

**SANTA CRUZ COUNTY
BOARD OF SUPERVISORS INDEX SHEET**

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Continue Date(s):

Index: --Letter of the Sheriff-Coroner, dated March 16, 2012

Item: 51. CONSIDERED report on Secure Communities;
accepted and filed report on Secure Communities

COUNTY OF SANTA CRUZ
STATE OF CALIFORNIA



AT THE BOARD OF SUPERVISORS MEETING

On the Date of April 10, 2012

REGULAR AGENDA Item No. 51

Upon the motion of Supervisor Pirie, duly seconded by Supervisor Caput, the Board, by unanimous vote, accepted and filed report on Secure Communities; directed County Counsel to return in 30 days with an analysis of what the Sheriff's options and the Board's options are regarding Secure Communities and what other communities have done; with the additional direction that staff provide data on what percentage of people who are detained through this program are not criminals and compare it to surrounding counties, the State, and the country

cc:

CAO

County Counsel

Sheriff-Coroner

State of California, County of Santa Cruz-ss.

I, Susan A. Mauriello, Ex-officio Clerk of the Board of Supervisors of the County of Santa Cruz, State of California, do hereby certify that the foregoing is a true and correct copy of the order made and entered in the Minutes of said Board of Supervisors. In witness thereof I have hereunto set my hand and affixed the seal of said Board of Supervisors.

by _____, Deputy Clerk ON April 11, 2012



County of Santa Cruz

Sheriff-Coroner

701 Ocean Street, Suite 340, Santa Cruz, CA 95060
(831) 454-2440 FAX: (831) 454-2353

Phil Wowak
Sheriff-Coroner

March 16, 2012

Agenda: April 10, 2012

Board of Supervisors
County of Santa Cruz
701 Ocean Street, Room 500
Santa Cruz, California 95060

RE: Secure Communities Report Back

Dear Members of the Board:

On December 13, 2011, your Board requested the Sheriff to meet with members of the Latino Affairs Commission and others on the topic of Secure Communities and return with a report and recommendations. This letter provides background information and requests that your Board accept and file this report.

In 2010, Immigration and Customs Enforcement (ICE) implemented its Secure Communities program. Under the program, fingerprints of persons booked into County jails, which are forwarded to the California Department of Justice and to the FBI for criminal screening purposes, are now also shared with ICE, which uses the fingerprint data to identify persons held in local jails who may have outstanding immigration violations. This program has proven to be controversial with many local communities, which are concerned with the adverse impact that this program will have on the efforts of local governments to develop and strengthen relationships with growing immigrant communities. Of particular concern in our community is the fact that there is no method by which local government can opt out of the Secure Communities program, and it further impacts overcrowding in the jail.

At your Board's request, the Sheriff's Office arranged to meet with an advisory group consisting of members of the Latino Affairs Commission and others to discuss secure communities. The Sheriff's Office has held three productive meetings about this program with the advisory group. In those meetings we shared information related to our database and the jail booking process, received information on community concerns, and developed a response we will adopt locally.

In an earlier report to your Board, the Sheriff's Office, pending an evaluation from County Counsel, agreed to look into every arrestee's criminal status related to an ICE hold and potentially releasing them if they pose no threat to the community and have no criminal charges or criminal history.

The Sheriff's Office, with the assistance of the Probation Pre-Trial Release Program and incorporating concerns of the advisory group, is proposing to utilize a risk assessment instrument proven by Probation's Pre-Trial model in evaluating the need to hold inmates after arrest. The risk assessment tool is designed to evaluate various elements such as the arrestee's status at the time of arrest as it relates to current charges, criminal history, residence, employment, and dependents in the home/primary caregiver to consider potential release of those who incur an ICE detainer. This assessment instrument will be given by the Pre-trial Release Program when an inmate is in custody and subject to a detainer as a result of a local arrest. Inmates, who pose no threat to the community, have limited or no criminal history and who have no pending criminal charges will be released from custody in accordance with the original intent of Secure Communities. The Pre-trial staff and the Sheriff's Office are committed to providing a balanced method of lawful release for all inmates with community safety as their primary focus.

On March 14, 2012, the Sheriff presented this information at a meeting of the Latino Affairs Commission. Due to the significant community and commission concerns raised during their meeting, the Latino Affairs Commission voted not to support the assessment instrument at this time. It is still our intention to move forward with this proven Probation Pre-Trial model of evaluation.

It is therefore RECOMMENDED that your Board accept and file this report.

Very truly yours,



Phil Wowak
Sheriff-Coroner

RECOMMENDED:



Susan A. Mauriello
County Administrative Officer

cc:

Sheriff-Coroner
CAO
Probation
Latino Affairs Commission



COUNTY OF SANTA CRUZ

LATINO AFFAIRS COMMISSION

PERSONNEL DEPARTMENT

701 OCEAN STREET, SUITE 310, SANTA CRUZ, CA 95060-4073
(831) 454-2600 FAX: (831) 454-2411 TDD: (831) 454-2123
MICHAEL J. MCDUGALL, PERSONNEL DIRECTOR
AJITA PATEL, DEPUTY DIRECTOR

April 5, 2012

Chair John Leopold and members of the Santa Cruz County Board of Supervisors
701 Ocean St. Suite 500
Santa Cruz, CA 95060

RE: Secure Communities Program / Assembly Bill 1081- TRUST Act

Dear Members of the Board:

As you know, on April 5, 2011, your Board passed a resolution to support Assembly Bill 1081 (known as "the TRUST Act"), which would have allowed for local jurisdictions to "opt in" to the Federal Secure Communities Program while still ensuring that victims of crime are protected, prevent racial profiling and prioritize public safety. The Secure Communities program was intended to deport those non-citizens charged with dangerous crimes; however statistics show that the program is casting too wide a net and resulting in the deportation of people not in that category. For the entire year 2011 to the present, the Latino Affairs Commission has heard from many community members, groups, and immigration attorneys about how mothers, fathers, and other family members are being deported without notice, causing devastating impacts on the families in our community. In addition, as we informed the Board last year in our letter in May 2011, the Secure Communities Program is jeopardizing the trust we need immigrant communities to have with our law enforcement and government as a whole.

In December 2011, your Board requested the Sheriff to convene a task force and return with a report related to the Secure Communities Program. You asked that a few Latino Affairs Commissioners and others be included in that review process. In accordance with your request, the Sheriff formed a task force and three members of the Latino Affairs Commission attended several task force meetings, along with Doug Keegan, Executive Director of the Santa Cruz County Immigration Project. On March 14th, the Latino Affairs Commission met to review the Sheriff's proposed assessment tool for determining which persons the Sheriff's Office should release following arrest, and which should be kept in custody pending arraignment. Along with the Sheriff's

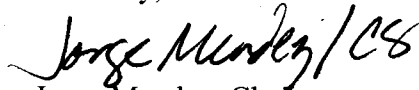
51

presentation, we also heard from many local immigration attorneys and immigrant family advocates regarding the devastating impacts of the Secure Communities Program on our local community. At this meeting, our Commission thanked the Sheriff for listening and taking into consideration our thoughts and concerns about the assessment tool, but voted not to support the assessment tool as presented because it did not do enough to minimize the many negative aspects of this program.

Assembly Bill 1081, known as the TRUST Act, seeks to reform California's participation in the Federal Secure Communities Program and provide essential safeguards to address serious concerns raised over the program's detrimental effects on public safety, community policing and civil liberties. AB 1081 has been amended several times since your Board voted to endorse it last year and on September 9, 2011, was ordered to the inactive file. However, it is our understanding that further amended language has now been proposed for the bill but that the language is not yet in print. The Commission anticipates seeking a renewed statement of support for AB 1081's reform efforts if the amended bill is in keeping with the earlier versions.

