		Page 12

**IMMIGRATION COMMITTEE
OCTOBER 7, 2014
Market Street Offices, Santa Fe, NM
4:30 pm – 7:15 pm**

MINUTES

1. The meeting was called to order by Marcela Diaz at 4:30 pm in the absence of the Chair. A quorum exists and reflected in roll call. The Chair resumed the leadership of the meeting at 4:51 pm. Let the record reflect that Ms. Seluja was participating in the meeting telephonically and in person upon her arrival at 4:51 pm.
2. Roll call constitutes a quorum.

Present:

Alejandra Seluja, Chair
Marcela Diaz
Cara Esquibel
Javier Rios
Elizabeth Hemmer
Amparo Guerrero

Not Present

Maria Cristina Lopez, Excused
Cecilia Tadfor, Excused

Others Present

City Councilor Joseph Maestas
Zach Chandler, City Attorney
Terry Rodríguez, Director
Chief Eric Garcia, Santa Fe Police Department
Pablo Sedillo, Santa Fe County Public Safety Director
Dale Lettenberger, Santa Fe City Police Department and Staff Liaison
Julia Valdez, Santa Fe County Representative for Commissioner Stefanics
Fran Lucero, Stenographer

Audience

Rayos Burciaga
Araceli Long
Luis Lara
Elizabeth Lara
Mayte Flores
Carlos Campos
Lorenzo Ramirez
Juan Carlos Romero
Noemi Becerra
Julio Mireles
Ana Isabel Arcos de Mireles
Minerva Mireles
Daniel Ramirez Vargas

3. Approval of Agenda

Ms. Rodriguez noted that in the agenda she listed the topic of discussion for Councilor Maestas presentation as Wage Theft Resolution – it is to be listed as an ordinance amending the business license.

Ms. Hemmer moved to approve the agenda as amended, second by Ms. Guerrero, motion carried by unanimous voice vote.

4. Approval of Minutes – August 5, 2014

Corrections:

Page 4, (D) – Mrs. Guerrero's comment should be an approximate number and the number is not for SFPS but for Ortiz school.

Page 4 (D) - Name of person is Karla Melendez.

Page 5 under communications, should be part of community comments under #6.

Page 4 (B) – talking about ICE detainees, 3rd paragraph. Santa Fe stopped engaging in the criminal alien program, not Marcela Diaz....

#5 – National Latino AIDS Day (AIDS all caps).
Mexican Consulate not Consul

Page 3: Congressman Pearce – not Pierce

Ms. Diaz corrected a statement Page 3, 2nd paragraph: She did not say that there were children coming across the border with diseases. It must have been what other misinformed people are saying.

Strike: Ms. Diaz said that there were reports of chickenpox within the facility.

Ms. Hemmer moved to approve the minutes of August 5, 2014 as amended, second by Ms. Guerrero, motion carried by unanimous voice vote.

5. Announcements

Ms. Guerrero provided the committee with a flyer for an event on December 8, 2014 at SOLACE. The request was for used books for sale at their location, 6601 Valentine Way, Santa Fe, NM.

Mr. Rios provided information on the Feria de Salud taking place on October 17, 2014 from 10 am – 1:30 pm at the El Paisano Market Inc., 3140 Cerrillos Rd., Santa Fe, NM 87507. The agencies that will be there are; Southwest Care, Walgreens, La Family Medical Center, BC/BS, Nuestra Salud and the State Department of Health. Mr. Rios said if anyone was interested in having a table at this event to contact him for further information.

Ms. Diaz announced that the Guatemala Consulate is going to be here on October 25-26, 2014 at the SOMOS office, 1804 Espinacitas Street, SFNM. They are going to come every 6 months to provide services to the Guatemalan population. They will be there from 8 am to 5 pm. Secondly, as wage issues are on the agenda, every year in November is the National Anti Wage Theft month. SOMOS will do a wage theft clinic on November 18th with agencies participating from the Federal Department of Labor, SOMOS Attorney, individuals who can help people file their wage claims. This normally takes place from 5:30 pm – 8:30 pm at the SOMOS office.

