

La Frontera



En Sangre



Committee on Chicano Rights, Inc

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Compiled By: DAVID AVALOS

A U.S. citizen born resident of Mexico, Mario Alberto was a seriously ill baby who desperately needed special medical treatment. Though properly documented, Mario Alberto was barred from entry into the United States and died days later in Tijuana. It is to the end of this kind of immigration tragedy and to stopping all other acts of violence and discrimination against our people, that CCR has dedicated itself to.

Unidos en la lucha,

Herman Baca

Herman Baca, Chairperson
Committee On Chicano Rights

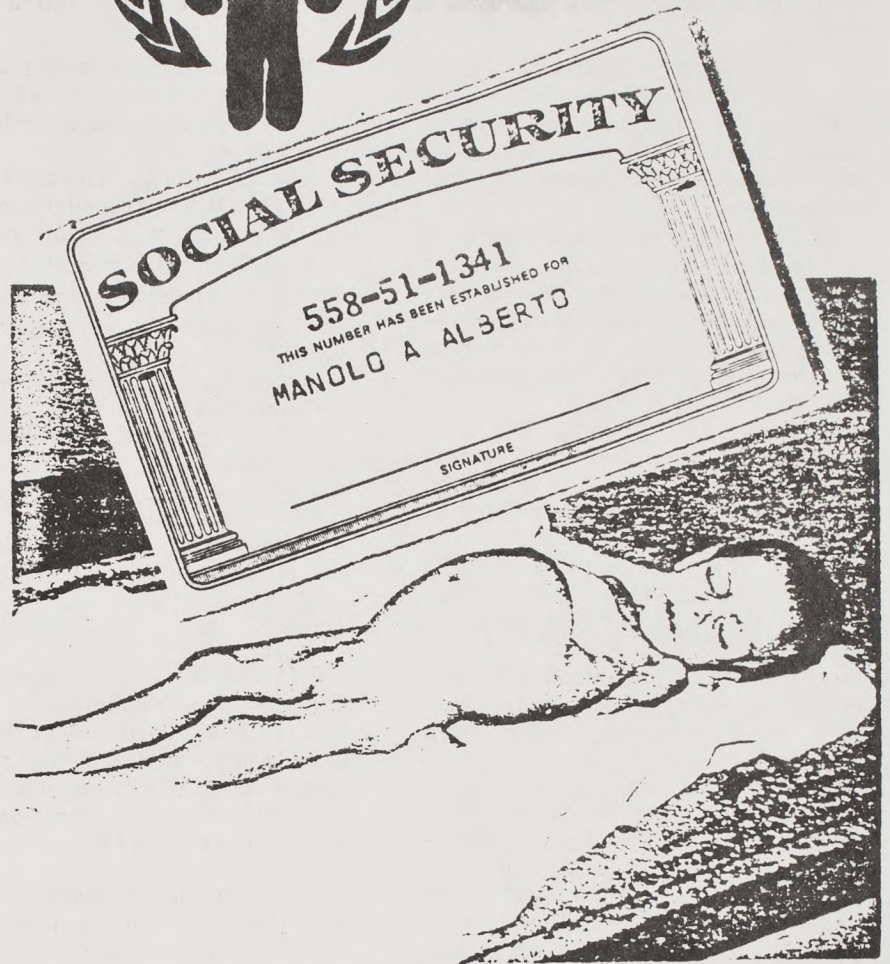




RAZA, SI—Children join picketers outside U.S. Grant Hotel protesting Carter Administration policies on immigration. Some 50 persons demonstrated while Leonel Castillo, Commissioner of Immigration and Naturalization Service addressed an "Hour in the Barrio" luncheon.



International
Year of the Child



Officials Called Cruel in Barring Ill Child at Border

Woman Who Sought Help Says Inspectors Were
Callous Toward Infant Who Died 3 Days Later

BY PHIL GARLINGTON
Times Staff Writer

6/21/79

The woman who brought an ailing 18-month-old American baby to the San Ysidro border checkpoint last Friday has charged that immigration inspectors were "cruel and callous" in refusing to let the baby be taken to a U.S. hospital.

The baby, Manolo Augustine Alberto Anzalo, a U.S. citizen by virtue of being born to an illegal alien in Los Angeles, died three days later in a Tijuana hospital, after numerous efforts to arrange his transfer to a San Diego hospital had failed.

BOY, 4, DIES WHILE WAITING TO CROSS BORDER

Two deaths at border probed

By **ROBERT GOLUM**

Star-News Staff Writer

It was the early morning hours of March 20, and the heart of 4-year-old Alberto Cañedo was beating its last beats.

As if his final act had to be a last grab at life, the stricken youth — suffering complications of open heart surgery which had taken place in San Diego — reached up and with a deathly grip, clutched the clothing of the aunt who held him.

But that last grab at life went unanswered. He expired in the arms of an aunt desperately trying to get him medical attention in the United States.

THAT IS the chilling tale told this week by Guadalupe Canedo Astorga who on March 20 was delayed at the international border as she tried to head north for medical help. Without a multiple-entry visa they had had to wait for clearance during each crossing for medical attention.

Sometimes crying, Cañedo Astorga told a congressional subcommittee — in San Diego to investigate Cañedo's and another border death — the sad tale of how her nephew died in her arms as the two waited to head north.

"Whatever happened to me I don't want to happen to someone else," Cañedo Astorga told the subcommittee, headed by Rep. Ed Roybal (D-Los Angeles) and attended by Rep.

Lionel Van Deerlin (D-Chula Vista.).

CANEDO ASTORGA'S testimony was among the highlights of the day-long hearing attended by some 80 persons, but heard by some 300 listening to loudspeakers outside the U.S. Customs Building in San Ysidro.

The hearing was held not to effect any change, but to gather evidence — evidence that eventually pointed to the Immigration and Naturalization Service as the chief decision-making body involved when the two children died.

"I asked them to give me attention, and they didn't pay any attention to me," Cañedo Astorga testified.

"The day of the death a Mexican police officer — I told him the child was very sick — went to the front of the line (border) and told an officer the child was very sick.

"When the (U.S.) officer approached me," she said, "I uncovered the child and she saw he was very sick."

WHAT HAPPENED next, according to hearing testimony, is what used to be standard operating procedure at the border.

Cañedo Astorga, with babe in arms, was directed to secondary inspection, accompanied by a small yellow slip that can indicate anything from further search needed to emergency.

"I waited there a long time," she said.

According to Canedo Astorga, she became desperate and left her car.

But, she reported, "an officer said, 'I don't care. You go down there so they can check your identification.'"

She went back and was told an ambulance was on the way. But "when the ambulance arrived, the child got hold of my clothes and died in my arms."

FLANKED by Van Deerlin and a Treasury subcommittee staffer, Roybal took a hard look at that death and the death of Manolo Alberto, an 18-month-old U.S. citizen, who died of starvation June 16 — three days after U.S. officials denied him entry into the U.S.

Testifying in the death of Alberto were family friend Lupe Alonzo, an American citizen, and customs inspector Barbara Capolungo, whose frank testimony gave the hearings an almost surrealistic tone.

Calling on supervisors after seeing the emaciated Alberto, Capolungo "involuntarily" said "this baby is starving." The child, she said, "looked like a Biafra baby. He had no fat or muscle.

"The baby's skin was dry and loose. On the neck and stomach there was an unusual infection.

"In my own mind," Capolungo went on, "the baby was in third stage malnutrition, when the body starts consuming its organs to sustain itself."

CAPOLUNGO also described her futile efforts to get the child help and the incredible bureaucratic snafu that occurred because of the overlapping roles of customs and Immigration and Naturalization Service officers.

According to Capolungo, Lupe Alonza and Alberto were first met at the border by primary inspector Phillip Rihard who, thinking there might be narcotics in the car, sent them through to secondary inspection.

Though it was customs people who first saw the dying child — and could have cleared him for passage — the

disposition of Alberto at that point became the responsibility of immigration officers.

THE DECISION to either let the child in or turn him back fell upon Immigration officer Mary Louise Burns and her superior, Hank Owens, neither of whom appeared to defend themselves at the hearing. The subcommittee's jurisdiction covers only customs, so immigration officials could not be asked to testify.

Capolungo said immigration agents in their secondary inspection, "start off angry in the hopes to catch the person off guard."

According to Capolungo, Burns said, "I can tell he's Mexican without looking at the birth certificate," that turned out to be a valid American one issued out of Los Angeles.

"I was deeply disturbed," Capolungo said. "A baby was dying in front of us.

"She (Burns) said the birth certificate was not the baby's and that she was sending the baby back to Mexico as an alien. Burns had taken the women (carrying Alberto) back to Mexico without my knowledge."

AS IT turned out, there was a solution. Alonzo could've gained a medical parole that would have allowed the child entry.

But no one told her — Capolungo because she feared being charged with "interfering with" immigration officers, and Burns, for whatever reason she and Owens had.

Critical in the deaths of both babies was the fact that neither was accompanied by police or ambulance — a must for speedy passage.

AT THE hearings both Van Deerlin and Roybal made clear something should be done to prevent such a recurrence.

During testimony, Van Deerlin told the crowd he wants to "see we don't have similar problems."

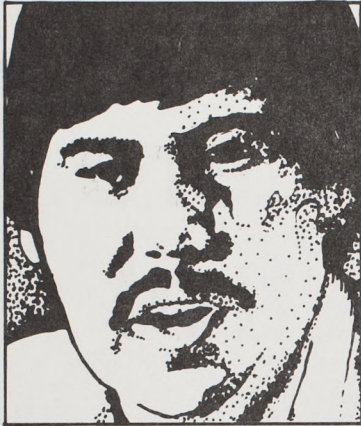
He proposed a "trans-border ambulance service," the establishment of which he left in the hands of local government officials.

Van Deerlin's was the only concrete idea for change proposed by officials. Because the hearing was held to investigate, it often took the tone of a trial where no verdict would come.

BLAME FOR the deaths inevitably turned toward Immigration officials — who had the final say in both cases.

And though given no chance to testify, the INS in a release from commissioner Leonel Castillo, revealed there would be a probe.

On the Line



Herman Baca

Baca remarks end in shouting match

Chicano activist Herman Baca of National City and Rep. Ed Roybal (D.-Los Angeles) traded caustic barbs this week as Roybal's U.S. Treasury subcommittee continued its look into the recent deaths of two babies at the San Ysidro port of entry.

"We question the planning and structure of the hearing," Baca said during his testimony. Referring to alleged cases of violence at the border, Baca said he has "seen case after case dismissed with a see-no-evil, hear-no-evil, speak-no-evil attitude."

BACA called the hearings a "sideshow, a farce, a whitewash. We were elated that finally, someone in Congress was willing to come," he said.

But he nevertheless protested "the manner in which this hearing was structured."

Because of the location of the hearing — customs offices at the Port of Entry — Baca charged it was "like investigating the wolf in the wolf's den."

"We know the primary cause of the deaths of those two children was INS

(Immigration and Naturalization). So what are you investigating?"

The main reason for protest by Baca and others was the limited scope of the hearings. The Committee for Chicano Rights had reportedly sought an open hearing in which to describe alleged border abuses by federal agencies involved.

BUT ROYBAL'S committee, which has jurisdiction over customs, concerned itself only which that agency.

"We have waited seven years," Baca screamed at Roybal. "We believe this hearing should've been open."

(Informed sources reported that Baca knew the hearings would be limited in scope.)

It was also revealed during the hearings that Roybal and other committee members — none of whom were present — had received threatening calls.

"We're sorry that you received threatening calls, Mr. Roybal," Baca

said. "But we've been receiving them for 10 years."

AT ONE point, it was revealed that plans to hold the hearings at Smythe Elementary School were shelved because of security concerns.

"What surprises me more than anything," Roybal reported, "is your lack of gratitude. You (Baca) have the nerve to stand there for local consumption and say what you did."

"The truth of the matter is that I'm the only one who helped you. What you want Mr. Baca is a demonstration, a big show, and you're getting it."

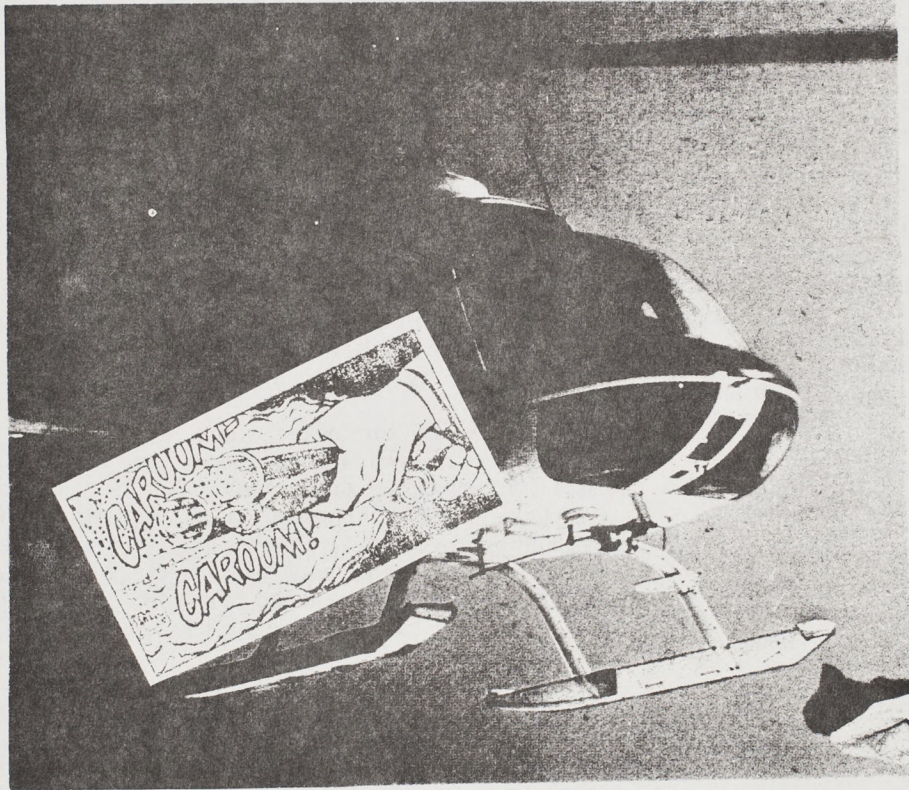
"Mr. Congressman, we want a solution," Baca countered.

"I'm doing my job on my solution," Roybal said. "No one here in San Diego can vote for me."

The blow-up eventually ended in a shouting match with Baca supporters walking out.

Later Roybal pledged that "anything that has gone on is not going to deter the committee from getting the facts."

Ilegal Balaceado Desde un Helicóptero de la Border Patrol





Sen. Kennedy

Baca Taking His Case To Washington

By LINDA KOZUB

Staff Writer, The San Diego Union

Herman Baca, a leader of the Committee on Chicano Rights, said yesterday he is going to Washington, D.C., to urge that congressional hearings be held here to examine allegations of "increasing violations of human rights" by U.S. border officials.

Baca said at a press conference he will be joined by representatives of the United California Mexican American Association and the Legal Aid Society when he leaves tomorrow for three days in Washington.

He said meetings have been arranged with Sen. Edward Kennedy, D-Mass., chairman of the Senate Judiciary Committee; Sen. Alan Cranston, D-Calif.; and Rep. Ed Roybal, D-Calif., chairman of the House subcommittee on appropriations, as well as representatives of the attorney general's office, House immigration subcommittee and the U.S. Commission on Civil Rights.

"We view our request for congressional hearings as a means to expose the dehumanizing symptoms of this country's national immigration policy, and an effort to prove to the American public that President Carter's 'human rights' program is debunked on the issue of immigration," Baca said.



— Staff Photo by Ted Winfield.

Herman Baca, left, of the Committee on Chicano Rights, criticizes recent U.S. Border Patrol shootings of illegal aliens. Sitting next to him at a San Ysidro press conference are Benito Rincon Hernandez, center, and Rogelio Mendez Diaz, who witnessed a March incident in which an alien was killed.

Trainee Tells Of Alien Beating

NOV 15-79

THE SAN DIEGO UNION

By BILL OTT And SUSAN JETTON

Staff Writers, The San Diego Union

"There was some moaning, but he didn't verbally cry out. It appeared like he was trying to be machismo, but there were also some tears running down his cheeks."

A Border Patrol trainee offered this description to a federal court jury yesterday, telling how an undocumented alien reacted to an alleged beating by border patrolmen who believed he was the man who made an obscene finger gesture toward a patrol aircraft last July 3.

The trainee, Gino Freselli, 29, was the first witness called by U.S. Attorney Michael H. Walsh as four border patrolmen went on trial before U.S. District Judge Howard B. Turrentine on charges of mistreating aliens.

Freselli's testimony followed opening trial statements by Walsh and two of four defense attorneys, who gave sharply contrasting views of circumstances surrounding the charges against suspended agents Bruce Brown, Jeffery Otherson, Dirk Dick and Daniel Charest.

Walsh accused the four officers of engaging in a "criminal partnership" that deprived the government of its lawful functions through beatings that not only amounted to vigilante justice, but deprived the aliens of their civil rights.

Defense attorneys Joseph Milchen and Nelson Brav, told the jury of seven men and five women that the patrolmen involved were dealing with lawbreakers and, in some instances, used reasonable force while working under adverse and sometimes dangerous conditions.

Milchen pointed out that Brown had been commended by the government for his outstanding service. Brav emphasized that when the aliens were routinely processed for return to Mexico there were no complaints of beatings. Further, he said, Mexican officials refused to accept returned aliens who are seriously injured.

But Freselli, responding to questions by Walsh, said the unidentified alien on July 3 was beaten repeatedly, with stinging staps from Brown's gloved hand that reddened his face, and blows to his fingers with a nightstick as his hand was held to the floorboard of a transport van.

Otherson, Freselli testified, jabbed his fist into the alien's stomach at least once.

Describing the alien, Freselli said, "His hand began to swell . . . to the point you couldn't recognize his knuckles." He added that at no time did the alien admit making an obscene gesture at the patrol craft and Brown and Otherson eventually gave up their interrogation, putting him back into the van.

"At any time did the alien resist?" Walsh asked.

"No," Freselli said.

"Did he try getting away in any fashion?" Walsh said.

"No."

Freselli testified he was in the transport van with Otherson and that while taking the alien to the scene of the alleged beating Otherson expressed some doubts about taking him (Freselli) along because he was still a trainee.

(Continued on B-12, Col. 1)

Walsh, in his earlier opening statement, touched on an alleged radio code that was used in the conspiracy, referring to the term "Delta Henry," words not normally used by agents in their transmissions. "Delta Henry, of course, means the designated hitter (or agent designated to mete out punishment)," Walsh said.

During Freselli's testimony on the alleged beating, Walsh used himself as a model to demonstrate the force of blows to the alien's face. He asked Freselli to leave the witness stand and strike him on each shoulder with the same force Brown allegedly used in striking the alien on the face. Freselli hesitated, but swung out with his palm. The blows jolted Walsh.

Milchen described to the jury adverse conditions with which border patrolmen deal. He said Brown was an officer who, from time-to-time, found himself alone, facing the responsibility of taking into custody large groups of aliens. The problem, he said, was "aggravated at night," adding that a border patrolman cannot use his gun unless

his own life or the life of another agent is threatened.

He said evidence will show that when aliens are apprehended, Walsh's office declines to prosecute them, returning them to Mexico, thus encouraging the alien smugglers. Yet, he said, the prosecution has accused the officers on trial of interfering with the government's lawful functions.

Brav told the jury that six months prior to the charges Dick had been involved in a struggle in which an alien tried to take his sidearm from him. Under the circumstances, Brav said, Dick used "minimal, reasonable force."

The court spent more than two hours selecting a panel of 12 jurors and four alternates for the trial which Turrentine said he expects to continue to about Nov. 28 because of the Thanksgiving holiday. The judge closely questioned prospective jurors about publicity surrounding the case and about their attitudes toward "possibly undocumented aliens" and the Border Patrol.

Among the seated jurors were two — a hotel bellman and a garment factory worker — who said they work with "quite a few Mexicans but I don't know their status."

At least four off-duty Border Patrol agents as well as several investigators for the Immigration and Naturalization Service were among some 50 spectators who watched the trial proceedings on its opening day. The agents refused to comment on the trial because, one said, "I don't want to say anything that might jeopardize the outcome."

During recesses, the agents gathered in the hallway to talk with the defendants who have been sus-

pending without pay by the Border Patrol pending completion of the trial.

Meanwhile, Advocates for Border Law Enforcement (ABLE), a group of relatives and supporters of border patrolmen, have been collecting signatures on petitions to send to President Carter and other top Justice Department officials urging that the agents be reinstated to the patrol until the trial is completed.

Illegal Aliens Said Separated From Children

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2-29-86
دکتر

Children as young as 2 are being held apart from their parents in the federal Metropolitan Correctional Center and in detention centers for undocumented aliens in San Ysidro and El Centro, Herman Baca, chairman of the Committee on Chicano Rights, said in a telegram to President Carter yesterday.

Baca said he will elaborate on the charges today during a press conference.

Federal officials here denied any knowledge of incidents described by Baca.

Baca said an investigation by his committee determined that the children are held as material witnesses in cases against smugglers of undocumented aliens.

"Once the children are no longer needed as 'material witnesses,' the INS (Immigration and Naturalization Service) authorities simply toss them into Mexico without making any effort to insure that the children are reunited with their parents," he said in the telegram.

"Furthermore, it has also been reported to us that children who are turned over to Mexican authorities are kept for one week and then are turned loose in the streets to fend for themselves," Baca said.

United States Attorney Michael Walsh could not be reached for comment yesterday.

Assistant U.S. Attorney Herb Hoffman said children in some cases are held with their parents, but added that he knew of no cases where children were imprisoned by themselves.



Tossed Into Mexico

Regarding the accusations by Herman Baca that children are being imprisoned and then "tossed into Mexico," subsequently denied by federal officials, here is a true story:

The 15-year-old daughter of a friend of mine was picked up on the street by "La Migra," driven 150 miles to San Ysidro, and "tossed into

Mexico" at 1 a.m. Fortunately, just by chance, her schoolteacher witnessed the pickup and called the local immigration office to find out what they intended to do with the child. The teacher then called my friend who boarded the next bus for San Ysidro and managed to arrive there minutes before the immigration bus arrived.

What if the teacher had not witnessed this pickup? The child would have been abandoned — alone and penniless — on the streets of Tijuana in the middle of the night. And what about the anguish of the mother not knowing the whereabouts of her daughter?

ELIZABETH HUGHES
Coronado

3-7-86

Mexicana dies after INS harassment

By MICAELA GALLEGOS

Maria Contreras, 8-months pregnant, died of a heart attack last month because the Immigration and Naturalization Service (INS) officials on the south Texas border refused to call an ambulance before it was too late. Her baby also died.

The Mexican community in Texas has turned out protesters in the hundreds in the weeks since the May 16 killing in an unrelenting series of demonstrations.

Rosa Cuellar, an organizer for the Texas Farm Workers (TFW) union in Pharr told the Guardian recently that the marches and demonstrations are "not only to demand justice for Senora Contreras, but to protest all that the workers have suffered at the hands of the immigration department, and the attacks that continue against our people."

According to TFW organizers, the details of the incident are as follows.

On May 16, Maria Contreras, mother of 11 with a heart condition, suffered a heart seizure in an INS interrogation room after she was harassed by border officials.

Contreras was returning from Nuevo Progreso, Mexico, with her children and a young girl she was bringing over to help with

the housework. They stopped at the border station in Progreso, Texas, for a routine check.

When the officials took Contreras into an interrogation room, her daughter Rósalinda, 16, pleaded with them to let her mother go, telling them that she was very ill.

The officials scoffed at her, saying that her mother was just faking to avoid interrogation. They accused Contreras of trying to smuggle the young girl into the country, took her papers away and threatened to deport her.

Even after Contreras became visibly ill, they refused to call an ambulance.

When her sister, Sara Camarela, who lives only a couple of blocks away from the border, was finally contacted, she rushed to the station. She found Contreras sitting in a chair, bent over in a position which prevented her from breathing.

She gave her mouth-to-mouth resuscitation and was able to revive her long enough to hear her say, "Take care of my children..."

After 45 minutes an ambulance arrived to take the woman to a hospital. She was pronounced dead on arrival. The baby also died.

The deaths have sparked a number of protests in and around the Rio Grande Valley in south Texas, one of the country's largest producing areas of citrus fruits and other agricultural products. These actions include:

- On May 20, about 50 TFW members accompanied the victim's husband and sister to Laredo, Texas, where they met with INS head Lionel Castillo, who was speaking at a statewide League of United Latin American Citizens convention.

Some 200 local residents, including about 100 striking workers at a Coca Cola plant, gathered outside the convention hall to protest Castillo's refusal to act upon previous TFW demands that the INS investigate ongoing harassment at the bridge in Progreso.



Daniel Castro, El Cuhamil

Anti-INS demonstrators marching to border checkpoint in Progreso, Tex., May 27.

"We had been trying to meet with Castillo for nearly a year," Antonio Orendain, TFW director, told the Guardian, "but he never even answered our calls."

According to Orendain, Castillo claimed that the INS officials were already under investigation by the FBI. He promised to make public the results.

JOINT U.S.-MEXICO ACTION

- In a show of solidarity, about 300 people marched to the bridge in Progreso May 27, where they were met by an equal number of Mexicanos who had also marched to their side of the bridge in Nuevo Progreso. A rally was held to demonstrate against the recent crime and to emphasize the bond which must be strengthened between workers on both sides.

- On June 1, about 250 people marched to the bridge in Brownsville, another border town about 15 miles from Progreso. The march was organized by Organizaciones de Harlinton and Pueblo's Unidos, a group from Brownsville.

- A march was also scheduled for June 10 at the U.S. border towns of Hidalgo, Texas and Reynosa.

The TFW's Cuellar stated that as part of a

large campaign aimed at seeking justice for all Mexican workers the following four demands are being made:

(1) That an investigation into the recent crime and a general investigation of the INS take place. (2) That Ruben Gonzales, the official in charge of the interrogation of Contreras, be fired. (He has been moved to another border station.) (3) That all deportations of undocumented workers be stopped. (4) That all forms of harassment and attacks against Mexican workers cease immediately.

People are also urged to send letters and telegrams to President Carter and Lionel Castillo protesting the crimes of the INS against Mexican workers.

"Our organization receives numerous complaints from workers who have to cross the border to their jobs in Texas," said Cuellar. These workers, who have been driven north because of the staggering unemployment in Mexico, suffer daily abuse and harassment at the hands of border officials, from Texas to California.

For further information: TFW, PO Box 876, San Juan, Texas 78589, tel. 512-787-5984.



Sisters of Maria Contreras.

Daniel Castro, El Cuhamil



Rape-Slaying of Illegal Alien

Federal Protective Service Employee Linked by Lab Tests to Brutal November Assault at Border

By **TED VOLLMER**
Times Staff Writer

A 24-year-old federal officer was arrested Thursday and held without bail in the brutal strangulation and rape last Nov. 25 of a teen-age Mexican alien at the border.

Michael Edward Kennedy of Chula Vista was linked to the slaying of Maria Lopez de Felix, 19, through FBI lab comparisons of his palm print, blood type and hair samples, authorities said.

FBI special agent Roger Young told reporters in San Diego that Kennedy was arrested without incident at his home after issuance of a federal complaint by U.S. Magistrate Edward Harris.

Kennedy, appearing in street clothes, entered a not-guilty plea before Harris late Thursday and a preliminary hearing was scheduled for Feb. 8.

Young said the case against Kennedy, an employec of the Federal Protective Service since 1978, was given the "highest investigative priority" by his office.

Kennedy also was questioned last year about the strangulation of another Mexican woman. Authorities said that, while Kennedy was questioned and released in that case, the investigation now will resume.

According to an FBI affidavit supporting the criminal complaint against Kennedy, Lopez de Felix tried to enter the United States at the San Ysidro checkpoint by hiding in her

sister-in-law's car.

Authorities said she was trying to cross the border to join her husband, believed to be an undocumented worker who was living in Riverside. After her discovery, she agreed to return to Mexico and was released.

Kennedy told investigators that he met Lopez de Felix at an Immigration and Naturalization Service building and escorted her to the checkpoint where she crossed into Mexico.

Authorities believe the following chain of events then occurred:

Both Kennedy and Lopez de Felix walked along the border fence on opposite sides and the woman either reentered the United States through an unchecked turnstile or a hole in the barrier. A red suitcase believed to have belonged to her was later discovered in some bushes on the U.S. side of the border.

The woman then was apparently allowed through a security gate that had an easily picked lock and then through another gate secured only by masking tape.