We thank you for taking this issue seriously and for involving the Latino Affairs Commissioners in this important discussion regarding the immigrant families in our county.

Sincerely,

A handwritten signature in black ink that reads "Jorge Mendez / CS". The signature is written in a cursive, flowing style.

Jorge Mendez, Chair
Latino Affairs Commission

cc: Clerk of the Board
Personnel Director
Sheriff
Santa Cruz County Immigration Project

Alicia Murillo

From: cbdbosmail@co.santa-cruz.ca.us
Sent: Friday, April 06, 2012 9:27 AM
To: CBD BOSMAIL
Subject: Agenda Comments

Meeting Date : 4/10/2012

Item Number : 51

Name : Paul Johnnston

Email : paultijo@gmail.com

Address : 416 Clinton St

Phone : 831 239-2068

Comments :

I learned this morning that your Latino Affairs Commission has revised and resubmitted its letter advising you of its findings with respect to our County's deportation detention program.

My submission to you yesterday noted that this communication had been "pulled" based on objections from County staff.

I am writing this follow-up note to affirm my appreciation for your Commission's commitment to ensure that their voices are heard on this important issue.

Alicia Murillo

From: cbdbosmail@co.santa-cruz.ca.us
Sent: Thursday, April 05, 2012 9:41 PM
To: CBD BOSMAIL
Subject: Agenda Comments

Meeting Date : 4/10/2012

Item Number : 51

Name : Jovita Molina

Email : jovimolina@hotmail.com

Address : 42 Eucalyptus Dr

Phone : 831-840-5133

Comments :

Dear members of the Board,

As a resident of Santa Cruz County, I am greatly sadden by the fact that you have removed this item from your agenda. It is imperative that the TRUST Act be instated here in Santa Cruz County. Please reconsider your action on this matter and place it back on the agenda for the board to vote on. Families are being torn apart and that is not acceptable.

Jovita Molina

Alicia Murillo

From: cdbbosmail@co.santa-cruz.ca.us
Sent: Thursday, April 05, 2012 5:55 PM
To: CBD BOSMAIL
Subject: Agenda Comments

Meeting Date : 4/10/2012

Item Number : 51

Name : Paul Johnston

Email : pauljohnston@cruzio.com

Address : 416 Clinton Street

Phone : 831 239-2068

Comments :

This is to ask that you follow the unanimous recommendation of your Latino Affairs Commission and ask the Sheriff to set aside his proposed deportation detention policy and instead employ the standards contained in the proposed TRUST Act, co-authored by Monning and Alejo.

This is also to request that you ask county administrative staff to explain why this recommendation from the Latino Affairs Commission was not conveyed to you. We understand that the CAO has floated a rationale to the effect that AB 1081 is somehow not ready for endorsement. This is not consistent with information we have received from the authors' offices. Regardless, your Latino Affairs Commissioners' unanimous recommendation against the sheriff's assessment tool and in favor of the clear standards contained in the TRUST Act language they have examined should stand and should have been conveyed to you. This interference in the Commission's exercise of its mandate is troubling, and should prompt corrective action on your part.

Please look closely at the deportation detention policy that Sheriff Wowack is reporting to you. He proposes to detain for deportation, among others, ANY person with an ICE hold who has pending criminal charges. This amounts to a profound entanglement of local law enforcement with civil immigration enforcement-- properly a federal function-- and it profoundly subverts local city and county governments' relationship to immigrant communities.

Sheriff Wowack also proposes to detain persons for deportation based on an "assessment tool" that was designed to help make judgments about whether a person is a flight risk, and validated for that purpose alone. As a result, as you can see by examining the assessment tool, persons receive "points" based on unemployment, or based on how many months or years they have lived in our community. This is a shameful policy.

You asked the Sheriff to consult with community representatives, including those you appointed to advise you in these matters, for good reason. It is striking that the participants in that "Task Force" and the Latino Affairs Commission itself unanimously disapprove of the Sheriff's proposed policy.

I believe it is fair to say that the Sheriff's proposed policy represents a abdication of law enforcement leadership due to a failure of political courage. Now, you are being asked by your community to take a more principled position. Please, do the right thing.

Alicia Murillo

From: cdbbosmail@co.santa-cruz.ca.us
Sent: Thursday, April 05, 2012 4:52 PM
To: CBD BOSMAIL
Subject: Agenda Comments

Meeting Date : 4/10/2012

Item Number : 51

Name : Rocky Barrera

Email : rockybarrera2002@yahoo.com

Address : 53 Atkinson Ln
Watsonville, CA 95076

Phone : 8313322436

Comments :

What could staff concerns possibly be to pull from the board agenda, both the resolution in support of the TRUST Act and the Latino Affairs Commission's recommendations, while the Sheriff will make his report on Tuesday morning concerning this very issue? How can LAC's negative recommendation on that report and its positive recommendation on the TRUST Act NOT be considered at this time? Why bother with the pretense of LAC? Why the selective dismissal of the TRUST Act debate? Do we no longer live in a democracy?

Alicia Murillo

From: cbdbosmail@co.santa-cruz.ca.us
Sent: Sunday, April 08, 2012 8:05 PM
To: CBD BOSMAIL
Subject: Agenda Comments

Meeting Date : 4/10/2012

Item Number : 51

Name : Chea Berra

Email : cheaberra@hotmail.com

Address : 1075 Via Tornasol
Aptos, CA 95003

Phone : 831-688-8397

Comments :

I am completely opposed to our county's continued collaboration in the deportation of non-criminals and minor offenders. We must not allow our local law enforcement to be an arm of immigration enforcement. It is outrageous that this board would not take into account community voices, and in particular the importance of hearing from the Latino Affairs Commission on such a matter of grave concern to the Latino community.

The automatic detentions and the point system that Sheriff Wowack proposes will only target the most innocent and vulnerable.

Instead as the Commission has recommended, the sheriff should rely on standards contained in AB 1081 (the TRUST Act, authored by Ammiano and co-authored by Monning and Alejo).

I agree with the Commission's recommendation also that the Board endorse The TRUST Act (which states that only persons convicted of serious felonies should be detained for deportation by local law enforcement, and otherwise maintains a clear line between immigration enforcement and local law enforcement.)

Thank you

Chea Berra

Alicia Murillo

From: cbdbosmail@co.santa-cruz.ca.us
Sent: Friday, April 06, 2012 1:40 PM
To: CBD BOSMAIL
Subject: Agenda Comments

Meeting Date : 4/10/2012

Item Number : 51

Name : Jacquelyn K. Griffith

Email : jkgriffith@sbcglobal.net

Address : 239 Calvin Place
Santa Cruz, CA 95060

Phone : Not Supplied

Comments :

Local law enforcement and immigration have been separate and should remain so. As a US citizen, 31 year homeowner in Santa Cruz, and former teacher and public servant, I do NOT want my tax dollars to go to deportation of residents for less than serious crimes.

Please do not deport residents who are a vital part of our community. Think of the disruption to their families, their children! Please put yourself in their place and imagine how you would feel.

Thank you for consideration of my opinion.

Sincerely,

Jacquelyn K. Griffith

Alicia Murillo

From: cdbbosmail@co.santa-cruz.ca.us
Sent: Monday, April 09, 2012 9:33 AM
To: CBD BOSMAIL
Subject: Agenda Comments

Meeting Date : 4/10/2012

Item Number : 51

Name : Kathy Ruiz Goldenkranz

Email : kgoldenk@aol.com

Address : 120 Montero Ct.
Aptos, CA 95003

Phone : 8316887971

Comments :

Dear Members of the Board,

I want to express my strong concerns over the way Sheriff Wowack plans to act as judge and jury, resulting in the deportation of possibly innocent individuals. To be charged does not mean guilt. One will not be allowed due process when picked up and charged with minor violations should the sheriff's office plans continue to be applied.

