



Agenda

DATE 8/2/12 TIME 8:22 a

PREPARED BY Carla Lopez

APPROVED BY [Signature]

Immigration Committee
August 7, 2012 – 4:00 p.m.
City Councilors' Conference Room
City Hall, 1st Floor
200 Lincoln Avenue

- I. Roll Call
- II. Approval of Agenda
- III. Approval of Minutes
 - a. July 3, 2012
- IV. Announcements
- V. Community Comments
- VI. Old Business
 - a. Committee member appointment
 - b. Recommendation for next chair of Immigration Committee
 - c. Education of young people on immigration issues / Youth Advisory
- VII. New Business
 - a. State Police representative
 - b. Probation and Parole Policies and Procedures re immigrants
 - c. Caravan for Peace
 - d. Report to City Council
- VIII. Communications from Staff
- IX. Communications from Committee
- X. Adjourn

Persons with disabilities in need of accommodations, contact the City Clerk's office at (505) 955-6520, five (5) working days prior to meeting date.

**INDEX SUMMARY OF MINUTES
IMMIGRATION COMMITTEE
August 7, 2012**

INDEX	ACTION TAKEN	PAGE(S)
Cover Page		1
Call to Order	Call to Order by Chair, Maria Cristina Lopez at 4:00 pm in the City Councilor's Conference Rm.	2
Roll Call	A quorum was declared. 2 excused absences.	2
Review and Approval of Agenda	Rev. Topple moved to approve the agenda as presented, second by Ms. Diaz, motion carried by unanimous voice vote.	2
Approval of Minutes	Rev Topple moved to approve the minutes of July 3, 2012 as presented, second by Ms. Diaz, motion carried by unanimous voice vote.	2-
Announcements	<i>Informational</i>	3
Community Comments Note that presentation was in Spanish, stenographer has translated to English for the minutes.	<i>Informational</i>	4-7
Old Business a. <u>Committee Member Appointment</u> b. <u>Recommendation for next Chair of Immigration Committee</u> c. <u>Education of young people on immigration issues</u>	<i>Rev. Topple moved to recommend Alejandra Seluja to the Mayor as the Chair of the Immigration Committee, second by Ms. Hemmer, motion carried by unanimous voice vote.</i>	7-9

**INDEX SUMMARY OF MINUTES
IMMIGRATION COMMITTEE
August 7, 2012**

<p>New Business</p> <p>a. <u>State Police Representative</u></p> <p>b. <u>Probation and Parole Policies and Procedures re: Immigrants</u></p> <p>c. <u>Caravan for Peace (Exhibit A)</u></p> <p>d. <u>Report to City Council</u></p>	<p><i>Informational</i></p> <p><i>Ms. Diaz moved to request that the Mayor do a proclamation ((Ms. Diaz and Ms. Guerrero will write) supporting the Caravan for Peace or at the very least defying violence on our border issues on Monday, August 20, 2012 at 11:00 am, second by Rev. Topple, motion carried by unanimous voice vote.</i></p>	<p>9-10</p>
<p>Communications from Staff</p>	<p><i>None</i></p>	<p>10</p>
<p>Communications from Committee Welcoming America – National Welcoming Week (Exhibit B)</p>	<p><i>Informational</i></p>	<p>10-11</p>
<p>Adjournment</p>	<p>Meeting was adjourned at 6:00 pm</p>	<p>11</p>
<p>Signature Page</p>		<p>11</p>

Immigration Committee

Meeting Minutes

August 7, 2012

I. Call to order

Maria Cristina Lopez, Chair called to order the regular meeting of the Immigration Committee at **4:00 pm** on August 7, 2012 at the City Councilors' Conference Room, Santa Fe, New Mexico.

