

STATEMENT OF CHIEF, GOVERNMENT REGULATIONS SECTION, CRIMINAL DIVISION,  
DEPARTMENT OF JUSTICE, DATED MAY 7, 1973 EXPRESSING CURRENT VIEWS OF  
THE DEPARTMENT OF JUSTICE REGARDING ENFORCEMENT OF IMMIGRATION LAWS  
BY LOCAL LAW ENFORCEMENT OFFICERS

"The Immigration & Nationality Act contains no specific authority for local law enforcement officers to detain aliens for violations of 8 USC 1325, and we know of no provision of federal law from which such authority could be inferred. The Immigration & Naturalization Service has pointed out the absence of federal authority for this purpose in responding to inquiries of this nature. We understand, however, that local law does authorize a police officer to arrest a person who commits a public offense in his presence and that the term "public offense" is defined and interpreted broadly enough to include federal law. We also know of no provision of federal law, applicable to your situation, which would prevent detention by local officers for a violation of Section 1325 committed in the presence of such an officer, and we are aware of no judicial authority which invalidates such conduct.

Detention under the local provision at a place other than within view of the actual act of entry could, of course, be constitutional only if the commission of the offense is seen as one not necessarily terminating with the crossing of the border by the alien. In this respect, although the outer limits of the offense of entering unlawfully are none too clear, there is cogent reason to conclude that the offense may occur elsewhere than at the point of entry and for a prolonged period of time. The language of the statute subdivides the offense into entering other than at a designated time or place, eluding examination or inspection, and obtaining entry by false or misleading statements or concealment of a material fact. This structure of the statute, together with the descriptive language of the subdivided offenses, suggests that Congress intended part, if not all, of the general offense of entering unlawfully to continue at least within a reasonable distance from the border and for a reasonable time after entry. This conclusion is particularly persuasive for the specific offense of eluding examination or inspection.

Section 279 of the Act, 8 U.S.C. 1329, strengthens the conclusion that the offense may occur beyond the time and place limitations of the actual point of entry. That Section provides that prosecutions under Section 1325 may be instituted at any place in the United States at which the person charged was apprehended. We cannot presume that Congress deliberately enacted an unconstitutional provision. We note, too, that the statute does not restrict the term "apprehended."

(cont'd on reverse)

Regardless of what the outer limits of the offense may be with respect to time and place, we envision no undue difficulties with detention by local officers in your district, particularly if there is positive proof the alien is eluding examination or inspection. Certainly, San Diego is within reasonable proximity of the border. Of course, it is important that the conduct of the officers be reasonable, that the detention be effected under reasonable circumstances, and that the Immigration Service be promptly notified.

~~The Immigration & Naturalization Service concurs with the views expressed herein."~~

The above opinion was furnished in reponse to an inquiry of the U. S. Attorney, San Diego District, San Diego, California. Even though the opinion was given in 1973, there has been no statutory or regulatory changes which would alter the position for present application.

711

# COUNTY OF SAN DIEGO

ADMINISTRATION CENTER 1600 PACIFIC HIGHWAY  
SAN DIEGO, CALIFORNIA 92101 (714) 239-7711



*MTF*

VIC VILLALPANDO  
MEXICAN - AMERICAN  
COMMUNITY  
AFFAIRS OFFICER

September 20, 1974

Mr. Donald C. Day  
Assistant District Director  
Immigration & Naturalization Service  
P.O. Box 1-C  
San Ysidro, California 92173

Dear Don:

This letter is to introduce Mr. Bernabé M. Pérez, who is presently a County employee with a conditional employee status; the condition being citizenship. Mr. Pérez appears to have fulfilled the initial citizenship requirements in order to secure his position with the County, but, his ability to maintain it is presently a concern. As you will note by the attached County letter to Mr. Pérez, it maintains that he must be a citizen on or before October 31, 1974. In this regard, Mr. Pérez is prepared to take his citizenship test and oath prior to October 31, 1974, but he is informed that he must wait until January 1975. If in fact, this is the case, Mr. Pérez will greatly appreciate a letter from your department to the County Personnel Department stating that he has no control over the situation, and for all intentions and purposes he has done everything within his ability to become a citizen.

On the other hand, if you are able to arrange for Mr. Pérez to take the test and oath prior to October 31, 1974, this effort will be greatly appreciated because his ability to maintain his employment is contingent on this situation. As you know, San Diego has the highest unemployment rate (10.5%) in the nation, and Mr. Pérez is very fortunate to have a job. It would be most tragic to lose his present job opportunity on a technical aspect of Law that was not flexible to accommodate situations of this type that are explainable and workable.

Respectfully yours,

VIC VILLALPANDO

VV:ls

cc: Bob López

SAN DIEGO COUNTY IMMIGRATION COUNCIL

October 30, 1974

Dewey Baggett, Executive Director  
Hospital Council of San Diego and  
Imperial Counties  
8305 Vickers Street  
Guardian Plaza Boulevard  
San Diego, California

Dear Mr. Baggett:

On August 22, 1974, the County Board of Supervisors approved the creation of a multi-government task force that would cooperate in attempting to ameliorate problems that involve legal and illegal non-citizens of the United States. In this regard, Mr. Sheldon King, Director of University Hospital; Mr. Rober Larsen, Administrator Bay General Hospital; and Mr. James Ray, Mercy Hospital, were invited to attend the first meeting of the Council to provide input on Hospital related matters. During the course of our initial meeting, a decision was reached to select a steering committee consisting of one representative from each specific area of concern to the Council; Mr. King was selected to serve on the Steering Committee.

One of the charges of the Steering Committee was to develop a subcommittee structure responsible for studying and presenting recommendations on the primary areas of concern. Consequently, the Steering Committee, at its first meetings, agreed upon the formation of at least three initial subcommittees: Law Enforcement, Education, and Health Services.

Since the scope of the Council's interest in health matters has changed from a specific interest in the hospitals mentioned to the broader issue of how all hospitals in the San Diego County deal with these problems, Mr. King has suggested I take this opportunity to solicit the cooperation of the San Diego Hospital Council. University Hospital has been asked to coordinate the subcommittee on Health Services, and I am requesting that the Hospital Council name a representative from the Council as well as three representatives from other hospitals in the County (in addition to Bay General, Mercy, and University) who could provide significant input from the various geographical areas of the County of San Diego.

Dewey Baggett

Page 2

October 30, 1974

Enclosed for the Council's information is the County's resolution which establish the task force, and also a copy of the basic goals of the organization. If I may provide further information, please let me know.

Sincerely,

A handwritten signature in cursive script, appearing to read "Vic Villalpando". The signature is written in dark ink and is positioned above the typed name.

AL GARCIA, Chairman  
San Diego County Immigration Council

AG:ls

Attachments

cc: Vic Villalpando  
Bob López  
Sheldon King

THE SAN DIEGO COUNTY  
IMMIGRATION COUNCIL

Prepared by:

Nancy Hoskins  
Administrative Trainee

October 1974

THE SAN DIEGO COUNTY  
IMMIGRATION COUNCIL

San Diego county's proximity to a 1600 mile Mexican-American borderline involves the County in some unique alien concerns. Basically, these concerns focus on: (1) the socio-economic issues encumbering aliens and, (2) the impact of aliens legally, economically, and socially, on various government and public agencies within the county.

In recognition of this situation, the Board of Supervisors in March of 1974, directed the Human Resources Agency (HRA) to investigate the aforementioned concerns. Responding to the Board's directive, the HRA organized a multi-government/private citizen task force.

The Task Force was staffed in a manner such that it would: (1) involve a sufficient span of those agencies most affected by the alien concerns, (2) provide enough channels to direct concerns from practically every element in the county and, (3) remain small enough to be workable. The County's Mexican-American Community Affairs Officer, Vic Villalpando, was designated to serve on an "as needed" basis as the Executive Secretary of the Task Force. See attachment one (1) for the names of the members of this committee...this list is subject to additions and deletions.

Essentially, the Task Force's prime responsibility would be to define alien concerns as they relate on a Federal and County level to: (1) manpower, (2) welfare, (3) health care, (4) human relations and (5) law enforcement. Additionally, the Task Force would recommend solutions to any problem area and work with the appropriate agencies in efforts to alleviate such problems.

September 11, 1974, marked the first meeting of the Alien Task Force. The agencies of Law Enforcement, Manpower, Welfare, Health, and Human Relations were represented as were individuals from the Mexican-American community. During this meeting:

1. Al Garcia was elected Chairperson.
2. Phil Saens was elected Vice Chairperson.
3. A proposal was adopted to establish a steering committee for the purpose of formulating agenda items and to coordinate the general functions and activities of the Task Force.
4. Further, each agency representative, as well as citizens, gave a capsule report as to their perspective relative to the Task Force.

This was effective in alerting all committee members to the scope and ultimate magnitude of Mexican Alien issues.

The second Mexican Alien Task Force meeting convened on October 9, 1974. In the interim, Mr. Garcia had appointed Mr. Donald C. Day, of U. S. Immigration and Naturalization, Peter Schey of the Legal Aid Society, Carlos Vasquez of C.A.S.A. Justicia, and Sheldon S. King of University Hospital, as the members of the Steering Committee for the Alien Task Force. Several policies were instituted at this meeting:

1. The Mexican Alien Task Force adopted the new title of the San Diego County Immigration Commission.\*
2. A proposed organizational chart was approved by the Committee. (See Attachment 2.)
3. It was further agreed that each of the agencies as listed in Attachment 1 would submit a position paper. The following items were to be included in that position paper:

\* This has been amended to Council in compliance with a Board ruling (See attachment 3.)

- a. A description of the agencies' problems and concerns as they relate to immigration matters, including policies, fundings, impact on people, etc.
- b. A description of services which each agency renders.
- c. Each agency should note the objective (short and long term) which they feel the Commission is capable of accomplishing now and should seek to accomplish in the future.

The position papers were due on Wednesday, October 16. On the basis of information contained in the position papers, the Steering Committee will clearly delineate the long and short term goals and objectives to be implemented and exercised for the conjoint benefit of aliens and the County of San Diego. All resource data will form the basis of the San Diego County Immigration Council's report which will ultimately be submitted to the Board of Supervisors of San Diego county. Although the Steering Committee did meet on October 17, it did not formulate goals or objectives at this particular time, since all position papers had not been received. The Steering Committee did, however, establish the following sub-committees to be expanded at the discretion of the Chairperson:

a. Law & Justice

- Donald C. Day (Chairperson)
- Stanley Hay
- Carl Ecklund
- Herman Baca
- Phillip Usquiana
- A representative from the Harbor Police

C. Education Committee

- Adele Alvarez
- Ward Donley (Chairperson)
- Scott Gray
- Peter Schey

b. Health Care Committee

- Sheldon King (Chairperson)
- Carlos Vazquez
- Felix Rusnak
- James Ray

A framework has now been established by which to implement goals and propose solutions to the alien concerns. The Council's multi-government/private citizen composition lends itself to providing positive action to direct concerns from

practically every element of the county. Furthermore, the Council is ingrained in a united effort to alleviate present and future alien/immigration problems. In summation, the Council can be termed well-structured and an effective vehicle of the people, which is gradually gaining momentum and impact.

SDCIC  
Page 2  
Mailing List.

Felix Rusnak  
Assistant Director  
County Welfare Department  
7949 Mission Center Ct.  
San Diego, California 92108

Adele Álvarez  
Escondido High School  
1535 North Broadway  
Escondido, California 92025

Carlos Vázquez  
C.A.S.A. Justicia  
1839 Highland Avenue  
National City, California 92050

Herman Baca  
Ad Hoc Committee on Chicano Rights  
1837 Highland Avenue  
National City, California 92050

Alberto García, Chairman  
San Diego County Immigration Council  
323 1/2 E. San Ysidro Blvd.  
San Ysidro, California 92073

Lic. Daniel González Dupreé  
Cónsul Mexicano  
Wells Fargo Bank Bldg.  
1007 5th Avenue & Broadway  
San Diego, California 92101

Lic. Armando Garcés Otero  
Primer Sub-Procurador de  
Justicia de Baja California  
Procuraduría General del Estado  
Mexicali, Baja California

## SAN DIEGO COUNTY IMMIGRATION COUNCIL

Mailing List

Donald C. Day  
 Assistant District Director  
 Immigration & Naturalization Service  
 P.O. Box 1-C  
 San Ysidro, California 92173

Balt Yánez  
 Equal Opportunity Officer  
 U.S. Customs Services, Region VII  
 Regional Commissioner of Customs  
 P.O. Box 2071, Main Post Office  
 Los Angeles, California 920053

Sheldon S. King, Director  
 Hospital and Clinics  
 University Hospital  
 225 W. Dickenson Street  
 P.O. Box 3548  
 San Diego, California 92103

James L. Ray  
 Administrative Assistant  
 Mercy Hospital  
 4077 Fifth Avenue  
 San Diego, California 92103

Scott C. Gray  
 Assistant Superintendent  
 Student Services Division  
 San Diego City Schools  
 Park and El Cajon Blvds.  
 San Diego, California 92103

Peter A. Schey  
 Attorney at Law  
 Legal Aid Society of San Diego  
 3040 Imperial Avenue  
 San Diego, California 92102

Robert Larsen  
 Assistant Administrator  
 Bay General Hospital  
 435 "H" Street  
 Chula Vista, California 92010

Phillip Usquiano  
 Business Manager  
 Laborers' International  
 Union, Local No. 89  
 4161 Home Avenue  
 San Diego, California 92105

Ward T. Donley  
 Assistant Superintendent  
 Sweetwater Union High  
 School District  
 1130 Fifth Avenue  
 Chula Vista, California 92011