I would strongly encourage the board to accept the now subjective administratively voided recommendations of the Latino Affairs Commissions, to embrace the proposed Trust Act, not unlike nearby counties, who have demonstrated public courage.

Our undocumented community members are counting on you to implement compassion and display your own acts of trust. Their very futures and that of their families, are in your hands.

Alicia Murillo

From: cdbbosmail@co.santa-cruz.ca.us
Sent: Monday, April 09, 2012 8:58 AM
To: CBD BOSMAIL
Subject: Agenda Comments

Meeting Date : 4/10/2012

Item Number : 51

Name : Edward "Ted" Rico

Email : tedr@cruzio.com

Address : 43 Hill Ave
Watsonville, CA 95076

Phone : 831-252-9146

Comments :

Dear Members of the Board of Supervisors:

I would like to address the matter of Secure Communities and the sheriff's ill-advised intention to use an assessment tool created for determining whether or not to release individuals on their own recognizance as the mechanism by which to decide which ICE holds to honor. As you know, Santa Cruz has the dubious distinction of having one of highest rates of deportations of non-criminals in the entire nation and we need to take immediate action to remedy this problem. Unfortunately, the sheriff's proposal is not the solution.

I would first like to acknowledge that we would not be facing this problem but for the complete failure of the Federal Government to pass fair and just immigration reform and the further compounding of this problem through the creation and implementation of the critically flawed so-called "Secure Communities" program. We are being forced to deal with a problem that is not of our making, but we should not look to places like Arizona for guidance in how to respond to the problem. I am confident that we in Santa Cruz County can come up with solutions that respect the immigrant community and avoid the devastating consequences to families that result from the draconian policies that remove people from our community for no other reason than that they have come to make a better life for themselves.

Our sheriff professes to address this injustice through the use of an assessment tool that was designed for a particular purpose: to determine if people should be released on their own recognizance. This tool may work in the context for which it was designed, but it is wholly inappropriate for determining which ICE holds to honor. As the sheriff has acknowledged, this tool is intended to determine two things: the risk to the community and the flight risk that may result by releasing the individual. As such, much of the tool focuses on assessing the flight risk of the individual and this makes no sense at all in the context of determining which individuals to hold for ICE. We are talking about people who have made tremendous sacrifices to be part of our community, and who want nothing more than to remain here. Because of the difficulties of life as an undocumented immigrant, people have to change jobs often, change addresses, etc, all of which are considered liabilities under the assessment tool and would continue to lead to the deportation of people who have not committed any crime and who are real assets to our community.

I would urge the Board to recommend to the sheriff that a more appropriate approach would be to adopt the criteria outlined in the amended version of AB1081, the TRUST Act, which we hope will become law in the State of California this year and which would mandate this approach to assessing which individuals are to be

held and turned over to ICE. Specifically, AB1081 would require that individuals would be detained pursuant to an ICE hold request only when they have been convicted of a violent or serious felony (thus insuring their due process rights), when honoring the ICE hold would not violate any federal, state or local law or policy (thus allowing our county to go even further to insure the protection of the immigrant community than the baseline that will be established under the law), and requiring that our local government has a plan in place to insure that US citizens are not being detained and turned over to ICE, that there is no racial profiling occurring and that victims of crime are not being dissuaded from coming forward to law enforcement to report the crime.

Thank you very much.

Sincerely,

Edward "Ted" Rico

Member of the Immigration Action Group, the COPA Immigration Team, Co-Chair of the Monterey County Immigration Coalition and Director of the Poder Popular program at the Center for Community Advocacy.

Alicia Murillo

From: cbdbosmail@co.santa-cruz.ca.us
Sent: Monday, April 09, 2012 12:02 PM
To: CBD BOSMAIL
Subject: Agenda Comments

Meeting Date : 4/10/2012

Item Number : 51

Name : Robert Norse

Email : rnorse3@hotmail.com

Address : 309 Cedar PMB #14B
Santa Cruz, CA 95060

Phone : 831-423-4833

Comments :

Sheriff's Wowak's policies regarding handing over those accused of minor offenses to ICE under the Secure Communities program has been rejected by both the Latino Affairs Commission and the Task Force.

I have not seen any stats on how many local Latino people have suffered as a consequence of Wowak's continuing collusion with ICE in violation of the will of the community. Please move immediately to urge the sheriff to halt his current process.

I would also encourage you to seek ways of defunding this program if that is possible.

I understand families and innocent people are suffering severely while bureaucrats shuffle papers and Sheriff Wowak beefs up his ties with federal homebreakers and bigots.

Don't wait another day.

Robert Norse

Alicia Murillo

From: cbdbosmail@co.santa-cruz.ca.us
Sent: Monday, April 09, 2012 10:45 AM
To: CBD BOSMAIL
Subject: Agenda Comments

Meeting Date : 4/10/2012

Item Number : 51

Name : Catherine O'Kelly

Email : catherinesv@cruzio.com

Address : P. O. Box 66802
Scotts Valley CA 95067

Phone : 335-2140

Comments :

Dear Members of the Board of Supervisors,

Please reconsider our county's participation in the "Secure Communities" program which detains and deports people who are not US citizens. Families have been torn apart by this. Only CONVICTED criminals should be held to this law, not merely those ACCUSED. Because of this, Latina women will not even report domestic abuse, because they want the abuse to stop, but not at the expense of losing their partner and father of their children. I am so upset when I hear of a person stopped for a traffic violation, and then they are subject to deportation. We need to remember that this territory we live in once belonged to Mexico. We took it from them!! Just as we took the Native American land from them, and are still doing so. The "ICE" bullies and the Secure Communities program are cruel and inhumane. Please disengage from this.

Thank you for listening.

Alicia Murillo

From: cdbbosmail@co.santa-cruz.ca.us
Sent: Monday, April 09, 2012 10:45 AM
To: CBD BOSMAIL
Subject: Agenda Comments

Meeting Date : 4/10/2012

Item Number : 51

Name : Michael & Maureen Smith

Email : oflaherty@cruzio.com

Address : 564 Santa Marguarita Drive
Aptos, CA 95003

Phone : 688-8692

Comments :

We oppose the Sheriff Wowack's proposal to cooperate with ICE in deporting non-criminal immigrants in Santa Cruz County. We are in agreement with the Latino Affairs Commission.

On March 14, the Latino Affairs Commission voted unanimously to disapprove of the sheriff's proposed policy, and to recommend instead standards contained in the proposed new TRUST Act (authored by Ammiano, co-authored by Alejo and Monning). These standards limit detention for deportation to persons CONVICTED of serious crimes under California law, and include provisions to guard against racial profiling and protecting victims of crime from threat of deportation.

Alicia Murillo

From: cdbbosmail@co.santa-cruz.ca.us
Sent: Monday, April 09, 2012 10:22 AM
To: CBD BOSMAIL
Subject: Agenda Comments

Meeting Date : 4/10/2012

Item Number : 51

Name : Carol Long

Email : cjlong3@sbcglobal.net

Address : 75 Chestnut St.
#101
Santa Cruz, CA 95060

Phone : 831 471 0737

Comments :

Sheriff Wowack appears unwilling to show much flexibility on this issue, but our county's Latino and other community leaders have taken a strong position against his stance. Specifically, he aims to continue detaining for deportation all persons CHARGED (not necessarily convicted) with certain serious crimes. These include charges of domestic violence, despite please from Womens Crisis/Defensa de Mujeres that this is an inappropriate and often destructive response to spousal abuse and that as a result of the sheriff's policy immigrant victims are no longer willing to turn police for protection in our county.

