



# Agenda

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**Immigration Committee**  
August 2, 2011 – 5:45 p.m.  
City Councilors' Conference Room  
200 Lincoln Avenue

- I. Roll Call
- II. Approval of Agenda
- III. Approval of Minutes
  - a. July 5, 2011
- IV. Announcements
- V. Community Comments
- VI. Old Business
  - a. Update on drivers licenses for immigrants  
10,000 letters / the compromise
  - b. ICE presence in the Courts
- VII. New Business
  - a. Catholic Charities Presentation
- VIII. Communications from Staff
- IX. Communications from Committee
- X. Adjourn

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**Index Summary of Minutes  
Immigration Committee  
August 2, 2011**

<u>INDEX</u>	<u>ACTION TAKEN</u>	<u>PAGE(S)</u>
Call to Order	A regular meeting of the City of Santa Fe Immigration Committee was called to order at 5:55 pm by the Chair, Maria Cristina Lopez.	1
Roll Call	A quorum was not present. No action was taken on items requiring a motion. Ms. Diaz arrived at 6:15 pm and a quorum was existent.	1
Approval of Agenda	Ms. Hemmer moved to approve the agenda as presented, second by Mr. Rivera, motion carried by unanimous voice vote.	1
Approval of Minutes July 5, 2011  <u>Corrections</u> Page 3: insert the word <b>not</b> : She then talked about some of the MVD's that are <b>not</b> contracted by the State that are issuing drivers licenses to those with immigration status.  Page 4: last paragraph, 2 <sup>nd</sup> sentence <del>they</del> should be why	<b><i>Ms. Diaz moved to approve the minutes as amended, second by Mr. Rivera, motion carried by unanimous voice vote.</i></b>	1-2
Announcements	Informational	2
Old Business: a. Reappointment Letters b. Update on Drivers Licenses for Immigrants/SOMOS c. ICE in the Courts – Informational d. Health Advocate for the Immigrant Community - Informational	Chair asked committee members if they have sent their letters to the Mayor requesting reappointment.  Presentation by Ada Sallard in Spanish to accommodate Audience members and guests. No action taken.	3-4
New Business a. Update on Driver's Licenses for	<b><i>Mr. Rivera moved to authorize the Chair to</i></b>	2-4

**Index Summary of Minutes  
Immigration Committee  
August 2, 2011**

<p>immigrants, 10,000 letters/the compromise</p> <p>b. ICE presence in the Courts</p> <p>No update.</p>	<p><i>prepare a statement on behalf of the Santa Fe Immigration Committee to review the city history on the issue of driver's licenses and to denounce the impact and fear targeting the citizens in our city and the irresponsibility during hard economic times and inappropriate use of tax dollars and government employees for license renewal, second by Ms. Hemmer, motion carried by unanimous voice vote.</i></p>	
<p>New Business</p>	<p>Catholic Charities Presentation: Guest Speakers: Mr. Jim Vincent, Immigration Attorney, Patricia Vincent, Claudia Pineda, Esperanza and Gabriel DePablo, Esperanza</p>	<p>4-7</p>
<p>Communications from Committee</p>	<p>September 6, 2011 – Immigration Committee Meeting at SFCC, hosted by Erwin Rivera</p>	<p>8</p>
<p>Signature Page and Adjournment</p>	<p>There being no further business to come before the Immigration Committee, the meeting adjourned at 8:15 pm</p>	<p>8</p>

**IMMIGRATION COMMITTEE  
MINUTES  
Tuesday, August 02, 2011  
5:45 pm – 8:15 pm**

**I. Roll Call** - The meeting was called to order by Chair Maria Cristina at 5:55 pm, a quorum was not existent until 6:15 pm.

**Present:**

Maria Cristina Lopez  
Betty Shinas  
Elizabeth Hemmer  
Erwin Rivera  
Marcela Diaz – 6:15 pm  
Miguel Angel Acosta – 6:40 pm

**Absent:**

Jewel Cabeza de Vaca  
Rev. Chester Topple, Excused  
Amparo Guerrero, Excused

**Others Present:**

Carla Lopez, Staff Liaison  
Fran Lucero, Stenographer  
  
Maggie Boyle, Catholic Charities  
Mr. Santijera  
Mr. Jim Vincent, Immigration Attorney  
Patricia Vincent  
Claudia Piñeda, Esperanza  
Gabriel DePablo, Esperanza

**II. Agenda**

*Ms. Hemmer moved to approve the agenda as presented, second by Mr. Rivera, motion carried by unanimous voice vote.*

**III. Approval of Minutes – July 5, 2011**

Page 3: insert the word *not*: She then talked about some of the MVD's that are *not* contracted by the State that are issuing drivers licenses to those with immigration status.