II. Roll call

Present:

Maria Cristina Lopez, Chair
Amparo Guerrero
Elizabeth Hemmer
Jewel Cabeza de Vaca
Marcela Diaz
Rev Chester Topple

Absent:

Betty Shinas, Excused
Cara Esquibel, Excused
Alejandra Seluja

Others Present:

Anna Serrano for Fran Lucero, Stenographer
Carla Lopez, Staff Liaison
Chief Ray Rael, City of Santa Fe, Police Department
Laura V. Barnhart, Audience
Alberto Vallin, Audience
Adrian Salazar, Mayor's Youth Advisory Board, Chair
Julia Valdez, Santa Fe County, Constituent Services Liaison
Victor Vigil, Youth Advisory Council

III. Approval of Agenda

Rev. Topple moved to approve the agenda as presented, second by Ms. Guerrero, motion carried by unanimous voice vote.

IV. Approval of Minutes

Rev. Topple moved to approve the minutes of July 3, 2012, second by Ms. Diaz, motion carried by unanimous voice vote.

V. Announcements

Ms. Diaz: Squeaky Clean Car Wash worker's had their administrative hearing and the new SOMOS attorney represented them and they settled. Due to confidentiality, no further detailed information was provided.

Ms. Hemmer stated that Catholic Charities will no long have Citizenship classes in Spanish. Also, the Cathedral's Peace & Justice Committee and the Inter-Faith Council on September 20th are planning to have a city-wide wage theft panel. Marcela Diaz will serve on that panel. It will take place at 7:00 pm in the Cathedral Parish Hall. As more details are firmed up, Ms. Hemmer will provide invitations and flyers. Ms. Hemmer in answer to a question from Ms. Guerrero responded that she is no longer working with Catholic Charities. Catholic Charities is opened Monday, Wednesday and Friday from 8 am to 5 pm. It is always good to call and confirm they are open.

Maria Cristina: Talked about the report card that was coming out and discussed at the last meeting. It came out officially on the 19th and Ms. Diaz was asked to report.

Ms. Diaz: The Bias Based Policing Report came out and is very dismal, it shows that only 33% of the agencies throughout the state had compliance policies and were fully compliant in 2009 with the prohibition of profiling practices act. As a result of those dismal results a case study pulling 30 randomly selected agencies, 20 in a school ten county; the researcher from Berkley Law School for Human Rights tried to look at all the places and points where agencies were not compliant and they gave them a grade. Out of the 30 agencies only 2 agencies got A's and were fully compliant and those were Socorro County Sheriff's Department and the City of Santa Fe. We got a lot of good media attention and as a matter fact, the Chief and I and the Bernalillo County PIO were on the radio show recently to talk about it. That agency got a B. The B agencies are really anxious to be A agencies. Bernalillo County and two other agencies almost immediately was they posted their bias based policing complaint forms and their bias based policing policies on to their website to be readily available to the public. In the case of Bernalillo, they said they were going to translate, like Santa Fe had, their complaint forms in to Spanish. Yesterday a long meeting was held with the San Juan County Sheriff's department and they agreed to change their training protocols. Basically they just invited ICE into their community and so they didn't have a lot of racial profiling, according to them and they said they didn't have a lot of complaints about racial profiling before they invited ICE to collaborate with them on crime issues. We met with their Internal Affairs people and they called after the meeting and asked us to meet with their Sheriff. Ms. Diaz will suggest that a collaborative meeting be held with the Sheriff and Chief Rael from Santa Fe. They really don't know how to deal with it and they are sincere in their efforts. Chief Rael confirmed that he is open to participating in this meeting when scheduled.

VI. Community Comments

The Chair informed the committee and audience that they would allow a presentation from: Laura V. Barnhart and Mr. Alberto Vallin

Laura V. Barnhart – I am here tonight to accompany my father. I am accompanying him since he got his first ticket on April 21, 2012. I will speak on my father's behalf and explain what took place from the time I arrived which was approximately 3:30 pm when I received a call from my father. He was very sad and afraid and very nervous. He told me by phone that a police official from the City of Santa Fe had stopped him because they say that he passed over a double line which he accepts as his responsibility that he did. When I arrived, he told me over the phone that the officer had taken away his keys; he took away his license because he could not speak English. I will now ask my dad to speak to you.