IN ADDITION, the sheriff plans to detain others for deportation based on an "assessment tool" that was in fact designed to judge whether persons are flight risks. If you are identified as out of status by ICE and you earn 10 or more points per this tool, you are to be detained for deportation. If you have lived in our county less than 6 months, for example, you get 2 points. Unemployed, 6 points. Loosely structured job, 4 points. And so on. As a result, about 9 out of 10 of those who have been detained for deportation over the past two years-- mostly persons charged with minor infractions-- would continue to be detained for deportation in our increasingly crowded jails.

The Latino Affairs Commission has a mandate to advise the Board on matters of concern to the Latino Community. On March 14, the Commission voted unanimously to disapprove of the sheriff's proposed policy, and to recommend instead standards contained in the proposed new TRUST Act (authored by Ammiano, co-authored by Alejo and Monning). These standards limit detention for deportation to persons CONVICTED of serious crimes under California law, and include provisions to guard against racial profiling and protecting victims of crime from threat of deportation. We are turning out to the Supervisors hearing in support of the Latino Affairs Commission's stance.

Unless the TRUST Act is signed into law by Governor Brown later this year, discretion on this issue remains in the hands of the sheriff. It appears that the sheriff is afraid of political fallout if he declines to detain some non-criminal or minor offender for deportation who then goes on to commit a serious crime. It also appears that he is not sensitive to the serious negative consequences of inserting immigration enforcement into local law enforcement. I encourage him -- and ask the Board of Supervisors to encourage him -- to summon up the political courage to do the right thing.

Alicia Murillo

From: cbdbosmail@co.santa-cruz.ca.us
Sent: Monday, April 09, 2012 10:42 AM
To: CBD BOSMAIL
Subject: Agenda Comments

Meeting Date : 4/10/2012

Item Number : 51

Name : Dvera Saxton

Email : disaxton@gmail.com

Address : 181 Hidden Moon Rd. Watsonville, CA 95076

Phone : 6107425066

Comments :

I am reprinting an article from ColorLines.com, a racial justice think-tank, regarding some SERIOUS repercussions that are affecting families who have had members deported as a result of S-Com and bad police/federal practices.

I would urge all supervisors to consider this data-based report, and to think carefully about how S-Com will not only burden local law enforcement with additional responsibilities and costs, but also the trickle-down ramifications for social services, the foster system, the juvenile justice system. When families are disrupted by the deportation of a parent, children suffer the consequences and will require a lot more state/local resources and support to survive. By breaking up families, S-Com in effect is making our communities less secure, producing a generation of youth who will grow-up parentless, traumatized, and more likely to succumb to the influences of alternative family structures (e.g. gangs). Therefore, the outcomes will be the exact opposite of those proposed by S-Com. Too many people are being deported when they have committed no offenses or minor ones that are better and more cheaply and effectively resolved through education, fines, counseling and or rehabilitation (e.g. traffic violations, drunk driving, illicit drug use or possession of small quantities). Deportations and holdings are expensive, requiring funds that would be better invested in community programs that support social and rehabilitative services and child and family well-being.

http://colorlines.com/archives/2011/11/thousands_of_kids_lost_in_foster_homes_after_parents_deportation.html

Thousands of Kids Lost From Parents In U.S. Deportation System

Photo: Justin Sullivan/Getty Images

by Seth Freed Wessler ShareThis | Print | Comment (14)

Wednesday, November 2 2011, 8:00 AM EST Tags: deportation dragnet, families, Shattered Families

1K

2K

Clara's eldest kid was 6 years old and her youngest just a year old when it happened. Josefina's baby was 9 months. All three children were ripped from their mothers and sent to live in foster homes with strangers. Clara and Josefina, sisters in their early 30s who lived together in a small northern New Mexico town, had done nothing to harm their children or to elicit the attention of the child welfare department. Yet one morning last year, their family was shattered when federal immigration authorities detained both sisters. Clara and Josefina

were deported four months later. For a year, they had no contact with their children.

The sun was rising on a late summer morning in Farmington. Clara (all parents' names in this story have been changed) was asleep inside the trailer that she shared with the children and Josefina, who was finishing a night shift at the local restaurant where both sisters worked. Clara says she was jolted awake by the sound of banging and yelling. A group of uniformed officers, some marked with ICE, for Immigration and Customs Enforcement, and others DEA, for Drug Enforcement Administration, burst through the door.

Shattered Families

DOWNLOAD FULL REPORT arc.org/shatteredfamilies

U.S. Deports 46K Parents With Citizen Kids in Just Six Months

A mother tells her story.

Support Colorlines.com

Investigative reporting is costly. DONATE today!

The agents put Clara in handcuffs, while two of the officers began walking and carrying the children out of the trailer. Clara pleaded with them, asking what they would do with her children. "We're taking them where we take all the kids," Clara remembers one of the agents saying. She begged them to let her call a friend who could come pick up the children. The agents refused.

When Josefina arrived home from work several hours later, ICE officers were waiting. The sisters were locked up in the San Juan County jail, where they stayed for several weeks until ICE transported them to an immigration detention center in Albuquerque, three hours to the south. Their children remained in foster care.

This family is one among thousands who've been through the same ordeal. In a yearlong investigation, the Applied Research Center, which publishes Colorlines.com, found that at least 5,100 children whose parents are detained or deported are currently in foster care around the United States. That number represents a conservative estimate of the total, based on extensive surveys of child welfare case workers and attorneys and analysis of national immigration and child welfare trends. Many of the kids may never see their parents again.

These children, many of whom should never have been separated from their parents in the first place, face often insurmountable obstacles to reunifying with their mothers and fathers. Though child welfare departments are required by federal law to reunify children with any parents who are able to provide for the basic safety of their children, detention makes this all but impossible. Then, once parents are deported, families are often separated for long periods. Ultimately, child welfare departments and juvenile courts too often move to terminate the parental rights of deportees and put children up for adoption, rather than attempt to unify the family as they would in other circumstances.

While anecdotal reports have circulated about children lingering in foster care because of a parent's detention or deportation, our investigation provides the first evidence that the problem occurs on a large scale. If these cases continue mounting at the same pace over the next five years, 15,000 children of detained and deported mothers and fathers will likely be separated from their parents and languish in U.S. foster homes.

Citizen Kids Caught in the Deportation Dragnet

Josefina and Clara's children are among the hidden victims of an expanding immigration detention and deportation system that now expels nearly 400,000 people each year.

According to Clara and Josefina, the ICE and DEA agents came to their home looking for drugs, but found none. Clara believes a neighbor called in the false report to ICE. A criminal background check confirms that charges against the sisters were dropped and that neither had ever been convicted of any crime. ICE nonetheless detained them because of their undocumented immigration status, moving them from the county jail to the immigration detention center where they were held for three months. They were deported to Mexico in December 2010.

According to over 100 child welfare caseworkers and attorneys we interviewed around the country, as rates of deportations increase, so do the numbers of children from immigrant families in foster care. Indeed, federal data released to the Applied Research Center through a Freedom of Information Act request shows that almost one in four people deported in the last year was the mother or father of a United States citizen. (Next week, Colorlines.com will publish a follow-up story further detailing and explaining this startling data.)

Roberta is one such parent. Almost a year ago, she was arrested on a drunken driving charge that would likely have triggered only a short interruption in her child custody, if she were a citizen. Instead, it threatens to result in the termination of the 35-year-old's parental rights, because she is an undocumented immigrant and was deported after being charged. Her five young children are now in two different foster homes in Phoenix. Separated from them by the U.S.-Mexico border, Roberta cannot make the journey back to fight for her kids.

ICE detained Roberta after the Phoenix police stopped her one evening as she drove three of her children home from a family party, where Roberta acknowledges she had one beer too many. Police administered a breathalyzer and charged her with driving under the influence and with child endangerment.

"I know I've made a mistake, but I've never before had a problem and I've paid," Roberta told me in late January 2011, while still at the Eloy Detention Center, a 1,600-bed facility run by the for-profit Corrections Corporation of America. A criminal background check confirms that this was Roberta's first conviction in her 15 years living in the United States.

