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MODEL FOR THE
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THE GREEK

* NO SOCIAL RESP.
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NOT ALLOWED TO
BORN HIS FAMILY

* PALESTINE ARE BUSED
INTO ISRAEL I

* ESTIMATE

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SAN DIEGO COUNTY
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BACA
TOP SECRET

LA PRENSA SAN DIEGO
1950 Fifth Avenue
San Diego, CA 92101



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The Durfee Award
Nomination

Herman Baca
Committee On Chicano Rights

Submitted By
Daniel L. Munoz & Dainel H. Munoz
August 15, 1986



La Prensa San Diego

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Durfee Award
Nomination Narrative

HERMAN BACA
Chairman
Committee On Chicano Rights



La Prensa San Diego

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Selection Committee
The Durfee Awards
California Western School of Law
350 Cedar Street
San Diego, CA 92101

Dear Committee:

It is with deep pleasure that we take this opportunity to offer to you for your consideration, for a Durfee Award, Herman Baca, founder and chairman, since its inception, of the Committee On Chicano Rights (CCR).

We make bold to submit Herman Baca's name for consideration because of his unstinting efforts in the defense of the civil and constitutional rights of the Chicano-Latino society of this country over the past 16 years.

As founder and chairman of the Committee On Chicano Rights, Herman Baca has consistently been in the forefront in the struggle for justice, dignity and human rights.

As a champion for the Chicano-Latino community, Baca has struggled within an arena which often has been perceived unfavorably by the majority society. Often times, he has had to act within a hostile environment in his fight for the rights of individuals. It is perhaps easier to nominate someone who has labored in a universally perceived acceptable endeavor. It is quite another to nominate someone who struggles for a stigmatized society and where it is not easily perceived that what he struggles for is as important to the Chicano-Latino community as it is to all America. It is equally difficult when the battlefield he has chosen to struggle in is peopled by forces which come into the fry heavily armed while Baca and his people come in armed only with their convictions and personal determination to right the wrong with non-violent methods. Such a man is Herman Baca.

* Personal Vision

In the late '60's, Herman first became involved in his community and city by volunteering to work in the various local, state and national political campaigns for elective office. As a precinct walker, envelope stuffer and political organizer, Baca worked on campaigns of both the left and right. He was to be found walking for ex-president Nixon, organizing for Assemblyman Peter Chacon, and speaking in behalf of Senator Wadie Deddeh. From these experiences, Baca recognized the dire necessity for his community to become involved and organized. He soon became the president of the Mexican American Political Association (MAPA) and worked to educate the essentially a-political Mexican American community of the basic rudiments of political participation.

Sensing a growing frustration at the inability to make the system work for the interests of the Latino community, Baca joined a growing group of Chicano political activist and helped form "La Raza Unida Party." Though essentially a third party political group, La Raza Unida was conceptualized by its founders as being a vehicle to give expression to the desperate needs of this nation's growing Latino community. Working within "MAPA" and "La Raza Unida" sharpened Baca's social perception. He became acutely aware of the unfairness of the political system and also of the legal systems of our society.

"The question that kept coming up at that time was: how could we become involved politically when we have no rights?" stated Baca. "Immigration was affecting everything that the Chicano movement was trying to incorporate, in trying to franchise or make a better life for our people, in our struggle politically, economically and socially."

Baca recognized that as a member of a powerless sub-group within the American society that our only chance to move beyond the lower second class status in which the Mexican American community was maintained, lie in making America live up to its' founding precepts as embodied in the Constitution and the Bill of Rights of our country.

It was out of this need that the Ad-Hoc Committee On Chicano Rights was formed in 1970, composed of leaders of other Chicano organizations, to deal with the whole question of rights of the Chicano-Latino community.

The turning point in Baca's life came with the Luis "Tato" Roberto Rivera incident in National City, Ca. In this instant of police brutality and gross denial of basic human rights, Baca became transformed into a man with a burning mission "to right the wrongs that were being perpetuated upon the Mexican American community by the legal forces of terror in his community." Baca vowed that no one else would ever be crucified on the cross of racism, and bigotry. Tato Rivera became the "cause celebre" that crystalized what Herman Baca and the Committee On Chicano Rights was all about.

"The CCR was transformed from an Ad-Hoc committee of community leaders to the community based Committee On Chicano Rights, Inc., in 1975, a non-profit, non-funded volunteer organization that would use every legitimate means, at its' disposal, from protest, pickets, pamphlets, newsletters, the media, the courts, any peaceful means to bring justice and equity to our people," Baca stated.

* Imperative Need

The Chicano-Latino sub-group of our society, was and continues to be highly unrepresented in the legal judicial and political systems of this land. Until recent times there were no Hispanic judges or lawyers or members of the juries of the land. "Brown" just didn't exist within the legal and police forces of this country. The five million Chicanos-Latinos of California were as a colonized people with little or no say as to the nature of their existence within the United States.

When asked what drove you to become active in the CCR, Baca stated "I learned that we lived in a country where the laws were being made in government houses where there were no Chicanos ... we were gerrymandered to where we could win no elections. Laws were applied and enforced by the police forces of the state ... again with little or no Hispanic members belonging to these forces. If arrested, we were then judged by an all white judiciary and all Anglo juries. If then found guilty, as we often were, we then were thrown into prison to be guarded by white wardens ... I burned with rage at this unfairness of the system and realized that I had to do something to change the way things were being done. It was imperative that our system of government and law be made to serve all of its' citizens or our country would quickly degenerate into a totalitarian society in which a few would force their rule over the many."

Baca with his small cadre of members in the CCR at the moment of the Tato Rivera shooting then moved into an active posture working to force government to live up to the founding precepts of America. The Constitution, The Bill of Rights, and this country's body of law would be challenged to work without consideration of color, race, or religion ... Only in that way could justice, equity and dignity be had by the Chicano-Latino community..

***Innovative Use Of The Law**

Though each and every issue that the CCR undertook had legal ramifications, Baca realized that with little or no representation within the judicial system that they would have little chance of getting justice. Baca devised a system by which the issues would be tried in a far larger court than that afforded by an essentially white judicial system.

"As in the case of Tato Rivera, the shooting of Humberto Carrillo, the many cases of police and sheriff brutality and many others, we knew that we would have to try our cases outside the established legal system. We decided to bring our cases before the most important forum of all: the public forum. Utilizing the streets, the media and the community, we brought our cases before the public. The members of our group became the defense, the people marching were our juries and the streets our courtrooms. The police (sheriff, INS, Border Patrol, etc) would attack and become the prosecution ... in the open where all could see and a decision would be made. The media became the recorders of the decisions rendered and publicized our cases. In this manner, we effected later decisions that were made in a regular court of law."

Did it work? Results, whether arrived at a legal court or in a street court count. Police Chief Ray Hoobler was forced to retire, Sheriff Duffy was forced to stop trying to enforce federal immigration law, the INS/Border Patrol was forced to stop strip searches, beatings and denial of basic human rights on the border, Chief of Police Kolander was forced to humanize his police department, establish community relations offices/officers and increase the number of Hispanics in his force. Without the effort of Herman Baca and the Committee On Chicano Rights, none of this would have occurred.

* Difficulty Of Achievement

The San Diego region has become nationally known as the "Viet Nam" of the U.S. Daily the Border Patrol, the INS, Customs agents and other para-military agents patrol the border areas. With rifles, guns, helicopters, sensors, radars, planes, the area is a living hell for the largely Mexican American residents. Their homes and work places are daily raided, their cars are stopped and they have little freedom to walk the streets without being stopped by agents of the U.S.

In this climate of fear, Herman Baca and the CCR ventured into, not to defend the rights of the Mexican workers but to safe guard the Civil and Constitutional rights of American citizens, who happened to be Hispanic-Latinos. Viewed as the enemy rather than as protector, Baca and his group come under constant harrassment by the INS/Border Patrol and the local police forces. The increasing public attacks by public law enforcement members led to Baca and his family being threatened by the KKK, being infiltrated by the FBI and the police of San Diego and having to live in a continued state of fear for the safety of his family. A review of his FBI file, under the Freedom of Information Act, revealed that he was considered a "dangerous radical" for going through his neighborhood attempting to register the residents to vote!

To this date, Baca maintains that his group fights to defend the rights of Mexican Americans and the human rights of the undocumented. For this, he has the lasting enemy of the INS/Border Patrol, the Police and the Sheriff's departments.

"We are the only people of this country, that the Supreme Court has said may be immediately deported without due process, solely on the sixth sense of an INS officer that we may be illegal" notes Baca ... "We are the only citizens of this country that has its homes ransacked and broken into without a warrant." ... "We are the only group in America that can be stopped and questioned about our citizenship and must have proof or be immediately deported." " We are the only citizens that can be taken from your work place without due process and jailed ... these are denials of our civil and Constitutional rights!"

Because of his personal struggles to defend the civil and Constitutional rights of the Chicano-Latino community, Baca has suffered loss of ability to make a living, his children are harrassed in school, he is under constant surveillance, he is marked by the FBI and his family and he are always under constant threat by extremist Right Wing groups ... and why? Because he believes that every American is entitled to the protection of the law, the Constitution and that his basic human and civil rights should be respected.

* Enhancement Of Human Dignity

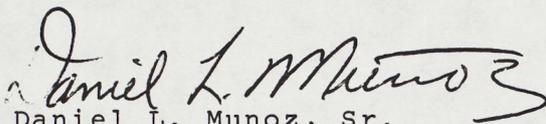
Perhaps the best indication of Baca's concern for human dignity has been his constant struggle in defense of the human rights of the undocumented worker, who daily crosses the frontera in search of work. Baca and the CCR do not view the undocument worker as an evil that must be stopped at all costs. Baca views them as individuals who come to earn a living for themselves and their starving families in Mexico. He views them as pawns caught between the needs of Agri-business, the secondary labor market and the nativists racist who fear their coming.

"These are human beings who deserve to be given the same protection of our labor, health and safety laws as all other workers. It is inhumane that they are hunted like animals, forced to live in caves and makeshift cardboard shacks in the farm lands of this country. What we have is a labor problem not an immigration problem," Baca maintains. "America treats the Mexican immorally. I saw something wrong when people coming across, working and then being treated like criminals. There is something definitely wrong when you have people who are simply bringing their labor and it's being accepted by a society, and then in turn that society is trying to portray them as criminals."

To this end, Baca and the CCR has made special trips to Mexico to meet with the administration of the President of Mexico to plead the case of their own workers. He has held public forums to make the public aware of their terrible situation. He has published newsletters, tabloids, and constantly sends out information to any and all groups that are interested in the plight of the undocumented worker. In conjunction with Bert Corona, President of La Hermandad, Corky Gonzalez, of the Crusade for Justice, Abe Tapia, ex-president of MAPA and others, Baca has crisscrossed this nation making speeches and bringing the plight of the undocumented to the general public. All at his own expense.

Baca and the CCR has been the catalyst in forming marches to the border to bring to public knowledge the plight of the undocumented. He has brought congressional hearings to the border to investigate the brutalities practiced upon the undocumented by the Immigration forces. More recently Baca and the CCR formed a protest march to chastize Supervisor Susan Golding for erroneously and publicly charging the undocumented with being responsible for the majority of the rapes, robberies and car thefts in the county. Once again, as in the days of Benjamin Franklin, the ultimate court for relief, was the streets. Susan Golding was forced to apologize and retract for doing irreparable harm to the millions of Latinos-Hispanics of this country.

We offer Herman Baca, humanitarian, civil rights activists, and protector of this country's Civil and Constitutional Rights, for the "Durfee Award" of 1986.



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Publisher
La Prensa San Diego



Daniel H. Munoz, Jr.
Editor
La Prensa San Diego

References

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619-474-1752 (H)
619-235-6135 (W)

Judge Roy Cazares
Chula Visita Municipal Court
619-691-4770

Judge Ralph Aerrola
San Diego Municipal Court
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Durfee Award Nomination

Biography

HERMAN BACA

Biography

Name: Herman Baca

Born: April 6, 1983

Birthplace: Albuquerque, New Mexico -- raised in Los Lentes, NM, until the age of 11. Moved to San Diego, CA in 1954.

Marital Status: Married to Nadine, in 1974. Parents of five children: Nick, 23 yrs-old and Mark, 20 yrs-old by a previous marriage. Andy, 9 yrs-old; Adrian, 6 yrs-old and Sarah Nadine, 6 days old.

Education: Chollas Elementary School - San Diego, CA
Kimball Elementary School - National City, CA
National City Junior High - National City, CA
Sweetwater High School - National City, CA
graduated in 1961.

Employment History:

1961-65 Delivery boy for a photographics art store
1965 Apprentice, Carrol Graphics
1965 Went to work in a small print shop - fired for organizing a union
1966 Nynesch Printers -- 2 mos.
1967-69 Worked in various print shops - fired from various print shops for union organizing.
1969 to Present Opened Aztec Printers as sole proprietor, 1837 Highland Avenue, San Diego, CA 92050, where he maintained his bussiness until 1984 when he moved to 310 W. 3rd Avenue, National City, CA. Aztec Printers specializes in small printing jobs

Organizations:

1968 Worked with the Peter Chacon campaign for Assembly
1968 Worked with the Nixon campaign for President
1968-1974 Organized the National City Chapter of MAPA (Mexican American Political Association). Served as President until 1974.

Organized Casa Justicia, a social service agency that dealt with the documentation and immigration of immigrates. Served as Chairman of the Board.

Worked on a third party effort, La Raza Unida Party, served as county organizer.
1970 Formed the Ad-hoc Committee on Chicano Rights - a committee that represented the organizations of the Chicano community, a committee that dealt the problems of immigration.

1975 to Present

The Committee On Chicano Rights, Inc., was formed. From a committee representing Organizations - the committee became a community based organization, that encompassed individuals. A non-profit, non-funded, volunteer organization that deals with the civil and constitutional rights of immigrants and the Mexican American people. Herman has served as chairman since its inception.

Events:

- 1972 Organized 10,000 undocumented workers against Dixon/Arnett Bill, Los Angeles, CA
- 1973 400 protestors marched against the Sheriff Duffy memorandum for taxicab drivers to report suspected illegals, San Diego, CA
- 1975 2,000 protestors marched in National City protesting the shooting of Tato Rivera, by a National City police officer
- 1977 10,000 marched at the US/Mexico border protesting KKK planned vigilante actions at the border
- 1979 Chicano National Immigration Conference, represented by 200 organizations. Followed by a memorial march protesting the violence perpetrated against the undocumented. 4000 protestors marched at the US/Mexico border
- 1981 Chicano National Immigration Tribunal to document the violence and brutality against persons of Latino ancestry. The result being a 1000 page packet, that was delivered to the President of Mexico and to the Reagan administration
- 1983 3,000 people participated in a 17 Mile Walk For Rights, from downtown San Diego to the border, in protest to the Simpson/Mazzolli Bill
- 1983 A major effort was mounted to stop the National City Police Department from enforcing immigration law
- 1985 Protested the policy of deporting children by the INS
- 1986 Protested the misuse by Supervisor Susan Golding of police reports to blame the cause of crime on illegal aliens

All events were organized by Herman Baca and the Committee On Chicano Rights

Interviews:
Newspapers New York Times; Chicago Tribune; Dallas Times Herald; Los Angeles Times; Sacramento Bee; San Diego Union; Excelsior, Mexico City; El Sol de Sinaloa, Mexico; El Debate de Culiacan, Sinaloa, Mexico; El Dia, Mexico City; Uno Mas Uno, Mexico City; ABC, Tijuana, Mexico; Dagens Nyheter, Sweden's largest daily; Helsingin Sanomat, Finland's largest daily; Liberation News Service; La Prensa San Diego; El Foro Del Pueblo

Magazines USA Magazine; Nuestro; U.S. News and World Report; New West; San Diego Magazine

Television CBS National Network; KFMB-TV CBS San Diego; KGTV-TV ABC San Diego; KCST-TV NBC San Diego; KVLA-TV El Paso Texas; KMJ-TV Fresno California; Canal 13 Mexico City; Channel 34 Los Angeles; KWEY-TV San Antonio

Radio ARD-German Radio Network; WOGO Chicago; Radio America, Alhambra; Radio Express, Los Angeles; KPBS-San Diego; KOGO-San Diego; KGB-San Diego; KCBQ-San Diego; KFMB-San Diego

Speaking Engagements:
Universities Universidad Autonoma de Sinaloa, Culiacan, Mexico Stanford University; USC; UC Riverside; San Diego City College; Palomar Community College; SDSU; San Jose State University; University of California Santa Barbara; UCSD; Mesa Community College, San Diego Grossmont Community College, San Diego; Saddleback College, San Juan Capistrano; University of Arizona at Tempe; Metropolitan State College, Denver Colorado

Conferences National M.E.Ch.A. Conference, Denver; California State M.E.Ch.A. Conference, Fresno; Banquet 78, Towards a New Immigration Policy, Los Angeles; National Workers Conference for the Rights of Undocumented Workers, Washington, D.C.; World Conference of Churches Immigration Conference, New York; National Federation of Priests Ecumenical Immigration Conference, El Paso.

The lists of articles and speaking engagements is only a partial list.



1970

San Diego
Magazine

WAYS TO POWER: La Raza Divided

"... Chicanos can go in one of two directions. Either we take our rightful place in society, or we wind up with a South African apartheid situation where the majority, the Chicanos, will be governed by a minority, the Anglos . . ."

by Harold Keen

THERE ARE TWO sources of power," Herman Baca reflects, "money and people. We have the people, not the money. That's one of the big problems of the Chicano community in the political sense!"

Baca is an earnest, tenacious, chunky and frequently abrasive burr under the Establishment's saddle, consumed by a Cesar Chavez-like dedication to the civil rights struggle. In his one-man National City printshop that has served as headquarters for his often-frustrated attempts to raise the political awareness of the *barrios* during most of the last decade, surrounded by piles of published polemics attacking Anglo injustice, Baca also dwells on apathy, disinterest—"but no different from any minority group subject to racism and discrimination."

Closer to the Mexican border in the South Bay network of Chicano clusters, Alberto

Garcia, a San Ysidro insurance man and bookkeeper as persistent as Baca in his pursuit of fair play for the Spanish-speaking, laments the low registration and voter turnout among Mexican-Americans. "Most of our people feel left out of the electoral process," he says. "We don't have the money, so neither the Democrats nor the Republicans will cater to the Chicano community. The people feel abandoned and they get a 'what's the use' attitude. Except for Jess Haro when he was councilman, our political representatives come to San Ysidro, for example, only on parade days. The only way we can force a change in attitude is with bodies, showing the numerical strength we already have. But sad to say, we're still ten to 20 years away from being effective."

Chicanos comprise the largest minority in San Diego County. The 1970 U.S. Census showed 174,200 Spanish-surnamed persons; today's figure is believed considerably over 200,000 of the county's total population of about 1,700,000, not counting the great flood of undocumented Mexican immigrants. The Chicano population is rising so fast that in some areas of California it has exceeded the number of Anglos.

The Chicano militants and activists seized the Councilman Jess Haro episode to try to harden political lines and coalesce groups aimed at influencing the Anglo city council into naming another Mexican-American as his successor—a maneuver foiled by Mayor Pete Wilson. He was able to exert his own political clout by leading the council to appointment of his favorite candidate, Lucy Killea, the Anglo executive vice president of Fronteras de las Californias, an agency seek-

Photography by Bill Reid

"Mexican aliens, doing work refused by Americans and contributing to our economy by proving that someone needs them, should be allowed to receive amnesty and legitimize their status . . ."

—Appointment and later election of Jess Haro as San Diego's first Chicano councilman.

—Election of Peter Chacon, an educator, as San Diego's first Chicano state assemblyman.

—Appointment of Gilbert Chavez as Auxiliary Bishop of San Diego Catholic Diocese, the first local Chicano to hold such a high post in the church.

—Appointment of Robert L. Amparan and Herb Ibarra as the first Chicano principals of high schools in the San Diego Unified School District (Amparan at Wright Brothers Career High School, and recently transferred to principal of Memorial Junior High School, with a much larger student body; Ibarra at San Diego High School); numerous other Chicanos in key education administrative as well as teaching positions throughout the county.

—Appointment of Dr. Philip del Campo as president, Adult and Continuing Education, San Diego Community College District.

—Appointment of Gilbert Fuentes as vice president-controller, San Diego Federal Savings & Loan Association.

—Growth of Contreras Brothers Construction Company into one of San Diego County's biggest remodeling firms, now expanding into insulation, solar energy and shopping center and apartment house development. Gilbert Contreras, 40, and Salvador, 39, are products of the southeast San Diego barrio, started their careers as cement finishers and formed their own business, now grossing over \$3 million a year.

—A sharp increase in the number of Chicano officers in the San Diego police force, now numbering 88 of the 1,131 total. A Mexican-American, Sgt. Jesus Manuel Lopez, in charge of police community relations, was honored in October by the Interna-

tional Association of Chiefs of Police and Parade Magazine as one of the top policemen of the year. Ironically, he won national attention for leading a now-disbanded border task force of officers who risked their lives while protecting illegal Mexican aliens from gangs who robbed and assaulted them as they crossed the border.

—Successful achievements by Chicanos in law, medicine and other occupations in which their numbers are steadily increasing.

Does a gulf exist between the successful, many of whom were born in the barrio but climbed out of it through strong motivation to capture available educational opportunities and work hard, and the bulk of Chicanos? "For the last 15 years, most of the politicking and activism were done by grassroots leaders," says Valencia. "Now the business and professional element want to become part of the process to benefit the Chicano community and the areas as a whole. The two groups have had different ideas on how to go about it, but the same goals—to accelerate political awareness."

Baca is more outspoken. "We saw some gains made, some doors open, and certain people reaping the harvest," he says. "They were the business and professional groups, and the bureaucrats who got good government jobs in affirmative action programs. But they haven't reciprocated in their responsibilities to the communities from which they came. I've been at this for ten years, taking unpopular positions while people have been saying, 'Herman Baca is crazy.' Meanwhile, they're the beneficiaries while the masses are still at the bottom of the heap."

Baca's credentials include founding the local chapter of the Mexican-American Political Association; county chairman of a third party effort by Chicanos, called El Partido de la Raza Unida, which registered 3,000 here,

then faded (although it has had some success in Texas); and the founder and only chairman of the Committee of Chicano Rights. He and Alberto Garcia are both scornful of the "Hour in the Barrio" luncheons, which Tony Valencia claims have built such a solid link with the Anglo power structure that the Mexican and American Foundation has become a conduit for Chicano employment opportunities and resolution of other problems.

"By attending these luncheons in the barrio, the Anglo leaders who are invited and given honors, are legitimized, at a cheap price, as not really part of the repressive machinery which has excluded a large number of people down here from the economic and political mainstream, and from the decision-making process," says Baca. "It's just a social gathering, rather than a genuine bridge between the Anglo and the Mexican-American community."

"As for the 'Evening with the Stars' annual benefit for the Chicano Community Health Center, there's a much bigger need for social and medical services throughout the barrios, that could be met if the Anglo power structure really wanted to help. True communications come from sitting across the table and negotiating on a basis of true equality. When these people who attend the barrio luncheons go back to their offices and homes, they continue to exclude us and carry on business as usual. We tell the story about the guy in the \$400 suit, outside the Health

Dan Munoz (above), editor of the Spanish-English weekly La Prensa, decries the gulf separating affluent Mexican-Americans from masses of Latinos. Art Madrid (below), former assistant to Mayor Pete Wilson and an organizer of Chicano-directed Chula Vista Federal Savings and Loan Association, disputes divisiveness concept, insists successful Mexican-Americans seek to benefit entire Chicano community.

