



Agenda

DATE 9/30/14 TIME 10:25a

PREPARED BY Chris Sanchez

RECEIVED BY [Signature]

**IMMIGRATION COMMITTEE
MEETING**

Tuesday, October 4th, 2016

Market Station

Conference Room

500 Market Station

4:30 p.m.-6:00 p.m.

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes: August 2nd, 2016
4. Community Comments
5. New Business/Action Items:
 - a. Subcommittee Updates:
 - Welcoming Communities
 - Education
 - Social Media & Communications
 - Refugee
 - Police Department
6. Old Business
7. Comments from the Chair and Committee Members
8. Report from Staff
9. Adjournment

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Immigration Committee
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October 4, 2016

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Roll Call	A quorum was established by roll call.	1
2. Approval of the Agenda	<p>CHANGES: Ms. Diaz would like to allow the Deputy Police Chief to speak before Community Comments as his time is limited. Ms. Diaz would like to have the recommendations for the Welcoming Committee and Police Department under Subcommittee Updates be discussed while the Deputy Police is here if possible.</p> <p>Ms. Hemmer moved to approve the agenda as amended with a second from Ms. Guerrero which passed by voice vote.</p>	1
3. Approval of Minutes of August 2, 2016	Ms. Hayre moved to approve the minutes as presented with a second by Ms. Diaz which passed by voice vote.	2
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5. New Business/Action Items		
A.) Subcommittee Updates		
• Welcoming Communities	Ms. Hayre moved to formally adopt the recommendations on the U Visas and pass them on to the Police, City Council and the Mayor with a second by Ms. Lopez which passed by voice vote. Ms. CdeBaca abstained from the vote and will explain her decision.	2,3
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9. Adjournment	There being no further business to come before the Immigration Committee the meeting was adjourned at 6:19 p.m.	4
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Immigration Committee
500 Market Street, Railyard Offices
4:30 p.m. to 6:00 p.m.
October 4, 2016

CALL TO ORDER

1. The Immigration Committee was called to order at 4:34 p.m. by Maria Cristina Lopez for Vice Chair. A quorum was established by roll call.

ROLL CALL

Present

Javier Rios, Vice Chair
Maria Cristina Lopez
Amparo Guerrero
Elizabeth Hemmer
Susan Hayre
Marcella Diaz
Jewel Cabeza de Vaca

Excused

Alejandra Seluja, Chair
MariaJose Ugalde-Alcazar

Others Present

Richard DeMella, City of Santa Fe (for Chris Sanchez)
Mario Salbidrez, Deputy Police Chief
Lt. Judah Montano, SF City Police
Julia Valdez, Santa Fe County
Alegra Love, Advocate
Francisco Garcia, Resident
Elvira Garcia, Resident
Linda Vigil, Stenographer

2. APPROVAL OF THE AGENDA

Changes:

Ms. Diaz would like to allow the Deputy Police Chief to speak before Community Comments as his time is limited. Ms. Diaz would like to have the recommendations for the Welcoming Committee and Police Department under Subcommittee Updates be discussed while the Deputy Police is here if possible.

MOTION: Ms. Hemmer moved to approve the agenda as amended with a second from Ms. Guerrero which passed by voice vote.

3. APPROVAL OF MINUTES OF August 2nd, 2016

Discussion or questions:

Ms. Guerrero asked if Mr. Sanchez will make a presentation on the Human Services Committee. Mr. Sanchez will not make that presentation tonight, he will need extra time explain all they do.

Ms. Guerrero would like to get an update on honoring Cara Esquibel before City Council. Mr. Sanchez recommends that the Committee discuss that under Comments from the Chair and Committee.

MOTION: Ms. Hayre moved to approve the minutes as presented with a second by Ms. Diaz which passed by voice vote.

Mr. Salbidrez introduced himself to the Committee and explained his role with the City Police Department. He works with churches and the community to help make them understand the laws of the state. He is available to the Immigrant Committee with whatever they may need. He is Spanish speaking and there is also other staff and officers who are.

4. COMMUNITY COMMENTS

Ms. Guerrero introduced her guests. Mr. Francisco Garcia and his wife Elvira Garcia came to discuss a situation they had with Police.

Mr. Garcia was stopped in Edgewood on the holiday weekend of July 4th and was mistaken for a fugitive from Texas with the exact name and date of birth. He was held in the Santa Fe County Jail for four days. Ms. Garcia explained they were to have their daughter's traditional Quinceanera party. They spoke to several attorneys when he was released to clear up his record to ensure this wouldn't happen again.