Capt. Carl Ecklund, Director  
 Community Relations Section  
 San Diego Police Department  
 801 W. Market Street  
 San Diego, California 92101

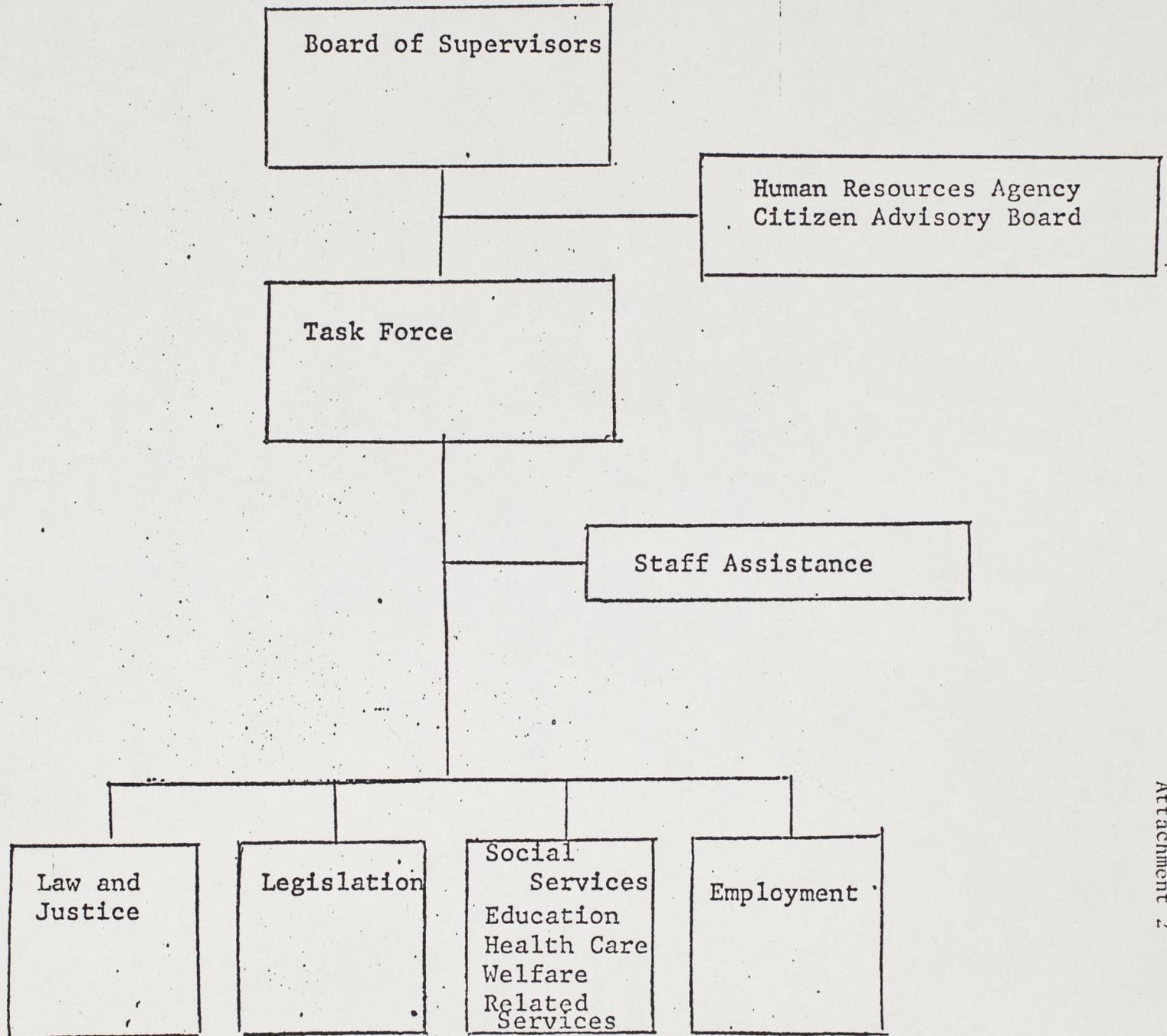
Phil Saenz, Special Assistant  
 County District Attorney  
 220 West Broadway  
 San Diego, California 92101

Art Madrid  
 Community Relations Officer  
 Office of the Mayor  
 202 "C" Street  
 San Diego, California 92101

John French, Chairman  
 HRA Advisory Board  
 424 Pennsylvania Avenue  
 San Diego, California 92103

Stanley Hay, Sergeant  
 County Sheriff's Department  
 222 West "C" Street  
 San Diego, California 92101

MEXICAN ALIEN TASK FORCE





# COUNTY OF SAN DIEGO

ADMINISTRATION CENTER 1600 PACIFIC HIGHWAY  
SAN DIEGO, CALIFORNIA 92101 (714) 239-7711

VIC VILLALPANDO  
MEXICAN - AMERICAN  
COMMUNITY  
AFFAIRS OFFICER

October 21, 1974

Mr. Al García, Chairman  
San Diego County Immigration Council  
323 1/2 E. San Ysidro Blvd.  
San Ysidro, California 92073

Dear Al:

Subject: San Diego County Immigration Commission--Change of Title

Mr. Rubén Domínguez is in the process of writing a letter to the Board of Supervisors to inform them of the Mexican Alien Task Force desire to change its identification to the, "San Diego County Immigration Commission," as voted on by the Task Force on October 9, 1974. In the process of formulating the letter to the Board, we have been informed that you cannot use "Commission" as part of the new title.

In any case, a "commission" can only be established through means of an "Ordinance" approved by the Board. In this case, the Task Force was created as the result of a "Resolution." Specifically, the word "commission" denotes perpetuity, and as you know, the Task Force is initially to exist for one (1) year.

In this regard, I have taken the prerogative of substituting "Council" for "Commission" in order to avoid any criticism from the Board. I trust that this meets with the approval of the SDCIC, since Nancy Hoskins and I do this in light of expediency for the numerous pieces of correspondence that we (as staff support) are generating on behalf of the SDCIC.

Respectfully yours,

VIC VILLALPANDO

VV.ls

cc: Rubén Domínguez  
Bob López

Nancy Hoskins

SAN DIEGO COUNTY IMMIGRATION STEERING COMMITTEE  
Meeting October 17, 1974  
\*MINUTES\*

Members Present:

Al García  
Donald C. Day  
Charlie Vázquez  
Michael Stringer (for Mr. King)

County Staff Present:

Vic Villalpando  
Nancy Hoskins

Meeting called to order by Al García, at 10:15 a.m.

1. Mr. Stringer suggested that before goals and objectives were established, that accurate statistical data be solicited from the various agencies, institutions, and community bases as to what impact/affect the alien factor has on their resources.
2. Mr. Day agreed with Mr. Stringer and added that investigative data should be submitted, which would clearly show how much medical assistance is being rendered by the hospitals.
3. Mr. García further agreed and stipulated that this information should include:
  - a. What specific services are rendered.
  - b. What is the cost of the alien to the taxpayers of San Diego.
  - c. How often are these services rendered.
  - d. A definition of the procedures used while servicing aliens.
4. It was agreed that University Hospital is heavily burdened because all other hospitals channel their aliens to University. University Hospital, therefore, assumes the moral and financial obligation for aliens.
5. University Hospital specific will collect data which will reveal:
  - a. Number of aliens in the hospital with I-55 forms.
  - b. Number of aliens with I-186 forms.

October 17, 1974

- c. Number of aliens without any certification.
  - d. Number of cases transferred from other hospitals to University Hospital.
6. Mr. Stringer and Mr. Villalpando suggested that the County Department of Medical Institutions be included as members of the Commission. It was agreed that letters of invitation would be submitted to Frank Panarisi, Mr. Stadel, and Mr. Askew, and that they would be included in the Commission.
  7. Mr. García established the Health Committee and appointed Mr. Sheldon King as the Chairperson (Michael Stringer to act as Chairperson in the absence of Mr. King), James Ray would also serve on this Committee as well as two other hospital directors to be determined at a later date. Mr. Stadel, Mr. Panarisi, and Mr. Askew, would also be asked to join this Committee.
  8. Mr. García addressed Mr. Day as to what authorization the INS had granted to hospitals to grant them inspection of alien documents.
  9. Mr. Day replied that anyone can ask to see documents--it is not a legal matter.
  10. Mr. García asked Mr. Day to investigate the involvement with the INS may have on payment problems of alien hospital cost.
  11. The following committee structures were established.
    - a. Law and Justice
      - Donald C. Day (Chairperson)
      - Stanley Hay
      - Carl Ecklund
      - Herman Baca
      - Phillip Usquiana
      - A representative from the Harbor Police
    - b. Health Care Committee
      - Sheldon King (Chairperson)
      - Carlos Vázquez
      - Felix Rusnak
      - James Ray
      - Others to be determined. See Item 7 for details.

October 17, 1974

d. Education Committee

- Adele Álvarez
- Ward Donley (Chairperson)
- Scott Gray
- Peter Schey
- Others to be included at the discretion of the Chairperson.

12. A Legislation and Procedures Committee was discussed, but it was determined that this Committee would be discussed at a later date.
13. Carlos Vázquez suggested that in gathering our data and formulating policies, that we should not forget to include other minority groups.
14. Vic Villalpando stated that he will extend an invitation to Grace Blaszkowski, Asian Community Affairs Officer, to attend the next meeting of the San Diego County Immigration Commission.
15. A concern was voiced for additional staff assistance. This concern would be directed to Bob López, in the hope that CETA people could fill in.

The meeting ended at 12 noon. The time of the next meeting is to be determined at a later date.

Respectfully submitted,

NANCY HOSKINS  
Staff Assistance

NH:ls

## WELFARE DEPARTMENT STATEMENT TO COUNTY IMMIGRATION COMMISSION

The Welfare Department does not give financial assistance to illegal aliens because of State and Federal laws and regulations. An applicant for Aid to Families with Dependent Children, General Relief and Medi-Cal must attest to being a U.S. citizen. If not a citizen he must produce verification of legal immigration. If he claims legal status but has no proof, an inquiry to Immigration is required.

Aliens are eligible for food stamps at this time, but the Department has no knowledge of how many aliens are in receipt of food stamps as there is no differentiation in the application process for aliens or citizens.

Social Services may be given to illegal immigrants at times, especially when there is a need for Child Protective Services. For the most part, however, Social Services are limited to public assistance recipients.

The impact of illegal immigrants is not great on the Department at this time. The lengthy process of obtaining verification of legal status from I.N.S. might develop into a major problem if verifications are not obtained in a reasonable length of time.

The Department maintains a unit of employees in the Department of Medical Institutions whose function is to determine resources for medically indigent persons referred to the unit by University Hospital. In many instances the medically indigent person is a non-legal immigrant. Payment for medical care for these persons is the responsibility of the Department of Medical Institutions and is not reflected in Welfare Department costs.

### Services provided by the Welfare Department:

The Welfare Department's cash assistance programs help dependent children and their families in their own homes, and dependent children in foster homes, to meet their minimum basic needs for food, shelter, clothing and medical care.

### There are two Medically Needy Programs:

Medically Needy Only Program, which is for individuals and families who would otherwise be eligible for the cash programs, but whose income meets most of their basic needs except for medical expenses.

The non-categorically related persons program is for persons 18 through 64 or 18 and married, who cannot qualify either for cash public assistance or Medically Needy Only, but who are financially needy. This group includes persons receiving county general relief and other low income people, such as needy married couples with no children, the spouse of a public assistance recipient and single individuals.

The Food Stamp Program, funded by the U.S. Department of Agriculture is available to Public Assistance Recipients and low income families if they prepare their own meals, and if their income and assets are within limits established by the U.S. Department of Agriculture.

General Relief is the completely county funded Program for qualified needy people in San Diego County who are not eligible for Public Assistance under one of the foregoing categories because of State or Federal eligibility requirements.

Public Social Services are provided to meet specific objectives related to improvement in various areas.

Adoptions: Provides agency and independent adoption services to natural parents, children and adoptive parents.

Foster Home Licensing: One of the major ways of insuring that individuals need for care outside their own homes are protected. A license is necessary to provide 24 hour care of children who are placed in foster care, family day care for children of employed parents, and residential care for adults needing services other than just room and board.

Children's Protective Services: Consists of social work efforts with families having serious problems which obviously affect the well-being of their children. The goal of protective service is to assist the family to reach an improved level of functioning consistent with community standards.

Information and Referral Services: Available to anyone who needs assistance in securing information about health, social, rehabilitation and employment resources.

Employment and Rehabilitation Services: The goal is to move AFDC Welfare recipients into productive employment by offering training incentives and supportive services.

Services to Strengthen Individuals and Families:

Includes a broad range of activities, such as reuniting separated families, enabling older children to maximize their school achievement, helping younger children to make better use of pre-school programs, and helping clients secure adequate housing.

Protective Services for Adults: Provides protection and support to individuals who cannot adequately act on their own behalf due to frailty, disability, isolation, or impaired judgment and who have no one to act for them.

Money Management Services: Provided on request or when there is a demonstrated inability on the part of individuals and families receiving public assistance to effectively control their finances in their own best interests.

Child Support Services: Provided to help families to secure financial support by locating absent parents, establishing the paternity of a child born out of wedlock, determining an absent parent's ability to support a child, securing agreements to provide support, and securing compliance with support agreements and court orders.

Child Care Services: Can be arranged for preschool and school age children, usually living in their own homes, whose parents need help in making appropriate child care plans for part of the day when they are at work, engaged in vocational training, or are away from home for other reasons and for children with special needs who have physical and mental handicaps.

Health Care Services: Includes help to parents, children, the aged, blind and disabled to locate organizations and individuals who are able and willing to provide preventive and remedial medical and related health services.