"... By attending the Hour in the Barrio luncheons, the Anglo leaders are legitimized at a cheap price as good guys who are not part of the repressive machinery that has excluded Chicanos from the mainstream and decision-making process ..."

Center where the luncheons are held, asking a Chicano, 'Is this the Hour in the Barrio?' and the Chicano answers, 'No, this is a lifetime in the barrio.'"

Baca is similarly skeptical of the value to the Chicano community of a comparatively new organization, the Mexican-American Business and Professional Club, a highly selective group which nevertheless, disavows a label of elitism despite rigid qualifications for acceptance into membership.

Art Madrid, whose strong ties to city government date back to the early years of the Pete Wilson era, when he was one of the new mayor's first special assistants ("and not as the token Mexican") frankly acknowledges that the club—with a restricted current mem-

bership of only 20—was formed to exert influence.' Madrid, a Pacific Telephone Company executive who is president of the club, explains it was formed "to bring attention to the decision-makers in both public and private sectors that certain problems of the Chicano community should be addressed." "We get along with Baca and his coalition," Madrid insists. "There is really no divisiveness. We don't want to create distrust or disharmony. There is an on-going dialogue between us."

But there is an obvious difference in modus operandi. The Baca-Garcia-Munoz types who have been in the trenches during the long and wearying civil rights struggle look on themselves as the "point men" who absorb the blows and soften the resistance. Then the Mexican-Americans who have "made it" to the positions of acceptance by the Anglo social, economic and political hierarchy can use their connections within the system to gain direct access to the people with power and help influence decisions. "They'd be more prone to listen to us," is the candid rationale of one of this exclusive group.

The blue-ribbon character of the Mexican-American Business and Professional Club is indicated by the high success quotient of the 20 members—each of whom is allowed to recommend one new member a year, but only after having completed a year's membership himself.

"Although we're very selective, because we're seeking people with the same goals and philosophies, we haven't forgotten our roots," Madrid insists. "And although the most successful Chicanos don't live in the barrios any more, they still maintain ties by making their resources available."

Baca dissents: "They have not applied their expertise and education to help their

less fortunate brethren politically because they really don't exert enough influence within the establishment. Any changes for the better have occurred through pressures of the Chicano movement, the only identifiable, tangible power that anyone can measure."

The movement has metamorphosed from accommodation to challenge, says Munoz, whose weekly *La Prensa*, less than two years old, is attempting to fill the communications deficiency that has always plagued Chicanos. Its voice is frequently one of strident criticism of the Anglo Establishment; its slant during the Haro turmoil was a suspicion of conspiracy by his own colleagues and the criminal justice system to undo whatever gains had been made under his stewardship as a councilman.

"During the early years of the Chicano self-assertion—after the battles between American sailors and the Pachuco in Los Angeles during World War II, large middle-class type organizations were formed—such as the veterans' American G.I. Forum," Munoz says. "There were also the *mutualistas*—church, labor union, sports groups, and so forth—that had little political power. None of these had much effect on changing the basic social relationships with the majority.

"Then came the activism of the 1960s and '70s, with such political action groups as the Mexican-American Political Association (MAPA), the Spanish-Speaking Political Association, the California Chicano Caucus, and most recently in San Diego, Baca's Committee for Chicano Rights. They opposed the assimilation tendency of the accommodationists. They were action-oriented, and determined to overcome the nonachiever image that Anglos had of

continued on page 352

1. Madrid, one of San Diego's most influential Republican Chicanos, at one time also served on two state advisory boards under appointment by then Governor Reagan, the California Veterans Board and the state Employment Advisory Board. He also helped organize Chula Vista Federal Savings & Loan Association, and has served on the county Charter Review Committee, two advisory committees of the Convention and Visitors Bureau and the board of governors, *Fronteras de las Californias*.

Lucy Killea (upper left), a City Planning Commissioner, was named City Councilwoman to succeed deposed Jess Haro despite opposition of Chicano community groups.

Gabriel Flores (upper right), president of Mexican-American National Bank, a combine of Anglo and Mexican-American investors. Herb Ibarra (lower left), one of first two Mexican-Americans appointed principal of a high school in the San Diego Unified School District. The Contreras brothers, Gilbert and Salvador (lower right), who built one of San Diego's largest home remodeling firms from a humble start as cement finishers in southeast San Diego barrio.

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San Diego, Ca.

15¢

June 19, 1973



cause of her training in Kansas
ty to become an airline
ewardness. Miss Martinez, first
unner-up in the contest, will be
tending the Forum's state
vention this week to compete
r the state crown.

Chief Hoobler's Memo Angers Chicano Groups

By Henry Acevedo

Chicano representatives told the city council Thursday that citizens of Mexican descent are experiencing a "reign of terror ... in the Chicano community" and demanded that Police Chief Ray Hoobler be fired because of it.

Hoobler has authored an "illegal alien memorandum" which allows harassment by police of any citizen of Mexican descent, according to Herman Baca, county director of the Mexican American Political Assn.

The memo provides "reasonable cause" justification for police to stop and question any Chicano, Baca said.

Because of Council rules which provide that only one person be allowed to speak for any group, Baca was spokesman for several Chicano community organizations.

About 150 Chicanos attended the meeting and applauded Baca's speech.

The Council unanimously recommended that Baca's presentation be referred to the city manager's office for further action.

A motion by Councilman Leon Williams that the city manager report on the topic to the Council

within three weeks died for lack of a second.

The city manager is expected to invite Baca to a meeting so that the memorandum can be "fully explained."

Baca maintained that Chicanos' civil rights were being violated by the existence and execution of the memo.

"You are assaulting our communities," he said.

Baca cited several instances where persons at public meetings, church services or on personal business were stopped and questioned "for no other apparent

reason" than their obvious Mexican background.

"'Illegal alien' is a euphemism for Mexican," he said, and all persons of Mexican descent face the threat and indignity of being questioned merely because of their ethnic background.

"Is the Council willing to assume responsibility for dual taxation of our citizens who pay local police for doing a federal job?" Baca asked.

"We come before you (Council) not to ask, not to beg, but to demand that Hoobler be fired as chief of police."

Armendaris Toma Juramento Como Director De OMBE

En una ceremonia llevada a cabo hoy, el Señor Frederick B. Dent, Secretario del Departamento de Comercio, tomó juramento de el Señor Alex Armendaris, nombrado como Director de la Oficina de Empresas Comerciantes para Minorías en el Departamento de Comercio.

En su nuevo puesto, el Señor Armendaris será responsable por la administración de los esfuerzos del gobierno tanto como los de grupos privados, para el desarrollo de negocios para minorías. La Agencia, la cual fue establecida en mil novecientos sesenta y nueve por el Presidente Nixon, se ocupa de la coordinación de tales esfuerzos y proviene asistencia técnica de negocios para minorías

mediante organizaciones locales. De Julio a Diciembre mil novecientos setenta y dos, ocho mil trescientas personas recibieron asistencia de tales organizaciones. Al mismo tiempo, cerca de mil ochocientos negocios o se establecieron, o se adquirieron, o se agrandaron con ayuda de la Oficina de Empresas Comerciantes para Minorías.

Antes de ser designado, a la edad de cuarenta y dos años, como Director de la Oficina de Empresas Comerciantes para Minorías, el Señor Armendaris estuvo empleado como consultor de la Oficina de Oportunidad. Económicas y también por el Concilio Consultor para Empresas de Minorías del Presidente Nixon.

Minority Bank Opens July 2

The Chula Vista Federal Savings and Loan Assoc., operated by a group of Mexican-American businessmen, will open for business on July 2, 1973.

ns Post leration

June 1 Estrada wished the organization well and said he had gained from the experience." Estrada was elected to the one-year post in January. He



By **HERMAN BACA**

Chairman, Ad Hoc Committee on Chicano Rights

Most members of the Mexican-American community are just as confused as everyone else when it comes to the complex problem of illegal immigration.

You don't understand what this means to us activists.

We go out to register our people to vote and they don't want to get involved because they don't want their names taken. They feel this is going to make someone come over and check in their homes to see who's legal and who's not legal.

And there's this great fear.

People don't want to go to PTA meeting because there's this fear.

In the folk lore, everyone talks about the "migra." That's like the boogy man in the Mexican-American community.

"The migra is coming," that is used like a sick type of humor.

The makeup of the Mexican family is such, most of the older citizens are usually people without documents, for one reason or another.

The father is usually a person who just came over, and then you have an American-born son.

There wasn't any border until 1924 here in the Southwest.

The Border Patrol didn't come in until 1924. There was no restriction whatsoever.

And it wasn't until 1965 that a quota was allocated for immigration into the United States from the other countries in the Western Hemisphere.

It was then that the requirement for labor certification of immigrants was set up. This was in the Kennedy years.

Without a doubt, there is a problem.

But I wouldn't call it an invasion. I'd call it an enticement to come over.

Without a doubt more people are coming over now than ever before.

From our perspective, it's human suffering, discrimination, exploitation, oppression.

From the other side, obviously the age-old charges are raised — that they're coming and taking jobs, that they're on welfare, they're a danger to unionization.

There are only so many jobs, we understand that.

But if a fair minimum wage law was enforced, our

A COMMENT

people would go out and take those low-paying jobs and the employers would not need to hire illegals.

Chicanos are never asked about this problem, how it affects us.

We do not blame people who are simply trying to survive. They are workers like most of our people. Obviously they are not to blame for a situation they had no part in creating.

I think the blame has to be placed on the politicians, on the economic interests. They can bring about a solution.

Under the pretext of searching for "illegal aliens" efforts are always being initiated to keep us in the status that we have occupied for so long.

In the 1930s when there was an effort to enfranchise our people through the labor union movement, most of the leaders were rounded up and deported. The same thing happened again in the 1950s during Operation Wetback.

I don't think people understand the psychological fear when those deportations took place — because of the fear of the authority.

Stopping the illegal immigration would benefit us if it were done in a constructive, positive manner. I don't think that's the intention behind the efforts that are now being proposed.

We couldn't just open up the border. People misconstrue our position. "They're advocating an open border."

No, we must have orderly process. It would be a negative solution to the problems we now face to take down the border gate.

I would be in favor of a penalty for American employers who import illegal workers, especially strikebreakers, but it should be a criminal penalty.

But I don't want to give the employers the right to enforce immigration laws. They have too much power to oppress our people already. That would only be an invitation to more discrimination.

You could legalize all those in the United States without documents who are presently working. They are a part of the work force, paying taxes, maintaining homes and contributing to the community.

You could amend the immigration law to include parents and children of U. S. citizens, regardless of age, and admit them on a priority basis. They do that now for the Eastern Hemisphere countries — Europe and Asia — but not in the Western Hemisphere.

You could amend the law for a realistic statute of limitations for all immigration crimes and offenses.

You could eliminate the requirement for labor certification.

The immediate solution would be correcting the disparities in the Walter-McCarran Act of 1952.

You have an inferior immigration policy governing the Western Hemisphere. You have a quota of 120,000. In the Eastern Hemisphere, you have a quota of 170,000.

In light of the friendly relations that the United States has with Canada and Mexico and most of the other Latin-American countries, this is quite unfair.

Baca, 30, owner of a print shop in National City, was born in Albuquerque, N.M., and came to San Diego in 1953. He is a graduate of Sweetwater Union High School.

Evening

Tribune
12-20-73

San Diego
EVENING TRIBUNE
1973

Mexican-American leaders protest interrogation policy

By MARTIN GERCHEN

Representatives of the Mexican-American community here have protested the Police Department's policy of enforcing federal immigration laws by stopping persons they suspect of being illegal aliens.

Policemen have no legal right to do that, and the idea that they think they can means "open season on Mexicans," said Herman Baca.

As chairman of the Ad-Hoc Committee on Civil Rights of Chicanos, he denounced the police plan as articulated earlier by Chief Ray Hoobler.

Baca was the spokesman for seven Mexican American groups whose leaders met with him yesterday at the Metropolitan Area Advisory Committee in National City.

The leaders of the other groups said they agreed with Baca.

He said Hoobler and Sheriff John Duffy don't agree on the right of local enforcement personnel to stop apparent illegal aliens.

Duffy has said that "No one but immigration authorities, not even the FBI, has the right to detain, interrogate or arrest illegal aliens."

However, Hoobler has informed all personnel that the Justice Department has approved his department's policy of stopping

and questioning persons to see if they are illegal aliens.

Hoobler's plan means more "harassment and intimidation" of Mexican-Americans, and the Legal Aid Society of San Diego will sue the department for false arrest on behalf of anyone unlawfully detained, Baca said.

In a letter to Mayor Wilson, Baca protested Hoobler's announcement to his department and asked if the city is willing to assume responsibility for violations of the civil rights of 250,000 Mexican-Americans in the county.

Baca said at the meeting that to carry out Hoobler's directive, police will have to stop persons they suspect of being illegal aliens solely because of their color and culture.

There are many Mexican-Americans who have lived here legally for many years who don't have proof of their entry, and who would be abused by such a policy, Baca said.

These persons came into the country before the law required that they be issued entry cards, according to Baca. "We didn't come from nowhere," he added.

"We are an indigenous people in the Southwest. We have been criss-crossing this area for hundreds of years." He claimed that the treaty which ended the Mexican-American war granted free movement across the border to citizens of both countries.

Evening Tribune
5-17-73

STOP NIXON'S INHUMAN RODINO BILL

FIGHT SWITCHES TO U.S. SENATE
AGAINST RACIST NIXON-RODINO BILL

IN JANUARY OF THIS YEAR C.A.S.A. SENT OUT A MEMORANDUM TO ALL ACTIVISTS AND ORGANIZATIONS FOR WHICH IT HAD ADDRESSES. IT WAS ENTITLED "DANGER AHEAD FOR MEXICAN-AMERICANS IN CONGRESS" IN WHICH IT WARNED THAT CONGRESS WAS ACTIVELY CONSIDERING NIXON'S RODINO "ANTI-ILLEGAL ALIEN ACT," H.R. 982. AND THAT IT WOULD PROBABLY COME UP FOR ACTION VERY SOON. THE AUTHOR OF THE RACIST BILL, CONGRESSMAN PETER RODINO, D., OF NEW JERSEY IS NOW HEAD OF THE COMMITTEE ON THE JUDICIARY, THE SAME COMMITTEE THAT WOULD BE REPORTING THE BILL TO THE WHOLE HOUSE. HE INCLUDES AS ITS MOST ACTIVE ENDORSERS THE NIXON ADMINISTRATION AND THE JUSTICE DEPT.

SUBSEQUENTLY TO THE MEMORANDUM, A BROADLY REPRESENTATIVE CONFERENCE WAS CALLED AT LOS ANGELES ON FEBRUARY 3, 1973 TO DISCUSS THE SERIOUS IMPLICATIONS OF THE PROPOSED LEGISLATION, NOT ONLY FOR THE MEXICAN AND LATIN AMERICAN PEOPLES OF THE UNITED STATES, BUT FOR ALL NATIONAL MINORITIES, AND IN FACT, FOR THE COUNTRY AS A WHOLE. THE DANGER OF THE BILL WAS CONSIDERED BY THE CONFERENCE SO SERIOUS THAT A NATIONAL COALITION WAS FORMED OUT OF THE CONFERENCE. IT WAS CALLED "THE NATIONAL COALITION FOR FAIR IMMIGRATION LAWS", AND ITS PURPOSE IS TO LAUNCH A NATIONAL FIGHT FOR THE DEFEAT OF THIS LEGISLATION AND TO PROMOTE, INSTEAD, VERY MUCH NEEDED CHANGES IN IMMIGRATION LEGISLATION AND POLICIES.

THE MEMBERSHIP OF THE NATIONAL COALITION HAS BROADENED CONSIDERABLY SINCE ITS FORMATION IN FEBRUARY, WITH CONFERENCE CALLED IN SAN FRANCISCO, SAN ANTONIO, NEW YORK, AND WASHINGTON, AND WE ARE

HAPPY TO REPORT THAT THE COALITION'S POSITION AGAINST THE NIXON-RODINO BILL HAS CHANGED FROM A MINORITY POSITION IN THE MEXICAN AND LATIN-AMERICAN COMMUNITIES, TO THE POSITION OF THE OVERWHELMING MAJORITY. THE OPPOSITION TO THE NIXON-RODINO BILL NOW ENCOMPASSES ALL SECTORS OF THE MEXICAN AND LATIN-AMERICAN COMMUNITIES, THE CHICANO COMMUNITY AT LARGE AND ON THE COLLEGE CAMPUSES, AND THE ORGANIZED LABOR MOVEMENT. THE OPPOSITION TO THE BILL IS ALSO SHARED NOW BY IMPORTANT SECTORS OF THE CATHOLIC AND PROTESTANT CHURCHES, AND BY MANY OF OUR BROTHERS AND SISTERS IN THE BLACK ORGANIZATIONS.

BILL PASSES HOUSE

IN SPITE OF THE SUCCESS OF THE COALITION IN AROUSING ATTENTION TO THE ADVERSE EFFECTS THAT THE BILL WOULD HAVE ON THE MEXICAN AND LATIN AMERICAN COMMUNITIES, AND ON ALL NATIONAL MINORITIES, THE HOUSE OF REPRESENTATIVES PASSED H.R. 982 ON MAY 3, 1973, BY A VOTE OF: 297 TO 63. ALTHOUGH THE VOTE SEEMS LOPSIDED, IT IS VERY NOTEWORTHY THAT THE VOTE AGAINST THE NIXON-RODINO BILL DOUBLED BETWEEN THE VOTE OF THE HOUSE THAT PASSED THE BILL IN SEPTEMBER, OF 1972, AND THE SECOND PASSAGE OF MAY 3rd, 1973.-

NOW THE CAMPAIGN MUST BE CARRIED OUT WITH EVEN MORE VIGOR. THE BILL HAS BEEN REFERRED TO THE U.S. SENATE, AND IS NOW BEFORE THE IMMIGRATION SUBCOMMITTEE OF THE COMMITTEE ON THE JUDICIARY, IF THE BILL PASSES, ALL MEXICAN, LATIN-AMERICAN AND MONORITY WORKERS WILL BE OBLIGED BY THEIR EMPLOYERS TO PRODUCE IDENTITY PAPERS, AND MANY APPLICANTS FOR JOBS IN OUR COMMUNITIES WILL BE DENIED A CHANCE FOR EMPLOYMENT BASED SOLELY ON THE FACT THEY MAY BE "ALIEN". THE RO-

DINO BILL GIVES THE COMPLETE AUTHORITY AND OBLIGATION TO EMPLOYERS TO DETERMINE EMPLOYABILITY BASED ON U.S. CITIZENSHIP OR LEGAL IMMIGRATION STATUS.

IT IS URGENT THAT EVERYONE COMMUNICATE AT ONCE WITH HIS U.S. SENATOR AND URGE DEFEAT OF NIXON'S RODINO BILL. SENATOR KENNEDY IS THE CHAIRMAN OF THE IMMIGRATION SUBCOMMITTEE OF THE SENATE'S COMMITTEE ON THE JUDICIARY. HE SHOULD RECEIVE MANY LETTERS IN OPPOSITION, AS SHOULD SENATOR JAMES O. EASTLAND, CHAIRMAN OF THE SENATE'S COMMITTEE ON THE JUDICIARY.

THE CONFERENCES THAT HAVE BEEN HELD ON THE NIXON-RODINO BILL HAVE BEEN VERY EFFECTIVE IN EDUCATING THE PUBLIC AND IN STIMULATING OPPOSITION TO THE NIXON-RODINO BILL. THOSE OF YOU LIVING IN AREAS WHERE CONFERENCES OF THE ENTIRE COMMUNITY HAVE NOT BEEN SCHEDULED, PLAN ONE AS SOON AS POSSIBLE. WE WILL FURNISH YOU WITH MATERIALS AND SUGGESTED PROGRAMS AND SPEAKERS.

MONEY IS VERY CRITICAL FOR THE FIGHT AGAINST RACIST LEGISLATION AND FOR FAIR IMMIGRATION LAWS. WE ARE IN A NATIONAL CAMPAIGN AND ARE GETTING THOUSANDS OF SIGNATURES ON LETTERS TO SENATOR KENNEDY. MONEY IS NEEDED FOR POSTAGE TO SEND THE LETTERS, AND FOR EXPENSES OF TRAVEL FOR SPEAKERS AND EDUCATORS ON THE BILL. HELP US AS MUCH AS YOU POSSIBLY CAN.

YOURS FOR FAIR IMMIGRATION LAWS:

NATIONAL COALITION FOR FAIR IMMIGRATION LAWS AND PRACTICES.

| | | | |
|-----------------------|--------------|------------------|-------------|
| FATHER MARK DAY | LOS ANGELES | MARIO CANTU | SAN ANTONIO |
| MARIA PIEDRA | NEW YORK | IRA GOLOBIN | NEW YORK |
| FATHER THOMAS MILLEA | CHICAGO | DIEGO DELGADO | NEW YORK |
| FATHER FRANK BUSIMATO | SN.FRANCISCO | BERT CORONA | LOS ANGELES |
| SOLEDAD ALATORRE | LOS ANGELES | STEVE HOLLOPETER | " " |



6/23/74 Star News

Class action filed

Is skin color reason to stop persons? Lawsuit says 'no'

A "brown-skinned, Latin appearance" is not reason enough detaining and searching persons-as suspected illegal aliens, according to a class action suit filed in U.S. District Court this week by local and state Mexican-American organizations.

Filing of the suit was announced at a press conference in National City.

The suit also contends that such detentions and searches conducted by agencies other than the U.S. Immigration Service are illegal.

The federal Immigration and Nationality Act only authorizes enforcement by the Immigration agency according to Charles D. Nabarrete, associate counsel to the Los Angeles Regional Office of the Mexican American Legal Defense and Educational Fund.

NABARETTE and Enrique Sanchez, an El Monte attorney, filed the suit Thursday in behalf of the National City Chapter of the Mexican American Political Assn; CASA Justicia, an unincorporated National City Chicano organization;

the Southwestern College chapter of Movimiento Estudiantil Chicano de Astlan (MECHA); and individuals Alberto R. Garcia, Oscar Mezta, Frank Mezta and Santiago Nieto.

Defendants in the suit are the U.S. Immigration and Naturalization Service officials, San Diego Police Chief Ray Hoobler, San Diego County Sheriff John Duffy, San Diego Port Commission Chairman Don Nay and William L. Dick, director of the San Diego Harbor Police.

"These local law enforcement agencies have no business stopping everyone on the basis of their appearance and demanding they prove their American citizenship," said Nabarrete.

According to Nabarrete, these agencies often ask Latin appearing U.S. Citizens to show birth certificates and other proofs of citizenship.

Nabarrete said the suit seeks injunctive and declaratory relief on behalf of the plaintiffs and to enjoin local law enforcement agencies and federal agencies from conducting illegal searches and detentions.

IN ADDITION, \$100,000 in damages is being sought on behalf of Albert Garcia, plaintiff and president of the United California Mexican American Assn.

Garcia, a San Ysidro resident and U.S. citizen, alleges he was illegally detained as an illegal alien at Lindbergh Field by port officials when he attempted to take a flight to Los Angeles.

Other individuals named in the suit stated similar cases.

HERMAN BACA, of CASA Justicia and chairman of the Ad Hoc Committee on Chicano Rights, said that the suit was filed against those local agencies which formally directed their personnel to detain and search suspected illegal aliens.

National City police have made no such public policy, according to Baca.

Sept. 15, 1972, according to Baca, Sheriff Duffy issued a memorandum to San Diego cab drivers directing them to report persons they suspected to be illegal aliens to his department.