Kennedy, authorities believe, used a pocketknife to slit the tape. Adhesive residue matching the masking tape was discovered on a pocketknife seized in a search of Kennedy's home, according to the affidavit.

Lopez de Felix then was taken to a building containing an unused detention room, where she was raped and strangled, according to authorities.

After the slaying, the woman's partially clothed body was dragged outside the room and left in a hallway. It was not discovered until the next day.

The suspect then allegedly returned to the site and tried to cover up the crime by using the woman's shawl to brush away signs of a struggle, the affidavit said.

Evidence found at the scene linking Kennedy to Lopez de Felix's murder included two cigarette butts matching Kennedy's brand, three hairs in the woman's shawl matching Kennedy's,

and paint scrapings. The same type of scrapings, which authorities said came from the detention room floor, were found on a uniform worn by Kennedy.

On Dec. 5, authorities said, Kennedy was scheduled to meet with the FBI to provide a blood sample and palm print. The suspect, however, failed to show up. Instead, he left a note saying that he was fleeing across the border because he might otherwise "confess to a crime I didn't commit."

It is unclear whether Kennedy actually fled the country.

Kennedy told U.S. Magistrate Harris that he lives with his parents in Chula Vista and has been working continuously with the service since the investigation began.

His court-appointed attorney, Juanita Brooks, argued that Kennedy should be released to the custody of his parents, indicating that the defendant had strongly suspected he would be arrested for the crime but had not fled.

Assistant U.S. Atty. Thomas Coffin, however, argued for Kennedy's being held without bail, noting that the crime carries a possible sentence of life imprisonment.

Kennedy will face a federal murder charge since the slaying occurred on federal property.

The murder case in which Kennedy was questioned earlier last year involved Ramona Hernandez, whose body was discovered in a shallow grave on the Campo Indian Reservation on March 21, more than a month after she disappeared. Authorities said she had been strangled.

Hernandez had last been seen alive on Feb. 12 when she was returning to the United States after a bus trip to Ensenada.

A problem developed with Hernandez' documents and she was escorted by Kennedy to the INS office. Later investigation revealed that Kennedy had her telephone number in a notebook he carried.



RECENT BORDER VIOLENCE BY LA MIGRA

May 16, 1978	Maria Contreras	Progreso, TX	Pregnant, died in INS interrogation room after being harassed by border officials.
Oct. 22, 1978	Abel Reyes Silva Age: 21	San Ysidro	Shot in the back while on the Mexican side of the border.
Feb. 11, 1979	Margarito Balderas Age: 30	San Ysidro	Shot twice from behind after surrendering.
March 17, 1979	Efren Reyes Age: 24	San Ysidro	Shot to death while handcuffed.
March 17, 1979	Benito Rincon Age: 22	San Ysidro	Shot while handcuffed.
March 20, 1979	Alberto Canedo Age: 4	San Ysidro	Died in aunts' arms in INS offices after being denied entrance into U.S.
March 21, 1979	Guillermo Lozano Age: 19	San Ysidro	Shot from behind from a helicopter.
May 28, 1979	Ismael Villa Age: 17	San Ysidro	Shot from behind.
May 28, 1979	Martin Olmos	San Ysidro	Shot from behind from a helicopter.
June 16, 1979	Manolo Alberto Age: 18 months	Tijuana	Died of starvation three days after being denied entrance into U.S. by border officials.

Evening Tribune

1-10-79

INS internal investigation - misconduct allegations
by inspectors and BP guards

"An INS spokesman said nine directors were investigated in the last year and three were disciplined for favoritism to aliens."

investigating 354 cases of alleged misconduct by border patrol guards, investigators and inspectors for drug smuggling, bribery, brutality and sexual abuse of illegal aliens

Castillo termed \$10 million in overtime payments to INS inspectors a "serious problem"

PARA PUBLICACIÓN INMEDIATA 1/11/79

Contacto: Herman Baca
Teléfono: (714) 474-8195

Hemos llamado esta conferencia de prensa para dirigirnos a la gira de cinco días en cinco ciudades del Agente de la Procuraduría de los EE. UU., el Sr. Michael Egan con el objetivo de obtener información para la reunión del Presidente Carter con el Presidente de México José López Portillo los días 14, 15 y 16 de febrero de 1979.

Al Sr. Egan, cuya gira incluye San Diego este día, se le han atribuido declaraciones a la prensa (véase recorte adjunto) hechas por él que son en nuestra opinión irresponsables y negativas a la luz de la importancia de la próxima visita del Presidente Carter a México. A causa de estas declaraciones nuestra organización desea expresar nuestra preocupación y dirigirnos a los siguientes puntos:

(1) Vemos extremadamente angustiante que el Sr. Egan, un oficial público que asumimos se supone que obtenga información en una manera objetiva para formular una norma pública que afecta nuestras relaciones de tanto tiempo entre los EE. UU. y México, y que al final de cuentas tendrá grandes consecuencias en el asunto de Inmigración y Energía y los derechos constitucionales y humanos de 16 millones de Chicanos en los EE. UU. (Sr. Egan) pueda actuar de una manera tan parcial, llena de prejuicios y subjetivamente. Por eso es que el Sr. Egan a este punto parece sólo estar obteniendo información de la oficina de Inmigración y de otros oficiales seleccionados que será entregada al Presidente Carter y solo puede describirse como una "Producción manipulada".

(2) La declaración del Sr. Egan de que la administración de Carter no relajará su norma de Inmigración a cambio del petróleo mexicano antes de que el Presidente Carter se reúna con el Presidente López Portillo es prematura, desafortunada, irresponsable y en nuestra opinión servirá solamente ^{para} dañar cualquier posible solución ^{por} ~~para~~ resolver el asunto de la Inmigración y la Energía.

(3) La declaración del Sr. Egan de que "queremos hablar con nuestra gente y no queremos hablar mucho tiempo con grupos de ciudadanos sobre el asunto de la cerca", confirma nuestras peores angustias que la agenda del Sr. Egan es predeterminada y que él parece haber capitulado al procedimiento tipo policiaco que ha quedado en bancarrota de la Oficina de Inmigración y Naturalización (INS) que ha demostrado una historia de fracaso. Es evidente para nosotros el porqué el Sr. Egan desea evitar el hablar con ciudadanos sobre la construcción de la cerca a la luz del hecho de que varios oficiales públicos, grupos de Iglesias, y toda organización Chicana Nacional, se han opuesto inequívocamente a la construcción de la tal llamada "cortina de tortilla", supuestamente construida en El Paso, Texas y San Diego, CA.

(4) El reporte de la preocupación del Sr. Egan sobre el decaimiento moral y quejas del INS y la Patrulla Fronteriza son en nuestra opinión nada mas que lágrimas de cocodrilo y ^{una} maniobra para que estas agencias auto-encargadas para procurar más dinero de los contribuyentes para sus normas tipo policiaco en bancarrota.

En esencia, nuestra organización una vez más, hace un llamado al Presidente Carter y al Congreso ^{para} que busquen un nuevo procedimiento para resolver el asunto de la Inmigración de la siguiente forma:

- (1) Pidiendo investigaciones nacionales para formar una norma, nueva justa y humanitaria de inmigración.
- (2) Una amnistía incondicional con énfasis en la reunificación de la familia.
- (3) Una investigación completa y absoluta de supuest@s violaciones y mal ^{uso} ~~tratos~~ de los derechos constitucionales y humanos de los EE. UU. por la INS.
- (4) Eliminar la construcción de la tal llamada "Cortina de Tortilla".



Committee on Chicano Rights, Inc

FOR IMMEDIATE PRESS RELEASE 1/11/79

Contact person: Herman Baca

474-8195

We have called this press conference to address ourselves to Deputy U.S. Attorney Michael Egan's five-day, five-city "information gathering" tour for President Carter's meeting with Mexican President Jose Lopez Portillo on February 14, 15, and 16, 1979.

Mr. Egan, whose tour includes San Diego today, has had press statements (see attachment A) attributed to him which are in our opinion irresponsible and negative in light of the importance of President Carter's upcoming Mexico visit. Because of these statements our organization wishes to express our concern and address ourselves to the following points:

- (1) We find it extremely disturbing that Mr Egan, a public official whom we assume is suppose to be objectively gathering information for formulating public policy affecting our long range relations between the United States and Mexico, which will ultimately have major consequences on the Immigration and Energy issue and the constitutional and human rights of 16 million Chicanos in the United States could act in such a one sided, biased and subjective manner. This being, because Mr. Egan at this point appears only to be gathering information from the Immigration office and other selected officials which will be handed to President Carter and can only be discribed as a "manipulated production".

- (2) Mr. Egan's statement that the Carter administration will not relax its Immigration policy in exchange for Mexican petroleum before President Carter meets with President Portillo is premature, unfortunate, irresponsible and will in our opinion only serve to undermine any possible solution in resolving the Energy and Immigration issue.
- (3) Mr. Egan's statement that "we want to talk with our people and don't want a lot of time talking with citizens groups about the fence", confirms our worst fears that Mr. Egan's agenda is pre-determined and that he appears to have capitulated to the bankrupt law enforcement approach of the INS which has a proven history of failure. It is understandable to us why Mr. Egan wishes to avoid talking with citizens about building the fence in light of the fact that various public officials, church groups, and every National Chicano organization has unequivocally opposed the building of the so called "tortilla curtain", supposedly constructed in El Paso, Texas and San Diego, Ca.
- (4) Mr. Egan's reported concern of sagging morale and complaints by the INS and the Border Patrol are in our opinion nothing but crocodile tears and a ploy for these self-vested agencies to procure more of the taxpayers monies for their bankrupt law enforcement policies.

In essence, our organization once again, calls on the President and the Congress to seek a new approach in resolving the Immigration issue by:

- (1) Calling for National hearings to form a new, just and humane immigration policy.

- (2) Unconditional Amnesty with emphasis on family re-unification.
- (3) A complete and thorough investigation of alleged wrong doing and violations of U.S. constitutional and human rights by the INS.
- (4) To terminate the building of the so called "Tortilla Curtain".

NO TRADE-OFF FOR MEXICAN OIL

Aide Says Carter Won't Relax Immigration Policies

EL PASO, Texas (UPI) — An emissary for President Carter yesterday partially allayed fears of Border Patrol officers that the President would relax U.S. immigration policies in exchange for Mexican petroleum.

"We don't want to lightly trade off our borders," said ~~Deputy U.S. Attorney General Michael Egan~~, on a tour of border cities to help boost morale among Immigration and Naturalization Service employees and ~~gather information for Mr. Carter's meeting with President Jose Lopez Portillo in Mexico next month.~~

"But we can't overestimate our relations with Mexico," Egan added.

The United States' need for Mexico's recently discovered petroleum reserves was expected to top Mr. Carter's agenda during the February visit to Mexico.

Rumors of such a trade-off and de-emphasis of enforcement of immigration laws reportedly have led to sagging morale among INS and Border Patrol employees along the 1,933-mile border. Egan said he would visit privately with officers and their union representatives and conduct "high profile" news conferences in Tucson, San Diego and Los Angeles on the five-day, five-city tour

which began in Dallas Monday.

Egan, a former Georgia legislator assigned to coordinate the administration's immigration legislation in the new Congress, took a first-hand look at the site for the proposed 6.6-mile "Tortilla Curtain," one of the administration's answers to burgeoning illegal crossings in El Paso that has gained wide support among INS officers. He said apparently the fence will be constructed this year.

Egan said he was not aware of the delays in the construction of a replacement fence of galvanized steel mesh in El Paso and that he believed the proposed \$2 million border barrier was undergoing design modifications to make it safer for humans. A similar fence is to be built near San Diego. Egan said the fence "has to be built this year because it's in the 1979 budget."

One INS official, who did not want his name used, said supervisors and employees in the Dallas regional office asked Egan "very pointed questions" on the administra-

tion's alleged de-emphasis of enforcement and said one intent of Egan's trip was to mollify dissent within the border enforcement agency.

There have been internal criticisms in the INS of Mr. Carter's past attempts at amnesty for illegal aliens, leading to rank and file discord in the face of unrelenting illegal migrations of Mexican nationals into the United States, the official said.

"We want to try to find out what's going on behind the complaints we're getting from within the service. We in leadership at the Justice Department don't feel enforcement is lagging," Egan said. **"We want to talk with our people and don't want to spend a lot of time talking to citizen groups about the fence."**

"The administration is finally getting around to having a look for themselves at the situation," one high El Paso INS official said. "It's better late than never, I guess. We're going to want to ask why construction of the new fence seems to be at a standstill."

Attachment A

S.D. 10/20/79

January 22, 1979

FOR IMMEDIATE PRESS RELEASE

The Committee On Chicano Rights, Inc., a San Diego based organization, has announced today that it is issuing a call for a "National Protest March" at the International Border, San Ysidro, California on Sunday, February 11, 1979.

The March is planned to coincide with President Carter's upcoming meeting with Mexico's President Jose Lopez Portillo in Mexico City on February 14 through 16, 1979.

Spokesperson for the Committee On Chicano Rights, Inc., also stated " that any agreement reached in Mexico City, will ultimately have an effect on the social, economic, and political future of the Chicano Community in the United States".

In addition, the National Protest March will allow the Chicano community to demonstrate a "United Front" to both Presidents on the following issues:

1. The strong opposition to the Construction of the "Carter Curtain" in San Diego, California and El Paso, Texas.
2. The opposition to the Carter Immigration Plan which is now before the United States Congress.
3. The opposition to the escalation of a Vietnam like militarization of the U.S-Mexico border.
4. The massive violation of human and constitutional rights by the U.S. Border Patrol in the Chicano community.

The Committee On Chicano Rights, Inc., also announced that it is inviting the following Chicano leaders from throughout the country to give the protest march a "national posture". Enclosed is a partial list of prominent National leaders, Church, elected officials and organizations which have been invited to attend February 11, 1979 March. (See attached list)

Contact Herman Baca
(714) 474-8195



CCR

Committee on Chicano Rights, Inc

Informacion: Herman Baca
(714) 474-8195
PARA PUBLICACION INMEDIATA

22 de enero de 1979

El Comite sobre Derechos Chicanos, Incorporado, una organizacion con base en San Diego, hoy anuncio que esta haciendo un llamado para un "Marcha de Protesta Nacional" en la Frontera Internacional, en San Isidro, California el Domingo 11 de febrero de 1979.

La Marcha esta planeada para que coincida la proxima reunion del Presidente Carter con el Presidente de Mexico, Lic. Jose Lopez Portillo en la Ciudad de Mexico del 14 al 16 de febrero de 1979.

El representante del Comite Sobre Derechos Chicanos, Inc., a su vez declaro "que cualquier arreglo que se tome en la Ciudad de Mexico, tendra a fin de cuentas un efecto en el futuro social, economico y politico de la Comunidad Chicana en los Estados Unidos."

Ademas, la Marcha de Protesta Nacional permitira que demuestre un "Frente Unido" a ambos Presidentes en los siguientes puntos:

1. La fuerte oposicion a la construccion de la "Cortina Carter" en San Diego, California y en El Paso, Texas.
2. La oposicion al Plan Carter de Inmigracion que esta en este momento ante el Congreso de los Estados Unidos.
3. La oposicion a la escalacion de la militarizacion tipo Vietnam en la frontera de Mexico y Estados Unidos.
4. La violacion masiva de los derechos humanos y constitucionales cometida por la Patrulla Fronteriza de los Estados Unidos a la Comunidad Chicana.

El Comite Sobre Derechos Chicanos, Inc., declaro tambien que esta invitando a los siguientes lideres Chicanos de todo el pais para darle a la marcha de protesta una "posicion nacional." Adjunto encontrara parte de la lista de prominentes lideres nacionales, de la Iglesia oficiales electos y de organizaciones que han sido invitados a asistir a la Marcha del 11 de febrero de 1979. (Vease lista adjunta).

BOLETIN DE PRENSA

2-79

El comite de los Derechos de Chicanos tuvo una manifestacion en la frontera internacional de San Ysidro, California para protestar el comienzo de la "Cortina de Carter" de 6 millas al costo de tres millon de dolores aqui en San Ysidro, California y en El Paso, Texas. El comite de los Derechos Chicanos recomienda al las 66 organizaciones en todos partes de los Estados Unidos y a las 3,000 personas quienes marcharon aqui en San Ysidro el 11 de febrero de 1979 que:

Detengan sostenimiento politico y ayuda o endorsamento al la compaña Presidential del Jimmy Carter para 1981. En essencia proponemos que un movimiento politico de "descargar a Carter" empieze en las commuidades Chicanas por todas partes de los Estados Unidos.

La posicion de nuestra organizacion y de los que protestaron el 11 de febrero de 1979 es que la construccion de la "Cortina de Carter" sera:

- (1) un gasto perdido del dinero de los pagadores de impuestos, y solamente servira como una simbolo a todos, que la politica de inmigracion es una de racismo, discriminacion y fanatismo contra los 16 millones de Chicanos/Latinos en los Estados Unidos.

- (2) Sobre el largo tiempo perjudicaron las relaciones entre los Estados Unidos de Norte America, Mexico y Latino America.

Esta aumentando la violencia en la frontera y el resultado esta siendo el siguiente:

- (a) El 2 de febrero de 1979, Margarito Fernandez, edad 28, fue balaceado en ambos brazos por la Patrulla Fronteriza.
- (b) El 20 de marzo de 1979 Efren Reyes, fue muerto y Benito Rincon fue herido por Dan Cole, patrullero de Fronteriza, mientras que los dos hombres estaban esposados.
- (c) El 21 de marzo de 1979, la muerte del menor Mario Canedo, 4 anos de edad, en la oficina del I.N.S. el 29 de mayo de 1979.
- (d) El 29 de mayo de 1979, Los menores Martin Zorate y Ricardo Real, ambos de 16 anos de edad fueron balaceados por la Patrulla Fronteriza
- (e) El 1 de junio de 1979, Tres individuos fueron atacados por un hombre de la Patrulla Fronteriza de los Estados Unidos.
- (f) El 3 de junio de 1979, La Patrulla Fronteriza balaceo accidentalmente a Ismael Villa de 17 anos de edad cuando la pistola se descargo.
- (g) El 4 de junio de 1979, Tres individuos indocumentados fueron golpeados por un Patrullero de Fronteriza.
- (h) El menor Manolo A. Alberto, de 2 anos de edad, murio despues que se le fue negada la entrada a los Estados Unidos por la I.N.S.

Nuestra organizacion pide al Congreso que inicie una completa escala de audiencias congreso para resolver estas serios problemas



Committee on Chicano Rights, Inc

2-3-79

To: ALL NEWS MEDIA
From: Ralph Inzunza, Coordinator-Press/Media
Re: Press release, Tijuana B.C. Mexico

Enclosed, please find a translation of a press release which was presented to the Mexican News-Media by our Chairperson Herman Baca at the Palacio Aztec Hotel on February 3, 1979.

If you are in need of any further information on this press release or in the enclosed material regarding the National Protest March of February 11, 1979, please feel free to contact me at the above telephone number.

Thank you,

Ralph Inzunza,
Press/Media Coordinator

Enclosure (4)



Committee on Chicano Rights, Inc

PARA PUBLICACION INMEDIATA
Informacion: Herman Baca
(714) 474-8195

Estimados Companeros de la Prensa,

We are here today to ask you, the members of the Mexican press, to convey to the people of Mexico, a message...a message from the 16 million Chicanos/Latinos of the United States that we no longer will tolerate the continued abuses of our people, los Mexicanos, by the I.N.S. and the U.S. government, whether they live on this or that side of the border. An injustice against one is an injustice against all; to us there is no border. We ask today that the Mexican people join us in stopping the construction of that most odious symbol of racism, discrimination, and bigotry. The "Carter curtain" which is being proposed and to be built along the border of San Ysidro, California, and El Paso, Texas will be such a symbol.

Many people have asked me why we are having a protest march. We are marching because there comes a time when one has to take a stand, a stand for what one believes in, a stand that proclaims that our people's rights for too long have been violated and that we Mexicans also have rights. We declare today before President Carter and President Portillo meet in Mexico City, Que Ya Basta! Hasta Aqui!...No Mas!...And that we are tired. We want our rights respected before any agreements are made in Mexico City and we



Committee on Chicano Rights, Inc

will tolerate no more abuses nor will we any longer stand by and see our people mistreated and oppressed whether on this side or that side of the border simply because we are of a different color and culture.

Let us have a clear understanding that the "Carter Curtain" is not just a fence. It is a symbol of racism, of discrimination, of oppression...and of the low esteem that the government of the United States holds of the 16 million Chicanos/Latinos in the United States and of 60 million Mexican citizens. We want to make it clear to you what this fence means to us and exactly what the political reasons are for the construction of such a symbol.

Gentlemen of the Press, the fence is a test. A test of the Chicanos and the Mexican people. Chicanos are the "testing ground" of how far the government dare go in its relations towards Mexico. If we the Chicanos fail to respond or are luke warm to the construction of the fence, then the United States will deal with impunity towards Mexico, because if there is no respect for 16 million Chicanos living within its own borders then how can there be respect for Mexicans living in Mexico. If we the Chicanos and you Los Mexicanos fail to respond to the construction of the proposed fence.. it is a

1837 Highland Avenue, National City, CA 92050 (714) 474-8195



Committee on Chicano Rights, Inc

a clear signal to American policy makers that the United States can proceed without concern with the continued abuse and exploitation of the Chicano in the United States, and the exploitation of Mexico's resources (Undocumented workers and oil) without fear.

We wish to make it clear that La Raza represents a potential 10 million votes within the United States and will have a decisive voice in the most powerful states in the Union. The United States of the 1980's is not the America of 1910. Chicanos are a growing number and we will have a voice. Today we ask the help of the Mexican people. Now more than ever, while your President waits to meet with President Carter we ask that they help us send a strong message..."That Mexico, the United States, Chicanos, and Anglo-Americans must learn to deal with each other with equality and respect. And that the fence not be constructed because it is an insult to every Mexican of the Republic of Mexico and Chicano of the United States".

Today, we ask the people of Mexico to join with us in making a stand by joining with us on February 11, 1979, in San Ysidro in demonstrating our deep concern over the symbol of the fence, in order that all of us together can begin the task of resolving the immigration issue which is now before us. Gracias.

1837 Highland Avenue, National City, CA 92050 (714) 474-8195



Committee on Chicano Rights, Inc

PARA PUBLICACION INMEDIATA
Informacion: Herman Baca
(714) 474-8195

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Committee on Chicano Rights, Inc

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Committee on Chicano Rights, Inc

Estimado Hermana/Hermano

In recent weeks various media articles have announced that President Carter will be meeting with President Jose Lopez Portillo in Mexico City on February 14 through the 16, 1979, to discuss the important issues of oil and immigration.

In the past, the Committee On Chicano Rights, Inc., has advocated a strong opposition to existing and current immigration policies which are effecting the human and constitutional rights of our people. Now that both Presidents will be meeting, it is our organization's position that any decision or agreement reached will ultimately have an effect on the social, economic and political progress of the Chicano community in the United States. It is for these reasons that our organization is calling for a National Protest March on Sunday February 11, 1979, in San Ysidro, California.

We therefore, extend an invitation to you, and your organization to participate in making the march a success. The purpose of the march is to allow the Chicano community to demonstrate a "United Front" on the following issues:

1. The strong opposition to the construction of the "Carter Curtain" in San Diego, California and El Paso, Texas.
2. The opposition to the Carter Immigration Plan which is now before the United States Congress.
3. The opposition to the escalation of a Vietnam like militarization of the United States-Mexico border.
4. The massive violation of human and constitutional rights by the Border Patrol in the Chicano community.

If you are in agreement that we must act to protect our interest, we urge you to fill out the enclosed form immediately in order that the agenda, printing, press release and accomodations can be made. For further information feel free to call us at (714) 474-8195

Sinceramente,

Herman Baca

Herman Baca, Chairperson

1837 Highland Avenue, National City, CA 92050 (714) 474-8195



Committee on Chicano Rights, Inc

Estimado (a):

Enclosed is a packet of information concerning the CCR's "Call" for a National Protest March on February 11, 1979, against the militarization of the border and the construction of the "Carter Curtain."

The CCR has invited numerous national leaders, organizations and individuals from thru-out the country to participate in the upcoming Protest March. As is always the case, to organize a march of this magnitude, will require a serious commitment of time, effort and finances from those who are concerned. It is for these reasons that I am writing to you once again requesting that you help us by sending a financial contribution to offset the expenses which we will incur. Any amount that you can donate will be greatly appreciated and will insure that the February 11, 1979 March is a success.

Please send all contributions to :The Committee on Chicano Rights
1837 Highland Avenue
National City, Ca. 92050

Gracias,

Herman Baca, Chairperson
COMMITTEE ON CHICANO RIGHTS, INC.



Committee on Chicano Rights, Inc

March 21, 1979

FOR IMMEDIATE PRESS RELEASE

The Committee on Chicano Rights today announced that it has written Senator Edward Kennedy, Chairperson of the Senate Judiciary Committee and to Representative Elizabeth Holtzman of the House Immigration Sub-Committee to request a full scale Congressional investigation of the U.S. Border Patrol. (See attachment A).

C.C.R. spokespersons stated that "we are calling on Congress to not only investigate the brutal killing of Efren Reyes and the wounding of his companion Benito Rincon by Border Patrolman Dan Cole while both men were handcuffed, but also the overall operation of the U.S. Border Patrol, including its policies, financial budgeting, and supervision." Furthermore, the C.C.R. spokespersons called attention to the fact that "the U.S. Border Patrol has become a lawless agency which is totally out of control and accountable to no one."

The C.C.R. will await the response from Senator Kennedy and Representative Holtzman and will at that time provide the documentation on the charges which have been made against the Border Patrol.

Attachments.

1837 Highland Avenue, National City, CA 92050 (714) 474-8195



Committee on Chicano Rights, Inc

Senator Edward Kennedy
Chairperson--Judiciary Committee
431 Russell Office Building
Washington, D.C. 20510

March 21, 1979

Dear Senator Kennedy:

Our organization is requesting a full scale Congressional investigation of the U.S. Border Patrol. We are accusing the U.S. Border Patrol of committing illegal acts and abuses involving the human and constitutional rights of both undocumented persons and U.S. Citizens of Mexican ancestry. We are hereby petitioning your committee to initiate a full scale Congressional investigation into the following:

1. The March 17, 1979, killing of Efren Reyes with a 357 Magnum by the U.S. Border Patrolman Daniel Cole and the wounding of his companion Benito Rincon. At the time Reyes and Rincon were shot, both men were handcuffed and were reported to have been shot in the back!
2. The massive violations of human and constitutional rights by the Border Patrol at the international border and in the Chicano Community. The latest killing of Reyes and the wounding of Rincon involving the U.S. Border Patrol is not an isolated incident, but the "tip of the iceberg" of such violations. It is apparent to us that the Border Patrol is now totally out of control and is nothing but a lawless agency which is accountable and responsible to no one.

Because of the lack of supervision and adequate training the Border Patrolmen have in essence become a law on to themselves.

Additionally, we request that your committee conduct an investigation into the entire operation of the Border Patrol and investigate the following documented cases of illegal and unconstitutional acts which have been committed by the Border Patrol over the past 10 years:

- a. Shooting and killing of individuals
- b. Beatings
- c. Rapes
- d. Sexual abuse of women
- e. Breaking into homes

Senator Edward Kennedy

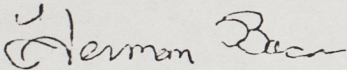
March 21, 1979

Page 2

- f. Stopping persons in the streets, airports bus depots, etc., on the basis of race and without reasonable suspicion.
- g. Stopping persons from entering places of worship.
- h. Boarding public transit buses and interrogating persons on the basis of race and without reasonable suspicion.
- i. Collaborating with the K.K.K.
- j. Entering schools to question children.
- k. Strikebreaking and involving themselves in labor disputes.
- l. Mistreatment at detention camps.

Our committee believes that a congressional investigation is not only necessary but imperative at this time. Any further delay can only inflame the already volatile situation along the border and lead to further confrontations and violence. We will be awaiting your response on this urgent matter.

Thank You,



Herman Baca
Chairperson

cc.

President Jimmy Carter
President Jose Lopez-Portillo
Attorney General Griffin Bell
Comissioner Leonel Castillo
Senator Cranston
Senator Hayakawa

Border Patrol, Mexico Police Differ Over Shooting Of 2

By ALEX DREHSLER
Staff Writer, The San Diego Union

TIJUANA — The two undocumented Mexican aliens who were wounded — one of them fatally — Saturday night by a border patrolman were handcuffed to each other at the time, Mexican and U.S. law enforcement officials said yesterday.