Out of Home Services for Children: Services in 24 hour temporary, emergency or long-term family foster homes or in institutions are available on a voluntary basis when parents are unable to care for their children. Children may require care away from their own homes because of their parents' poor health, physical or mental, a family crisis such as divorce or imprisonment, or because of the child's own behavior problems in his own home.

Out of Home Services for Adults: Includes assistance with placement, care, treatment, discharge or transfer plans into and from a variety of settings, such as foster family care, intermediate care facilities or nursing homes for individuals who have physical, mental, social or emotional limitations which make it impossible for them to continue to live independently in the community.

Homemaker Services: Help aged, blind, and disabled adults to remain in their own homes by providing homemakers who give personal care and help with housekeeping tasks.

Pre-school Compensatory Education: Includes identifying those children and families who could profit from pre-school, helping the child to prepare for and enter pre-school and encouraging the parents to participate.

Volunteer Services: Provides through its pool of volunteers, numerous ancillary services to supplement other social services. Current programs include Telecare and weekly visitation for the socially isolated, aged, blind, and disabled; tutoring for all ages; big brother/big sister services for children; child care during meetings of foster parents; and various recreational and cultural outings for groups of children.

Family Planning and necessary social services are offered to all former, current or potential aid recipients of child bearing age, 15 to 44, inclusive and provided to those former, current or potential recipients wishing such services. The services are offered and provided without regard to marital status, age or parenthood.



# MERCY HOSPITAL AND MEDICAL CENTER

SERVING THE COMMUNITY SINCE 1890

4077 FIFTH AVENUE / SAN DIEGO, CALIFORNIA 92103 / PHONE (714) 294-8111

October 21, 1974

Mr. Vic Villalpando  
Community Affairs Officer  
1600 Pacific Highway  
San Diego, California 92101

Dear Vic:

Mercy Hospital and Medical Center is motivated in its service to people by a belief in the dignity of each individual human being. We believe that this dignity is enhanced by providing optimal health care services and programs which contribute to the physical, psychological, emotional, social and spiritual well being of all people in the communities we serve.

Mercy Hospital and Medical Center has written policies regarding Mexican nationals or in the case of San Diego County Immigration Commission, non-residents. These policies explain how we handle the non-resident patient.

From Mercy Hospital and Medical Center Standard Practice 6-1:

1. Mexican national patients who present themselves at the Emergency Room are treated and stabilized. If their condition necessitates admission, they are admitted only after they have been cleared through the resident on call. Medical interns are not authorized to admit these patients to Clinic or teaching services. The resident should then seek authorization for the admission for these patients from the Administrator.
2. Mexican nationals who walk into the Clinic seeking help will be screened either by a physician or a nurse. If continued care is indicated, the patient should then be referred to Fatima or Kiwanis Clinic in Tijuana, Mexico.
3. Mexican nationals with a 72-hour pass or those that are illegally here are not admitted to the Hospital under any circumstances unless they are brought in to the Emergency Department and their treatment is a true emergency.

Mr. Vic Villalpando  
Page 2  
October 21, 1974

As you can see by the Practice we take care of those who present themselves in an emergency situation and to the best of my knowledge we have not accepted for routine care an illegal alien from any country. We have found in the past few months an increase in the number of walk-in expectant mothers and emergency vehicles from Tijuana coming to our Emergency Room. We have not solicited for these patients in any way. Hopefully through the Commission we will be able to come up with a solution to appropriately keep the people in their respective communities.

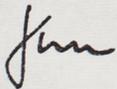
As per funding we have found that the illegal alien has no source from which to draw to pay for his care.

OBJECTIVES

- (1) To define the impact of the alien on the economy of San Diego, both positively and negatively.
- (2) To identify openly and honestly what cultures we are dealing with. (As related to Mercy Hospital and Medical Center, 97% of our alien problems are the Mexican nationals who are non-residents of the State of California).
- (3) To define the impact of the illegal alien on the health care of San Diego County in terms of manpower, facilities, and cost.

I look forward to our next meeting.

Sincerely,



James L. Ray  
Ambulatory Services

JLR:1mb

cc: Sheldon King  
University Hospital

October 16, 1974

San Diego County Immigration Commission  
County Administration Building  
1600 Pacific Highway - Room 271  
San Diego, California 92101

Subject: University Hospital

I. Problems with Immigration Issues, San Diego County

University Hospital serves as a major health care resource for immigrants treated in San Diego County. This is partly because University Hospital was formerly the County Hospital and as such, was the natural referral agency for all patients for whom there was no private physician and for whom no other sources of payment for care existed other than as wards of the County. With the advent of Medi-Care and Medi-Cal the problem largely focused on the unauthorized immigrant or immigrant temporarily in San Diego for whom the County assumes no responsibility.

University Hospital as part of the University of California, San Diego is the major teaching hospital for the School of Medicine. As such, limited funds are available for the admission of selected patients (who have no other source of payment for care) who are especially interesting teaching cases. Some of these funds are used for immigrants selected for admission. These funds are limited in nature and are not available for immigrants presenting themselves for emergency admission and/or diseases which are not part of the traditional teaching service at a university hospital. The County of San Diego normally has paid part of the cost of emergency patients admitted to University Hospital provided that there was no other source of reimbursement. More recently the policy has been to approve fewer and fewer such admissions, on the grounds that the Hospital's services are such as to attract unauthorized immigrants and that these were not patients whom the County would traditionally have cared for in the past.

Other hospitals at which immigrants appear almost invariably transfer the patients to University Hospital with or without permission, as long as the patient is in condition to be transferred. They do assume the responsibility for caring for such patients who cannot be transferred, often at a direct loss to the hospital since reimbursement is not available. The issues inherent here are firm commitments by the County to care for patients who arrive at hospitals in San Diego and are transferred to University Hospital, and who's admission was not previously arranged.

October 16, 1974

Health care resources are available in the County, but funds must be provided to cover the cost of providing treatment.

University Hospital has increased its Social Work Staff to provide more appropriate services for the immigrant, and is in the process of developing a plan to increase the number of Spanish speaking interpreters to better accommodate our patients' needs.

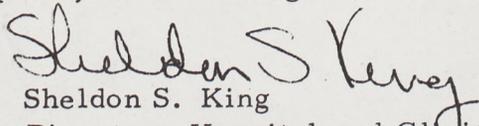
## 2. Resources of University Hospital

University Hospital provides a complete range of ambulatory and inpatient services for the San Diego community. All services are provided, including mental health services, and treatment of tuberculosis, as well as all of the surgical specialties, and care covering all branches of medicine, pediatrics and neurology. The Hospital operates extensive outpatient departments and a primary round-the-clock emergency room. Services included range from primary care in the Hospital's walk-in clinic where relatively simple medical problems are treated to the most complicated kinds of disease treatment in special areas of the Hospital. Recently, for example the Hospital opened a burn center for the treatment of extensively burned patients. The Hospital is in the process of developing a trauma center for multiple injuries, and a rehabilitation center to meet another acute need in San Diego County.

In addition to the full range of services offered the community, the Hospital is the major teaching center of the University of California, San Diego School of Medicine and is an integral part of the process of education for medical students, house staff, and para-medical personnel.

## 3. Objectives of the Commission

The objectives of the Commission ought to be to describe in detail and in documented form the needs of the immigrant community in the County, and to develop suggested patterns for meeting those needs. It is key and important that the unauthorized immigrant be incorporated into the health care resources system, have access to the educational system, and to develop a more secure legal status within the United States. The Commission may also wish to consider the issues of more stringent Border guard enforcement of immigration policy, and the development of recommendations to amend the present policy of the Immigration Service.

  
Sheldon S. King  
Director, Hospital and Clinics

## IMMIGRATION AND NATURALIZATION SERVICE

The Immigration and Naturalization Service is responsible for administering and enforcing the Immigration and Nationality Act and related Federal Criminal Statutes. Encompassed within this responsibility is the Inspection and Admission of Aliens into the United States and prevention of illegal entry of aliens into the United States. Also, the Service is charged with the responsibility of locating and removing those aliens who have effected illegal entry as well as those who made lawful entries but subsequently violated the terms of their admission. In San Diego County, the Port of San Ysidro represents one of the busiest land ports of entry in the United States. A major portion of the 170,451,200 persons inspected along the Mexican border during Fiscal Year 1974 passed through the Inspectional process at San Ysidro. The Inspectional process is shared with the U.S. Customs and other Government agencies. Because of inadequate manpower, however, only 37 percent of the time devoted to primary inspection at border ports is being spent along the Southwest Border where the incidence of illegal entry has shown to be the greatest. The Immigration Service is in the process of adjusting this disparity of inspectional duties, and hopefully the Service will attain parity with the other agencies involved in the primary inspection function.

The Immigration and Naturalization Service faces a serious lack of resources. Over the last fifteen years the resources and manpower available to the Service have increased only slightly while the tasks have increased

enormously. During these years there has been a continuing and dedicated effort by all our employees to shoulder an ever heavier burden by stretching our manpower and dollars to their limit. This process clearly could not continue indefinitely without seriously impairing the ability of I & NS to perform its mission. Because of these resource shortages, it became necessary to decide between continuing to operate all I & NS programs in an ineffective manner or shifting resources to those programs which have the highest priorities. The Service believes that the decision to shift resources to high priority programs was the honest and responsible course. The Service realizes and regrets that this course of action will have an impact on various sectors of the government, the public and business, but these measures must remain in force until the Service is capable of performing effectively all the duties for which it is responsible.

The decision alluded to in the foregoing paragraph is in line with President Ford's announcement to reduce Federal civilian employment by 40,000 positions from the levels budgeted for the end of the current fiscal year.

Insofar as the immediate problems facing the I & NS in the San Diego area are concerned, they may be categorized under two main areas:

- (1) Inducement for aliens to enter illegally or to violate after entry.

Contributing to this inducement are the economical disparity between this Nation and other Western Hemisphere countries, the rapid growth of population in Mexico, which is expected to double in 20 years, our inability to control surreptitious entrants, and the facility with which an illegal alien may obtain employment in the area.

- (2) A critical lack of resources with which to perform our lawful functions.

The primary objective of the Commission must always be observed if we are to succeed. The objective, the defining and helping to resolve the socio-economic impact on the San Diego area caused by aliens, is and must always be our goal. The role which the Immigration and Naturalization Service may play in this action may not be as significant as our organization title would suggest. Many of the problems - socio-economic ones - are neither a product of the I & NS nor can we be instrumental in helping to resolve. For example, the furnishing of employment to an undocumented alien is a matter which the community itself must be induced to resolve. There is presently under consideration in the Congress of the United States, legislation which would impose penalties upon employers for hiring aliens not entitled to such employment. Hopefully, should this legislation be enacted, the inducement for the undocumented alien to come to this country would be significantly impaired. Furthermore, the furnishing of public services to undocumented aliens, such as Welfare benefits, medical care, etc. are not within the province of the Immigration and Naturalization Service to in any way regulate. The agencies involved must work out their own policies in this regard. Perhaps this Commission can assist them in so doing. I feel that an interaction of agencies sharing similar problems will have a salutary effect in arriving at policies and guidelines regarding the dispensing of their various services. The Immigration and Naturalization Service, while woefully understaffed, will strive to offer technical advise in matters touching upon Immigration matters. We will also strive to answer inquiries from involved agencies as promptly as possible.



# COUNTY OF SAN DIEGO

INTER-DEPARTMENTAL CORRESPONDENCE

DATE October 30, 1974

TO: Vic Villalpando

FROM: Frank Panarisi

*see 10/24/74*

SAN DIEGO COUNTY IMMIGRATION COUNCIL

In response to your request of October 24, 1974, relating to membership on the subject Council, I am pleased to accept the Council's invitation to participate and nominate as representatives from the Health Care Agency:

W. W. Stadel, M.D., Director, Department of Medical Institutions

and as alternate

A. Kurlander, M.D., Assistant Director, Department of Medical Institutions

Thank you for the opportunity to participate in this County Task Force which will be working on the problems related to legal and illegal aliens.

FRANK PANARISI

FP:WC:jpb

cc: Members, Health Care Agency Advisory Board  
W. W. Stadel, M.D.  
A. Kurlander, M.D.  
Administrator, Human Resources Agency



# COUNTY OF SAN DIEGO

INTER-DEPARTMENTAL CORRESPONDENCE

DATE October 24, 1974

TO: Frank Panarisi, Administrator  
Health Care Agency

FROM: Vic Villalpando

SUBJECT: San Diego County Immigration Council

As I stated in our conversation of October 21, 1974, our Board of Supervisors formally sanctioned the creation of a county-wide task force that would address itself to working on solving problems as they relate to legal and illegal aliens. Al García has been elected chairman of the Council, and he asked me to extend an invitation for you to become part of the Council by participating on the Health Committee. The Council realizes that your agency has a direct working relation with aliens, and your involvement is most vital and certainly welcomed.

In order for you to better understand the purposes of the Council, enclosed is a copy of the Board's letter which created the task force, and also enclosed is a copy of the basic goals and objectives of the Council.

We look forward to a letter from you accepting the Council's invitation, and also naming those persons from your Health Care Agency who you feel most appropriate to participate on the Health Committee. Call me if you have any questions on the San Diego County Immigration Council.