Baca said that following eight

Turn to back page, this section

NATIONAL CITY STAR NEWS 1974

Suit filed over alien searches

(Continued from Page A-1)

months of protest by the Chicano community, Duffy said he had "gotten a legal opinion stating that only immigration authorities have the right to detain illegal aliens."

"He made this statement publicly through the press, but we feel that if he is going to make an official memorandum establishing the policy, he should withdraw it through an official memorandum," said Baca, adding:

"This policy is still in force, and we have cases documented to prove it."

BACA ADDED that Police Chief Hoobler stated, "Any time we find illegal aliens, we arrest them."

"We wrote to the San Diego City Council and Mayor Pete Wilson," said Baca, "asking if they would be willing to accept responsibility for the violation of the civil rights of the 250,000 Mexican-American residents of San Diego County."

Baca said a class action suit first was threatened over the "Hoobler memorandum" on July 29, 1973, when Chicano groups reached "an impasse" with city officials.

The Chicano Federation demanded the firing of Hoobler, according to Baca, and began trying to determine if use of public funds to train and pay local officers to detain and search suspected aliens was illegal. Individual taxpayers named in the current suit challenge such use of funds.

Attorney General Evelle Younger issued an opinion in August 1973, according to Baca, stating that police had the right to ask identification from suspected illegal aliens.

"SINCE THEN, we have started a campaign of civil disobedience," said Baca. "We have asked members of the Chicano community not to show papers to those law agencies involving themselves in what we think is illegal search of aliens."

Baca said that Mexican-American citizens undergo the same hardships placed on aliens because of their skin color, and that Border Patrol searches have been allowed in schools where Mexican-American children were asked to show birth certificates; Mexican-American citizens are forced to show birth certificates and other proofs of citizenship to get jobs, enter hospitals and obtain Social Security benefits.

Nabarrrete and Baca both said that the problem of illegal aliens

and its affect on the U.S. Mexican-American community is a far reaching one that becomes involved with economics, social attitudes and governmental policies.

"**WE HAD** to start somewhere to try to correct this," said Nabarrrete, "and this suit against local law enforcement agencies and the Immigration Service is a start."

Baca said that the suit is a first in a series of steps to improve treatment of illegal aliens and Latin appearing U.S. citizens.

A conference at the end of the month on the conditions of illegal aliens will be held in El Paso under the auspices of officials of the Catholic Church. Baca said local delegates plan to attend.

In mid-July, Baca said members of the Committee on Chicano Rights hopes to have enough money to go to Washington, D. C., to seek Congressional hearings on the treatment of aliens and Mexican-American citizens.

U.S. Mexican Asks Border Patrol Curbs

WASHINGTON (UPI) — A Mexican-American organization asked congress yesterday to curb what it called repression of Chicanos by Border Patrol officials seeking illegal aliens in the Southwest.

"The problem is so bad, from our perspective, that it is equal to the situation faced by the Jews in Hitler's Germany," Herman Baca, chairman of the San Diego chapter of Casa Justicia, a national Spanish-speaking rights organization.

He charged that Border Patrolmen stop Mexican-Americans at random on the streets, and break into churches and homes seeking illegal aliens.

Casa Justicia (House of Justice) representatives, including Baca, met with House members Lionel Van Deerlin, D-San Diego, and Edward Roybal of California; the staffs of Sens. Joseph Montoya of New Mexico and Alan Cranston and John Tunney of California, and Henry Ramirez, chairman of the President's Committee on Opportunities for Spanish-Speaking People.

LOS ANGELES TIMES
1974

7/24/74
L.A. Times



AD HOC COMMITTEE

ON



CHICANO RIGHTS

1837 Highland Ave.

Nat'l City, Cal. 92050

(714) 477-3620

EXECUTIVE BOARD

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FOR IMMEDIATE PRESS RELEASE

NOVEMBER 3, 1975

"SHAMEFUL and UNACCEPTABLE" is our position concerning the failure of the Grand Jury's decision of October 31, 1975 in not taking any type of positive action concerning the tragic death of Luis Roberto Rivera by a National City Policeman. It has become regretful to us that this issue which has effected the community so profoundly has and continues to be tossed around like a "HOT POTATOE." After conferring with the Rivera family, various members of the community, the member organizations of the Ad Hoc Committee, and our Legal Staff, we of the Ad Hoc Committee are of the opinion that the constituted authorities are no closer today in answering the multitude of questions which have been raised by the community concerning the tragic slaying of Luis Roberto Rivera than they were on the day when he was slained. Nothing significant has changed concerning the issue of the public's right to know. The Grand Jury's action is shameful but not surprising to us. Their latest action is once again a reflection of the discriminatory selection process and makeup and further proof that the Grand Jury is not representative of the general population, and is a self-serving clique of conservative individuals who represent a very biased point of view. This failure becomes blantant to us of the Chicano Community and Latin Community when one considers that only five (5) persons of Mexican ancestry have been chosen on that body in the past 104 years!

MEMBER ORGANIZATIONS

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

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

It is our feeling that a complete revision or complete abolishment of this outdated body is long overdue.

IN REFERENCE to the District Attorney filing criminal charges against the National City Policeman:

The general feeling of the community and the Ad Hoc Committee is, that even though the community through its' efforts has achieved a "significant victory" in forcing the District Attorney to take some action, there remains numerous questions on the Rivera issue and the other deaths of persons here in National City by the use of deadly force under the color of law. Because of the questionable procedures taken initially by the National City Police Department, the N.C. Council's secretive manner and the District Attorney's and Grand Jury's unorthodox actions a "credibility gap" exist in the community's mind as to whether these constituted bodies here in San Diego County can act fair and impartial.

In talking to members of the community and member of the Ad Hoc Committee the general feeling is that the District Attorney should have filed a minimum charge of murder!

To many allegations of misconduct and threats against citizens have surfaced against National City Officers acting under the color of law. We feel that a dual standard is being employed and that a lay citizen under similiar conditions would not have been treated so lightly. Because of the community's basic distrust of these bodies and agencies the Ad Hoc Committee position will remain:

Outside investigations be initiated from any and all Commissions and Agencies empowered by the Law, in order that public can get to the bottom of the issue. Until this is done a credibility gap will continue to exist in this community.

OTHER COMMUNITY positions voted upon:

It is still the position of the Ad Hoc Committee that the citizens and taxpayers of National City have a right to know what happens in their City, concerning the tragic

death of Luis Roberto Rivera and the other deaths which have occurred in National City by officers acting under the color of law. The public's right to know and get to the bottom of these issues can only be accomplished by the formation of a citizens' investigation committee. THE POSITION OF FIRING THE CHIEF OF POLICE has not been altered but only intensified! It is our opinion that the Chief of Police is ultimately administratively responsible for the type of policies and the individual behavior of his officers. This responsibility has not been displayed and has resulted in death of five (5) human beings in National City, in the short period of three (3) years. THE RECALL EFFORT AGAINST ALL OF THE NATIONAL CITY COUNCIL: The ultimate responsibility of this sad and tragic event lies totally on the front door of Mayor Kile Morgan and the National City Council. They have promoted the attitude of insensitivity towards the law and the human rights of its' citizens here in National City. We after petitioning the National City Council time and time again for a redress of our grievances are now totally convinced along with many other residents and citizens here in National City that the entire National City Council must be removed and a new administration be established to insure that the laws and the rights of its' citizens will be respected. The resolution of these injustices will be sought in the carrying out of the October 28, 1975 mandate of the community to recall all of the National City Council and place the ultimate solution in the hands of the National City voters as soon as possible.



CCR NEWSLETTER

Committee on Chicano Rights, Inc.

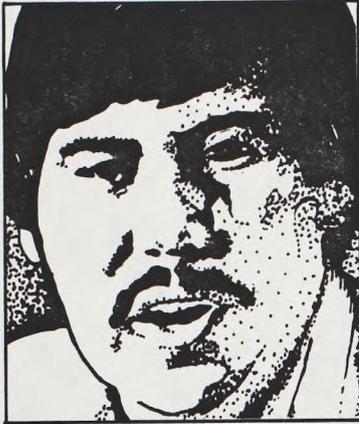
Vol. I, No. 2



OCTOBER 29, 1977

**Community
Unites In
San Diego**

On the Line



Stop the Carter Plan!

Position Statement by Herman Baca, Committee on Chicano Rights

On October 29, 1977 the community joined by Chicano leaders from throughout the nation, marched to demonstrate their anger and ran the KKK out of the Chicano community. Since that day no public appearances or statements have been made by the KKK. But the threat posed by the immigration crisis still exists.

During the last seven years, we have struggled against the systematic violation of the liberties of the Chicano community. We have seen law enforcement agents come into our homes, our churches, and our schools looking for "illegal aliens." Our people have been harassed in parks and airports, and on the streets. Our rights have been challenged when we register to vote or apply for social services. We are blamed for everything from unemployment and high taxes to forest fires and social diseases. Whether we were born here or in Mexico, we are all, or will soon be victims of the Carter Administration's approach to the so called "illegal alien" problem. And, now to make a bad situation even worse, the Carter Administration is proposing to sanctify these illegal and unconstitutional acts by making them laws.

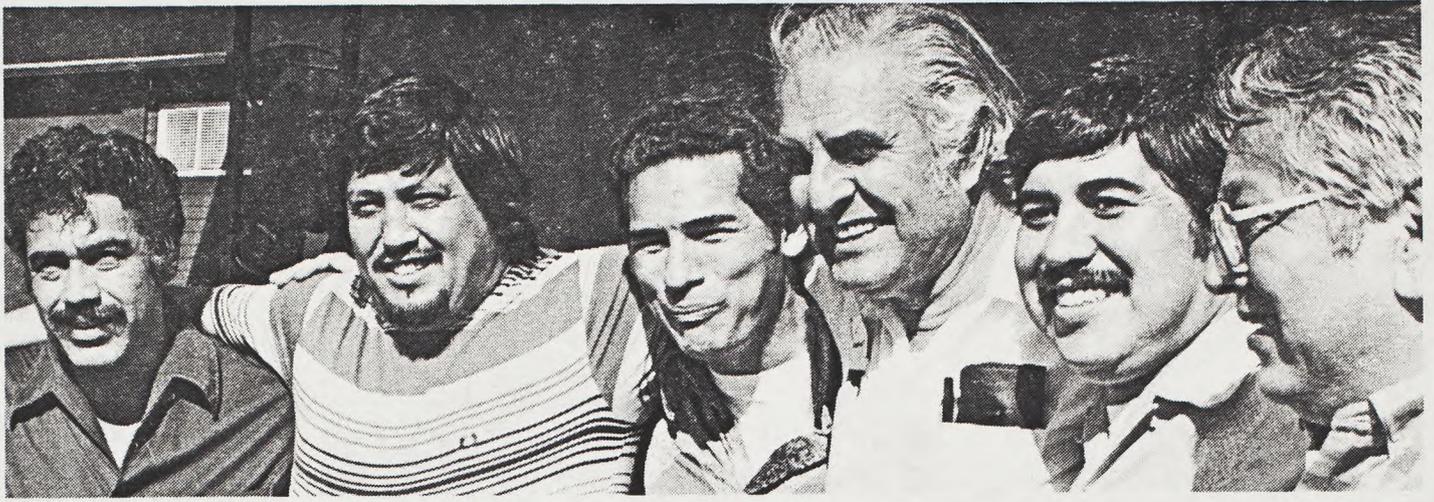
Fifteen million Chicano/Latino/Mexicanos in the U.S. must now understand that the "Carter Immigration Proposal" is in fact a loaded gun pointed at our heads. Statements by the Carter Administration that so called "illegal aliens" will get amnesty, that employers will be fined and that positive changes in the Immigration policy will be proposed are false.

In our opinion the three most dangerous proposals in the Carter package are:

(A) The establishment of a para-military solution in the border area. The proposal would call for more fences, sensors, dogs, and helicopters and a tripling of the border patrol to 6,000 personnel! (B) The establishment of a semi-slave class of people under the sugar-coated title of "temporary resident alien." This is part of the so-called amnesty program which will allow persons to adjust their status. Persons who have entered the U.S. between January 1, 1970 to December 31, 1976 will be allowed to remain in the U.S., work and pay taxes under INS surveillance, but they will not be allowed to unite with their families, or to collect any of the services which their taxes have paid for. (C) The establishment of punishment for employers who hire so-called "illegal aliens", this proposal will in fact increase the unemployment in the Chicano/Latino/Mexicano community because employers will simply refuse to hire any persons of Mexican or Latin ancestry. This proposal doesn't punish employers, it punishes our people.

It should be obvious by now that we have no one to turn to for solutions except ourselves. It is for these reasons that we are now unifying a national campaign to stop the Carter Immigration Proposal. Failure to act now will ultimately effect our basic right to exist as a people. The proposals are now before Congress and hearings will commence next February. We must act now! Stop the Carter Plan!

"YOU CAN HELP" SEE PAGE 9



Corky Gonzales

Abe Tapia

Marlo Cantu

Bert Corona

Herman Baca

Jesse Ramirez

Chicano Leaders Support Declaration of...

Self-Determination!

The national Chicano leaders who participated in the San Diego Unity March agree completely that it must be the Chicano/Mexicano community that will decide the tactics for stopping the Carter Immigration Plan. These leaders have worked with the issue of immigration long before it became a fashionable topic of national attention. But now that it is a national issue, opportunistic organizations and certain naive leaders have attempted to use the concerns of the Chicano community to further their own hidden agendas.

They have created confusion and division at a time when our very survival is at stake. But they have now been exposed.

Throughout its history the Chicano people have produced the type of leadership that is willing to fight to protect the community's civil, constitutional and human rights. These legitimate leaders who have dedicated their lives to establishing a political voice for our people have united in their denunciation of opportunistic organizations and individuals. They have stated firmly that our sacred right to self-determination will not be violated by anyone.

DECLARATION OF CHICANO SELF-DETERMINATION SAN DIEGO COUNTY, CA

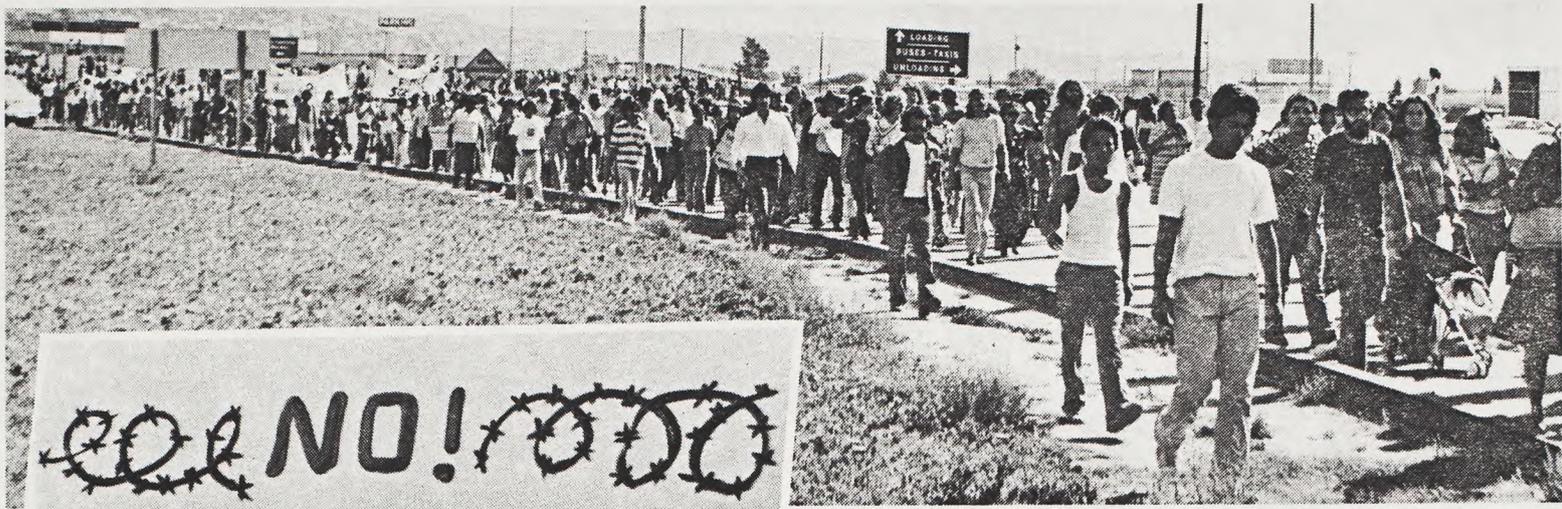
When it becomes self-evident over a long period of time that certain specific individuals, groups, or organizations become detrimental to the progress and principles of our people and to our movement, then it becomes not only our responsibility but our duty to publicly confront and denounce the perpetrators who have committed these acts against the best interest and welfare of our community.

We the undersigned of this declaration which comprise the major Chicano organizations of San Diego County hereby declare to our communities and our people that: (1) We accuse the Socialist Workers Party (SWP) and the Young Socialist Alliance (YSA) of violating the Chicano Community's sacred principle of "self determination" by:

(a) Disrespecting the political positions of Chicano Community Organizations. (b) Calling Chicano individuals and organizations to a community meeting under false pretense. (c) Using Chicano individuals and organizational names under false pretense and without their permission. (2) We accuse the SWP of attempting to undermine the confidence of the Chicano Community to further their own aims at the expense of our people by the above acts. (3) We accuse the SWP of using devious actions designed to attempt to discredit and subvert the local Chicano leadership of San Diego County by labeling them violent, reactionary, and revisionist. (4) We accuse the SWP of continually ignoring the request of the Chicano Community through the organizations to cease in their attempts at manipulation and co-optation of issues which effect our communities. (5) We accuse the SWP of acting in a patronizing, opportunistic manner, and with a colonialist mentality which presumes that the Chicano Community is incompetent and incapable of determining its' own destiny.

Therefore, let it be known here and now and by all, that we the undersigned condemn the Socialist Workers Party and their affiliate the Young Socialist Alliance, not for their philosophy or ideology, which they have a right to, but for the unprincipled political acts which have been carried out against the San Diego County Chicano Community. We hereby, also declare that because of these acts we will not work with, support or will we allow the SWP or the YSA to participate officially with our organizations or with any of our activities here in San Diego County.

On September 27, 1977 all major Chicano/Mexicano organizations in San Diego County took part in denouncing the involvement of the SWP and YSA in the political concerns of the Chicano community. All of the Chicano leaders pictured above have signed the Declaration of Self-Determination.



NO!

Vietnamization
of San Diego
Stop the Carter Plan!

UNITY M

SAN DIEGO, OCTOBER



Mario Cantu



Corky Gonzales



Bert Corona



Herman Baca



Councilman Haro



Abe Tapia



Vernon Sukumu



Greg Akili



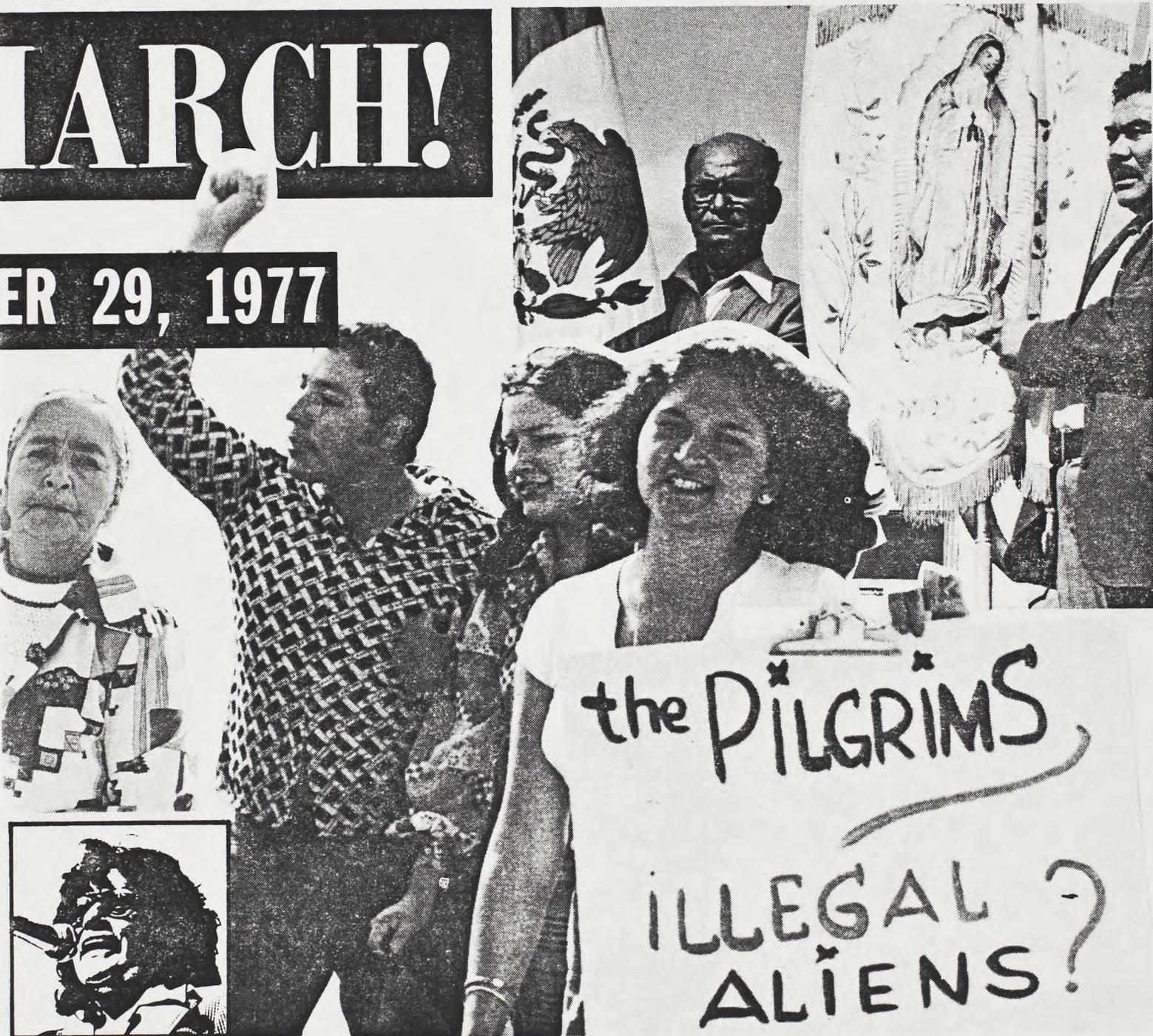
Councilman Williams



Committee on Chicano Rights, Inc.

MARCH!

SEPTEMBER 29, 1977



Ester Estrada



PROGRESS REPORT

Legal Action

Against Sweetwater District Moves Forward

A coalition of Chicano and Black organizations, which was formed during the summer of '77, is continuing to organize and raise funds in an effort to force the Sweetwater Union High School District to provide adequate educational opportunities for Black and Chicano students. The action results from the school district's failure to implement a workable affirmative action plan. The present minority student population is quickly approaching 50% (12,105), yet the school district employs only 102 minority teachers out of 1,018. The district is also accused of deliberately failing to apply for Emergency School Assistance Act Funds which provide bilingual and special counseling programs. The district's failures contribute strongly to a 25% drop-out rate among Chicano Students.

Right now the Legal Aid Society Attorneys working with the coalition are awaiting the results of an investigation of the school district by the Office of Civil Rights (OCR) of the Department of Health, Education and Welfare (HEW). When the results are made public the attorneys will file a lawsuit against the district. If the OCR investigation supports the school district the lawsuit will also be filed against the OCR.