Supervising Border Patrol Agent Dan Cole, 49, shot the two men in self-defense during a struggle that began when two of three aliens resisted arrest, said Albert Franco, deputy chief patrol agent. Mexican police, however, said the aliens were shot while trying to escape.

"Two of the aliens apparently used their handcuffs as a lever to bring him (Cole) down. At this point the aliens were no longer trying to escape," said Franco.

Natividad Tapia, head of the homicide squad of the Baja California State Judicial Police, identified the slain man as Efren Reyes, 23, of San Luis Potosi, and his wounded companion as Benito Rincon, 22, of the Federal District (Mexico City).

"Reyes arrived in Tijuana about two months ago to cross into the

United States illegally," said Tapia.

Tapia said two eyewitnesses told him that Reyes and Rincon were shot while trying to escape.

One of the witnesses, Gilberto Contreras Ramirez, 22, was in Tapia's office yesterday morning, waiting for San Diego police detectives to interview him. The second witness was identified by Tapia as Jose Robles Estrada, 18.

Reyes, Rincon and a third man, Jose Ramiro Martinez, 17, were sighted on the U.S. side of the border by Cole while he was patrolling westbound on the south levee of the San Diego-Tijuana flood-control channel, said investigators.

Cole parked his vehicle, got out, approached the three Mexicans and placed them under arrest. Ramiro was placed in Cole's vehicle. Immediately afterward, Reyes and Rincon began struggling with Cole.

While grappling with Reyes and Rincon, Cole saw Ramiro escape from the rear of his vehicle. In the scuffle, Cole was forced down the south bank of the levee and brought to his knees.

(Continued on B-4, Col. 1)

S.D. Union
3-20-79

Views Differ On Shootings

(Continued from Page B-1)

"At this point Cole made his decision (to fire his weapon)," said Franco.

San Diego County Coroner Dave Stark said Reyes was shot once in the chest, "lacerating his heart, lung and liver." Stark said the man had a wound in his back, where the bullet came out.

Rincon was listed in satisfactory condition at University Hospital with a bullet wound in his left shoulder. The wound indicates that Rincon was shot from the

back, investigators said.

San Diego Police homicide detectives said they hoped to complete their investigation by tomorrow and then present their findings to the San Diego district attorney's office, where a decision will be made of whether or not to prosecute Cole.

Franco said his agency is supporting Cole unless the detectives' findings prove other action is warranted. Cole, who has been with the Border Patrol for more than 20 years, remains on duty, said Franco.

Alien shooting being probed

By ROBERT DIETRICH

The weekend shooting death of an illegal alien by a senior Border Patrol agent is under investigation by the FBI and San Diego police.

The identity of the man killed while handcuffed to a fellow border runner and in Border Patrol custody has not been determined, the coroner's office said today.

The man he was handcuffed to, Benito Hernandez, 21, was wounded in the left shoulder during the incident and was reported in satisfactory condition today in the University Hospital jail ward.

Police said the agent involved, Dan Cole, a supervisory patrol officer, gave the following account:

Cole was on patrol about 10 p.m.

See ALIEN, B-3

T.C.B.
3-11-79

★Alien

CONTINUED FROM B-1

Saturday near the U.S. section of the Tia Juana River flood control channel when he spotted three persons run from the Mexican side of the border.

He arrested them, handcuffed two together and tried to place the third in the rear of the Jeep-like patrol vehicle.

That prisoner escaped, and the two handcuffed prisoners attacked Cole, forcing him to his knees and grabbing his baton.

At that point, Cole drew his revolver and fired.

The coroner's office said today it did not know whether the dead man was struck in the front or back of his body.

A Mexican newspaper yesterday quoted a man who said he is the person who broke away from Cole in another version of the incident. The man, Jose Ramiro Martinez, 17, told reporters his two companions had been shot in the back.

His identification of the wounded man, however, did not match the name determined by San Diego police.

Martinez said the name of the dead man is Efren Reyes, 25, of San Luis Potosi, Mexico.

A Border Patrol official said Cole will undergo a Border Patrol internal affairs probe of the incident as well as the FBI and police investigations.

SDU 3-23-79

According to news sources an INS spokesman has expressed concern that "possibly hundreds die every year in seeking to make the illegal crossing"

Reportedly an INS spokesman stated that INS Boss Leonel Castillo has received "a report that the bodies of 24 aliens who tried to cross the Rio Grande from Mexico washed ashore at the U.S. side near Laredo, Texas during the past year" - figures suggest that the numbers could be in the hundreds annually

Bodies recovered by Border Patrol along a 40 mile stretch

GOARDIAN

Eight bodies discovered between Dec 78 - Jan 79 alone

there's a case of a guy who was thrown into the river

BETTER CONSTRUCTION



For Further Information
CONTACT: HERMAN BACA
(714) 474-8195

April 6, 1979

FOR IMMEDIATE PRESS RELEASE

The Committee on Chicano Rights has called today's picket here in San Diego, California where Immigration and Naturalization Service Commissioner Leonel Castillo is being "honored" to protest the following:

- (1) The March 17, 1979 killing of Efren Reyes and wounding of his companion by United States Border Patrolman Dan Cole while both men were handcuffed.
- (2) The massive violations of human and constitutional rights at international border and in the Chicano Community by the United States Border Patrol.
- (3) The Chicano Community's opposition to the Carter Immigration Plan.
- (4) The current "bankrupt immigration policy" of seeking a Vietnam-like Militarization of the United States-Mexico Border by emphasizing more Border Patrol sensors, infrared lights, electronic curtains, jeeps, etc.



Committee on Chicano Rights, Inc

- (5) The construction or "repair" of the 12 mile long "Carter Curtain" here in San Ysidro, California and El Paso, Texas.
- (6) The call by President Carter for 800,000 foreign workers under the H-2 "Bracer" Program.



Committee on Chicano Rights, Inc.

5/21/79

INFORME A LA PRENSA

San Ysidro, Ca

El Comite de Derechos Chicanos (CCR) pidio la conferencia de este dia para expresar nuestra protesta moral sobre la dicision tomada por el Fiscal de San Diego, Edwin Miller, de no acusar al agente Dan Cole por la muerte de Efren Reyes y las heridas de Rincon Hernandez con su pistola "357 Magnum" mientras los dos estaban esposados juntos. Este gran error judicial prueba una vez mas que el sistema judicial en San Diego no unicamente opera un sistema dual o doble, pero ahora esta perdonando asesinato si la persona muerta es de descendencia Mexicana.

La decision del Fiscal es inaceptable, irresponsable y abandono de su responsabilidad como electo y su juramiento de defender la ley.

Tampoco aceptamos la "politica de conveniencia" que esta siendo jugado por el Fiscal Miller y el Procurador Federal de Justicia Miguel Walsh. Para nosotros es increible que los dos oficiales con la mas alta autoridad judicial en San Diego duraron 60 dias para investigar y luego decirnos que el hecho de muerte esta fuera de la jurisdiccion de cada una de sus oficinas. Nuestra opinion en este caso es que el Procurador Walsh y el Fiscal Miller bien son incompetentes o se han junstado en conspiracion de conveniencia para barrer este caso bajo de la alfombra.

En el pasado nuestra organizacion junto con otras organizaciones han acusado a la Patrulla Fronteriza de ser una agencia sin ley controlada por ninguna y sin responsabilidad a nadie. La decision de dichos oficiales de no proseguir o acusar al patrullero de fronteriza en este caso es indisputable prueba de ello mismo. Simplemente lo que quiere decir la decision del Fiscal es que la Patrulla Fronteriza ahora puede matar a cualquier persona de ~~de~~ descendencia Mexicana (sea legal o ilegal) porque no hay nadie para procesar el caso.



Committee on Chicago Rights, Inc

Otra cosa que profundamente preocupa a nuestra organizacion es la triste y tragica realidad que este ultimo acto de violencia por la Patrulla Fronteriza no es un incidente aislado pero un continuo ejemplo de violencia agravada por la continua dependencia en soluciones militares y de ejecucion de la ley como politica para resolver los problemas de inmigracion.

Estos actos han dado impacto a los derechos economicos, sociales, politicos y humanos de todas las personas (ciudadanos, documentados, o sin documentos) de descendencia Mexicana.

Por estas razones, San Diego esta siendo el terreno de prueba que determinara como se va a resolver el problema de inmigracion. Esta es la razon por la cual les estamos presentando este problema. Forzosamente tenemos que hacer la pregunta a los encargados de nuestra sociedad donde estan o que opinan acerca de este oroblema moral, y legal de asesinato? Tnedremos que preguntar donde esta el Presidente Carter y su orograma de derechos humanos? ¿Donde esta el Alcalde Pete Wislon? ¿Donde esta la Iglesia, las voces de justicia, las voces de juego limpio, y las voces de igualdad?

FOR FURTHER INFORMATION
CONTACT: Herman Baca
(714) 474-8195



Committee on Chicano Rights, Inc

(213)
748 1197
Geraldo Lopez
L.A. la opinion.
March 21, 1979

FOR IMMEDIATE PRESS RELEASE

The Committee on Chicano Rights today announced that it has written Senator Edward Kennedy, Chairperson of the Senate Judiciary Committee and to Representative Elizabeth Holtzman of the House Immigration Sub-Committee to request a full scale Congressional investigation of the U.S. Border Patrol. (See attachment A).

C.C.R. spokespersons stated that "we are calling on Congress to not only investigate the brutal killing of Efren Reyes and the wounding of his companion Benito Rincon by Border Patrolman Dan Cole while both men were handcuffed, but also the overall operation of the U.S. Border Patrol, including its policies, financial budgeting, and supervision." Furthermore, the C.C.R. spokespersons called attention to the fact that "the U.S. Border Patrol has become a lawless agency which is totally out of control and accountable to no one."

The C.C.R. will await the response from Senator Kennedy and Representative Holtzman and will at that time provide the documentation on the charges which have been made against the Border Patrol.

Attachments.

1837 Highland Avenue, National City, CA 92050 (714) 474-8195



April 20, 1979

FOR IMMEDIATE PRESS RELEASE

The Committee on Chicano Rights has announced that it is calling for an immediate investigation into University Hospital's policy in refusing emergency treatment to George Almos a 16 year old United States citizen and 6 year old Juan Gutierrez a Mexican National. The Committee on Chicano Rights has written the Department of Medical Quality Assurance, Division of License, for the State of California requesting the investigation. In addition, it is calling on University Hospital to fire Dr. Randall Smith for refusing to authorize medical treatment of George Almos. Dr. Smith's disturbing remarks, "that University Hospital does not want Mexican aliens laying around the ward eating up our funds" is racist and raises serious moral and ethical questions about the medical profession. Also, the questioning of the patient's appearance whether he looked Mexican or Spanish by another Doctor, also raises questions about the attitude of San Diego's institutions towards the Chicano and Mexican community. This attitude by University Hospital and other Social Service agencies is not an isolated incident, but has developed because of the dehumanizing definition of the immigration issue by the news media and San Diego politicians. Because of this, University Hospital is manifesting an attitude of "playing

-continued

God" towards the treatment of person's of Mexican ancestry. Furthermore, this latest incident is further proof to us that San Diego is rapidly becoming like the apartheid cities of South Africa. Proof of this South African approach has surfaced in the last month with the shooting and killing of two handcuffed persons and the death of a 4 year old child at the border without one word of concern and compassion expressed by San Diego public officials. Committee on Chicano Rights spokes persons in concluding stated "that "the violation of ethics and legal policy by University Hospital and the lack of concern by Federal State and local officials cannot go on challenged" and this has prompted the organization to call for the investigation of University Hospital policy and the firing of Doctor Randall Smith.

END



Committee on Chicano Rights, Inc

April 24, 1979

Assemblyman, Art Torres
State Capitol
Room 4148
Sacramento, CA 95814

Dear Mr. Torres:

The Committee on Chicano Rights is requesting an immediate investigation of University Hospital on the following issues:

- (1) The failure to admit George Olmos a 16 year old United States citizen, for an emergency, into University Hospital. (See attachment A)
- (2) The racist statement of Dr. Randall Smith that "we do not want Mexican aliens laying around the ward eating up our funds" and the questioning of another University Doctor of whether George Olmos was Mexican or Spanish.
- (3) The failure to admit Juan Gutierrez a 6 year old Mexican National into University Hospital for emergency treatment of burns, after the staff of University Hospital had picked him up in Tijuana. (See attachment B)

These issues concerning University Hospital, a tax supported hospital, has raised some very serious legal and ethical questions concerning its policies toward persons of Mexican Ancestry. For this reason our organization is requesting that your office carry out an immediate investigation.

Thank you,

Herman Baca
Chairperson



Committee on Chicano Rights, Inc

April 24, 1979

Mario Obledo
Secretary, Health and Welfare
915 Capitol Mall
Room 200
Sacramento, CA 95814

Dear Mr. Obledo:

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Red is a gift of valentine hearts,
Raspberry frosting strawberry
tarts."

It's an appropriate theme for the Performing Arts program — a school-within-a-school housed at Roosevelt — created as part of the San Diego Unified School District's magnet desegregation program.

It draws students like Andy, who is white and lives in Mission Hills, and Michael Bonds, 11, who is black and lives in Paradise Hills. Like other students in the musical —

some new lines to replace ones that didn't get laughs last weekend. "I like every kid on the set as much as I do off the set."

As 13-year-old Carter Sanford of La Jolla, who plays the role of "Oliver," puts it, children are "pretty much the same on the inside."

"We all have the feeling of friendship," said Carter, whose self-proclaimed role in the Wee Pals neighborhood is to don a beach towel as a cape and fight intolerance. "For some, it's under rock and cement, but it's there."

and formerly attended Freese Elementary School in Southeast San Diego, said that of the 10 songs — the music was written by Performing Arts instructor Norman Boaz — The Rainbow Song is her favorite.

"It makes people notice that we're all one big family," she explained.

*"White is a cloud of vanilla ice cream,
Snowflakes from high above.
Yes, all of us make up a rainbow,
And our rainbow's the color of love."*

Doctor Absolved Of Wrongdoing For Refusing To Authorize Transfer

By LEW SCARR

Medical Writer, The San Diego Union

Dr. Randall W. Smith has been absolved of all wrongdoing in the controversial handling of medical care for a 16-year-old gunshot victim seven weeks ago.

In testimony at an Assembly Health Committee hearing here yesterday, the chairman of the University Hospital Executive Committee

said a four-week investigation by two faculty physicians and two community physicians has found that the 40-year-old neurosurgeon showed reasonable and proper medical judgment and did not violate any medical principles during or after he was contacted by an emergency room physician at Community Hospital of San Diego and asked if he would "authorize" transfer of George

Olmos who had been brought to Community Hospital with an accidental gunshot wound in his head.

By not authorizing the transfer, Smith became the target of charges of racism, insensitivity, poor medical judgment and violation of hospital policy.

Testimony of Dr. John F. Alksne, chairman of the University Hospital medical staff and chairman of its Executive Committee, yesterday appears to have laid these charges to rest.

The four-hour hearing conducted by Assemblyman Art Torres, D-Los Angeles, also heard testimony criticizing a contract between the county of San Diego and UCSD for treatment of charity patients.

Torres heard University Hospital's director, Sheldon S. King, say that the county contract for care of indigents is so strict that "you literally have to break your neck in front of the hospital for the county to pay for it."

King was referring to the fact that the county will not pay for care of any indigent who has been seen first at another hospital, eliminating any reimbursement for care of any transferred patient.

Torres was critical of this policy and suggested after the hearing that "leverage" and "pressure" may be brought by the Legislature to get amendment of the contract.

But it was the Olmos case that focused attention of the Torres committee on emergency care here in the first place and which took the spotlight yesterday.

Most inflammatory as the case unfolded April 15 had been the charge by Dr. Anthony Haftel, Community Hospital emergency room

Court Notes Impact Of Reverse Bias Suit

By BILL OTT

Staff Writer, The San Diego Union

Saying the dispute has "possible ramifications of constitutional proportions," U.S. District Judge Gordon Thompson Jr. yesterday took under study a reverse discrimination suit that could affect the county's program to close the gap in minority hiring and promotions.

Stephen Harmon, former acting administrator of the county's Edgemoor Geriatric Hospital, filed the suit in 1977 after he was edged out of permanent appointment to the post because preference was given to a woman under efforts to boost minority appointments in accord with a court-approved consent decree.

The judge said the case "involves a very concerned area of law — not because of Stephen Harmon, but because of all the Stephen Harmon's like him who may be involved in a consent decree in this type of situation ... and even constitutional issues."

In the background is the consent decree, under which the county agreed to boost employment and promotion of minorities and women, when necessary choosing from eligibility lists on a selective basis, rather than holding to rank on the basis of examination scores.

Harmon was appointed acting administrator of the Geriatric hospital late in 1976 and held the post for six months. He testified he was given assurance of appointment after another candidate, Oscar Quinney, a black, turned down the job for medical reasons. Harmon ranked first on the eligibility list and Quinney second, trailing by only two points.

Harmon testified the assurance came from Dr. W.W. Stadel, director of county medical institutions. He said he was rated tops for the job, but that county officials ordered a supplemental eligibility list, adding

(Continued on B-2, Col. 1)

(Continued on B-2, Col. 1)



Committee on Chicano Rights, Inc

April 24, 1979

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915 Capitol Mall
Room 200
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These issues concerning University Hospital, a tax supported hospital, has raised some very serious legal and ethical questions concerning its policies toward persons of Mexican Ancestry. For this reason our organization is requesting that your office carry out an immediate investigation.

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Chairperson



Committee on Chicano Rights, Inc

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Thank you,

Herman Baca
Chairperson

For more information
contact Herman Baca
at 477-8195



Committee on Chicano Rights, Inc

5/21/79

For Immediate Press Release

San Ysidro, CA

The Committee on Chicano Rights has called today's press conference to express our "moral outrage" at San Diego District Attorney Edwin Miller's decision not to prosecute United States Border Patrol agent Dan Cole for the killing of Efren Reyes and the wounding of Rincon Hernandez with a 357 Magnum while both men were handcuffed to each other. This gross miscarriage of justice proves to us once again that the judicial system in San Diego not only operates on a "dual standard", but is now even condoning murder if the person is of Mexican ancestry.

District Attorney Miller's decision is unacceptable, irresponsible, and a dereliction of his elected responsibility and his oath to uphold the law.

We also do not accept the "politics of convenience" that is being played by District Attorney Ed Miller and United States Attorney Michael Walsh. It is unbelievable to us that the two highest law enforcement officials in San Diego would take 60 days to "investigate" and then tell us that the matter of murder is out of each other's office jurisdiction. In our opinion, on this matter Michael Walsh and Ed Miller are either incompetent, or they have joined in a "conspiracy of convenience" to sweep this matter under the rug.

In the past, our organization and other organizations, have accused the Border Patrol of being a lawless agency that is controlled and accountable to no one. The District Attorney and United States Attorney's decision not to prosecute is undisputable proof of this. Very simply, what the District Attorney's decision means is that the Border Patrol can now kill any person of Mexican ancestry (either legal or illegal) because there is no one to prosecute.

1837 Highland Avenue, National City, CA 92050 (714) 474-8195

For more information
contact Herman Baca
at 477-8195



Committee on Chicano Rights, Inc

For Immediate Press Release

Another matter which deeply concerns our organization is the sad tragic fact that this latest act of violence by the Border Patrol is not an isolated incident, but rather a continuing pattern of violence aggravated by a continual dependence on law enforcement and military solutions as a policy to resolve the immigration issue. This approach has impacted the economic, social, political and human rights of all persons (citizens, documented, undocumented) of Mexican ancestry. Because of these facts, San Diego has now become the testing ground which will determine how the immigration issue will be resolved. This is the reason why we question as to where the care-takers of our society stand on this legal and moral issue of murder. We have got to ask where is President Carter and his human rights program? Where is Governor Brown? Where is Mayor Pete Wilson? Where are the Church's? Where are the voices of justice? The voices of Fair Play? The voices of equality?



Committee on Chicano Rights, Inc.

5/21/79

INFORME A LA PRENSA

San Ysidro, Ca

El Comite de Derechos Chicanos (CCR) pidio la conferencia de este dia para expresar nuestra protesta moral sobre la dicision tomada por el Fiscal de San Diego, Edwin Miller, de no acusar al agente Dan Cole por la muerte de Efren Reyes y las heridas de Rincon Hernandez con su pistola "357 Magnum" mientras los dos estaban esposados juntos. Este gran error judicial prueba una vez mas que el sistema judicial en San Diego no unicamente opera un sistema dual o doble, pero ahora esta perdonando asesinato si la persona muerta es de descendencia Mexicana.

La decision del Fiscal es inaceptable, irresponsable y abandono de su responsabilidad como electo y su juramiento de defender la ley.

Tampoco aceptamos la "politica de conveniencia" que esta siendo jugado por el Fiscal Miller y el Procurador Federal de Justicia Miguel Walsh. Para nosotros es increible que los dos oficiales con la mas alta autoridad judicial en San Diego duraron 60 dias para investigar y luego decirnos que el hecho de muerte esta fuera de la jurisdiccion de cada una de sus oficinas. Nuestra opinion en este caso es que el Procurador Walsh y el Fiscal Miller bien son incompetentes o se han junstado en conspiracion de conveniencia para barrer este caso bajo de la alfombra.

En el pasado nuestra organizacion junto con otras organizaciones han acusado a la Patrulla Fronteriza de ser una agencia sin ley controlada por ninguna y sin responsabilidad a nadie. ~~La decision de dichos oficiales de no proseguir o acusar al patrullero de fronteriza en este caso es indisputable prueba de ello mismo.~~ ~~Simplemente lo que quiere decir la decision del Fiscal es que la Patrulla Fronteriza ahora puede matar a cualquier persona de descendencia Mexicana (sea legal o ilegal) porque no hay nadie para procesar el caso.~~ ~~a LA PATRULLA FRONTERIZA~~



Committee on Chicano Rights, Inc

El Comité sobre Derechos Chicanos, Incorporado, una organización con base en San Diego, California, anunció hoy que: líderes nacionales Chicanos/Latinos de todas partes del país han confirmado (véase lista añadida) su asistencia y que participarán en la "MARCHA DE PROTESTA NACIONAL".

La marcha dará comienzo en el Parque Larson en San Isidro, California el Domingo 11 de febrero de 1979 a las 12 mediodía.

El Dirigente del Comité, el Sr. Herman Baca, hizo la siguiente declaración: "Hemos hecho un llamado a todos los Chicanos/Latinos aquí en los Estados Unidos y a nuestros hermanos en México para que juntamente se unan con nosotros para protestar por nuestros sentimientos sobre los siguientes puntos:

1. La fuerte oposición a la construcción de la "Cortina Carter" en San Diego, California y en El Paso, Texas.
2. La oposición al Plan Carter de Inmigración que está en este momento ante el Congreso de los Estados Unidos.
3. *Representamos las violaciones de la Convención* La oposición a la escalación de la militarización tipo Vietnam en la frontera de México y Estados Unidos.
4. La violación masiva de los derechos humanos y constitucionales cometida por la Patrulla Fronteriza de los Estados Unidos a la Comunidad Chicana/Latina.

El Sr. Baca añadió que: "Los Chicanos/Latinos aquí en San Diego presentarán un "Frente Unido" tocante a los puntos arriba mencionados para que se le envíe un "Fuerte Mensaje" al Presidente Carter y al Presidente López Portillo quienes se reunirán en la Ciudad de México el 14 de febrero de 1979 para tratar los asuntos del petróleo y la inmigración. La postura de la comunidad Chicana/Latina es la de que "la conferencia de la Ciudad de México" expondrá tratados y tomará decisiones que a fin de cuentas afectará profundamente el destino social, económico, y político de los 16 millones de Chicanos/Latinos aquí en los Estados Unidos y por esta razón se ha hecho el llamado a la Marcha de Protesta Nacional.

- El movimiento Ch. es la auto determinación
- Nuestros aliados son varios Rhodisia (Zimbabwe), Sardinista, Zapata, Flores wagon.
- Do into what has recently happened in Cuba's papers.
- Estamos de acuerdo ^{en} y solidaridad con todo movimiento sincero del pueblo que esta para el mejoramiento
- Estamos contra todo movimiento que apoye directamente o indirectamente a la oligarquia que oprime nuestro gente. Tambien estamos contra todo movimiento que se trate de aprovechar del trabajo, del salario y los esfuerzos del movimiento Chicano.
- nuestra meta es la igualdad

o reparacion
 ↓

* How are we unequal?

nos da un gran gusto de estar
aquí.

①
* somos hijos de padres mexicanos
~~de~~ de descendencia y a pesar de
la generación y en muchas
generaciones en el país en los
E.E.U.U seguimos siendo mexicanos
mexicanos. algunos no
hablan ~~español~~ español ni, muchos
~~no~~ no

* En los E.E.U.U. no están enseñando
como odiar nuestra cultura para
poder transformarnos

* El movimiento Chicano ha despertado
el orgullo a los mex.

* Chicano movement is struggle

* Estamos no solo luchando para
~~conseguir~~ la igualdad si que
tambien para nuestra existencia
como una gente

H.B. chairman of the CCR a S.D. based ^{human} rights organization
representing ~~100~~ ^{over 200} organization
today announced that the CCR ^{has arrived in Cuba to} ~~will seek~~ the (endorsement) ~~apoyo~~

of . According to Biaca " ^{On May 25, 1980} ~~the~~ ^{over 200 org} endorsed over
1000 persons representing over 200 org. voted to present the

most degrading violations of human rights to international
organizations (i.e. - -) to end the massive violations

that have resulted in

- (a) the incarceration of children
- (b) murder + rape of ~~women~~ ^{Maria Lopez de Felix (Doc 25)}
- (c) handicapped indiv. shot + killed
- (d)

~~Heinrich~~ Biaca,

El presidente del Comité de Derechos
Civiles, ~~Heinrich Biaca~~ ^{cuya} organización
representa de ~~100~~ miles otras

BOLETIN DE PRENSA

El comite de los Derechos de Chicanos tuvo una manifestacion en la frontera internacional de San Ysidro, California para protestar el comienzo de la "Cortina de Carter" de 6 millas al costo de tres millon de dolores aqui en San Ysidro, California y en El Paso, Texas. El comite de los Derechos Chicanos recomienda al las 66 organizaciones en todos partes de los Estados Unidos y a las 3,000 personas quienes marcharon aqui en San Ysidro el 11 de febrero de 1979 que:

Detengan sostenimiento politico y ayuda o endorsamento al la compana Presidential del Jimmy Carter para 1981. En essencia proponemos que un movimiento politico de "descargar a Carter" empieza en las commuidades Chicanas por todas partes de los Estados Unidos.

La posicion de nuestra organizacion y de los que protestaron el 11 de febrero de 1979 es que la construccion de la "Cortina de Carter" sera:

(1) un gasto perdido del dinero de los pagadores de impuestos, y solamente servira como una simbolo a todos, que la politica de inmigracion es una de racismo, discriminacion y fanatismo contra los 16 millones de Chicanos/Latinos en los Estados Unidos.

(2) Sobre el largo tiempo perjudicaron las relaciones entre los Estados Unidos de Norte America, Mexico y Latino America.

- (2) Sobre el largo tiempo perjudicaron las relaciones entre los Estados Unidos de Norte America, Mexico y Latino America.

Esta aumentando la violencia en la frontera y el resultado esta siendo el siguiente:

- (a) El 2 de febrero de 1979, Margarito Fernandez, edad 28, fue balaceado en ambos brazos por la Patrulla Fronteriza.
- (b) El 20 de marzo de 1979 Efren Reyes, fue muerto y Benito Rincon fue herido por Dan Cole, patrullero de Fronteriza, mientras que los dos hombres estaban esposados.
- (c) El 21 de marzo de 1979, la muerte del menor Mario Canedo, 4 anos de edad, en la oficina del I.N.S. el 29 de mayo de 1979.
- (d) El 29 de mayo de 1979, Los menores Martin Zorate y Ricardo Real, ambos de 16 anos de edad fueron balaceados por la Patrulla Fronteriza
- (e) El 1 de junio de 1979, Tres individuos fueron atacados por un hombre de la Patrulla Fronteriza de los Estados Unidos.
- (f) El 3 de junio de 1979, La Patrulla Fronteriza balaceo accidentalmente a Ismael Villa de 17 anos de edad cuando la pistola se descargo.
- (g) El 4 de junio de 1979, Tres individuos indocumentados fueron golpeados por un Patrullero de Fronteriza.
- (h) El menor Manolo A. Alberto, de 2 anos de edad, murio despues que se le fue negada la entrada a los Estados Unidos por la I.N.S.

