



Agenda

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PREPARED BY Julie Sanchez
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IMMIGRATION COMMITTEE MEETING

Tuesday, September 19, 2017

Market Station

Boneyard

500 Market Station

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

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes: August 22, 2017
4. Community Comments
5. New Business/Action Items:
 - a. Real ID Act
 - b. DACA discussion
 - c. Community Policing
 - d. Public Engagement
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

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IMMIGRATION COMMITTEE
Tuesday, September 19, 2017
4:30 pm -6:15 pm

MINUTES

1. Call to Order

Acting Chair, Maria Cristina Lopez called the meeting to order for the Immigration Committee at 4:30 pm at the City of Santa Fe Market Station Conference Room, telephonically. Roll call reflects a quorum.

PRESENT:

Alejandra Seluja, Chair, telephonically
Maria Cristina Lopez
Marcela Diaz
Jewel Cabeza de Vaca
Susan Hayre
Amparo Guerrero
Javier Rios, telephonically

NOT PRESENT:

Maria Jose Ugalde-Alzacar, Excused
Elizabeth Hemmer

STAFF/OTHERS PRESENT:

Chris Sanchez, Youth & Family Services Director
Lt. Judah Montano, SFPD
Deputy Chief Salbidrez, SFPD
Fran Lucero, Stenographer

2. Approval of Agenda
No changes.

Ms. Cabeza de Vaca moved to approve the agenda as presented, second by Ms. Guerrero, motion carried by unanimous voice vote.

3. Approval of Minutes: August 22, 2017
Corrections: Minutes reflect that Javier Rios was not in attendance. He in fact, was in attendance.

Page 6: Lt. Montano said there is ~~non-discretion~~ discretion

Ms. Diaz moved to approve minutes of August 22, 2017 as amended, second by Ms. Guerrero, motion carried by unanimous voice vote.

4. Community Comments

None

5. New Business/Action Items:

a. Real ID Act (Alejandra Seluja)

Ms. Seluja reported that the airport and some of the shuttles have signs that say, after January 2018 they will no longer be able to fly with a driver's license. Also, feedback on what individuals are being told when they go apply for their drivers licenses. Ms. Seluja asked Ms. Diaz if she could reiterate how the law was being interpreted that may be an issue.

Ms. Diaz: Response: We believe that based on a lot of accounts from both immigrants and non-immigrants who have been either turned away or required to provide documents that are not specified in law but are specified in regulation unnecessarily, that people are being turned away from the Real ID license as well as the Driver's authorization card, which is a non-Real ID license. We believe and have stated publicly on many occasions that the MVD and Taxation and Revenue Department who oversees MVD is most likely going beyond the scope of their authority in requiring certain documentation that is not required for a driver's authorization car or a non-Real ID license. We are also hearing from community members that for people who are first time driver's license holders who have allowed their licenses or who have been in the process for so long that their license has expired; if they cannot prove citizenship or legal residency they have to submit to finger prints and that is based on the law. Than MVD gets to decide and Tax and Rev gets to decide what they want to do with those finger prints. They are doing background checks and we have been hearing from a lot of folks who have either misspelled names or ICE, or USCIS or Border Patrol has put in either the wrong information or a misspelled name by 1 or 2 letters, and they also get turned away. The problem is that they are not being given by MVD a process and we have commented with many organizations across the state publically and through official comments to the MVD and Tax and Rev Department that there is not due process for people who need their driver's license. People are not able to remedy the problem, or go through any kind of appeals process to remedy the problem. These are the issues that we are hearing. Most of the problems we are hearing are from the elderly, US Citizens that are retired, people who were born in their homes and don't have birth certificates, or people who can't find or have lost their social security cards. These folks are having a hard time and they don't want Real ID because Real ID requires that they bring it in which is why the state provided an alternative to all of these people. Those are the complaints that we have received. Again, mostly from non-immigrants who are having a hard time getting their non-Real ID license.