A discussion was held about the department that arrested him. Lt. Montano suggested Mr. Garcia keep the dismissal issued by the court with him in his vehicles as proof he it was a mix up. Lt. Montano explained how the bail bonds work and the contract they hold with them is a separate issue. They may or may not get the bond back.

Ms. Garcia discussed the manner in which they arrested him in front of their children who were terrified. Ms. Lopez suggested they write a letter to the Edgewood Police Department describing what they went through. Lt. Montano discussed the database used is Federal each Department uses it so these mistakes happen.

5. NEW BUSINESS/ACTION ITEMS:

A.) Subcommittee Updates:

- **Welcoming Communities**

Ms. Hayre presented brief summary of the Welcoming Communities and the strategies they discussed. (See Exhibit A) The welcoming communities subcommittee will report on things the City does well and recommend changes as needed to policies.

- **Police Department**

Ms. Diaz explained the U Visas and the ways it will help the immigrant community. She presented the fact sheet issued by the Federal Government. (See Exhibit B-1)

Ms. Love discussed the reasons it will help victims of criminal activities. Ms. Love states the Police Department and the Mayor is in favor of adopting the policy and has been cooperative.

Ms. Diaz reviewed the list of recommendations for the policy or ordinance. (See Exhibit B-2) Ms. Diaz states several experts and advocates helped write the list and the Mayor has seen it.

Ms. Diaz discussed the importance of redacting or keeping information on sexual assaults confidential. Lt. Montano states there is a card given to victims of these crimes with contact information for assistance.

Ms. Guerrero showed an example of the pen with the fold out paper with all the information for victims.

Ms. Diaz would like the list of recommendations to be approved, it was to be written as an action on the agenda but was not shown that way.

MOTION: Ms. Hayre moved to formally adopt the recommendations on the U Visas and pass them on to the Police, City Council and the Mayor with a second by Ms. Lopez which passed by voice vote. Ms. CdeBaca abstained from the vote and will explain her decision.

Discussion:

Ms. CdeBaca thanked the subcommittee for the work they did it is a great list however she would like the chance to review it thoroughly before it moves on and becomes official.

Ms. Lopez explained the Committee meets bi-monthly and this needs to be passed. A discussion was held about sending the information out to the Committee ahead of time for review.

Ms. Guerrero explained how the subcommittee met and reviewed the recommendations with experts and people of the community and it is very important to get it passed.

Mr. Rios suggests in the future these types of items should be reviewed first.

- **Education**

Ms. Lopez explained the history of the education subcommittee and the issues that need to be addressed in the schools such as bullying.

Ms. Guerrero states they met with Dr. Sandra Rodriguez with SFPS and she is excited to start working on these issues. She wants to form an advisory committee to include parents, teachers, school board members, and community members. etc. The idea is to work together. They will hold the first community meeting to discuss issues on October 27, 2016. Ms. Lopez passed out the goals and ideas for topics. (See Exhibit C)

Mr. DeMella asked if all schools have forms in both English and Spanish. Ms. Hayre states they should. A brief discussion was held about MALDEF and what services they provide.

- **Social Media & Communications**

Ms. CdeBaca reported she and Ms. Ugalde-Alcazar will meet and email their report at a later date. Ms. Ugalde-Alcazar has been out dealing with a death in the family. The Committee would like to get a card to her.

- **Refugee**

Ms. Hemmer reported she hasn't been able to gather members but spoke to a Syrian member of the community who gave her the idea to contact the interfaith council and see if they are interested in joining.

Mr. Rios will speak to his contacts at the Department of Health to gather information on the Refugee Health Program.

Ms. Hemmer briefly discussed the work and housing issue.

6. OLD BUSINESS

Ms. Diaz reported there will be a hearing on October 18, 2016 regarding the proposed regulations for driver's licenses. She will send out information by email.

7. COMMENTS FROM THE CHAIR AND COMMITTEE MEMBERS

Mr. Rios stated he will send out information on National Health Week.

A brief discussion was held to plan Cara Esquibel's presentation to City Council on the next agenda.

Mr. Rios reminded the Committee to keep in mind if there is a document to review to send out to the group ahead of time.

Ms. Diaz states if it is an item that needs action it needs to be specified, she suggested members copy Ms. Julie Sanchez as well so that it gets on as an action item.

Ms. CdeBaca would like a list of all members and contact information. Ms. Lopez agreed, she has to call Ms. Hemmer to inform her of meetings as she does not use email.