Mr. Rios announced that the Mexican Consulate will be in Clovis, NM on October 25th.

6. Community Comments

Ms. Diaz noted there were many individuals from United Worker's Center here tonight with very specific comments regarding the presentation that Councilor Maestas is going to make. They will hold their comments until that time in the agenda.

7. New Business

a. Welcome to Police Chief Eric Garcia

Chair Seluja welcome the new City Police Chief, Eric Garcia. Thank you for being here and taking this position. The Immigration Committee works very closely with the Police Department and appreciates his being in attendance at tonight's meeting.

Chief Garcia expressed his thanks for the invitation to attend today's meeting. Chief Garcia stated that he and Ms. Diaz have been working closely together for some time now on several different aspects of building relationships between the law enforcement community and the immigrant community and anyone else between there. The biggest program we have put together was implementing an adult team that the City of Santa Fe has and in the Chief's opinion is one of the best programs in the southwest. It is the immigration policy of how our officers interact with the community which is a fantastic program. Chief Garcia has worked with Pablo Sedillo and Sheriff Robert Garcia no more than a week ago and they are looking at implementing a program which I shared with them our current policy and procedure so they can implement their current policy and procedure with Santa Fe County. I commend Santa Fe County for being receptive to implement a program such as the City's. The Chief referred to implementing a program in Espanola which really helped build the relationship and gave the officers a background on why they needed to build this strong relationship. Chief Garcia said when he took over Espanola at the time he took it upon himself to take care of all the new visa's as well which was a huge issue as new visa's were in question. Some were being evaluated and others were not being evaluated, some were not being given a fair shot. Shortly after Chief Garcia took his position with the City Police, Assistant Chief Lettenberger advised the Chief that he was a Board Member to the Immigration Committee and they talked about working on the new visas that came in to the city police department. Chief Garcia said that every other weekend he goes to the Santa Fe Railyard and talks to the community at the Farmers Market and they have communicated clearly to him that they enjoy the relationship with law enforcement with the city of Santa Fe. That is such a compliment and coming straight from the vendors and the community who are there. Deputy Chief Lettenberger has expressed that he wants to remain on the Immigration

Committee. Chief Garcia supports his decision. Chief Garcia said that he looks forward to collaborating and did offer the disclaimer that there may be times that they have to agree to disagree.

Ms. Diaz commented that in the last few months there have been a higher number of complaints. Ms. Diaz offered help in training specifically the new lateral recruits who are coming in to Santa Fe and to do a refresher for those officers who may have forgotten the policy. The relationship between the Immigration Committee and the Santa Fe Police Department has taken intense steps to collaborate and the continued positive relationship is what the committee would like to see moving forward.

Chief Garcia said he knows that there are some training issues and he will get the officers refreshed on all mandatory training on all of these public safety topics.

Ms. Diaz asked Chief Garcia if the lateral recruits who come in with law enforcement experience are put out in the field or are they put through some type of training that would include the Immigration Bias-based Policing Policy?

Chief Garcia said he would follow up on this but was almost sure that it is included in all policy and procedure training.

b. Councilor Maestas, Wage Theft Resolution

Councilor Maestas introduce Zachary Chandler from the City Attorney's Office who assisted in writing this legislation. Mr. Maestas offered background on this proposed ordinance; this was a campaign issue and SOMOS and many members of the Immigration Committee felt very strongly about the issue of wage theft. There was a statewide study done on wage theft and at that time Councilor Maestas asked; "how can we enforce our living wage ordinance?" At this date, Councilor Maestas asked the City Manager how many cases of wage theft had come to his attention for enforcement and his answer was, one. In reviewing the existing wage ordinance and there is really no comprehensive, pro-active enforcement framework. Councilor Maestas at that time reached out to Ms. Diaz to start open communication as the City of Santa Fe was being names with a lot of other progressive communities across the country that have passed living wage ordinances. If you look at Seattle-Tacoma area they are the highest right now, their living wage is \$15/hour; ours is \$10.66/hr.