Nuestra organizacion pide al Congreso que inicie una completa escala de audiencias congreso para resolver estas serios problemas

BOLETIN DE PRENSA

El comite de los Derechos de Chicanos tuvo una manifestacion en la frontera internacional de San Ysidro, California para protestar el comienzo de la "Cortina de Carter" de 6 millas al costo de tres millon de dolores aqui en San Ysidro, California y en El Paso, Texas. El comite de los Derechos Chicanos recomienda al las 66 organizaciones en todos partes de los Estados Unidos y a las 3,000 personas quienes marcharon aqui en San Ysidro el 11 de febrero de 1979 que:

Detengan sostenimiento politico y ayuda o
endorsamento al la compana Presidential del
Jimmy Carter para 1981. En essencia proponemos
que un movimiento politico de "descargar a Carter"
empieza en las commuidades Chicanas por todas
partes de los Estados Unidos.

La posicion de nuestra organizacion y de los que protestaron el 11 de febrero de 1979 es que la construccion de la "Cortina de Carter" sera:

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racismo, discriminacion y fanatismo contra
los 16 millones de Chicanos/Latinos en
los Estados Unidos.



Committee on Chicano Rights, Inc

5/21/79

INFORME A LA PRENSA

San Ysidro, Ca

El Comite de Derechos Chicanos (CCR) pidio la conferencia de este dia para expresar nuestra protesta moral sobre la dicision tomada por el Fiscal de San Diego, Edwin Miller, de no acusar al agente Dan Cole por la muerte de Efren Reyes y las heridas de Rincon Hernandez con su p stola "357 Magnum" mientras los dos estaban esposados juntos. Este gran error judicial prueba una ves mas que el sistema judicial en San Diego no unicamente opera un sistema dual o doble, pero ahora esta perdonando asesinato si la persona muerta es de de~~ce~~ndencia Mexicana.

La decision del Fiscal es inaceptable, irresponsable y ab~~on~~dono de su responsabilidad como electo y su juramiento de defender la ley.

Tampoco aceptamos la "politica de conveniencia" que esta siendo jugado por el Fiscal Miller y el Procurador Federal de Justicia Miguel Walsh. Para nosotros es increible que los dos oficiales con la mas alta autoridad judicial en San Diego duraron 60 dias para investigar y luego decirnos que el hecho de muerte esta fuera de la jur~~is~~diccion de cada una de sus oficinas. Nuestra opinion en este caso es que el Procurador Walsh y el Fiscal Miller bien son incompetentes o se han junstado en conspiracion de conveniencia para barrer este caso bajo de la alfombra.

En el pasado nuestra organizacion junto con otras organizaciones han acusado a la Patrulla Fronteriza de ser una agencia sin ley controlada por ninguna y sin responsabilidad a nadie. La decision de dichos oficiales de no proseguir o acusar al patrullero de fronteriza en este caso es indisputable prueba de ello mismo. Simplemente lo que quiere decir la decision del Fiscal es que la Patrulla Fronteriza ahora puede matar a cualquier persona de de~~ce~~ndencia Mexicana (sea legal o ilegal) porque no hay nadie para procesar el caso.



Committee on Chicano Rights, Inc

Otra cosa que profundamente preocupa a nuestra organizacion es la triste y tragica realidad que este ultimo acto de violencia por la Patrulla Fronteriza no es un incidente aislado pero un continuo ejemplo de violencia agravada por la continua dependencia en soluciones militares y de ejecucion de la ley como politica para resolver los problemas de inmigracion.

Estos actos han dado impacto a los derechos economicos, sociales, politicos y humanos de todas las personas (ciudadanos, documentados, o sin documentos) de descendencia Mexicana.

Por estas razones, San Diego esta siendo el terreno de prueba que determinara como se va a resolver el problema de inmigracion. Esta es la razon por la cual les estamos presentando este problema. Forzosamente tenemos que hacer la pregunta a los encargados de nuestra sociedad donde estan o que opinan acerca de este problema moral, y legal de asesinato? Tnedremos que preguntar donde esta el Presidente Carter y su programa de derechos humanos? ¿Donde esta el Alcalde Pete Wislon? ¿Donde esta la Iglesia, las voces de justicia, las voces de juego limpio, y las voces de igualdad?

For more information
contact Herman Baca
at 477-8195



Committee on Chicano Rights, Inc

5/21/79

For Immediate Press Release

San Ysidro, CA

The Committee on Chicano Rights has called today's press conference to express our "moral outrage" at San Diego District Attorney Edwin Miller's decision not to prosecute United States Border Patrol agent Dan Cole for the killing of Efren Reyes and the wounding of Rincon Hernandez with a 357 Magnum while both men were handcuffed to each other. This gross miscarriage of justice proves to us once again that the judicial system in San Diego not only operates on a "dual standard", but is now even condoning murder if the person is of Mexican ancestry.

District Attorney Miller's decision is unacceptable, irresponsible, and a dereliction of his elected responsibility and his oath to uphold the law.

We also do not accept the "politics of convenience" that is being played by District Attorney Ed Miller and United States Attorney Michael Walsh. It is unbelievable to us that the two highest law enforcement officials in San Diego would take 60 days to "investigate" and then tell us that the matter of murder is out of each other's office jurisdiction. In our opinion, on this matter Michael Walsh and Ed Miller are either incompetent, or they have joined in a "conspiracy of convenience" to sweep this matter under the rug.

In the past, our organization and other organizations, have accused the Border Patrol of being a lawless agency that is controlled and accountable to no one. The District Attorney and United States Attorney's decision not to prosecute is undisputable proof of this. Very simply, what the District Attorney's decision means is that the Border Patrol can now kill any person of Mexican ancestry (either legal or illegal) because there is no one to prosecute.

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For more information
contact Herman Baca
at 477-8195



Committee on Chicano Rights, Inc

For Immediate Press Release

Another matter which deeply concerns our organization is the sad tragic fact that this latest act of violence by the Border Patrol is not an isolated incident, but rather a continuing pattern of violence agravated by a continual dependence on law enforcement and military solutions as a policy to resolve the immigration iissue. This approach has impacted the economic, social, political and human rights of all persons (citizens, documented, undocumented) of Mexican ancestry. Because of these facts, San Diego has now become the testing ground which will determine how the immigration issue will be resolved. This is the reason why we question as to where the care-takers of our society stand on this legal and moral issue of murder. We have got to ask where is President Carter and his human rights program? Where is Governor Brown? Where is Mayor Pete Wilson? Where are the Church's? Where are the voices of justice? The voices of Fair Play? The voices of equality?



Committee on Chicano Rights, Inc.

5/21/79

INFORME A LA PRENSA

San Ysidro, Ca

El Comite de Derechos Chicanos (CCR) pidio la conferencia de este dia para expresar nuestra protesta moral sobre la decision tomada por el Fiscal de San Diego, Edwin Miller, de no acusar al agente Dan Cole por la muerte de Efren Reyes y las heridas de Rincon Hernandez con su pistola "357 Magnum" mientras los dos estaban esposados juntos. Este gran error judicial prueba una vez mas que el sistema judicial en San Diego no unicamente opera un sistema dual o doble, pero ahora esta perdonando asesinato si la persona muerta es de descendencia Mexicana.

La decision del Fiscal es inaceptable, irresponsable y abandono de su responsabilidad como electo y su juramiento de defender la ley.

Tampoco aceptamos la "politica de conveniencia" que esta siendo jugado por el Fiscal Miller y el Procurador Federal de Justicia Miguel Walsh. Para nosotros es increíble que los dos oficiales con la mas alta autoridad judicial en San Diego duraron 60 dias para investigar y luego decirnos que el hecho de muerte esta fuera de la jurisdiccion de cada una de sus oficinas. Nuestra opinion en este caso es que el Procurador Walsh y el Fiscal Miller bien son incompetentes o se han junstado en conspiracion de conveniencia para barrer este caso bajo de la alfombra.

En el pasado nuestra organizacion junto con otras organizaciones han acusado a la Patrulla Fronteriza de ser una agencia sin ley controlada por ninguna y sin responsabilidad a nadie. La decision de dichos oficiales de no proseguir o acusar al patrullero de fronteriza en este caso es indisputable prueba de ello mismo. Simplemente lo que quiere decir la decision del Fiscal es que la Patrulla Fronteriza ahora puede matar a cualquier persona de descendencia Mexicana (sea legal o ilegal) porque no hay nadie para procesar el caso.



Otra cosa que profundamente preocupa a nuestra organizacion es la triste y tragica realidad que este ultimo acto de violencia por la Patrulla Fronteriza no es un incidente aislado pero un continuo ejemplo de violencia agravada por la continua dependencia en soluciones militares y de ejecucion de la ley como politica para resolver los problemas de inmigracion.

Estos actos han dado impacto a los derechos economicos, sociales, politicos y humanos de todas las personas (ciudadanos, documentados, o sin documentos) de descendencia Mexicana.

Por estas razones, San Diego esta siendo el terreno de prueba que determinara como se va a resolver el problema de inmigracion. Esta es la razon por la cual les estamos presentando este problema. Forzosamente tenemos que hacer la pregunta a los encargados de nuestra sociedad donde estan o que opinan acerca de este oroblema moral, y legal de asesinato? Tnedremos que preguntar donde esta el Presidente Carter y su orograma de derechos humanos? ¿Donde esta el Alcalde Pete Wislon? ¿Donde esta la Iglesia, las voces de justicia, las voces de juego limpio, y las voces de igualdad?



Committee on Chicano Rights, Inc

June 8, 1979

FOR IMMEDIATE PRESS RELEASE

The Committee on Chicano Rights today has written President Jimmy Carter accusing U.S. Border Patrol officials of "Duping and brainwashing" U.S. attorney Michael Walsh to exploit the increased violence along the international border in San Ysidro, CA. for their own self-serving political and bureaucratic interests.

U.S. attorney walsh's statements supporting Border Patrol demands for increased manpower are reminiscent of the vietnam-war era statement made by U.S. politicians like George Romney who had come out in favor of escalating the war after the U.S. military brass had given him the "red carpet" tour of the war zone, only to later admit that he had been wrong and had been brainwashed.

It is obvious to our organization that the Border Patrol is using Attorney walsh to further their "propaganda" to increase their budget and personnel in order that they may continue to justify their bankrupt existence. We believe that the U.S. attorney, because of his action, has forfeited his credibility and impartiality and we can no longer in good

CCR PRESS RELEASE

6-8-79

The Committee on Chicano Rights today has written President Jimmy Carter accusing U.S. Border Patrol officials of "Duping & brainwashing" U.S. attorney Michael Walsh to exploit the increased violence along the international border in San Ysidro, Ca. for their own self-serving political & bureaucratic interests.

U.S. attorney Walsh's statements supporting Border Patrol demands for increased manpower are reminiscent ^{of} the Vietnam-war era statement made by U.S. politicians like George Romney ^{Romney} who had come out in favor of escalating the war after the U.S. military brass had given him the "Red carpet" tour of the war zone, only to later admit that he had been wrong and had been brainwashed.

It is ^{obvious} obvious to our organization that the Border Patrol is using attorney Walsh to further ^{there} ~~to~~ "propaganda" to increase their budget and personnel in order that they may continue to justify ^{their} ~~their~~ bankrupt existence. We believe that the U.S. attorney, because of his action, has forfeited his credibility and impartiality and we can no longer in good faith support the U.S. attorney here in San Diego and are calling for his immediate resignation because of the following reasons:

- A. Allowing his office to be used for political purpose.
- B. Biases against the Chicano & Mexican Community.
- C. Failure to protect "human and constitutional rights."
- D. Failure to provide moral leadership.

On the issue of the present border violence, our organization condemns it, as we have for the past ten years. Since the INS has finally agreed with us that the issue of immigration is not a law enforcement issue, we call for an immediate end to all law enforcement and military solutions such as the proposed Carter Curtain and the issuance of riot control gear. We believe that the current violence against the border patrol has come about because of past and current abuses involving violations of human and constitutional rights.

CCR PRESS RELEASE

6-8-79

We believe that any nationality who was subjected to violations involving the killing and wounding of handcuffed individuals, 4 year old children dying in the INS office, beatings, rape and sexual abuses of women, and open colaboration with racist organization like the KKK, that would also react with the same feeling and animosity that we are now wittnessing against the border patrol. We believe that your office should immidiately iniate an investigation into this explosive issue and support our call for ^{an} ~~a~~ immediate Congressional investigation by the Senate Judiciary Comm. and the House Immig. Sub Comm. of the House of Rep.

Thank You
Herman Baca
Chairperson



Committee on Chicano Rights, Inc

6/25/79

For Immediate Press Release

San Ysidro, CA

The Committee on Chicano Rights today staged a picket at the International Border in San Ysidro, CA to protest the beginning of the 6 mile 3.5 million dollar "Carter Curtain" here in San Ysidro, CA and El Paso, Texas. The Committee on Chicano Rights will recommend to the 66 organizations from throughout the United States and the 3,000 persons who marched here in San Ysidro on February 11, 1979 to:

with hold any political support, help or endorsement to President Jimmy Carters expected 1981 presidential bid. In essence we will propose that a dump Carter political movement be begun in Chicano communities throughout the United States.

It is our organization position and those that protested on February 11, 1979 that the construction of the "Carter Curtain" will:

- (1) Be a waste of taxpayers monies and can only serve as a symbol to all, that the immigration policy is one racism, discrimination and bigotry against the 16 million Chicano/Latino in the United States.
- (2) In the long run impair relation between the United States, Mexico, and Latin America.

-continued

- (3) Will increase the violence at the Border that has resulted in the following:
- (a) 2-12-79 - Margarito Fernandez (28) shot in both arms by a Border Patrolman.
 - (b) 3/20/79 - Efren Reyes (killed) and Benito Rincon (wounded) by a Border Patrolman Dan Cole while both men were handcuffed.
 - (c) 3/21/79 - 4-year-old Mario Canedo's death in the Immigration and Naturalization Service's office in San Ysidro, California.
 - (d) 5-29-79 - Martin Zorate (16 years old) and Ricardo Real (16) wounded by a shotgun by a United States Border Patrolman.
 - (e) 6-1-79 - Three individuals attacked by a U.S. Border Patrolman.
 - (f) 6-3-79 - Border Patrol shoots Ismael Villa (17) "accidentally" when officer's gun discharged.
 - (g) 6/4/79 - Three undocumented individuals beaten by Border Patrol.
 - (h) 6-18-79 - Manolo A. Albert, a United States citizen (age 2) dies after being denied entrance into the United States by I.N.S. on 6-15/79.

Our organization once again calls on Congress to initiate full-scale congressional hearings to resolve these serious matters.

For Further Information
Contact: Herman Baca
474-8195



For Immediate Press Release

The Committee on Chicano Rights, United California Mexican American Association and Legal Aid Society announced that they will be going to Washington, D.C. on Sunday July 22, 1979 to seek Congressional hearings because of the increasing violations of persons of Mexican and Latin ancestry at the International Border by the I.N.S., Border Patrol, and U.S. Customs.

According to CCR spokesperson Herman Baca, "The issue of children dying at the border (2 since March 1979), handcuffed individual being murdered and wounded, beatings, shooting, sexual attacks on women, etc. have become commonplacred and have prompted this trip."

We view our request for Congressional hearing as a means to expose the dehumanizing symptoms of this country's National Immigration Policy and an effort to prove to the American public that President Carter's "Human Rights" program is debunked on the issue of immigration."

Meetings to discuss the request for congressional hearings and the need for a new immigration policy have been confirmed with:

Senator Edward Kennedy-Chairperson Senator Alan Cranston, CA
Senate Judiciary Committee

Congresswoman-Elizabeth Holtzman Attorney General Griffin Bell
Chairperson Immigration Subcommittee

Congressman Ed Royball-Chairperson U.S. Commission on Civil Rights
Subcommittee on Appropriations

Mexican Ambassador, Hugo Margian

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Para mayor Información
Llame a: Herman Baca
474-8195



20 de Julio de 1979

Para Inmediata Difusión de La Prensa

El Comité de los derechos Chicanos, La Asociación de Mexico-Americanos de California, y la Sociedad de Asistencia Legal anunciaron que irán a Washington, D.C. el Domingo 22 de Julio, de 1979 procurando el conseguir audiencias Congresionales dado al aumento de violaciones de los derechos humanos, civiles, y constitucionales a personas de origen Mexicano y Lation en la linea internacional por el Servicio de Inmigración y Naturalización (INS), La Patrulla Fronteriza y la Aduana de Los E.E.U.U.

Según el intercesor de Comité de Los Derechos Chicanos, Herman Baca: "El hecho que han muerto niños en la frontera (dos desde el pasado Marzo), que individuos esposados sean asesinados y heridos, que se golpee o dispare a indefensos, que ocurran agresiones sexuales a mujeres, etc. han llegado a ser ocurrencia frecuente y ha impulsado este viaje."

Vemos nuestra petición de Audiencia Congresional como un medio para exponer los síntomas deshumanos de la política migratoria de este país y como un esfuerzo de probar al pueblo Norteamericano que el presidente Carter y su plan de "Derechos Humanos" son una farsa en cuanto a la cuestión migratoria."



Juntas para la discusión de las peticiones de audiencias
Congresionales y la necesidad de formular un nuevo plan migratoria
han sido confirmadas con:

Senador Edward Kennedy-Presidente
Comité Judicial del Senado

Senador Alan Cranston de California

Congresista-Elizabeth Holtzman-Presidenta
Subcomité de Inmigración

Attorney General Griffin Bell

Congresista-Ed Royball-Presidente
Subcomité de Apropiaciones

Comisión de los Derechos Civiles de E.E.U.U.

Embajador de México, Hugo Margian

Piden se investigue detención de hijos de indocumentados

Página 7

VOZ DEL PUEBLO

Sábado 29 de Marzo de 1980

Por JOSE ANTONIO GARCIA
Herman Baca es el presidente del Comité de Derechos Chicanos (Committee on Chicano Rights, Inc.) en National City, California, ciudad situada muy cerca de la línea fronteriza entre México y los Estados Unidos. Baca llamó a una conferencia de prensa en febrero de este año para dar a conocer a todo el mundo que hijos de personas indocumentadas están presos en cárceles federales, como testigos materiales en casos de contrabando de personas.

El CCR, hizo un llamado a los presidentes de ambos países, para que tomaran acción inmediata y para que se formalizara una comisión que se encargue de una investigación a fondo del caso. Sin embargo, hasta hoy día no han recibido ninguna indicación, ni información de ninguno de los dos países. El CCR, ve el problema serio y urgente, y al mismo tiempo considera un insulto y humillación el que ni Jimmy Carter ni José López Portillo hayan respondido a su llamado de establecer una comisión bilateral, que estudie este problema y el complejo de problemas de la emigración mexicana, y de violaciones de los derechos humanos de los mexicanos y de los chicanos en los Estados Unidos.

La organización CCR, ha estado trabajando por más de diez años, por un alto a las constantes violaciones de los derechos humanos en este lado de la frontera. Lo que sigue es una entrevista con Herman Baca, presidente del CCR:

¿Cómo se dio cuenta el Comité (CCR) sobre el encarcelamiento de estos niños?

Herman Baca: Bueno, ese asunto de niños víctimas de Inmigración es un asunto muy viejo. Este problema ha existido por años. El año pasado nosotros nos enteramos que iban a otorgar fondos a dos agencias de servicios sociales: al Salvation Army y al Catholic Community Services. En ese tiempo pensamos que a lo mejor ya se iba a resolver el problema. Sin embargo, hemos estado recibiendo muchas quejas, quejas de personas que estaban en la cárcel, personas que estaban



Herman Baca

trabajando en esas agencias, luego recibimos una llamada de una funcionaria del gobierno federal, donde nos informaba que había niños en las cárceles de San Diego (y todo el condado) y en otras partes, y que si acaso podíamos hacer una investigación. Nosotros le dijimos que sí, y comenzamos a hablar con mucha gente - dentro y fuera de las cárceles, y de diferentes agencias, y de ahí tenemos muchísima información.

¿Cuándo y por qué se fundó el Comité de Derechos Chicanos?

Herman Baca: El comité fue organizado en 1970. El objetivo es defender los derechos humanos y constitucionales de nuestra raza. El CCR, es una organización sin fondos federales, es una organización basada en la comunidad y es una organización de afiliación voluntaria. Hemos estado trabajando desde hace diez años, en cuestiones de racismo, derechos humanos, problemas del progreso social, político y económico que afectan a nuestra raza.

¿Cómo ve este asunto de los niños?

Herman Baca: Este no es un asunto aislado de todo el cáncer del problema. Nosotros hemos sido víctimas de vejaciones por parte de los agentes de inmigración. Han matado y baleado a nuestra gente. Nos han encarcelado sin ninguna causa, y tenemos testigos y somos testigos de innumerables violaciones de los derechos humanos. Es por eso que nosotros hemos estado tratando de, en primer lugar,

educar al pueblo y las organizaciones progresistas acerca del asunto. Nosotros vemos el asunto migratorio como la esclavitud del siglo veinte.

Nosotros somos en San Diego - en donde se aprehende a más de 10,000 personas semanales - como el Vietnam del Suroeste. Nosotros vemos que la solución (si es que va a ver una solución) tiene que venir desde las propias fuerzas de nuestra gente: como en las industrias en donde los trabajadores han dicho basta, como en General Motors, donde los trabajadores se cansaron y dijeron No, nos vamos a organizar, vamos a decidir nuestro destino, y cambiaron las cosas. Nosotros también vemos que esto tiene que suceder si acaso se va a formular una solución. Es por eso, que nosotros informamos a la comunidad y a diferentes organizaciones de lo que está sucediendo. Nosotros trabajamos con muchas organizaciones, dentro y fuera del país.

Nosotros creemos que cualquier forma de organización debe de basarse en la realidad de la comunidad; es por eso que no aceptamos ayuda de fondos federales. Porque creemos que tiene que ser la gente que se organice por su propia fuerza y determinación. Nosotros vemos que hay tres vertientes del problema migratorio: la racista; nos echan la culpa por el color de nuestra piel. La liberal: que realiza estudios, como Wayne Cornelius, quien propone que cambiemos los muebles aquí y allá, que los arreglemos mejor y propone un plan de importación de braceros. Y el de NOSOTROS y otras organizaciones como NOSOTROS: somos la solución. Nosotros buscamos la igualdad social, económica y política.

El CCR va a tener una marcha memorial en la frontera de Tijuana y San Diego los días 23, 24, 25 de mayo - para terminar las brutalidades y la militarización. Para más información llamar o escribir: 1837 Highland Ave. San Diego, California 92050 (714) 474-8185 o 477-3800) Committee on Chicano Rights.



Committee on Chicano Rights, Inc

FOR IMMEDIATE PRESS RELEASE

SACRAMENTO CALIFORNIA

Sept 8, 1979

Herman Baca Chairman of the San Diego based Committee on Chicano Rights in testimony before the 1st Hispanic Civil Rights Conference in Sac. Ca. urged National Chicano & Latino leaders attending the conference to "withhold any political support, help or endorsement to President Carters expected 1980 presidential bid, because of his immigration policies and his administrations inaction in resolving the growing number of police brutality cases". In essence we will be proposing to our communities that a "Dump Carter" campaign be implemented in Chicano/Latino communities thru-out the U.S. According to Baca " The issue of police brutality by the local police and the U.S. Border Patrol has reached "epidemic proportion" in the S.W. resulting in the massive violations of human, civil and constitutional rights of all persons of Mexican/ancestry.

The Committee On Chicano Rights also recommended to the Civil Rights Conference that it endorse its call for full scale congressional investigations by the U.S. Senate Judicial Committee chaired by Senator Ed. Kennedy and the U.S. House of Representative Subcommittee on Immigration chaired by Congresswoman Elizabeth Holtzman into the following documented cases which were presented to both Chairpersons on July 23 1979, in Washington D.C.

- (1) Death of two children at the International Border at San Ysidro;
- (2) Killing and wounding of two individuals while handcuffed;
- (3) Shooting of an individual by a Border Patrolman from a helicopter;

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CCR

Committee on Chicano Rights, Inc

CCR press release
page 2

Sept 8, 79

- (4) Shooting of individuals while detained;
- (5) Deportation of a United States Citizen;
- (6) Beating and assaults of individuals by the Border Patrol, Immigration and U.S. Customs;
- (7) Cavity checks by Border Patrolmen at the San Onofre Inland check point;
- (8) Illegal detentions of U.S. Citizens and Legal Resident Aliens;
- (9) Unlawful breaking and entering into homes, churches, schools, and
- (10) Harassment at public gathering places by Border Patrol, Immigration Service and Customs Service.

Furthermore the CCR also recommended to the conference participants that they also withhold any political support or endorsement from Gov. Brown and any other presidential candidates until such time as Gov. Brown and other perspective candidates take a position calling for ending the violence involving the violations of human, civil and constitutional rights against persons of Mexican/American ancestry by Border Patrol and Police Officers, and end the policy of militarizing the U.S./Mexican Border.



Committee on Chicano Rights, Inc

FOR IMMEDIATE PRESS RELEASE

NATIONAL CITY CA.

SEPT 14, 1979

The Committee on Chicano Rights (CCR) announced today that it will be seeking a temporary restraining order to stop the city of National City and its Police Dept. from carrying out any further "sweeps" against Low-riders. The CCR further stated that a class-action lawsuit is being prepared on behalf of five National City families who allege that their children were illegally stopped, detained or arrested by a special National City Police Department task force which carried out mass arrests during the sweeps on Sept. 9, 1979.

"You cannot break the law to enforce the law," stated CCR chairperson Herman Baca. He added that the city of National City is not above the law or the Constitution of the United States. This will be the basis for seeking the restraining order.

According to the CCR the "sweeps" violate guaranteed constitutional rights, specifically the first Amendment (right to assemble), the fourth Amendment (right to travel and be free from illegal search and seizure) and the 14th Amendment (equal protection under the law).

The lawsuit is being prepared by attorney Jan Ronis and will be filed early next week. The temporary restraining order is being requested on the basis that the mass arrest sweeps represent selective law enforcement and a "dual standard" in applying the law.

As a civil and constitutional rights organization the CCR condemns the "sweep arrest" as a Gestapo tactic reminiscent of the treatment

1837 Highland Avenue, National City, CA 92050 (714) 474-8195



Committee on Chicano Rights, Inc

PRESS RELEASE

Sept 14, 1979

PAGE 2

of the Jewish people in Nazi Germany. The CCR accuses the National City City Council of acting irresponsibly without any regard to the Constitution and criticizes the "rookie" Chief of Police, Terry Hart, of succumbing to the City Council's political pressure instead of following the law.

We call on the City of National City and its Police Dept to respect the Constitution of the United States and stop subjecting the "innocent majority" of the Chicano Community to a wave of brutality and harrassment.



Committee on Chicano Rights, Inc

FOR IMMEDIATE PRESS RELEASE

Sept. 25, 79

The Committee on Chicano Rights today in a picket and demonstration held before the Copley Press Building accused the Evening Tribune of "yellow journalism" and "collusion" in publishing a Sept. 15, 1979 banner headline article "1 Dies in South Bay Low Rider Fight".

The picket was called after Mrs. Helen Copley, owner of the Copley Press, refused to meet with the Committee on Chicano Rights Board of Directors to discuss the Sept. 15 article. According to CCR spokesperson, Herman Baca, "The fact that the news source was the National City Police Department proves to us that there was either collusion between them, because the facts were apparently not checked out, or that the Evening Tribune appeared to be an eager and willing participant in fabricating the Sept. 15, headline".

In a Sept. 20, 1979 letter to Mrs. Copley the CCR pointed out that the article as written was "yellow journalism" because the headline misrepresented the facts and was so blatantly false. "The fact that there were no "low riders" involved in the unfortunate death, no "low rider" cars, nor "low rider" gangs and that the police and the Tribune listed the wrong city causes some serious questions as to the intent of the article. "We have strong suspicions that the article was written to inflame public opinion against our youth, to discredit the Committee on Chicano Rights, or to justify continuing the illegal and unconstitutional sweep which were being carried



Committee on Chicano Rights, Inc

PRESS RELEASE
page 2

Sept. 25, 1979

being carried out by the city of National City". Stated
Chairperson, Herman Baca. Because of the damage done to
the community by the Sept. 15, 1979 article, the CCR is
once again calling on Mrs. Copley to;

1. A full retraction to be printed in the Evening Trib.
utilizing the same type size in the headline and
appearing in the front page as the original article.
2. That a public apology be issued by the Evening Trib.
to the Chicano community.
3. An immediate meeting in order that we can further
discuss the matter.



Committee on Chicano Rights, Inc

orig.