Legal expenses are expected to be more than \$3,000. A series of fund raisers sponsored by coalition members (G.I. Forum, San Diego chapter of LULAC, California Democratic Association, California Chicano Caucus and Mesa College MECHA) has contributed \$1,100 to the legal fund. According to a CCR spokesman who is coordinating the coalition, the fundraisers provide an atmosphere for spreading information about the issue. "The organizations and individuals involved are prepared to make the sacrifices necessary to insure justice for their children." It is expected that the effort will continue well into next year. Five more fundraisers are scheduled in the near future.

National City — \$1,000,000 For Developers, Potholes For Residents

The Legal Aid Society of San Diego, Inc, has filed a complaint with the U.S. Treasury Department because of National City's proposed use of \$1.3 million of Federal Revenue Sharing Funds. The City, (which is 40% Spanish-surnamed) is proposing to use \$1,000,000 of the funds to prepare a sight for a commercial enterprise--the Bonita Plaza Regional Shopping Center. Only \$5,500 is being set aside to provide for the needs of National City's West Side--the Chicano Barrio. Revenue sharing funds are designed to improve a community's living conditions. The residents of the West Side could use the funds for housing rehabilitation, street improvements, building of a min-park and expansion of social services, Instead, the City wants to use taxpayer's money to benefit commercial developers.

Legal Aid filed the complaint on behalf of West Side individuals and the CCR. The city claims that an attempt is being made to cut-off the funds. But Ignacio Cota, coordinating attorney from Legal Aid, states that, "We are not bad guys. The City refuses to spend the money equitably. It refuses to establish programs for the benefit of all persons". The community has waited for 2 years for an answer from the Department of Treasury. CCR attorneys have stated that a law suit will soon be filed not only against the city of National City, but also the Treasury Department to stop the discrimination.

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Contact Person: Committee on Chicano Rights

Herman Baca

For Immediate Release

October 20, 1977

SAN DIEGO, CA.....We are here to speak out against the intrusion of extremist, racist, terrorist and vigilante groups into an already tense situation at the United States/ Mexican border, who evidently have tacit approval of the INS/Border Patrol.

"These extremists, racist, vigilante groups have declared their intent to roam the border areas, armed, with the stated purpose of apprehending "Mexican" looking individuals."

We are here to state, today, that Chicano communities, from the U.S., will not tolerate or meekly submit to terrorist harrassments, intimidations, or interruption of their daily lives. Let it be made clear, right now, least any of these individuals have the mistaken idea that Chicanos are going to submit passively; that any action taken by these groups against our people will call forth an immediate response in kind. We shall not tolerate any abuses upon our person, or denial of our human, civil, or constitutional rights, or suffer the arrogance of any self-proclaimed vigilante groups. These are not the 1850's when racists could, with impunity, persecute and commit violence against a defenseless Mexican population.

15 million Latinos in these United States will not sit idly by, while extremists' groups take the law into their own hands. We too, have learned the lessons of Mississippi and Texas.

For the last 7 years, through the Nixon, Ford, and Carter administrations, we have spoken out for the creation of a just, humane and responsible immigration policy. We have repeatedly condemned the militarization of the border.

We have decried, repeatedly, the human degradation, brutalities, harrassements, rapings, and killings that have occurred on these borders.

We have repeatedly condemned the use of the local police, border task force, and sheriff deputies, in carrying out INS/Border Patrol functions. These actions have only served to solidify the violent nature of proposed solutions.

Long have we raised our voices against the manipulation of the undocumented alien issue to a point of hysteria by self-serving interests. The total breakdown of reasonable discourse has now occurred. The continued insistence of attempting to resolve the undocumented worker problem through the policies of "Control and Containment," implemented by PARA MILITARY FORCES and DOCTRINES has led to its inevitable conclusion. The breakdown of law and order.

We hold the Carter Administration responsible for its failure to comprehend the problem of Latin Americans in migration except in terms of control or containment. We charge the Carter Administration with failure to produce an effective immigration policy which is just, reasonable, and humane. We hold Lionel Castillo, Commissioner of the INS to blame for the current situation for his failure and inability to control the operations of the INS, the Border Patrol, or its officials in the field.

Finally, we hold accountable, the local police, the politicians and the media, who through their manipulation of a serious issue have contributed to the present hysteria surrounding the undocumented alien issue.

As responsible representatives of the Nation's Latino population, we demand the following:

12

en la etapa de 1850 cuando los racistas podían con impunidad cometer violencia y persecución contra la indefensa población Mexicana. 15 millones de Latinos en estos Estados Unidos, no serán mirones apacibles mientras los grupos extremistas ejecutan la ley con sus propias manos. Nosotros también hemos aprendido las lecciones de Mississippi y Tejas.

Durante los últimos siete años, a través de las administraciones de Nixon y Ford y actualmente Carter, hemos abogado por la creación de una justa, humana y responsable norma de inmigración. Repetidamente hemos condenado el militarismo en la frontera.

Repetidamente hemos condenado la degradación humana, las brutalidades, hostigamientos, los asaltos y violaciones de las mujeres, y las matanzas que han ocurrido en la frontera. También hemos condenado repetidamente el uso de la policía local, fuerzas fronterizas, y los alguaciles (sheriffs) para ejecutar los deberes de las Patrullas Fronterizas del Servicio de Inmigración (INS). Estos actos solo sirvieron para solidificar la violencia de las propuestas soluciones.

Por mucho tiempo hemos elevado nuestras voces contra la manipulación del problema de los ilegales (inmigrantes sin documentos) hasta el punto de causar la histeria de los intereses y grupos egoístas. El colapso total de las discusiones razonables ya ha ocurrido. La continúa insistencia de tratar de resolver el problema del trabajador ilegal (sin documentación) por medio de "control y refreno" suplementando con fuerzas SEMI-MILITARES y sus doctrinas, han causado la inevitable conclusión.....El colapso de la Ley y Orden.

1. The immediate removal of INS District Director, James O'Keefe and Alan Clayton, Director Support, and of any other official that is responsible for the current situation.
2. An immediate congressional investigation of the whole border situation.
3. An immediate meeting of the Carter Administration with those most affected by the issue.
4. An immediate disavowal from the Carter Administration of the INS implied support of extremist, racist groups.
5. An immediate telegram, incorporating these demands, and bearing the signatures of all the responsible leaders of the State and Nation, will be sent to President Carter.

"The warning is sounded. We can do no more..."

13

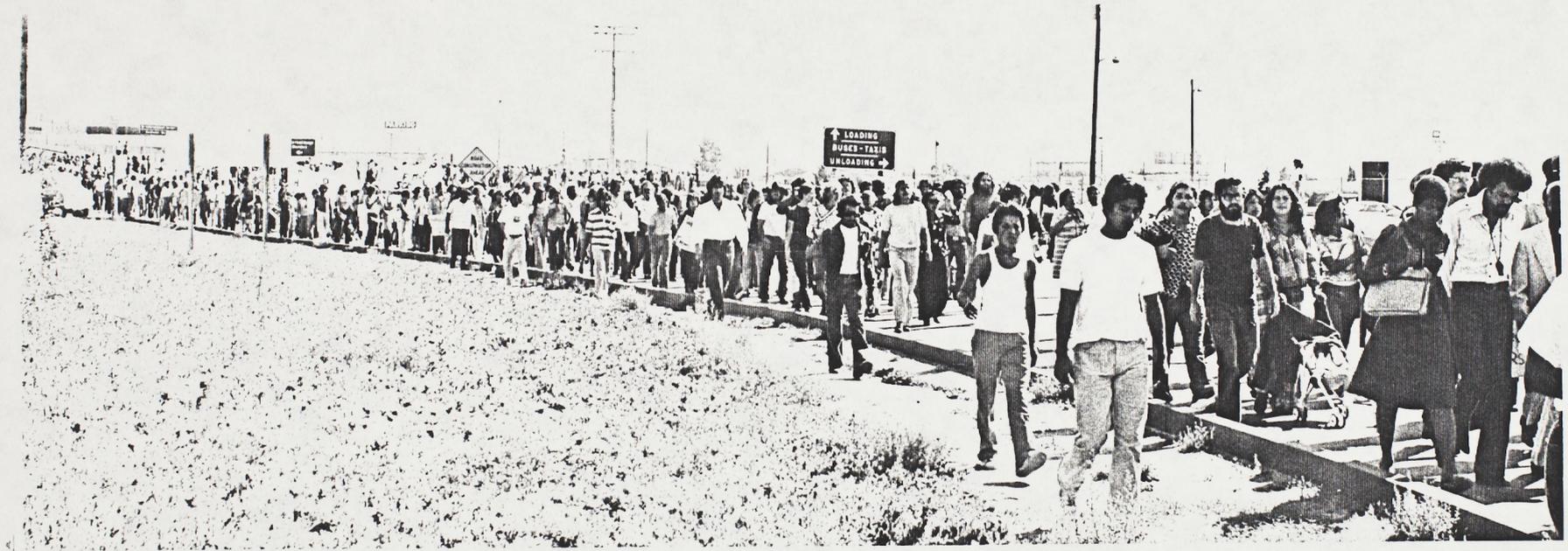
Acusamos a la Administración de Carter de la responsabilidad del fracaso de haber comprendido el problema de la inmigración Latino-Americana excepto en término de control ó refreno. Hacemos responsables a la administración de Carter de haber fracasado en redactar una norma de inmigración que sea justa, razonable y humana. Culparamos a Lionel Castillo, comisionada de INS (servicio de inmigración) por la situación actual, por su fracaso é ineptitud de controlar las acciones de la Patrulla Fronteriza (Border Patrol) las de INS (Servicio de Inmigración) y otros oficiales en el servicio. Y finalmente hacemos responsables a la policia local, los politicos, y la publicidad, quienes por sus manipulaciones de este asunto tan serio, han contribuido a esta existente histeria que rodea el asunto de los inmigrantes sin documentación.

Como representantes reponsables de la población latina de esta Nación, nosotros exigimos lo siguiente:

1. Reponer inmediatamente al Director de Distrito de INS James O' Keefe y Alan Clayton, director ayudante, y cualquier otro oficial responsable, por la situación actual.
2. Una investigación inmediata por el Congreso, sobre la detallada situación en la frontera.
3. Una junta inmediata de la Administración Carter con aquellos más afectados por el asunto.
4. Una inmediata denegación por parte de la Administración Carter, del supuesto apoyo a los grupos extremistas y racistas.
5. El envio inmediato de un telegrama a CARTER incorporando estas demandas, y llevando las firmas de todos los lidere responsables, del

Estado y la Nación.

LA ADVERTENCIA HA CIMBRADO ! NO PODEMOS HACER MAS !



Chicano Power

**There is one inevitable fact.
By 1990, California will become
America's first Third World state.**

By Jonathan Kirsch

M

ario Obledo's voice is soft, almost sorrowful. The delegates to the Sacramento convention of the Mexican-American Political Association (MAPA) lean forward in their folding chairs to catch his quiet words. They've witnessed a long and noisy parade of endorsement-seeking candidates—Jerry Brown and Yvonne Burke, Merv Dymally and George Deukmejian—but Obledo is different. As the highest-ranking Chicano in state government, he has come to embody the aspirations as well as the frustrations of California's growing Hispanic community.

"Just stop and reflect on the number of people we have in California, the number of people coming in," says the beleaguered secretary of health and welfare. "We're such a unique people. We don't have to depend on others to lead us. We can do it ourselves. Not only here but across the country. Just think of the *power*—" His voice falters, and he seems to stutter over the word: "The *power*, the *power*, the *power* to turn the state around. And it would be a new day for all of us."

A moment later, the *Mapistas* are on their feet, applauding, shouting, whistling. Then one young man sets the beat, and the applause resolves into a single thundering sound, all hands clapping in unison, all feet stamping in unison, faster and faster, until the sound reaches a crescendo and then dissolves into a breaking wave of new applause.

"*Viva la Raza!*" cries a single voice, and a half-dozen other voices answer: "*Viva!*"

There is one central, inevitable fact. As Lieutenant Governor Dymally told the *Mapistas*, "If the present trends continue, the emerging ethnic groups will constitute more than half the population of California by 1990, and we will become the country's first Third World state."

The approaching majority of minorities may be the key to political power in California in the next decade. Today, despite a flawed 1970 census that undercounted the minority population and the substantial number of undocumented immigrants, we know that at least a quarter of our

population—about 6.3 million—is of black, Hispanic or Asian background. Dymally, who is already staking out a coalition of minorities as his political turf, sponsored a study that places the total minority population as high as 8.4 million, a solid 33 percent of the California population.

But the real impact will be felt over the next generation as rising birthrates and continuing immigration, both documented and undocumented, turn California's ethnic and racial minorities into a cumulative majority. The demographic evidence is already available: In the Los Angeles Unified School District, for instance, more than half the births in 1976 were Hispanic and another 18 percent were black. Enrollment in the public schools over the last decade shows a fairly stable black population, but the rising Hispanic curve has already crossed the falling Anglo curve. By 1980, the Anglo population of Los Angeles County—which stood at 71 percent only twenty years ago—will slip into the status of a numerical minority.

The biggest variable in the demographic equation is the flow of immigration. According to a University of Texas study, if overall birthrates continue to decline, immigration will account for all increases in U.S. population after the year 2000, and more than two thirds of the new immigrants will be Hispanic or Asian. And the "legal" immigrants—about 400,000 a year—may be outnumbered by the so-called illegal aliens. Although the total number of immigrants without documents is probably unknowable, between 4- and 12 million are already here and between a half million and 2 million more are entering every year. If even a fraction of these immigrants obtains citizenship and thus voting rights, it will add to the political potency of a potential Third World majority.

"It's going to be tough, it's going to take a lot of patience and hard work, but we've got to build a coalition of blacks, Chicanos and Asians, gays and women and senior citizens," Dymally explains in the West Indian accent that emphasizes his ethnic orientation. "Win or lose, I have dedicated myself to the issue of coalition politics."

"It's a glaring example of racism and political expediency on the part of the U.S. attorney, the City Council and the press," storms Assemblyman Richard Alatorre, the 36-year-old former professor who represents a large portion of the East Los Angeles barrio. "It could have been handled as a civil matter, but there was an ambitious U.S. attorney who wanted to make his name at our expense. We're energetic, we're expanding politically and economically—but what better way to stop us than going after our leaders? And I can't find a better word than conspiracy to explain it."

Ironically, the Chicano leader who makes himself accessible to his constituency may invite innuendo from his critics. "Almost every large Mexican family has a friend or relative who has had a problem with law enforcement," says Obledo. "To avoid talking to them is to separate oneself from the community." Says Alatorre: "I grew up in East Los Angeles, and some of the people I grew up with have become involved with the criminal-justice system. Now what am I supposed to do when a woman from my neighborhood comes into my office and asks for help for her son or daughter? Nobody helped her before, and where can she go now if I throw her out?"

"The Chicanos have been excluded from power for so

They affirm their Mexican roots and their American future.

long that anyone who gets in a position of power is watched much more closely than a non-Chicano," says Herman Sillas, who twice ran unsuccessfully for statewide Democratic nominations before accepting an appointment as director of the Department of Motor Vehicles under Jerry Brown and then as U.S. attorney under Jimmy Carter's administration. At the moment, Sillas is directing an investigation into allegations of misconduct by members of the Legislature. "The Chicano community itself watches closely—there's a feeling of hope that the person they identify with will do well, and when criticism comes, whether justified or not, they react to it. And the conduct of an official that would have been accepted if he were an Anglo is questioned when he is a Chicano."

Still, the adverse headlines have not silenced the fiery Richard Alatorre, who openly ponders a run for statewide office in 1982. Other oddsmakers are putting money on the assemblyman from the neighboring district, Art Torres. "I've looked at the governor's race in 1982, and I'm optimistic—either one of us can articulate the issues that will appeal to all Californians," says Alatorre, who wears the traditional *guayabera* and carries a Gucci wallet. "Sure, we're late in the political process, but look at the progress we've made in the last ten years."

A decade has brought a Garcia and an Ayala to the Senate, a Torres, an Alatorre, a Chacon and a Montoya to the Assembly. And it has brought even more names, even greater numbers, to the invisible but often crucial pressure points that will mean even more political power in the next decade.

~~Ten years ago, for instance, Herman Baca was a block captain in the Nixon presidential campaign. A journeyman~~

~~printer who moonlighted on a small press in his garage, Baca took to reading the pamphlets that he printed for Chicano student groups. By 1971, he had organized the Committee on Chicano Rights to protest police treatment of undocumented Mexicans. In 1975, he organized a recall drive against the City Council of National City over its failure to fire a police officer who had been involved in the shooting of a young Hispanic. Three City Council members were recalled, 2,000 Chicano voters were registered, and the membership of the Committee on Chicano Rights began to spread throughout the Southwest and across the nation.~~

~~"We take on the issues that nobody else can because of their government-funding guidelines," says Baca, who sits in the darkroom of Aztec Printers, which serves as the committee's headquarters. "Our whole agenda is politicizing, educating and franchising our community."~~

Ten years ago, Ed Sandoval was a community organizer who applied the techniques of Saul Alinsky and Fred Ross in dealing with the problems of the Mission District. He went on to study law and opened a neighborhood law practice in the heart of the Mission. Today, as president of the 5,000-member Mexican-American Political Association, he is bringing the same spirit of activism to the once staid organization. Only a year ago, the Sacramento MAPA chapter was defunct; today, its roster includes 85 young Chicanos—architects, lawyers and other professionals. And he is making plans to expand MAPA into a national organization.

"We are structuring MAPA to be a grassroots organization with viable chapters on the local level," says Sandoval. "Our purpose is to advance the interests of the Mexican, and if we have to turn our backs on the blacks or the Anglos or the Democrats on certain issues, then we're going to do it. We've got to provide creative, farsighted, moral leadership."

Ten years ago, Vilma Martinez was fresh out of Columbia School of Law. Today, at 34, she directs the efforts of MALDEF in championing the human rights of Hispanics in the courts and government agencies at the local, state and federal levels. And she still finds the hours and the energy to serve on the Board of Regents of the University of California, the President's Advisory Board on Ambassadorial Appointments, the California Judiciary Selection Committee, and the Census Bureau's Advisory Committee on Spanish-Origin Population.

"Knowledge is power," says Martinez. "Money is power. Votes are power. And we are very slowly beginning to understand it, to articulate it, and to have access to it."

Twenty-four hours before Mario Obledo's poignant appearance at the MAPA convention in Sacramento, a spirited crowd of young lawyers gathered in Los Angeles for a benefit performance of Luis Valdez's *Zoot Suit* sponsored by the Mexican-American Bar Association. Like the *Mapistas* in the Sacramento convention center, the Chicano lawyers who filled the Mark Taper Forum may have come from the barrios, but they have reached the halls of academe, the halls of justice, the halls of government. And they responded with pride and passion when the play's *El Pachuco*, a zoot-suited martyr of the barrio, exhorts an imprisoned gang leader to show courage in the face of the Anglo cops who seek to crush him. The Chicanos in the audience wore pin-striped suits and Phi Beta Kappa keys, not zoot suits and dangling chains, but the metaphor was not lost on them.

"The barrio needs you, *carnal*," says *El Pachuco* in the clipped, almost cutting street dialect of the urban Chicano. "Fight back. Show the world a Chicano has balls. Stand up to them with some style. Hang tough and take it, *pachuco yo!*"

INDICTMENTS CITED

10-10-79

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

SAN DIEGO UNION 1979

Charge That Aliens Beaten Probed

(Continued from B-1) 10-10-74

of illnesses before immigration authorities would allow them to enter the United States.

Law enforcement sources said that Department of Justice officials did not ask the FBI to look into the cases brought to their attention until after the indictments and the alleged attempt to harm witnesses.

Border Patrolmen Jeffery Othrer-

son, Bruce Brown, Dirk Dick and Daniel Charest were indicted last month on charges of conspiracy to defraud the government by interfering with lawful government functions and depriving aliens of their civil rights in a series of beatings.

The supposed attempt to tamper with witnesses — Border Patrolmen Steve Iverson, Blake Brown and Brent King — involved the loosening of the lug nuts on the left front tire of

the car used by the witnesses.

While it was not clear which of the 10 alleged incidents presented by Baca and his companions are under investigation, a copy of the documents supporting the allegations has been obtained.

Among the incidents described is the February shooting of Margarito Balderas. According to his notarized statement, he was confronted by a Border Patrolman as he walked into the United States near the San Ysidro Port of Entry.

The officer reportedly pointed a pistol at Balderas, who said he then turned to walk away. "The officer said, 'Stop, put your hands up,' and I did," said Balderas.

"I felt two shots hit me," he continued, "managed to stay standing a few seconds and then had to lie down."

A hospital report indicated that Balderas was shot with a .357 Magnum pistol in both right and left forearms. He also was cut on the right arm, the report showed.

Balderas said that as he lay on the ground the patrolman who allegedly shot him, Robert Reidell, then kicked him and cut his arm.

It could not be learned if there was an investigation of the allegations.

Another shooting involved 16-year-old Martin Zarate. His notarized statement indicates that he was shot in the legs from a helicopter in May as he crossed from the Colonia Libertad section of Tijuana into the Spring Canyon area.

A University Hospital report indicates that the youth was shot in both legs with a shotgun. Zarate said that within 10 minutes patrolmen arrived to question him and render first aid.

"As I was receiving emergency treatment I could see the helicopter still hovering above us," said Zarate.

Following the incident, Border Patrol officials said that Zarate was shot by border bandits.

Also contained among the cases is that of Luciano Ortiz, a native of Puerto Rico, who in a sworn statement charges that Border Patrolmen apprehended him in August of 1978 while he fished at Imperial Beach.

He said officers at the Chula Vista Border Patrol station beat and kicked him repeatedly when he reportedly refused to "sign some papers explaining my rights and other things."

Ortiz said that he told officers he was a U.S. citizen, but that they refused to believe him.

"My forehead, the side and back of my head were banged against the wall," he said. "I lost consciousness."

18 MAR 1979

Chicanos claim victory in border-fence issue

The indefinite postponement of construction of six-mile-long border fences at San Diego and El Paso costing a total of \$1.4 million is a "historical victory for the Chicano community here," says Herman Baca, head of the Committee on Chicano Rights.

Baca, in a statement released yesterday, praised the Chicano community for having "provided the political muscle to terminate the fence."

"It was the Chicano community which raised its voice in outrage and urged the stopping of the proposed fence," Baca said. He maintained that the fences symbolized racism, discrimination and oppression to the 16 million Chicanos and Latinos in the United States.

Rep. Lionel Van Deerlin, in an announcement yesterday, said plans to build the controversial fences have been indefinitely and perhaps permanently shelved by the White House.

The Chula Vista Democrat said the Department of Justice wants the fences but the involvement of the State Department and the White House indicates they will not be built.

Van Deerlin said opposition to the 10-foot-high fences here and in El Paso made them a political liability that the United States cannot afford while attempting delicate moves toward reaching a better understanding with Mexico.

"It looks as though the fence will not be built," he said. "Justice (Department) wants it, but the involvement of the State Department and the White House indicates that it will not be built."

Van Deerlin said he was told by Justice Department officials that announcement about the fences would be made jointly in Washington and Mexico City on April 15.

"It's most unlikely that Mexico City would be joining in the announcement if we were going ahead with the fence," he said.

Plans to build the fences were announced about five months ago. Construction was delayed a short time later after engineers for the contractor, Anchor Post Co., said the fences would have sharp edges to discourage illegal immigrants from trying to climb over them.

Work was delayed again last month just before President Carter left for a meeting with Mexican President Jose Lopez Portillo.



