City of Santa Fe

Agenda

CITY CLERK'S OFFICE
DATE 2/7/18 TIME 8:53a
RECEIVED BY Chris Sanchez
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IMMIGRATION COMMITTEE MEETING

Tuesday, February 13, 2018
Market Station
Caboose Room
500 Market Station
4:30 p.m.-6:00 p.m.

1. Call to Order

2. Approval of Agenda

3. Approval of Minutes: September 19, 2017 and October 3, 2017

4. Community Comments

5. New Business/Action Items:
   a. Presentation by Alicia C. Ortiz, NM MVD
   b. Update regarding City of Santa Fe training related to Resolution 2017-19
   c. Welcoming Committee Subcommittee Recommendations for review

6. Old Business:
   a. Subcommittee Updates:
      - Welcoming Communities
      - Education
      - Social Media & Communications
      - Refugee Resettlement
      - Police Department

7. Comments from the Chair and Committee Members

8. Report from Staff

9. Adjournment

Persons with disabilities in need of accommodations, please contact the City Clerk's office at (505) 955-6521 five (5) working days prior to the meeting date.

IMMIGRATION COMMITTEE
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New Business, Action Items a. Presentation by Alicia Ortiz, MVD Director b. Update regarding City of Santa Fe training related to Resolution 2017-19 c. Welcoming Committee Subcommittee Recommendations for Review	Ms. Ortiz, MVD, Not Present ***Ms. Cabeza de Vaca moved to forward the following 6 recommendations from the Welcoming Committee, second by Ms. Guerrero, motion carried by unanimous voice vote.*** ***1. Invite Mr. Aaron Martinez to attend the next meeting,*** ***2. Training opportunity at the SFPD, Mr. Sanchez will reach out to Deputy Chief Padilla to make this inquiry.*** ***3. Letter to the City Manager regarding Language Access and securing the services of an independent contractor to assess language barriers and needs and to recommend translation and interpretation. (Drafted by Mr. Chris Sanchez)*** ***4. Report from HR on the bi-lingual incentives.*** ***5. Intergovernmental Grant Research*** ***6. UVisa***	Page 4 - 7

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IMMIGRATION COMMITTEE
Tuesday, February 13, 2018
4:30 pm –6:00 pm

MINUTES

1. **Call to Order**
   Acting Chair Maria Cristina Lopez, called the meeting to order for the Immigration Committee at 4:40 pm at the City of Santa Fe Market Station Conference Room. Roll call reflects a quorum.

   PRESENT:
   Maria Cristina Lopez, Acting Chair
   Jewel Cabeza de Vaca
   Susan Hayre
   Amparo Guerrero
   Marcela Diaz

   NOT PRESENT:
   Javier Rios
   Alejandra Seluja
   Elizabeth Hemmer

   STAFF/OTHERS PRESENT:
   Chris Sanchez, Staff
   Officer Patrick Sanchez, SFPD
   Fran Lucero, Stenographer

2. **Approval of Agenda**

   Ms. Hayre moved to approve the agenda as presented, second by Ms. Diaz, motion carried by unanimous voice vote.

3. **Approval of Minutes: September 19, 2017**

   Ms. Guerrero moved to approve the minutes of September 19, 2017 as presented, second by Ms. Hayre, motion carried by unanimous voice vote.

   Minutes of October 3, 2017

   Ms. Guerrero moved to approve the minutes of October 3, 2017 as presented, second by Ms. Hayre, motion carried by unanimous voice vote.

4. Community Comments

Announcements: Maria Cristina Lopez
Spoke about Maria Perez who is doing the training on random choice voting is also doing exit post for the election. She wanted to know if anyone wanted to be an exit post on the day of the election, training is 4-hours. Ms. Lopez can provide the contact number if interested.

Invitation to converse with Joe Maestas running for Mayor at the Guadalupe Credit Union.

Ms. Diaz said that there is a Mayoral forum with all candidates on the 22nd of February, Southside at Cesar Chavez Elementary School. Theme is Youth, Workers and Family. Good opportunity for all community members to ask questions.

Ms. Guerrero: SOLACE is looking for bi-lingual psycho-therapists, information on their website.

Acting Chair Maria Cristina Lopez introduced Ms. Lechuga (who spoke in Spanish, Ms. Diaz interpreted)

Rebecca Yolanda Villezcas Lechuga has a complaint she wanted to bring to the Immigration Committee. Letter presented with the details. Information was provided to the individual by the SFPD. The letter presented in Spanish will be translated and provided to the Santa Fe Police Department. Ms. Diaz or Maria Cristina Lopez will translate the letter and provide it to Mr. Sanchez. (Exhibit A) – (Letter read verbatim and Ms. Diaz translated).