Nov. 26, 1979

San Diego Ca.

FOR IMMEDIATE PRESS RELEASE

The Committee on Chicano Rights, a San Diego Ca. based organization announced today that it has requested a meeting with Senator Edward Kennedy (see attached mailgram) when he visits San Diego on Nov. 30, 1979 in order to ascertain the Senators position on the following issues;

1. The disposition of the 150 page documented packet which was personally presented to the Senator in Washington D.C. on July 23, 1979. The packet included the denial of human, civil and constitutional rights, and border violence which involve killings, shootings, beatings and sexual assaults against Mexican Nationals and U.S. citizens of Mexican and Latin ancestry, by agents of the I.N.S./Border Patrol.
2. The illegal and unconstitutional I.N.S. sweeps that are victimizing Chicano communities in Ca., especially in Los Angeles and the San Bernardino areas.
3. The failure of the Senate Judiciary Committee, of which the Senator is chairperson, to call for congressional ~~hear~~ hearings to investigate the above and to resolve the Immigration issue.

According to Herman Baca, the spokesperson of the CCR, "The Senators' visit to San Diego, the "hot spot" of the immigration issue, will provide him with a prime opportunity to familiarize his presidential candidacy with the most pressing issue confronting the 20 million persons of Mexican and Latin ancestry in the U.S.



Committee on Chicano Rights, Inc

FOR IMMEDIATE PRESS RELEASE

November 29, 1979

Herman Baca, Chairman of the Committee On Chicano Rights today charged Senator Edward Kennedy with "running away" from the Immigration issue. The charge was levied after Senator Kennedy ignored an urgent telegram request to meet with local Chicano political leaders to discuss the escalating violence at the International Border and the continued abuses of Chicano/Latino civil rights during his visit to San Diego.

"Senator Kennedys indifference can only mean that he tacitly condones the brutal activities being carried out against Mexican citizens and Chicanos", stated Baca. "People have been murdered, shot, and or beaten by Border Patrol agents. Babies have been allowed to die on INS counters while being denied medical attention; sexual assaults have been committed against our young women by Border Agents; beatings are a fact of life at the detention areas of the INS and Border Patrol; and our people are daily being raided by illegal "Gestapo" neighborhood sweeps in Los Angeles, San Bernardino, San Jose, El Paso and Chicago by agents of the Border Patrol. Yet the Senator does nothing, says nothing, and evidently feels nothing."

1837 Highland Avenue, National City, CA 92050 (714) 474-8195

Press Release, Nov. 29, 1979

Senator Ed. Kennedy

said, Herman Baca, Chairman of the Committee On Chicano Rights.

"This failure to confront the immigration and border issues, which is the most serious issue facing the 20 million Chicano/Latino in the United States is nothing but political "stonewalling", said Baca. Continued Baca, "his actions or non-actions raise serious questions about Kennedy's sincerity and willingness to concern himself with issues and problems effecting the Chicano/Latino Communities, if he is elected President."

Baca charged that Senator Kennedy who is Chairman of the Senate Judiciary Committee and is a member of the Select Commission on Immigration, and who is a candidate for President of the United States has refused to this date to address himself to this critical issue. "Perhaps the Senator is not aware that at a September 1979, State Wide meeting of Chicano organizations in Sacramento California, which was attended by MALDEF, AMERICAN G.I. FORUM, M.A.P.A. LULAC, LA RAZA UNIDA, called for the withholding of political support or endorsement from any Presidential candidate until they take a position on the immigration issue." We demand to know just what the Senators position is. Until that is made clear, it shall be our responsibility to make every Chicano voter aware of Senator Kennedys total lack of support-



CCR

Committee on Chicano Rights, Inc

February 12, 1980

Estimado Hermano/Hermana,

Once again, as has been the history of our people, a NATIONAL CALL for ACTIVISM and RESISTANCE is being sounded throughout our Barrios, Colonias and Communities. The issue.....IMMIGRATION.

The decade of the 1980's calls for solutions to the escalating violence and violations of rights which are being carried out against MEXICANOS, LATINOS and CHICANOS along the border and in our communities. The solutions of the past have not worked. Killings, rapings, beatings and the massive violations of our peoples human, civil and constitutional rights are occurring daily.

Appeals to morality have gone unanswered, appeals to reason have failed, and appeals to respect the law and constitution have been ignored. The treatment of our people by the INS/Border Patrol through their sweeps in our communities and the violence being perpetrated by them along the International Border gives us the RIGHT and indeed makes it our duty to RESIST these unjust laws and practices. These are perilous times.....our Chicano youth are being called upon to register for the draft for a possible war, while their families here in the United States continue to be denied the right of first class citizenship and respect of there human dignity. This fact makes it plain that LA RAZA still continues to be treated as foreigners in our land even though we will probably be the first to be asked to die for this country. This is no longer acceptable, nor will it be tolerated. What must be made clear to all is that the Chicano Community will no longer accept second class citizenship, much less die for a country that denies us equality, justice, opportunity and freedom because of a discriminatory, degrading and outdated immigration policy.

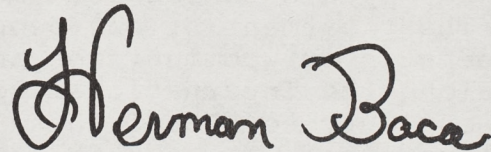
For the last ten years the Committee On Chicano Rights has fought, rejected and condemned all of these injustices against our people. We believe now, as we enter the 80's that the time has come for establishing a NEW DIRECTION....That the time has come for Chicano's to once again assert their SELF-DETERMINATION and chart what course of action must be taken....That the time has come to design a strategy for success to end the policy of accomodation and dependency.

Therefore, in order that we can address the aforementioned, the Committee On Chicano Rights has decided to issue a call for a CHICANO NATIONAL IMMIGRATION CONFERENCE on May 23 and 24, 1980 in San Diego, California.

The conference will also address itself to formulating a UNITED CHICANO POSITION on the Immigration Issue before the Presidential election. Also, on the following day May 25, 1980, we are asking everyone to join with us on a massive MEMORIAL MARCH at the International Border to commemorate those who have died.....victims of the INS/Border Patrol.

Let this be a message to those who oppress us that CHICANOS, have just begun to escalate there struggle.

En la Lucha,

A handwritten signature in cursive script that reads "Herman Baca". The letters are fluid and connected, with a prominent initial "H".

HERMAN BACA, Chairman
Committee On Chicano Rights



Committee on Chicano Rights, Inc

February 12, 1980

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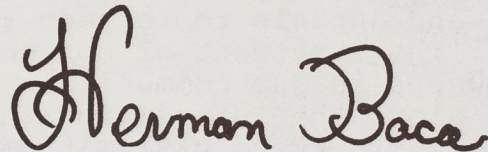
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Let this be a message to those who oppress us that CHICANOS, have just begun to escalate there struggle.

En la Lucha,

A handwritten signature in cursive script that reads "Herman Baca". The signature is written in dark ink and is positioned above the printed name and title.

HERMAN BACA, Chairman
Committee On Chicano Rights

Chicano National Immigration Conference and Memorial March AGENDA

FRIDAY, MAY 23

10:00 a.m. REGISTRATION
6:00 p.m. GET TOGETHER

5:00 p.m. DINNER

7:00 p.m. CULTURAL PRESENTATIONS

*Music
Poetry
Speaker
Ballet Folklorico
Speaker
Break
Speaker
Teatro*

SATURDAY, MAY 24

8:00 a.m. REGISTRATION
Pan Dulce & Cafe
8:30 a.m. MARIACHI
9:00 a.m. Invocation
9:15 a.m. Welcome
9:30 a.m. Introduction of Speakers
11:30 a.m. Lunch
1:00 p.m. Conference Convenes
1:30 p.m. Workshops

**Economics, Labor
*Administration of Justice
*Residential Sweeps
*Legislation
*Border Violence
*Chicano/Mexicano Perspective
*Woman & Immigration
*Social Services
*Media
*Education
*The Church
*Cultural
*Health
Guest Worker Program

SUNDAY, MAY 25

10:00 a.m. Mass
10:30 a.m. Menudo
12:00 noon MARCH
2:00 p.m. Rally & Press Conference
Reading Of Conference Resolutions
Music
Speakers
Ballet Folklorico

4:00 p.m. Break
6:00 p.m. Dinner
7:00 p.m. Dance
Featuring "La Familia"

FOR FURTHER INFORMATION CONTACT:

COMMITTEE ON CHICANO RIGHTS

1837 Highland Ave.

National City, Calif. 92050

(714)474-8195

(714)477-3800

" A TIME FOR RESISTANCE "

Chicano National Immigration Conference and Memorial March



SPEAKERS

- **RUDY ACUNA** ● **SOLEDAD ALTORRE** ● **HERMAN BACA** ● **RUBEN BONILLA** ● **BERT CORONA**
Professor Cal. State Northridge Labor Organizer Committee on Chicano Rights National Chairman LULAC National Immigration Coalition

- **MARGO COWAN** ● **RUDOLFO "CORKY" GONZALES** ● **ARMANDO NAVARRO** ● **LUPE SALDANA**
Director Manzo Project Crusade For Justice Congreso Para Pueblo Unidos National Chairman G.I. Forum

SPECIAL GUESTS

- **DENNIS BANKS** ● **WILLIAM KUNTSLER** ● **TOM PAYTON** ● **TRINIDAD SANCHEZ** ● **RUBEN SANDOVAL**
A.I.M. Attorney National Federation of Priests PADRES Attorney

- **PETER SCHEY** ● **SISTER SYLVIA SEDILLO** ● **JUAN SOLIS**
National Center for Immigrants Co-Chair Las Hermanas Legal Center for Immigrants

WORKSHOPS

- | | | | |
|-----------------------------|--------------------------------|-----------------------|----------------------------|
| ● ECONOMICS, LABOR | ● LEGISLATION | ● WOMEN & IMMIGRATION | ● EDUCATION |
| ● ADMINISTRATION OF JUSTICE | ● BORDER VIOLENCE | ● SOCIAL SERVICES | ● THE CHURCH & IMMIGRATION |
| ● RESIDENTIAL SWEEPS | ● CHICANO/MEXICANO PERSPECTIVE | ● MEDIA | ● CULTURAL |
| ● GUEST WORKER PROGRAM | | | ● HEALTH |

CULTURAL PRESENTATION

- MARIACHI ● BALLET FOLKLORICO ● TEATROS ● FILMS ● SLIDE PRESENTATIONS ● MUSICAL GROUPS

CONFERENCE BEGINS

MAY 23, 24, 1980
St. RITA'S CHURCH
5142 Churchward
SAN DIEGO, CA.

MARCH—MAY 25, 1980— 10:00 A.M.— LARSEN PARK, SAN YSIDRO, CA

ENDORSED BY:

AMAE, Southbay San Diego/American G.I. Forum, National, California, & San Diego/AMIGOS, San Diego/ August 29 Chicano Moratorium Coalition / Arizona Farm Workers/Barrio Station San Diego/Bishop Gilberto Chavez/Brown Berets California Statewide MECHA/Centro Adelante Campesinos, Arizona/Centro de Inmigracion, Wash. D.C./ Chicano Health Coalition, San Diego/Chicanos Unidos, Texas/Chicano Park Steering Committee, San Diego/Club Azteca CB Congreso Para Pueblos Unidos, California/Crusade for Justice, Colorado/El Clarin, Chicago/El Movimiento Artístico, Chgo./El Pueblo, Texas/Federation Internationale Desdroits de el Homme, Paris, France/Voz del Pueblo Farm Labor Organizing Committee, Ohio/Hermandad Mexicana General de Trabajadores, L.A./Hispanic/Community Ministry Lutheran Church, Arizona/International Chamber of Commerce, San Ysidro/Korner San Diego/La Prensa, San Diego, Stockton/La Raza Legal Alliance, Houston, Texas/La Raza Health Alliance, California/Ladies Pride, San Diego/Las Hermanas, National /Los Perros, Los Angeles/Legal Aid Society, San Diego/Legal Service Center for Immigrants, Chicago/Life Car Club, San Diego/MAPA, Imperial Valley /Mario Cantu, Defense Committee, Texas/MECHA CENTRAL, San Diego/Mexican American National Organization, Los Angeles/Midwest Coalition in Defense of Immigrants, Chgo./National Federation of Priests/National Lawyers Guild/LULAC NATIONAL/National Mexican American Correctional Association/National Center for Immigrants/Organizational Feminil/PADRES, National/Padre Hidalgo Center, San Diego/Office of Civil Rights, G.I. Forum, San Jose/MANZO, Area Council Arizona/REACT, CB club, San Diego/Bishop Patricio Flores, Texas/Black Berets, San Jose San Diego City College, MECHA/Specials, San Diego/Spanish Speaking Executive Catholic Commission, San Diego, County/Sherman Unidos, San Diego/San Diego Low Rider Car Council/ San Antonio Human Rights Council/ Spanish Speaking Political Association, San Diego/Teatro Urbano, L.A./Tucson Coalition for Justice, Arizona/United California Mexican American Association, California/National Coalition On The Hannigan Case National Chicano Moratorium Coalition /



Committee on Chicano Rights, Inc

SAN DIEGO, CALIF.

FEBRUARY 12, 1980

FOR IMMEDIATE PRESS RELEASE

THE COMMITTEE ON CHICANO RIGHTS (CCR) ANNOUNCED TODAY THAT THEY WILL HOST A CHICANO NATIONAL IMMIGRATION CONFERENCE WHOSE THEME WILL BE A "TIME FOR RESISTANCE" AND A BORDER MEMORIAL MARCH TO CALL FOR THE END OF BORDER BRUTALITIES AND THE MILITARIZING OF THE U.S./MEXICO BORDER ON MAY 23, 24, and 25, 1980 IN SAN DIEGO, CALIFORNIA.

THE PURPOSE OF THE CONFERENCE ACCORDING TO CCR SPOKESPERSON HERMAN BACA, "WILL BE TO SEEK SOLUTIONS TO THE ESCALATING VIOLENCE INVOLVING KILLINGS, RAPINGS, BEATINGS AND THE MASSIVE VIOLATIONS OF HUMAN, CIVIL, AND CONSTITUTIONAL RIGHTS AT THE U.S./MEXICO BORDER AND IN THE CHICANO COMMUNITIES". "FURTHERMORE, THE CONFERENCE WILL ADDRESS ITSELF TO THE FORMULATION OF A "NEW DIRECTION" BASED ON THE SELF-DETERMINATION OF OUR PEOPLE, AND INTO TAKING A UNITED CHICANO POSITION ON THE IMMIGRATION ISSUE BEFORE THE 1980 PRESIDENTIAL ELECTION".

THE BORDER MEMORIAL MARCH WHICH IS BEING CALLED ON THE FOLLOWING DAY MAY 25, 1980 AT THE INTERNATIONAL BORDER IN SAN YSIDRO, CALIFORNIA WILL COMMEMORATE THE VICTIMS THAT HAVE BEEN KILLED AND BRUTIALIZED BY THE INS/BORDER PATROL.

ENDORSERS, SPEAKERS, WORKSHOPS AND OTHER INFORMATION WILL BE ANNOUNCED AT A FUTURE DATE ACCORDING TO CCR SPOKESPERSONS.

FOR FURTHER INFORMATION CONTACT: RALPH INZUNZA AT (714) 474-8195

" A TIME FOR RESISTANCE "

Chicano National Immigration Conference and Memorial March



TENTATIVE AGENDA

• BORDER VIOLENCE

- ECONOMICS & IMMIGRATION
- FOREIGN GUEST WORKER PROGRAM
- INCARCERATION OF THE UN-DOCUMENTED
- LEGISLATION
- MEDIA
- MEXICAN PERSPECTIVES & POLICIES
- ORGANIZED LABOR
- RESIDENTIAL SWEEPS
- SOCIAL SERVICES
- WOMEN & IMMIGRATION



MAY 23, 24, 25 1980
SAN DIEGO, CA

FOR FURTHER INFORMATION CONTACT:
COMMITTEE ON CHICANO RIGHTS
1837 Highland Ave.
National City, Calif. 92050
(714)474-8195
(714)477-3800

Endorsers & speakers will be announced at a future date.



Committee on Chicano Rights, Inc

Traducción de un telegrama Western Union, mandado el 2/28/80

Sr. Presidente Carter:

Hay niños encarcelados, encluyendo bebitos de 24 meses, en el sistema Federal de Prisiones.

Hay niños presos en el Centro Correccional Metropolitano, en el centro de Detención de El Centro, California y en el centro de Detención de San Ysidro.

Estos estan presos por un día, haste noventa (90) días; El Licenciado representante de los Estados Unidos, el Sr. Michael Walsh dice, sigein nuestras investigaciones que, el arresto y detención es necesario, porque los niños son testigos materiales, en los casos de contrabandistas de personas sin documentación.

Nuestras informas indican que, algunos niños estan encarcelados con sus madres, pero que tambien hay niños encarcelados, sin sus padres.

Non informan tambien que cuando ya no son necesitados los niños como "testigos materiales" los oficiales del I.N.S. son liberalmente hechados a México sin procurar sus familias ni padres.

Además es reportado que cuando cuales niños son entregados a las autoridades Mexicanas, que son detenidos por una semana y luego soltados a la calle.

Ayer mismo, Martes 27 de febrero, fué detenido un bebito de 12

meses en el Centro Correccional Metropolitano. Estas practicas son inhumanos, barbaros y otra denuncia de la poliza actual de Emigracion.

En el nombre de la decencia humana, nuestra organizacion demanda la anulacion inmediata del encarcelamiento de niños y un fin a las practicas degradantes de este sistema.

La locura de estas acciones imploran una investigacion inmediata, para determinar la responsabilidad de estos actos.

Usted, como el oficial electado mas elevado del pais, es su responsabilidad de ponerle fin a esta situacion lunatica aqui en la frontera.

Gracias,

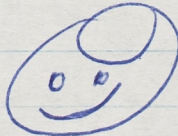
Herman Baca

1011

Charlie —

If you need to ask
me something about this
just call me at school, 267-3040
ask for Diane Verdugo, and
I'll get the call —

Hope it's alright, I
was very sleepy towards the
end so check it O.K.?

Diane




Committee on Chicano Rights, Inc

February 28, 1980

President Jimmy Carter
White House
Washington, DC

Mr. President:

With all due respect, our organization wishes to inform you of a crucial issue requiring your immediate attention. The issue involves the disgraceful and inhumane practice of imprisoning undocumented children in the U.S. Federal prison system as 'material witness's' in smuggling cases.

It is our organization position that the victimization through imprisonment of innocent children for whatever reasons must cease immediately, and that new alternatives must be developed to deal with this issue on a more humane level. For those reasons our organization is proposing that the government of the U.S. and Mexico immediately begin talks on developing a bilateral commission in order that solutions and responsibilities can ~~xxxxxx~~ be sought to end victimization of innocent children.

The proposed commission should investigate the issue of the imprisonment of children in the U.S., and also the reported issue of deported children by the INS/Border Patrol being left to fend for themselves in the streets of Tijuana and other border cities.

Unresolved
Unresolved
Over the last ten years our organization has witnessed numerous violations of human, civil, and constitutional rights with the immigration, but the issue of children being ~~xxxx~~ imprisoned represents a new low. ~~in the unresolved immigration issue.~~
concerning this matter.

It is our sincere hope that the proposed bilateral commission will receive your immediate attention and that our recommendation for such a commission will become a reality leading to a positive resolution of this degrading issue.

Thank you,

Herman Baca

February 28, 1980

Sr. Presidente

Con todo respeto, nuestra organización desea comunicarle algo, tocante un asunto crucial, que requiere su atención inmediata. El asunto se trata del vergonzoso e inhumano acto de encarcelar a niños. Encarcelar a hijos de personas detenidas sin documentación; estan en prisiones federales de los Estados Unidos, como testigos materiales en casos de contrabando de personas.

La posición de nuestra organización, es de que debe ^(cesar) ~~(cesar)~~

(2)

inmediatamente esta victimación,
el encasamiento de niños
inocentes por Cualquier
one word
motivo, y que nuevas alternativas
deberían ser resueltas, para
aliviar este asunto a un nivel
más humanitario.

Por estas razones nuestra organiza-
ción le propone a los gobiernos
de México y los Estados Unidos,
que comiencen COMIENCEN con los preparativos
para formar una Comisión
Bilateral, para buscar mejores
soluciones y responsabilidades
para terminar esta victimación
de niños inocentes.

La propuesta Comision
 deberia investigar este asunto
 de niños encarcelados en los
 Estados Unidos y tambien el
 asunto de niños deportados
 por el INS/Border Patrol y
 abandonados en Tijuana y así
 como en otras ciudades
 fronterizas

A través de estos últimos
 diez años, nuestra organización
 a sido testigo a varias
 Violaciones a los derechos humanos
 humanos, Civiles y Constitucionales
 estos en asuntos de emigracion
 aún irresueltos; Pero esto de
 niños encarcelados representa

algo de lo más bajo
concerniente al asunto.

Es nuestra sincera
esperanza, que la propuesta
Comisión bilateral, reciba su
inmediata atención, y que
nuestra recomendación para
tal Comisión se convierta
en una realidad, para llegar
a una solución positiva
a este asunto tan
degradante.

Muchas gracias



Committee on Chicano Rights, Inc

FOR IMMEDIATE PRESS RELEASE

FEBRUARY 29, 1980

NATIONAL CITY, CA.

Herman Baca, Chairman of the Committee on Chicano Rights, today accused San Diego U.S. Attorney Michael Walsh and the U.S. Department of Justice of imprisoning children in the Federal Prison System. In a telegram (see enclosure) to President Jimmy Carter the CCR has demanded an immediate cessation of imprisoning children and has requested a full scale investigation into the matter. According to Baca "The U.S. Attorney Michael Walsh must explain his actions and show cause why he is arresting, finger-printing (or foot printing) babies as "material witness" in cases involving "illegal alien" smugglers. This inhuman practice of imprisoning mothers and their children and parentless children is further indictment of the present immigration policy." The CCR also announced that it was requesting, in a letter to President Jimmy Carter and President Jose Lopez Portillo, the formation of a bilateral committee to work out a humane solution to the victimization of children on both sides of the border.



Committee on Chicano Rights, Inc

April 7, 1980

The purpose of this information packet is to acquaint you with Herman Baca Chairman of the Committee on Chicano Rights (CCR).

The CCR is a grass roots organization dedicated to the promotion of the civil, constitutional and human rights of La Raza. As CCR Chairman, Herman devotes much of his time and energy communicating the committee's position on such important political issues as immigration. Herman speaks directly to groups as small as two or three and as large as two or three thousand, and indirectly to millions thru the mass media of newspapers, television and radio.

This packet includes a partial list of past speaking engagements and media interviews as well as examples of articles which have appeared in newspapers and magazines. It is hoped that this packet illustrates the day-to-day efforts of Herman Baca and CCR in their struggle for human rights and dignity.

HASTA LA VICTORIA!
Publications Committee



HERMAN BACA





Committee on Chicano Rights, Inc

April 16, 1980

FOR IMMEDIATE PRESS RELEASE

CCR DENOUNCES USE OF "GAS WARFARE" AT BORDER

SAN DIEGO CALIFORNIA, HERMAN BACA, CHAIRMAN OF THE COMMITTEE ON CHICANO RIGHTS, TODAY CHARGED THAT THE BORDER PATROL HAS LOST CONTROL OF THE U.S./MEXICO BORDER AND HAS RESORTED TO "GAS WARFARE" IN ITS FRANTIC ATTEMPTS TO JUSTIFY ADDITIONAL MANPOWER AND FUNDING. BACA ALSO CALLED FOR NEUTRAL OBSERVERS TO MONITOR THE VOLATILE SITUATION IN ORDER TO STOP THE ESCALATING VIOLENCE AT THE INTERNATIONAL BORDER. THE I.N.S./BORDER PATROL HAS SPENT THE LAST 50 YEARS BUILDING UP A RECORD OF HATE AND FEAR AND IF PERMITTED TO CONTINUE UNABATED, WILL ULTIMATELY CAUSE A SERIOUS INTERNATIONAL INCIDENT AFFECTING CRUCIAL RELATIONS BETWEEN TWO NEIGHBORING COUNTRIES, THE U.S. AND MEXICO. ACCORDING TO BACA, "THE BRUTAL HANDLING OF INNOCENT WORKERS BY THE BORDER PATROL WHICH HAS RESULTED IN CHILDREN DYING, HANDCUFFED INDIVIDUALS SHOT AND KILLED, WOMEN MURDERED AND RAPED, KILLINGS, BEATINGS, AND OTHER BRUTALITIES HAVE CAUSED THE WAR WHICH IS NOW RAGING ALONG THE INTERNATIONAL BORDER.

"WHILE PRESIDENT CARTER TENDS TO HIS ROSE'S IN THE WHITE HOUSE AND SENATOR KENNEDY HOLDS INCONSEQUENTIAL IMMIGRATION HEARINGS (THE SELECT COMMITTEE ON IMMIGRATION) ON THE BORDER IN SAN FRANCISCO, 1,000 MILES AWAY, OUR BORDERS ARE INFLAMMED THROUGH THE IRRESPONSIBLE AND UNLAWFUL ACTS OF THE BORDER PATROL. " IF PRESIDENT CARTER IS GOING TO PROTEST THE USE OF GAS BY RUSSIAN TROOPS IN AFGANISTAN, HE SHOULD FIRST SET AN EXAMPLE BY STOPPING THE USE BY THE BORDER PATROL HERE AT THE U.S./MEXICO BORDER."ONE CAN ONLY WONDER IF TEAR GAS IS BEING USED TODAY, WHAT TOMORROW WILL BRING".

"OUR COMMITTEE WISHES TO MAKE IT CLEAR THAT WE WILL NOT ACCEPT THE MILITARY SOLUTIONS BEING UTILIZED TO RESOLVE THE IMMIGRATION ISSUE NOR THE "GULF OF TONKIN" PRESS RELEASES WHICH ARE BEING ISSUED TO THE NEWS MEDIA BY THE BORDER PATROL". "WE WILL NOT BE HELD HOSTAGE

1837 Highland Avenue, National City, CA 92050 (714) 474-8195

April 16, 1980

"GAS WARFARE"

BY SUCH TACTICS BY THE BORDER PATROL.

IN CONCLUDING BACA STATED, "THAT 20 MILLION CHICANOS/LATINOS ARE NOT GOING TO WAIT FOR PRESIDENT CARTER TO COME OUT OF THE ROSE GARDEN BEFORE HE TAKES ACTION TO RESOLVE THE IMMIGRATION ISSUE, NOR WILL THEY IGNORANTLY SUPPORT, OR ENDORSE ANY WOULD-BE PRESIDENTIAL CANDIDATE WHO DOES NOT CONFRONT THE TERROR AND THE ESCALATION OF VIOLENCE WHICH IS TODAY OCCURING ALONG THE INTERNATIONAL BORDER".



Committee on Chicano Rights, Inc.

May 9, 1980

FOR IMMEDIATE PRESS RELEASE

CCR DENOUNCES USE OF "GAS WARFARE" AT BORDER

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Tear gas used in border riot

Star News 4-10-80

A confrontation this week between Border Patrol agents and a mob of more than 60 Mexican nationals may have been a "diversionary tactic on the part of organized smuggling operations," Chula Vista sector chief Don Cameron reported.

Unable to disperse the crowd, agents outfitted

in riot gear resorted to tear gas to force the rock-throwing group back across the border, Cameron said.

"We used tear gas because it was better than using bullets," he commented. "At least nobody was killed. It was much more humane to use tear gas than to use other means of force."

The border incident began to take on serious overtones around 8 p.m. Monday and continued until early Tuesday.

About six of the 40 agents on duty in the San Ysidro area at that time were used in the confrontation, which occurred around a quarter of a mile inside U.S. territory.

Cameron said the Border Patrol treated the incident as "a diversionary tactic."

"We've experienced these diversionary moves from time to time, and they are designed to pull our people out of other areas," he said.

This week's incident marked the second time in six months that a

large group of Mexican nationals has pelted agents with rocks.

Last November a crowd of about 60 forced a Border Patrol helicopter to the ground when a thrown rock lodged in its engine. Two pilots were injured.

No one was reported hurt in the latest incident.

Agents Use Tear Gas To Halt Aliens

Border Patrolmen Pelted By Rocks At Tia Juana River

By JESUS RANGEL
Staff Writer, The San Diego Union

SAN YSIDRO — U.S. Border Patrol agents in riot gear used tear gas to disperse an estimated 500 aliens, some of whom attacked the officers with rocks near the north levee of the Tia Juana River, the patrol said yesterday.