VIC VILLALPANDO  
Mexican-American Community  
Affairs Officer

VV:ls

Enclosures

cc: Al García  
Bob López  
Rubén Domínguez  
John French

SAN DIEGO CITY SCHOOLS

EDUCATION CENTER  
PARK AND EL CAJON BOULEVARDS  
SAN DIEGO, CALIFORNIA 92103

OCT 16 1974

STUDENT SERVICES DIVISION

October 14, 1974

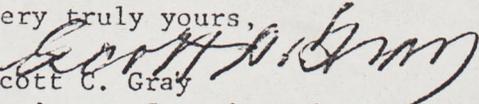
Mr. Vic Villalpando  
Community Affairs Officer  
1600 Pacific Highway  
San Diego, California 92101

Dear Mr. Villalpando:

In response to your request for a synopsis of areas where San Diego City Schools are particularly concerned with immigrants, I submit the following:

- (1) a. The question is often raised as to whether the San Diego City Schools are providing education to undocumented immigrant students. Following the provisions of the Education Code of California, as interpreted by our legal counsel, the schools undertake to verify residence-in-fact and age prior to enrolling any pupil. These are the only determinations which the schools are presently authorized to make. It may be that some officially undocumented immigrants are attending school, but if they are they have provided a San Diego residence address and have proven they are of proper age for school admission. The problem here is not that of furnishing education to these pupils, but of interpreting the situation accurately to the public.
- b. San Diego City Schools furnish education to a significant number of student visa students from a variety of other countries. Because of a ruling of the San Diego County Counsel, by which we are bound, that the completion of an unqualified I-20 Form is an illegal gift of public funds, our legal counsel has developed a disclaimer statement which we place on the I-20 Forms. Use of this disclaimer and acceptance of it by consuls all over the world has made it possible for us to continue to provide this valuable program for many students. To our knowledge the only consul who will not accept the I-20 with our disclaimer is the American Consul in Tijuana. The school district has made every effort to resolve this situation with the consul, but to no avail. It appears possible that this situation can only be resolved by a legal or administrative ruling from a higher level.
- (2) San Diego City Schools provide a full range of educational services to any pupils resident in San Diego and otherwise meeting entrance criteria.
- (3) The Commission can possibly be of assistance in giving accurate interpretations to the public and to the media reflecting the school district's position in these matters. It is also possible that the Commission might wish to recommend changes in legislation which would modify the schools' position in directions judged to be desirable by the Commission.

Very truly yours,

  
Scott C. Gray  
Assistant Superintendent  
Student Services Division

SCG:jl



# COUNTY OF SAN DIEGO

INTER-DEPARTMENTAL CORRESPONDENCE

OCT 16 1974

DATE 10-15-74

TO: San Diego County Immigration Commission  
Mail Stop A217

FROM: Sgt. S. L. Hay, Sheriff's Department

The impact of the immigration problem of the San Diego Sheriff's Department is minimal to our day-to-day operations. The only contact we have with Mexican aliens is incidental to our routine operations. We have no specific statistics available to determine the exact extent of alien criminality in this county; however we feel that such activity has a small impact on our total operation.

The incidents in which Mexican aliens particularly are becoming victims of assaults and thefts has appeared to increase in the past few months. A notable increase has been evident in the Otay Mesa area.

The one area of significant impact on this Department's total operation is in the County Jail. The problem here is in sheer volume especially with respect to females. The County Jail is of inadequate size to handle the recent increases in jail population without the added burden of aliens detained for various charges. It is our expectation that the completion of the new Federal Jail in 1975 will significantly reduce this impact.

The possible objective I might suggest to reduce the time span that aliens are being detained as material witnesses in alien smuggling matters would be to gain permission for written depositions to be taken and the aliens then deported. This would significantly reduce the number of aliens detained.

SLH/dh

# COUNTY OF SAN DIEGO

ADMINISTRATION CENTER 1600 PACIFIC HIGHWAY  
SAN DIEGO, CALIFORNIA 92101 (714) 239-7711



VIC VILLALPANDO  
MEXICAN - AMERICAN  
COMMUNITY  
AFFAIRS OFFICER

October 16, 1974

As per Captain Carl Ecklund's instructions on October 16, 1974, the position paper of the City Police will state reiterate Al Coburns statement of September 19, 1974, directed to the members of the Immigration Commission:

1. The Police get involved in transporting aliens in need of medical attention to the hospital.
2. Concern for the alien who is victimized by the smuggler. The alien must sometimes wait in jail while the smuggler is free.
3. Concern for alien women who are sexually molested, and who are afraid to complain or testify.
4. Concern for rise in crime as it relates to property damage, and theft that is traceable to alien traffic.

Respectfully yours,

NANCY HOSKINS  
Staff Support

NH:ls

OCT 16 1974

# Sweetwater Union High School District

ADMINISTRATION CENTER  
1130 FIFTH AVENUE  
CHULA VISTA, CALIFORNIA 92011

DIVISION OF STUDENT SERVICES

October 14, 1974

Mr. Vic Villalpando  
Community Affairs Officers  
1600 Pacific Highway  
San Diego, California 92101

Dear Mr. Villalpando:

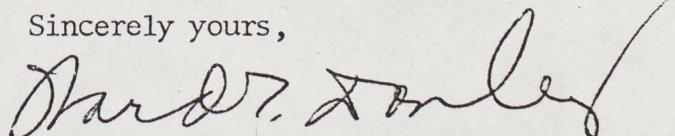
This letter is in response to the information requested at the last meeting of the San Diego County Immigration Commission.

1. The sole circumstance faced by the Sweetwater Union High School District as it relates to the concerns of San Diego County Immigration Commission is the undocumented minor who appears at school for enrollment. The enrollment of the minor does not actually constitute a "problem" in the usual sense. It is a matter of causing attendance personnel to maintain a separate accounting of such children for reporting purposes at the end of the year to the County Board of Education.

For those not familiar with the above procedures and rationale, the following explanation is offered. It is recognized that there are non-citizen, non-immigrant children in this Country. Since they have residence here, the schools must accept them to educate. It is not the responsibility of the schools to inquire into the legality of the residence. However, inasmuch as each child represents a financial burden to the school district, the County Department of Education will reimburse the district; hence, the reporting of all such children to the County Board of Education. The names of the children are forwarded to the County Board of Supervisors which, in turn, relays them to the United States Immigration and Naturalization Service.

2. The Sweetwater District provides a comprehensive educational program leading to a high school diploma, including bilingual courses.
3. As noted above the only problem encountered with the undocumented minor and his enrollment in school is special attention to his unique status which requires annual reporting to the County Board of Education. We do not see either long or short-term objectives to be met to resolve problems.

Sincerely yours,



Ward T. Donley  
Assistant Superintendent  
Student Services

WTD:rs

cc: Mr. Rindone, Supt.  
Mr. Scott Gray, S.D. Unified

*Jo Navarro*  
*268 W. Park*  
*2*

SAN DIEGO COUNTY IMMIGRATION COUNCIL  
November 13, 1974  
10 a.m.

- I. Introduction of Guests
- II. Old Business
  - A. Review of Minutes of Council Meeting of October 9, 1974
  - B. Subcommittee Reports
    - 1. Law and Justice ✓
    - 2. Education ✓
    - 3. Health Care ✓
- III. New Business
  - A. Goal Statements - Council *mm put*
    - 1. Long range
    - 2. Short range
  - B. Objective Statements - Council
    - 1. Long range
    - 2. Short range
  - C. Methods by which Goals will be Implemented
    - 1. Council
    - 2. Subcommittees
  - D. Allocation of CETA Positions
    - 1. Administrative Trainee *John*
    - 2. Bilingual Clerk Typist *John*

\*This has been amended to Council in compliance with a Board Ruling (see attachment 1).

NOTE: MEETING WILL BE HELD at the Public Health Building  
1600 Pacific Highway, Room 303 (Next to County Administration building).

SAN DIEGO COUNTY IMMIGRATION COUNCIL

October 25, 1974

Mr. Sheldon S. King, Director  
Hospital and Clinics  
University Hospital  
225 W. Dickenson Street  
P.O. Box 3548  
San Diego, California 92103

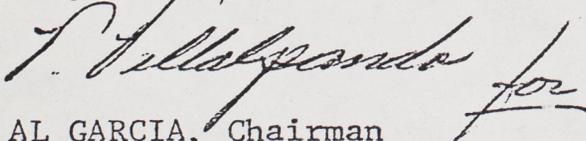
Dear Mr. King:

The Steering Committee of the SDCIC met on October 17, 1974, to work on the development of the SDCIC goals and objectives, and to also establish the special committees which will represent the various socioeconomic concerns relative to the problems created by the legal and illegal alien in our county. In this respect, the Steering Committee selected you to chair the Health Care Committee. Other Council members who will serve in your committee are:

Carlos Vázquez - Chicano Community  
Felix Rusnak - County Welfare  
James Ray - Mercy Hospital  
Robert Larsen - Bay General Hospital  
Others to be determined later

We trust that you will accept the Chairmanship of the Health Care Committee, and we look forward to a very fruitful relationship. And, again, thank you for your involvement and sensitivity to the problem of the alien.

Respectfully yours,



AL GARCIA, Chairman  
San Diego County Immigration Council

AL:ls

cc: Bob López  
John French  
Vic Villalpando

*copy*

SAN DIEGO COUNTY IMMIGRATION COUNCIL

October 24, 1974

Mr. Ward T. Donley  
Assistant Superintendent  
Sweetwater Union High  
School District  
1130 Fifth Avenue  
Chula Vista, California 92011

Dear Mr. Donley:

The Steering Committee of the SDCIC met on October 17, 1974, to work on the development of the SDCIC goals and objectives, and to also establish the special committees which will represent the various socioeconomic concerns relative to the problems created by the legal and illegal alien in our county. In this respect, the Steering Committee selected you to chair the Education Committee. Other Council members who will serve in your committee are:

- Adele Alvarez - Chicano Community
- Scott Gray - S.D. School District
- Peter Schey - Attorney at Law

We trust that you will accept the Chairmanship of the Education Committee, and we look forward to a very fruitful relationship; and again, we thank you for your involvement and sensitivity to the problem of the alien.

Respectfully yours,

*S. Villalpando*  
*for*

AL GARCIA, Chairman  
San Diego County Immigration Council

AL:ls

cc: John French  
Bob López

SAN DIEGO COUNTY IMMIGRATION COUNCIL

October 24, 1974

Mr. Donald C. Day  
Assistant District Director  
for Travel Control  
Immigration & Naturalization Service  
P.O. Box 1-C  
San Ysidro, California 92173

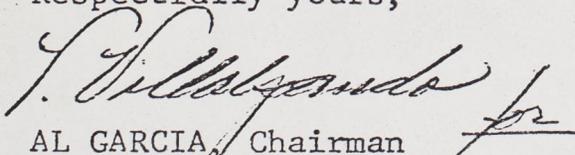
Dear Mr. Day:

The Steering Committee of the SDCIC met on October 17, 1974, to work on the development of the SDCIC objectives, and to also establish the special committees which will represent the various socioeconomic concerns relative to the problems created by the legal and illegal aliens in our county. In this respect, the Steering Committee selected you to chair the Law and Justice Committee. Other Council members who will serve in your Committee are:

Herman Baca - Chicano Community  
Stanley Hay - Sheriff's Department  
Carl Ecklund - City Police  
Phil Usquiano - Labor Unions

We trust that you will accept the Chairmanship of the Law and Justice Committee, and look forward to a very fruitful relationship; and again, we thank you for your involvement and sensitivity to the problem of the alien.

Respectfully yours,

  
AL GARCIA, Chairman  
San Diego County Immigration Council

AG:ls

cc: Bob López  
John French



# COUNTY OF SAN DIEGO

HUMAN RESOURCES AGENCY • 1800 PACIFIC HIGHWAY  
SAN DIEGO, CALIFORNIA 92101 • (714) ~~236-7777~~ EXTENSION ~~1277~~  
236-2891

RUBEN DOMINGUEZ  
HUMAN RESOURCES  
ADMINISTRATOR

October 30, 1974

Mr. John French, Chairman  
Human Resources Agency  
Advisory Board  
424 Pennsylvania Ave.  
San Diego, California 92103

Dear John:

Attached is a letter from Vic Villalpando to Al Garcia (your representative to the Mexican Alien Task Force), on the matter of a title change of the Task Force as per consent and direction of the group. In this regard, I feel that it is more appropriate if the HRA Advisory Board (HRAAB) communicates the title change to the Board of Supervisors, rather than me, since the HRAAB was originally responsible for the creation of the MATF.

As you are aware, the title change was effectuated because the original title was offensive to some Chicano members of the Task Force, and other members felt that the original title precluded service delivery and assistance to persons with immigration problems other than Mexicans. Personally, I feel that the title change is justified, and I therefore suggest that the HRAAB apprise the Board of Supervisors of the title change as soon as possible.

I look forward to our next HRAAB meeting.

Sincerely,

RUBEN DOMINGUEZ  
Human Resources Administrator

RD/he

cc: Al Garcia  
Vic Villalpando  
Bob Lopez

203

# COUNTY OF SAN DIEGO

ADMINISTRATION CENTER 1600 PACIFIC HIGHWAY  
SAN DIEGO, CALIFORNIA 92101 (714) 239-7711



VIC VILLALPANDO  
MEXICAN - AMERICAN  
COMMUNITY  
AFFAIRS OFFICER

October 21, 1974

Mr. Al García, Chairman  
San Diego County Immigration Council  
323 1/2 E. San Ysidro Blvd.  
San Ysidro, California 92073

Dear Al:

Subject: San Diego County Immigration Commission--Change of Title

Mr. Rubén Domínguez is in the process of writing a letter to the Board of Supervisors to inform them of the Mexican Alien Task Force desire to change its identification to the, "San Diego County Immigration Commission," as voted on by the Task Force on October 9, 1974. In the process of formulating the letter to the Board, we have been informed that you cannot use "Commission" as part of the new title.

In any case, a "commission" can only be established through means of an "Ordinance" approved by the Board. In this case, the Task Force was created as the result of a "Resolution." Specifically, the word "commission" denotes perpetuity, and as you know, the Task Force is initially to exist for one (1) year.