It was reported that the teacher at the school the next day said that her son was very distracted. The Counselor at the school suggested that Ms. Villezcas call the Police to report this incident.

Ms. Guerrero said that she felt that this was a very serious concern and could not minimize the importance of her concern. This is where the Police Department needs to make the investigation. There is a fault in this process, that there are no bi-lingual police officers that could respond to a situation like this. Ms. Guerrero wanted to reiterate that it is a concern throughout the community not only for the police department but important to have more officials in government who are bi-lingual and can answer for concerns as important as this one.

Mr. Sanchez stated that there are two things that he see's wrong; 1) the school should have helped her make the call. Once the report went in to the school counselor, the counselor should have helped by calling the Chief of Security at the Schools and they would have helped the mother connect with the Police Department. Mr. Sanchez stated that once the letter is translated he personally will take it to Deputy Chief Padilla for their review of the case. This information was provided to Ms. Villezcas in Spanish.

Ms. Guerrero said she agrees that the school system failed greatly. Secondly she wanted to state that unfortunately this situation has caused great trauma for her son, not only seeing the police officers handling of this situation but more so leaving him to pay the consequences. Ms. Guerrero offered the services from SOLACE; mother can call and request an appointment for her son at no charge. The therapists are bi-lingual, they will evaluate if they can take the case and if they cannot they will provide references. Another option is the Girard House which offers services to children. It is very important that this child get treatment and the school counselor work together to assure that this child is safe and receives treatment. SOLACE provides coordination not only for the child but also for the mother.

Ms. Villezcas continued to talk about another scenario with family members where she received threatening texts; her daughter does speak English and she was able to report to the police department on those occasions and generally they were responsive. Without having those people in her home to help here this is where she experienced the language barrier.

Officer Sanchez from the SFPD said that the Dispatch system has a language line; unfortunately the SFPD does not have that capability. As stated there are very few Spanish speaking officers at any time. He understands the frustration and suggests that Ms. Villezcas continues to call the Dispatch Center. Ms. Diaz said that she called 911 and they never gave her a legitimate number to call and does not know where the breakdown is. Ms. Villezcas said that in all fairness, she did not continue to call 911 because this was not an emergency yet she really needed the help. Ms. Diaz did tell Ms. Villezcas that Mr. Sanchez will take this letter to the Chief of Police once it is translated. Thank you for attending this meeting.

5. **New Business/Action Items**
   a) **Presentation by Alicia Ortiz, New Mexico MVD**
      Not Present

b) Update regarding City of Santa Fe training related to Resolution 2017-19

Mr. Aaron Martinez was unable to attend the meeting tonight. Mr. Chris Sanchez presented an update on the included documents. (Exhibit B) Mr. Sanchez went through each item verbatim from the description. Mr. Sanchez also complimented the work of Mr. Aaron Martinez and stated that he is very detailed and precise on information. His goal is to assure that during new orientation that this is being conducted and it is on-going.

Questions: It was recommended that questions be sent to Mr. Sanchez by e-mail. Ms. Diaz stated that the new policies are not included, confidentiality, policies regarding ICE, and the items listed are in the present Resolution. Ms. Diaz will provide her additional questions. The Committee members will do the same.

c) Welcoming Committee Subcommittee Recommendations for review (Exhibit C) Ms. Hayre stated that they did not have the document provided above under Item b. Recommendations include the request that Mr. Aaron Martinez attend the next Immigration meeting, request to provide an update on training. When HR is training on policies she would like to know if they are being given the Resolution or are their directives or policy changes in the Resolution. She would like to see what documents are being handed out.

Ms. Diaz would like to provide the Santa Fe Police Department training. Feedback: Mr. Sanchez said that it might behoove the Immigration Committee to wait until after the elections to provide the information to leadership. SFPD Patrick Sanchez recommended that they move forward and provide the information to Deputy Chief Padilla and follow through with the confirmed Chief of Police when named. Officer Sanchez reiterated that if this could take place during briefings the benefit and attention will be well received.

Mr. Sanchez reiterated that providing the questions to him would provide the opportunity to get responses prior to the meeting.

Officer Sanchez explained the time of the briefings and the Immigration Committee members are fine with the times presented for attendance at briefing.

Ms. Hayre addressed the Language access. The City Manager's January 10th report to the City Council did not include a comprehensive assessment of language access needs throughout the city government.

Recommendation is that the city secure the services of any independent contractor to assess language barriers and needs and to recommend translation and interpretation priorities. Mr. Sanchez said that his recommendation is to have a letter drafted specifying the requested language on #2, Page 1-2, Exhibit C.