There were no reports of injuries, either to the agents or aliens.

According to Donald Cameron, Border Patrol sector chief, a group of Mexicans gathered shortly after dusk Saturday along a half-mile stretch on the south levee of the river, which runs parallel to the international border and is on the U.S. side.

About 2:30 a.m. Sunday, a group of about 500 scurried across the river to a half-mile inside the border, Cameron said. When they came across agents patrolling the area, they started pelting them with rocks about the size of a fist. The incident was repeated an hour later, he said, when a group of about 35 officers was hit by rocks.

During the barrages, agents fired seven canisters of tear gas to drive the aliens back to the south levee. About 200 returned to Mexico.

Cameron said that the officers regularly patrol the north side of the river and have riot gear on hand. But the agents have let the Mexicans gather on the south levee because without the completed border fence, that area cannot be defended, he said.

"The agents' backs would be toward the river and they wouldn't have any place to retreat to," he said.

Cameron contended that smugglers were creating the confrontations as a diversionary move to get agents pulled there from other areas.

"When they (the smugglers) want to get a group across, they create a diversion because they know we'll send reinforcements to help our men in trouble," he said. "Meanwhile, they're free to run people across at other points."

The attacks were the latest in what has been said to be escalating violence by those attempting to cross the border.

Last Tuesday night, an officer fired three shots in the ground to drive off about a half-dozen Mexicans who attacked him with rocks. The officer was not seriously injured.

Early that morning, agents clad in riot gear had used tear gas to force a group of about 60 Mexican nationals back across the border.

Cameron said the aliens had become bolder in an attempt to gain more ground.

"We've been encountering more and more resistance," he said. "They're banding together in larger groups and charging at us like soldiers in a war."

He said he has requested 50 more agents from outside the sector to reinforce the 15 officers regularly stationed in the river area.

"We just can't back off any further," he said. "If we do, they'll be in the south city limits of Chula Vista."

Seven agents from San Clemente were brought in last night to aid the regular agents. Fifteen officers brought in from the El Cajon office during last week's disturbances will be recalled toward the end of the week if the incidents are repeated, Cameron said.

He said that Tom Metzger, candidate for Congress and a Ku Klux Klan dragon, had offered assistance with arms and uniformed Klansmen. That offer was rejected.

A Klan offer to help patrol the area prompted a furor in 1977. A coalition of area Chicano and other minority organizations protested an announcement by David Duke, Klan national director, that Klansmen from Texas to California would patrol the border.

Leonel Castillo, who was then head of the Immigration and Naturalization Service, refused the action.

Patrol requests 50 more agents

Border Patrol headquarters in Chula Vista this week issued an appeal for reinforcements following two nights of violent confrontations along the border at San Ysidro.

Sector chief Don Cameron said he has requested an additional 50 agents be sent in from outside the sector to back up his troops here.

LOCAL FORCES were stretched just about to the limit by Wednesday night, when 15 extra agents were deployed from the El Cajon station to help on the embattled north levee of the Tia Juana River.

Two nights earlier, six agents had been attacked by a crowd of more than 60 rock-throwing aliens at that location, which is about a quarter-mile inside the United States.

Unable to disperse the crowd, agents clad in riot gear used tear gas to force the rock-throwing aliens back across the border.

TUESDAY night, agent James Bradshaw fired three warning shots into the ground to stave off around six Mexicans who attacked him with a barrage of rocks.

Tear gas was used again to regain control of the north levee and chase the group back to the south side of the river.

Cameron believes both attacks were "diversionary tactics on the part of alien smugglers." He described the Mexicans involved in the confrontation as "street thugs" from Tijuana hired by the smugglers.

By Wednesday night, the agent force in that location had been doubled with deployment of the El Cajon troops. "We had about 30 agents along six miles of border," Cameron reported.

He said the El Cajon contingency would remain on duty along the border for several more nights.

STAR NEWS 4-13-80

S.D.U. 4-15-80

Baja Officers Arrest 100 Mexicans During Illegal Sweep Onto U.S. Soil

By RICARDO CHAVIRA and JESUS RANGEL

Staff Writers, The San Diego Union

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Baja California Norte Judicial Police illegally arrested an estimated 100 Mexican undocumented aliens and two San Diego Union reporters early yesterday on U.S. territory.

According to the judicial police agent supervising the sweep, the arrests of the aliens along the south levee of the Tia Juana River in San Ysidro were carried out at the request of U.S. Border Patrol officials. But Donald Cameron, Border Patrol agent-in-charge of the Chula Vista sector, said he knew nothing of the arrests.

"If they (Mexican police) arrested anybody, they did it illegally. They shouldn't have been in there," he said.

Tom Coffin, an assistant U.S. attorney in San Diego, said that a Mexican police officer does not have the authority to arrest anyone on U.S. territory, and a U.S. officer has no authority to arrest on Mexican soil.

About 20 plainclothes police agents from Mexico armed with pistols rounded up men and women along the

south levee, then herded them across the border into Tijuana and into waiting cars and vans. These two reporters were arrested briefly but were released after they identified themselves.

As the sweep progressed at 12:30 a.m. along the south levee, Border Patrol agents were seen driving along the

Tension At The Border, an editorial — Page B-16

north levee training spotlights on Mexicans hiding on sandbars and near the edge of the river.

Cameron insisted that his agents could not have seen the arrests taking place. "They would have told me about anything like that," he said.

In the past, he said, U.S. and Mexican police have conducted joint sweeps with U.S. officials apprehending suspects on the U.S. side of the border and Baja police catching those on their side.

(Continued on A-6, Col. 1)

A-6 THE SAN DIEGO UNION

Thursday, April 17, 1980

Baja Police Officers Arrest 100 Mexicans During Illegal Sweep Onto U.S. Territory

(Continued from A-1)

About 20 plainclothes police agents from Mexico armed with pistols rounded up men and women along the south levee, then herded them across the border into Tijuana and into waiting cars and vans. These two reporters were arrested briefly but were released after they identified themselves.

As the sweep progressed at 12:30 a.m. along the south levee, Border Patrol agents were seen driving along the north levee training spotlights on Mexicans hiding on sandbars and near the edge of the river.

Cameron insisted that his agents could not have seen the arrests taking place. "They would have told me about anything like that," he said.

In the past, he said, U.S. and Mexican police have conducted joint sweeps with U.S. officials apprehending suspects on the U.S. side of the border and Baja police catching those on their side.

Cameron said he would direct staff members to look into the incident.

Doug Hendricks, another assistant U.S. attorney, said their office was unaware of the arrests.

The area in which the arrests were conducted has been the site of large confrontations between rock and bottle-throwing Mexicans and riot-equipped border patrolmen who

have in recent nights used tear gas and warning shots to control the crowd.

Herman Baca, chairman of the Committee on Chicano Rights, an organization that monitors border relations, questioned the extent of provocation by aliens against the Border Patrol. He said that yesterday's arrests constituted "a violation of U.S. sovereignty."

"I can't believe that the Border Patrol was unaware of the sweep. Aren't they charged with watching over that area?" he said.

He denounced the use of tear gas, saying it is but one more example of the Border Patrol's "brutal" method of handling the problem of illegal immigration.

A few hours before the arrests, Mexicans gathered on the south levee, as they do almost every night, many to wait for the best time to cross the river deeper into U.S. territory.

Not long after midnight a small group of young men and women began to wade across the river. Suddenly, the women headed back to shore. One of the men, apparently a state judicial police agent, directed them at gunpoint to put their hands behind their heads and walk to the top of the levee.

He confronted a San Diego Union reporter at one point, asking, "What business do you have here?" But he

did not detain the reporter.

About a minute later, two agents armed with pistols questioned these two reporters. The reporters were allowed to continue walking after identifying themselves.

Again the reporters were confronted by gun-wielding police, who this time placed the reporters under arrest. They were held about 10 minutes while several officers checked their identification.

They were eventually ordered to leave the levee and allowed to crawl into Tijuana through a hole in the international border fence.

Within approximately 15 minutes about 100 men and women were rounded up at gunpoint, then taken to waiting vans and cars on the Mexican side. "The polleros (smugglers) will go to jail," the agent in charge of the operation said, "and the others will probably be released in a day or two."

Asked what he and his companions were doing on the U.S. side of the border he said, "This is a coordinated action, and they asked us to come over here," he said gesturing toward Border Patrolmen about 75 yards away on the opposite river bank.

After the rock-throwing incidents last week Cameron said he had discussed the situation with U.S. Attorney Michael Walsh, who has worked with Mexican officials to calm border violence.

Cameron said he lodged a protest with the U.S. Consulate in Tijuana requesting that the matter be taken up with Mexican officials. He also said he had advised the office of Baja California Governor Roberto De La Madrid but had received no response.

Patrol gets no extra agents

Border violence continues on north levee

Despite mounting violence along the U.S.-Mexico border at San Ysidro, Border Patrol sector chief Donald Cameron this week said he has received no response to his request for additional agents.

The latest clash between Border Patrol agents and rock-throwing aliens on the north levee of the Tia Juana River occurred this weekend.

AGENTS IN riot gear again used tear gas to disperse between 300 and 500 aliens, some of whom attacked the officers with rocks.

Cameron said no injuries were reported by the agents or to the aliens.

The early Sunday attack came in two waves, the first about 2:30 a.m. and the second about an hour later.

The rocks were aimed at about 20 agents patrolling the area. Agents fired seven canisters of tear gas to drive the aliens back to the south levee and about 200 returned to Mexico.

IT WAS the third violent confrontation between agents and aliens on the north levee, which is about a quarter-mile inside the United States, in less than a week.

The night of April 7, six agents were attacked by a crowd of more than 60 rock-throwing aliens and resorted to tear gas to drive them back.

The following night, agent James Bradshaw fired three warning shots into the ground to stave off around six Mexicans who pelted him with a

barrage of rocks.

Again, agents used tear gas to regain control of the north levee and chase the group back to the south side of the river.

By Wednesday night, Cameron had doubled the agent force along a six-mile stretch of border with deployment of 15 officers from the El Cajon station.

At the same time, Cameron appealed to Border Patrol Regional Commissioner Edward O'Connor, requesting that 50 additional agents be sent in from

outside the sector.

However, at mid-week, Cameron said he had received no response from the commissioner.

MEANWHILE, Cameron early this week called in seven extra agents from San Clemente to relieve the El Cajon troops, who were the ones caught in the Sunday rock attacks.

The El Cajon contingency is expected to be recalled this weekend.

Cameron described last week's attacks as

"diversionary tactics on the part of alien smugglers," saying the Mexicans involved in the confrontation were "street thugs" from Tijuana hired by the smugglers.

But after the weekend confrontation, Cameron said he was "convinced there are other factors involved," besides simple diversionary tactics.

"I'm looking into them (other factors) now and can't say for sure what they might be," he said. Cameron said one possibility is an escalation of anti-American feeling along the border.

★ ★ ★ Klan offer rejected

Border Patrol headquarters in Chula Vista this week quickly rejected an offer from the Ku Klux Klan of "armed assistance" to stem the current wave of border violence in the San Ysidro area.

The offer came from state KKK director Tom Metzger in a letter to Border Patrol sector chief Don Cameron.

Metzger wrote, "Members of the KKK of California have expressed their desire to volunteer uniformed and armed personnel to assist you on the north levee (of the Tia Juana River) operation.

"Since Klan security personnel are well-trained and experienced in mob control, I am certain we

could relieve many of your officers for their normal routine duties."

Metzger said KKK personnel would be available for "volunteer shift work primarily after midnight."

Cameron said his office mailed a letter rejecting the offer to Metzger Tuesday afternoon.

"Only Border Patrol agents have the authority to enforce immigration laws," he said.

Moreover, Cameron warned, "If any of his (Metzger's) people appear down there and interfere with or impede my people, they will be prosecuted."

JUDGE REJECTS COMPLAINTS; 230 APPREHENDED

Lawyer Protests Treatment Of Aliens Seized In Sweep

By BILL OTT

Staff Writer, The San Diego Union

A Border Patrol sweep that netted about 230 aliens early Sunday along the violent South Levee hit the federal court with logistics problems yesterday and touched off criticism of the nighttime operation.

As a lengthy series of illegal entry arraignments began before U.S. Magistrate Harry R. McCue, Federal Defenders attorney Eugene Iredale moved for dismissal of all the misdemeanor complaints, saying the approximately 230 aliens already had been subjected to "cruel and

unusual punishment." He said they had been jammed together for long periods in crowded holding tanks at the federal courthouse and — up until noon — had only been fed two meals of beans and burritos since their arrest.

But McCue rejected Iredale's arguments, including a technical challenge that the complaints were "boilerplate," produced on a mass production basis and lacked the required specifics as to probable cause for arrest on an individual basis.

The magistrate said the complaints were specific in stating prob-

able cause that each defendant was in the United States illegally and could produce no proof of citizenship. Each of the defendants, if convicted, could be sentenced to up to six months in custody and be fined up to \$500.

Meanwhile, Border Patrol Sector Chief Don Cameron said more such sweeps are pending, not only to quell violence but to gain back U.S. territory that had been occupied by aliens and smugglers who have used the South Levee along the Tia Juana River as a staging area.

Sunday's sweep, carried out with

the cooperation of Mexican police south of the border, involved use of a helicopter with an infrared scope for night surveillance, spotlights, officers on horseback and tear gas.

Cameron and Bill Selzer, acting deputy sector chief, said tear gas was used to disperse a group of aliens from a small island in the river after patrolmen approaching on horseback were barraged with rocks and bottles. One agent was hurt, but required only first aid and two aliens were charged with assaulting an officer.

In the aftermath of the raid,

Selzer said, "The Border Patrol is not going to cede the southern 500 yards of this U.S. territory to Mexico. The only way to protect it is to patrol in force."

Cameron said 50 officers took part in the sweep, with one column moving along the top of the levee and another column just below. About an equal number of Mexican officers coordinated activities south of the border, Cameron said. Although rounding up aliens, they were concentrating their efforts largely on border bandits and smugglers.

Assistant U.S. Attorney Peter K.

Nunez said the U.S. attorney's office hopes the sweep will help dampen violence along the border, adding that if another operation is necessary, it will be repeated. Assistant U.S. Attorney Douglas Hendricks, in charge of new complaints, agreed, noting the South Levee area was "a dangerous situation. It was getting worse and worse and we thought stepped up prosecution might curb it."

Normally, misdemeanor illegal entry aliens are voluntarily returned across the border without prosecution.

(Continued on B-4, Col. 1)

B-4 THE SAN DIEGO UNION

Treatment Of Aliens Protested By Lawyer

(Continued from B-1)

tion, unless the individuals have a long record or smuggling is suspected.

Iredale, outside McCue's courtroom, viewed the sweep with some sarcasm, saying: "If the government feels it is proper to take about 250 poor people from Mexico, hold them for two days and bring them into court en masse, that shows there is a serious effort to seek true justice."

Iredale said U.S. Marshal James R. Laffoon's staff, faced with the crowding problem, "acted commendably and humanely. They had to send out for lunches. They're trying to feed them and take care of their needs."

Awaiting arraignment, the aliens led against the walls of the holding tanks, or stood at the metal grating while others sat on the floor. None appeared ill or injured.

The large number of arrests at one time caused a paperwork processing problem and not until 11:50 a.m. was the first group of about 50 brought before McCue. They filled not only the prisoner's section of the courtroom, but the spectator section

as well. After advising them through an interpreter of their rights, McCue further divided the defendants into groups of five, appointing one attorney to represent each five and setting later court dates, some for May 8 and some for May 12. At 4 p.m., the arraignments were still taking place.

Assistant U.S. Attorney William E. Grauer, in an opening statement to McCue at the start of arraignments, said the arrests resulted from a cooperative effort between the U.S. attorney's office and a Border Patrol task force "to regain the South Levee" area which had become "a no-man's land of violence."

Grauer emphatically denied that some of the defendants had been taken into custody in Mexico and turned back across the border. He said no one taken into custody here was turned back to Mexico, but Cameron said a few women and children were.

McCue asked: "Is this area in the United States of America?"

"Yes, sir," Grauer said. "It was an invasion of our sovereign territory."



CCR

Committee on Chicano Rights, Inc

NOTICIA DE PRENSA

16 de Mayo, 1980

Los Angeles, Calif..... Herman Baca, Director del Comité sobre Derechos Chicanos hoy hizo un llamado al Chicano activista para que rechace la petición de apoyo del Presidente Carter y del Senador Kennedy a los 3 millones que componen la comunidad Chicana/Latina en California, debido a que no lograron resolver ni confrontar el asunto de la inmigración. Baca también acusó a Carter y a Kennedy de una "hipocresía política" por su "doble postura" al enforzar la norma de inmigración de los EEUU que ha resultado en una póliza de "brazos abiertos" para la gente que salió en barcos de su país y para los refugiados cubanos y la póliza de "gas lacrimógeno y cerca de alambre" para los "refugiados por razones económicas" que son los mexicanos indocumentados.

Baca también hizo un llamado a los líderes Chicanos para que sigan la Resolución tomada en Sacramento en 1979 que pidió parar el apoyo político a cualquier candidato con perspectiva presidencial hasta el momento en que los candidatos tomen una posición política que pida se acabe con la violencia en toda la frontera de México y los EE UU causada por la Patrulla Fronteriza del Depto. de Inmigración y Naturalización y de la militarización de la frontera de los EEUU y México. Según Baca "ni el Presidente Carter ni el Senador Kennedy han ido más allá de sus "clichés condescendientes" en su trato con la Comunidad Chicana/Latina como se ve en su tétrico fracaso al dirigirse al asunto más importante que confronta a más de 20 millones de Chicanos/Latinos en los EEUU... El Asunto de la Inmigración. La "Conveniencia Política" se ha convertido en su póliza de inmigración, mientras en la frontera de los EEUU y México niños mueren, mujeres son asesinadas y violadas, personas esposadas son balaceadas y muertas y niños son encarcelados.

Debido a la manera de no hacer nada tipo "lecho de rosas" sobre el asunto de inmigración las comunidades Chicanas/Latinas diariamente están siendo sujetos a hostigaciones, intimidaciones, redadas ilegales, cateos en hogares, y una negación masiva a los derechos constitucionales de parte del Depto. de Inmigración y Naturalización y de la Patrulla Fronteriza.

Según Baca " esta falta de dirigirse y de proponer soluciones a tan serio asunto de inmigración ha llevado ahora a los Chicanos a tomar manos en el asunto.

Se ha hecho un llamado a todo lider Chicano/Latino y a toda organización en los EEUU para que asistan a la gran conferencia sobre la póliza de Inmigración de los EEUU este 23,24 de mayo de 1980 en San Diego y que participe en la demostración masiva de protesta, a la cada día más creciente violencia a lo largo de la frontera de los EEUU y México, que se llevará a cabo el 25 de mayo de 1980. "Para los Chicanos el asunto de inmigración se ha convertido en un asunto de vida o muerte" concluyó Baca.

For further information
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or
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Committee on Chicano Rights, Inc

May 16, 1980

FOR IMMEDIATE PRESS RELEASE

Los Angeles, Ca. Herman Baca Chairman of the Committee on Chicano Rights today called on Chicano activists to reject both President Carter and Senator Kennedy's bid for support from California's 3 million Chicano/Latino community, because of their failure to resolve and confront the immigration issue. Baca also accused Carter and Kennedy of "Political Hypocrisy" for their "double standard" enforcement of U.S. immigration policy that has resulted in an "open arms" policy for boat people and Cuban refugees and, a tear gas barb wire" policy for undocumented Mexican "economic refugees".

Baca also called on Chicano Leaders to abide by the 1979 Sacramento Resolution which called for the withholding of political support to any perspective presidential candidate until such a time as those candidates take a political position calling for an end to the violence along the U.S./Mexico border by the INS/Border Patrol and the militarizing of the U.S./Mexico border. (See att. A)

According to Baca "neither President Carter nor Senator Kennedy have gone beyond "patronizing platitudes" in their dealing with the Chicano/Latino community as seen by their dismal failure to address the most important issue confronting the more than 20 million Chicano/Latinos in the U.S....the immigration issue."

"Political expediency" has become their immigration policy while along the U.S./Mexico border children die, women are murdered and raped, handcuffed individuals are shot and killed, and children are incarcerated.

Because of the do nothing "Rose Garden" treatment of the immigration issue, Chicano/Latino communities are daily being subjected to harassment, intimidation, illegal sweeps, house searches and massive denial of constitutional rights by the INS/Border Patrol.

According to Baca "this failure to address and propose solutions to the very serious issue of immigration has now led Chicanos to take matters into their own hands".

A call has been issued to every major Chicano/Latino leader and organization in the U.S. to attend a major conference on U.S. immigration policy this May 23,24, 1980 in San Diego and to partake in a massive demonstration to protest the escalating violence along the U.S./Mexico border the following day on May 25, 1980. "To Chicanos, the immigration issue has now become an issue of life or death" concluded Baca.



CCR

Committee on Chicano Rights, Inc

NOTICIA DE PRENSA

17 de Mayo, 1980

Tijuana, B.C.....El Presidente de Comite de Derechos Chicanos (CCR) de San Diego, Ca. Herman Baca hoy dia confirmo que los lideres Chicanos/Latinos de todo los EE.UU. llegaran a la ciudad de San Diego el 23, 24 y 25 del presente para participar en una manifestacion que se llevara a cabo en San Ysidro, Ca. a las 10 de la manana el dia 25.

El Sr. Baca dijo, "Esta marcha deberia de ser la mas grande que hemos tenido contra la Patrulla Fronteriza porque nuestro pueblo esta cansado de los abusos de esa agencia y esta lista para participar." Tambien anadio el Sr. Baca, "que el asunto de inmigracion para los Chicanos se ha convertido en un asunto de vida o muerte."

La decada de 1980 pide solucion a las violaciones de nuestros derechos humanos, civiles y constitucionales que siguen ocurriendo y aumentando dia tras dia. Mexicanos, latinos y chicanos son victimas de violaciones, malos tratos y asesinatos tanto a lo largo de la linea fronteriza como en nuestras comunidades Mexicanas/Chicanas. Las soluciones anteriores han fallado. Las suplicas a la razon han sido ignoradas. Suplicas al respeto a la ley y derechos constitucionales de nuestra gente no han sido escuchadas.

Esta violencia contra nuestra raza que sigue cometiendo el INS/ Border Patrol a traves de redadas en la linea fronteriza y en nuestras comunidades nos da el derecho de resistir todas estas injusticias.

Estos son tiempos tormentosos...la llamada para nuestra juventud a registrarse en el servicio militar esta muy cercana con la posibilidad de una guerra, mientras que a los padres de estos mismos jovenes les siguen negando

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el derecho de ser ciudadanos de primera clase, con el respeto y la dignidad humana que se merecen. El hecho esta muy claro, a La Raza se le sigue tratando como a un extranjero en su propia tierra y lo mas probable es que seremos los primeros en dar la vida por este pais. Esto no puede ser aceptado ni tolerado. Debemos aclarar a todos que la comunidad chicana ya no aceptara esta ciudadania de segunda clase, y mucho menos dar la vida por un pais que nos niega la igualdad, la justicia, libertad y oportunidades. Todo esto gracias a una degradante, discriminatoria y anticuada ley de inmigracion que aun hoy dia existe y es aplicada sobre nuestra raza.

Por estas razones, San Diego esta siendo el terreno de prueba que determinara como se va a resolver el problema de inmigracion. Cuando nos reunimos este mes vamos a tomar medidas fuertes para asegurarnos que estos abusos y la violencia por la Patrulla Fronteriza contra nuestra gente termine. En San Diego vamos a tomar los primeros pasos de nuestro destino para que nuestros hijos nunca tengan que vivir una vida de injusticia, miedo e inseguridad.

Para mas informacion llame a:

Rafael Inzunza

(714) 474-8195

(714) 477-3800



CCR

Committee on Chicano Rights, Inc

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17 de Mayo, 1980

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CCR

Committee on Chicano Rights, Inc

San Diego, CA

May 21, 1980

FOR IMMEDIATE PRESS RELEASE

Herman Baca, chairman of the Committee on Chicano Rights announced today that leaders of Chicano organizations and Chicanos from throughout the United States and Mexico will arrive in San Diego, CA on May 23, 24, 1980 to attend a Chicano National Immigration Conference and a Memorial March along the U.S. and Mexican border on Sunday May 25, 1980 at 10:00 a.m. which will begin at Larsen Park, San Ysidro, CA.

The conference has been endorsed by a broad based coalition of organizations which includes activists, educators, veterans, farmworkers, religious, political, students, social services, cultural, human and civil rights organizations from throughout the United States.

The 2 day agenda will include workshops on Economics, labor, justice, legislation, border violence, politics, women, social services, media, education, church, cultural, and health.

Cultural presentations and speakers will also be presented, both at the conference and the memorial march. According to Baca, "The conference will address itself to defining the immigration issue and establishing a "plan of action" for our communities.

The Memorial March will be held to protest the policy of militarizing the U.S.-Mexico border that has resulted in children dying, handcuffed individuals shot and killed, women raped and murdered, the use of tear gas and the incarceration of children. "To Chicanos, the immigration issue

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has become an issue of life or death". According to Baca the solutions of the past have not worked, appeals to morality have gone unanswered, appeals to reason have failed and appeals to respect the law and constitution have been ignored. In concluding, Baca stated that San Diego has become the testing ground that will determine whether the immigration issue which is now affecting the social, economic, and political progress of 20 million Chicanos and Latinos in the U.S. is resolved in a human manner or erupts into a situation affecting the welfare of all involved.



CCR

Committee on Chicano Rights, Inc

RESOLUCIONES ADOPTADAS EN LA CONFERENCIA CHICANA NACIONAL DE INMIGRACION

24 DE MAYO DE 1980

VIOLENCIA EN LA FRONTERA

1. QUE ESTA CONFERENCIA SEA ACENTUADA EN EL REGISTRO - Pedir la abolición de la Patrulla Fronteriza/INS.
2. QUE ESTA CONFERENCIA SEA ACENTUADA EN EL REGISTRO - Pedir la abolición de la militarización y sistemas policiacos en la frontera, entre Estados Unidos y Mexico.
3. QUE ESTA CONFERENCIA SEA ACENTUADA EN EL REGISTRO - Pedir la abolición del encarcelamiento de niños y sus madres en las prisiones Federales, por la Patrulla Fronteriza y el INS.
4. QUE ESTA CONFERENCIA SEA ACENTUADA EN EL REGISTRO - Que representantes de esta Conferencia sean designados para exponer las violencias a los Derechos Humanos y civiles cometidos por el INS y la Patrulla Fronteriza, ante organismo como la Organizacion de las Naciones Unidas y Amnistia Internacional, en el entendimiento que la solución a largo plazo esta en la autodeterminación del movimiento chicano.
5. QUE ESTA CONFERENCIA SEA ACENTUADA EN EL REGISTRO - Acabar con el termino racista de "Illegal Allien"

ADMINISTRACION DE JUSTICIA

1. QUE ESTA CONFERENCIA SEA ACENTUADA EN EL REGISTRO - Apoyamos la creación de una organización ampliamente representada para dar fin a las redes residenciales.
2. QUE ESTA CONFERENCIA SEA ACENTUADA EN EL REGISTRO - Apoyamos a La Corporación de Servicios Legales y nos oponemos a toda aquella legislación que descrimine contra los inmigrantes y esta conferencia se opone a la Enmienda O'Brien.
3. QUE ESTA CONFERENCIA SEA ACENTUADA EN EL REGISTRO - Nos oponemos a toda colaboración con el INS/Patrulla Fronteriza que resulte en redes conducidas en lugares de trabajo y en la comunidad.

CONTINUACION

TALLER CULTURAL

1. QUE ESTA CONFERENCIA SEA ACENTUADA EN EL REGISTRO - El arte y la cultura deben ser como una cadena que se una al problema de inmigracion y lo ayude y que no solo sea una forma mas de entretenimiento.
2. QUE ESTA CONFERENCIA SEA ACENTUADA EN EL REGISTRO - acordamos que nuestra cultura debe usarse como un arma para resistir.
3. QUE ESTA CONFERENCIA SEA ACENTUADA EN EL REGISTRO - Nos oponemos al comercialismo de trabajadores culturales por las grandes industrias como Coors y las Compañías Petroleras.