Ms. Lopez said she went to get her non-Real ID license and she had to comply with everything.

Ms. Diaz said you don't really have to but they are not giving a lot of information and in some cases they are requiring social security card and in some cases they haven't had to provide a social security card. We know of one person, but in other cases they have been required to give their social security card. MVD has social security on file for people who have unexpired licenses. But they require, just as the Real ID Act does, that people bring in their tax documents with their full social security number on it, and very few tax documents have that anymore. 1099's don't have it nor 1040's and they are applying those same rules which are federal rules for a Real ID license for the non-Real ID license and that is exactly what the legislature was trying to avoid for all of those citizens particularly the elderly here in New Mexico.

The second thing that is important to note is that 2018; I just saw a picture that was taken this weekend at one of the airports and in fact you were right about the 2018 deadline but we are not listed; there are about 5 or 6 states that are not in extension or are not compliant with Real ID and they are warning passengers that they will not be able to use drivers licenses from those states because those states are not in compliance or are not in extension so of course New Mexico is in compliance so that is why we are not listed in that chart and it is our understanding that we will be able to use both our Real ID license as well as our non-Real ID license until at least 2020. That is my understanding because we are not on that list.

Ms. Seluja reiterated that these signs are in the shuttles.

Ms. Diaz said that the signs in the airport have the correct information and maybe the shuttles should be told that their information is incorrect.

Ms. Diaz added a third piece for the record, one of the things that the local MVD and Tax and Rev in the State of New Mexico is requiring in order to get the drivers authorization card is that you sign a piece of paper saying that you know you will not be able to fly with that drivers authorization card or non-Real ID. We have contended all year that in fact you can use your non Real ID license to fly and have had several people report to us that they used their non Real ID license to fly. The last person I heard which was about 2 or 3 weeks ago, was that he flew domestically. There is this sense of information that MVD, especially MVD Expresses are giving to consumers and customers and saying, you want the Real ID license because you will not be able to fly with this which is not exactly true. I also happen to know that the MVD Expresses are flat out; at least the one by the SOMOS office here in Santa Fe is just giving wrong information. (Ms. Diaz shared a personal experience and what she heard and witnessed in one of the MVD Express office).

She heard them saying this was not a real license it was just a form of identification and the statute says very clearly that it is a license, that is the legal definition of the drivers authorization card and can be used for any other purpose of license including identification for law enforcement and all government agencies.

Ms. Guerrero asked, what can be done about them giving the wrong information especially for our community.

Ms. Diaz said that SOMOS has a fact sheet (Q&A); they have two, one that is very general and the other that is very specific to these questions. That fact sheet also has a hot-line phone number so people can call if they are having a hard time getting their license or they want to report it or just want better information by advocating for themselves with MVD, we are documenting all of that as well. When it comes to this committee, I think the only thing we can do besides making sure that most of our city and certainly our law enforcement officials here, our police department, know that the drivers authorization card is a non-Real ID license and shall be accepted as a non-Real ID license does not connote a person's immigration status because many citizens have it and it is also part of the resolution that even though it was unnecessary for us to put it in there we did it as a statement that we will accept it on PAR with drivers licenses in our city. The only thing I can think of that this committee can officially do, since we do have a local city airport that we make sure that the right information is being given at that airport. I know someone who flew out of this airport with her drivers authorization card and she had not problem but we could inquire as to what they are requiring, etc. I know that is not a city agency but we do share funding with them. That is the only thing I can think of doing as a committee that is related to the city to see what they are doing and if they are giving the right information.

Ms. Seluja will follow up with the airport as noted and suggested above and inquire with the shuttle company as to where they are getting their information and report back to the Immigration Committee member. Ms. Seluja also shared a circumstance at the MVD Express.

Ms. Guerrero also provided other situations where individuals are not provided with the correct information. It was recommended that a letter be sent to Mr. Duran from TRD.