Ms. Diaz asked Mr. Sanchez if he could assist in formulating a process and information on requesting the assessment. Is the best way to ask the City Manager or would we go through the City Councilor's? Mr. Sanchez said the process is to start with the City Manager. Mr. Sanchez would formulate a letter to the City Manager providing all of the comprehensive information, questions and follow up required. Mr. Sanchez stated that utilizing the Welcoming Community specifications provides the necessary documentation as well as the request for information requesting response to the needs and priorities. Mr. Sanchez reiterated that the framework of Welcoming Community is very well put together.

Page 2 lists a-g Areas of Interest for assessment. In addition, the Welcoming Communities Subcommittee would also like additional information about the city pay incentive program for bilingual employees mentioned in the City Manager's update.

Education and Outreach: #3, Page 2-3 (read verbatim).
Recommendation is for the Immigration Committee to communicate with the Community Services Director to work cohesively on this item. Mr. Sanchez said that the Community Services Department carries the bulk of funding awards but is not the only one in the city. There are community service block grants that come out, there are several others. Mr. Sanchez will partner with other departments and do the vetting of the website items through legal. Ms. Diaz stated that if the city is giving money, and in the RFPs and agreements/contracts that are issued, she wants to make sure that certain information, i.e., non-discrimination and so on, and for sure confidentiality so that people and organizations getting money from the city also are abiding by the rules and regulations set forth by the City of Santa Fe. Mr. Sanchez will take this information to the City Manager for discussion. The Acting Chair said that confidentiality is the most important part of the Resolution.

#4 – U Visa Certification
Ms. Diaz stated that attached to their report is the Scope of Service for SOLACE which will be represented by Ms. Sheila Lewis. Question was asked to continue the work that Deputy Chief Salbidrez did for the SFPD on the U Visa.

Intergovernmental working group, the Resolution calls for helping of a formation, the city should not be doing on its own. There should be a group where local government can share information, sanctuary policies in general, what are some of the Federal threats, what are some of the court decisions because they are coming down from across the country. It is important that Government officials know and also that we are giving information on what rights we have and information that we can share with other governmental entities. All of our four local governments are welcoming communities that have protective policies and non-disclosure policies for folks interacting with them from the immigrant community.

The Chair asked, which are the four governments?

Ms. Diaz: The Santa Fe Community College, the Santa Fe County, Santa Fe Public Schools and the City of Santa Fe.

Councilor Villarreal is one of the two sponsors of the Resolution is willing to put together and Inter-governmental working group initial meeting on February 23, 2018 from 2-4 pm at the Santa Fe Convention Center. Ms. Diaz and Ms. Hayre are assisting with this meeting and they are also recommending to invite other stakeholders, people who get funding from the city to do immigration related work like the Santa Fe Dreamers Project and others that anyone can recommend. New Mexico Immigrant Law Center, possibly Catholic Charities, a lot of our local governments want information and the City Attorney when working with them on the Resolution stated that they needed to have attorney participation coordinating with the city. The city will not give civil rights information but stated it should be done through their partners. Councilor Villarreal is inviting everyone to attend this Intergovernmental working group meeting.

Ms. Cabeza de Vaca moved to forward the following 6 recommendations from the Welcoming Committee, second by Ms. Guerrero, motion carried by unanimous voice vote.

1. ***Invite Mr. Aaron Martinez to attend the next meeting,***
2. ***Training opportunity at the SFPD, Mr. Sanchez will reach out to Deputy Chief Padilla to make this inquiry.***
3. ***Letter to the City Manager regarding Language Access and securing the services of an independent contractor to assess language barriers and needs and to recommend translation and interpretation. (Drafted by Mr. Chris Sanchez)***
4. ***Report from HR on the bi-lingual incentives.***
5. ***Intergovernmental Grant Research***
6. ***UVisa***

6. Old Business

a. Subcommittee Updates:

- Welcoming Communities – Marcella Diaz
  Provided above.

- Education - Ms. Amparo Guerrero

  Ms. Guerrero attended the Equity and Diversity Committee meeting with the SFPS. She is working on the Culture and Equity Sub-Committee. After tonight's presentation and hearing about all that is happening within the schools, she would like to recommend that after the diversity and equity plenary meetings that it is important to invite the SFPS School Superintendent to the Immigration Committee meeting to talk about concerns that the immigrant community have. She would like to see more commitments for the immigrant community. She suggested the invitation be for the April meeting as the next meeting at SFPS is in March.

  Maria Cristina Lopez reported that at Capital High School she learned there were monolingual students who weren't getting any help with the language. She attended a meting with the counselors today and she was told that it isn't that they don't get help; it is that that what they are getting isn't sufficient. She learned that there are at least 300 English deficient learners. It is a spectrum from not knowing any English or those who are not immersed in the language. One of the counselors said that since Xmas they have gotten 8 new students. This is high school and they don't know a word of English. They get 2 periods of English a day and that is what they will continue to get until they are English proficient. They are trying to bring bi-lingual tutors who can go in the classes to translate for the students.