TALLER DE EDUCACION

1. QUE ESTA CONFERENCIA SEA ACENTUADA EN EL REGISTRO - Dar caracter politico a la comunidad Chicana sobre sus derechos civiles y educativos.
2. QUE ESTA CONFERENCIA SEA ACENTUADA EN EL REGISTRO - Como una fuerza para precionar al systema educacional para que sea responsable en asegurar la competencia academica, social y economica para todos los estudiantes Chicanos.
3. QUE ESTA CONFERENCIA SEA ACENTUADA EN EL REGISTRO - Desarrollar un systema educativo basado en un systema democratico, humanitario y principios de consciencia social que garanticen a la comunidad Chicana el derecho al poder social, economico y politico, como señala la comunidad Chicana.
4. QUE ESTA CONFERENCIA SEA ACENTUADA EN EL REGISTRO - Reclamamos el derecho de servicios educacionales y de beneficios que mantengan y desarrollen el idioma principal y la cultura de la comunidad Chicana/Mexicana en todas las instituciones de nuestra sociedad.
5. QUE ESTA CONFERENCIA SEA ACENTUADA EN EL REGISTRO - Condenamos al Estado de Texas por su reciente ley que niega la educacion en las escuelas publicas a niños de personas indocumentadas.

TALLER DE LA IGLESIA

1. QUE ESTA CONFERENCIA SEA ACENTUADA EN EL REGISTRO - Apoyamos la cadena Ecumenica que se reunio aqui para afirmar su deceso de continuar a reunir y dar sosten a las organizaciones comprometidas en los esfuerzos de inmigracion.
2. QUE ESTA CONFERENCIA SEA ACENTUADA EN EL REGISTRO - Apoyan la junta de la Cadena Ecumenica del Suroeste que llevara acabo en la primavera de 1981, para examinar el reporte Presidencial de la Comission Selecta de Inmigracion.
3. QUE ESTA CONFERENCIA SEA ACENTUADA EN EL REGISTRO - Apoyamos el deceso de la Cadena Ecumenica de comunicarse con organizaciones para ayudarles a llevar su mensaje a la gente.

CONTINUACION

4. QUE ESTA CONFERENCIA SEA ACENTUADA EN EL REGISTRO - Apoyamos un acuerdo con la Cadena Ecumenica que las causas economicas, politicas y sociales de inmigracion deben ser acentuadas en la educacion sobre inmigracion.

TALLER DE SALUD Y SERVICIOS SOCIALES

1. QUE ESTA CONFERENCIA SEA ACENTUADA EN EL REGISTRO - Todas las instituciones de Salud y Servicios Sociales deben proporcionar sus servicios a quienes los requieran, sin importar su ciudadania.
2. QUE ESTA CONFERENCIA SEA ACENTUADA EN EL REGISTRO - Apoyamos dar a los indocumentados los beneficios de salud y servicios sociales sin consecuencia s bajo la ley de inmigracion, pasadas o presentes.
3. QUE ESTA CONFERENCIA SEA ACENTUADA EN EL REGISTRO - Desde ahora, que la forma MC-6 o sus equivalentes sean eliminados. (La forma MC-6 es usada en el sistema de servicios de salud para reportar la condicion de inmigrante de una persona al Servicio de Inmigracion y Naturalizacion)
4. QUE ESTA CONFERENCIA SEA ACENTUADA EN EL REGISTRO - Alto a la recopilacion de informacion sobre la situacion de inmigrante del paciente, usando para otros fines por el INS, o difusion de estos datos, en violacion del derecho de privacidad de las personas, y puesto bajo proceso legal en caso necesario.
5. QUE ESTA CONFERENCIA SEA ACENTUADA EN EL REGISTRO - Creacion inmediata de una linea de emergencia en todos los puertos de entrada para permitir tratamiento medico de emergencia, a fin de atender a los pacientes sin tener que esperar a que el INS determine si puede ser admitido en Estados Unidos o no.
6. QUE ESTA CONFERENCIA SEA ACENTUADA EN EL REGISTRO - Todos los proveedores de servicios sociales y de salud deben tener personal profesional, bilingue y bicultural, en proporcion a las necesidades de la comunidad.

.....

Y FINALMENTE QUE ESTA CONFERENCIA SEA ACENTUADA EN EL REGISTRO APOYAMOS QUE SE EMPRENDA UNA CAMPAÑA NACIONAL PARA EDUCAR AL PUBLICO EN GENERAL Y A LOS POLITICOS SOBRE LAS CRACTERISTICAS DE DERECHOS HUMANOS, LAS NECESIDADES DE SALUBRIDAD Y LAS CONTRIBUCIONES DE IMPUESTOS DE LAS PERSONAS INDOCUMENTADAS.

ADEMAS QUE ESTA CONFERENCIA SEA ACENTUADA EN EL REGISTRO QUE APOYA Y FOMENTA A LOS GRUPOS DE LA COMUNIDAD Y GRUPOS POR TODO EL PAIS A IMPLEMENTAR LOS OBJETIVOS ESTABLECIDOS POR LA CONFERENCIA CHICANA NACIONAL DE INMIGRACION!!



Committee on Chicano Rights, Inc

IMMIGRATION COMMITTEE

HISTORY

July 21, 1980

Since 1970 when the committee was organized, immigration has, and to this day remained one of the main issues of the CCR. Because of the geographical location (San Diego, the Vietnam of the Southwest) the massive number of apprehension of undocumented individuals (400,000 in 1979) and the local, state and national impact that the issue has had on the human, civil and constitutional rights of the Chicano community immigration will continue to be the burning (or slave) issue for the rest of the decade. In the last decade the CCR has been involved with Border Patrol brutality against undocumented persons. (1970-1980) the Dixon Arnett Bill, (1971) Duffy Memorandum, (1972) rape of Maria Elena Parra, Congressional hearings involving body cavity checks, Magana case, 1973 beating of individual at the Port of Entry, Border Patrol checking elementary classrooms, the Hoobler memorandum, the El Centro detentions, checkpoints at San Onofre, Sec. of State probe of voters roll, the Calif. Attorney General Younger memo allowing police to enforce immigration laws, meeting with INS Commissioner Leonel "Coyote" Castillo, U.S. Attorney Griffin Bell, The Carter Immigration Plan, Marches against the patrol of the Border by the KKK, and the Carter Curtain. Speaking engagements in Denver, Washington, Stanford, USC, State, congressional hearing, and in this year the Chicano National Immigration Conference.

THE PRESENT

At the present time the immigration committee is working on distributing the Chicano National Immigration Conference resolutions to organizations, media, and interested individuals. The main effort of the immigration committee at the present time is our effort to implement resolution #4 for the Border Violence Workshop which calls for an International Tribunal to investigate human rights violations by the INS/ Border Patrol and other law enforcement agencies against our people here at the International Border and communities throughout the Southwest and the Midwest. Meetings have been held with other organizational heads in San Antonio Texas and another is planned for Tucson on July 24, 1980. The efforts to this date has been successful with the International Federation of Man based in Paris France agreeing to conduct such hearings in Aug. or Sept. of this year. Other matters involving immigration which the committee is working on are documenting cases of Border Patrol brutality over a 10 year period, the issue of incarcerating children in the Federal Prison System, local police stopping Chicanos suspected of being undocumented, the O'brien Amendment and the news media.

GOALS AND OBJECTIVES

Goal is to continue to educate and politize the Chicano/mexicano/Latino community of the impact, affect of the immigration issue on our peoples rights and how it is tied to our social economic and political progress. Politically the immigration committee has introduced the concept that the only viable and lasting solution to this issue is thru our peoples own self-determination. The short range objective at the present time is to publize the most degrading issue in the immigration issue by bringing an International Tribunal (s) to investigate the issue of violence by the Border Patrol here at the International Border. This matter will take up a great deal of time for the remainder of the year involving travel to Tucson, New York, etc. and will also involve a large expenditure of funds from the CCR if the effort is to be a success.



Committee on Chicano Rights, Inc

FOR IMMEDIATE PRESS RELEASE

7-31-80

CCR QUESTIONS LIMITED GRAND JURY INVESTIGATION OF INS/BORDER PATROL

San Diego Ca.....Herman Baca, chairman of the Committee on Chicano Rights, today, at a press conference questioned why San Diego's U.S. Attorney, M.J. Lorenz, in concert with the Federal Grand Jury has limited the recent investigations of wrong-doings by the INS, Border Patrol. U.S. Attorney Lorenz was charged with dereliction of duty for failing to protect the human and constitutional rights of persons of Mexican ancestry. According to Baca, the recent investigation has led to only three indictments despite the fact that over twelve months ago the U.S. Attorney was Handed a 150-page packet documenting;

- (1) Death of two children at the International Border at San Ysidro;
- (2) Killing and wounding of two individuals while handcuffed;
- (3) Shooting of an individual by a Border Patrolman from a helicopter;
- (4) Shooting of individuals while detained;
- (5) Deportation of a United States citizen;
- (6) Beatings of assaults of individuals by Border Patrol, Immigration and U.S. Custom;
- (7) Cavity checks by Border Patrol at the San Onofre Inland check point;
- (8) Illegal detentions of U.S. Citizens and Legal Resident Aliens;
- (9) Unlawful breaking and entering into homes, churches, school, and

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page 2

7-31-80

- (10) Harassment at public gathering places by Border Patrol, Immigration Service and Customs Service.

" The failure to investigate these more serious cases appears to be a continuation of a 10 year practice of cover-up", Baca charged.

This cover-up along with the escalating violence and human degradation that has recently claimed the lives of three innocent Mexican Nationals here in San Diego and thirteen Salvadoreans in Arizona and resulted in the torture of three Mexican Nationals in Arizona (Hannigan case) are a manifestation of the U.S. Government's lack of a humane, coherent and rational immigration policy. These cases represent the tip of the iceberg of unreported, uninvestigated and common occurrences.

According to Baca, the Carter Administration, the U.S. Dept. of Justice, the Senate and House Judiciary Committee, must all be held responsible for this policy which is creating a climate of lawlessness and human degradation at the Border. In concluding Baca stated that this policy if continued unabated will ultimately cause a serious international incident affecting crucial relations between the U.S./Mexico and Latin America and can only lead to a Miami or Chattanooga type disturbance in Chicano communities thru-out the U.S.

July & Aug 1980

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RALPH INZUNZA ✓	hrs.																						2 1/2	1				2	2	4	3	
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DAVID AVALOS -	hrs.																												2			
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Committee on Chicano Rights, Inc

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50 UNION

Border Patrol Agents 7/23

Accused Of Brutality

By ARTHUR GOLDEN and BILL OTT
Staff Writers, The San Diego Union

At least three border patrolmen will be indicted by a federal grand jury this week in a case involving alleged physical abuse of undercover operatives posing as illegal aliens and perjury, sources said yesterday.

The sources said that two or three of the patrolmen, based at San Clemente, will be indicted for allegedly brutalizing the undercover agents and one of them will be indicted for beating an illegal alien from Iran. One or two will be indicted for perjury.

According to the sources, the indictments will carry allegations that patrolmen struck an operative with a flashlight, slapped another with a passport or a wallet and yanked a third from a chair by his hair.

"They are being charged with physical contact that is not condoned, but not the type of contact involving a knife to the throat or a gun to the head," a source said.

The indictments also will claim that the patrolmen cursed the operatives, although none of the patrolmen will be charged with verbal abuse, the sources said.

Donald Cameron, chief of the patrol's Chula Vista sector, which includes San Clemente, said he was
(Continued on A-11, Col. 1)

50 UNION
7/23/80

3 Patrolmen Accused Of Brutality

(Continued from A-1)
aware of the case but declined further comment.

However, Richard Bevans, president of the National Border Patrol Council, whose organization is bargaining agent for the nation's 2,300 border patrolmen, denounced the case as entrapment.

"There was no substantive maltreatment at all, although there may have been an expletive or two used," Bevans said from his home in Ransomville, N.Y. "The undercover types did their very best to provoke the reactions."

The federal grand jury began its investigation two months ago, based on information provided by Hispanic operatives working for the Office of Professional Responsibility of the Immigration and Naturalization Service. The office conducts internal investigations of the INS and Border Patrol, both agencies of the Justice Department.

One source said the operatives were infiltrated into the patrol checkpoint on Interstate 5, south of San Clemente, in response to complaints about treatment

The indictments may contain a surprise, the sources said.

Instead of being charged with violating the civil rights of illegal aliens, the sources said, the patrolmen named in the brutality indictment involving the undercover agents may be cited for assault on a federal officer.

That is punishable by 10 years in prison and a \$10,000 fine. The sources said the U.S. Supreme Court has ruled that anyone striking a federal officer can be prosecuted for such a crime, even if the officer does not identify himself.

The patrolman to be indicted for alleged physical abuse of the Iranian will be charged with a civil rights violation, which carries a penalty of a year in jail and a \$1,000 fine, the sources said.

The sources said one or two patrolmen who witnessed the alleged incidents of brutality will be indicted for perjury in their testimony before the grand jury.

INS spokesmen repeatedly have refused to discuss the San Clemente probe or to comment on the operations of the Office of Professional Responsibility.

In guarded comments, an INS spokesman said the office was being expanded nationally from 15 investigators to a targeted 75 by year's end "as a preventive measure" and that a branch had been established in San Diego.

Over the last two months, several police-style lineups involving border patrolmen assigned to San Clemente had been held at the Sheriff's Department in downtown San Diego. It was the first time in memory that Border Patrol agents under investigation had been subjected to such a procedure.

A spokesman for the local Border Patrol chapter of the American Federation of Government Employees said his organization would help defray legal expenses for the indicted patrolmen.

Efforts by all San Diego-area border patrolmen to form their own legal defense fund have been delayed by stiff requirements imposed by the state insurance commissioner, orga-

Last September, a federal grand jury indicted four agents on charges of mistreating aliens. Two were convicted of violating the aliens' civil rights, a third resigned from the patrol and another was exonerated.

Brutality Charged to 4 Border Patrolmen

Indictment Alleges Beatings of Aliens, Try at Cover-up

BY TED VOLLMER
Times Staff Writer

Four U.S. Border Patrol agents were indicted by a federal grand jury Tuesday for allegedly assaulting three Mexican aliens with nightsticks and their fists, then forcing them back into Mexico.

The six-count indictment is believed to be the first instance of federal charges against Border Patrol agents over treatment of aliens.

The indictment, returned after nearly two dozen agents appeared before two federal grand juries in San Diego, also alleges that the four defendants tried to cover up the beatings.

Immigration and Naturalization Service Commissioner Leonel J. Castillo said the agents have been put on 10 days' administrative leave, after which they will be suspended indefinitely.

The four agents, Jeffery Otherson, 31; Bruce Brown, 33; Dirk Dick, 24; and Daniel Charest, 29, surrendered in U.S. District Court in San Diego shortly after the indictments were returned. They were released later on \$10,000 bail.

The indictment charges that the four agents deprived the aliens of civil rights near the U.S.-Mexican border on July 3 and Aug. 1 by beating or threatening them.

The incidents surfaced when a former Border Patrol trainee, Darrell Brewer, sent an anonymous letter to the INS Office of Professional Responsibility in Washington. The letter was traced to Brewer, who then testified before the federal grand jury.

Last month, Brewer was fired as a Border Patrol trainee because he lacked proficiency in Spanish, according to Border Patrol Sector Chief Donald Cameron.

Cameron insisted the termination was not connected with Brewer's testimony against the agents.

Los Angeles Times

San Diego County

LOCAL NEWS
EDITORIAL PAGES

CC PART II †

WEDNESDAY, SEPTEMBER 26, 1979

Brewer, now working in the INS offices in Denver, told The Times that, although he bypassed normal channels when he reported witnessing the incidents, his supervisors would not have approved of the agents' actions either.

"The biggest majority (of agents) are really fine people who are working under strenuous conditions," Brewer said.

According to the indictment, the first incident occurred July 3 when an unknown alien made an obscene gesture at a Border Patrol spotter plane flying over the San Ysidro port of entry.

The alien allegedly was arrested by the Border Patrol and taken by agent Otherson to an isolated area where Brown was on duty.

On the way, Otherson allegedly said to a trainee accompanying him, "I don't know if I should be bringing you up here. You're a trainee and I don't know if I should be bringing you up here."

At the meeting spot, Otherson and Brown allegedly questioned the alien

Please Turn to Page 8, Col. 1

Federal Defenders' Role In Stopping

10-8-79

10-8-79
SAN DIEGO UNION

The Beating Of Aliens

Misleading is the best way to describe recent claims of U.S. Attorney Michael Walsh, endorsed by *The San Diego Union* (Sept. 28), that five attorneys from Federal Defenders impeded a government investigation of Border Patrol brutality.

The remarks by the Federal Defenders attorneys on July 26, 1979, that the United States attorney's office was not vigorously pursuing cases of aliens being beaten and abused by Border Patrol agents, followed one year of frequent complaints from the Federal Defender's office to Mr. Walsh and his subordinates that this type of activity was occurring.

The implication that the five attorneys knew an investigation was taking place is incorrect. It is illogical and irresponsible to suggest it was our purpose to disrupt this investigation. Our purpose in speaking out was to bring a halt to the all-too-frequent beatings of defenseless aliens by Border Patrol agents. Apparently our efforts have had some effect.

Mr. Walsh should be commended for taking action and pursuing prosecution where it is warranted. However, we find unpersuasive his suggestion that those who observe government abuses and direct complaints

10-8-79
to the proper places, should continue to remain silent in the wake of government inaction.

We are very disappointed that *The Union*, a representative of the free press which recently decried a Supreme Court decision barring the media from criminal trial proceedings, would endorse Mr. Walsh's preference that First Amendment rights not be exercised in the face of government abuse. We are certain *The Union* would understand our "eagerness to see abuses stamped out" if it had seen time and time again the swollen and beaten bodies of our clients.

CRAIG E. WEINERMAN
CRAIG E. FENECH
EUGENE G. IREDALE
Trial Attorneys
Federal Defenders of San Diego Inc.

INDICTMENTS CITED

10-10-74

FBI Probes Charge That Aliens Beaten

By RICARDO CHAVIRA

Staff Writer, The San Diego Union

The FBI is investigating allegations that Border Patrol officers beat and violated the civil rights of undocumented aliens and, in some cases, legal U.S. residents of Latin-American ancestry, an FBI spokesman in Washington, D.C., confirmed yesterday.

Law enforcement sources said that the FBI probe grew out of the indictment of four Border Patrol officers on charges of brutality against aliens and a subsequent FBI investigation of a reported attempt to harm witnesses expected to testify against the officers.

The allegations under investigation involve incidents that purportedly occurred in the San Diego area between 1974 and June of this year. Only a few cases are being investigated, according to the FBI spokesman.

But neither he, nor a Department of Justice official who confirmed that the probe is under way would disclose details of the cases.

"It's not a large scale thing," said the FBI spokesman, "but we are looking at some cases referred to us by the Justice Department."

The allegations originally were brought to light in July during a trip to Washington by Herman Baca, chairman of the Committee on Chicano Rights and representatives of the Legal Aid Society of San Diego and the United Mexican American Association.

During that trip, Baca and the others met with several legislators and Justice Department officials to request congressional hearings on what they claimed was a widespread pattern of violence and civil rights violations perpetrated by Border Patrol officers against undocumented Mexican immigrants and legal Hispanic residents.

To support their charges, the group presented documents detailing 10 alleged incidents in which Border Patrol officials shot, beat and deprived Mexican aliens and Hispanics of their civil rights.

In response to the visit, U.S. Rep. Edward Roybal, D-Los Angeles, convened a one-day hearing in San Ysidro in August to hear testimony about two of the 10 cases. Witnesses and Customs officials testified about the deaths of two children, Manolo Alberto and Mario Canedo, who died

Los Angeles Times

2 Part II - Fri., Aug. 1, 1980 J

Los Angeles Times

Baca Assails Lack of Border Prosecutions Calls U.S. Atty. Derelict for Not Pursuing Cases

By ROBERT MONTEMAYOR

Times Staff Writer

The head of the Committee on Chicano Rights Thursday accused the U.S. attorney's office in San Diego of limiting investigations of federal agencies that deal with the Mexican border and of not pursuing "more serious cases of border violence."

Herman Baca, chairman of the group, singled out U.S. Atty. M. James Lorenz with an accusation of "dereliction of duty" for failing to develop any criminal cases from a 150-page packet produced by the committee that alleged numerous incidents of wrongdoing by the U.S. Border Patrol, U.S. Customs and the Immigration and Naturalization Service.

Baca said the packet, which outlines 10 cases, was given to Lorenz a year ago — as well as to the U.S. Justice Department's Civil Rights Division. But "all they've come up with have been three indictments, and those weren't as serious as the ones we pointed out in the packet," he said.

Lorenz called Baca's charges "incredible" and denied that the packet ever was referred to the U.S. attorney's office in San Diego.

"It was submitted to the Civil Rights Division (of the Justice Department) and there were inquiries by the FBI into some of the cases," Lorenz said. "I am familiar with most of the allegations — and they were not

brought to our attention by Baca — but with most of them it was not a matter of failure to prosecute but a lack of evidence."

Lorenz did say that one of the cases, which involved the shooting of two handcuffed illegal aliens by a border patrolman last year, still is being probed by the Civil Rights Division. One of the aliens died in the incident.

"I can only say that the allegations he's made are inaccurate and lack credibility," Lorenz said.

Baca, nonetheless, claims Lorenz's office could have investigated and brought charges against border agents "for something more than just slapping a few guys around with a glove."

Last week, two Border Patrol agents at the Interstate 5 traffic checkpoint south of San Clemente were indicted on charges of assaulting suspected illegal aliens. A third agent was charged with lying about the matter to a federal grand jury.

The indictments, the result of a three-month probe by Justice Department internal investigators, charged among other things that a metal flashlight or lead-weighted "sap gloves" were used in several assaults on two undercover federal agents posing as illegal aliens.

"We've documented much more serious crimes here," Baca said, placing his hand on a stack of the 150-page packets handed to reporters at a press conference Thursday.

"The failure to investigate these more serious cases appears to be a continuation of a 10-year practice of cover-ups by the Border Patrol, Customs, the INS and the U.S. attorney's office," Baca said.

"This cover-up, along with the escalating violence and human degradation . . . are a manifestation of the U.S. government's lack of humane, coherent and rational immigration policy," Baca said. "These cases represent the tip of the iceberg of thousands of unreported, uninvestigated and common occurrences."

Lorenz said Baca, who also plans to ask for an independent investigation of the three illegal aliens found shot to death last week near the border, "always talks about all these allegations, but he has never taken the time to come in and talk or examine the factual information."

Los Angeles Times

San Diego County

LOCAL NEWS
EDITORIAL PAGES

CC PART II †

FRIDAY, AUGUST 1, 1980

RELUCTANCE TO PROBE ALLEGED

Baca charges U.S. attorney with dereliction of duty in alien case

Hispanic activist Herman Baca yesterday charged the U.S. attorney with "dereliction of duty" for failing to probe his group's charges of mistreatment of aliens here by the Border Patrol.

But federal officials say many of the charges have been investigated.

A year ago Baca's Committee on Chicano Rights gave 150 pages of charges to the Justice Department, the White House, Congress and the U.S. attorney.

Assistant U.S. Attorney David Doyle said all which the Justice Department

thought could be investigated were probed by either the FBI or the Immigration and Naturalization Service.

One of the most serious cases, in which two illegal aliens handcuffed together were shot, was still being investigated recently, added chief assistant U.S. Attorney Peter Nunez.

Doyle said the Justice Department's civil rights division found that about half of the 19 cases listed by the committee were found to be suitable for investigation.

Of them, about half went

to INS and the rest to the FBI, Doyle said.

Donald Cameron, chief of the Border Patrol's Chula Vista sector, said last week that no disciplinary actions had been taken as a result of the INS investigation.

Doyle said yesterday that all except the shooting of the handcuffed men had been found to be without foundation.

One case which was investigated, Doyle said, involved a 16-year-old Mexi-

can boy who crossed the border. Baca's group claims he was shot from a Border Patrol helicopter.

Doyle said the FBI concluded that he had been shot by bandits and the helicopter crew saved his life.

Another involved an American born in Puerto Rico who claims he was beaten unconscious to force him to confess he was smuggling aliens. Doyle said the FBI could not substantiate his claims.

In the case of the handcuffed aliens, then-U.S. Attorney Michael Walsh initially concluded that the two were carrying the Border Patrol agent between their handcuffed arms as they tried to get back to Mexico, committing a federal felony.

This justified the officer's use of deadly force, Walsh said.



CCR

Committee on Chicano Rights, Inc

7-31-80

PARA INMEDIATA DIFUSION DE LA PRENSA

El Comité Sobre Derechos Chicanos (CCR) desconfía de las investigaciones limitadas que a hecho el Gran Jurado!!

San Diego, CA

Herman Baca, Director del Comité Sobre los Derechos Chicanos (CCR) en una conferencia para la prensa, la cual tome lugar en San Diego hoy, pregunto porque la oficina del Procurador de San Diego, M. J. Lorenz, en conjunto con el Gran Jurado Federal a limitado las recientes inbestigaciones de injusticias cometidas por el Departamento de Inmigracion y la Patrulla Fronteriza (INS/BP) El Procurador Lorenz fue acusado de abandonar sus obligaciones al no proteger los derechos humanos y constitucionales de todas las personas de descendencia Mexicana. Segun Baca, solamente 3 casos han sido investigados, a pesar que hace mas de 12 meses que se les entrego al Procurador un paquete de 150 paginas documentando lo siguiente:

- 1) La muerte de do niños en la Linea Internacional en San Ysidro.
- 2) La muerte y herida de dos individuos que se encontraban esposados.
- 3) Asalto con arma de un individuo por un Patrullero desde un helicoptero
- 4) Balazeada de individuos mientras se encontraban detenidos
- 5) Deportación de un ciudadano de E.E.U.U.
- 6) Golpizas y asaltos de individuos por patrulleros, La Inmigración y la Aduana de E.E.U.U.
- 7) "Esculcaciones" vaginales por los Patrulleros en la oficina de Sa Onogre
- 8) Detenciones ilegales de ciudadanos de E.E.U.U. y residentes legales

7-31-88

PAGINA DOS

- 9) Entrada ilegal a casas, iglesias, escuelas y
- 10) Hostigacion en locales publicos pr la Patrulla Fronteriza El Servicio de Inmigración a la Aduana.

Baca acuso, que la carencia de investigar estos casos mas serios ha sido cubierta por un transcurso de 10 anos.

Este atentado de cubrir acoplado con el aumento de la violencia y degradacion del ser humano que recientemente cobro las vidas de 3 ciudadanos Mexicanos aqui en San Diego y de 13 Salvadoreños en Arizona y que tambien resulto an tortura de tres ciudadanos Mexicanos en Arizona (El Caso Hannigan) so un demostracion del gobierno de los E.E.U.U. de que hace falta una poliza da inmigracion que sea humana, coherente y razonable.

La Administracion de Carter, El Departamento de Justicia de los E.E.U.U. y el Comite Judicial del Senado de los E.E.U.U., todos ellos deben ser responsables pr crear esta poliza que a creado un clima ilegal y de degradacion humana en la frontera. En conclusion Baca afirmo que esta poliza si continua ultimamente va a causar serios incidentes internacionales que afectaran las relaciones entre E.E.U.U./Mexico y Latino America y solo puede terminar desordenes, disturbios como los de Miami y Chattonuga en comunidades Chicanas en todo E.E.U.U.



Committee on Chicano Rights, Inc

FOR FURTHER INFORMATION
CONTACT
HERMAN BACA
474-8195

SEPTEMBER, 24, 1980

SAN DIEGO, CALIFORNIA

FOR IMMEDIATE PRESS RELEASE

ENCLOSED FOR YOUR INFORMATION IS A LETTER TO THE SAN DIEGO COUNTY GRAND JURY REQUESTING AN INVESTIGATION OF SUPERVISOR ROGER HEDGECOCK. ACCORDING TO CCR SPOKEPERSON HERMAN BACA, "THE INVESTIGATION HAS BEEN REQUESTED BECAUSE OUR ORGANIZATION BELIEVES THAT THERE HAS BEEN A "CONFLICT OF INTEREST" BY SUPERVISOR HEDGECOCK". SUPERVISOR HEDGECOCK APPEARANCE IN THE FILM "BORDERLINE" (IN WHICH HE PORTRAYS AN ATTORNEY FOR AN ALIEN SMUGGLER), AND THE UTILIZATION OF HIS PUBLIC POSITION TO FACILITATE THE USE OF TAXPAYERS PROPERTY TO PRODUCE A POLITICAL PROPAGANDA FILM ON THE BORDER PATROL RAISES SERIOUS QUESTIONS AS TO THE PROPRIETIES, LEGALITIES, & ETHICS OF SUPERVISOR HEDGECOCK INVOLVING HIMSELF IN SUCH A BIASED PROJECT! ALSO ENCLOSEED FOR YOUR INFORMATION IS A TRANSCRIBED INTERVIEW WITH SUPERVISOR HEDGECOCK FROM A TAPE INTERVIEW CONCERNING THE FILM "BORDERLINE" WHICH SPEAKS FOR ITSELF AS TO HIS KNOWLEDGE, FEELINGS, AND POSITION ON THE IMMIGRATION ISSUE.