Phoenix is one of almost 70 jurisdictions around the country where local police have signed agreements with the federal government to act as immigration agents. The "287(g)" agreement, as the program is called, turns a simple traffic stop into a path to deportation by deputizing local cops as immigration enforcement agents.

Our research found that children in areas where local cops aggressively engage in immigration enforcement are more likely to be separated from their parents and face barriers to reunification. In the counties we surveyed where local police have signed 287(g) agreements with ICE, children in foster care were 29 percent more likely to have a detained or deported parent than in other counties. That disparity remained statistically significant when controlling for the size of the foreign-born population.

In Roberta's case, as the police officer arrested her, he called the county Child Protective Services, which came quickly to the side of the road and took the children away. The agency placed them in what were supposed to be temporary foster homes, until Roberta could get out of jail.

But she was not released-not until she was deported, without her children.

A Morally Corrupted System

Local immigration enforcement is metastasizing through initiatives like the 287(g) agreements and, most significantly, through a controversial program called Secure Communities, which allows ICE access to data on every person booked into a county jail. As the federal government shifts its deportation tactics away from high-profile workplace raids and toward enforcement that's silently tied to the day-to-day functions of local police departments, a growing number of long-time residents with families and deep ties to the U.S. are deported. The program is turning jurisdictions around the country into deportation hotspots. We have identified at least 22

states where children in foster care face barriers to reunifying with their detained or deported mothers and fathers.

Whatever the state of the debate, or rancor, over who should and should not be allowed to live in the U.S., the moral and bureaucratic fallout of deporting 400,000 people a year are accumulating to toxic levels. Child welfare caseworkers say that in the face of an opaque detention system, they are helpless to reunify families. And although federal law requires child welfare departments to make diligent efforts toward family reunification, when parents are detained that's basically impossible.

In Los Angeles, where according to our research, the mother or father of approximately one in every 16 children in foster care has been detained or deported, a caseworker for the country described the frustration. "Ultimately, as social workers our role is to reunify families. I'm not saying that ICE is right or wrong; what I'm saying is, let us do our job, let us reunify families."

An immigration enforcement system that operates anything like the one we have will run roughshod over most everything.

Some of the most unsettling cases that our research has uncovered involve children who entered foster care when local police arrested non-citizen mothers after they or neighbors called 911 to report domestic violence.

Hilaria, of Phoenix, was arrested because she tried to defend herself against her abusive husband. One day in October 2010, he began berating her and threatening her. In minutes, the words escalated into hitting and choking. Hilaria fought back, freeing herself from the man and running to the kitchen, where she says she picked up a screwdriver and threw it at him, drawing blood.

A neighbor heard screaming and called the police. When the cops arrived, Hilaria's husband told them that she attacked him and, as is too often the case in domestic violence reports, the officers arrested Hilaria for assault. Because their children were home at the time, the police called Child Protective Services. But when the officers and Hilaria's abuser told the CPS worker that Hilaria had been the assailant, the caseworker left the children with him. Two weeks later, the child welfare department returned to check on the children. The caseworker now suspected that Hilaria's husband was using drugs and removed the children from him, placing them in foster care.

Two months later, Hilaria sat on a plastic chair in a small detention center visitation room, speaking through tears. "I've had domestic violence before, but I took it for my kids," she said. "Now they've robbed me. I did what I did to defend myself and my kids."

Hilaria is now applying for a reprieve from deportation, which is available to some victims of domestic violence. But because of the charge of assault against her, it's not clear the government will grant her a visa-she violates a zero-tolerance policy against "criminal" immigrants. The Obama administration recently announced that it would review the deportation cases of all 300,000 people slated for removal. The policy change, which is designed to stop the deportations of people brought to the U.S. as children and other target populations, does not appear to have helped even those like Hilaria. One year after her arrest, Hilaria is still detained. Her children are still in foster care.

The Abyss of Detention

Four months after Roberta lost her children, she also sat in detention center visitation room, sifting through crinkled papers in a bulging folder to find a photo of two of her children. "It has been four months since I've

talked to my kids," she said, looking at the photo of her then 7-year-old son and 9-year-old daughter. The children stood shoulder to shoulder, smiling at the camera in front of a graffiti-scrawled wall near the family's Phoenix apartment. The boy wore camouflage pants and the girl a pink shirt.

"I would rather die than lose my kids," Roberta said, tears running down her round face.

"They treat us like animals here," she complained of the barbed-wire ridged jail in Arizona's basin cotton fields. According to Roberta, women inmates were given unwashed underwear and detainees were fed stale bread and dirty vegetables for their two meals a day. "But the worst," said Roberta, echoing the sentiments of other detained parents, "is that I can't see my kids."

Three weeks after ICE detained Roberta, the juvenile court held a hearing about her family. Roberta, however, did not know about it. Neither her court appointed attorney nor the child welfare caseworkers or attorneys contacted her.

All of the parents with children in Child Protective Services custody whom we interviewed inside six detention centers said that they missed at least one of their juvenile court hearings. From detention, they could not access the courts and their attorneys could not find them.

ICE is not by law required to detain many of those it plans to deport, but it keeps non-citizens locked up to prevent them from absconding. A parent whose singular concern is getting her kids back is scarcely a flight risk. ICE nonetheless takes confinement to an extreme. Even when parents know about their juvenile court hearings, ICE categorically refuses to transport them to juvenile court hearings where vital decisions about their families are made. In hundreds of interviews with attorneys and caseworkers, not one had ever seen a detained parent appear in person at a hearing. Some detainees are not even able to arrange to phone into the hearings.

Unsurprisingly for a system in which about 85 percent of detainees lack legal representation and can be held for months, sometimes years, in squalid conditions, ICE functions without any obligation to the legal needs of the people it detains. And juvenile court judges are powerless to compel ICE to do anything.

"Parents [should] have an absolute right to be present in a court hearing," a juvenile court judge in Pima County, Ariz., told us, speaking on the condition of anonymity. "We order that if they are in custody they appear, but these orders are not honored by the detention facilities. We don't have the authority over the federal centers."

A month after she was initially detained, Roberta was finally able to contact her court appointed attorney by phone. But the attorney spoke no Spanish and they could not communicate. Roberta still arranged to call in to the next court hearing, but she says that because of a bad phone connection over the detention center phone, she understood nothing uttered in the courtroom.

Without any specific policy for addressing the needs of detained parents, child welfare agencies often treat them as if they've abandoned their children. And so, after several months in detention and no contact with her children, Roberta says she got a letter in the mail. "All [the court] sent me was a Spanish sheet with threats," she said. "If you don't appear, you'll lose kids. That's all it said."

There was also little chance she could have complied with the child welfare department's overall plan for family reunification. Detention centers provide parents no access to the services and programs needed to take part in their case plans for reunification, which for her would have consisted of treatment for alcohol abuse, parenting classes and visitation with her children.

Because detainees are often moved to detention centers far away from their homes—an average of 370 miles—they can rarely see their children. Though the Obama administration has said that it plans to overhaul immigration detention practices, including making efforts to detain non-citizens closer to their homes, as of August 2011, this promise did not appear to have taken effect in any significant way.

Parental Rights End at the Border

Josefina and Clara were deported to Mexico after three months in immigration detention. They made their way to Michoacán, 1,000 miles south of the border, to their mother's home, where they began trying to regain custody of their children.

During a July 2011 phone interview from Michoacán, Josefina spoke quietly about the baby she never got to bid goodbye. "I don't know where my child is, I have no contact with my baby," she said. "I didn't do anything wrong to have my children taken away from me. I didn't steal, I didn't do drugs, nothing. Why did they take my children?"