Councilor Maestas stated that the law is only as good as the Government's ability to enforce it and Councilor Maestas felt that the city of Santa Fe ordinance lacks that true credibility as a great progressive model ordinance for other cities to consider or emulate. That brings us to today; SOMOS was involved and meetings were held with city staff to talk about the existing process and what enhancements could be done. Mr. Chandler did extensive research and identified other local governments that have living wage laws on the books and it seems that comment elements were found in their living wage enforcement framework. When talking about the framework message it has to be proactive first of all, not reactive. Councilor Maestas said that he believes they have come up with some common elements that he would collectively consider modest at

this point. Councilor Maestas feels that these are modest changes to create a proactive, broader living wage enforcement framework is because we want to see through these changes, if it passes, the extent of a violation of the living wage ordinance. This will be an improvement and give us an indication of how much employers are complying with living wage. Councilor Maestas explained that it is amending two ordinances; the business license ordinance and amending the living wage ordinance. The business license change in the ordinance is basically to amend the application and it will require employers that get a new license, they will have to affirm or attest that they comply with the living wage ordinance. If they come to renew it they have to make that reaffirmation that they will comply with the living wage ordinance. We are institutionalizing the awareness of this existing, very important law and putting it in the minds of these employers at the time they get their business license. This is a way for the city to use the business license as a leverage mechanism for enforcement. That is the major precedence setting nature of this legislation is that we are using their business license. There will be progressive due process and discipline; if you read the ordinance and if we are talking about an extreme violator, the potential is there to have their business license revoked until they come in to compliance. It adds this affirmation to the business license by the business owner to now attest that they comply and if they are in violation they could lose their business license.

Councilor Maestas said that in terms of the enforcement, the changes in the living wage ordinance portion and provide for random audits of the employers. We already do that in checking to insure that the hotels pay lodgers tax and we will use that framework as a model to come with a process to conduct these random audits. The thought is to begin with approximately 10 audits and this is if resources exist. Here is a mechanism to go out at random and do these audits on payroll information on employers to insure that they are complying with the living wage ordinance. This is also empowering the City Manager to have leverage to enforce the ordinance by using the business license and by using the mechanism of conducting random audits similar to what we do for lodger's tax.

Mr. Chandler concurred with Councilor Maestas above comments. Open for questions.

The Chair appreciates the information and for bringing this forward.

The Chair acknowledged the many members of the audience who were in attendance to hear this item as presented.

(Communication from the Audience in Spanish with English Translation)

Questions:

Two former employees of Posa's came before the committee with a complaint that as employees for six years and the other for 2 years they were not compensated correctly. They would have the employee clock out and continue working. Another example was that they were expected to attend meetings at 5:00 am and they were not paid, if there was gratuity they would not receive them. They united with two other employees and went to the Department of Labor to register the complaint and they did not accept it because all we had was

our passports for identification. There are many other employees there who are experiencing the same salary problems but they are afraid to come forward. They commented that they work in fear and they have families they have to support. They asked the Immigration Committee to support this ordinance so that the employees would be protected and it would hold the employer accountable.

Councilor Maestas said if the city could create a mechanism for the employees to come forward, that is something that will be needed in this process is to provide a non-threatening method for them to report. Councilor Maestas said that what he is hearing is a lot of these employees are working in restaurants and they would need to differentiate certain business, in the restaurant industry, somehow make a distinction in the random audit to focus on those types of employers.

Mr. Chandler stated that the audits are subjective to being random audits not targeted. That is something that the city would need to work on.