Ms. Seluja asked Ms. Diaz if there are any statistics of those who are calling with concerns. We certainly have anecdotal information. Anyone of us can go in to MVD and see that they are requiring this information, it is all public documentation. It is not the clerk's that are treating people badly, but these are in the rules, it is on the website requiring too many documents is available for anyone to see. It is not like we need cooperation, we just need to go to their website.

Ms. Lopez asked that Ms. Diaz draft a letter to Mr. Duran. Ms. Guerrero said that we should include the information noted above about the problems that the non-Real ID license problems and that the MVD Express are giving out incorrect information.

Ms. Diaz recapped; there are two issues; 1) MVD Express is giving the wrong information about the rules and regulations, 2) that there are requirements that go beyond the scope of authority and that go beyond what the statute calls for – for non-Real ID licenses.

Mr. Sanchez asked how is the letter going to change this situation.

Ms. Diaz – Ms. Lopez: It doesn't.

Mr. Sanchez: Would it make more sense to meet with whoever is in charge and have a conversation regarding these concerns. We could invite him to the next meeting. We can then bring some of the people who have had problems and have complaints.

Ms. Diaz said that she didn't think that would make a difference. There is already a process and we actually have seen some improvements as a result of that. I shouldn't say that there haven't been any improvements. She said that we have an opinion and we should strive to have this on record that the Immigration Committee members have been receiving and have heard of, and not just through SOMOS, but through other committee members direct observation and individual contact concerns, and hope that they will be remedied. I don't know if it makes a big difference. Ms. Diaz said they could also write a letter of inquiry on these concerns, and again, they may not respond.

The final recommendation was to invite Mr. Duran from MVD and a representative from MVD Express to next month meeting.

Ms. Diaz asked; how do you want to catalog the complaints? Individuals haven't come to this place to complain but committee members have received complaints outside of this body.

There was a Senate Public Affairs Committee Hearing where individuals were able to talk about their concerns.

The Committee members want to be assured that the Chair will be present for the meeting with MVD.

b. DACA Discussion

Chair Seluja: People are worried that they can be deported. The Chair provided information/statements of concerns that are being expressed. At this point, we as a committee can express our support for DACA. The Chair asked if we could partner with anyone else who is not currently working with DACA. What are you hearing in the community?

Maria Cristina Lopez: Comments: Let's prepare for the consequences, we need to be positive in hopes for the Dreamers Act in Congress. When we have questions we refer them to Allegra Love and to SOMOS.

Amparo said we need to invite Allegra Love to the next meeting for an update. She is helping people with their renewals. She is also involved with the National movement.

Mr. Sanchez will extend an invitation to Ms. Love to attend next month's meeting.

c. Community Policing

Note to the record: ***Community Police Meeting, not policing.***

Outreach/community meetings have been held and they have done radio announcements. How do we collaborate to have more involvement in the community?

Maria Cristina Lopez: We were talking about doing some training on sanctuary city and ICE.

Marcella Diaz: I don't remember it being about sanctuary cities we were talking about the police training that was done in Farmington, about new policies, enforcement and implementation and above all the education. The Chief of Police in Farmington welcomed the training to inform the police officers on Immigration Law 101, etc., what is DACA, talked about little things that our officers already know. What are assumptions made about matricula consular; assumption is that folks don't have legal status and sometimes there are people who have dual status when they are travelling back to their country of origin? We talked about the drivers authorization cards. Good feedback was the members actually talking about their incidents, the officers appreciated first-hand information from them. There are times when ICE identifies themselves as officers, and even some differences from Farmington police to other police departments. We don't know if this has happened here at the SFPD.

Lt. Montano said he would like to move forward to schedule this type of training; SFPD would require an agenda and presenters with a translator as many officers do not speak Spanish.