Once parents are deported, the threats to their families grow. While parents are detained, child welfare departments are largely prostrate to reunify families. Once mothers and fathers are deported, however, the agencies often switch gears, actively slowing down the reunification process and sometimes halting those efforts altogether.

Soon after they were deported, the sisters contacted the Mexican consulate in New Mexico to ask for help in regaining their parental rights. The consulate began corresponding with the child welfare department on the sisters' behalf. For months after their deportation, a staff person at the consulate repeatedly told Clara and Josefina that the New Mexico Children, Youth and Families Department planned to reunify the family as soon as the sisters could prove that they had stable housing and jobs. Yet, even after they found work and were set up in their mother's home, the children remained in foster care. Reunification dates cited by the department came and went, but still, no children.

According to the sisters, the New Mexico child welfare department would not let the mothers speak by phone with the youngest two of the three children and Clara spoke only once to her 6 year old. According to Josefina and Clara, they heard word that their children were placed in three different foster homes and the babies were being raised entirely in English. They feared their children would not remember them even if they were reunified and they began to believe they might never see their children again.

"I miss everything about my kids," said Clara through sobs over the phone. "How I spent Saturday and Sundays with them, how I made my home with them, all of it. Then my children were just gone."

Many deported parents make the tormented decision to make the bloody desert journey over the U.S.-Mexico border without papers so that they can be present at juvenile court hearings. Caseworkers around the country said that in many cases, when a parent of a foster child is deported, they are back weeks later to appear in a juvenile courtroom to try and reclaim their children.

The risks of crossing are enormous. In addition to growing violence in Mexico against migrants crossing into the U.S., immigrants caught in the country after a previous deportation now face prison time. Until recently, immigrants who were deported before were simply deported again. Now, "illegal reentry" is treated as a federal criminal offense that carries sentences of years. The charge now accounts for nearly half of all federal criminal prosecutions.

Clara and Josefina did not risk crossing back over the border; the fear of violence on the border or of extended incarceration was too great. So for a year, they waited, in fear their parental rights would be terminated.

In late September 2011, their hope dwindling, the Mexican consulate in New Mexico phoned the sisters at their mother's house in Michoacán. "They told us to go to the airport the next day," said Clara.

In the morning they drove three hours to the airport. Two employees of the Mexican government escorted the three children off the plane. In the middle of a waiting room at the airport, after 14 months apart, Josefina and Clara took the children into their arms.

The next day, now back at their mother's home with the sounds of pouring rain in the background, Clara said over the phone, "It hurts me so much to talk about this. I don't want to remember anymore." Now the family will try to piece themselves back together.

For many, however, separation is not memory. It is a present horror. In July, after seven months of detention, Roberta was deported to Mexico. She was given no notice before she was loaded onto an ICE bus and dropped at the border. ICE did not give her time to call her children's caseworker or her court-appointed attorney before her removal and she arrived in Mexico with nothing but \$10, given to her by another deportee.

Deportation too often leads to the seamless termination of parental rights. In jurisdictions around the country, child welfare departments and children's attorneys have successfully argued that it is in a child's best interest to remain in the U.S. rather than join their parents in another country. Though child welfare departments are required by law to try to reunify children with their parents, and research shows that children fare better with their families than in foster care, the principal is often quashed when a border stands in the way.

Many caseworkers and attorneys noted to us a pervasive bias against placing children in another country. "When you break down the cases, placement with parents in Mexico happens very rarely," an attorney who represents children and parents in El Paso, Texas, told us. "The knee-jerk reaction of almost everyone is that the children are better off in U.S."

As a parents' attorney in Takoma, Wash., said in describing several cases like Roberta's, "They're deported and they're treated like they fall off the face of the earth."

Some jurisdictions, especially those near the U.S.-Mexico border, are working to interrupt this rapid move to sever families. In San Diego County, Calif., and El Paso County, Texas, for example, the child welfare departments have established international liaisons who work with the Mexican consulate and Mexican child welfare department to place children with their families in Mexico. Without the consulate, Clara and Josefina would still be without their children.

Yet most countries lack any formal policy for deported parents and ultimately, when parents are detained and deported, families are shattered.

In the detention center, before she was deported, Roberta looked up from the photo of her children and stated a policy that many would think is common sense. "If you send the mom to Mexico," she said, "let her take her kids with her." It has now been one year since she lost custody of her children. Her family's status remains in limbo.

Esther Portillo-Gonzales joined Seth Freed-Wessler in the year-long investigation that produced this story. Their research is ongoing.

From: Karen Kaplan [mailto:kaplanks@hotmail.com]
Sent: Monday, April 09, 2012 12:34 PM
To: Ellen Pirie; Mark Stone; John Leopold; Neal Coonerty; Supervisor - Greg Caput; bds@ballroom.com
Subject: Tues. April 10, 9 AM: Sheriff's Deportation Program

Dear Supervisors:

Mark Stone: mark.stone@co.santa-cruz.ca.us
Ellen Pirie: ellen.pirie@co.santa-cruz.ca.us
John Leopold: john.leopold@co.santa-cruz.ca.us
Neal Coonerty: neal.coonerty@co.santa-cruz.ca.us
Greg Caput: greg.caput@co.santa-cruz.ca.us

RE: Tues. April 10, 9 AM: Sheriff's Deportation Program
Santa Cruz Board of Supervisors Hearing - Item #51
at 701 Ocean Street, Santa Cruz

I believe it is the role of the Sheriff to **serve and protect**.

It is important for victims of domestic violence to feel safe calling the police for their protection, without the threat of deportation for them or their perpetrators.

Deporting people who have been charged, but not convicted of a crime, may violate constitutional rights.

Racial profiling is unfair, disrupts families, jobs, our economy, etc.

Crowding jails for minor infractions, is a waste of taxpayer money.

Restitution and/or community service is a preferable choice for rehabilitation.

Thank you for your consideration.
Karen Kaplan

Alicia Murillo

From: cdbbosmail@co.santa-cruz.ca.us
Sent: Monday, April 09, 2012 4:02 PM
To: CBD BOSMAIL
Subject: Agenda Comments

Meeting Date : 4/10/2012

Item Number : 51

Name : Ruth Valdez

Email : ruthvald@yahoo.com

Address : PO Box 2142
Aptos, CA

Phone : 831 662 3319

Comments :

The Latino Affairs Commission has a mandate to advise the Board on matters of concern to the Latino Community. On March 14, the Commission voted unanimously to disapprove of the Sheriff Wowak's proposed policy.

The commission recommends instead standards contained in the proposed new TRUST Act (authored by Ammiano, co-authored by Alejo and Monning). These standards limit detention for deportation to persons CONVICTED of serious crimes under California law, and include provisions to protect victims of crime from threat of deportation.

The Womens Crisis/Defensa de Mujeres points out that victims of spousal abuse, and other crimes, are no longer willing to turn to police for protection or to come forward as a witness, because of the threat of deportation. This is self-defeating, supports the criminals, and builds an IN-secure community.

Unfortunately it appears that our sheriff doesn't realize the serious negative consequences of inserting immigration enforcement into local law enforcement.

I strongly urge you to honor the Latino Affairs Commission's stance. It is VITAL that the Board of Supervisors direct Sheriff Wowak to do the right thing - adopt the standards of the Trust Act.