Ms. Diaz said that in addition to this ordinance the city is doing more, Mr. Chandler is working on putting in procedures that streamline the process for complaints by employees. If an employee is being forced to clock out and still work, on their pay sheet it reflects they are making the minimum wage but in fact they are not. They can always file a complaint with the city and say they haven't been paid the minimum wage even though their pay stub – punch card says that they are. They have the ability to tell the city that they are not getting paid the minimum wage because I am getting 15 minutes off of my hour, which is what was happening in places like Posa's. Ms. Diaz asked Mr. Chandler to explain the process that is being created to make it easier to file a complaint.

Mr. Chandler stated that as the Chair and Councilor Maestas have discussed, taking the pro-active role in educating the public and the City Attorney's office is working on the reactive part. Previously you would need to fill out a complaint on the website which was very complicated. It is now being revised to make it short and to the point, shorten the steps and also if there is an allegation of retaliation the City Attorney's office will try to make that an immediate step to municipal court and there could be criminal penalties. Those are some of the steps taken in the reactive side of this process to streamline things and make it more effective.

Ms. Guerrero said that she is in favor of this process, as many times the difficulty is the language barrier and the complication of trying to complete these forms, therefore they hold back from filing complaints because of these difficulties in the process. It would be helpful if the city could take the initiative to have a communication plan with the Department of Labor or with the Immigration Committee so that together there could be an effective collaboration to assist in the area of wage theft and work related issues. It is important to know that in the case of immigrants, their complaints reach a place where they are heard and dealt with.

Ms. Diaz explained that the city only has jurisdiction over the city minimum wage ordinance and no jurisdiction over overtime matters. At the state level it is a violation of the Minimum Wage Act.

Ms. Hemmer said that there should be a relationship with the Human Rights Division with employment opportunities because it is a discrimination issue due to National origin.

Ms. Valdez spoke on behalf of Santa Fe County explaining that many individuals would go to the state not knowing that they needed to register their complaints with Santa Fe County. The county also had to revisit the business license issue when addressing some of these concerns. Education material and communication needs to go out to the businesses as well as to the community as to what the process is on how to submit a complaint. The public needs to know what the procedure is to get their concerns heard.

Mr. Rios asked if there would be a way to document in the ordinance if a place of business has more than 3 complaints that they would be independently audited for wage theft. There should be a mechanism for a planned audit vs. just random audits.

Mr. Chandler said that in the specific situation noted above, it would trigger an investigation if an official complaint has been issued. Mr. Chandler did not know if an official complaint has been made with the City of Santa Fe on this particular restaurant. Mr. Chandler said that administratively what could be suggested is if there are 3 complaints that a request for an audit be submitted to the City Manager for his review and direction automatically. That trigger point will be discussed internally before moving forward.

Ms. Esquibel asked what is the time frame and procedure for the revision to this ordinance.

Councilor Maestas addressed this question; as soon as it passes, staff will begin working on amending the process. A timeframe can be set to allow for staff to develop or amend any administrative procedures. We know that if this passes the business license application will need to be changed. If there is more on due process changes, if these triggers need to be created for an independent audit based on the number of complaints; staff will need to have time to develop that process. The average time is approximately 45 days.

Mr. Chandler said that this bill would be heard tomorrow at the City's Committee on Quality of Life, it will be heard by the City Finance Committee on Monday, October 20th and by the City Council on October 29th. That is a 30 day notice to the public, it will be debated at a future city council meeting. Public hearing will also take place at a city council meeting. If it is approved it has to be published in the Santa Fe New Mexican (3-7 days) before it is effective. Mr. Chandler said that he is not looking for a vote today and the vote will be at the Finance Committee level.

Councilor Maestas said if this could be approved before the beginning of the calendar year, all business license renewals would then need to be attested to.

Ms. Hemmer moved to have a letter prepared to the City Council in support of amending the business license ordinance, second by Ms. Diaz, motion carried by unanimous voice vote.

c. Pablo Sedillo, Santa Fe County Public Safety Director

The Chair welcomed Mr. Sedillo and let him know that the Immigration Committee had some specific questions for him.