HERMAN BACA

ET.

9-4-79

Border Issue Will Be Aired At Hearing

By RICARDO CHAVIRA
Staff Writer, The San Diego Union

A U.S. House subcommittee hearing will be held in San Ysidro Friday to investigate the possibility of easing procedures governing the admittance into the U.S. of aliens in need of emergency medical care.

Rep. Edward Roybal, D-Los Angeles, is scheduled to chair a meeting of the appropriations subcommittee of the Treasury, Postal Service and General Government Committee, of which Roybal is a ranking member.

The subcommittee oversees the budget for the Customs Service.

The hearings, which will be attended by one other congressman, will center on the deaths of two children earlier this year.

One, a U.S. citizen, was refused entry, and the other died after being delayed at the San Ysidro border crossing.

Despite the announced hearings, Robert Mitton, deputy director of the Immigration and Naturalization Service for the San Diego area, repeated an earlier stated contention yesterday that no policy changes are needed. Mitton also said he had not heard of the hearings.

He said that at one time he believed a full-time medical officer was needed at the border. However, following a meeting of border and medical officials this week, he said, he is convinced that the needed procedures already exist.

"A problem should be referred to the nearest hospital," said Mitton.

If a doctor in Tijuana, for example, decided a patient could be more adequately treated in the U.S., border officials would, with the doctor's authorization, allow the patient to be transferred to a U.S. hospital

Too often, according to Mitton, persons attempt to take someone in need of medical care across the border from Tijuana in private cars. "They wait in line 20 minutes or an hour, and by that time it's too late," he said.

A spokesman for Roybal yesterday said that the one-day hearing is



Justice, Set Aside In Marine Klan Incident

Reverse!

ed neither judicial efficiency nor the general perception of an effective military justice system. The court said the military judge, Navy Capt. Robert Redding, violated Matthews' rights by not allowing his defense attorneys to voir dire prospective jury members. Voir dire is the procedure of asking prospective jurors

about their knowledge of a case and their feelings about the incident to see if they could render an impartial judgment based on facts presented in the trial. Redding, who is stationed with the Naval Legal Services Office at the 32nd Street Naval Station, yesterday said he would not comment on a decision of an appellate court.

"It would be inappropriate for me to make any comment," said Redding, who added that he had not seen the court document. Of the 14 Marines involved in the case, one was granted immunity in return for testifying against the others, one was acquitted, and 12 pleaded guilty or were convicted by courts-martial.

Klan Incident

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A spokesman for Roybal yesterday said that the one-day hearing is the result of a meeting between the congressman and several San Diego area Chicanos, including Committee on Chicano Rights Chairman Herman Baca, in Washington last month.

One of the cases to be investigated at Friday's hearing involves the death of 18-month-old Manolo Alberto last June.

According to documents presented by the San Diego group to Roybal, the child was refused entry when two women, one a sister and the other a friend of the mother, tried to bring him into the U.S.

Officials denied Manolo admittance, saying that the child was not terminally ill.

The other case is that of 4-year-old Mario Canedo of Tijuana. He had been receiving treatment at University Hospital for a heart disorder.

While officials at the hospital had requested border officials to issue the child a special visa to be treated, a statement signed by his mother indicated that each time she brought him across, they were delayed for long periods while officials called the hospital.

During one of those waits Mario became extremely ill.

He died in his mother's arms before he could be taken to a hospital.

"It would be inappropriate for me to make any comment," said Redding, who added that he had not seen the court document. Of the 14 Marines involved in the case, one was granted immunity in return for testifying against the others, one was acquitted, and 12 pleaded guilty or were convicted by court-martial.

S. D. Union
3-22-79

Chicano Rights Committee Urges Border Patrol Probe

The Committee on Chicano Rights yesterday called on Sen. Edward Kennedy, D-Mass., and Rep. Elizabeth Holtzman, D-N.Y., to open a full-scale congressional investigation of the U.S. Border Patrol.

The request for the investigation, prompted by Saturday's shooting of two undocumented Mexican aliens, one fatally, by a Border Patrol agent, was made in a letter to Kennedy and Holtzman.

U.S. and Mexican law enforcement officials said the two aliens were handcuffed to each other when they were shot. Border patrol officials said the men were attacking the officer when he shot them.

"The latest killing ... involving the U.S. Border Patrol is not an isolated incident, but the 'tip of the iceberg' of such violations," wrote Herman Baca, chairman of the National City-based committee.

"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," wrote Baca.

In the letter, Baca called for an investigation of the "documented cases of illegal and unconstitutional acts which have been committed by the Border Patrol over the past 10 years."

Among the incidents listed by Baca are alleged shootings and killings of individuals, beatings, rapes, sexual abuse of women, breaking into homes and strike-breaking.

"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 confrontation and violence," wrote Baca.

Baca, Banks Will Speak at Cultural Unity Day Program

By Meg Honda

Noted Chicano activist Herman Baca and Indian educator Denis Banks will be here tomorrow to participate in UCSD's second annual Cultural Unity Day of Awareness.

Baca has been a prime organizer of Chicano communities in San Diego and Southern California and regularly works against "the gross violations of human rights of undocumented workers."

Banks, president of an American Indian University near Davis, was a participant in the Wounded Knee Indian takeover in the mid-70s. He remains one of the foremost American Indian activists.

Both along with SDSU Black Studies Department Chairwoman Shirley Weber and former United Farm Workers Vice President Philip Vera Cruz, will speak about "Native American Students at the University and Their Role in the Community," stressing "common rights in face of the increasing 'new negativism' and positive steps that can be taken to implement effective countermeasures to combat human injustices."

According to Bill Morrow of the Native American Student Alliance, CUDA is a "social and political day dedicated to minorities or affirmative action groups on campus." It brings to campus, he says, a sampling of many diversified cultural traditions. There will be entertainment, food, and crafts representative of the Black, Chicano, American Indian and Asian cultures.

The prime movers behind CUDA are the Black Student Union, the Movimiento Estudiantil Chicano de Aztlan (MECHA), the Native American Student Alliance and the Asian American Student Alliance.

Among the sponsoring and funding organizations are the ASUCSD, "Third-Lumumba/Zapata," Revelle, Muir and Warren Colleges, and the Vice Chancellor of Student Affairs.

CUDA will be held tomorrow at the east end of the Mandeville Center Quad. Events begin at 10:30 am and last until 5:30. Advanced tickets are \$1.50 at the UCSD Box Office and \$2 the day of the event.

TODAYS' WEATHER

Variable high cloudiness with continued milder temperatures and highs in the upper 70s. Ocean winds will be 10-15 mph.

The surf will be 3-5 feet at 12 second intervals.

School
paper UCSD

The New York Times

1980

—NEW YORK, MONDAY, AUGUST 4, 1980—



The New York Times / Lee Dodds
Sylvia Alvarado

By JOHN M. CREWDSON
Special to The New York Times

BROWNSVILLE, Tex., Aug. 3 — Looking very small and very frightened, 10-year-old Sylvia Alvarado was led from her tiny cinderblock cell to talk with a visitor about the events that had brought her to the Cameron County juvenile detention center here.

Her odyssey began June 16, Sylvia said through an interpreter, when she left her home in El Salvador in hopes of making her way to Virginia, where she thought her mother lived. Sylvia and her grandmother crossed Guatemala and Mexico by bus, arriving at the border a week ago. There they joined other Salvadorans and hired a man who said he would smuggle them into the United States. Outside Kingsville, Tex., 60 miles north of here, the Border Patrol caught up with the group. "I got scared," Sylvia said, her huge brown eyes welling with tears.

"She's very sad," said Juanita Alfaro, a probation officer at the center. "She says she doesn't like it here. She's never been in a place like this before. Her family's never been separated before. She wants to go home."

But Sylvia cannot go home, at least not now. In its efforts to stem the smuggling of illegal aliens into this country, the Justice Department, each year jails thousands of aliens, including hundreds of children who, like Sylvia, have not been charged with a crime.

Sylvia's grandmother is being held as a material witness at the county jail in case the Government needs her to testify against the man charged with bringing her and Sylvia into the United States. Although Federal prosecutors frequently use juveniles as witnesses, Sylvia will not appear at the smuggler's trials. She is

locked up, immigration officials said, because there is nowhere else for her to go.

Those held represent fewer than 10 percent of the 200,000 or so illegal aliens known to be smuggled into the United States each year. According to the United States Marshals Service, which has control of all Federal prisoners, in the 12 months ending next Sept. 30 about 15,000 aliens will have been jailed as witnesses, some 900 of them juveniles.

The witnesses, most of them from Mexico but an increasing number from troubled Central American countries like El Salvador, are held in a variety of facilities from Federal alien detention centers to county work farms and tiny border jails. In most instances relatives traveling together are separated while incarcerated. But even when they are not, the experience can be a frightening one. "These people come from lands where being in jail is tantamount to a death sentence," said a lawyer with the Federal Public Defender's Service, which represents both the smugglers and the aliens.

Infants in Foster Homes

The witnesses are not charged; entering the United States without permission is a misdemeanor, but the Government almost always permits illegal aliens to return home without penalty. Nevertheless, except for mothers with infants, who are usually placed in foster homes, they are generally treated like ordinary offenders.

"They're subject to a lot of harassment by the general jail population," said Robert La Roche, the United States Marshal in Sacramento, "and a lot of them are young and naive."

Last month, a group of women from El Salvador, held in an Arizona jail with what one Federal official called "hard-core" female inmates, were subjected to a brutal homosexual attack. "It was real traumatic for them," the official said.

The jailing of Mexicans without charges has incurred considerable displeasure in Mexico, where newspaper editorials have charged human rights violations. Last year, the Mexican Government protested the jailing for 79 days of 20 Mexicans found in a Dallas-area "drop house" where they had been hidden by smugglers.

Mexico asked that the Justice Department, based on its standard witness fee of \$30 a day, pay the aliens a total of \$47,400 in compensation. The department refused, but officials say they are not insensitive to the plight of the witnesses.

Unable to Meet Bond

"The department has been very, very concerned about the holding of witnesses," said Lupe Salinas, a special assistant to Attorney General Benjamin R. Civiletti, "especially when, within hours, the accused smuggler is let out on bail."

Most of the aliens, Mr. Salinas said, were unable to meet their material witness bond, which can range from \$1,000 to \$30,000, because "they've given up their last few hundred dollars to the smugglers, and they're broke." He said the Justice Department had begun studying the matter "to see if any more just solution can be reached" after the Mexican Government expressed its concern to Mr. Civiletti last May.

The alien witnesses frequently endure stays in jail as long as two months for nothing, since many of those charged with having smuggled them eventually forgo a trial and plead guilty. According to Federal prosecutors, however, the guilty pleas are often made a day or two before the scheduled trial.

It is the incarceration of juveniles that has most distressed Hispanic rights

groups. Last February, Herman Baca, who heads the San Diego-based Committee on Chicano Rights, sent a telegram to the White House calling the practice "inhuman and barbaric" and contending that when children were released the authorities "simply tossed them into Mexico without making any effort to insure that the children are reunited with their parents."

One such case involved a 14-year-old Mexico City boy arrested in Chicago last year by the Immigration and Naturalization Service. According to Herb Cooper, a Federal public defender in El Paso, the boy was returned not to his home but to Juarez, on the Mexican border, where he knew no one and was forced to survive by "garbage-can scrounging, living on rooftops and whatever."

Because many smugglers are arrested far from Federal facilities, the Marshals Service is forced to house witnesses in some 90 local jails around the country.

A few attempts are being made to reduce the long stays in jail, but they have not been wholly successful. In Arizona, Federal prosecutors are now recording the testimony of witnesses on videotape that can be played at trial. But the average stay for material witnesses in Arizona is still a month, and the use of videotape has been rejected by prosecutors in other states as cumbersome.

Work Release Suggested

J. A. Canales, the United States Attorney in Houston, has called the imprisonment of witnesses "deplorable," and that of children "especially saddening." But the Justice Department, the Marshals Service and the immigration service insist that most of the witnesses would be likely to flee if they were released on bond or placed in halfway houses.

Al Velarde, an immigration counselor for the United States Catholic Conference in El Paso, said that the church had urged the Justice Department to adopt a kind of work-release program for witnesses waiting to testify.

"The reason these guys wanted to come up here in the first place was to work," Mr. Velarde said, adding that if they were permitted to hold jobs for limited periods, "you wouldn't have hostile witnesses, which you sometimes have after a guy's been incarcerated for four or five months."

He said that jailed witnesses, unable to work, left their families back home "many times on the brink of starvation."

One pilot project involving juvenile witnesses is under way in San Diego, and James R. Laffoon, the United States Marshal there, said it had produced almost no runaways. Under the program, which has been in operation for a year, witnesses between the ages of 13 and 18 are placed in homes supervised by a Catholic Welfare Agency. The Marshals Service is now hoping to set up a similar program in Florida.

'They Get Depressed'

But juvenile witnesses in San Diego are still held at the Federal jail for as long as three days for processing, and P. D. Bowser, Mr. Laffoon's chief deputy, acknowledged that those juveniles deemed likely to run away were not placed in the foster home program.

"Some of these 16-year-old kids from the other side of the border are pretty sophisticated," Mr. Bowser said. "If we were to place them in a foster home where there were no restraints, most of them would split."

Chicano Activist Has Lifetime Hitch In Movement

Thursday, April 3, 1980

(The author of the following article is an editor with the Hispanic Link news service in Washington.)
Charlie Ericksen

WASHINGTON — Militancy is like the military. You can join up for short hitches or long ones. Or you can make it a career.

With Herman Baca, being a Chicano is a career.

He started in the '60s with thousands of others, but few of those who established reputations as spokesmen for pure Chicanismo remain.

"I can think of two," Baca says, eliminating all of those who gained political office or took jobs with the government or profited from affirmative action efforts in the private sector. "There's Bert Corona and Corky Gonzales."

Patriarch Corona, a founder of the Mexican American Political Association in 1959, remains active today in immigration issues.

Rodolfo "Corky" Gonzales, now past 50, heads the Denver-based Crusade for Justice, an organization he founded in the mid '60s. He is credited with resurrecting and popularizing the term "Chicano."

Baca, the baby of the trio at 36, walked precincts as a teen-ager for Richard Nixon, but in 1968 started questioning the political structure of which he was trying to become a part. He helped organize a MAPA chapter in National City, Calif., situated midway between San Diego and Tijuana.

BORN AND RAISED there, he learned the printing trade after graduating from high school. When he lost his print shop job in 1969 for becoming too engrossed in running the successful initial primary campaign for California Assemblyman Peter Chacon, he opened his own shop. It has led a struggling existence ever since, but has proven invaluable in his efforts to

communicate the messages of the parade of Chicano community issues on which he has seized.

The first one was to halt the development of an industrial park in National City.

"We lost," he remembers. "The system is a powerful creature."

Then, as head of the Committee for Chicano Rights, he launched into issues at the rate of one or more a year: police brutality, jury exclusion, local rezoning, treatment of Chicano students, harassment of low-riders, bilingual education, Border Patrol tactics, employment discrimination.

With equal fervor, he attacks the behavior of the KKK, which has attempted its own border patrols, or former Immigration and Naturalization Service Commissioner Lionel Castillo, whom he still calls a "coyote," a word normally reserved for alien smugglers.

WHENEVER A Mexican-American issue is brewing, the media automatically checks with Baca for a reading. Over the years he has developed an ability to carve around the subtleties of the problems and cut quickly to the core.

Undocumented workers are "the slave issue of the 20th century," he says. Chicanos are "playing poker with no chips," trying "to out snow the snowman."

It used to be just the local press that would call on Baca. But now there are reporters from national and international publications, most recently from West Germany, Mexico City, and Sweden, walking up the driveway of his modest home, where he's lived since 1966.

"The name Herman Baca triggers a reaction from our readers like no other name," admits San Diego Union associate editor Peter Kaye. "Nobody's neutral about Herman."

His wife and four children have shared in the price one pays for

such notoriety. Their home has been shot at and vandalized. A cross has flamed on their front lawn. His teen-age boys have been harassed and threatened.

"But they know that what I'm doing is for them," he explains. "It's just doing my bit, like a lot of others who work with me."

"If we don't try to change things, the Chicano will never be a complete human being."

The Committee for Chicano Rights has become the agency of last resort for many Chicanos with a problem. Unlike government agencies, it's not selective about who it tries to help.

IT CONTINUALLY sponsors dinners, dances and other functions to raise money for one cause or another. In May, it's coordinating an immigration conference that is attracting national attention.

Baca spends more than half of his waking hours in pursuit of Chicano rights, he estimates. Last year, his print shop netted him just \$6,000, he says.

Will he ever retire as an activist? Step aside?

"How can you even think about it?" he asks. "Things are worse now than they were 10 years ago. A few individuals have moved up and out, but the community's gone backwards. It's poorer than ever, more disenfranchised, with fewer remedies and fewer outside people willing to help."

Will his anger ever subside?
Baca just laughs.

"My anger? How can white people be so naive? All those goody-goody persons of Latino ancestry who are so nice to them, who white people think are not like Herman Baca — just give them a few beers, turn the mariachi up a little louder, and they'll make Herman Baca sould like a moderate."

Injunction Against Sa Asked For By Loc

National City Calif.....Herman Baca, Chairman of the Committee on Chicano Rights today charged Mayor Pete Wilson and members of the City Council with illegally denying the Mexican citizens of San Diego services to which they are entitled to. "We are asking the U.S. Attorney General to place an immediate injunction against the City Council and hold in abeyance the city's requirements that Legal Aid, which is funded in part by the city ascertain citizenship of "Mexican" looking individuals prior to their receiving services".

Baca in his press conference charged the Mayor and City Council with being blatantly racist and bigoted in their recent vote on the funding of the San Diego Legal Aid Society.

The San Diego City Council on Monday voted to continue funding the local Legal Aid Society. However certain restrictions were placed on how city funding could be used by the Legal Aid Society.

Among the restriction placed were that they could not file class action lawsuits against any agency of the federal, state or local government. That they could not provide an elected official with unsolicited advice. That they could not provide service to "illegal aliens".

Voting in favor of the restrictions were Mayor Wilson, Councilman Bill Mitchells, Bill Cleator, Dick Murphy and Fred Schnaubelt. The move to restrict the funding was at the instigation of Mayor Wilson and Councilman Cleator.

Baca in a prepared statement

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"Mayor Wilson engineered the June 29th Vote which established the requirements that Legal Aid Society Funding would be contingent on their not providing services to so call "Illegal Alians". Wilson for political purposes is willing to sacrifice the Civil and Constitutional Rights of San Diego's 300,000 Chicanos", said Baca. "The vote establishes a dangerous precedent by forcing a contracted city funded agency to discriminate, in provision of its services, against the Chicano community". Said Baca.

"Chicanos and all other Latinos have a constitutional and legal right not to be subjected to any other test of need than the general population is subjected to. To insist that Legal Aid, or any other agency, require proof other than need to receive services, is unconstitutional, racist and is in contradiction to the Bill of Rights and the U.S. Constitution." continued Baca.

Past instances of local agencies involving themselves in immigration issues or problems of undocumented workers brought down a ruling from the U.S. Attorney General which indicated that local jurisdictions had no authority or legality interfering in the governments immigration policies, laws, or regulations. "We question the sincerity of Mayor Wilson and the San Diego business community which last month visited President Lopez Portillo and pledged to work for better understanding

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In the telegram sent to the U.S. Attorney Generals office, Baca asked that "an immediate injunction be sought in Federal Court against Mayor Wilson and the San Diego City Council restraining them from imposing illegal and unconstitutional requirements upon Mexican Americans.....(this action) has placed the City of San Diego and through it, its contract agencies in the position of usurping federal powers and jurisdiction in the immigration areas.....(further) it is imposing an unconstitutional requirement which will be born solely by San Diegos 300,000

Chicanos/Latinos". Baca ended the interview by indicating that they would be requesting an immediate investigation and a determination from the San Diego City Attorney, the State Attorney General, and the U.S. Attorney on the legality of the City Council Action.

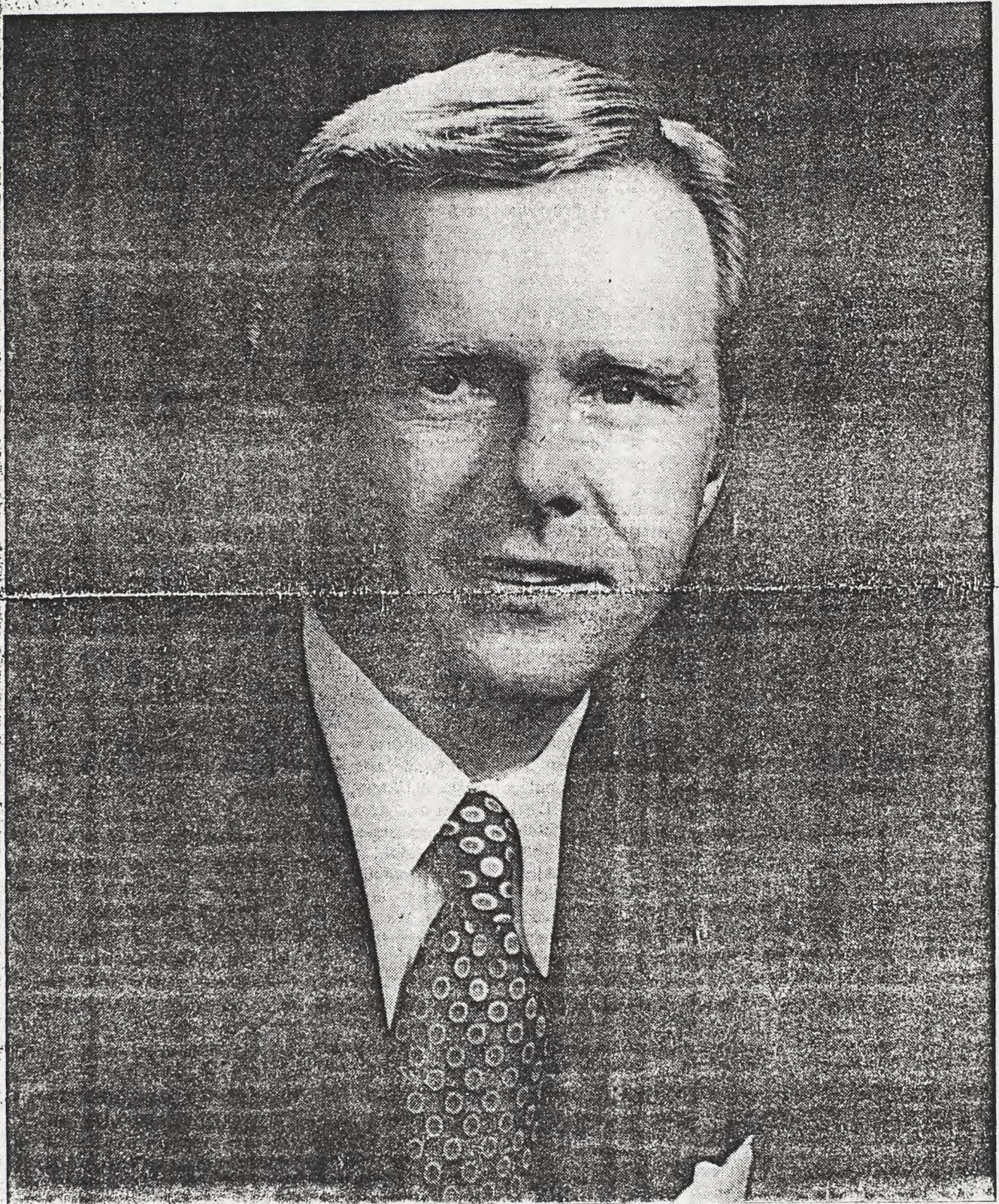
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San Diego, CA 92101 (714) 231-2874

July 3, 1981

San Diego City Council Chicano Group



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Un Feliz Cuatro De Julio Con Guion

Por: Jesús Mena

para mantenerse al día en sus lecturas sobre paternidad.

llegamos a la pubertad, resultó ser un asunto muy difícil. Mi hermano menor, por ejemplo, dormía sin

aim "Instinct" Aliens!