In this regard, I have taken the prerogative of substituting "Council" for "Commission" in order to avoid any criticism from the Board. I trust that this meets with the approval of the SDCIC, since Nancy Hoskins and I do this in light of expediency for the numerous pieces of correspondence that we (as staff support) are generating on behalf of the SDCIC.

Respectfully yours,

VIC VILLALPANDO

VV:ls

cc: Rubén Domínguez  
Bob López

Nancy Hoskins

*Carlos Vasquez*  
*S.C.* NOV 12 1974



November 7, 1974

Mr. Vic Villalpando  
County of San Diego  
Health Care Agency  
1600 Pacific Highway  
San Diego, CA 92101

Dear Mr. Villalpando:

We understand that you are considering nominations for membership on a San Diego County Immigration Council. We are not aware of our being eligible to either propose or for you to accept nominations from outside the County government, but would like to propose the name of a person who works very closely with legal aliens receiving services at the Children's Health Center.

The magnitude of services provided to aliens at Children's Health Center can be in excess of \$200,000 per year in the areas of orthopedic and pediatric health problems. Consequently, we feel there is a real need to have some recognition of this and would hope that some relief in providing these services might be enjoyed.

May we therefore invite your consideration of either one or both of the following persons on the Council: Mrs. Sheila Martz, Clinic Coordinator and Ms. Pat Reynolds, Director of Medical Social Services.

In the event you would like further information on the qualifications of these individuals, we would be pleased to have you contact us.

Thank you in advance for this opportunity to make these suggestions.

Sincerely,

Richard L. Johnston  
Executive Director

RLJ:cm

SAN DIEGO COUNTY IMMIGRATION COUNCIL  
January 22, 1975 Meeting  
\* A G E N D A \*

- I. Introduction of New Participating Members and Staff
- II. Old Business
  - A. Approval of the Minutes ✓
  - \* B. Committee Reports *do.*
- III. New Business
  - A. Discussion on questions for County agencies -- two-<sup>See</sup> <sub>week</sub> deadline for response. *ok.*
  - B. Membership:
    - 1. Attendance ✓
    - 2. Voting rights ✓
  - C. Discussion regarding Conde's article.
  - D. Time and date of next Steering Committee meeting.
  - E. Time and date of next Council meeting.

x Procedure on Registration of Students

1.  
2.  
3.

Law & Justice -- San Diego Police Department

1. Do you ever, under any circumstances detain anyone as a result of a policeman's opinion or suspicion that the person may be an illegal alien?
2. Are there any circumstances in which an officer of your agency will be justified in detaining a person suspected of being an illegal alien?
3. Are there any circumstances in which an officer of your agency will be justified in detaining a suspected illegal alien for purposes of turning the detainee over to federal immigration officers?
4. During 1974, what total number of suspected illegal aliens were detained by your agency merely on the basis of their suspected illegal status?
5. During 1974, what total number of suspected illegal aliens were detained by your agency for purposes of turning over such detainees to immigration officials?
6. Has the San Diego City Jail, or has the City entered into any contractual agreements with any agency of the federal government relative to the detention of illegal aliens for any purposes? If so, what is the nature of any current cases, specifically, "are the obligations of the San Diego City Jail incident thereto?"
7. Does the San Diego City Jail currently agree to detain any suspected illegal aliens at the request of federal immigration officials?

Law & Justice -- Sheriff's Office

1. Do you ever, under any circumstances detain anyone as a result of a Sheriff or Deputy Sheriff's opinion or suspicion that the person may be an illegal alien?
2. Are there any circumstances in which an officer of your agency will be justified in detaining a person suspected of being an illegal alien?
3. Are there any circumstances in which an officer of your agency will be justified in detaining a suspected illegal alien for purposes of turning the detainee over to federal immigration officers?
4. During 1974, what total number of suspected illegal aliens were detained by your agency merely on the basis of their suspected illegal status?
5. During 1974, what total number of suspected illegal aliens were detained by your agency for purposes of turning over such detainees to immigration officials?
6. Has the San Diego County Jail, or has the County entered into any contractual agreements with any agency of the federal government relative to the detention of illegal aliens for any purposes? If so, what is the nature of any current cases, specifically, "are the obligations of the San Diego County Jail incident thereto?"
7. Does the San Diego County Jail currently agree to detain any suspected illegal aliens at the request of federal immigration officials?

Human Resources Agency -- Manpower

1. Do you require the filing of a certificate evidencing an intention of citizenship before hiring County employees?
2. Do you require job applicants for County positions to reveal their immigration status?
3. Does the County/your agency, hire permanent resident aliens, if otherwise qualified for particular job openings; in those cases in which the resident alien refuses to file a declaration of intent to become a U.S. citizen?
4. If the County does not hire permanent resident aliens who refuse to file declarations of intent, on what legal basis is such a policy followed?
5. What is the County's policy with reference to employees who have filed a declaration of intent to become citizens, but who subsequently don't follow up on the acquisition of U.S. citizenship?
6. During 1974, how many job applications with the County were rejected on the grounds that the applicant refused to file a declaration of intent?
7. During 1974, how many County employees were terminated due to the discovery that they had not previously filed declarations of intent to become U.S. citizens, and refused to do so in the future?
8. Does the County require all employees to submit to a loyalty oath? If so, what is the wording of such oath? If a loyalty oath is required, on what legal grounds is this requirement based?

Health Care Agencies

To Mercy Hospital:

With reference to your letter of October 21, 1974.

1. The following questions are with reference to Mercy Hospital and Medical Center Standard Practice 6-1:
  - (a) Sec. 1, refers to the term "Mexican National." What is the hospitals interpretation above mentioned term? Are medical interns authorized to admit U.S. citizens to the Clinic or teaching services?
  - (b) How are "Mexican Nationals" treated differently from U.S. citizens who walk into the Clinic seeking medical assistance?
  - (c) How is the term "true emergency" as used in # 3 of Standard Practice 6-1, defined by hospital policy? What efforts are made to assist those persons whose conditions do not amount to "true emergencies?"
2. In those situations in which an alien with a 72-hour pass is suffering from a "true emergency" does the hospital contact the Immigration & Naturalization Service officials concerning that person's presence in the hospital? Does the hospital make any effort to lift the alien's 72-hour pass?

To University Hospital

1. Is it current practice to photostat 72-hour border crossing cards in the possession of alien patients?
2. If so, what is the purpose of such practice, and to whom is such information transmitted?
3. Under what circumstances involving the treatment of aliens does the County currently reimburse University Hospital for treatment of such aliens?
4. Under what circumstances does University Hospital currently inform Immigration and Naturalization Services of the presence of alien patients?

Human Resources Agency -- Probation

1. In the event that a defendant in either a criminal or a juvenile proceeding is referred to the Probation Department for a probation report, is that person's immigration status investigated?
2. Does the Probation Department ever notify the Immigration & Naturalization Service of suspected illegal aliens on whom they are preparing probation reports? If so, what is the legal basis for such actions?

Superior Courts -- Marriage

1. Superior Courts in attempting to establish a party's six months' residence in the County in any circumstances delve into such person's immigration status?
2. What is the Superior Court's interpretation of the section that requires six months' residence relative to the resident's immigration status?

Special Public Services

Registrar of Voters:

How do you determine citizenship? If a person orally claims, what further evidence of citizenship is required?

# Conde Denounces Welfare Decision

## Border Patrol Agent Also Upset by Ruling

The recent decision by a Sacramento judge that aliens need not be required to prove they are in this country legally to receive welfare will have a heavy impact on San Diego County's finances.

Superior Court Judge Irving Perluss ruled in a class-action suit initiated by Legal Aid of San Diego that aliens did not have to prove they were in the country legally to qualify for welfare; the burden of proof would be up to the government.

Lou Conde, chairman of the San Diego County Board of Supervisors, had a few acid comments Friday about that decision.

"The purpose of welfare is to provide help for those citizens who need it," he told the Transcript. "I certainly don't think an alien, who is not even a taxpayer, has a right to aid. That judge is approaching the problem all wrong; why should we set up a program to let foreigners rip us off?"

Conde says he understands the judge's order will be available Tuesday for study.

"Then we'll find out if we have to initiate the program right away or can wait until the state welfare department's appeal is heard."

He said that the program, if implemented, would mean less welfare funds available for U.S. citizens who will need it in the days ahead.

"I understand the judge ruled on the basis of constitutional rights. The U.S. Constitution is for the protection of U.S. citizens; it has nothing to do with foreigners who are in this country unlawfully. And we're loaded with millions of these people. They can come in, get on the welfare rolls, rip us off for \$3-4,000, then, when caught, be deported to enjoy their rip-off money across the boarder."

Conde said that while judges can sit in their ivory towers secure in the knowledge that they have lifetime tenure

(Please Turn to Page 24)

illegal aliens are scared to death of authority," he said. "They go underground in this country and stay there. They want nothing to do with authority."

Is there any problem checking an alien's legal status? Richard E. Batchelor, deputy chief patrol agent for the U.S. Border Patrol, says no.

"There's no problem at all. There is a master index in Washington and there are record centers all over the country. The one we deal with is in Tucson, Ariz. We can get answers very rapidly via radio or letter," Batchelor said.

"All a person has to do is ask for the applicant's alien registration card and check it carefully. Making illegal cards is a regular industry across the border."

"In my opinion, no one, not even an American citizen, is entitled to walk into a welfare office and ask for help without identifying himself. What if I walked in and refused to answer questions on the grounds they were discriminatory? This country is entitled to protect itself from raids on local treasuries."

On the complaint of Mateo Camavillo, executive director of the Chicano Federation in San Diego, attorneys Peter A. Schey and Robert Burkholter of the Legal Aid Society of San Diego filed a suit Oct. 28 challenging procedures being followed by the state welfare department. Schey argued the case Nov. 14 and the judge's opinion was handed down last Tuesday.

Portions of Judge Perluss' decision follow:

"The language of the Welfare Code is clear and explicit. An alien, otherwise qualified, is eligible for aid upon his certification that to the best of his knowledge he is in the country legally and entitled to remain indefinitely, or if he certifies he is not under orders for deportation, or if he certifies he is married to an individual not under orders for deportation."

The judge said that under federal law, it is not only aliens lawfully admitted to this country who may be entitled to aid — there may be included those aliens permanently residing in this country "under color of law."

The procedure whereby the state requires that all aliens applying for welfare must have their legal status verified goes, the judge said, beyond the state's authority.

"The inability to find a record in our gigantic bureaucracy of itself should not and does not overcome a positive certification."

## Aliens Need Not Prove Status

(Continued from Page 1-A)

and salary, elected officials get the hell from the taxpayers for their tax bills.

"If this goes through, I'll just send all letters on the subject up to Judge Perluss," he added.

As soon as more information becomes available, Conde says he will ask the Board of Supervisors to pass a resolution supporting the appeal of the state welfare board.

"After all, it is the counties in Southern California that will feel the impact most," he said.

"I'm against it!" Conde said forcefully.

Peter A. Schey, Legal Aid author of the alien rights action, explained his position:

"I am not in favor of giving assistance to illegal aliens; however, it has been my experience that many people really don't know if they're in this country legally or not.

"They may have been brought across the border by their parents, legally or illegally — they just don't know. They may have come across illegally, married an American citizen, thereby winning a good defense against deportation. There are many other ways people can be in this country legally, and there is no record of their entry. These are the ones we are concerned with: The ones who honestly don't know if they are citizens or not."

He said he picked Sacramento to fight his case because judges here have more experience in illegal alien matters ("very complex") and that the defendant, the California Welfare Dept., was headquartered there. Also, he felt he would receive a more sympathetic hearing there than in San Diego.

"I think this is the most important alien rights case in the history of the state," Schey stated. "It will be very far-reaching."

The judge, he said, is now making up a final order that will require welfare departments to withdraw alien status forms and to stop terminating aliens whose records of entry are not available.

He doubts seriously if this action will result in a flood of freeloaders from across

SAN DIEGO COUNTY IMMIGRATION COUNCIL  
January 22, 1975 Meeting  
\* A G E N D A \*

I. Introduction of New Participating Members and Staff

II. Old Business

A. Approval of the Minutes

B. Committee Reports

III. New Business

yes (A.) Discussion on questions for County agencies -- two-week deadline for response.

~~B. Membership:~~

1. Attendance

~~2. Voting rights~~

C. Discussion regarding Conde's article.

D. Time and date of next Steering Committee meeting.

E. Time and date of next Council meeting.

LAW & JUSTICE SUBCOMMITTEE

March 5, 1975

\* A G E N D A \*

I. OLD BUSINESS

Discussion of Kennedy-Rodino Bill

II. NEW BUSINESS

MINUTES OF LAW & JUSTICE SUBCOMMITTEE

January 29, 1975

10 a.m. - Room 351

Members Present:

Herman Baca - - Mexican-American Community  
Carlos Vázquez - - Mexican-American Community  
Haig Arakelian - - Staff Aid - HRA  
Donald C. Day - - Immigration & Naturalization  
Carl Ecklund - - San Diego Police Department  
Stanley L. Hay - - Sheriff's Department

Others Present were:

Fred Stemen - - Guest, KFMB News

Meeting was called to order at 10 a.m. by Mr. Donald C. Day, Chairman.

Discussion of objectives for the Subcommittee were set:

1. Enforcement of Immigration laws by agencies other than Immigration & Naturalization Service.
2. Discussion of legislation.
3. Discussion of Walter Mc Carran Act and Immigration & Naturalization practices.

Staff was instructed to send similar questionnaire to the ones the San Diego Police and Sheriff's Departments received to 11 police departments in the area.

It was proposed that at the next Council meeting we discuss whether or not a questionnaire should be sent to "industry" in San Diego.