Deputy Chief Salbidrez said that officers are going to sit there and they may ask themselves, why should I listen to this? What have you done and they will try to validate what the experience is. They are going to want to know about the issues and concerns in Santa Fe and how did we deal with it or how can we do better and not use Farmington Q&A's as an example. They are never going to be concerned about a worker's permit, social security card for work purposes, it isn't important to the officer. These are examples of topics and questions for discussion. What policy have we adopted regarding this topic. Mayor says we are running our department the same, we haven't changed our practices. This is what I want to know before we do the training. I will stand there and validate you if we can agree to the questions and presentation topics.

Ms. Diaz said she isn't prepared to sell it to Chief Salbidrez, what do you think are the questions that should be asked?

Chief Salbidrez said that driver's licenses aren't so much the issue.

Ms. Diaz said it isn't all about licenses; we do a lot in our community to know the work that police officers are doing. What do you think would be helpful in the briefing?

Chief Salbidrez: We are working with SFCC to talk about all immigrants of different nationalities to discuss with them about the work that the SFPD does.

Ms. Diaz: What do you think? What role do we have as a committee to foster and provide information to SFPD? We found the presentation so positive with Farmington Police Department, I don't think at any point did we say we want to solve a problem, we are positive of what is coming out of your department.

Chief Salbidrez: What are the concerns that you want to bring forward?

Lt. Montano: The training was to talk about the immigrant families experiences in Santa Fe.

Chief Salbidrez: I am open to that. There is an education element as to what we can do here in the US/NM/Santa Fe vs. what they can report in their countries.

Chair Seluja: It has nothing to do with policies; it is more of what it means to be an immigrant. Not just for the police it is for all of the industries, when you are in front of that person, do you know what they have been through.

Ms. Diaz anything that can help immigrants, it isn't necessarily about our relationship with law enforcement in our countries of origin. We wanted to have an opportunity to package this presentation in a way that was not

adversarial; we didn't do it to address complaints or issues. These are the changes that we are seeing when you are out in the community, for example. These are tools to keep the community safe.

Jewel Cabeza de Vaca: I appreciate your coming here tonight and presenting the other side of the Police serving and protecting our city. I appreciate that you opened up a link of information. SOMOS does a good job of sharing their resource of information. There is a different cap that you wear, I appreciate the fact of the position you hold and hope that will receive the person or contact to make a presentation, I appreciate that you support and will welcome the spokesperson.

A sub-committee to include Susan Hayre, Marcella Diaz, Alejandra Seluja, Chair and Lt. Montano to come up with an agenda.

Deputy Chief Salbidrez and Lt. Montano will be present at next meeting to discuss.

d. Public Engagement – (Discussed above).

6. Old Business:

a. Subcommittee Updates:

- Welcoming Communities (Susan Hayre and Marcella Diaz)
Sanctuary litigation: A federal judge blocked conditions; they were sued by the city of Chicago on placing conditions on burn jag grants (Public Safety Grant), city of Chicago who is applying at this time. Attorney General Jeff Sessions created an additional set of DOJ Grants; those cities (3) sued the department of justice, which is good news for everyone around the country. I talk about that when we talked about strengthening sanctuary polices, one of the policies that we would lose all funding, which we knew wasn't true.

We have completed everything to participate in the welcoming communities' cohort; we are awaiting signature and who the executive name would be on the membership. It will be the Chair. Information on Welcoming Communities – Exhibit A.

Welcoming Communities is also a part of an annual conference, Ms. Hayre and Ms. Diaz will attend in Phoenix in December to meet with other jurisdictions and cities across the countries. We are one of two who have a committee such as ours to deal with immigrant concerns. We have asked for scholarships as members of this committee. If we could get funding to represent the committee at this meeting, it would be very helpful. We could propose a workshop of things that we are doing with local government agencies and police department.

We held a Collaborative Forum at Cesar Chavez, SOMOS, SFPS and it was on DACA and Civil Rights. One of the concerns now is that ICE has all this information, what do we do when they come knocking at our door. A lot of students fear that because their DACA status does not get renewed, they are afraid to lose their in state tuition and financial aide. Susan and Marcella talked about the Resolution and the different policies of the resolution as part of the Welcoming Community. They did community outreach on the Immigration Committee.