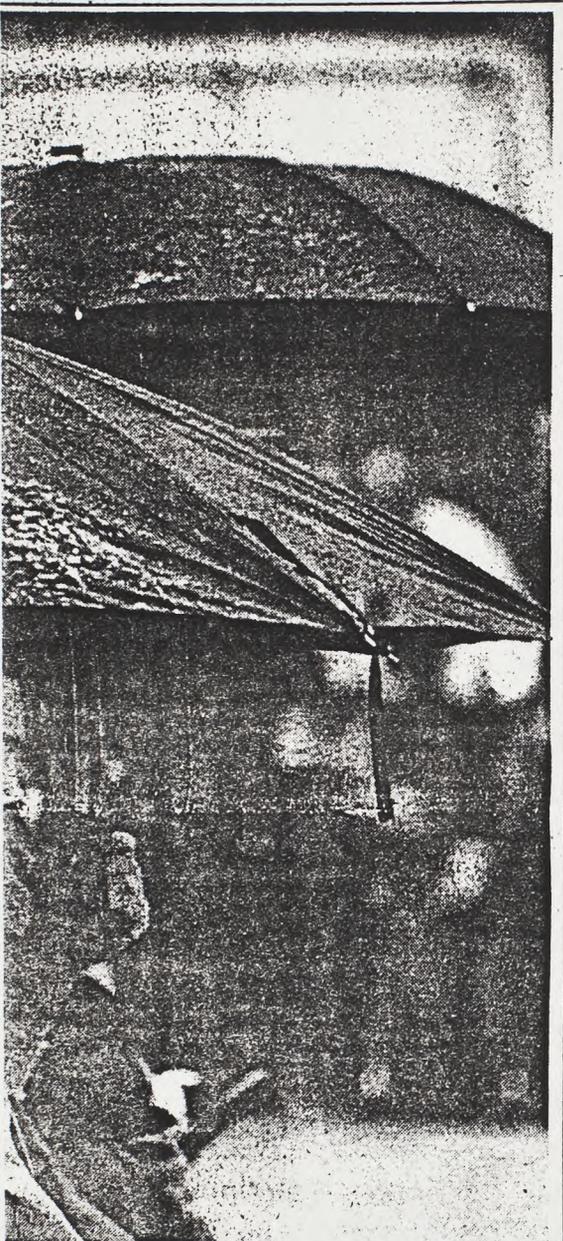


photo by: Angel Hernandez, Mexico City

National City, Ca. Feb. 4, 1983...National City Police Chief Terry Hart and his top aides confirmed to the press that the members of the National City Police Department have the "ability" to detect and determine that persons of Mexican ancestry are legal or illegal! Using this so-called "instinct," Chief Hart attempted to justify the illegal actions of his police department in stopping two Mexican ancestry persons, handcuffing them, transporting them to the police station, then calling the INS and turning them over to the INS. There was no small problem with this scenario which probably would have gone unreported except that there was a witness to the whole affair...Herman Baca, Chariman of the Committee on Chicano Rights.

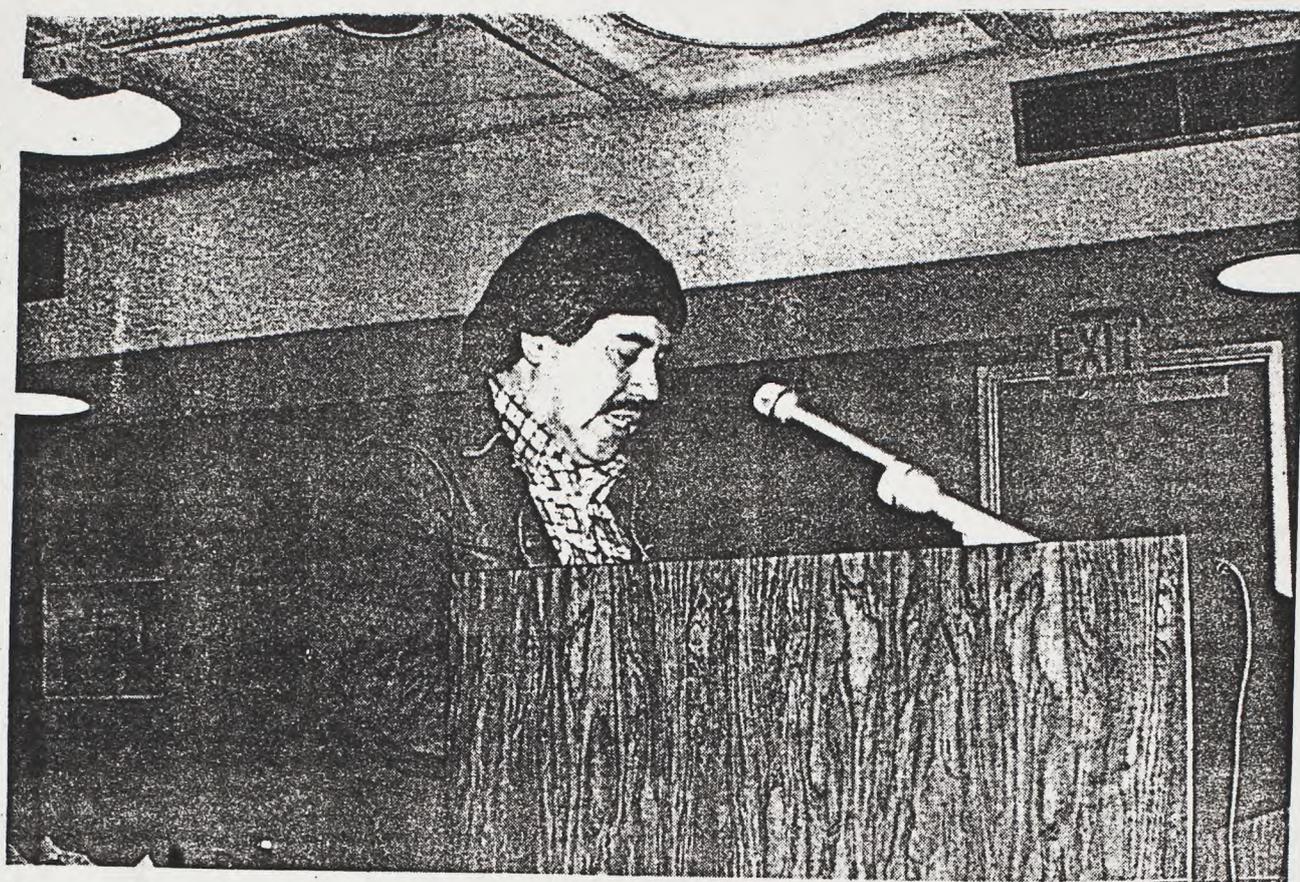
"I am flabbergasted that 5 years after the U.S. Attorney General ruled that, **the responsibility for enforcement of the Immigration laws rests with the Immigration and Naturalization Service (INS) and not with state and local police**, that the National City Police Department feels that it is beyond the authority of the U.S. Attorney General and the Department of Justice. That they (the National City Police Department) think that they can run around like a bunch of vigilante Klan members picking up Mexican ancestry persons without reasonable or probable cause that they have committed a crime demonstrates a flagrant

(see, Police Break Law, pg 2)

California Chicano Population- 1980 Census

report persons in that age group in the state

2.8 percent were living in households maintained by a



Herman Baca, CCR Chairman, lashes out at City Council

(Editors
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disregard for the laws of the land, a lack of leadership and administration by Police Chief Hart, and a total failure of the Mayor and City Council to adequately control the police of this city,” Baca told La Presna San Diego.

Baca and the Committee on Chicano Rights asked for and received permission to bring before Mayor Kyle Morgan and the City Council a demand that they take action to immediately order the Chief of Police to cease and desist from assuming the duties and responsibility of the Immigration and Naturalization Service or face civil lawsuits for violations of a persons civil and constitutional rights. “If we have to, we will bankrupt the city in order to stop them from making false arrest, and illegally kidnapping Mexican ancestry persons from the streets on enforcement of immigration statures,” said Baca. “Ten years ago we stopped Sheriff Duffy and the San Diego Police Department from carrying out exactly the same kind of racist attacks against our people. If the National City Police Department thinks they have a higher mandate or authority then we

shall be happy to so inform the Department of Justice and the U.S. Attorney General.”

National City Police Chief Hart in later comments told reporters that “It is the policy and practice of the Department to only detain aliens, and people we suspect of being aliens, if we discover or have reason to believe they are alien, following dention or arrest on other charges.”

Later Police Chief Hart confirmed that the incident Mr. Baca witnessed in fact took place as he described. “We have informed BACA that we are aware of the Federal ruling in this matter.”

Baca pointed out that the U.S. Attorney Generals ruling is very clear and states “do not stop and question, detain, arrest, or place an immigration hold on any person not suspected of a crime solely on the ground that they may be deportable aliens.” “Now if the Chief of Police can't understand that simple language than I suggest that there is something seriously wrong with the administration of the National City Police Department. Our organization investigated the

facts behind the Jan. 10, incident involving two Mexican ancestry persons and Motorcycle Officer Delucia. At no time, were these two individuals charged with a crime. At no time were they booked, at no time were they even logged in the station as suspects in a crime. They were there only because Officer Delucia had an **Instinct** that they were illegal! Well may we recommend that Officer Delucia immediately hire himself to the Border Patrol, they are famous for hiring officers with “sixth senses and instincts” as to whom is illegal and who is legal. The fact remains these gentlemen were denied every single protection afforded by the law of this country because Delucia decided to take the law into his own hands...and how the police chief admits that it is the policy and practice of his department to do just that,” said Baca.

The City Council meeting, which at times was emotional, did not resolve the issue but merely ended with the Mayor requesting the city manager to submit a report on the matter to the council.



Committee on Chicano Rights, Inc

SAN DIEGO, CALIFORNIA

OCTOBER 5, 1983

FOR IMMEDIATE PRESS RELEASE

THE COMMITTEE ON CHICANO RIGHTS TODAY STATED THAT "THE DEFEAT OF THE SIMPSON/MAZZOLLI IMMIGRATION PLAN REPRESENTS A "PARTIAL VICTORY" DESPITE THE POLITICAL MANIPULATION IN WASHINGTON, D.C., FOR THOSE FORCES IN THE CHICANO COMMUNITY THAT PROTESTED, MARCHED, AND RESISTED IT'S PASSAGE" HERMAN BACA CHAIRPERSON OF THE COMMITTEE ON CHICANO RIGHTS DEMANDED THAT CONGRESS SEEK A JUST SOLUTION TO THE IMMIGRATION ISSUE THAT "BOTH THE DEMOCRATIC AND REPUBLICAN PARTIES STOP PLAYING "POLITICS" WITH THE RIGHTS OF THE NATIONS 20 MILLION CHICANO/LATINOS WHO ARE BEING ADVERSELY AFFECTED BY THIS UNRESOLVED ISSUE." "WE DEMAND A JUST AND HUMANE SOLUTION TO THE IMMIGRATION ISSUE," STATED MR. BACA.

"AND FOR THAT REASON WE ARE PROPOSING THAT CONGRESS ADOPT THE ENCLOSED "BILL OF RIGHTS" (SEE ENCLOSURE) AS AN ALTERNATIVE SOLUTION TO THE BANKRUPT AND REJECTED" 15 YEAR OLD PROPOSALS THAT WERE CONTAINED IN THE SIMPSON/MAZZOLLI IMMIGRATION PLAN." ACCORDING TO MR. BACA, "NEITHER THE DEMOCRATIC OR REPUBLICAN PARTY HAVE DONE THE CHICANO/LATINO COMMUNITY A FAVOR BY STOPPING THE SIMPSON/MAZZOLLI IMMIGRATION PLAN, BECAUSE THE BASIC FACTORS IN THE IMMIGRATION ISSUE HAVE BEEN LEFT UNRESOLVED:"

- (1) THE ECONOMIC DOMINATION OF OTHER COUNTRIES ECONOMIES
- (2) THE BANKRUPT OR NON-EXISTENT IMMIGRATION POLICY THAT REQUIRE A 9 TO 12 YEAR WAITING PERIOD TO LEGALLY IMMIGRATE

- (3) THE CONTINUALLY MILITAIZATION POLICY AT THE U.S./MEXICO BORDER THAT HAS CAUSED NUMEROUS INCIDENT OF VIOLENCE
- (4) EXPLOITATION OF MILLION UNDOCUMENTED PERSONS IN THE U.S. SECONDARY SECTOR OF THE U.S. ECONOMY (I.E. AGRICULTURAL, HOTELS, MOTELS, RESTAURANTS AND GARMENT INDUSTRIES, ETC.)
- (5) THE MASSIVE VIOLATION OF THE CIVIL AND CONSTITUTIONAL RIGHTS OF 20 MILLION CHICANOS/LATINOS IN THE U.S. BY THE INS, BORDER PATROL
- (6) THE DE-FACTO DEPORTATION OF HUNDREDS OF THOUSAND OF U.S. CITIZEN BORN CHILDREN (THE SILVA LETTER ISSUE)

"THE FACTS" STATED MR. BACA IS THAT NEITHER THE DEMOCRATIC OR REPUBLICAN PARTY OPPOSED THE SIMPSON/MAZZOLLI IMMIGRATION PLAN FOR THE DANGEROUS THREATS AND IMPLICATIONS TO THE CHICANO/LATINO COMMUNITY RIGHTS (I.E. TAXATION WITHOUT REPRESENTATION IN THE SO-CALLED AMNESTY, CREATION OF A SLAVE TYPE BRACERO PROGRAM, SOUTH AFRICAN TYPE NATIONAL I.D. CARD, AND AN INCREASING OF THE GESTAPO INS, BORDER PATROL) BUT INSTEAD ACTED ON THE BASIS OF POLITICAL EXPENDIENCY, WHICH MANIFEST:

- a. THE INHERENT POLITICAL WEAKNESS OF THE CHICANO/LATINO COMMUNITY WHICH IS STILL VIEWED BY BOTH PARTIES AS A THING TO BE USED AND MANIPULATED
- b. HOW DIRTY THE POLITICS OF THE DEMOCRATICS AND REPUBLICAN IN THE UNITED STATES

IN CONCLUDING, MR. BACA STATED, "THAT THE DEFEAT OF THE SIMPSON/MAZZOLLI IMMIGRATION PLAN DOES NOT SIGNAL THE END OF THE IMMIGRATION ISSUE, BUT INSTEAD WILL INTENSIFY EFFORTS BY CHICANO ORGANIZATIONS TO ABOLISH THE CURRENT INS, BORDER PATROL AND CREATE A NEW, JUST AND HUMANE IMMIGRATION POLICY."

C/S

Bill of Rights for the Undocumented Worker

Article I: Every immigrant worker shall have the right to establish legal residency by demonstrating a status as wage earner and taxpayer.

Article II: Every immigrant worker shall have all of the Constitutional Rights guaranteed all persons in the U.S. This right shall include but not be limited to: the right to due process, and the right to be free in their persons and possessions from unreasonable searches and seizures; and such rights shall not be violated by raids in factories, residential areas and in public places and shall be free from deportations and other unconstitutional practices.

Article III: Every immigrant worker shall have the right to be reunited with his or her family in country where he or she is a wage earner.

Article IV: Every immigrant worker shall have the right to legalize and adjust their status within the U.S. without having to return to their country of origin.

Article V: Every immigrant worker shall fully enjoy all the rights guaranteed to citizen workers including socio-economic and labor rights.

Article VI: Every immigrant worker, particularly seasonal workers, shall be provided adequate housing, health and safety provisions.

Article VII: Every immigrant worker shall be guaranteed the same rights enjoyed by U.S. citizens especially the right of access to free and adequate social and health services, child-care, and other similar social benefits.

Article VIII: Every immigrant person shall have the right to quality public education in his or her native language, utilizing English as a second language and shall not be restricted from fully practicing the culture of his or her country of origin.

Article IX: Every immigrant worker shall have the right to receive disability insurance (partial or permanent), workers compensation, retirement and death benefits. In the event of a death, the cost of transporting the deceased to his or her country of origin shall be borne by the employer, and any corresponding benefits shall be delivered to the family of the deceased without regard to their place of residency.

Article X: Every immigrant worker shall have a right to organize and to collective bargaining, including the right to join existing unions or form new ones, for the defense of their labor rights and for the improvement of their wages and living and working conditions.

A) The right to collective bargaining shall include agricultural and public service workers in order to protect their right to organize.

Article XI: Every immigrant worker shall have the right to utilize his native language in all legal proceedings, (i.e., to acquire citizenship, in judicial proceedings, etc.) and in all private or public contract agreements.

Article XII: Every immigrant worker shall have the right to exercise their right to vote in their native country's federal elections. This right should be facilitated through consulates and all other places (union-halls, schools, etc.) designated by competent authorities.

Article XIII: Every immigrant worker shall have the right to vote in local and state elections from the moment of legalizing their immigration status without having to become citizens. The right is based on their status as taxpayers, workers and residents.



International Coordinating Committee
1st International Conference for the Full Rights of Undocumented Workers

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El Mirage, Arizona 85335
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**A Chicano Perspective
on the
President's Immigration Proposals**

Compiled By:



Committee on Chicano Rights, Inc.
1837 Highland Avenue
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The Roots of Immigration

A FACT SHEET ON FOREIGN DOMINATION & POVERTY IN MEXICO

- The transnational corporations, with over \$5 billion invested, control 35% of Mexico's total industrial production and employ 16% of all industrial workers. \$2 billion in profits and payments on royalties, patents and interests were sucked out of Mexico by the transnationals between 1961-71.
- About 3/4 of Mexico's foreign trade is with the U.S. and in 1975 Mexico imported \$4.5 billion more than it exported.
- Chronic unemployment now affects more than 40% of all Mexicans of working age. In Ciudad Juarez, across the river from El Paso, 43% of the 800,000 residents are jobless.
- The Mexican government has sought foreign loans to finance development, which has pushed its foreign debt to a staggering \$28 billion -- nearly \$500 for every man, woman and child in the country.
- Agribusiness corporations like Del Monte and Anderson Clayton have come to dominate Mexican agriculture, fostering a system which produces luxury food items for the U.S. market rather than provide for Mexico's hungry. One half of all the vegetables consumed in the U.S. during winter months come from Mexico, while every day more than 1,000 Mexican children die of malnutrition.
- Largely because of the spread of "modern" agriculture, the number of landless peasants rose from 1.5 million in 1950 to some 5 million today. There are more than 8 million migrant workers constantly on the move in search of temporary jobs, earning an average of \$2.50-\$3.00 per day in the Northwest region.
- Migration of landless campesinos to urban areas adds 1,000 unemployed per day to Mexico City, already with a population of 13 million. It is the most polluted city in the Western Hemisphere and is expected to be the largest by the year 2000.
- Approximately 3.5 million peasants and fishermen live on less than one peso (five cents) a day, according to a recent study from Mexico. 9.9 million Mexicans eat no meat. 11.1 eat no eggs. 18.3 million consume no milk products. 80 per cent of these families live in rural communities where there is no medical services, electricity or running water.
- Numerous studies have shown that the presence of large foreign corporations and their ties with the Mexican ruling elites has increased the concentration of wealth in fewer and fewer hands. Robert McNamara of the World Bank claims that Mexico's richest 10% now take over 50% of the national wealth, while the poorest 40% have seen their share shrink from 14% to 11% in the past twenty years.
- The average working life of a miner in Mexico is 10 years, due to overwork and black-lung disease, and doctors estimate that every day 4 million Mexican workers are subjected to poisonous fumes in their workplaces.

-NACLA

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Article VII: Every immigrant worker shall be guaranteed the same rights enjoyed by U.S. citizens especially the right of access to free and adequate social and health services, child-care, and other similar social benefits.

Article VIII: Every immigrant person shall have the right to quality public education in his or her native language, utilizing English as a second language and shall not be restricted from fully practicing the culture of his or her country of origin.

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STOP REAGAN'S BRACERO PROGRAM

YOU CAN HELP! - ORGANIZATE RAZA!

THINGS YOU CAN DO TO HELP STOP REAGAN'S IMMIGRATION PROGRAM

1. Organize a committee in your community to stop Reagan's Bracero Program.
2. If you have a news publication, give prominent play to convince your readers of the need to stop it!
3. Picket, demonstrate or write a letter to your Senators and Congressmen opposing the Reagan Bracero Program.
4. Give cash support to those organizations working to stop Reagan's Bracero Program.

LO QUE USTED PUEDE HACER PARA PONER EL ALTO AL PROGRAMA DE BRACERO DE REAGAN ES LO SIGUIENTE:

1. Organizar un comite en su comunidad.
2. Si tiene alguna publicación, convenga a sus lectores de la necesidad de derrotar este Programa.
3. Organizar piquetes, manifestaciones o escribir cartas, telegramas a miembros del congreso afirmando su oposición.
4. Contribuya fondos a organizaciones que intentan derrotar el Programa.

JOIN THE 100'S OF CHICANO/LATINO ORGANIZATIONS



THAT WENT ON RECORD ON MAY 24, 1980, AT THE NATIONAL CHICANO IMMIGRATION CONFERENCE, OPPOSING ALL FORMS OF CONTRACT LABOR SUCH AS THE H-2 PROGRAM, TEMPORARY VISA PROGRAM OR FOREIGN GUEST WORKER PROGRAM.

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 Des Droits de l'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 / National Chicano Moratorium Coalition / 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 Feminist/PADRES, National/Pedro 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

CONTACT US AT: Committee on Chicano Rights, Inc. 1837 Highland Avenue National City CA 92050 (714) 474-8195



**A CHICANO RESPONSE
TO THE
SIMPSON / MAZZOLI
IMMIGRATION PLAN**

Compiled By:



Committee on Chicano Rights, Inc.
1837 Highland Avenue
National City CA 92050
(714) 474-8195



Committee on Chicano Rights, Inc

NATIONAL CITY, CA 92050

FOR IMMEDIATE PRESS RELEASE

THE COMMITTEE ON CHICANO RIGHTS TODAY DENOUNCED THE U.S. SENATE VOTE APPROVING THE SIMPSON/MAZZOLI IMMIGRATION PLAN AS "A VICTORY FOR RACIST AND ZENOPHOBIC FORCES, BENT ON POLITICALLY SCAPEGOATING ALL PERSONS OF MEXICAN ANCESTRY DUE TO THE UNEMPLOYMENT CRISIS IN THE UNITED STATES".

THE VOTE ON THE SIMPSON/MAZZOLI IMMIGRATION PLAN ACCORDING TO COMMITTEE ON CHICANO RIGHTS CHAIRPERSON HERMAN BACA, "CULMINATES A 10 YEAR EFFORT BY U.S. POLITICIANS TO CONVINCING THE AMERICAN PUBLIC THAT THE SAME OLD BANKRUPT, UNWORKABLE GUNS AND BARBWIRE SOLUTIONS THAT WE HAVE SEEN REJECTED TIME AND TIME AGAIN OVER THE LAST DECADE IS THE SOLUTION TO THE IMMIGRATION ISSUE". SIMPSON/MAZZOLI WILL PROVE TO BE A "TIME BOMB" WHICH WILL ULTIMATELY BLOW UP IN THE FACE OF AMERICAN SOCIETY BECAUSE IT VIOLATES THE U.S. CONSTITUTION AND IGNORES THE ROOT CAUSES OF THE IMMIGRATION ISSUE.