Under discussion of legislation topics will be:

1. Rodino Bill
2. Kennedy Bill
3. Younger opinion/check with County Counsel
4. Walter Mc Carran Act

Staff was instructed to:

S.D.P.D

MINUTES OF LAW & JUSTICE SUBCOMMITTEE

Page 2

January 29, 1975

Send copies and background material on Rodino Bill to Law & Justice Subcommittee members.

The next meeting was originally scheduled for Wednesday, February 12, 1975, but that being Lincoln's Birthday, it has been decided to make it Thursday, February 13, 1975. The meeting will be held in the County Administration Building, Room 351, at 10 a.m. See you there.

Respectfully submitted,

*Lilia Salazar for*

RALPH J. ANIEVAS, Coordinator  
San Diego County Immigration Counsel

RJA:ls

Sweetwater Union High School District  
Office of Assistant Superintendent  
Student Services  
February 24, 1975

MINUTES OF EDUCATION COMMITTEE OF THE SAN DIEGO COUNTY IMMIGRATION COUNCIL  
MEETING HELD ON WEDNESDAY, FEBRUARY 19, 1975, IN OFFICE OF DR. SCOTT GRAY,  
SAN DIEGO CITY SCHOOLS, 3:30 p.m.

THOSE ATTENDING: Scott Gray, Dan Lochtefeld, Ward T. Donley.

THOSE ABSENT: Peter Schey, Adele Alvarez

1. What are the procedures that schools use to determine that a student is an undocumented individual; that is, what kind of questioning or inquiry takes place to determine that he is such?

Schools need only to verify that a youngster has residence in the district and age and grade placement. Residence is generally accepted at face value except where circumstances may cause school to check for explicit data, such as rent receipt, payment of a utility bill, etc. The reason for verifying residence is to determine if youngster lives in the district, and to determine which school, if there is more than one school in the district, that the student should attend.

With respect to an inquiry concerning the undocumented individual, reference was made to the Legislative Counsel Opinion of April 23, 1969:

"In our opinion, the section would be interpreted to require that each school-age child living within the district attend public school. Whether or not the child is an alien who has not been lawfully admitted into the United States is a question which must be decided by those persons or agencies charged with the administration of the immigration laws, and not the school district. We think the sole duty of the school district, with respect to the compulsory attendance law, is to determine if the child is living within the boundaries of the district. If the child is living within the district, then the compulsory school attendance law applies to him and those persons having control or charge of him are required to send the child to school, and the school district is required to admit him."

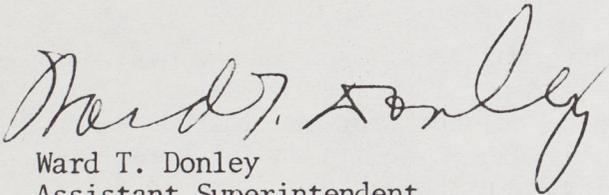
2. The nonissuance of I-20 forms.

It was noted that one-half of the districts do not issue I-20's. This is in accordance with County Counsel Opinion 1970-4.

3. The status of the disclaimer used in connection with the I-20.

San Diego Unified accepts the disclaimer which is not honored in Tijuana, but in all other places. It appears that San Diego Unified is the only district using the disclaimer.

4. What are the appropriate guidelines for schools to use in enrolling undocumented students?
  - a. Enroll those who indicate residence within the district and are of appropriate age.
  - b. Reference again is made to Legislative Counsel Opinion regarding inquiry of immigration status.
  - c. At the end of the year, report the names of undocumented students to the County Department of Education.



Ward T. Donley  
Assistant Superintendent  
Student Services

WTD:rs

CITY OF BUENA PARK



C A L I F O R N I A

6650 BEACH BOULEVARD., TEL: 521-1121

POLICE DEPARTMENT  
DUDLEY D. GOURLEY, Chief  
July 31, 1973

Immigration and Naturalization Services  
U. S. Department of Justice  
Commissioner Raymond Farrell  
119 D Street N. E.  
Washington, D. C. 20536

*Jch*  
*8/7*

Dear Commissioner Farrell:

As you are well aware, many areas of this country have been inundated by illegal aliens who are causing many problems, not the least of which is taking jobs away from American citizens and transporting U. S. currency out of our country, drastically affecting our balance of payments. In attempting to cope with this problem, we have contacted the local immigration border patrol to assist us in making sweeps of those businesses and areas in our community that employ and house illegal aliens commonly known as wetbacks.

On July 6, 1973 we contacted Mr. Mulley who said he would arrange the detail and give us a call back. We recontacted him on July 16, 1973 and he stated supervisors are not ready for this activity at this time.

Commissioner, I am well aware that you have severe limitations upon your manpower and upon your budget, as I have closely followed the difficulties of the immigration/naturalization service and the border patrol in attempting to perform their functions under severe limitations because of budget cutbacks and very limited manpower. So, I am not being critical of your agency because I think you face almost insurmountable tasks that possibly will change for the better in the future. So, please don't misinterpret my letter as one of criticism. I do ask your help in supplying at least one man from the border patrol to act as an advisor and we will supply the manpower to make the sweeps, at your earliest convenience, as I feel if we overlook these illegal intrusions into our country, which cause many and varied problems to our nation and economy, I am sure that they will become a permanent fixture and will get definitely out-of-hand in the future. I do not feel, as a law enforcement officer and a citizen of this country, any of us can afford to overlook this problem and I do not intend to do so. I solicit your help in arresting these people so that they can be transported back to their point of origin.

Commissioner, I also speak as a former border patrolman and I have, perhaps, a better understanding than most law enforcement officers of the problems you face. I would appreciate hearing from you in the near future.

Sincerely yours,

*Dudley D. Gourley*  
DUDLEY D. GOURLEY  
Chief of Police

DDG/dr  
cc: City Mgr.

# Illegal Alien View Given By Younger

## Attorney General's Opinion Backs Law Enforcement Officials

By DONALD H. HARRISON

Local law enforcement officials have only a limited right to arrest persons suspected of being illegal aliens, but their authority to detain such persons is broader, Atty. Gen. Evelle J. Younger has said in an opinion.

Younger, the state's chief prosecutor, also law enforcement officials may properly ask private individuals such as taxicab drivers to assist in the detection of illegal aliens.

Assemblyman Peter R. Chacon, D-San Diego, released copies of the opinion yesterday. Chacon had asked Younger to prepare it.

The opinion gave Younger's stamp of approval to a policy of San Diego Police Chief Ray Hoobler deeming it proper to detain suspected illegal aliens "when the circumstances arouse a reasonable suspicion that the individuals may be involved in criminal activity."

### SHERIFF DISPUTED

In so doing, the opinion disputed a statement by San Diego County Sheriff John Duffy that has been cited frequently by Mexican-American activists opposed to Hoobler's policy.

Duffy's statement was that "no one but immigration authorities, not even the Federal Bureau of Investigation, has the right to detain, interrogate or arrest illegal aliens."

The opinion, written for Younger by Deputy Atty. Gen. Joseph M. Cavanagh, said various court cases have held that "any law enforcement officer, unless specifically forbidden by federal law, may arrest anyone who commits any federal offense, either a felony or a misdemeanor, in his presence."

Illegal entry is a misdemeanor on the first offense and a felony thereafter.

### ENABLING LAW

The opinion said if an officer "knew a particular individual had entered the United States illegally on a prior occasion and was therefore guilty of a felony" the officer would be able to make an arrest.

Similarly, an officer observing an alien in the process of making an illegal entry, could make an arrest for a misde-

the opinion, the officer "must have facts in his possession which would warrant a man of reasonable caution in the belief that the suspect has committed a crime."

In the case of detention, said the opinion, it "will be considered reasonable where the officer can point to 'specific and articulable facts' which reasonably warrant the intrusion on the detainee's liberty."

As for Duffy's request to cab drivers that they assist in identifying illegal aliens, Younger's opinion said: "Any law enforcement officer may call upon any citizen or private company to

meanor. However, if the officer did not witness the alien in the act of entering the country illegally, the opinion said, then the crime could not be said to be one committed "in his presence," and the officer would not have the authority to make an arrest.

He would, however, have the authority to detain the individual for further investigation by agents of the U.S. Immigration and Naturalization Service, said the opinion. Such detention, the opinion added, "should be limited to the short amount of time necessary to call agents" of the immigration service.

### STANDARDS DIFFER

Younger's opinion said standards differ as to when a law enforcement officer may apprehend an illegal alien, depending on whether the apprehension is for the purpose of arrest or detention.

In the case of an arrest, said

aid in the detection and prevention of crime. All citizens have a duty to assist public authorities in maintaining the peace and in suppressing crime."

Duffy and Hoobler both were out of town yesterday, and aides declined to comment on Younger's opinion. Herman Baca, president of the Mexican-American Political Association and a critic of Hoobler's policies, said he would comment after receiving a copy of the opinion.

Chacon said the attorney general's report appeared "conclusive that local law enforcement officials are in fact within statutory authority to stop and to apprehend people that they think are illegal aliens."

He said that if police and sheriff's deputies "plan to make a concerted effort to apprehend illegal aliens, they ought to employ Americans of Mexican descent to assist them, perhaps as special aides."

S.D. Union  
Aug. 28, 1952



# AD HOC COMMITTEE ON



# CHICANO RIGHTS

1837 Highland Ave.

Nat'l City, Cal. 92050

(714) 477-3620

## EXECUTIVE BOARD

Chairman  
Herman Baca

August 6, 1973

Vice Chairman  
Albert Puente

Congressman Jerome Waldie:

Secretary  
Albert Garcia

Enclosed is the press statement that you asked for.

Treasurer  
Pete Rios

Since the issuance of the May 8th memorandum by San Diego Chief of Police Ray Hoobler, it has come to our attention that numerous violations of civil and constitutional law have occurred in San Diego County concerning the rights of persons of Mexican ancestry.

Homes, churches and places of employment have been entered under the pretext of searching for "illegal aliens". Persons of Mexican descent have been stopped on the street, school children have been interrogated, and persons of Mexican ancestry seeking their legal rights have been abused at the employment offices, at the welfare department, and the San Diego County Hospital. This local memorandum raises many legal, social, and moral questions.

The foremost issue is in the area of jurisdiction: Immigration is an area of law enforcement that has been given exclusively by Congress to the Immigration & Naturalization Service under the Justice Department. All of the local law enforcement agencies in San Diego County, with the exception of the San Diego Police Department, concur with this legal opinion. Applying laws to just one segment (Chicano) of the community is a gross violation of the Fourth Amendment which prohibits ~~the~~ illegal search and seizure. The Fourteenth Amendment guarantees all persons due process and equal protection under the law.

This questionable and discriminatory policy that has resulted in the victimization of a large segment of our population must and should be resolved before further evasion of civil and constitutional rights occur. It is our feeling that a congressional

## MEMBER ORGANIZATIONS

C.A.S.A. Justicia-Chicano Federation-G.I. Forum-Hermandad Igualdad de Derechos-M.A.A.C.-M.A.P.A.

Mecha-Padre Hidalgo Center-Servicios de Inmigración-S.S.P.A.-Trabajadores de La Raza-U.C.M.A.A.

AD HOC COMMITTEE

Congressman Jerome Waldie  
August 6, 1973  
Page 2

committee should immediately investigate this grave issue which  
now confronts our community.

Sincerely,

*Herman Baca*

Herman Baca  
Chairman

HB/gv

Enclosure



ROYAL TYPEWRITER COMPANY

COPIER PRODUCTS  
REPLENISHMENT ORDER

ACCOUNT  
C.A.S.A. JUSTICIA  
1839 Highland AVE  
National City, CA

ZIP CODE

R-217 REV. 10/72

| SERIAL NO. | ACCOUNT NO. | SCHEDULED DAY |
|------------|-------------|---------------|
| 300031162  |             |               |

|          | DATE    | METER READING | CREDITS    |    |
|----------|---------|---------------|------------|----|
| PRESENT  | 8/28/73 | 51513         | ALLOWANCES | 5  |
| PREVIOUS |         |               | SERVICE    | 25 |

SUPPLIES

RETURN TO STOCK     DIRECT SALES    DATE: \_\_\_\_\_

| U/A NO. | DESCRIPTION | QTY. REQUIRED | QTY. ON HAND | QTY. DELIVERED |
|---------|-------------|---------------|--------------|----------------|
| 911206  | T-51 11"    |               |              |                |
| 908506  | T-51 8 1/2" |               |              |                |
| 999750  | P - TONER   |               |              |                |
| 999500  | G - TONER   |               |              |                |
| 911408  | 1800 - 11"  |               |              |                |
|         |             |               |              |                |
|         |             |               |              |                |
|         |             |               |              |                |

COMMENTS: \_\_\_\_\_

*Danny Seavedra*  
CUSTOMER SIGNATURE

HOME OFFICE

MEMORANDUM

FROM: TIMOTY S. BARKER

TO: JOSEPH K. DAVIS

RE: TRAVEL TO LOS ANGELES

On Friday, February 17, 1978, I was requested by the staff of Rep. Burke's and Roybal's office to attend a meeting in Los Angeles on Tuesday, February 21, 1978, to arrange the agenda for Congressional Hearings to take place on Friday, February 24, 1978. These hearings are being held to consider the undocumented alien problem in the U.S. (see attached)

It is essential that I attend this meeting. I will be acting as a representative from the Legal Services Corp. since Peter A. Schey will not be able to assist in the formulation of the agenda on February 21. One of the points of the hearings will be our case of Munoz v. INS- the systematic referral of aliens to Legal Services offices, and the need for increased funding for L.S.C. to meet the rising demand for these services.

I regret such late notice of this meeting but I was not informed of the necessity of my attendance at the Tuesday meeting. I also expect to testify at the hearings on Friday the 24th. I will make arrangements to obtain a continuance of my preliminary hearing at Superior Court on that date.