Alberto Vallin: I have lived here in Santa Fe for 13 years. On the street that the officer stopped me on; I travel that road a lot, day and night as I worked nights and never have I had any problems. On this date I was going a little hurried as I was taking hot food with me and a car was going slower in front of me; I was going about 10 miles an hour and I didn't see that the officer was behind me and immediately he put the lights and siren on and I pulled over to the side. He didn't ask me for my documents he just began to badger me. He took about 5 to 6 minutes telling me things that I didn't understand, I told him in my broken English; "I am sorry, muy poquito Ingles", and I didn't understand what he was saying and the officer got very mad. He then told me to give him the keys, he said he was going to take away my car, give me your papers, and I was going to get down from the car, and he told me not to get down. At that time he told me I should go to Mexico because I didn't know how to speak English. He said that here in New Mexico you cannot drive if you can't speak English. I told him that I had my driver's license that I had gotten in Español, California and here in New Mexico. My citizenship is _____; I don't know why I can't drive. I gave him all my keys; from my house, the mailbox, everything he took from me. I still waited for the ticket and I then called my daughter, I asked her to please come for me and help me as they took away my car for what I have explained. She arrived and the officer was doing the ticket. He didn't give me just one ticket and he gave me two and he made me sign the two tickets. At that time I told my daughter we would go to court, and the officer said, "good let's go to court we like to go to court." I understood, I can understand some English, not all of it. I have many years here and I have a large family and I didn't pursue my education. I worked with people who spoke Spanish it wasn't a need to speak English. We recently went to court and the Judge acted in my favor. He told me that I was innocent because the officer was not acting judicially correct. He was out of his jurisdiction. The Chair asked for clarification if the city police officer had stopped him on a county road.

This is why the Judge acted on my behalf if I understood him correctly. The officer wanted to bring back the case and the Judge told him the case was closed because you were acting incorrectly. I asked the question and wanted to know why the officer had yelled at me and acted in the way he did. I have been here so many years that I never

have been so offended so badly. I am here tonight to let you know that I have never been treated so badly. I have had officers stop me in the past, I show them my documents, if I get a ticket, and I sign and pay. What upset me is he gave me two citations only because I didn't speak English.

Ms. Barnhart: Now that my father has spoken I can tell you what I lived through with this officer. I arrived to rescue my father, I was going to take him to my home, and I didn't know why he had received tickets or why they had taken his car away. I waited for the officer to get there, he told my dad, "sign and pay the tickets." I speak English and I then asked the officer if my father had a right to go to court. The officer said yes but that he would be present. We also were going to attend. That is when the officer told us, that the Mexicans do not have the right to operate a vehicle in the New Mexico because we don't speak English. I told him, the little that I know, that the Hispanics are given drivers licenses in their language. The Officer told me that this was about to change. I immediately told the officer, "Officer, during the time that it does not change, we have the right to operate a vehicle. That is when he said he would send me back to my country. I am an American Citizen by choice, I chose to be a citizen; no one forced me. This was the first accident I reported to SOMOS un Pueblo Unido that happened on April 21, 2012. We went to the court on July 23, 2012. We arrived and we encountered a lady named Delia, she came to us and said that she would be the interpreter and if we would please go to this small office to talk to the official. She presented herself to the officer and told him that she would be the Interpreter and we left the room. Ms. Delia read the rules and said that we had to look eye to eye to the officer. She told my father that he had to speak very direct, she would translate. My father said he accepted the first citation, I did cross the double line but I don't agree to the second ticket where you say that I went past the 4-way stop and that is where the officer became very aggravated and mad. He was red, red. In the discussion it came out again that he had given the ticket because he knew my father did not speak English. My father said, if you can call another officer that I can communicate with, don't you think it would not have reached this level. He said no, and again on July 23rd in the Magistrate Court he said that in the United States we had to speak the official language which is English. Ms. Barnhart told him, I study and I know that my primary language is not English but in most cases, state and federal we can get documents in Spanish. The officer said, go back to your country. I told him, Sir, this is my country (pais). This was all said in front of Delia and in front of my father. This officer was so mad that you could see the anger in his face until we walked in to the court. The officer only explained the infractions of the ticket and I asked for permission to speak in front of the court as what had taken place was not right. I had some cases related to this case, for example, Chief, what do you do when the Officers only speak English, do you have any training for them to speak Spanish or call another officer.