THE PLAN, IF ENACTED INTO LAW, ACCORDING TO HERMAN BACA "IS A SIMPLISTIC AND DANGEROUS STEP IN THE LEGISLATIVE PROCESS THAT :

- (1) Fails to address the massive poverty and social dislocation cause by the economic domination of foreign countries economies by U.S. Multi-National Corporations.
- (2) Fails to address the enforcement of minimum wages, working conditions, health and safety laws etc. in the secondary labor sector (agriculture, garment industry, hotel-motel and restaurant business) where most undocumented workers are working.

QUIRED TO WORK UNDER THE SUPERVISION OF A "BEEFED-UP" INS/BORDER PATROL.
" THE INS AND BORDER PATROL WILL ADJUST THEIR ENFORCEMENT PRACTICES TO
EMPLOYERS' DEMANDS FOR EASILY EXPLOITABLE LABOR AS HAS BEEN THE CASE
"HISTORICALLY", BACA CONTENDS. HE ADDED THAT THERE CAN BE NO DOUBT THAT
WHEN MEXICAN WORKERS APPEAR BEFORE INS OFFICIALS TO RENEW THEIR "TEM-
PORARY RESIDENT" STATUS ONLY THE HARDEST WORKING, MOST COMPLIANT AND
NON-COMPLAINING WORKERS WILL BE ALLOWED TO REMAIN. THOSE WHO COMPLAIN
OF POOR WAGES AND CONDITIONS WILL BE BLACK-BALLED AND DEPORTED AS IS THE
CASE UNDER THE CURRENT H-2 WORKER PROGRAM. "THIS PLUS THE FACT THAT "TEM-
PORARY RESIDENT" WORKERS WILL BE REQUIRED TO PAY TAXES BUT BE DENIED THE
BENEFITS AND POLITICAL REPRESENTATION THAT THEIR MONEY PAYS FOR WILL
CREATE SITUATIONS THAT HAVE LED TO VIOLENCE IN THE PAST".

EMPLOYER STREAMLINED H-2 PROGRAM

THE PROPOSED STREAMLINED H-2 PROGRAM HAS BEEN CHARACTERIZED AS 20th CENTURY
SLAVERY AND A MASSIVE CONTRADICTION IN LIGHT OF THE WORST UNEMPLOYMENT
CRISIS IN THE UNITED STATES SINCE THE 1929 DEPRESSION, BY HERMAN BACA.
THE PROPOSAL CALLS FOR THE IMPORTATION OF AN UNLIMITED NUMBER OF MEXICAN
WORKERS . INDIVIDUAL STATES WOULD DETERMINE IN WHICH GEOGRAPHICAL AREAS
JOBS EXISTED WHICH ARE UNABLE TO ATTRACT AMERICANS. CERTIFICATION WILL
NO LONGER BE THE RESPONSIBILITY OF THE DEPARTMENT OF LABOR BUT WILL BE
PLACED UNDER THE HANDS OF THE U.S. DEPARTMENT OF JUSTICE (INS).
THE CERTIFICATION PROCESS IS NOW A SHAM AND EXISTS ONLY TO SERVE THE IN-
TEREST OF BIG BUSINESS. THE WAITING PERIOD HAS BEEN REDUCED TO AS LOW AS
SEVEN DAYS IN CERTAIN EMERGENCY SITUATIONS (COMPARED TO THE 90 DAY AVERAGE
AT THE PRESENT TIME) AND STIPULATES THAT U.S. WORKERS MUST BE AVAILABLE
AT A SELECTIVE TIME AND PLACE VERSUS A NATION WIDE REQUIREMENT UNDER THE
PRESENT PRACTICE.

AMNESTY

ACCORDING TO BACA, "THERE IS NO AMNESTY PROPOSAL, WHEN EXAMINED, THE SIMPSON/MAZZOLI PROPOSAL REVEALS ITSELF AS AN EFFORT TO CREATE A CASTE SYSTEM IN THE U.S. AND LEGALIZES FOR THE FIRST TIME IN THE HISTORY OF THE U.S. THE PRINCIPLE OF TAXATION WITHOUT REPRESENTATION. ACCORDING TO THE PROPOSAL THE FOLLOWING WOULD OCCUR:

- (1) UNDOCUMENTED ALIENS WHICH NUMBER BETWEEN 3 TO 6 MILLION WORKERS LIVING IN THE UNITED STATES SINCE BEFORE JANUARY 1980, WOULD BECOME ELIGIBLE FOR "AMNESTY" UNDER A NEW IMMIGRATION STATUS CALLED THE "TEMPORARY RESIDENT".
- (2) "TEMPORARY RESIDENTS" WILL BE REQUIRED TO WAIT 3 YEARS BEFORE APPLYING FOR PERMANENT RESIDENCY STATUS. DURING THIS PERIOD (6yrs) THE TEMPORARY RESIDENT WORKER WILL BE REQUIRED TO PAY ALL TAXES BUT WOULD BE DENIED WELFARE, FOOD STAMPS, AND ALL OTHER SOCIAL SERVICES. IN ADDITION, WHILE CURRENT IMMIGRATION LAW IS BASED ON THE PRINCIPLE OF FAMILY REUNIFICATION, THE TEMPORARY RESIDENT WORKER WILL NOT BE ALLOWED TO BRING THEIR WIVES, CHILDREN OR RELATIVES INTO THE COUNTRY.
- (3) THE TEMPORARY RESIDENT WORKER COULD NOT LEAVE THE U.S. WITHOUT DANGER OF LOSING THEIR ELIGIBILITY AND, AS YET, THE PLAN HAS GIVEN NO INDICATION ON HOW ELIGIBILITY WOULD BE DETERMINED. WORST OF ALL THE ATTORNEY GENERAL (INS) WILL BE IN CHARGE OF DETERMINING VALID DOCUMENTATION AND PROCESS.
- (4) PERSONS ENTERING BEFORE JANUARY 1977, WILL BECOME ELIGIBLE FOR PERMANENT RESIDENT STATUS BUT WILL HAVE TO WAIT THREE YEARS WHILE WORKING AND PAYING TAXES TO COLLECT ANY SOCIAL BENEFITS. IN ADDITION, THE WORKER WILL NOT BE ALLOWED TO BRING THEIR FAMILY INTO THE COUNTRY.

THIS PROPOSAL, ACCORDING TO BACA... "IS NOTHING BUT A SMOKE SCREEN AMNESTY. THE PROPOSAL IS A CRUEL (6) SIX YEARS OR MORE OBSTACLE COURSE WHICH HAS BEEN DESIGNED TO INSURE THAT NO ONE BUT THE SELECT FEW WILL EVER QUALIFY OR RECEIVE THEIR DOCUMENTATION. IN FACT IT WILL BE CLOSE TO THE TWENTY-FIRST CENTURY BEFORE THE SO-CALLED ELIGIBLE PERSON WILL RECEIVE AMNESTY BECAUSE OF THE NINE YEAR MINIMUM BUREAUCRATIC BACKLOG THAT THE IMMIGRATION SERVICE HAS AT THE PRESENT TIME. PERSONS (MEXICANS) WHO APPLIED IN JANUARY OF 1972 ARE BARELY BEING PROCESSED BY INS IN 1982.

"BEHIND THE SMOKE SCREEN IS A CLEVERLY DESIGNED UNILATERAL BRACERO PROGRAM THAT REQUIRES NO APPROVAL FROM THE MEXICAN GOVERNMENT", BACA CHARGED. BY THE SIMPSON/MAZZOLI PLAN (3 TO 6 MILLION WORKERS) PERSONS WILL BE RE-

- (3) Will result in massive discrimination against this nations 20 million Chicano/Latinos under the employer sacntion proposal.
- (4) Threatens the violation of every U.S. Citizen and Resident Alien through the establishment of a National I.D. Card.
- (5) Will create a state-of-seige for this nations 20 million Chicano/Latinos by increasing the INS/Border Patrol.
- (6) Creates a no limit stream line Bracero H-2 Program which could result in the importation by big business of a million foreign workers to the U.S. and threatens the wages and working conditions of U.S. workers by destroying labor unions.
- (7) Destroys the historical concept of family re-unification.
- (8) Establishes a caste system under its false Amnesty Program which for the first time in this nations history , legalizes the principle of " Taxation without representation" for the 3 to 6 million undocumented aliens.

IN CONCLUDING, BACA STATED, "THAT EVEN THOUGH THE SIMPSON/MAZZOLI VOTE IN THE U.S. SENATE REPRESENTS A STEP BACKWARDS FOR THIS NATIONS 20 MILLION CHICANO/LATINOS, ALL EFFORTS TO DEFEAT THE PLAN IN THE U.S. HOUSE OF REPRESENTATIVES WILL BE CONTINUED BY THE CCR AND OTHER CHICANO/LATINO ORGANIZATIONS.

FOR FURTHER INFORMATION PLEASE CONTACT HERMAN BACA AT 714-474-8195

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"THIS PROPOSAL IN CONJUNCTION WITH THE PLANS FALSE AMNESTY CONSTITUTES A BRACERO PROGRAM FOR THE 80's AND 90's STATED BACA. IN THE 22 YEARS OF THE BRACERO PROGRAM (1942-1964), DESPITE THE SIMPSON/MAZZOLI CLAIM THAT UNDOCUMENTED /ILLEGAL IMMIGRATION WOULD BE CURTAILED BECAUSE OF THE PROGRAM , THERE WERE MORE MEXICAN WORKERS WHO ENTERED THE UNITED STATES WITHOUT DOCUMENTS THAN WORKERS WHO ENTERED THE U.S. UNDER THE PROGRAM GUIDELINES.

CONDITIONS UNDER THE OLD BRACERO PROGRAM HAVE BEEN DESCRIBED AS "LEGAL SLAVERY" BY THE PROGRAM 'S FORMER DIRECTOR.."IMAGINE WHAT CONDITIONS WERE LIKE FOR THE UNDOCUMENTED?", ASKED BACA. "TODAYS BRACERO PROPOSAL EVEN IF ENGINEERED TO HANDLE 2,000,000 WORKERS A YEAR WOULD ONLY AFFECT 1 OUT OF 10 OF MEXICO'S UNEMPLOYED AND UNDEREMPLOYED. THE OTHER NINE WILL DO WHAT THEIR FATHERS AND GRANDFATHERS HAVE DONE IN THE PAST....ENTER WITHOUT DOCUMENTS.

BACA CONCLUDED BY STATING, "ACCORDING TO RESEARCH STUDIES, DUE TO THIS NATION'S OVERALL ZERO POPULATION GROWTH, BY THE YEAR 2,000 THE UNITED STATES WILL NEED 5 TO 15 MILLION FOREIGN WORKERS TO MAINTAIN PRESENT ECONOMIC GROWTH. THE SIMPSON/MAZZOLI PROPOSAL IS NOTHING MORE THAN A TAXPAYER SUBSIDIZED PROJECT THAT WILL INCREASE BUREAUCRACY FOR THE PURPOSE OF PROVIDING AN EASILY EXPLOITABLE LABOR POOL FOR BIG BUSINESS."

EMPLOYER SANCTIONS

"THE PRESENT PROPOSAL HAS BUILT IN LOOP HOLES THAT LETS EMPLOYERS OFF THE HOOK...WHILE GIVING THEM A LICENSE TO DISCRIMINATE AGAINST THIS NATIONS 20 MILLION CHICANO/LATINOS", ACCORDING TO TO BACA.

THE PROPOSALS CALL FOR EMPLOYERS TO BE SANCTIONED FOR KNOW INGLY HIRING UNDOCUMENTED ALIENS. A SIX MONTH WARNING WILL BE ISSUED FOR THE FIRST OFFENSE AND A \$500-\$2,000 FINE FOR EACH OFFENSE AND A SIX MONTH JAIL SENTENCE PLUS A \$1,000 FINE FOR THOSE EMPLOYERS WHICH HAVE A PATTERN OF HIRING UNDOCUMENTED WORKERS. ACCORDING TO THE PLAN EMPLOYERS WOULD HAVE " A GOOD FAITH DEFENSE" IF THEY ASK FOR DOCUMENTATION OF ANY OF THE FOLLOWING:

- 1.) SOCIAL SECURITY CARD
- 2.) DRIVER'S LICENSE
- 3.) SELECTIVE SERVICE REGISTRATION
- 4.) BIRTH CERTIFICATE
- 5.) ANY OTHER EVIDENCE OF LAWFUL U.S. RESIDENCE STATUS

ENFORCEMENT WILL ONLY BEGIN WITH NEW HIRES AND WILL NOT AFFECT OLD EMPLOYEES. FURTHER, EMPLOYERS WOULD SIGN A FORM STATING THAT THERE WAS NO REASON TO BELIEVE THAT THE EMPLOYEE WAS NOT ENTITLED TO LAWFUL RESIDENCE.

INCREASE ENFORCEMENT

"THE ONLY LOGICAL OUTCOME OF INCREASED ENFORCEMENT IS AN APARTHEID TYPE SYSTEM FOR CHICANOS", DECLARED BACA. HE ALSO BELIEVES THAT AN INCREASE OF THE BORDER PATROL CAN ONLY RESULT IN AN ESCALATION IN VIOLENCE ALONG THE U.S./MEXICO BORDER.

THE SIMPSON/MAZZOLI PROPOSAL CALLS FOR STEPPED-UP SURVEILLANCE AND ENFORCEMENT IN BORDER AREAS. ACCORDING TO PUBLISHED ACCOUNTS THE PROPOSAL IS ASKING FOR \$76 MILLION FOR THE INS IN FISCAL YEAR 1983. THIS TRANSLATES INTO 1000 TO 1500 NEW OFFICERS. "THERE WILL BE MORE KILLINGS OF UNARMED PEOPLE BY THE BORDER PATROL...MORE RAPES AND BEATINGS...MORE CHILDREN DYING", BACA STATES. THE BORDER PATROL HAS BEEN UNLEASHED TO ROAM AT WILL IN CHICANO/LATINO COMMUNITIES, WHICH NOW EXIST UNDER A STATE OF SIEGE.

"LOOK AT THE FIGURES: ONLY 50% OF THE UNDOCUMENTED IN THIS COUNTRY ARE MEXICANS. YET 95% OF APPREHENSIONS ARE OF PERSONS OF MEXICAN ANCESTRY". BACA ASKS, "IF NO STATE OF SIEGE EXISTS ALONG THE CANADIAN BORDER WHY SHOULD ONE EXIST ALONG THE MEXICAN BORDER?"

BACA STATES THAT, "THE FACT THAT THE PRESENT PLAN AND PAST ADMINISTRATIONS HAVE NEVER HELD HEARINGS IN BORDER CITIES, HAVE HAD LITTLE COMMUNICATIONS WITH MEXICO, AND HAVE DISREGARDED THE MASSIVE PUBLIC TESTIMONY WHICH WAS IN OPPOSITION TO ALL OF THE PROPOSALS PROVES THAT THE SIMPSON/MAZZOLI PLAN IS DOOMED TO FAIL. OUR POSITION IS THAT THE INTERESTS AND CONCERNS OF THE

CHICANO COMMUNITY MUST BE INCLUDED IF ANY IMMIGRATION POLICY IS GOING TO BE DEVELOPED THAT BENEFITS THE PEOPLE OF BOTH MEXICO AND THE UNITED STATES. THE 20 MILLION CHICANO/LATINOS MOST AFFECTED BY THE PLAN WILL NOT SIT BY AND TOLERATE THE SACRIFICE OF OUR PEOPLE'S RIGHTS (WHETHER THEY BE UNDOCUMENTED, DOCUMENTED OR CITIZENS)."

IN CONCLUDING, BACA STATED THAT, "IMMIGRATION IS NOT A LAW ENFORCEMENT PROBLEM BUT RATHER A COMPLEX INTERNATIONAL, SOCIAL, ECONOMIC AND POLITICAL ISSUE. ANY SOLUTIONS TO THIS CRISIS MUST FIRST GUARANTEE THE PROTECTION OF PEOPLE'S HUMAN, CIVIL AND CONSTITUTIONAL RIGHTS".

Two Hispanic groups warn Democrats on immigration bill

By Don Davis
Staff Writer

A pair of Hispanic political organizations yesterday denounced an immigration bill pending in Congress and pledged to reconsider their allegiance to the Democratic Party should Capitol Hill Democrats vote for it.

Herman Baca of the Committee on Chicano Rights said the measure was "nothing but a greedy labor bill posing as immigration reform to insure that the agribusiness growers and others ... have a cheap source of exploitable Mexican labor."

The complaints were aimed at two similar immigration bills authored by Sen. Alan Simpson, R-Wyo., and

Rep. Peter Rodino, D-N.J. The Senate has approved the Simpson version but full House action is not expected until next year. The Rodino bill is still being considered by the House immigration subcommittee. The bills are the latest in a series of unsuccessful attempts at immigration legislation that would clamp civil and legal penalties on employers who knowingly hire undocumented aliens and would legalize the status of some such immigrants already in the United States.

An amendment tacked onto the bill by Sen. Pete Wilson, R-Calif., would allow 350,000 Mexican workers into the country for seasonal farm work, under certain strict conditions.

Bea Molina, president of the Mexican American Political Association, denounced the Wilson amendment as being kin to the old "bracero" guest worker program. "It has already failed in the United States," she said.

"Pete Wilson has become the biggest coyote in the United States," Baca said, using a Spanish term for outlaws who smuggle Mexican workers across the border.

"They are proposing crazy tactics that have never, ever worked," said Molina. "The Spanish community can no longer stand back. This is not just an issue that impacts the Hispanic community. It touches the whole economy."

"The issue of the Simpson-Rodino

immigration bill, along with the amendment proposed by Sen. Wilson ... is going to be laid right at the front door of the Democratic Party, which controls the House of Representatives," Baca told reporters. "It will determine whether our community will continue its historic support

of the Democratic Party and its candidates, or if our community will find other political alternatives."

Molina said the alternatives would hinge upon the growing percentage of Hispanic voters in California and could take the form of a Third World party, a Hispanic party, or more at-

ten-ion being paid to the Republican Party.

Molina and Baca said a statewide campaign was being organized to pressure California congressmen, particularly Democrats, to vote against the bill.

* Police Probe of Boy's Shooting by Border Patrol Ready for D.A.

LA TIMES
4/23/85

LOS ANGELES TIMES 1985

By TOM GREELEY, Times Staff Writer

San Diego police on Monday completed their investigation into the shooting of a 13-year-old boy in Mexico by a Border Patrol agent on the U.S. side of the border, and today will send to the district attorney's office a report recommending whether the agent should be prosecuted.

A police investigator declined to speculate on whether charges would be filed against Edward D. (Ned) Cole, 34, the agent who shot Humberto Carrillo-Estrada through the border fence Thursday.

Cole remains on duty performing strictly office work pending completion of the investigation. Gene Smithburg, assistant chief patrol agent for the local Border Patrol station, said Monday.

The Border Patrol is also investigating the shooting, Smithburg said. He refused to comment further.

Mexican Consul General Javier Escobar has threatened a stern reaction or legal action from his government over the incident, including a demand for an investigation by the U.S. attorney's office.

"We haven't heard from them yet," said Peter Bowie, chief assistant U.S. attorney in San Diego. "There's no question the remedies they could seek are broad, and the way we handle it will depend on their actions. . . ."

"It would not be surprising if the family sought monetary damages from the Border Patrol."

Escobar could not be reached for comment Monday.

Mariano Lopez, a Los Angeles attorney who has represented the United Farm Workers and myriad Latino causes, has been retained by Humberto's mother, Lopez's office confirmed Monday. Lopez was not available for comment.

Humberto, who was struck in the side of the chest by the bullet fired by Cole into a

Please see SHOOTING, Page 3

SHOOTING: D.A. Gets Report on Border Incident

Continued from Page 1

large group of people, was listed in good condition at Mercy Hospital and reported to be recovering quickly from his wounds. Officials there have allowed Humberto's mother to stay in a room at the hospital free of charge until the boy is released.

The San Diego Police Department's homicide division conducted the investigation because a law enforcement officer was involved in the shooting, although there was not a fatality. "They always get these kind of sensitive cases because of their expertise," said police spokesman Lt. Dave Spisak.

"It's come along very nicely," the homicide division's Lt. Paul Ybarro said Monday of the investigation. "We've completed our interviews, and the transcript will be to the district attorney by tomorrow. Then it's up to them to decide on charges."

Ybarro said San Diego police have spoken with Humberto, his 15-year-old brother, Eduardo, and other witnesses from both sides of the border. "I'm not going to draw any conclusions from the information we relayed to them, or as to whether there might be any charg-

es filed," Ybarro said.

San Diego police say the incident occurred after Border Patrol agents spotted Eduardo on U.S. soil. Eduardo ran toward the border, and when the agents caught him just as he reached the fence, a small crowd on the other side began throwing rocks and bottles, police said.

Cole fired two warning shots before firing a third round through the fence, hitting Humberto in the back, police said.

Humberto was then carried into the United States by a Mexican citizen and flown by Life Flight helicopter to Mercy Hospital.

Strong reaction to the shooting has been registered by local Latino groups. Herman Baca, president of the San Diego Committee on Chicano Rights, said Monday the shooting of Humberto was "a manifestation of the terrorism employed by the Border Patrol against persons of Mexican ancestry."

Baca also criticized the Police Department's role in the investigation. "It's like having a husband investigate his own wife—there's no objectivity there," he said. "An outside, independent group should be looking into this."

Supervisor Golding Draws Sharp Criticism From Chicano-Latino Community

by Daniel L. Muñoz

National City, Ca. May 14, 1986
— In a sharply worded press conference members of the Chicano-Latino community today took Supervisor Susan Golding to task for "fomenting violence" against persons of Mexican ancestry.

Herman Baca, spokesman for the group and chairman of the Committee on Chicano Rights demanded that Supervisor Golding issue an immediate apology and retraction for statements attributed to her which could incite violence against persons of Mexican ancestry.

Golding, who held a press conference on May 12, 1986, claimed that "25% of all people in the criminal justice system are illegal aliens. Police Chief Kolender recently attributed the rise in San Diego's crime rate to the massive influx of aliens. Sheriff Duffy estimates that 61.5% of all rapes, 34% of the car thefts and ¼ of the

burglaries in our county are committed by aliens," she said.

Baca in his attack against Golding stated "All of the statements made by Supervisor Golding regarding crime as having been committed by aliens have been repudiated by the San Diego County Sheriff's Department. What Golding is doing is fomenting possible violence by bigots and racists against persons of Mexican ancestry with her irresponsible statements and causing irreparable damage to the rights, safety and security of the 350,000 persons of Mexican ancestry who reside, work and pay taxes in the county of San Diego."

Sheriff's spokesman John Tenwolde said that Golding had taken the figures out of context. "The figures Golding used were actually crime figures in March and the rape statistics she quoted applied only to the sheriff's substation in Fallbrook and Vista and were for the fiscal year 1984-85." Actually there were 13 rape arrests, eight were

illegal aliens. That accounts for 61.5%! (Note: these are not actual convictions just arrests!)." Tenwolde further clarified that the car thefts and the burglaries were also limited only to Fallbrook and Vista.

"Golding," said Baca, "has made it appear that Mexican heritage persons actually account for 61.5 of the rapes, the entire county! That is irresponsible, racist and done with intent to do irreparable harm to our people," said Baca.