Ms. Diaz stated that 2 months ago in a meeting with Victoria Ferrara, Attorney at Law had provided a rundown of some of the changes that have been occurring around the country pertaining to ICE detainers. The Immigration Committee invited Mr. Sedillo to ask where we are in this process, do we plan on stopping honoring ICE detainers, how is Santa Fe County responding to these changes and policies from other parts of the state and the court decisions that have made it clear that we don't have the authority to be holding ICE detainees.

Mr. Sedillo expressed his appreciation for inviting him to the Immigration Committee meeting to answer these concerns. He started by saying that it has been a very collaborative effort with Ms. Diaz and SOMOS un Pueblo Unido and Santa Fe County. Several months ago, Santa Fe County developed a policy and procedure in regards to ICE and immigration issues and this was done collaboratively over several months. In the last meeting it was indicated that Santa Fe County is moving towards not accepting ICE detainers, the I-2-47. Santa Fe County is not accepting them any longer since the last meeting. By practice, Santa Fe County is not accepting ICE detainers whatsoever. Santa Fe County is revising their policy and procedure which will be forwarded to Ms. Diaz at SOMOS and to members of the Immigration Committee to review the new policy that will be developed. Mr. Sedillo appreciates the receipt of the Rio Arriba Policy from Ms. Diaz and they also have the Bernalillo County policy as well. The Santa Fe County Legal Office and the County Manager have said that Santa Fe County will not accept ICE detainers. There have been a few instances where they have made the attempt to give ICE detainers and Santa Fe County has not accepted. Mr. Sedillo said that they are accepting them and they are being placed in a general file, not the inmate file. After meeting with Ms. Diaz, a few days after they did come across an administrative warrant which was sent on to legal for review. After review it was not accepted.

Ms. Diaz noted that that an administrative warrant is not a criminal warrant and the attempt was to use this method in lieu of the ICE detainers.

Mr. Sedillo re-confirmed that they are not being accepted.

Mr. Sedillo said that they have a draft that is being revised. Right now it is very long. Once it is revised it will be sent to the Immigration Committee and Ms. Diaz for revisions and comments. Mr. Sedillo expressed his compliments to Ms. Diaz, it is very important that she brought it to the table, they were able to work together with all of the stakeholders in our community to revise the initial policy, now the revision of this policy to better our community. Without Ms. Diaz's assumption to move forward – Mr. Sedillo expressed his compliments. Without a

collaborative effort and an educational process between Santa Fe County and Ms. Diaz this would not be accomplished, thank you.

Ms. Diaz appreciated Mr. Sedillo's nice words and noted that she is part of a sub-committee of the Immigration Committee comprised of Maria Cristina Lopez and community members, Victoria Ferrara and Maria Jose.

Thank you to Mr. Sedillo for his update.

d. Presentation by Victoria Ferrara on Ortiz Middle School

Tabled

e. Resolution to address women and minor's detained in Artesia – Alejandra Seluja

The Chair stated that this resolution is supported by Mayor Gonzales.

Ms. Diaz said that the statement about \$3.7 billion request before Congress is an old request and not before Congress right now. Most of the resolution is about not detaining women and children, there needs to be something contradictory to that call and then say yes, but we want you to have \$3.7 billion dollars to support basically the incarceration of woman and children. We should be very specific on what the \$3.7 billion dollars is for and if it is to continue to incarcerate women and children who are seeking refugee asylum, I don't think we should be supporting that.

Ms. Rodriguez clarified that it was for both, continuing to fund the detention site as well as continuing to enforce the border efforts. It was for both those issues.

Ms. Diaz made a motion to recommended taking out page 2, line 25 and page 3, strike \$3.7 billion dollar request made by President Obama, and that the governing body calls on the City's Congressional delegation to address the urgent humanitarian situation on both side of the southwest border of the United States which includes funding to support the immigrant women and children currently housed in Artesia, second by Ms. Esquibel, motion carried by unanimous voice vote.