Your truly,
Ruth Valdez

Alicia Murillo

From: cdbbosmail@co.santa-cruz.ca.us
Sent: Monday, April 09, 2012 1:44 PM
To: CBD BOSMAIL
Subject: Agenda Comments

Meeting Date : 4/10/2012

Item Number : 51

Name : Rev. Pallas Stanford

Email : minister@uufsc.org

Address : 6401 Freedom Blvd.
Aptos, CA 95003

Phone : 831-539-5110

Comments :

The Unitarian Universalist Fellowship of Santa Cruz County would like to register our firm disagreement with our county's implementation of Secure Communities, and we urge you to strike down the county's proposed assessment tool. We find S-Comm to be deeply problematic in that it makes local law enforcement responsible for carrying out federal immigration enforcement. Asking local law enforcement to do the work of ICE puts our community safety at risk because it deters immigrants from reporting crimes. This S-Comm implementation also puts women's health and safety at risk because immigrant women are less likely to report domestic violence when they face it. Furthermore, S-Comm does not follow due process, in that even if a person is charged with a crime (regardless of if they committed it), they can be deported. An important aspect of our faith is that every person should be treated with dignity, as there is inherent worth within every person. S-Comm works against this principle.

At your April 10, 2012 meeting, we implore you not to adopt the sheriff's assessment tool. In addition to the problems outlined above, this assessment tool would almost guarantee that any unemployed or irregularly employed person will be deported. Instead, we urge you to rely on the standards outlined in AB 1081 (the TRUST Act), which would detain and deport only those immigrants convicted of serious felonies. We also strongly encourage you to work with the Latino Affairs Commission when crafting local policy about immigration, as this community should have a voice in the policies that affect them.

Sincerely,

Rev. Pallas Stanford

51

MICHAEL K. MEHR
Attorneys at Law
100 Doyle Street, Suite A
Santa Cruz, CA 95062
Tel: 831/425-5757
Fax: 831/425-0515

Board of Supervisors
701 Ocean Street
Santa Cruz, California

Re: Report from Sheriff re ICE detainees/Secure Communities
Agenda item on April 10, 2012

Dear Board of Supervisors Members;

As a long-time resident and attorney practicing immigration and criminal law in Santa Cruz County since 1980, **I urge you to request that the Sheriff refuse to honor ICE holds unless he follows the criteria set forth in the proposed Trust Act which is to only honor ICE detainees for inmates convicted of serious or violent felonies under the Penal Code.**

I would like to make the following points:

1) **The Sheriff admitted before the Latino Affairs Committee that approximately 10% of those held on ICE detainees by his office in the past do not have any charges pending. The Sheriff should immediately implement a policy that "No ICE detainer shall be honored if there are no charges."** This policy should not have to wait for a resolution of the issue of his policy on other matters. The Sheriff admits that honoring ICE detainees is discretionary even though the sharing of fingerprint data upon booking is not. I personally have had a client held by the Sheriff on an ICE detainer who had no charges. Unfortunately, this person was deported away from her family because the Sheriff's Office honored the ICE detainer despite my protest. This incident was several months ago, but the Sheriff has confirmed that it is still on-going.

2) The "assessment tool" proposed by the Sheriff is based on an own recognizance release "assessment tool" which has no relevance to whether ICE detainees should be recognized. The "Secure Communities" program was designed to assist ICE in deporting violent and dangerous criminals. **The criteria of the proposed Trust Act—conviction for a violent or serious felony under the Penal Code—should be used since this conforms to the purpose of Secure Communities. The Sheriff estimates that only about 10% or less of the detainees with ICE detainees will be released based on the "assessment tool."** Please note that the "assessment tool" could eliminate from release those brought to the jail but not charged with an offense or where their case was dismissed if they did not have strong enough ties to the area.

3) **Further collaboration with ICE in Secure Communities will destroy the Hispanic community's trust in working with law enforcement in reporting crimes.** Santa Cruz Police have a good clearance record concerning serious offenses. This could be jeopardized by

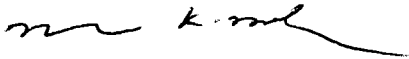
continuing collaboration with ICE unless limited to those convicted of violent or serious offenses.

4) In a time of fiscal austerity and the Realignment Act, the jail should not have to honor ICE detainer requests since this ties up scarce jail cells and costs the local taxpayers more money than the amount reimbursed or to be reimbursed in the future.

5) Deportation tears families apart. It should be utilized as a last resort.

While the Sheriff is an elected official who must make his own decision, this Board can request the Sheriff to implement the Trust Act immediately. The Board also controls the power of the purse which is a check and balance much as one branch of government is a check and balance against the other branch. I trust that if the Board is firm about its recommendation, the Sheriff will listen even though the Sheriff must use his independent judgment.

Very truly yours,

A handwritten signature in black ink, appearing to read 'm k mehr', with a long horizontal flourish extending to the right.

Michael K. Mehr

Alicia Murillo

From: cdbosmail@co.santa-cruz.ca.us
Sent: Monday, April 09, 2012 10:46 PM
To: CBD BOSMAIL
Subject: Agenda Comments

Meeting Date : 4/10/2012

Item Number : 51

Name : Lori Fitzmaurice

Email : lofitz@gmail.com

Address : 323 Broadway Unit B3
Santa Cruz

Phone : Not Supplied

Comments :

Please discourage the Sheriff from cooperation with ICE to turn over even minor offenders for detention and possible deportation. I urge him to take a stand on human rights, reject political pressure and make a statement for human rights that will echo across the country for its humane treatment of the many families impacted by this sweeping action by ICE. I care about our immigrant neighbors, we are all immigrants, and I vote. :)

Alicia Murillo

From: cbdbosmail@co.santa-cruz.ca.us
Sent: Monday, April 09, 2012 10:31 PM
To: CBD BOSMAIL
Subject: Agenda Comments

Meeting Date : 4/10/2012

Item Number : 51

Name : Rev. Karla Norton

Email : karla_norton@yahoo.com

Address : 842 Prospect Hts
Santa Cruz

Phone : (831) 227-3531

Comments :

I am writing to request that the County of Santa Cruz Detention Facility discontinue their policy of collaboration with the deportation of non-offenders and minor offenders in the interest of justice for immigrants in this community. This policy is creating extreme hardship in many families that are a vital part of our community.

Children are being separated from their parents and families are being torn apart. People who are contributing to the support of their families and who are an important part of the work force are being deported leaving a big hole in their families and in the fabric of our community.

I believe that AB 1081 (The Trust Act) adequately safeguards the safety concerns of our community and protects the integrity of the family by retaining only serious offenders for deportation.

I have some concerns with the Sheriff Department's proposed assessment tool. Specifically, anyone CHARGED (not necessarily convicted) of certain serious crimes will be detained for deportation. These include domestic violence, and I fear that victims will not call the police if they believe that their partner will be deported.

I also have concerns regarding the point system being proposed. It is my understanding that if a person "earns" 10 points, that is an automatic deportation. Apparently, it is a crime to be unemployed, which garners a prospective deportee 6 points. Then, if they evade or resist arrest, which would be understandable if they were facing deportation, that's another 4 points if caught. And there is your 10 points.

I urge you, as members of the Board of Supervisors to listen to voices of the Latin American community who are an integral part of this community and who are so deeply affected by these policies. I urge you to adopt the standards of AB 1081 instead of the proposed assessment tool.

Thank you for your time and consideration.

Alicia Murillo

From: cbdbosmail@co.santa-cruz.ca.us
Sent: Monday, April 09, 2012 8:43 PM
To: CBD BOSMAIL
Subject: Agenda Comments

Meeting Date : 4/10/2012

Item Number : 51

Name : Alejandra Revilla-Rico

Email : Alejandra762000@yahoo.es

Address : 43 Hill Ave
Watsonville, CA 95076

Phone : 831-234-2166

Comments :

Dear Board of Supervisors,

I am concerned about the high level of deportations in this county. As a special education teacher in the PVUSD, I have seen first hand the terrible impact that deportation has on the families of my students. Many of my students have witnessed immigration officials come into their homes and take away family members including parents, uncles, siblings, etc. these children are left with severe emotional trauma and the emptiness in their lives of their missing family members. No child deserves to go through this experience. Most of these children were born here and are scarred for the rest of their lives by their own government. Many of them now have a intense fear of all uniformed officials and they do not trust the police. They cannot distinguish between ICE and local law enforcement and do not see the police as their protectors but rather as aggressors. This is very, dangerous for us as a society because they will not be willing to cooperate with police in the future if they are victims or witnesses to crimes and some will join gangs in order to feel safe or protected from the police. We must significantly reduce the number of deportations in this county and the sheriff's approach is completely inadequate.