  Mr. Sanchez said that they are targeting 3rd and 4th graders who are only 27% proficient in English right now. The Children and Youth will be reviewing applications for awards and if there was a non-profit that could provide this tutoring, he believes the Commission would consider that. The agency can apply anytime throughout the year.

  We need to do these recommendations for the SFPS on the – we need to create recommendations.

- Social Media & Communications
  Jewel Cabeza de Vaca: Reported that she is doing all that she can as a one-person committee with the help from Chris Sanchez. Her goal is to continue to get things going, to make the presentations better and to provide all new information in a timely manner. She also encouraged all members to send their bios in to Mr. Sanchez for the website.

- Refugee Resettlement
  No Report

- Police Department
  Officer Sanchez will take back information from this meeting to Deputy Chief Padilla once the letter is received from Chris Sanchez.

7. Comments from the Chair and Committee Members
   Ms. Diaz: The Mayor and various city councilors are putting together the Municipal Drug Strategy Task Force in order to create a holistic approach to dealing with drug use, drug addiction in our community and all the harms that are associated with in in our community. She mentioned this because SOMOS has agreed to help the Drug Policy Alliance put together groups of immigrants, with focus groups to talk about their ideas and she has sat in on some of these groups. She is surprised to hear some of the things from our community, especially around opioid use as there is this perception that immigrants don't use opioids and that was not what people were saying. She has heard this from police, that this is not the problem but it is becoming a problem in our community for a lot of different reasons. Point being, it is not just immigrants, it is law enforcement, it is providers, it is everyone. Ms. Diaz said she wanted to make sure the committee members knew about it so that all providers who work with immigrants could come and provide voices, not just community voices. It is great to have community voices, but there is a broad spectrum of voices. The reason it was triggered to mention it rights now is because as we hear that the kids don't have anything to do, and that they are not learning and that they just hang out. Idleness that people in the community and these focus groups are really talking about. How do we plug in to other focus groups to let them know this is happening?

   Mr. Sanchez is compiling a list and he will get it to the City so that before this administration leaves they can get these individuals appointed. Mr. Sanchez is staff liaison to this group. Emily Kaltenbach (Director, NM Drug Policy Alliance) is going to Chair this group and wants to break in to sub-committees and that is when the sub-committees will start reaching out to the community.

Ms. Diaz requested that someone from the Drug Police Alliance come to the Immigration Committee to talk about it. Mr. Sanchez said that he has additional information and wasn't prepared to talk in detail tonight but will place this on next month's agenda.

Ms. Guerrero said that the SFPS system needs to know the complexity of the immigrant population. The students are not just objects, they have a story behind them and the history behind them is part of the difficulties. The school system is a little rigid but not equitable in helping the students progress.

8. Report from Staff
   Website: There are bio's missing from some members of the Immigration Committee, please send to Mr. Sanchez.

   Payment has been resolved for the Welcoming Communities.

   Mr. Sanchez noted that Alejandra Seluja has spoken with him and that she will not seek re-appointment after her term expires in March. There will also be 2 Vacancies that need to be filled.

   Next Meeting: Due to the Mayoral election, the meeting will be forwarded to the following week.

9. Adjournment
   There being no further business to come before the Immigration Committee, the meeting was adjourned at 6:15 pm.

Signature

Maria Cristina Lopez, Chair

Fran Lucero, Stenographer

Rebeca Yolanda Villezcas Lechuga
255 Camino Alire #2
Santa Fe, NM 87501 (505) 204-0555

La noche del lunes 29 de enero como a las 9:30 tocaron a mi puerta y cuando abrí no había nadie. Al día siguiente, martes 30 por la mañana dos amiguitos de mi hijo a los que les doy raid a la escuela tocaron la puerta y vimos un mono de peluche pero no le pusimos atención, hasta que al salir nos dimos cuenta de que tenía el nombre de mi hijo Ian y le dije que lo recogiera, que era para el porqué tenía su nombre. El monito de peluche estaba roto de su espalda con un papel adentro y le dije a lo mejor es de una niña que te lo dejó. Mi hijo abrió la nota que decía en Inglés "Ian te voy a matar, Freddy" Mi hijo se asustó mucho y me dijo "mamá, tengo miedo" les pregunté a mi hijo y a sus amiguitos si sabían quién era Freddy y me dijeron que no sabían. Los dejé en la escuela y yo me fui a trabajar y después de comentarle a varias personas me aconsejaron llamar a la policía.