Chief Rael said that firstly, the officer is not to tell them anything regarding the language that is spoken. The Chief asked for the name of the officer and for Ms. Barnhart's phone number and he would investigate and get back to them.

Ms. Barnhart confirmed that she did put in a formal complaint with the City Police. She clarified that the complaint was formally done at SOMOS un Pueblo Unido. Ms. Diaz said that the forms are completed at SOMOS and Fax'd to the City Police Department.

Mr. Vallin asked; is this officer going to go back to the court and look for me. I live on Camino Consuelo in Senior housing and I don't want to live in fear that this officer is going to be looking for me.

Chief Rael asked for the time to do this investigation. As Chief he will deal with the officer in any matter of safety. If the officer was to at any time bring fear to Mr. Vallin he wants it reported immediately. Mr. Vallin said that this was comforting, thank you.

(Copies of the complaint were provided to the Chief). My father has 74 years old in age and to take his car away and to intimidate him and take his keys away made him very afraid. The Chief said that the officer should not have taken his car or keys away. Judge Anaya Jr., took away all the charges. Mr. Vallin made an effort to talk to the officer and he said no, he wanted to continue to court. The Chief asked where he was stopped. He was stopped on lower Agua Fria. The Judge asked the officer what he was doing in that area. The officer did not respond, he was very mad. He was at the court in his police uniform.

The Chair expressed her thank you for them coming forward and thank you to Chief Rael for being present and listening to this concern.

The Chair asked for clarity as to what should be done when the person who has been stopped asks for someone who speaks their language. The Chief said that the officer is to call dispatch and ask for an officer who speaks, say in this case, Spanish to assist. If one is not available, there is a posted list of translators in dispatch.

Ms. Diaz asked if the officer called to ask for someone who spoke Spanish. Mr. Vallin said that he did not call anyone. The Chief said the individual who is being held can always ask for a supervisor. He/She can call for a Lt. or Sgt. and if they don't get a response, they can call the Chief the next morning.

The Chair asked if there were any questions, as there were none, the Chief confirmed that he would assure the report was filed and he would follow up. Thank you.

Second Case: Robert who had spoken with Ms. Diaz was to come before the committee tonight and he called minutes before the meeting to let her know he could not attend tonight. Ms. Diaz explained the concerns that Robert had with a discussion held with three officers. Robert asked them for guidance as he wanted to hire day labors and the officers told him that he could not do that because these individuals were not licensed and if he did this he would be breaking federal law. Robert was afraid that he was going to be arrested so he called Ms. Diaz to ask if this was true. Question: Who are these three police officers standing in front of the park? Why are they giving this bad information. Chief Rael said he wasn't aware of this and asked for approximate time this occurred. Ms. Diaz said yes, Robert called her at: 11:30 am and

it was probably 11 or 11:15 am on August 6th at the Department of Labor Building. Ms. Diaz will follow up and provide the Chief with the details.

VII. Old Business

a. Committee member appointment

Cara Esquibel has been present at the last 2-3 meetings and the Mayor has confirmed her appointment to the Immigration Committee, welcome. Her appointment was official on July 11, 2012. She will be representing young education, she is a Teacher.

b. Recommendation for next Chair of the Immigration Committee

The Chair stated that discussion started at the last meeting. The Chair sent an e-mail to all members to inform them that Alejandra Seluja would be the next Chair, Maria Cristina will step down and remain on the committee. Every attempt was made to speak to the committee members by phone and shared the duties of the Chair. This is only the second time that the Chair has been changed and she asked the committee if they were all in agreement.

Rev. Topple moved to recommend Alejandra Seluja to the Mayor as the Chair of the Immigration Committee, second by Ms. Hemmer, motion carried by unanimous voice vote.

The new Chair would begin her term in September or October.

Ms. Diaz asked if it is normal to appoint a Chair, does it normally rotate. Is there a term that the Chair would serve? Ms. Diaz asked Carla Lopez to research what happens in other committees. It was asked if a Vice Chair is needed and the answer is yes. Betty Jean as the Vice Chair has been a very positive and consistent leader when sitting in for the Chair. Betty Jean had recommended that Maria Cristina take the Vice Chair position under the new Chair. This is a good opportunity to reorganize and discuss when all members are present.