8. Old Business

a. ICE Detainers Report – Marcela Diaz

Rio Arriba Board of County Commissioners voted in favor of a new policy at their local jail, which SOMOS helped draft. What it does is not only stop honoring ICE detainers completely but it basically ends engagement and interaction with ICE in the criminal alien program. Once very clear example of how this is going to benefit our community is that when anyone was arrested and they didn't have a social security number and were booked at the jail, the jail would immediately call ICE and ask them if they wanted to interview this person. Now, that is no longer the case, we will be able to see a lot more people get due process and follow the judicial process. (Policy included)

- b. Letter to SFPS – Alejandra Seluja, Cara Esquibel, Amparo Guerrero
Chair Seluja reported that it is necessary to get back together to complete this letter. Ms. Esquibel noted that they documented the complaints that they had and brought to this committee the issue with what they were seeing at the school, the fighting on the campus, we saw video tapes posted on Facebook of kids fighting in the schools and they talked about the culture of fighting at Ortiz. The kids now understand that Security will not address issues outside of the school campus so the kids talked about going off campus to fight. Ms. Esquibel said that next steps were to send a letter to the school, the family did follow up and they were given advice to transfer to Nina Otero School and they were not able to. Where we are as a committee is that the first letter we sent to the Superintendent of Schools with our request regarding these family concerns, what are the mechanisms in place for immigrant families who have complaints, who do they complain to at the district, who do they speak with. Those questions have not been answered. Ms. Esquibel directed the question to Ms. Rodriguez if SFPS had responded and the answer is no. This goes back to reference the original letter of April 11, 2013.

Ms. Rodriguez said that in communication with the Santa Fe Police Department there have been efforts to reach out to the Security folks at Ortiz to tell them that they had to intervene, that they could not just ignore it. There was some training that was going to take place with the Security Staff at Ortiz.

Ms. Esquibel would like an update on this report by Ms. Ortiz to know if this happened.

Assistant Chief Lettenberger said he also sent a letter to Mr. Gabe Romero and understood the training was to take place before the school year started. He also will follow up to see if the training has taken place.

- c. City Minimum Wage Enforcement Policies. Topics to present to City Attorney – Marcela Diaz.

(Discussed above)

9. Communication from Staff
None

10. Communications from Committee

Ms. Diaz said that Chief Garcia had to leave before the community had an opportunity to speak on a specific racial profiling case. Once case has been filed and presented. The second case was presented to the Immigration Committee and documents in support of their complaint were presented to Assistant Chief Lettenberger for internal Police Department review.

11. Next Meeting and Adjourn

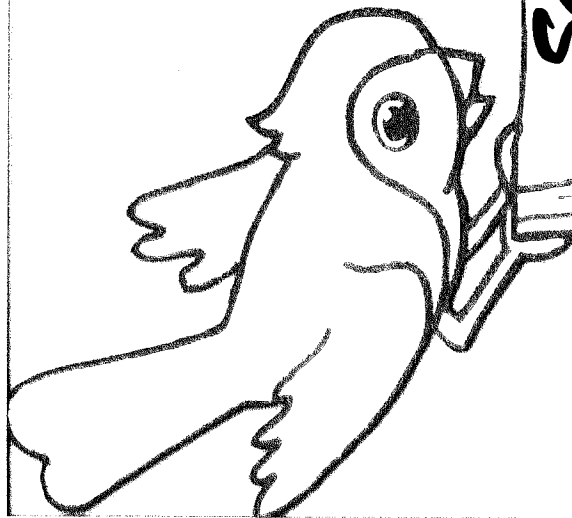
November 5, 2014 at 4:30 pm.

There being no further business to come before the Immigration Committee the meeting was adjourned at 7:15 pm.