El viernes 2 de febrero a las 11:29, decidí hacer la llamada al 911 y me dijeron que me iban a mandar a alguien. A las 2:06 pm me llamaron de un numero privado preguntando en Español si necesitaba hacer un reporte y les explique lo que había pasado y me dijo el oficial (se me olvido su nombre) que en media hora estaría ahí. Se hicieron las 3:21pm, me volvieron a marcar de un numero 13042- era una mujer policía preguntando si yo hablaba Inglés o que si había alguien que hablara Inglés en la casa y le dije que mi hijo y me preguntó qué cuantos años tenia y le dije que 8 y me dijo que esperara 30 minutos y que irían a mi casa.

Yo tuve que salir a las 5:05 a comprar un *Money Order* para pagar mi renta y deje mi teléfono en mi carro y me llamaron 2 veces del numero 12207, intenté marcarles de vuelta pero la llamada no entro. Yo creo que a lo mucho, estuve 20 minutos fuera de mi casa. Me imagino que si hubieran ido a mi casa me hubieran dejado una tarjeta con algún número para yo poder llamarles, pero no fue asi. Mi puerta tiene un clip para dejar cosas.

Exhibit A.

SANCHEZ, CHRIS L.

From: MARTINEZ, AARON J.
Sent: Monday, February 12, 2018 2:12 PM
To: SANCHEZ, CHRIS L.
Subject: City of Santa Fe HR Training
Attachments: 2014_Municipal_Charter_complete.pdf; Chapter XIX Personnel.pdf

Chris,

Per your request, below is a list of training objectives regarding potential immigration status. Immigration status is identified as a "protected class" as a result of the following information provided below. The training below is ongoing. Please note, these objectives below are taught in several different trainings, and this list **does not** include any other training completed by individual departments.

- Article II Policy Statements (Attached Municipal Charter)
  - Code of Ethics
  - Human and Civil Rights
- Chapter XIX Personnel (Attached City Code)
  - 19-3.6 Discrimination Prohibited
- The United States Constitution
  - Amendment 14 - Rights Guaranteed: Privileges and Immunities of Citizenship, Due Process, and Equal Protection
- Principles:
  - Accountability
  - Customer Service
  - Transparency
- Transparency in Government
  - City of Santa Fe Code of Ethics
- Discriminatory Harassment Prevention
  - City Policy – Zero Tolerance
    - WILL NOT tolerate unlawful discrimination or harassment of or by its employees
    - WILL INVESTIGATE allegations of discriminatory harassment
    - WILL TAKE ACTION – appropriate disciplinary action if warranted
  - Employee Responsibility
    - Read, understand, and comply with the policy
    - Ensure the City's work environment is free of unlawful discrimination and retaliation by appropriate conduct and/or reporting violations
    - Any law enforcement type inquires sent to City legal department
  - Retaliation
    - Retaliation for filing a complaint or for cooperating in an investigation is unlawful and will not be tolerated.
    - Report to your supervisor or Human Resources immediately!
- ADA/EEO Compliance (https://www.eeoc.gov/laws/practices/inquiries_citizenship.cfm)
  - The City of Santa Fe is an Equal Opportunity Employer. In compliance with the American's with Disabilities Act, the City will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective employees and incumbents to discuss potential accommodations with the employer.

Exhibit B

Report & Recommendations from Welcoming Communities Subcommittee
RE: implementation of Resolution No. 2017-19
Submitted for February 13, 2018 Immigration Committee Meeting

Title of Resolution No. 2017-19:
Making policy changes to safeguard residents' sensitive personal information, reaffirming the City of Santa Fe's commitment to human and civil rights, the established rule of law, and its status as a welcoming community for immigrants and refugees; and directing the city manager and city attorney to assess the city's legal rights and responsibilities under applicable law.

Key requirements of the resolution:

1. Policies will be communicated to city employees regarding confidentiality, no status inquiry, no ICE access without a judicial warrant, non-REAL ID credential acceptance, no e-verify, etc. in accordance with Human Resources Department policies.
2. City Manager shall undertake a review of language barriers throughout city government, identify future needs, and report to City Council for inclusion in future budget proposals (60-90 days).
3. City Manager shall present a plan to work with community groups to provide outreach and education regarding civil rights and new confidentiality policies.
4. City Manager shall provide Governing Body updated policies and procedures regarding U-Visa certification (60-90 days).
5. Governing Body will support formation of a working group with other local governments and stakeholders to provide protection and support to immigrant workers, families & youth.

Report & recommendations for further action:

1. **Training**
   We recommend that the new Human Resources and Development Specialist attend an Immigration Committee meeting and share training materials and/or staff directives relating to the new policies under Resolution No. 2017-19 for review by Committee members. We made this request for the Feb. 13th meeting.

   We also recommend that the Immigration Committee organize and present a training/briefing to city police officers regarding basic immigration laws, changes in federal and state policies impacting Santa Fe's immigrant residents, etc. We have previously made this recommendation, and are looking forward to working with our SFPD liaison to proceed.