February 17, 1978

YVONNE BRATHWAITE BURKE  
28TH DISTRICT, CALIFORNIA

COMMITTEE ON APPROPRIATIONS

SUBCOMMITTEES:  
STATE, JUSTICE, COMMERCE,  
THE JUDICIARY AND RELATED AGENCIES  
DISTRICT OF COLUMBIA  
FOREIGN OPERATIONS

Congress of the United States  
House of Representatives  
Washington, D.C. 20515

WASHINGTON OFFICE  
338 CANNON HOUSE OFFICE BUILDING  
WASHINGTON, D.C. 20515  
(202) 225-7094

FRANK COWAN  
ADMINISTRATIVE ASSISTANT

DISTRICT OFFICE:  
INGLEWOOD CITY HALL  
1 MANCHESTER BOULEVARD  
INGLEWOOD, CALIFORNIA 90308  
(213) 678-3424

THE HOUSE OF REPRESENTATIVES APPROPRIATIONS SUBCOMMITTEE

Rep. John Slack (D-West Virginia), Chairperson  
Rep. Yvonne Brathwaite Burke (D-California)  
Rep. Edward R. Roybal (D-California)  
Rep. Clair W. Burgener (D-California)

announce A CONGRESSIONAL HEARING

ON

PROBLEMS RELATING TO UNDOCUMENTED ALIENS

The Board of Supervisors Hearing Room - FEBRUARY 24, 1978  
500 W. Temple Street, Room 381 9:30 a.m. to 12:30 p.m.  
Los Angeles, California 90012 1:30 p.m. to 4:30 p.m.

The focus of the hearing will be the impact of undocumented aliens on the programs of the Immigration and Naturalization Service (INS) and other Federal agencies, as well as their effect on schools, health care facilities and other public services. Information will be sought on health conditions in detainment facilities and on the exploitation of aliens by employers, landlords, lenders and others. It is expected that possible long-term solutions will be discussed, including economic assistance for the aliens' countries of origin.

Persons having direct information are being asked to testify. Testimony is expected to come from government officials, business persons, spokespersons from Hispanic, Black, Asian and other ethnic groups, educational and social service organizations, and faculties at universities and research institutes.

Because of the restricted time allocated to oral testimony, we are requesting that you submit written testimony so that it can be incorporated into the record. THOSE SELECTED TO TESTIFY, MUST HAVE SUBMITTED WRITTEN TESTIMONY IN ADVANCE. THERE CAN BE NO EXCEPTIONS BECAUSE OF THE COMPLEX NATURE OF THE PROBLEMS AND THE LIMITED TIME AVAILABLE.

Testimony must be received by February 17, 1978 at the District Office of Rep. Burke or Rep. Roybal:

Rep. Yvonne B. Burke  
One Manchester Blvd.  
Inglewood, CA 90301  
(213) 678-5424  
For further information:  
Call Julie Mulvaney or Manuel Cons.

Rep. Edward R. Roybal  
Federal Bldg., Room 7106  
300 N. Los Angeles Street  
Los Angeles, CA 90012  
(213) 688-4870  
For further information:  
Call Balt Yanez or Helen  
Romero Shaw.

SAN DIEGO COUNTY IMMIGRATION COUNCIL  
Meeting of February 26, 1975

\* M I N U T E S \*

I. Introduction

The meeting was called to order at 10:15 a.m. by Alberto Garcia (Chairman). The meeting was held at the County Administration Building, 1600 Pacific Highway, Room 351.

Members Present:

|                    |                               |
|--------------------|-------------------------------|
| Donald C. Day      | -- Immigration Services       |
| Ward Donley        | -- Sweetwater School District |
| Stanley Hay, Sgt.  | -- Sheriff's Department       |
| Alberto Garcia     | -- Mexican-American Community |
| James Ray          | -- Mercy Hospital             |
| Felix Rusnak       | -- County Welfare Department  |
| Balt Yanez         | -- U.S. Customs               |
| Capt. Pat Rose     | -- S.D.P.D.                   |
| Carlos Vasquez     | -- Mexican-American Community |
| Daniel Locktefield | -- San Diego City Schools     |
| Robert Larsen      | -- Bay General Hospital       |
| John French        | -- HRA Advisory Board         |
| Herman Baca        | -- Mexican-American Community |
| Ruben R. Carrasco  | -- U.S. Customs               |

Members Absent:

|               |                               |
|---------------|-------------------------------|
| Phil Saenz    | -- District Attorney          |
| Sheldon King  | -- University Hospital        |
| Peter Schey   | -- Legal Aid Society          |
| Phil Usquiano | -- Labor/Trade Union          |
| Art Madrid    | -- Office of the Mayor        |
| Adele Alvarez | -- Mexican-American Community |

Also Present:

|                  |                               |
|------------------|-------------------------------|
| Yolanda Johnson  | -- Jack Walsh's Office        |
| Haig Arakelian   | -- HRA Advisory Board (Staff) |
| Vic Villalpando  | -- County Staff               |
| Ralph J. Anievas | -- County Staff               |

The Minutes of January 22, 1975, San Diego County Immigration Council meeting were read and approved.

II. Committee Reports (Old Business)

A. Law & Justice Subcommittee

Mr. Donald Day, Chairman, expressed disappointment over attendance at the last scheduled meeting. Some members stated they weren't officially notified. A meeting to discuss the Rodino Bill has been scheduled for March 5, 1975, at 10:00 a.m.

B. Executive Steering Subcommittee

1. Chairman Al Garcia informed the Council that a letter was sent to Supervisor Conde expressing concern over remarks he made in a recent newspaper interview. Mr. Garcia then read Supervisor Conde's reply to the letter and asked for response from Council. There not being any response, there was made a motion to file which carried.
2. Chairman Garcia then reported that his subcommittee had discussed the problem of lack of attendance at their last meeting and had decided to terminate certain members for that reason. Mr. French expressed concern that such procedure might violate established procedure for terminating members on County advisory boards.

Staff was then instructed to investigate procedures for termination of Council members and to report such to Mr. Garcia.

C. Education Subcommittee

Minutes of the February 19, 1975, meeting were issued. Procedure for registering students was the main issue discussed.

III. Staff Report

Mr. Anievas reported the results of the responses to the questionnaire approved by the Council at the last meeting and subsequently sent out to various agencies which deal with aliens in the County.

Mr. Ray expressed concern as to who initiated the questionnaire at which time Mr. French made a motion that only subcommittees initiate letters, not staff. The motion was approved.

Mr. Anievas stated that he had not received replies from a majority of agencies. He was instructed to send follow-up letters requesting responses from those agencies which have so far failed to do so.

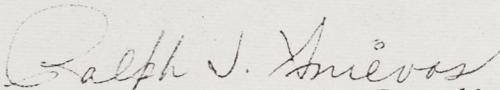
IV. New Business

A new meeting time for the Council was established. Meetings will now be held on the last Monday of every month at 8:30 a.m. at the usual place. The next meeting is scheduled for Monday, March 31, 1975.

Mr. Baca brought up the matter that he wanted assurances that matters presently in subcommittees will be brought up and discussed in Council for purposes of making recommendations to Board of Supervisors. The answer to this concern was left largely unresolved since no blanket guarantees would be given.

Meeting adjourned at 11:30 a.m.

Respectfully submitted,



RALPH J. ANIEVAS, Coordinator  
San Diego County Immigration Council

RJA:ls

SAN DIEGO COUNTY IMMIGRATION COUNCIL  
323 1/2 E. San Ysidro Blvd.  
San Ysidro, California 92073

\* A G E N D A \*

Wednesday, February 26, 1975 Meeting  
1600 Pacific Highway - Room 351  
10 a.m.

I. Committee Reports

A. Law & Justice

B. Steering Committee

1. Conde's letter
2. Membership report - termination of old members and consideration of new members.

II. Staff Report

A. Responses to questionnaires

NOTE: As per our conversation of February 18, 1975, we have rescheduled the Council meeting for the above date. See you at the meeting.

*Ralph J. Anievas*

RALPH J. ANIEVAS

Coordinator

SAN DIEGO COUNTY IMMIGRATION COUNCIL

Minutes Of The

Health Care Committee Meeting

December 13, 1975

Present were:

*monthly meeting*

|                           |                          |
|---------------------------|--------------------------|
| Henry Friesen             | Paradise Valley Hospital |
| Don Hitt                  | Tri-City Hospital        |
| Sheldon S. King, Chairman | University Hospital      |
| Arnold Kurlander, M. D.   | DMI                      |
| Andrew Montano            | Veterans Hospital        |
| James Ray                 | Mercy Hospital           |
| Pat Reynolds              | Children's Hospital      |
| Phil Rusnak               | Welfare                  |
| Michael Stringer          | University Hospital      |

The attached agenda formed the basis for the discussion among the participants. The distribution of a suggested definition of resident/non-resident status prepared by Mercy Hospital was distributed to and reviewed by the members. Reference was also made to an article in the "American Legion Magazine" concerning immigration problems, and to a series of articles to be published in the San Diego Union concerning the problems of immigration in San Diego County.

1. Purpose and Goals of the Health Care Committee

- A. The Committee agreed that access to and provision of health care for immigrants in need of care are issues for the Committee and for the Community of San Diego.
- B. Resources - It was determined that a list of the health care resources available would be appropriate and useful.
- C. Legislation - There was discussion as to the need for mandatory health benefits legislation including employer paid insurance for health care for immigrants.
- D. Health Care Hazards - The delineation of health care hazards for the City as a whole was a possible goal for the Committee including the problems of active epidemiological disease which might be disseminated by immigrants not being treated for their health care problems (for example, working in the food service industry, etc.).
- E. Boarder Screening - Definition of a means of controlling the flow of immigrants included better screening at the Border with the Immigration

Service stopping and examining credentials of those seeking to enter. There was a recognized need to allow patients to pass through when they are receiving authorized care at the teaching hospitals in San Diego (Children's, Mercy, University, etc.). There was also need to define fiscal responsibility for the care of patients unsolicited by the teaching hospitals, and some definition of the role of the Immigration Department in transporting patients back to Mexico when they have entered the Country without permission.

## II. Definition of Terms

"Legal" and "Illegal" aliens - The definition provided by Mercy Hospital was considered an adequate working definition and is listed below for purposes of establishing the definitions under which the Committee will operate.

## III. Data Base

The Committee agreed on selected items to be included in a Data Base to be developed for measuring health care needs, resources, and appropriate steps to be taken in coping with these unmet needs.

- A. Time Period - A fiscal year basis would be assumed with fiscal year 1973-74, and one-half fiscal year 1974-75 as the period to be studied. After statistics are developed, and during the course of further statistical reporting, it was recommended that they be kept on a monthly basis but for this initial study recorded quarterly.
- B. Walk-in Obstetrics
- C. Emergency vehicle arrivals
- D. Number of patients admitted
- E. Alien residency status
- F. Outpatient, emergency room, inpatient classifications
- G. Impact of the free clinics and their load
- H. Referrals from clinics or other hospitals
- I. Unsolicited referrals
- J. Discharge total charges and reimbursement for care provided

- K. Origin of patients (accident, transportation, source of referral)
- L. Unmet measured needs (number turned away)
- M. Services to which patient is admitted (Pediatrics, Obstetrics, Surgery)
- N. Number of non-resident immigrants in San Diego

It was agreed that the American Hospital Association Statistical Definitions would be used. Mr. King agreed to organize a small committee to work out the statistical base; committee members will include, Mr. King, Mr. Ray, Mr. Stringer and Dr. Kurlander.

IV. Additional Committee Members

New members suggested for the Health Care Committee include:

- A. Gabriel Arce, San Ysidro Health Care Center
- B. Bernard Cordes, M.D., Linda Vista Free Clinic
- C. Faustina Solis, UCSD
- D. The local Public Health Service Officer

The next Health Care Committee Meeting will be scheduled for the end of January or the early part of February, 1975.



Sheldon S. King, Chairman  
Health Care Committee

Attachments

October 16, 1974

San Diego County Immigration Commission  
County Administration Building  
1600 Pacific Highway - Room 271  
San Diego, California 92101

Subject: University Hospital

I. Problems with Immigration Issues, San Diego County

University Hospital serves as a major health care resource for immigrants treated in San Diego County. This is partly because University Hospital was formerly the County Hospital and as such, was the natural referral agency for all patients for whom there was no private physician and for whom no other sources of payment for care existed other than as wards of the County. With the advent of Medi-Care and Medi-Cal the problem largely focused on the unauthorized immigrant or immigrant temporarily in San Diego for whom the County assumes no responsibility.

University Hospital as part of the University of California, San Diego is the major teaching hospital for the School of Medicine. As such, limited funds are available for the admission of selected patients (who have no other source of payment for care) who are especially interesting teaching cases. Some of these funds are used for immigrants selected for admission. These funds are limited in nature and are not available for immigrants presenting themselves for emergency admission and/or diseases which are not part of the traditional teaching service at a university hospital. The County of San Diego normally has paid part of the cost of emergency patients admitted to University Hospital provided that there was no other source of reimbursement. More recently the policy has been to approve fewer and fewer such admissions, on the grounds that the Hospital's services are such as to attract unauthorized immigrants and that these were not patients whom the County would traditionally have cared for in the past.

Other hospitals at which immigrants appear almost invariably transfer the patients to University Hospital with or without permission, as long as the patient is in condition to be transferred. They do assume the responsibility for caring for such patients who cannot be transferred, often at a direct loss to the hospital since reimbursement is not available. The issues inherent here are firm commitments by the County to care for patients who arrive at hospitals in San Diego and are transferred to University Hospital, and who's admission was not previously arranged.