-END-



Committee on Chicano Rights, Inc

December 3, 1980

Reverand Ted Hesburgh
Select Commission On Immigration
and Refugee Policy
New Executive Office Building, Room 2020
726 Jackson Place, N.W.
Washington D.C. 20506

Dear Reverand Hesburgh,

The Committee On Chicano Rights condemns the attempts by the Select Commission On Immigration and Refugee Policy to hold a "secret meeting" for the purpose of voting on staff recommendations which will inevitably affect the "human rights" of millions of immigrants and the basic constitutional rights of every citizen in the United States.

The proposed recommendations which the Commission will be voting on are riddled with major contradictions. The report is faulty, racist and represents a total waste of taxpayers monies. In fact, the report is nothing more than a rehash of the bankrupt 1977 "Carter Immigration Plan", which was unanimously rejected by the American public and the U.S. Congress.

We question the credibility of a report which is suppose to be objective and emperical, when in fact the report was drafted by a staff of individuals with no immigration experience, manipulated by the self-serving Immigration and Naturalization Service and State Department bureacrats. In addition, further doubt has been cast on the Commissions work by totally ignoring the massive public input and expert research of individuals, organizations and concerned citizens on major Immigration policy questions.

For example, the Commission's staff recommendation, calling for a "slightly expanded and streamline" H-2 program, in our opinion, is nothing more than "Twentieth Century Slavery". This recommendation which could result in the massive numbers of Foreign Workers is a gross contradiction, when at the present time there are at least four million U.S. workers unemployed. The H-2 program which is now in affect represents the last remnants of the old Bracero Program and an expanded program can only mean further exploitation of this captive work force.

Secondly, the proposed employee eligibility/employer responsibility recommendation will cost 2 1/2 billion dollars and requires every U.S. Citizen to carry a National Identification Card will be a giant step backwards in civil rights legislation for the 20 million Chicano/Latinos in the United States. In essence, this proposal represents a gun pointed at the head of the Chicano/Latino Community. This is a dangerous and simplistic recommendation that is reminiscent of totalitarian states like Nazi Germany and South Africa. Identification Cards are effective only in theory, as we have seen proven in other European countries. It is highly unlikely that Congress would ever approve of sending business executives to jail. In practice, it will be the Chicano/Latino Community who employers and law-enforcement agencies will be asking to present I.D. cards.

Aside from ignoring the civil liberties question and being expensive (180 to 230 million dollars annually) the recommendations will prove to be unworkable and difficult to enforce. In practice, it will hurt the very people it intends to help. It will increase unemployment, since no provisions were presented for an appeal system for redress. Businessmen who hire undocumented workers will not cooperate due to the large profit involved and the giant legal loop holes which have been provided by the proposed recommendations. The additional recommendation calling for curbing "illegal migration" will prove to be another bankrupt effort in resolving the immigration issue.

Immigration, as it has been pointed out by experts and community organizations is not a law enforcement problem, but rather is a social, economic and political issue. The proposed plan to increase the militarization of the U.S./Mexican Border is the wrong approach in resolving this issue between two friendly nations.

We condemn the violation of the principle of reunifying families as recommended by the Commission's staff to eliminate the Fifth Preference Category by creating a new Independent Immigrant Category which will benefit the affluent, with a quota of 250,000.

Since the causes that make up the immigration issue, such as the economic domination by Multi-National Corporations in foreign countries, the bankrupt revolving door immigration policy, the secondary labor market in the U.S. and the issue of guaranteeing and protecting the human and civil rights of the undocumented have not been addressed by the Commission, that this Report is totally unacceptable and will be opposed by our organization and the Chicano/Latino Community.

Sincerely,

Herman Baca

Herman Baca, Chairman

cc: President elect Ronald Regan
President Jose Lopez Portillo
Honorable Judge Cruz Reynoso
News Media

THE SACRAMENTO IMMIGRATION COMMITTEE

312 20th Street
Sacramento, CA 95814
(916) 443-9956

NOTICE OF PRESS CONFERENCE

The Sacramento Immigration Committee would like to invite you to a press conference to be held on Thursday, February 26, 1981, at 11:00 a. m. , at La Semilla Cultural Center, 312 20th Street. At that time, members of the Sacramento Immigration Committee, The National Immigration Coalition, and the Committee on Chicano Civil Rights will make statements related to the President's Select Committee on Immigration's recommendations; Border Violence; and the Reinstatement of INS area sweeps and house to house searches.

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For more information, please call
La Semilla Cultural Center at
(916) 443-9956 (10:00 a.m.-5:00 p.m.)

THIS PRESS PACKET CONTAINS THE FOLLOWING:

- Background of the press conference participants
- Background and summary of the issues and recommendations of the Select Commission of Immigration and Foreign Policy, 1980
- Response to Select Commission Recommendations by Herman Baca
- Background on Border Violence Issues and Incidents

FOR MORE INFORMATION, PLEASE CONTACT:

La Semilla Cultural Center
312 20th Street
Sacramento, CA 95814
(916) 443-9956 (10:00 a.m. - 5:00 p.m.)

PRESS CONFERENCE PARTICIPANTS

Sacramento Immigration Committee

The Sacramento Immigration Committee is a local community group that formed for the purpose of doing free immigration counseling, and public education forums on immigrants' rights. Currently the committee is involved in educating and agitating for a change in the National Immigration Policy, and is demanding that local social service agencies provide their services to immigrants.

Bert Corona

Bert Corona is a long time Chicano community activist involved in defending the rights of workers, labor organizer, and Professor of Chicano Studies at California State University Los Angeles. Bert was one of the community persons that worked against the implementation of the Bracero Program during the 1940's. At the present time Bert is also Director of Hermandad Mexicana and the National Immigration Coalition which has offices in ten states and is based in Los Angeles.

Herman Baca

Herman Baca, head of the Committee for Chicano Rights (CCR), a San Diego based activist group, has long spoken out for the rights of undocumented workers and against violence perpetrated on undocumented Mexicans and U.S. citizens by the U.S. Immigration and Naturalization Service, U.S. Customs and vigilante groups. He recently testified at the U.S. Treasury Subcommittee investigation on border violence involving the deaths of two children in San Diego. He will also be testifying in the upcoming reopening of the Hannigan Case.

BACKGROUND INFORMATION

ISSUES AND RECOMMENDATIONS FROM A REPORT SUBMITTED BY THE
SELECT COMMISSION ON IMMIGRATION AND FOREIGN POLICY, 1980.

ISSUE #1: "Should the United States change its current temporary worker H-2 program?"

RECOMMENDATION: "Slightly expand and streamline (current) H-2 program."

Under this option, the number of visas issued under the current H-2 program might be slightly increased, but the main emphasis would be placed on streamlining the process and protecting U.S. workers. This alternative would:

- a. Amend Section H(ii) of the INA, to read: "If unemployed persons able and willing to perform such service of labor at the time and place needed for this work cannot be found in this country;"
 - b. Require the Department of Labor to refer workers to an employer within 60 days of that employer's request for certification, or to issue certification for foreign agricultural workers within 30 days;
 - c. Require the Department of Labor to adopt a more effective method for setting the Adverse Effect Wage Rate;
 - d. Require employers to pay social security and unemployment insurance taxes for H-2 workers;
 - e. Make H-2 workers eligible for the same benefits as U.S. workers;
 - f. Require payroll deductions to be reimbursed to workers upon return to native countries;
 - g. Require the Department of Labor or Justice to institute grievance procedures to resolve H-2 labor-management disputes; and
 - h. Require, as an interim step, the government not to replace H-2 workers fired for labor market reasons (H-2 employers to be limited to a preemptory firing of no more than one percent of their work force in a given year.)
-
-

ISSUE #2: "Should the United States adopt an employee eligibility/employer responsibility ((EE/ER) system to achieve optimum enforcement in curtailing illegal migration?"

RECOMMENDATION: The staff recommends implementation of an employee eligibility/employer responsibility system based on a counterfeit-resistant

card, to be implemented in three stages:

- a. An initial system based on the statement of eligibility;
- b. A second-phase based on a counterfeit-resistant work authorization card for certain age groups; and
- c. Eventual implementation of the work authorization card system for the entire labor force.

Under this option,.....All persons seeking employment would enroll with the EE/ER unit. Unless questions remain regarding identity or eligibility a counterfeit-resistant eligibility card would be produced and mailed to the applicant within three working days of the enrollment interview.

The counterfeit-resistant card would carry the minimum information necessary to identify the person: name, date of birth, sex, a photograph*, an identifying number unique to that individual. Additional information (place of birth, mother's first name) would also be maintained in a computer data base to help field personnel screen out imposters or persons using a loaned card to establish eligibility. This information would not be available to other government agencies or private organizations and could be accessed by enforcement personnel only through their district offices. Data input would be in a "batch mode" and field inquiries would be responded to within two hours.

Job applicants would establish eligibility by showing their cards to prospective employers. Employers would record new employee names and card numbers and report them quarterly to the EE/ER office as well as maintain a file for review by field investigators. Field enforcement would continue much as it does now except Wage and Hour Division and INS investigators could check this file for questionable numbers and interview individual employees who have recently been hired to verify identify and eligibility. Multiple use of eligibility card numbers and false numbers found in quarterly employer reports would direct field investigators to certain employees and employers. Employers who failed to require proof of eligibility from new hires, did not maintain or falsified numbers on their records of employment eligibility, or conspired with illegal migrants to secure eligibility cards through fraud would be subject to citation, fines or prosecution.

Eligibility cards could not be asked for outside the employment application setting except by INS or Department of Labor Wage and Hour Division investigators. (Persons would not be required to carry these cards and would be given 24 hours to produce them.)

*Card could also be issued without a photograph. However, the absence of the photo would allow it to be more successfully "loaned" to others and could slow verification of identity by field investigators.



Committee on Chicano Rights, Inc

December 3, 1980

Reverend Ted Hesburgh
Select Commission On Immigration
and Refugee Policy
New Executive Office Building, Room 2020
726 Jackson Place, N.W.
Washington D.C. 20506

Dear Reverend Hesburgh,

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1837 Highland Avenue, National City, CA 92050 (714) 474-8195

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Sincerely,

Herman Baca

Herman Baca, Chairman

cc: President elect Ronald Regan
President Jose Lopez Portillo
Honorable Judge Cruz Reynoso
News Media



Committee on Chicano Rights, Inc

BORDER VIOLENCE

May 16, 1978	Maria Contreras	Progresso, TX	Pregnant, died in INS interrogation room after being harassed by border officials.
Oct. 22, 1978	Abel Reyes Silva Age: 21	San Ysidro	Shot in the back while on the Mexican side of the border.
Feb. 11, 1979	Margarito Balderas Age: 30	San Ysidro	Shot twice from behind after surrendering.
March 17, 1979	Efren Reyes Age: 24	San Ysidro	Shot to death while handcuffed.
March 17, 1979	Benito Rincon Age: 22	San Ysidro	Shot while handcuffed.
March 20, 1979	Alberto Canedo Age: 4	San Ysidro	Died in aunts' arms in INS offices after being denied entrance into U.S.
March 21, 1979	Guillermo Lozano Age: 19	San Ysidro	Shot from behind from a helicopter.
May 28, 1979	Ismael Villa Age: 17	San Ysidro	Shot from behind.
May 28, 1979	Martin Olmos	San Ysidro	Shot from behind from a helicopter.
June 16, 1979	Manolo Alberto Age: 18 months	Tijuana	Died of starvation three days after being denied entrance into U.S. by border officials.



Rape-Slaying of Illegal Alien

Federal Protective Service Employee Linked by Lab Tests to Brutal November Assault at Border

By TED VOLLMER
Times Staff Writer

A 24-year-old federal officer was arrested Thursday and held without bail in the brutal strangulation and rape last Nov. 25 of a teen-age Mexican alien at the border.

Michael Edward Kennedy of Chula Vista was linked to the slaying of Maria Lopez de Felix, 19, through FBI lab comparisons of his palm print, blood type and hair samples, authorities said.

FBI special agent Roger Young told reporters in San Diego that Kennedy was arrested without incident at his home after issuance of a federal complaint by U.S. Magistrate Edward Harris.

Kennedy, appearing in street clothes, entered a not-guilty plea before Harris late Thursday and a preliminary hearing was scheduled for Feb. 8.

Young said the case against Kennedy, an employe of the Federal Protective Service since 1978, was given the "highest investigative priority" by his office.

Kennedy also was questioned last year about the strangulation of another Mexican woman. Authorities said that, while Kennedy was questioned and released in that case, the investigation now will resume.

According to an FBI affidavit supporting the criminal complaint against Kennedy, Lopez de Felix tried to enter the United States at the San Ysidro checkpoint by hiding in her

sister-in-law's car.

Authorities said she was trying to cross the border to join her husband, believed to be an undocumented worker who was living in Riverside. After her discovery, she agreed to return to Mexico and was released.

Kennedy told investigators that he met Lopez de Felix at an Immigration and Naturalization Service building and escorted her to the checkpoint where she crossed into Mexico.

Authorities believe the following chain of events then occurred:

Roth Kennedy and Lopez de Felix walked along the border fence on opposite sides and the woman either reentered the United States through an unchecked turnstile or a hole in the barrier. A red suitcase believed to have belonged to her was later discovered in some bushes on the U.S. side of the border.

The woman then was apparently allowed through a security gate that had an easily picked lock and then through another gate secured only by masking tape.

Kennedy, authorities believe, used a pocketknife to slit the tape. Adhesive residue matching the masking tape was discovered on a pocketknife seized in a search of Kennedy's home, according to the affidavit.

Lopez de Felix then was taken to a building containing an unused detention room, where she was raped and strangled, according to authorities.

After the slaying, the woman's partially clothed body was dragged outside the room and left in a hallway. It was not discovered until the next day.

The suspect then allegedly returned to the site and tried to cover up the crime by using the woman's shawl to brush away signs of a struggle, the affidavit said.

Evidence found at the scene linking Kennedy to Lopez de Felix's murder included two cigarette butts matching Kennedy's brand, three hairs in the woman's shawl matching Kennedy's,

and paint scrapings. The same type of scrapings, which authorities said came from the detention room floor, were found on a uniform worn by Kennedy.

On Dec. 5, authorities said Kennedy was scheduled to meet with the FBI to provide a blood sample and palm print. The suspect, however, failed to show up. Instead, he left a note saying that he was fleeing across the border because he might otherwise "confess to a crime I didn't commit."

It is unclear whether Kennedy actually fled the country.

Kennedy told U.S. Magistrate Harris that he lives with his parents in Chula Vista and has been working continuously with the service since the investigation began.

His court-appointed attorney, Juanita Brooks, argued that Kennedy should be released to the custody of his parents, indicating that the defendant had strongly suspected he would be arrested for the crime but had not fled.

Assistant U.S. Atty. Thomas Coffin, however, argued for Kennedy's being held without bail, noting that the crime carries a possible sentence of life imprisonment.

Kennedy will face a federal murder charge since the slaying occurred on federal property.

The murder case in which Kennedy was questioned earlier last year involved Ramona Hernandez, whose body was discovered in a shallow grave on the Campo Indian Reservation on March 21, more than a month after she disappeared. Authorities said she had been strangled.

Hernandez had last been seen alive on Feb. 12 when she was returning to the United States after a bus trip to Ensenada.

A problem developed with Hernandez' documents and she was escorted by Kennedy to the INS office. Later investigation revealed that Kennedy had her telephone number in a notebook he carried.

Trainee Tells Of Alien Beating

THE SAN DIEGO UNION

BILL OTT And SUSAN JETTON

Staff Writers, The San Diego Union

"There was some moaning, but he didn't verbally cry out. It appeared like he was trying to be machismo, but there were also some tears running down his cheeks."

A Border Patrol trainee offered this description to a federal court jury yesterday, telling how an undocumented alien reacted to an alleged beating by border patrolmen who believed he was the man who made an obscene finger gesture toward a patrol aircraft last July 3.

The trainee, Gino Freselli, 29, was the first witness called by U.S. Attorney Michael H. Walsh as four border patrolmen went on trial before U.S. District Judge Howard B. Turrentine on charges of mistreating aliens.

Freselli's testimony followed opening trial statements by Walsh and two of four defense attorneys, who gave sharply contrasting views of circumstances surrounding the charges against suspended agents Bruce Brown, Jeffery Otherson, Dirk Dick and Daniel Charest.

Walsh accused the four officers of engaging in a "criminal partnership" that deprived the government of its lawful functions through beatings that not only amounted to vigilante justice, but deprived the aliens of their civil rights.

Defense attorneys Joseph Milchen and Nelson Brav, told the jury of seven men and five women that the patrolmen involved were dealing with lawbreakers and, in some instances, used reasonable force while working under adverse and sometimes dangerous conditions.

Milchen pointed out that Brown had been commended by the government for his outstanding service. Brav emphasized that when the aliens were routinely processed for return to Mexico there were no complaints of beatings. Further, he said, Mexican officials refused to accept returned aliens who are seriously injured.

But Freselli, responding to questions by Walsh, said the unidentified alien on July 3 was beaten repeatedly, with stinging slaps from Brown's gloved hand that reddened his face, and blows to his fingers with a nightstick as his hand was held to the floorboard of a transport van.

Otherson, Freselli testified, jabbed his fist into the alien's stomach at least once.

Describing the alien, Freselli said, "His hand began to swell . . . to the point you couldn't recognize his knuckles." He added that at no time did the alien admit making an obscene gesture at the patrol craft and Brown and Otherson eventually gave up their interrogation, putting him back into the van.

"At any time did the alien resist?" Walsh asked.

"No," Freselli said.

"Did he try getting away in any fashion?" Walsh said.

"No."

Freselli testified he was in the transport van with Otherson and that while taking the alien to the scene of the alleged beating Otherson expressed some doubts about taking him (Freselli) along because he was still a trainee.

(Continued on B-12, Col. 1)

Walsh, in his earlier opening statement, touched on an alleged radio code that was used in the conspiracy, referring to the term "Delta Henry," words not normally used by agents in their transmissions. "Delta Henry, of course, means the designated hitter (or agent designated to mete out punishment)," Walsh said.

During Freselli's testimony on the alleged beating, Walsh used himself as a model to demonstrate the force of blows to the alien's face. He asked Freselli to leave the witness stand and strike him on each shoulder with the same force Brown allegedly used in striking the alien on the face. Freselli hesitated, but swung out with his palm. The blows jolted Walsh.

Milchen described to the jury adverse conditions with which border patrolmen deal. He said Brown was an officer who, from time-to-time, found himself alone, facing the responsibility of taking into custody large groups of aliens. The problem, he said, was "aggravated at night," adding that a border patrolman cannot use his gun unless

his own life or the life of another agent is threatened.

He said evidence will show that when aliens are apprehended, Walsh's office declines to prosecute them, returning them to Mexico, thus encouraging the alien smugglers. Yet, he said, the prosecution has accused the officers on trial of interfering with the government's lawful functions.

Brav told the jury that six months prior to the charges Dick had been involved in a struggle in which an alien tried to take his sidearm from him. Under the circumstances, Brav said, Dick used "minimal, reasonable force."

The court spent more than two hours selecting a panel of 12 jurors and four alternates for the trial which Turrentine said he expects to continue to about Nov. 28 because of the Thanksgiving holiday. The judge closely questioned prospective jurors about publicity surrounding the case and about their attitudes toward "possibly undocumented aliens" and the Border Patrol.

Among the seated jurors were two — a hotel bellman and a garment factory worker — who said they work with "quite a few Mexicans but I don't know their status."

At least four off-duty Border Patrol agents as well as several investigators for the Immigration and Naturalization Service were among some 50 spectators who watched the trial proceedings on its opening day. The agents refused to comment on the trial because, one said, "I don't want to say anything that might jeopardize the outcome."

During recesses, the agents gathered in the hallway to talk with the defendants who have been sus-

pending without pay by the Border Patrol pending completion of the trial.

Meanwhile, Advocates for Border Law Enforcement (ABLE), a group of relatives and supporters of border patrolmen, have been collecting signatures on petitions to send to President Carter and other top Justice Department officials urging that the agents be reinstated to the patrol until the trial is completed.

Richard
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Committee on Chicano Rights, Inc

FOR IMMEDIATE PRESS RELEASE

DEC. 4, 1980

San Diego Ca.

THE COMMITTEE ON CHICANO RIGHTS AT A PRESS CONFERENCE TODAY CONDEMNED THE SELECT COMMISSION AND IMMIGRATION AND REFUGEE POLICY MEETING IN VIRGINIA AS IMPROPER AND ILLEGAL. ACCORDING TO CCR CHAIRMAN HERMAN BACA " THE UPCOMING MEETING IS NOTHING BUT A FRAUD AND A CHARADE THAT IS BEING PERPETRATED ON THE AMERICAN PUBLIC BY "LAME DUCK" CARTER APPOINTEE'S." THE MEETING WHERE THE COMMISSION IS EXPECTED TO VOTE ON STAFF RECOMMENDATIONS WILL HAVE LONG RANGE FOREIGN POLICY RAMIFICATION AND WILL INEVITABLY AFFECT THE HUMAN RIGHTS OF MILLIONS OF UNDOCUMENTED IMMIGRANTS AND THE CONSTITUTIONAL RIGHTS OF EVERY UNITED STATES CITIZEN. "THE EIGHTEEN MONTH FOUR HUNDRED PAGE REPORT BESIDES BEING RIDDLED WITH MAJOR CONTRADICTIONS STANDS AS A SYMBOL OF THE COMMISSION'S LACK OF SERIOUSNESS IN ADDRESSING THE IMMIGRATION ISSUE. FURTHERMORE, "THE FACT THAT THE COMMISSION NEVER HELD HEARINGS IN THE BORDER CITIES, HAD LITTLE COMMUNICATIONS WITH MEXICO, NEVER ADDRESSED THE CAUSES OF IMMIGRATION AND DISREGARDED THE MASSIVE PUBLIC TESTIMONY WHICH WAS IN OPPOSITION TO ITS PROPOSED RECOMMENDATION PROVES THAT THE IMMIGRATION ISSUE WILL NOT BE SOLVED."

IN CONCLUDING, BACA STATED THAT IT IS LUDICROUS FOR THE COMMISSION TO EXPECT THAT IN ONE DAY IT WILL BE ABLE TO READ, STUDY, ANALYZE AND MAKE DECISIONS WHICH WILL AFFECT FOREIGN POLICY, THE CIVIL LIBERTIES OF THE AMERICAN PEOPLE AND THE EXPENDITURES OF BILLIONS OF DOLLARS.

FOR FURTHER INFORMATION CALL HERMAN BACA, 714-474-8195

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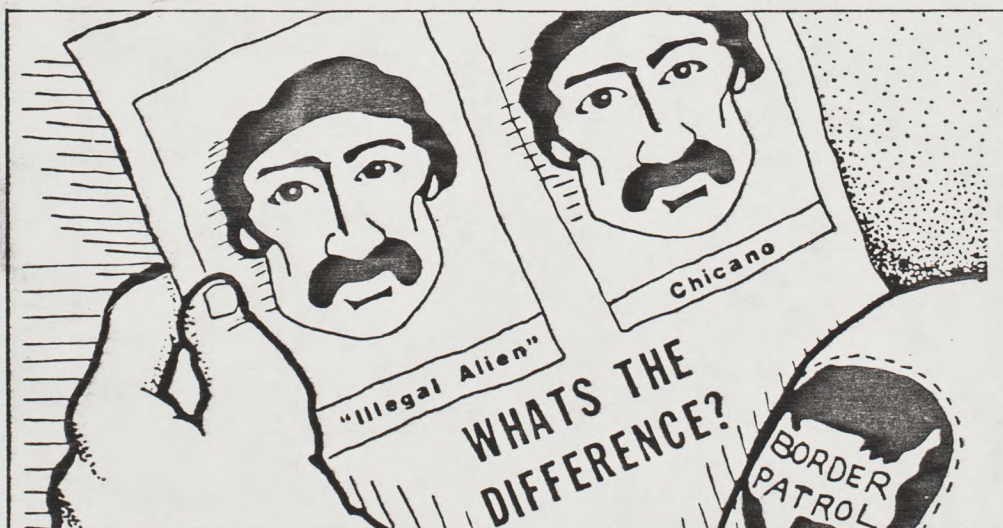


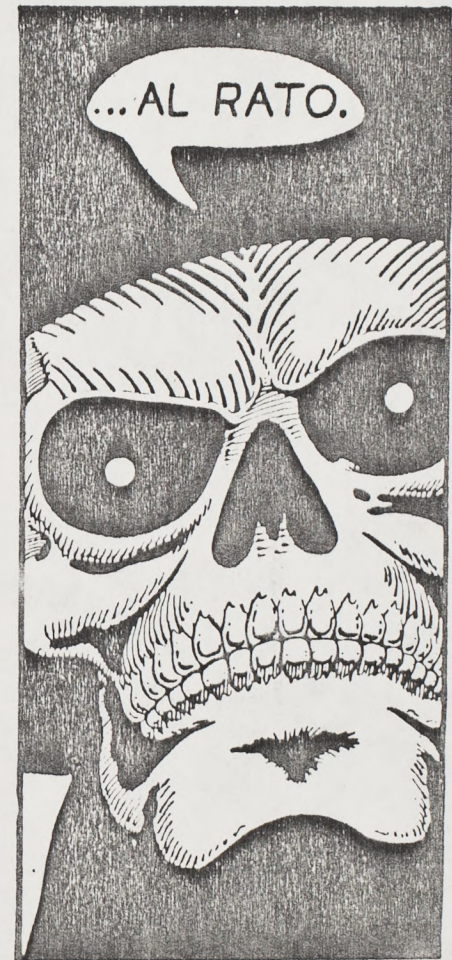
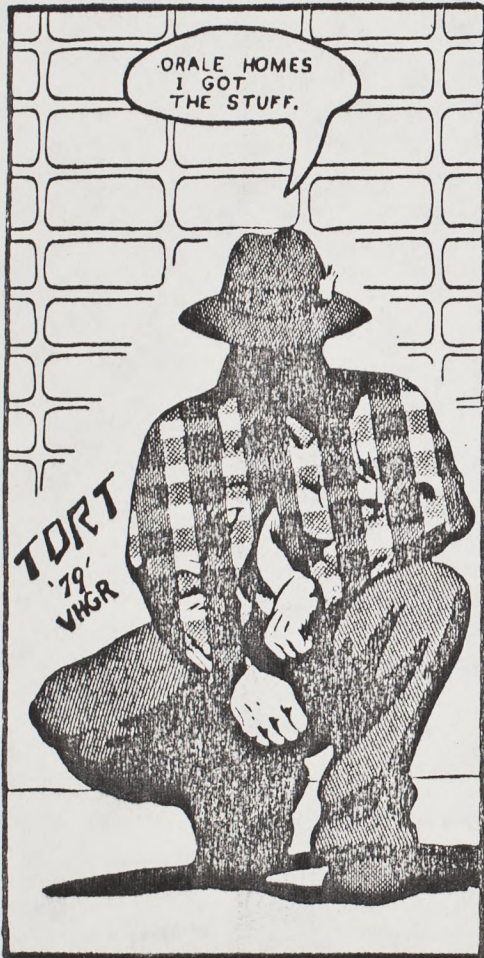
ICHICANO POWER!



Committee on Chicano Rights, Inc.

- OUR CHICANO YOUTH ARE THE FUTURE OF LA RAZA -
THE COMMITTEE ON CHICANO RIGHTS (CCR) HAS BEEN INVOLVED IN
THE STRUGGLE FOR CHICANO POWER OVER THE LAST TEN YEARS. WE
BELIEVE OUR BATTLE IS NOT IN IRAN OR IN ANY OTHER COUNTRY:
OUR WAR IS IN THE BARRIO AGAINST DISCRIMINATION, CHICANOS
KILLING CHICANOS, THE DROGAS THAT DESTROY OUR MINDS, AND
POOR EDUCATION. OVER HALF LA RAZA IS 18 YEARS OLD, WE NEED
EDUCATED AND INVOLVED YOUTH WHO ARE HELPING TO BETTER THE
BARRIO. WE NEED BARRIO WARRIORS WHO ARE 'NT KILLING OTHER
CHICANOS, BUT FIGHT AGAINST RACISM AND FOR CHICANO POWER!
-TOGETHER WITH OUR PEOPLE WE INTEND TO MAKE HISTORY-





Tom Ortega