Signature Sheet:


Alejandra Seluja, Chair


Fran Lucero, Stenographer



SOLACE

Save The Date

***December 2
2pm to 8pm***

For The First Annual

BUY THE BOOK

Used Book Sale

Benefiting

***Solace Crisis Treatment Center
6601 Valentine Way
Santa Fe***

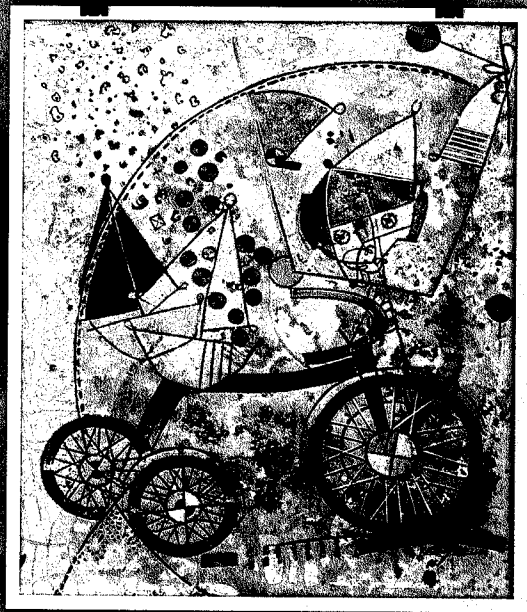
***We are accepting gently used books for the sale
at our location***

6601 Valentine Way

Santa Fe

***Solace Crisis Treatment Center
is a registered non-profit and all donations
are tax deductible***

***Any questions or for more information,
please call Susan at 505-288-2348***



Autor/Artista: Maestro Fulgencio

*Salud es
movimiento*

*Health
is movement*

Feria de Salud

**Viernes 17 de Octubre,
2014**

10:00 a.m.-1:30 p.m.

**El Paisano Market Inc.,
3140 Cerrillos RD.
Santa Fe, NM 87507**

Southwest Care: Pruebas Rápidas de VIH y Hepatitis C

Walgreens: Vacunas contra la Influenza

La Familia Medical Center: Información para Expansión del Medicaid

Blue Cross Blue Shield: Información de Seguros de Salud en Nuevo Mexico

Nuestra Salud: Pruebas de Diabetes, Presión Arterial y Tabaquismo

Departamento de Salud Pública: Información de educativa de los servicios de salud de NM



SRE
COMISIONADO DE SALUD
17 de Abril 2014



Nuestra Salud



**BlueCross BlueShield
of New Mexico**

Walgreens

**Familia
MEDICAL CENTER**

**CARE
CENTER**



**INSTITUTO DE LA
MEDICINA EN
EL ESTADO**

**NEW MEXICO
DEPARTMENT OF
HEALTH**



Santa Fe, NM

¿Necesita ayuda?

¿Tiene usted una pregunta relacionada con la salud?

¿Conoce usted los programas de salud de bajo costo disponibles en su comunidad?

¿Sus niños no tienen seguro médico?

¿Está usted buscando servicios de salud?

2014 10:00am-1:00pm

Airport RD.

15 Enero

18 Febrero

20 Marzo

17 Abril

15 Mayo

19 Junio

17 Julio

21 Agosto

18 Septiembre

16 Octubre

20 Noviembre

18 Diciembre

Cerrillos RD.

16 Enero

19 Febrero

21 Marzo

18 Abril

16 Mayo

20 Junio

18 Julio

22 Agosto

19 Septiembre

17 Octubre

21 Noviembre

19 Diciembre

Aquí, o en México...

¡Queremos que tengas buena salud!

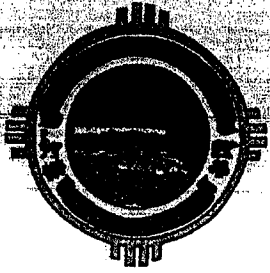
¡Infórmate!