Agenda Request: Working group, victims right agencies in the community that work with SOMOS on the sanctuary policies, and with the Immigration Committee. We requested an update from the city, Chris Sanchez will respond to this request.

Mr. Sanchez: Letter was sent to Councilor Maestas, which went to the City Manager and sent down to Mr. Sanchez to respond to.

Update: Governing Body Public Safety – Deputy Chief Salbidrez: Indicated that in February 2017, the Policy governing U-Visas was approved by Governing Body and disseminated throughout the community. He indicated that at the approval process, Ms. Diaz was present.

Ms. Diaz indicated that she had forgotten, but was thankful that he brought another copy of the policy and procedure.

Has there been a request by the Governing Body or Public Safety Committee regarding the number of applications for U-Visa certifications and the number of certifications issued?

Chief Salbidrez stated that they do keep track of applications and they have received 37, 4 were declined and the other 2 were not approved because of an alias name.

Marcella Diaz: Can you tell us of the 37 that you signed, what was the period?

Deputy Chief Salbidrez: It was year to date. I have received applications from for U-Visas. How do you have a social security number and they sign the inquiry? Since this report, I have had one concern; Homeland Security did contact me on a fraud case. I signed a U-Visa and they sent it back for a reason; the law firm changed it to a case we had never handled, and it is a local law firm. As a cause and

effect I look deeper into the information that comes from this particular law firm, they put my name to something I did not certify.

Marcella Diaz: The certification process is here and it gets backed up, it shows that there are checks and balances.

What kind of efforts has the City Manager undertaken to review potential language barriers throughout city government, and have any recommendations been made to address these barriers in budget discussions?

Mr. Sanchez: City Manager has reviewed and the following is an update. We have an incentive program implemented throughout the city for staff that can speak and write Spanish. In addition, we through Community Services have used our contract agencies to provide Spanish translation documents going out of the community and will be able to see if we can budget dollars for future translation. In addition, we fund programs and services through CYC and Human Services and would be interested in receiving proposals for translation services.

Mr. Sanchez said that when presenting a plan about community partners, outreach and education, all communication should come through the social, media and communications committee through the Immigration Committee. The reason for us developing Media and Communication subcommittees was to provide an outlet of communication to the immigrant community. This was decided on during the discussion and approval by the committee last year.

Marcella Diaz: When I explained that to Councilor Maestas and the City Manager, how do we work to be able to communicate that, committee members are subject matter experts.

Mr. Sanchez: Read through the resolution, we don't go back to the governing body. We are supposed to present a plan to the City Manager. We use the Immigration Committee to push this out.

#5 - Policy: Mr. Sanchez indicated that HR just recently hired a trainer for the city. One of the roles of the trainer is going to be to provide training to all employees in accordance with the Resolution, as directed by the City Manager.

Mr. Sanchez: This answers all the questions asked by Ms. Diaz.

- Education
Meeting for the future to be planned. No report.
- Social Media & Communications
Jewel and Chris will schedule a future meeting. Hiring a staff person who will be responsible for the Immigration Committee to work on the website. Bios are not sent to Chris yet.

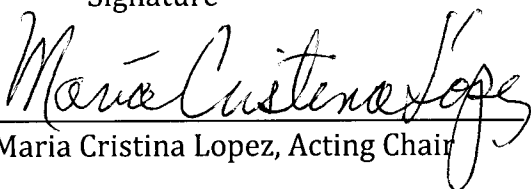

As each committee moves ahead in the community and as you hire the person who can populate the website, the media is the funnel to where all the information will go. We need that person.

We had a professional translator translate the Resolution, we would love for it to be on the website.

- Refugee Resettlement
Nothing to report
- Police Department
Reported above.

7. Comments from the Chair and Committee Members
NM Dream Team has a website, high schools can participate.
8. Report from Staff
None
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, Acting Chair Fran Lucero, Stenographer