2. **Language access**
   The City Manager's January 10th report to the City Council (attached) did not include a comprehensive assessment of language access needs throughout city government. It is our recommendation that the city secure the services of an independent contractor to assess language barriers and needs and to recommend translation and interpretation priorities.

Exhibit C

This contract should include, at a minimum, an evaluation of existing language services, needs for additional translation and interpretation services in city departments, especially those that interface most with the general public, information about what language services similarly sized cities provide to multilingual residents (cities in NM and other states should be included), and what federal and state laws require for language access compliance. Areas of interest for assessment include:

a. Business license documentation and other written information provided by the City's Office of Economic Development
b. Public safety (fire, SFPD, etc.)
a. City attorney's office, specifically wage complaint correspondence
b. Municipal court documents
c. Parks and Recreation communications
d. Senior citizen services
e. Airport, transportation and parking
f. Webpage
g. Interpretation when needed (council meetings, committee hearings, wage investigatory interviews, etc.)

Before presenting the assessment to the City, we recommend that the contractor confer with the Immigration Committee for input.

The Welcoming Communities Subcommittee would also like additional information about the pay incentive program for bilingual employees mentioned in the City Manager's January 10th update. What does the program currently look like? What is its budget? How many employees are receiving these incentives, and in which departments do they work?

3. **Community education and outreach**
Although the City Manager's January 10th report stated that social media and website plans are underway to promote new city policies and inform residents about their rights, we recommend additional outreach (based on ideas generated at a community stakeholder meeting that took place in April, 2017). Additional outreach should include:

a. Written information regarding new privacy policies and civil rights should be made available at city buildings and in city newsletters.
b. Information should be provided to business when renewing licenses regarding new city policies, as well as civil rights.
c. Brochure with information about confidentiality and non-discrimination policies should also be included in an H20 bill.
d. Information should be provided via social media, city website and immigration committee webpage (this is already underway by social media subcommittee).
e. PSA's on radio and on city's TV station regarding new policies and civil rights.
f. City-sponsored presentations for business groups and local service providers regarding rights during workplace raids in partnership with local advocacy groups.

g. Information should also be provided in other languages or at least with phone number for interpretation services.
h. In city grants to organizations, conditions should include training regarding city nondiscrimination and nondisclosure policies.
i. Funding should be available to groups that provide information, workshops and presentations regarding civil rights to residents of Santa Fe.
j. City should work with local groups to sponsor and host civil rights forums.

4. **U Visa certification policy**
The final U-visa policy was presented to the Immigration Committee on September 19, 2017 and to the Governing Body on January 10, 2018. A contract was also signed in June, 2017 between the City and Solace Crisis Treatment Center for Sheila Lewis to continue as a full-time Domestic Violence & Sexual Assault Coordinator with an amended scope of services. The scope of services now includes (upon request by the Police Chief): reviewing requests for Nonimmigrant Status Certification (Form I-918B), making recommendations to the SFPD regarding certification requests, communicating acceptance and denial to petitioners with information regarding rationale for denials, keeping records of requests, and making mental health and legal services information available to victims. Scope of services is attached.

5. **Intergovernmental working group**
Sponsoring councilors are currently working with the Welcoming Subcommittee to host an initial meeting with representatives from SFCC, Santa Fe County, SFPS, and other community partners. Items for discussion will include what services and policies do these stakeholders currently have, what additional resources are needed (i.e. immigration 101 and myths and facts workshops, civil rights presentations, information for businesses, changes/updates regarding federal and state immigration policies and enforcement priorities, etc.), and what are potential opportunities for information sharing and collaboration.

City of Santa Fe, New Mexico

memo

DATE: December 27, 2017

TO: Governing Body

VIA: Brian K. Snyder, City Manager BKS

FROM: Chris Sanchez, Interim Community Services Department Director

ITEM AND ISSUE:

In a follow-up to Resolution No. 2017-19, Making policy changes to safeguard residents' sensitive personal information, reaffirming the City of Santa Fe's commitment to human and civil rights, the established rule of law, and its status as a welcoming community for immigrants and refugees; and directing the city manager and city attorney to assess they city's legal rights and responsibilities under applicable law.

BACKGROUND AND SUMMARY:

On September 25, 2015, Mayor Javier Gonzales signed onto the White House's "Building Welcoming Communities Campaign." The White house has partnered with local communities to strengthen immigrant integration efforts. The President called on local communities to act on a set of principles to build inclusive, welcoming communities that allow all residents to thrive and advance integration efforts in three core areas: civic, economic, and linguistic integration.