La Ventanilla de Salud (VDS) es un programa que busca informar a la comunidad sobre asuntos relacionados con la educación, prevención y promoción de la salud. Nuestros servicios principales están enfocados hacia la comunidad mexicana en Nuevo México.

La VDS provee información en inglés y español a toda la población inmigrante en Nuevo México. Se busca apoyar a la comunidad de acuerdo tanto a situación de salud, y económica, como a sus necesidades familiares.



El Paisano, Inc.
5984 Airport Rd. Ste. F
3140 Cerrillos Rd.
Santa Fe, NM 87507



Rio Arriba
Board of County Commissioners

COMMISSIONERS**Danny J. Garcia****Chairman****District III****Barney Trujillo****District I****Alfredo L. Montoya****District II****COUNTY MANAGER****Tomas Campos, III**

7. Old Business Item a. by Marcela Diaz

Resolution No. 2015-000

A RESOLUTION FOR RIO ARRIBA COUNTY ADULT DETENTION CENTER POLICIES AND PROCEDURES

WHEREAS, on March 4, 2014, the Third Circuit Court of Appeals filed its opinion in *Galarza v. Szalczyk*, 2014 U.S.App. LEXIS 4000 in which the Court held that 8 C.F.R. § 287.7, the section of the United States Code of Federal Regulations providing for the issuance of immigration detainers, does not compel state or local law enforcement agencies to detain suspected aliens subject to removal pending release to immigration officials,

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the Court's holding in *Galarza*, the following sections of the Rio Arriba County Adult Detention Center Policies and Procedures shall be updated to the following:

Title: ADMISSIONS

Booking Officer

18. If it has been determined that the incoming inmate has a criminal warrant from another law enforcement agency, then a bright colored paper indicating the warrant shall be placed in the inmate's file.

An Immigration Detainer, DHS Form I-247, is not a criminal warrant and provides no constitutional basis for detaining any inmate, nor does it give Rio Arriba County Detention Facility the authority to detain an inmate beyond his/her authorized release date. Accordingly, all immigration detainers shall be disregarded.

22. There being no legal authority upon which the United States may compel an expenditure of County resources to enforce its immigration laws, there shall be no expenditure of any County resources or effort by on-duty staff for this purpose. Accordingly, jail personnel shall not expend time responding to ICE inquiries regarding inmate's incarceration status or release dates.

23. Rio Arriba County Detention Facility staff shall not allow ICE officials to have access to inmates via telephone or in person for the purpose of investigating immigration violations without a court order.

Releasing Procedures

7. Releases shall not be delayed as result of immigration detainer requests (ICE Holds) a "Warrant for Arrest of Alien," Form I-200.

Title: BAIL ARRANGEMENT

7. An ICE Detainer or a "Warrant for Arrest of Alien," Form I-200 shall not preclude an inmate from posting bond.

Title: RELEASE OF RECORDS AND INFORMATION CONCERNING INMATES

All information and records concerning inmates obtained or generated by the facility shall not be communicated or released to any person outside the facility except:

In response to a written request in compliance with the Inspection of Public Records Act; or

To an inmate's attorney or bondsman; or

To another law enforcement agency that has issued a written request or a criminal warrant for the inmate. An Immigration Detainer, DHS Form I-247, or an administrative warrant, Form I-200, shall not be considered written requests for the release of information.

SIGNED, ADOPTED AND APROVED THIS _____ DAY OF _____ 2015.

RIO ARRIBA COUNTY BOARD OF COMMISSIONERS:

BOARD OF COUNTY COMMISSIONERS
RIO ARRIBA COUNTY, NEW MEXICO

Danny J. Garcia, Chairman
Commissioner, District III

Barney Trujillo
Commissioner, District I

Alfredo L. Montoya
Commissioner, District II

ATTEST: _____

Moises A. Morales, Jr. Rio Arriba County Clerk