Page 4: last paragraph, 2<sup>nd</sup> sentence ~~why~~ should be why

*Ms. Diaz moved to approve the minutes as amended, second by Mr. Rivera, motion carried by unanimous voice vote.*

**IV. Announcements**

Mr. Erwin Rivera extended an invitation to Mauricio Lopez to attend tonight's Immigration Committee, but in his absence extended the invitation together with ENLACE who is co-hosting a September 6<sup>th</sup> meeting at the SFCC. It will include a student led panel dealing specifically with the Dream Act. There is a network coalition, NM Ideas who has quite a number of college students who have been trained to be advocates for the Dream Act. These students are very trained on the immigration issues here in New Mexico and talk about the students who do not have social security numbers to go to college. Knowing of the relationship between the Immigration Committee and this topic of concern, Mr. Rivera asked as many committee members to attend the forum. Four or less of the Immigration committee members can take part in the forum to assure that a quorum is not existent. More details will be provided to the members and the Immigration Committee would start the official meeting at 5:45 pm. The two chair people are, Christopher Ramirez out of UNM, Diversity Office who works under Dr. DeLeon, and Ms. Gonzales, youngest Regional Director for ENLACE. Ms. Gonzales and Mr. Ramirez are the lead representatives on NM Ideas. The Chair encouraged Mr. Rivera to invite the Mayor and Council. The point person is Mauricio Lopez. (Cell - 316-3214) The official communication will go to Carla Lopez to provide the Committee with information.

The question was asked if the date for the special session has been set. We only know that it is in September.

Ms. Hemmer stated that Catholic Charities has fortunately found a trainee, Ms. Margaret Boyle, a native Santa Fean and she will be introduced later when she arrives at the meeting. She will be working a 40 hour week which is needed.

Ms. Hemmer said that Catholic Charities continues to do citizenship preparation classes for 50 and above for the Spanish speaking population and the sessions are held on Thursdays. The next class will begin on September 22<sup>nd</sup>.

**V. Community Comments**

None

**VI. Old Business**

**a. Update on drivers licenses for immigrants 10,000 letters/the compromise: Marcela Diaz**

Ms. Diaz stated that via a press release from the Governor's office it was announced that they would call 10,000 at random to verify their immigration

status. Letters were sent to unauthorized immigrants, legal immigrants that do not use their social security. They are being asked to call and make an appointment and travel to Albuquerque or Las Cruces and bring in their residency documents. If they don't comply within 30 days, their driver's licenses will be voided. There was a radio show with the Cabinet Secretary from TRD, MVD, Demecia Padilla where she explained this request. It makes it impossible for 10,000 people to apply.

Ms. Diaz stated the following: Practical Problems with the system:

- 1) People living below or in between Border Patrol checkpoints cannot get to ABQ, Las Cruces, or any other single location for re-verification. Although the administration is making vague promises of "accommodation," it is unclear how this will work or how much extra money it will cost the state.
- 2) Thousands of DL holders applied with identity documents under previous DL regulations and cannot obtain additional documents such as an ITIN, passport or Matricula Consular within the 30-day period.
- 3) ICE has the authority to be in public places. When the Governor is "rounding up" immigrants in one advertised place during advertised hours, many immigrant families will understandably refuse to show up for fear of deportation.
- 4) Many of these letters will not get to the DL holders because they've moved (change of address within the state is common in low income communities). In these cases, MVD will cancel licenses, and people won't even know it until they are stopped by a law enforcement officer and possibly arrested.
- 5) Even if DL's are cancelled, people have the right under the law to apply for a new license later on at their local MVD, making this whole expensive process rather pointless.

There is an inconvenience with this process; money is being used wastefully to do something that could have been done and worked with by the legislators to put a plan in to place.

When did the law go in to affect that they could get drivers licenses without social security cards? **2003**

SOMOS is interested in blocking the implementation. There is no proof that this is residency fraud. SOMOS has said that there is no such thing as an immigrant data base. The Secretary of State has said that immigrants are fraudulently voting with use of their drivers licenses.

It was stated that this is a sham of a program to move the Governor's political agenda forward, and they should not be using our tax money to do this.