In July 2016, after undergoing quarterly technical assistance training, on how to build a "Welcoming Community" with the White House's technical assistance team, the Immigration Chair and City Liaison started working on the framework needed to implement an efficient and successful plan. In an effort to utilize the Immigration Committee to its fullest potential, the Chair decided upon creating subcommittees to meet the framework developed by the Welcoming Communities technical assistance experts. During the August 2, 2016 Immigration Committee meeting, the committee approved the subcommittees and members assigned to each committee. (Subcommittees attached). At the October 4, 2016 Immigration Committee meeting, the subcommittees began reporting on each of their assigned subcommittees and have continued this update at all regularly scheduled meetings.

On February 22, 2017, Resolution No. 2017-19 was passed, approved and adopted by the City Council.

As a follow-up to Resolution 2017-19, the following is an update to each required section within the Resolution:

- No employee of the City of Santa Fe shall make or initiate any inquiry regarding the immigration status of any person, except as required by law, including, without limitation, to determine eligibility for City employment or for a federal benefit or program administered by the City.

  Update:
  - **In September 2017 a newly established Human Resources Trainer and Development Specialist was hired. For new City employees, this topic will be presented at every new employee orientation. For existing City employees, this topic will be presented at annual training sessions that are currently being developed and implemented.**

- No employee of the City of Santa Fe shall disclose to any person or agency outside the city government any sensitive information about any person that comes into the employee's possession during the course and scope of that employee's work for the City of Santa Fe, except as required by law in order to provide a City service or carry out a function of City government or upon receipt of a valid court order or a request pursuant to the New Mexico Inspection of Public Records Act.

  Update:
  - **In September 2017 a newly established Human Resources Trainer and Development Specialist was hired. For new City employees, this topic will be presented at every new employee orientation. For existing City employees, this topic will be presented at annual training sessions that are currently being developed and implemented.**

- The City Manager shall, within 60 to 90 days of passage of this resolution, provide to the Governing Body a copy of updated policies and procedures relating to applications for U Visa certification as approved and reviewed by the appropriate parties.

  Update:
  - **Policy is attached**
  - **The policy was presented to Council on July 26, 2017 under "10. I" (see attached). The governing body approved this contract with Solace which includes providing assistance with U-Visa's.**

- The City Manager shall provide to the City's Public Safety Committee, Immigration Committee and the Governing Body, quarterly and upon request, a report of the number of applications for U-Visa certifications received and the number of certifications issued.

Update:

- **The U-Visa applications received by the Police Department are currently tracked. At the February 2017 Immigration Committee Deputy Chief Salbidrez provided a U-Visa update describing the policies governing U-Visas and how they are disseminated throughout the community. Year-to-date, 37 U-Visas have been received, of which 4 were declined and the other 2 were not approved.**
- **At the September 19, 2017 Immigration Committee statistics about U-Visas were presented and will be presented at the next Public Safety Committee Meeting.**

- City elected and appointed officials and employees shall refuse access to all non-public areas of City property by federal immigration agents for the purposes of enforcing federal immigration laws who do not present a warrant issued by a federal court specifically requiring such access.

Update:

- **The City, to include elected and/or appointed officials and employees will refuse access to all non-public areas of City property by federal agents for the purpose of enforcing federal immigration law, unless a warrant is issued by federal court, as per the City Manager.**

- All City departments and employees shall accept driving authorization cards and non-Real-ID compliant identification cards issued by the NM Motor Vehicle Division (MVD) for all of the purposes for which they would accept Real-ID compliant drivers' licenses and identification cards issued by the MVD.

Update:

- **In September 2017 a newly established Human Resources Trainer and Development Specialist was hired. For new City employees, this topic will be presented at every new employee orientation. For existing City employees, this topic will be presented at annual training sessions that are currently being developed and implemented.**

- City departments shall not use the voluntary federal e-verify system to investigate or determine the work eligibility of applicants for city employment unless required by law for the purpose of administering a federal benefit or program.

Update:

- **In September 2017 a newly established Human Resources Trainer and Development Specialist was hired. For new City employees, this topic will be presented at every new employee orientation. For existing City employees, this topic will be presented at annual training sessions that are currently being developed and implemented.**

- The City commits to improve language access to City services and programs for its diverse multilingual residents, and to that end the City Manager shall undertake a review of potential language barriers throughout City government that may limit such access and recommend to the Governing Body a means to address any identified barriers including the need for professional translation and interpretation services with the goal of improving access to City services and program by non-English speakers, and to consider these as part of the FY 2018 and future budget proposals.