The term is determined in the resolution. Ms. Hemmer said she would like to discuss what should be included in amending the present resolution.

c. Education of young people on immigration issues / Youth Advisory

Mr. Adrian Salazar and Victor Vigil were invited to the meeting as the Immigration Committee would like to share what is happening in other parts of the community and to hear from the youth representatives.

Rev. Topple talked about his pilgrimage trip to Arizona with youth and they were exposed to a lot of the immigration concerns. They were very

concerned and understood more of what is happening in our country and demonstrated true compassion. In coming back to Santa Fe, the Rev. proposed to the Immigration Committee that we should involve our youth to provide them with information and exposure to what our youth are going through.

The Chair said it would be nice to have kids in the different parts of our city do a project together. A pilgrimage might be difficult to orchestrate.

Rev. Topple said that right now the Inter Faith Alliance is discussing how to address the needs of our youth in the city.

Ms. Hemmer said that it is important for our youth to know some of the social justice issues.

Adrian Salazar: We are a group of teenagers from different high schools around the city. We meet once a month every month and we discuss issues that affect all youth in the city whether it is things about teen centers, gang violence, food drives, and different things and we go off to improve the problem. We have done the police officer lunch program – they go to the campus and sit with the youth to get to know the officers on a one on one basis. We want youth to come to us so we can help address issues. We do have a police officer that comes to our committee meetings.

Victor Vigil: We try to get participation from all high schools. We can't get anyone interested from Capital HS and we are going to talk to the Principal to get some recommendations.

The Chair asked if the Youth Committee would be interested in doing a project with the Immigration Committee and the Inter Faith Alliance.

There was a positive interest to participate together and to attract people on the Southside.

Rev. Topple asked how aware the youth are in the city about the work of the Youth Committee. Adrian said he gets the word out through the schools.

The Chair suggested forming a committee to discuss this. Cara Esquibel is very interested in participating in this endeavor. Mr. Vigil would also like to participate as a teacher and a community leader.

Ms. Cabeza de Vaca asked; "what are some of the priorities you see in the youth community that you are either working on or trying to build some awareness." What are some of the key issues kids are exposed to in this community?

Recently what we have been looking at; there is a lot about hunger so one of the board members put together a food drive that is held at the high school

in the fall and the food is donated to the food depot here in Santa Fe. Gang violence is another one I saw when I was back in middle school, so myself, the Chair and the Board decided what to do with it after we held a public meeting to get input from the public in general. We decided to set up this program where the officer goes in to the schools and they socialize, make contact with the students to show that they are also people and that they are not just there to arrest you or to enforce the law. Those are a few of our top issues. The member that put together the food drive is working to put together an arts festival to help youth display their talents; whether it is in painting, whether it is performing arts; that is currently being worked on with the board.

Ms. Guerrero said she would also like to talk about how to prevent violence in the home. There are many problems with youth in the community who aren't from the same ethnic background. They have problems with revenge and Ms. Guerrero is willing to help in the schools.

Adrian said that he would welcome the Immigration Committee members to come to the Mayor's Youth Advisory Council meeting and the topics could be identified. It is a big problem and it needs to be addressed and starting with the youth is the best place to start. Next meeting is August 23, 2012 at 4:45 pm – Carlos Ortega Teen Center.

It was asked if there are any immigrants on the youth committee. No, we don't.

VIII. New Business

a. State Police Representative

We do not have representation tonight. Ms. Hemmer asked for clarification. Captain Wheeler was going to invite the PIO from the State Police. More information to follow.

b. Probation and Parole Policies and Procedures re: Immigrants

Carla has called the CYFD to get information. The call will need to be made to the Child Protective Services. Ms. Lopez called Tommy Rodriguez and he referred Carla to someone else. More information to follow.

c. Caravan for Peace

This is a caravan that is coming through from San Diego to Washington. Ms. Guerrero said that this would be good for the Immigration Committee to get involved in. This caravan is led by this Poet from Mexico who lost his son through drug violence. He has started a movement in Mexico and held a caravan there and now he is going to have one here in the United States to share how the connection with drugs and violence affect all. They

are coming through August 19-20, 2012 and they are asking for help. The Chair asked if the question should be asked to the Mayor to read a proclamation. The Mayor is scheduled to attend but we do not have a confirmation that a Proclamation will be done. One of the events will take place on August 19th at 10:00 am at Rev. Topple's church and at 5:30 pm at the Guadalupe Church.