SOMOS concentrates on telling the truth and hopes that the media will also tell the truth, they would like to see what more can be done outside of litigation.

The Chair asked, "What type of stand should the Immigration Committee take." Do we go to the City Council and ask for a resolution in support of the driver's license issue?

The comment was made that it is thought that this is an effort to repeal driver's licenses, it is going to unfairly burden our citizens in Santa Fe and it will result in the cancellation of driver's licenses for those who live in our city; what will happen when they are stopped, we burden our public safety officers in our city and create an unnecessary cost burden.

Ms. Diaz asked if the Immigration Committee could write a letter to the Governor stating that the city has taken a stand against taking driver's licenses away from Immigrants.

*Mr. Rivera moved to authorize the Chair to prepare a statement on behalf of the Santa Fe Immigration Committee to review the city history on the issue of driver's licenses and to denounce the impact and fear targeting the citizens in our city and the irresponsibility during hard economic times and inappropriate use of tax dollars and government employees for license renewal, second by Ms. Hemmer, motion carried by unanimous voice vote.*

Discussion:

Ms. Shinas made the comment that there is still a strong concern that our younger generation who may have just gotten their driver's licenses would be in fear. There is a fear factor and by singling out the immigrants, we are dividing families. We need to embrace our community.

**b. ICE presence in the Courts**

Nothing new to report.

**VII. New Business**

**1. Catholic Charities Presentation**

Ms. Hemmer introduced her guest speakers: Mr. Jim Vincent, Immigration Attorney, in Santa Fe since 2006 and his wife Patricia Vincent.

Mr. Vincent spoke about the consequences of domestic violence: This is one of the most dangerous calls that a police officer will go to. They generally take the attitude that someone is going to jail, normally it is the man, but it could be the woman who has beat up her partner. Mr. Vincent quoted the definition of domestic violence from the statute referencing Section 16 of Title 18. It is a very severe statute. Mr. Vincent provided sample case law on

different situations. Reference: Section 16 of Title 18 – mirrors the immigration statute. Undocumented aliens can sit in jail until their cases are heard and then they are placed in ICE hold, some are transported to El Paso before they can be heard by a judge and they cannot bond out. Being here without permission is a removable offense. If he is removed there is a 10 year bar and he cannot come back. The legal permanent resident does have some relief from removal. An Attorney can charge \$20,000-\$25,000 for defense. The judge can rule on character to remove him. It is a severe punitive law. Mr. Vincent said that Taos law enforcement officers are probably the agency that is not helpful; they will drive the victim to El Paso for deportation.

The Chair asked if women who report their husbands know that they are deporting their loved ones. Most of them do know. Mr. Vincent said that there are other agencies that are helpful in getting support to the women, one program is SOLACE.

Ms. Shinas said that sometimes women are relieved when their male partners are deported because they are afraid.

**Claudia Pineda, Esperanza and Gabriel DePablo**

There are times that there are threats to the victim before they get deported. They fear for both the family here locally as well as their families in Mexico when they get threatened.

Both work with the Offender and Survivor Programs at Esperanza. Esperanza works with the court ordered individuals. Mr. DePablo said that 30% of the families they work with can make a difference. It is important to say that the Offender Program actually works.

What is a typical offender like? It varies, the offender sees himself as the victim. Some are victims, i.e., victimized by the system, by their parents by everyone else but themselves. Esperanza is not an anger management agency; those needing treatment are in a different population. Mr. DePablo asked a question in one session, “who here has a friend?” No one raised their hand; their response was that friends would betray them.

Ms. Pineda talked about the characteristics of an offender. There are similarities and it is important to remember that there are different populations. A common characteristic is low self esteem and a lot of offenders have experienced turmoil, i.e., alcoholism, drug abuse, abuse as children. A lot of them are also charming and present themselves to the judge in a forgiving manner. On the outside they show what great attributes they have and when they are home they hurt their families. They feel that they are so great that they blame others. They are mostly jealous, possessive and cry victim. Offenders will feel disrespected and say that their feelings have been hurt.



Esperanza was formed to save women's lives. 35 years ago it was like an epidemic, it was the number one cause of death. We have progressed a little but not enough, the problem is very serious and we only deal with one small part of the problem.