  Update:
  - **The City continues to review potential language barriers throughout city government. Several areas where the City currently has focused on improving access to City services by non-English speakers are as follows: the City continues to budget for the incentive program, where employees receive a pay incentive for being able to speak and write in Spanish; the City Manager has partnered with the Children and Youth Commission and Human Services Committee to use contracted grantees to assist in Spanish translation.; and the Children and Youth Commission and Human Services Committee are currently discussing the potential opportunity of making available funds for grantees that provide translation services.**

- The City Manager within 60 to 90 days of the passage of this resolution shall develop and present to the Governing Body a plan to work through legal advocacy groups and community partners to provide community outreach and education regarding the city's non-discrimination and confidentiality policies and the civil rights of immigrant and non-immigrant residents and employers and business owners.

  Update:
  - **The Immigration Committee's Subcommittee, Social Media & Communications, has created the framework for communication and feels confident they will be able to work with and through community partners to provide the outreach and education regarding the City's nondiscrimination and confidentially policies and civil rights. This is a key element within the Welcoming Communities framework adopted in February**

2017. (Please refer to Attachment: Social Media & Communications for detailed framework.)

- The Governing Body of the City of Santa Fe commits to supporting the formation of a working group with the Board of Commissioners of Santa Fe County and the governing boards of Santa Fe Public Schools and the Santa Fe Community College District, and other community partners to consider methods, in accordance with the law, of providing protection and support to immigrant workers, families, and youth in our community.

  Update:
  - **On January 9, 2018 the Immigration Committee is scheduled to discuss and create a subcommittee that will focus on designing, developing and implementing a working group with the above stakeholders to consider methods, in accordance with the law, of providing protection and support to immigrant workers, families, and youth in our community.**

- The City of Santa Fe shall continue to promote, enforce, and defend City policies and procedures that protect the human and civil rights of all residents and that ensure adherence to the non-discrimination principles enacted by the people of Santa Fe in the City's Charter.

  Update:
  - **In September 2017 a newly established Human Resources Trainer and Development Specialist was hired. For new City employees, this topic will be presented at every new employee orientation. For existing City employees, this topic will be presented at annual training sessions that are currently being developed and implemented.**

- The City Manager shall communicate these policies to all City employees in accordance with Human Resources Department policies.

  Update:
  - **In September 2017 a newly established Human Resources Trainer and Development Specialist was hired. For new City employees, this topic will be presented at every new employee orientation. For existing City employees, this topic will be presented at annual training sessions that are currently being developed and implemented.**

- The City Manager and the City Attorney are directed to assess and report to the Governing Body the city's rights and responsibilities under applicable law, and identify all reasonable legal means to defend the city's policies and procedures.

  Update:
  - **The City Manager and City Attorney currently does this as necessary and pertinent.**

RECOMMENDED ACTION:

None.

6-20-17

Sheila Lewis
SOLACE

Exhibit A – Scope of Services (Amended)

The Domestic Violence and Sexual Assault Coordinator (Coordinator) will perform the following services:

1. The Coordinator will report to the Santa Fe Police Department Special Victims Unit supervisor and maintain domestic violence, sexual assault, stalking, and human trafficking data and statistics for monthly review. The coordinator will act as a liaison between law enforcement personnel and the victims of domestic violence, sexual assault, stalking, and human trafficking in scheduling appointments, meetings, exams, etc.

May be asked to perform by request from the Police Chief or his designee:

2. Review requests for Nonimmigrant Status Certification (Form I-918B) to verify that a qualifying crime has occurred and that the victim was helpful, is being helpful, or is likely to be helpful in the detection, investigation or prosecution of criminal activity.

3. Make recommendations to the Chief of the Santa Fe Police Department or his designee regarding requests for Nonimmigrant Status Certification (Form I-918B).

4. The recommendation will indicate whether the petitioner suffered substantial physical or mental abuse as a result of having been a victim of criminal activity and will identify the evidence relied upon in making that determination (i.e. reports from medical doctors, therapists, case managers, or counselors regarding the harm suffered.)

5.The recommendation will indicate whether the petitioner is or was helpful in the investigation or prosecution of the crime or is likely to assist law enforcement in the investigation or prosecution of the qualifying criminal activity and will identify the evidence relied upon in making that determination (i.e. police reports, court records, etc.)

6. If the Chief or his designee certifies the request, the Coordinator will send the signed certification to the petitioner (or the petitioner's attorney, representative, etc.) in a stamped self-addressed envelope provided by the petitioner. The certifying official's signature on the original Form I-918B will be in a color other than black.

7. If the Chief or his designee denies the request, the Coordinator will send the unsigned certification to the petitioner along with a statement stating why the request was denied. The petitioner will have the right to request reconsideration pursuant to the guidelines

8. The Coordinator will keep a record of the requests for certification. The record will identify the crimes that formed the basis for each request along with the case#, whether the request was granted or denied and, if denied, the reason for denial.

9. The Contractor will make community mental health and legal services information available to victims of qualifying crime regardless of their immigration status.

Exhibit D