8. REPORT FROM STAFF


There was not a report from Staff.

9. ADJOURNMENT

There being no further business to come before the Immigration Committee the meeting was adjourned at 6:19 p.m.

SIGNATURES


Alejandra Seluja, Chair


Linda Vigil, Stenographer

Welcoming Communities Committee
October 2016

Our vision for the Welcoming Committee includes a strategy toward development of a Work Plan focused on 5 key areas including:

1. Workforce Development/ Workers Rights
2. Entrepreneurship
3. Public Safety/ Police Relations
4. Language Access
5. Health/ Public Health Services

For each Immigration Committee meeting we will report on these areas based on general assessments we make through collaboration with community agencies and local and state government. We will report on what the city does well and we will make recommendations on each of these areas. Through the Immigration Committee we will amplify the position of immigrants by asking the questions of *How do we work together and what's working right?* and *How do we do this better?*

Our interest in promoting accessibility and opportunity for immigrants is at the forefront of our interests in creating a more welcoming community.





Office of Communications

**U.S. Citizenship
and Immigration
Services**

September 5, 2007

Fact Sheet

CERTIFYING U NONIMMIGRANT STATUS *U Nonimmigrant Status Certification (Form I-918, Supplement B)*

An alien victim of criminal activity may file for U Nonimmigrant Status – status set aside for victims of crimes who have suffered substantial mental or physical abuse because of the activity and who also are willing to assist law enforcement agencies or government officials in the investigation of that activity.

In order to file for that status, the alien must provide a certification from a federal, state, or local law enforcement official certifying the following:

- The alien has been a victim of qualifying criminal activity;
- The alien possesses information about the qualifying criminal activity; and
- The alien has been, is being or is likely to be helpful to the investigation and/or prosecution of that qualifying criminal activity.

This certification must be executed using the U Nonimmigrant Status Certification (Form I-918, Supplement B). USCIS will give the certification significant weight during adjudication; however, it alone will not be the sole evidence that a petitioner meets eligibility requirements. USCIS will look at the totality of the circumstances surrounding the petition before rendering a decision.

It is important to note that a certifying agency is under no legal obligation to complete this certification. However, the alien petitioner will be ineligible for U nonimmigrant status without one. **The petitioner is responsible for filing the completed certification with his/her initial Petition for U Nonimmigrant Status (Form I-918).**

Certifications shall be prepared by the certifying agency and should provide specific details about the nature of the crime being investigated and/or prosecuted and describe the petitioner's helpfulness in the case. Form I-918 Supplement B must be prepared by a certifying agency, and signed by a qualifying official within six months immediately preceding the alien's submission of Form I-918.

U NONIMMIGRANT STATUS CERTIFICATION SPECIFICATIONS

Qualified certifying agencies include:

- Federal, State or local law enforcement agencies; or
- Other agencies that have criminal investigative jurisdiction in their respective areas of expertise such as child protective services, the Equal Opportunity Commission and the Department of Labor.

Certifying officials include:

- The head of a qualifying certifying agency;
- Any person in a supervisory role in a qualifying agency who is specifically designated by the head of that agency to issue U nonimmigrant certifications; or
- Federal, State or local judges

Certification must contain an affirmation of the following:

- The official signing the certificate is authorized to do so;
- The agency is a federal, state, or local law enforcement agency, prosecutor, judge, or other authority having responsibility for the detection, investigation, prosecution, conviction, or sentencing of a qualifying criminal activity;
- The petitioner has been a victim of a qualifying criminal activity;
- The petitioner possesses information regarding that activity;
- The petitioner has been, is being, or will likely be helpful to the investigation; and
- The criminal activity violated U.S. law, or occurred within the United States, or its territories and possessions.

Qualifying criminal activity includes:

Abduction	Incest	Rape
Abusive Sexual Contact	Involuntary Servitude	Sexual Assault
Blackmail	Kidnapping	Sexual Exploitation
Domestic Violence	Manslaughter	Slave Trade
Extortion	Murder	Torture
False Imprisonment	Obstruction of Justice	Trafficking
Felonious Assault	Peonage	Unlawful Criminal Restraint
Female Genital Mutilation	Perjury	Witness Tampering
Hostage	Prostitution	Other Related Crimes

Note: Certifying agencies must notify USCIS in writing if, at any time, the petitioner unreasonably refuses to assist in the investigation of the criminal activity, or if the agency wishes to withdraw its certification for any other reason. Send that notice (including the alien's name, date of birth and A-file number (if available) along with the reason for the withdrawal of the certification to:

U.S. Citizenship and Immigration Services
Vermont Service Center—U-visa Unit
75 Lower Welden St.
St. Albans, Vermont 05479-0001

Public Safety/Immigration Policy Working Group 9/14/16
Recommendations for U Visa Policy/Ordinance

1. List "Qualifying Crimes" for U visas under Immigration and Nationality Act:
 - a. Rape
 - b. Torture
 - c. Human trafficking
 - d. Incest
 - e. Domestic violence
 - f. Sexual assault
 - g. Abusive sexual conduct
 - h. Prostitution
 - i. Sexual exploitation
 - j. Being held hostage
 - k. Peonage
 - l. Perjury
 - m. Involuntary servitude
 - n. Slavery kidnapping
 - o. Abduction
 - p. Unlawful criminal restraint
 - q. False imprisonment
 - r. Blackmail
 - s. Extortion
 - t. Manslaughter
 - u. Murder felonious assault
 - v. Witness tampering
 - w. Obstruction of justice
 - x. Fraud in foreign labor contracting
 - y. Stalking
 - z. Substantial physical or mental abuse for victims for workplace crimes

2. The Santa Fe Police Department (SFPD) shall designate at least two officials with applicable training to process U visa certifications (FORM I-918B).

3. SFPD shall process all requests for certification (FORM I-918B) and verify if the victim applicant has been helpful, is being helpful, or is likely to be helpful in the detection or investigation of the qualifying criminal activity.

4. Certifying officials shall process all U visa certification requests within 90 days, unless the applicant is in removal proceedings, in which case the I-918B shall be processed within 14 days.

5. For purpose of determining helpfulness to law enforcement, there is a rebuttable presumption that a victim has been helpful if the victim has not refused or failed to provide information and assistance reasonably requested by SFPD. If a U visa certification is denied, certifying official must submit to the applicant the reason in writing.
6. The immigration status of a victim requesting a U visa certification is confidential. SFPD is prohibited from disclosing the status to Immigration Customs Enforcement (ICE) or any other agency. An applicant's status as a victim of sexual violence is also confidential, except as required for completion of Form I-918B.
7. Information about U visa and VAWA eligibility shall be incorporated into general training for SFPD officers.
8. Information shall be provided to victims regarding VAWA or U visa programs with phone numbers of agencies with which victims can consult.
9. SFPD shall submit an annual report to the Santa Fe City Council and the Steering Committee of Santa Fe Safe with the number of certification requests, number of certifications that were signed or denied, and reasons for denials (with identifying information about victims redacted).

Bilingual Multicultural Education Program Advisory Committee

**Santa Fe Public Schools
City of Santa Fe Immigrant Education Sub Committee**

Goal

Establish an advisory committee, which includes parents, teachers, district administration, school board members, and community members that are representative of the language and culture of the students attend Santa Fe Public Schools. The advisory committee will review the goals and priorities of the Santa Fe Public School's Bilingual Multicultural Education Program Plan to assist and advice in the development, implementation, and evaluation of the bilingual multicultural education program. [NMSA 22.23-6A(6) , NMAC 6.32.2.10D]

Objectives

Cluster school sites by size

- Nina Otero, Cesar Chavez, Sweeney, Ortiz MS, and Capital HS
- Ramirez Thomas, El Camino Academy, NYE, Salazar, Academy at Larragoite, Gonzales, Aspen, Carlos Gilbert
- Nava, Kearny, Atalaya, Wood Gormley, Tesuque, El Dorado, E. J. Martinez, Capshaw, Acequia Madre
- Santa Fe HS, Pinon, Chaparral, Early College, De Vargas MS, Mandela

Meeting Dates/BFY

- October 27, 2016
- Times 5:30-7:00
- Planning Meeting- October 4, 2016
- 2:00 - 3:30 p.m.

27-

Topics for first meetings

- Parents Rights and Responsibilities
- Information about bilingual multicultural program and services in the SFPS system (Bilingual-ESL, etc.)
- Parents' needs assessment

*biggest impact
community rights
comunidad*

necesidades aspectos positivos

Launch working group:

Sandra Rodriguez, Ph. D. - Director of Multicultural Education
Julia Rosa López Emslie Ph. D. - Education Subcommittee of the City of SF Immigration Committee



**Maria Cristina Lopez - City of Santa Fe Immigration Committee/ Education
Subcommittee/Court Interpreter**

**Amparo Guerrero – Education and Prevention Immigrants Specialist – Solace Crisis Treatment
Center**