What are victims like? Ms. Pineda said that there is not a common characteristic for a victim, it is like a sickness. It happens to all sorts of women, they are not all women with low self esteem. The cycle of violence there are generally speaking; one where there is the tension building stage and the victim feels like they are walking on egg shells they pick fights; the victim does everything to try to appease. After the abuse takes place, it is followed with the "I am sorry" stage; the abuser says it will never happen again, the flowers and everything nice. There is the honeymoon stage and then it starts again, the tension starts. You can only keep an abusive person calm for a while. **Honeymoon stage** is first stage, second stage is **tension** when reality sets in, [what can create tension, friends, jealousy, in laws, money, sex]. Who can deal with conflict with grace? It ends up in **explosion**. A lot of couples continuously live between the explosion and the honeymoon stage. Esperanza tries to teach them communication and living between the tension and explosion, sometimes the honeymoon stage is skipped all together.

There are some cultural factors; in some countries the man is the man and he has authority because of his gender and his size. In other countries you can drink and drive or drink in the street vs. living in the US. To say that it is cultural is a really loaded statement. If it gets back to the common misconception, Latin American cultures are more machismo, which is not true. Machismo is everywhere. It is important to understand that this is systemic in our culture and there are other issues. There are also females that are abusive in relationships.

The one thing to remember is that Domestic Violence is not the same across the board. Although Esperanza does not have the hard core violator, they do come across them. There are many educated individuals who manipulate themselves out of the system. Many can buy their way out of the system. Domestic violence is a big thing in the Western world. After the age of 18 a young person can choose, I will play out the way my family acted as an offender or they can say that they don't want to be the abuser and they could also be the victim.

Ms. Hemmer talked about some cases and life experiences when working with individuals who have been badly beaten. She also recommended that it is important to talk to the Mexican Consulate to seek support for safety of themselves and their family.

Ms. Pineda brought back to the table the statement that she wanted to trust and believe that our system would do whatever had to be done to protect anyone not just the immigrant. To date she has heard that the question is still being asked about immigration status.

Ms. Diaz said that it is our job on this committee to help those individuals. How can we get that information from Esperanza, or how can Esperanza be a part of this process so we can know when this is happening. We do not have anyone from a Domestic Violence agency on this committee. This is about victims being asked about their immigration status by the police. Ms. Diaz asked if we could ever facilitate a meeting between Esperanza and the City Police. The Immigration Committee could do some training and they could help to reduce this.

Ms. Pineda said that training would be helpful. Ms. Pineda did an outreach to Carol Horwitz and asked if she did training and she said no. Ms. Diaz said that at SOMOS they file complaints. Mr. DePablo said it would be good to have representation from this committee at a staff meeting. Mr. DePablo did not feel like everyone was educated on this policy. The Chair said that she would like to have Captain Wheeler attend a meeting. Ms. Pineda said that the most important part of their process is confidentiality. It is extremely important to assure that there is a confidential stand.

Ms. Diaz is an outside agency that files complaints when needed.

Mr. Acosta said that there is an ethical responsibility to report an injustice.

Ms. Pineda welcomed the committee to come to a staff meeting. The Chair and the committee would like to assist and help and said she would like names of those police officers in order to make a report.

Ms. Diaz said that we also work with the City Police on maintaining confidentiality; we need better communication with Esperanza. This committee is here to monitor the resolution and policies.

The Chair asked for a date and time of the next staff meeting. The staff meeting is every Thursday at 11:00 am and a representative from the Immigration Committee could attend.

Ms. Hemmer provided the phone number: 505-247-0442 in ABQ for Melissa Brewer who will work with women to get a U visa. The person needs to prove abuse and have the required documentation. It is required to show pictures and police case numbers to show that they have reported it to the authorities. They can also provide support letters from any witnesses to the offense. An abuser can be undocumented, they do not have to be a resident.

**VIII. Communications from Staff**

Margaret Boyle was presented to the committee and welcomed in her new position with Catholic Charities.

**IX. Communications from Committee**

**Erwin Rivera will host the next meeting of the Immigration Committee at the Santa Fe Community College on September 6, 2011.**

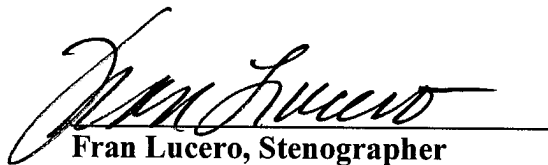
**X. Adjourn**

*Ms. Shinas moved to adjourn at 8:15 pm, second by Ms. Hemmer, motion carried by unanimous voice vote.*

**Signature:**

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**Maria Cristina Lopez, Chair**



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**Fran Lucero, Stenographer**