Ms. Diaz said she would like to have the Mayor read the proclamation on the 20th, they will gather in the plaza between 11am -2 pm. Ms. Diaz said that because this is a border issue, tying it back to New Mexico's proud stance to support immigrants regardless of the reasons why they choose to make New Mexico their home. The Chair asked Ms. Diaz if she would draft the proclamation.

Ms. Diaz moved to request that the Mayor do a proclamation ((Ms. Diaz and Ms. Guerrero will write) supporting the Caravan for Peace or at the very least defying violence on our border issues on Monday, August 20, 2012 at 11:00 am, second by Rev. Topple, motion carried by unanimous voice vote.

d. Report to City Council

The Chair put together a report to city council. Possibly the day they name the new Chair, Maria Cristina could give her report and say good-bye.

IX. Communications from Staff

None

X. Communications from Committee and Adjournment

Alejandra's absence due to an illness in her family as well as Cara.

Welcome to Julia Valdez from Santa Fe County. Ms. Valdez' attendance is to report back to the Santa Fe County Commission. Hopefully this will be an opportunity to exchange information from the county to the committee. Thank you. Ms. Diaz said that another compliance agency was Santa Fe County Sheriff Department. Ms. Valdez said she is pleased to attend and to take information back to the County Commissioners. Julia asked what is the report card; what can the county do to be a stellar agency? The County is very committed to being transparent. Ms. Diaz will contact Ms. Valdez with additional information.

The Chair said that at the last meeting it was discussed inviting the Jail Administrator. Ms. Valdez said it would be best to extend that invitation through Mr. Pablo Sedillo.

Reminder to invite the School Superintendent. A welcome card will be sent to the new Superintend. Staff to follow up on the invite.

An official meeting was held to discuss the -- Welcoming America – National Welcoming Week – September 15-21st. This Welcoming America are the same people from the video who have 20 cities involved in how to Welcome Immigrants in to your community. They do all types of things to break down barriers. The representative was here and the Chair met with her and shared what the Immigration Committee does. She conveyed that September 15th is a difficult time for the city. No commitments were made, a format of a resolution has been sent for consideration. (Exhibit B)

The Chair called for adjournment at 6:00 pm.

Signature Page:

Minutes approved by: Maria Cristina Lopez, Chair


Minutes submitted by:  Fran Lucero, Stenographer

Exhibit A.