Sincerely,
Alejandra Revilla-Rico
Special Education Teacher
PVUSD

51

Alicia Murillo

From: cbdbosmail@co.santa-cruz.ca.us
Sent: Monday, April 09, 2012 8:00 PM
To: CBD BOSMAIL
Subject: Agenda Comments

Meeting Date : 4/10/2012

Item Number : 51

Name : nita hertel

Email : nitahertel@gmail.com

Address : Not Supplied

Phone : 831 426-9777

Comments :

Dear Board,

I strongly encourage you to stand with the Latino community in seeking true justice regarding the "secure communities" program. We need more support for families in our county not harassment and disruption due to outrageously unfair policies. I believe until we are truly not a racist society, laws will always be enforced in a prejudicial way and those in the minority will suffer. Please do not support this policy and break with Womack's direction.

thanks

nita hertel

Alicia Murillo

From: cbdbosmail@co.santa-cruz.ca.us
Sent: Monday, April 09, 2012 7:32 PM
To: CBD BOSMAIL
Subject: Agenda Comments

Meeting Date : 4/10/2012

Item Number : 51

Name : Nancy Abbey

Email : nabbey@cruzio.com

Address : 1755 Chanticleer Avenue
Santa Cruz 95062

Phone : 465 8272

Comments :

Please include this in the Supervisors' packet for tomorrow's Board meeting.

Thank you.

Alicia Murillo

From: cbdbosmail@co.santa-cruz.ca.us
Sent: Monday, April 09, 2012 6:40 PM
To: CBD BOSMAIL
Subject: Agenda Comments

Meeting Date : 4/10/2012

Item Number : 51

Name : Paul Elerick

Email : elerick@cruzio.com

Address : 1960 Jennifer Dr
Aptos, CA 95003

Phone : 831-688-2304

Comments :

It's time to say no to ICE. There has to be a way not to participate in their effort to discriminate against my friends and neighbors. I totally disagree with Sheriff Wowack's decision to continue this effort.
Paul Elerick

Alicia Murillo

From: cdbbosmail@co.santa-cruz.ca.us
Sent: Monday, April 09, 2012 4:51 PM
To: CBD BOSMAIL
Subject: Agenda Comments

Meeting Date : 4/10/2012

Item Number : 51

Name : Pete Shanks

Email : pete@wordsontheweb.com

Address : 410 Dakota Ave
Santa Cruz, CA 95060

Phone : 831-421-0480

Comments :

I am not writing to tell you what to do, but to ask you to consider the personal consequences for those affected. I have personally suffered from bureaucratic errors on the part of the (then) INS. It took the intervention of Sam Farr's office to correct those errors and save my citizenship application.

Mistakes are made, and the consequences are frightening. I can attest to that, and I am an educated person and a native English speaker. Innocent people do get arrested - even convicted - even, sometimes, on badly interpreted DNA evidence.

Please don't rush into anything. Don't act on fear. Let's work on integrating the immigrant communities - Latino, Asian, European, all of them - into our broader community. Let's not expand the scope of law enforcement; that will just alienate people and drive them further underground.

Women's International League for Peace and Freedom

*Ligue Internationale de Femmes pour la Paix et la Liberté
Liga Internacional de Mujeres por la Paz y la Libertad
Internationale Frauenliga für Frieden und Freiheit*



Santa Cruz Branch

P.O. Box 61 Santa Cruz, CA 95063

E-mail: wilpf@wilpf.got.net

Website: <http://wilpf.got.net>

April 9, 2012

County Board of Supervisors
701 Ocean Street, #500A
Santa Cruz, California

Re: Item #51 – Report on Secure Communities

Dear Supervisors,

The Santa Cruz Branch of WILPF urges the Board of Supervisors to reject Sheriff Wowak's proposed policy regarding the detention for ICE deportation of people with minor offenses, and to ask the Sheriff to adopt the standards contained in the proposed Trust Act as recommended by the Latino Affairs Commission.

Although Sheriff Wowak has stated that he does not detain people with minor offenses for deportation, the use of the "assessment tool" does in fact turn many minor offenders into detainees for ICE.

We believe the Sheriff's policy of cooperation with ICE will increase fear in our immigrant community, decrease their readiness to cooperate with the police, and make immigrant women and children even more vulnerable to poverty. Many of us know of families torn apart when a parent and bread winner was summarily deported. We have heard testimony by Women's Crisis Support/Defensa de Mujeres that the Sheriff's policy of detaining for deportation anyone **charged** with spousal abuse makes it more difficult for them to advise women to seek help. We certainly want Santa Cruz County to be a place of safety, trust and support for families. This "assessment tool" will not do that.

We urge you to support the provisions of the proposed Trust Act, co-authored by Santa Cruz County Assemblymen Monning and Alejo, and ask Sheriff Wowak to limit detention for deportation to persons convicted of serious crimes under California law.

Sincerely,

Nancy Abbey
Randa Solick
Co-chairs, Santa Cruz WILPF

51

Alicia Murillo

From: cbdbosmail@co.santa-cruz.ca.us
Sent: Tuesday, April 10, 2012 7:45 AM
To: CBD BOSMAIL
Subject: Agenda Comments

Meeting Date : 4/10/2012

Item Number : 51

Name : Ben Rice

Email : benricelaw@gmail.com

Address : 331 Soquel Ave.
Ste. 203
Santa Cruz, CA 95060

Phone : Not Supplied

Comments :

Friends, as much as I appreciate many of Sheriff's Wowack's efforts on our community's behalf I am sorry to see his position on cooperation with ICE. After practicing in this community as a criminal defense attorney for 25 years I have seen, I believe, both sides of this issue..... I have seen people deported for minor crimes, who had been for years acting like good citizens, and I have seen "bad guys" deported. I get it.... we need to protect our selves from dangerous individuals. But, for example, the breadwinning dad, who suffers one relatively minor mistake, should not be turned over to ICE and deported. The unintended consequences are too draconian. We need a better matrix. Thank you.

Alicia Murillo

From: cbdbosmail@co.santa-cruz.ca.us
Sent: Friday, April 06, 2012 11:52 AM
To: CBD BOSMAIL
Subject: Agenda Comments

Meeting Date : 4/10/2012

Item Number : 51

Name : Vivian Vargas

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Address : 211 Caledonia Street
Santa Cruz, CA 95062

Phone : Not Supplied

Comments :

Dear Board of Supervisors,

I am a math coach with PVUSD and a member of the Latino Affairs Commission. I am writing to you as a private citizen on this item of the agenda.

While Sheriff Wowak's assessment tool may be well-intentioned, his proposed assessment tool primarily focused on misdemeanors which is not the intention of Secured Communities.

Sheriff Wowak's assessment tool automatically excludes release for those facing felony charges and sexual charges. However, this assessment tool could be used to detain a Latino unemployed service worker without even being charged with a misdemeanor. In this scenario a person could get 2 points for less than 6 months residency, 6 points for unemployment, and 2 points for less than 6 months on the job. This adds up to the 10 points total which places a person on detention, without even receiving points for being charged with a misdemeanor and it places this person at risk for deportation.

Instead, I would like to ask for your support for the revised version of the Trust Act (AB1081) whose purpose as stated in the act is to "...provide essential safeguards to address serious concerns raised over the program's detrimental effects on public safety, community policing and civil liberties."

Thank you for considering these comments.

Sincerely,
Vivian Vargas