"We find it appalling that Supervisor Golding, who is Jewish, and whose people suffered genocide, racism, bigotry and lived through the Holocaust now joins in the racist hysteria being directed against people of Mexican descent by racist bigots," said Baca.

"Supervisor Golding's attack signifies a turning, to the worn out tired methods, of attacking at the lowest level a group of people within a community," stated Bert
(see Corona page 2)

Corona Cites Yellow Journalism

Corona, national leader of La Hermandad and national leader in the move for a just immigration policy.

"That this attack comes from a person who belongs to a group prosecuted by the Nazis is lamentable. This is not the first time those of Mexican descent have been attacked by the white majority of this state. In recent memory were the events of Sleepy Lagoon in Los Angeles, the Zoot Suit riots...the attack that drove the people into a frenzy of hysteria, then, as now, was directed to appeal to the lowest common denominator. Lies, distortions and a broad brush is being used to paint the whole community with perceive-sins. It is a tactic well known," said Corona.

Corona who was in town Wednesday and Thursday for a historical taping session at the University of California at La Jolla was appalled at the racist attacks by Golding and with the biased reporting of the local media, who apparently didn't bother to interview any of the Chicano leaders in the community for their opinions on the issue.

"That is yellow journalism of the worst sort," said Corona. The media must bear full responsibility along with those in positions of authority and leadership in the Black community, the Trade Unions, the Anglo and Jewish communities, the Democratic party as well as the leaders of the Republican party for failing to respond to Golding's vicious attacks against the Mexican people of this community. They must not allow this kind of hysteria to dominate the community's life. If they don't, violence will

the racist statements made by Supervisor Golding.

"It is unconscionable for Supervisor Golding to announce that the undocumented workers are getting "more and more" of the county's budget when the well —documented facts show them to be the victims of unmerciful exploitation by the agriculture and service industries. The people, who Golding claims are benefitting so much from our tax dollars, are the same ones often shown by the media as living in 'spider holes,' underground in north county, while laboring under conditions and wages that no American would ever accept," said Ducheny.

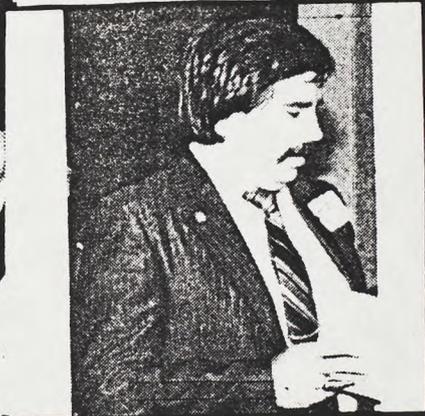


Sheriff John Duffy

Ducheny further criticized Golding for "having done a grave injustice" to the Mexican nationals and all people of Mexican descent, living in this area, with her false and bigoted statements to the press. "We will not accept anything less than the complete repudiation of her statements and a public apology, by her, to our county's residents of Mexican descent," said Ducheny.

mented for the county's failure to repair roads, pave the streets, collect garbage and fix our sewers.

Supervisor Golding was unable to substantiate any of her statements when questioned by the press. Baca and the community question why Golding had ignored the County's own studies in 1977 and 1980, The Rand Executive Summary, published by the California Roundtable in 1985 and the U.S. Select Commission on Immigration and Refugee Policy reports in 1986 which all came to the same conclusions: "overall the immigrants provide economic benefits to the State. And in general, they contribute more to public revenues than they consume in public services," Baca contends that "Golding's statements are pure fabrications, falsehoods, and slanders."



Steve Palma

"I can understand why Golding is running around trying to find money to pay their bills," says Steve Palma recent Commissioner of the Montgomery Fire Protection District. "Golding with the help of Supervisor Bilbray convinced the other Supervisors to place on the ballot the consolidation of the Montgomery area with the city of Chula Vista. In one swoop the County lost over \$7 million in yearly revenues that the Montgomery



Republican National announced a \$300,000

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Golding Un

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Baca criticó tan iniciada campaña p policiaca en co indocumentados seg el Jefe d Policia de S Bill Kolender, y el S Condado, John Duffy.

Las actuaciones jefes policiacos, agr provocado un clima d entre la comunidad n misma que ahora te buscar una solució problemas dentro de seno.

Entre nosotros, ar su momento se c medidas necesari proteger y defender a derechos, nuestra nuestra propiedad.

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If they don't, violence will become the order of the day and it will bring tragedy to a broad mass of people," Corona said.

He pointed out to *La Prensa* that "those who allow distorted facts and lies to go unchallenged become in fact co-conspirators of those who hope to incite violence with their rhetoric," concluded Corona.

Al Ducheny, president of the Harborview Community Council, who was present at the press conference, indicated that his organization was appalled, angry and fearful of the ramifications of

county, while laboring under conditions and wages that no American would ever accept," said Ducheny.



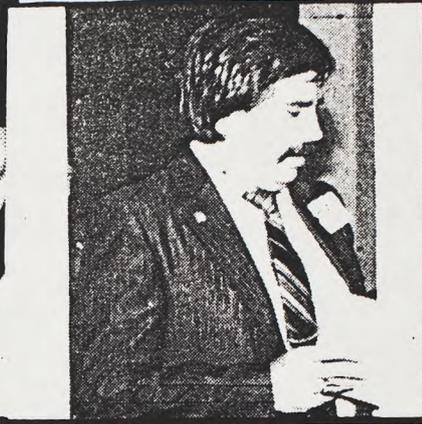
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The organizations represented at the Press conference also questioned why Supervisor Golding had used un-supported data to attempt to show that the undocumented were bankrupting the county. Golding in her press release indicated that "roads are going unfixed, sewers are overflowing and senior citizen programs and children services, such as child abuse, are going underfunded because we don't have the money."

Golding claimed that 85% of the cost of the County's agreement with University Hospital goes to paying the cost of emergency care for illegal aliens. "The county alone spent over \$16.5 million from 1980-1985 for treating illegal aliens," claimed Golding. "In addition they are using community clinics and local social service programs," she said. Golding further blamed the industry

came to the same conclusions: "overall the immigrants provide economic benefits to the State. And in general, they contribute more to public revenues than they consume in public services," Baca contends that "Golding's statements are pure fabrications, falsehoods, and slanders."



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In concluding the press conference, Baca issued a warning to Golding and the community at large, that he had no other recourse but to tell the community that they must now look to itself to protect their rights, their families and property against attacks by bigots which now can use the racist statements of Golding as grounds for attacking Chicanos, Mexicanos and any Latino in sight.



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Entre nosotros su momento medidas necesarias proteger y defender derechos, nuestra propiedad

Baca enfatizó acciones como la significan un gran la sociedad en general, pues sabemos robos y violaciones de mujeres no solo por los indocumentados afirma la Supervisor Condado.

En nuestra provincia agregó, siempre gente que cometen actos criminales por las corporaciones no hay eficiencia en la acción, se ha to indocumentados expiatorios y acusando de que que cometen la actos criminales.

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NALEO

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EL CAJON BOULEVARD
GATEWAY SIGN

The City of San Diego

Police to Stop Questioning Suspects About Citizenship

By TOWNSEND DAVIS, Times Staff Writer

Under pressure from civil rights groups, San Diego Police Chief Bill Kolender on Thursday rescinded an order that required his officers to try to identify whether the people they arrest are illegal aliens.

The decision came after two community groups and the local chapter of the American Civil Liberties Union complained about Kolender's instructions to officers to mark a box on the standard arrest form if a suspect is an "undocumented person." Police said the box was used, not for identification, but to supply statistics to the county.

The groups said judging a person's citizenship is not the job of the police, and that the practice could fuel ill will and a "vendetta" against Latinos.

Assistant Police Chief Bob Burgreen said Thursday that police will no longer consider a person's citizenship because "we are not interested in being immigration officials. The statistical information

is not of enough value for us to be inquiring about citizenship."

The box labeled "Undocumented Person" has been on the arrest form since 1982, and San Diego police have checked it when the suspect didn't speak English, had no U.S. address or admitted under questioning to being an illegal alien.

In a July 28 memo about "Arrested Undocumented Aliens" that was to be read to all police officers, Kolender reinforced the use of the box when he gave instructions on how to check it appropriately despite a misprint in the arrest form. "Proof or confirmation of undocumented status is not required" to check the box, Kolender wrote.

The memo said gathering the information would help "address undocumented alien crime." Police on Thursday said the statistics were being compiled for county

Continued from Page 1

officials, who want to prove to the federal government that illegal aliens are a drain on San Diego County's justice system.

Burgreen said Thursday that although the memo bore Kolender's name, it was actually written by the department's training division.

But the memo drew angry protests from groups that claimed police were contributing to skewed statistics that would militarize the border problem and pin the blame for rising crime on illegal aliens.

Thursday morning, the Committee on Chicano Rights held a press conference and called for Kolender's resignation because members claimed he was fomenting anti-Latino sentiment.

"Our greatest fear is that it could result in a racial vendetta against every person of Mexican ancestry," said Herman Baca, committee chairman. "If he [Kolender] wants his men to be Border Patrolmen, the INS [Immigration and Naturalization Service] is hiring."

The American Civil Liberties Union and members of the Harborview Community Council also criticized the memo for reaffirming police involvement in border control, a federal responsibility.

"It directs officers to make judgments in every case of an arrest," said Greg Marshall, ACLU legal director. "Essentially it is asking for hunches and subjective judgments of patrol officers about who is undocumented. . . ."

"You might just as well have officers assuming the political affiliation or blood cholesterol level of the people they arrest. The question is: What does it matter? I think there is a lot of pressure to stigmatize undocumented immigrants, and that's something we're very concerned about."

Al Ducheny, chairman of the Harborview Community Council, said the box-checking circumvents due-process safeguards and in-

flates figures on how much undocumented aliens add to local crime. Kolender has said publicly that illegal aliens from Mexico are to blame, in part, for San Diego's rising crime rate.

"The whole idea is really insane," Ducheny said. "We see it basically as a follow-up on what [San Diego County Supervisor] Susan Golding started a few months ago."

Golding has come under criticism for her proposal to sue the federal government to recover what she said was an estimated \$23 million the county paid in the last five years to provide social services or arrest and jail illegal aliens. Her charges that illegal aliens committed a significant number of violent crimes also drew protests from Latinos. Plans for the lawsuit have been shelved.

Burgreen said that, after telephone complaints and a written protest by the ACLU, Kolender decided Thursday to write a new memo discontinuing the practice of questioning a suspect's citizenship and marking the box on the arrest form.

"The chief and I had a discussion and we agreed that we are not immigration officers and we are not to inquire about citizenship," Burgreen said. "We're rescinding that [July 28] order right now. . . . There's nothing illegal about it. We're just choosing not to follow it."

He added that Kolender is reviewing other ways in which local police participate in immigration enforcement.

For about a year, city police have been detaining people they believe are illegal aliens involved in crimes, even ones as minor as jay-walking. They hold suspects for 20 minutes so they can call immigration officials and offer them a chance to pick up the suspect.

Burgreen said the results of the immigration review would be released next week.

"We are concerned about the amount of time our officers are spending enforcing immigration laws," Burgreen said. "We are asking ourselves, 'What is it costing us?'"

The San Diego County Sheriff's Department uses the same arrest form, but a spokesman for the department said he did not know how deputies use the box.

Please see FORM, Page 5

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Border Patrol spokesman Gene Smithburg said immigration officials rely significantly on referrals from local law enforcement for arrests of illegal aliens.

Smithburg declined to comment on what a change in police policy would mean to his agency.



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ADMINISTRATIVE ASSISTANT

DISTRICT OFFICE
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BARBARA STRAHAN
ADMINISTRATIVE ASSISTANT

California State Senate

SENATOR
WADIE P. DEDDEH

Fortieth Senatorial District



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CALIFORNIA STATE WORLD
TRADE COMMISSION
ADVISORY COUNCIL
NATIONAL CONFERENCE OF
STATE LEGISLATURES

July 29, 1986

To Whom It May Concern:

It is my pleasure to write on behalf of Herman Baca a humani-
tarian who is being considered for the Durfee Award.

Mr. Baca has worked diligently for a long time to protect the
civil and constitutional rights of minorities. This has
included not only citizens of the area but also undocumented
workers.

This has been a labor of love on his part for the past fifteen
years. It would be my recommendation that he be given very
consideration for the Durfee Award.

Sincerely,

Handwritten signature of Wadie P. Deddeh in cursive script.
WADIE P. DEDDEH

WPD:fms

NATIONAL CENTER FOR IMMIGRANTS' RIGHTS, Inc.

256 S. OCCIDENTAL BOULEVARD
LOS ANGELES, CALIFORNIA 90057
(213) 388-8693/388-8091

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Arizona Farm Workers

Pablo Sedillo
Executive Director
Hispanic Secretariat
U.S. Catholic Conf. of Bishops

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Research & Advocacy Center for Equality

Father Lydio Tomasi
Executive Director
Center for Migrant Studies

Gilbert Varela, Esquire
Mexican-American Bar Association

Luis Wilmot, Esquire
Office of the People's Counsel

*for identification only

August 8, 1986

The Durfee Awards
California Western School of Law
350 Cedar Street
San Diego, CA 92101

Peter A. Schey
Executive Director

Carlos Holguin
General Counsel

José B. Valerio
Administrator

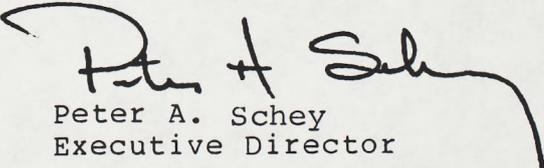
To Whom It May Concern:

I write as a graduate of California Western School of Law to endorse and support the nomination of Herman Baca for a Durfee Award.

While I was a California Western Law student, Mr. Baca encouraged and guided my concern for and involvement in the unique legal problems faced by recently arrived immigrants and refugees in this country. As a result of his example, I have, since graduating from Cal Western, argued and won many constitutional cases in the Supreme Court and lower courts protecting and promoting the rights of immigrants.

Mr. Baca has worked tirelessly and largely without compensation on behalf of the immigrant community in Southern California. His leadership on behalf of indigent immigrants has resulted in the modification and/or rescission of many INS policies which negatively impacted the Chicano community. His dedication on behalf of disenfranchised immigrants has led to many young people becoming involved in the social, legal and economic problems facing immigrants in Southern California. His advocacy has significantly diminished the civil rights violations experienced by lawful resident Latino people.

Very Truly Yours,


Peter A. Schey
Executive Director

AS:jv



Nick Aguilar
Trustee
Sweetwater Union High School District
P.O. Box 1122
National City, CA 92050
(619) 479-5046

August 1, 1986

Durfee Award
Selection Committee

RE: Endorsement of Mr. Herman Baca

Dear Selection Committee Members,

I'm pleased to have the opportunity to recommend Mr. Herman Baca as the recipient of the 1986 Durfee Award. Mr. Baca has unselfishly devoted himself for more than 20 years to an unwavering advocacy effort for the legal and Constitutional rights of the Mexican-American/Hispanic communities and the poor and disenfranchised migrant workers, documented or otherwise. Mr. Baca's advocacy activities have encompassed challenges to illegal and discriminatory practices of school district administrators, organizing and leading protest marches deploring abuses by law enforcement agencies and their employees and vigorously resisting, through individual and mass action, the imposition of unjust and discriminatory immigration policies.

As a member of the legal profession, and a trustee of one of the largest high school districts in California, I endorse without reservation Mr. Baca's nomination as the 1986 recipient of the Durfee Award.

Thank you for your considered attention to Mr. Baca's accomplishments.

Respectfully Yours,

A handwritten signature in cursive script, appearing to read "Nicholas S. Aguilar".

Nicholas S. Aguilar
Trustee
Sweetwater High School District

NSA:hc

cc: Dan Munoz

August 14, 1986

The Durfee Foundation
California Western School of Law
350 Cedar Street
San Diego, California 92101

To Whom It May Concern:

It is indeed an honor and pleasure to recommend Mr. Herman Baca for The Durfee Award. As a life-long friend and advisor to Herman on most of his human rights activities, I can personally verify that he meets every criteria set forth by The Durfee Foundation and would be an inspiring addition to your long list of past recipients.

Herman represents a tireless effort to enhance the human dignity of others through the law. He views the maintenance of human dignity as the primary goal of law and politics. In his eighteen years of involvement, Herman has insisted that regardless of background, religion or ethnic origin, every human being has the right to be treated with respect.

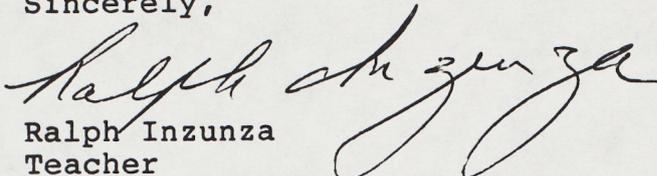
Herman is an avid reader of history and government and of issues affecting world peace. He is a self-made intellectual and a man that insists on putting himself through the most rigid tests of dialogue with the many people around him. He is constantly being consulted for advice by community people and professionals alike.

Herman is controversial because of his insistence that the political and legal system in this country live up to the highest ideals of democracy. He more than any other person I've ever known, believes in the United States Constitution. He believes that the law should not be interpreted out of expediency or for the sake of a vested interest. The U.S. Constitution, he believes, should be a standard of equality and fairness and not a tool of the rich and the powerful.

Although Herman has worked in many areas in defending the rights of groups and individuals, he has for the last ten years been known for his work on the immigration issue. He has, along with others throughout the country, redefined the immigration issue to include the rights of the undocumented worker as an individual with rights under the constitution. He has challenged outmoded ways of thinking and outdated legal concepts while at the same time working with activist and academicians to redefine the nature of American thought as it relates to legal fairness under the constitution.

I salute Herman Baca for his life-long work and his unwillingness to compromise principles we all hold so sacred. I salute him for his moral leadership. I salute him on behalf of the "founding fathers" and makers of the U.S. Constitution. And most of all, I salute him on behalf of mankind. I highly recommend Herman Baca for the Durfee Award and consider it an honor to have written this letter.

Sincerely,

A handwritten signature in cursive script that reads "Ralph Inzunza". The signature is written in dark ink and is positioned above the typed name.

Ralph Inzunza
Teacher
Sweetwater High School
National City, California

RI:eg



POLICY STUDIES IN LANGUAGE AND
CROSS-CULTURAL EDUCATION
COLLEGE OF EDUCATION
SAN DIEGO STATE UNIVERSITY
SAN DIEGO CA 92182-0137

(619) 265-5155

August 13, 1986

The Durfee Awards
California Western School of Law
350 Cedar Street
San Diego, CA 92101

RE: Mr. Herman Baca

This is to support the nomination of Mr. Herman Baca for the Durfee Award for his capable and inspiring leadership as dynamic leader and community advocate in working for the social and constitutional rights of Hispanic and national origin background persons. His leadership in the area of immigration, employment practices, and educational equity has provided an awareness for social advocacy that assures fairness and just social and political practices for all persons residing in our nation.

Mr. Baca has an exceptional insight and sensitivity in working successfully with a wide variety of peoples and programs in addressing social issues that impact on the constitutional rights of the Hispanic community. While his advocacy and daily work on immigration, employment and educational practices specifically point to the social and political needs of the Hispanic community, he provides a global consciousness and perspective to organizations and groups with whom he works.

As a community leader, he demands a high performance from all of his volunteers, while at the same time establishing the type of relationships which enables them to be productive in working to redress harmful past actions imposed on undocumented persons that are victims of economic development that transcends international boundaries. More specifically, he provides community persons with the necessary information and knowledge base to be able to have the necessary documentation to be able to respond to the unfair practices that inflict harm on the dignity and quality of life of persons.

Mr. Baca's advocacy work in immigration laws and practices are nationally acclaimed by the Hispanic community. He involves a large number of agencies that are socially committed to resolving social issues that harm the human condition of people. His style in working with people has enabled him to encourage problem-solving techniques which transcend conflicts, regardless to race, sex, and national origin.

The Durfee Awards

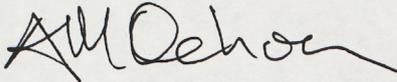
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page 2

It is with great confidence that I recommend Mr. Herman Baca for a Durfee Award. His community leadership style is "low key," and most effective. Mr. Baca has demonstrated exceptional expertise in relating social issues to the general community that increases our consciousness and involvement in working to resolve unfair and discriminatory practices.

Mr. Baca is held in high regard by all with whom he works.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "A M Ochoa". The signature is fluid and cursive, with a long horizontal stroke at the end.

Alberto M. Ochoa
Professor and Chair
Policy Studies Department
San Diego State University

VVB/hr-9



U.S. Department of Justice
Immigration and Naturalization Service

Office of the General Counsel

425 Eye Street N.W.
Washington, D.C. 20536

APR 7 1983

Mr. Herman Baca
Chairperson
Committee on Chicano Rights
1837 Highland Avenue
National City, California 92050

Dear Mr. Baca:

Your letter of February 11, 1983, to the Attorney General, has been forwarded to me for reply.

It is the position of the Immigration and Naturalization Service that only the Service is authorized to enforce the civil provisions of the Immigration and Nationality Act. However, there is no mechanism whereby the Service or the Department of Justice can issue "cease and desist" orders to localities which independently undertake such practices.

Sincerely,

Maurice C. Inman, Jr.
General Counsel

OFFICE OF THE ATTORNEY GENERAL
State of California

JOHN K. VAN DE KAMP
Attorney General

OPINION

of

JOHN K. VAN DE KAMP
Attorney General

RONALD M. WEISKOPF
Deputy Attorney General

No. 83-902

JULY 24, 1984

THE HONORABLE JAMES P. FOX, DISTRICT ATTORNEY, SAN MATEO COUNTY, has requested our opinion on the following question:

Is there a general legal duty for California judges and peace officers to report persons to the Immigration and Naturalization Service who they learn have entered the United States illegally in violation of title 8, United States Code section 1325?

CONCLUSION

There is no general affirmative legal duty in the sense of a legally enforceable obligation incumbent on peace officers and judges in California to report to the Immigration and Naturalization Service (INS) knowledge they might have about persons who entered the United States by violating title 8, United States Code section 1325, but such public officials may report that knowledge if they choose to do so unless it was learned in a process made confidential by law.

ANALYSIS

Section 1325 of title 8 of the United States Code makes it a first-time misdemeanor for an "alien" 1/ to enter

1. Title 8, United States Code section 1101(a)(3), defines the term "alien" as "any person not a citizen or national of the United States." We will sometimes substitute the term "foreign national" herein.

DEPARTMENT OF JUSTICE
Washington, D.C.

PRESS RELEASE

June 23, 1978

Attorney General Griffin B. Bell today reaffirmed Department of Justice policy that the responsibility for enforcement of the immigration laws rests with the Immigration and Naturalization Service (INS), and not with state and local police.

INS officers are uniquely prepared for this law enforcement responsibility, because of their special training and because of the complexities and fine distinctions of immigration laws, Mr. Bell said.

The Attorney General stated that the Department would continue to urge state and local police forces to observe the following guidelines:

1. Do not stop and question, detain, arrest, or place an "immigration hold" on any persons not suspected of crime solely on the ground that they may be deportable aliens;
2. Upon arresting an individual for a non-immigration criminal violation, notify the Service immediately if it is suspected that the person may be an undocumented alien, so that the service may respond appropriately.

INS officials will continue to work with state and local law enforcement officials to carry out this policy.



La Prensa San Diego

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(619) 231-2873

Supporting Documentation