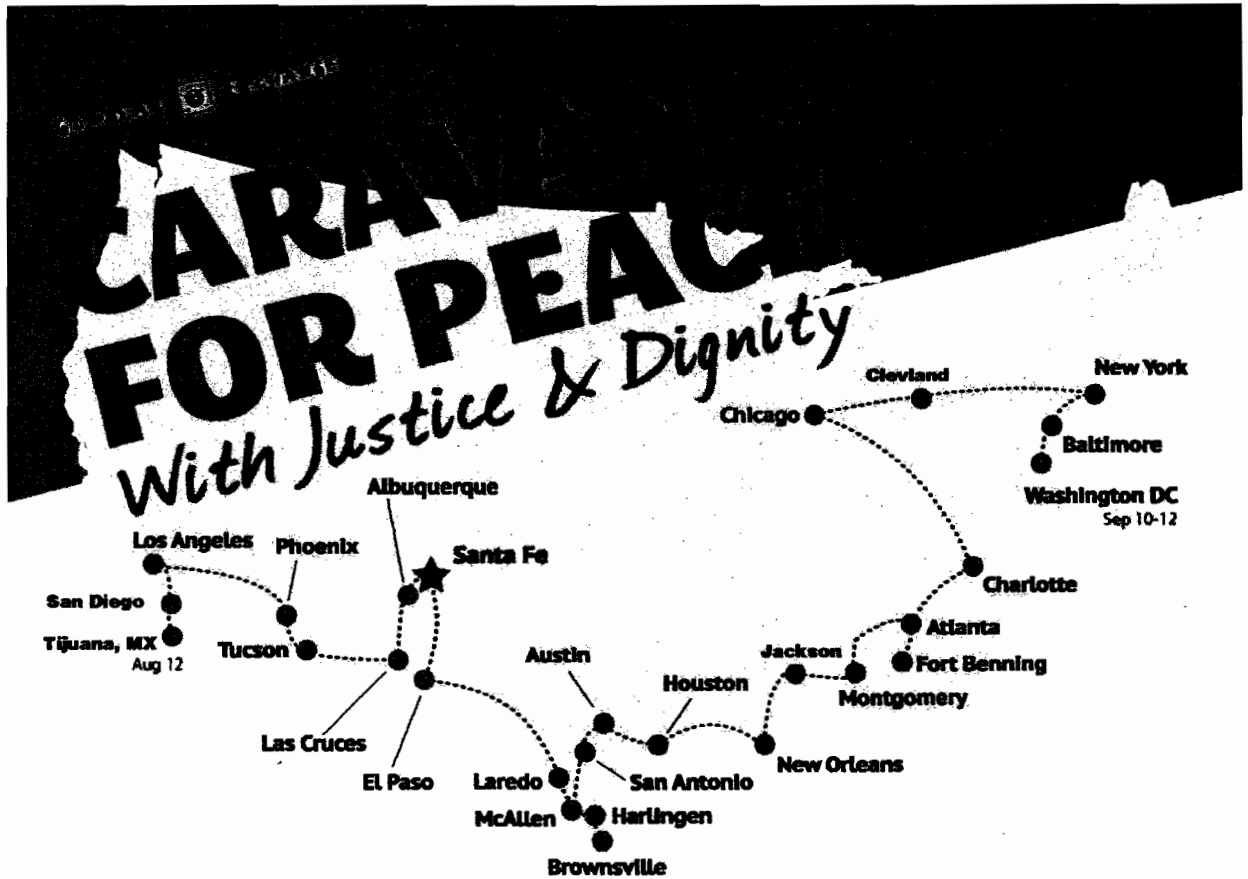
Maria Cristina Lopez <mclv2@a@gmail.com>

Support the Caravan for Peace on the Plaza at 11 am, August 20th!

Message

Northern New Mexico Central Labor Council <simon@santafe-newmexico.com> Mon, Aug 6, 2012 at 4:20 PM
Reply-To: simon@santafe-newmexico.com
To: mclv2@q.com

AFL-CIO **NORTHERN NEW MEXICO**
Central Labor Council



60,000 deaths. 10,000 disappearances. 160,000 internally displaced people.

Hear first-hand testimonies of the human toll of current drug and arms policies from victims and family members of victims of the drug wars.

Peace and Poetry on the Plaza

A rally to end the violence in Mexico and promote justice and dignity on both sides of our shared border

Welcoming Resolution

Resolution affirming the City of _____ as a welcoming city that respects the innate dignity of all people.

WHEREAS, the City of _____ is proud to partner with the the Welcoming _____ initiative; and,

WHEREAS, the Welcoming _____ initiative aims to build cooperation, respect, and compassion among all in our community, immigrants and non-immigrants alike; and,

WHEREAS, the City of _____ has long been recognized as a hospitable and welcoming place, where people, families, and institutions thrive and the contributions of all are celebrated and valued. Residents of the City of _____ live up our highest American values of acceptance and equality, and treat newcomers with decency and respect, creating a vibrant community for all to live in; and,

WHEREAS, the City of _____ is committed to continue building a neighborly and welcoming atmosphere in our community, where all are welcome, accepted and appreciated.

NOW, THEREFORE, I, _____, Mayor of the City of _____ and on behalf of the City of _____

Do hereby recognize on this _____ day of _____ two thousand and eleven, the Welcoming _____ initiative as helping to unite our community and ensure that all are welcome here. I urge residents of the City of _____ to do their part and join with the Welcoming _____ initiative.