October 16, 1974

Health care resources are available in the County, but funds must be provided to cover the cost of providing treatment.

University Hospital has increased its Social Work Staff to provide more appropriate services for the immigrant, and is in the process of developing a plan to increase the number of Spanish speaking interpreters to better accommodate our patients' needs.

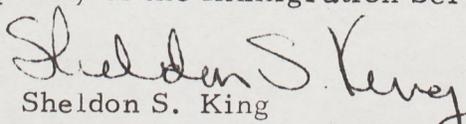
2. Resources of University Hospital

University Hospital provides a complete range of ambulatory and inpatient services for the San Diego community. All services are provided, including mental health services, and treatment of tuberculosis, as well as all of the surgical specialties, and care covering all branches of medicine, pediatrics and neurology. The Hospital operates extensive outpatient departments and a primary round-the-clock emergency room. Services included range from primary care in the Hospital's walk-in clinic where relatively simple medical problems are treated to the most complicated kinds of disease treatment in special areas of the Hospital. Recently, for example the Hospital opened a burn center for the treatment of extensively burned patients. The Hospital is in the process of developing a trauma center for multiple injuries, and a rehabilitation center to meet another acute need in San Diego County.

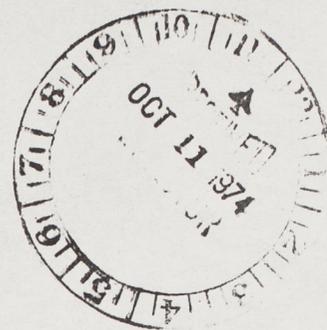
In addition to the full range of services offered the community, the Hospital is the major teaching center of the University of California, San Diego School of Medicine and is an integral part of the process of education for medical students, house staff, and para-medical personnel.

3. Objectives of the Commission

The objectives of the Commission ought to be to describe in detail and in documented form the needs of the immigrant community in the County, and to develop suggested patterns for meeting those needs. It is key and important that the unauthorized immigrant be incorporated into the health care resources system, have access to the educational system, and to develop a more secure legal status within the United States. The Commission may also wish to consider the issues of more stringent Border guard enforcement of immigration policy, and the development of recommendations to amend the present policy of the Immigration Service.

  
Sheldon S. King  
Director, Hospital and Clinics

SAN DIEGO COUNTY IMMIGRATION COMMISSION  
County Administration Building  
1600 Pacific Highway - Room 271  
San Diego, California 92101



Dear Member:

During our last meeting of October 9, 1974, it was resolved that all member agencies are to do the following:

1. Prepare a two-page report describing the problems and concern relating to immigration matters including policies, funding, impact on people, etc.
2. Provide a description of services which your agency renders.
3. Also, note the objectives (short and long-term) which you feel that the Commission is capable of accomplishing now and should strive to accomplish in the future.

Due to the urgency of the Commission's assignments, it is imperative that you complete your report and submit it to our office by no later than October 16, 1974, in order that the materials can be discussed during the following day's meeting by the Steering Committee.

Please address your reports to Mr. Vic Villalpando, Community Affairs Officer, 1600 Pacific Highway, San Diego, California 92101.

Respectfully yours,

A handwritten signature in cursive script that reads "Al Garcia".

AL GARCIA, Chairman  
San Diego County Immigration Commission

AL:ls



# MERCY HOSPITAL AND MEDICAL CENTER

SERVING THE COMMUNITY SINCE 1890

4077 FIFTH AVENUE / SAN DIEGO, CALIFORNIA 92103 / PHONE (714) 294-8111

October 21, 1974

Mr. Vic Villalpando  
Community Affairs Officer  
1600 Pacific Highway  
San Diego, California 92101

Dear Vic:

Mercy Hospital and Medical Center is motivated in its service to people by a belief in the dignity of each individual human being. We believe that this dignity is enhanced by providing optimal health care services and programs which contribute to the physical, psychological, emotional, social and spiritual well being of all people in the communities we serve.

Mercy Hospital and Medical Center has written policies regarding Mexican nationals or in the case of San Diego County Immigration Commission, non-residents. These policies explain how we handle the non-resident patient.

From Mercy Hospital and Medical Center Standard Practice 6-1:

1. Mexican national patients who present themselves at the Emergency Room are treated and stabilized. If their condition necessitates admission, they are admitted only after they have been cleared through the resident on call. Medical interns are not authorized to admit these patients to Clinic or teaching services. The resident should then seek authorization for the admission for these patients from the Administrator.
2. Mexican nationals who walk into the Clinic seeking help will be screened either by a physician or a nurse. If continued care is indicated, the patient should then be referred to Fatima or Kiwanis Clinic in Tijuana, Mexico.
3. Mexican nationals with a 72-hour pass or those that are illegally here are not admitted to the Hospital under any circumstances unless they are brought in to the Emergency Department and their treatment is a true emergency.

Mr. Vic Villalpando  
Page 2  
October 21, 1974

As you can see by the Practice we take care of those who present themselves in an emergency situation and to the best of my knowledge we have not accepted for routine care an illegal alien from any country. We have found in the past few months an increase in the number of walk-in expectant mothers and emergency vehicles from Tijuana coming to our Emergency Room. We have not solicited for these patients in any way. Hopefully through the Commission we will be able to come up with a solution to appropriately keep the people in their respective communities.

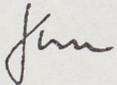
As per funding we have found that the illegal alien has no source from which to draw to pay for his care.

OBJECTIVES

- (1) To define the impact of the alien on the economy of San Diego, both positively and negatively.
- (2) To identify openly and honestly what cultures we are dealing with. (As related to Mercy Hospital and Medical Center, 97% of our alien problems are the Mexican nationals who are non-residents of the State of California).
- (3) To define the impact of the illegal alien on the health care of San Diego County in terms of manpower, facilities, and cost.

I look forward to our next meeting.

Sincerely,



James L. Ray  
Ambulatory Services

JLR:Imb

cc: Sheldon King  
University Hospital

DEFINITION OF RESIDENT/NON-RESIDENT

Resident

1. U. S. Citizen (birth certificate or citizenship papers)
2. Has in possession an alien registration card with letter "A" in front of card number, is living in the state of California with intent to stay and immigrated to the United States under legal means. All three of these conditions must be met.

Non-Resident

1. Here under working visa, having a registration card with no letter in front of card number.
2. In the United States illegally.

LAW & JUSTICE SUBCOMMITTEE

March 5, 1975

10 a.m. - Room 351

\* M I N U T E S \*

Members Present:

|                  |                                     |
|------------------|-------------------------------------|
| Donald C. Day    | - Immigration & Naturalization      |
| Stanley L. Hay   | - San Diego Sheriff's Department    |
| Herman Baca      | --Mexican-American Community        |
| Carlos Vásquez   | - Mexican-American Community        |
| Phillip Usquiano | - Local 89, Laborer's International |
| Pat Rose         | - San Diego Police Department       |
| Haig Arakelian   | - HRAAB                             |
| Ralph J. Anievas | - Staff                             |
| Bob Wheeler      | - Staff                             |

Members Absent:

Peter Schey - Legal Aid Society

Meeting was called to order at 10:15 a.m. by Mr. Donald C. Day, Chairman.

The topics of discussion for this meeting were the two bills, HR-982 and S-3827, that have been reintroduced by Representative Rodino and Senator Kennedy, respectively, in the 94th Congress.

Chairman Day suggested that the Subcommittee first review the two pieces of legislation to get a full understanding of how the individual bills would amend the present Immigration & Naturalization Act.

Chairman Day reviewed and explained each section of the Rodino Bill HR-982. Major discussion concerned Section 274, regarding penalties for employers who knowingly hire illegal aliens.

Herman Baca reviewed the Kennedy Bill, S-3827, and the differences between this bill and HR-982 were discussed.

It was proposed by Mr. Baca that the Subcommittee conduct another meeting prior to the next Council meeting. The purpose would be to allow further time for each member to examine and research the legislation, formulate a position and also to allow each member time to voice his position concerning the Rodino and Kennedy Bills to the rest of the Subcommittee. Chairman Day proposed that this meeting would also be used by the Subcommittee to draft a recommendation for the Council either in support of or opposition to the Rodino and Kennedy Bills. Both proposals were accepted.

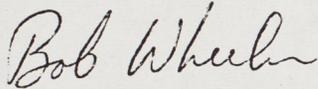
March 14, 1975

Staff was instructed to send out copies of the Police Department responses to the Subcommittee's questionnaire, but only after allowing another week for those who have not responded to the follow-up letter to do so.

The next meeting was scheduled for March 26, 1975. The meeting will be held in the County Administration Building, Room 209, at 10 a.m.

The meeting adjourned at 11:45.

Respectfully submitted,



BOB WHEELER, Coordinator  
San Diego County Immigration Council

BW:ls

Enclosures (6 responses from Police Departments)

Law & Justice -- San Diego Police Department

1. Do you ever, under any circumstances detain anyone as a result of a policeman's opinion or suspicion that the person may be an illegal alien?
2. Are there any circumstances in which an officer of your agency will be justified in detaining a person suspected of being an illegal alien?
3. Are there any circumstances in which an officer of your agency will be justified in detaining a suspected illegal alien for purposes of turning the detainee over to federal immigration officers?
4. During 1974, what total number of suspected illegal aliens were detained by your agency merely on the basis of their suspected illegal status?
5. During 1974, what total number of suspected illegal aliens were detained by your agency for purposes of turning over such detainees to immigration officials?
6. Has the San Diego City Jail, or has the City entered into any contractual agreements with any agency of the federal government relative to the detention of illegal aliens for any purposes? If so, what is the nature of any current cases, specifically, "are the obligations of the San Diego City Jail incident thereto?"
7. Does the San Diego City Jail currently agree to detain any suspected illegal aliens at the request of federal immigration officials?

Law & Justice -- Sheriff's Office

1. Do you ever, under any circumstances detain anyone as a result of a Sheriff or Deputy Sheriff's opinion or suspicion that the person may be an illegal alien?
2. Are there any circumstances in which an officer of your agency will be justified in detaining a person suspected of being an illegal alien?
3. Are there any circumstances in which an officer of your agency will be justified in detaining a suspected illegal alien for purposes of turning the detainee over to federal immigration officers?
4. During 1974, what total number of suspected illegal aliens were detained by your agency merely on the basis of their suspected illegal status?
5. During 1974, what total number of suspected illegal aliens were detained by your agency for purposes of turning over such detainees to immigration officials?
6. Has the San Diego County Jail, or has the County entered into any contractual agreements with any agency of the federal government relative to the detention of illegal aliens for any purposes? If so, what is the nature of any current cases, specifically, "are the obligations of the San Diego County Jail incident thereto?"
7. Does the San Diego County Jail currently agree to detain any suspected illegal aliens at the request of federal immigration officials?

Human Resources Agency -- Manpower

1. Do you require the filing of a certificate evidencing an intention of citizenship before hiring County employees?
2. Do you require job applicants for County positions to reveal their immigration status?
3. Does the County/your agency, hire permanent resident aliens, if otherwise qualified for particular job openings; in those cases in which the resident alien refuses to file a declaration of intent to become a U.S. citizen?
4. If the County does not hire permanent resident aliens who refuse to file declarations of intent, on what legal basis is such a policy followed?
5. What is the County's policy with reference to employees who have filed a declaration of intent to become citizens, but who subsequently don't follow up on the acquisition of U.S. citizenship?
6. During 1974, how many job applications with the County were rejected on the grounds that the applicant refused to file a declaration of intent?
7. During 1974, how many County employees were terminated due to the discovery that they had not previously filed declarations of intent to become U.S. citizens, and refused to do so in the future?
8. Does the County require all employees to submit to a loyalty oath? If so, what is the wording of such oath? If a loyalty oath is required, on what legal grounds is this requirement based?

Health Care Agencies

To Mercy Hospital:

With reference to your letter of October 21, 1974.

1. The following questions are with reference to Mercy Hospital and Medical Center Standard Practice 6-1:
  - ✓ (a) Sec. 1, refers to the term "Mexican National." What is the hospitals interpretation above mentioned term? Are medical interns authorized to admit U.S. citizens to the Clinic or teaching services?
  - (b) How are "Mexican Nationals" treated differently from U.S. citizens who walk into the Clinic seeking medical assistance?
  - (c) How is the term "true emergency" as used in # 3 of Standard Practice 6-1, defined by hospital policy? What efforts are made to assist those persons whose conditions do not amount to "true emergencies?"
2. In those situations in which an alien with a 72-hour pass is suffering from a "true emergency" does the hospital contact the Immigration & Naturalization Service officials concerning that person's presence in the hospital? Does the hospital make any effort to lift the alien's 72-hour pass?

To University Hospital

1. Is it current practice to photostat 72-hour border crossing cards in the possession of alien patients?
2. If so, what is the purpose of such practice, and to whom is such information transmitted?
3. Under what circumstances involving the treatment of aliens does the County currently reimburse University Hospital for treatment of such aliens?
4. Under what circumstances does University Hospital currently inform Immigration and Naturalization Services of the presence of alien patients?

Human Resources Agency -- Probation

1. In the event that a defendant in either a criminal or a juvenile proceeding is referred to the Probation Department for a probation report, is that person's immigration status investigated?
2. Does the Probation Department ever notify the Immigration & Naturalization Service of suspected illegal aliens on whom they are preparing probation reports? If so, what is the legal basis for such actions?

Superior Courts -- Marriage

1. Superior Courts in attempting to establish a party's six months' residence in the County in any circumstances delve into such person's immigration status?
2. What is the Superior Court's interpretation of the section that requires six months' residence relative to the resident's immigration status?

Special Public Services

Registrar of Voters:

How do you determine citizenship? If a person orally claims, what further evidence of citizenship is required?