

# 'Put up or shut up,' Chacon

## tells Packard

By Emmet Pierce  
Staff Writer

SD 3/12/87  
3/12/87

CARLSBAD — Assemblyman Pete Chacon, D-San Diego, yesterday challenged Rep. Ron Packard, R-Oceanside, to substantiate his assertion that crime caused by undocumented workers is approaching a crisis stage in North County.

"What he is saying about (undocumented workers) is simply untrue," Chacon said. "He has no documentation. He ought to put up or shut up."

Packard's statement was made last month following a meeting he held with local law enforcement authorities and elected officials. The remark triggered a demonstration outside his Carlsbad office by a

See Chacon on Page B-4

# Chacon: Packard statements faulted

Continued from B-1

group of Hispanic rights activists.

"Here is an elected official beating up on a defenseless group of people who are hard working, honest, and outstanding in character," Chacon said.

"I'm proud of my Mexican heritage. My great-grandparents were agricultural workers in Mexico. I believe the farm worker from Mexico over here works very hard for meager wages."

In a prepared statement, Chacon cited a draft report prepared by a research associate at the Center for U.S.-Mexican Studies and department of political science at UC San Diego.

According to the assemblyman, the report holds that it has not been determined whether crime caused by undocumented workers is increasing in San Diego County.

Packard could not be reached yesterday to discuss Chacon's challenge. His aide, Richard Rice, would offer no comment.

"The force of public opinion is something to be reckoned with," Chacon said. "Mr. Packard is up for

Earlier this week, Harold Ezell, the U.S. Immigration and Naturalization Service's western regional commissioner, was criticized by the North County Coalition for Human Resources for coming to Packard's defense during a recent prayer breakfast in Carlsbad.

During the breakfast, attended by more than 150 civic leaders, Ezell reportedly lashed out at Packard's critics, calling them "big mouths." He later said he had not intended to single out any particular group.

Ozzie Venzor, spokesman for the coalition, said it was clear that Ezell was referring to his organization, which led the demonstration outside Packard's North County headquarters Feb. 18.

Packard has agreed to meet privately with coalition representatives at his Carlsbad office March 18, Venzor said, adding that his associates are continuing to press the 43rd District Republican for a public meeting.

While Packard has declined to apologize to the coalition, he has said that he may have overstated the migrant crime problem, according to aide Rice.

Following his meeting last month with law enforcement officials, Packard suggested that a sweep of the area by the U.S. Border Patrol might be one solution to the problem. He also proposed that a task force be created to study the situation.

Venzor yesterday welcomed Chacon's defense of undocumented workers.

"As representative of the coalition, I am glad that a public official of the stature of Mr. Chacon would come forth with that statement," he said. "It's basically what we asked Mr. Packard to do: substantiate the facts for the allegation he has made."

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gas. We'd have made a good bonfire."



# Sheriff's office in Poway probes 'racist' memo

E.T.  
11/23/89

Sheriff's internal affairs officers are trying to determine the source of a memo ridiculing Hispanics that was posted for about a week last month in the squad room of the Poway sheriff's station.

The appearance of the memo is the latest in a series of incidents suggesting strains in relations between Poway and its sizable Latino population.

The memorandum called on "all sworn personnel" to "please inventory your assigned patrol vehicle for aliens."

"The city of Poway has been generous enough to see that each vehicle is equipped with three (one tall, two short), and they should be alpha-numerically designated per your unit number

"Please check your vehicle and make sure that all three aliens are present and properly numbered. They should be fully equipped with baseball caps and plastic shopping bags.

"In addition, these aliens are to be carried only in your vehicle's trunk; under no circumstances are they to be put in the console or glove compartment."

A full text of the memo was published in "Badge 911," a monthly publication of the Latino Police Officers Association, along with editorial comment deploring "that this type of activity exists and apparently is not only condoned but is initiated by some members of the supervisory staff."

The memorandum carried the signature of Sgt. Douglas F. Walters, the station's administrative sergeant, who insisted today that that document was a forgery. His signature, he said, had been lifted from another document and then copied onto the racist memo.

In an emotional telephone interview this morning, Walters said the memo has been blown out of context to the detriment of well-intentioned sheriff's officers.

"We're busting our butts up here to do the best job we can for all the people of Poway," he said. "But every time we turn around, somebody misconstrues what we're doing in a way that is grossly unfair."

He said that while the memo may have been in questionable taste, it was the kind of attempt at inside

Please see MEMO: B-4, Col. 3

per 22, 1989

## MEMO: Probe in Poway

Continued From B-1

humor that circulates in many places — including newsrooms and school lunchrooms, he said — and is not intended to be shared with outsiders.

"I don't believe it was intended to be racist in any way," he said. "It was squad room humor that picked on a subject that was inappropriate."

However, Roberto Martinez of the San Diego-based American Friends Services Committee said he saw nothing funny at all in the memo.

"It's no joke to the migrant workers who have been the target of all sorts of abuse in the last couple of years throughout the North Country," said Martinez, who works as an advocate for migrant workers.

"Something like this is not only racist in nature, but needs to be investigated and those responsible punished. It (the memo) is exploiting people who are working and contributing to the community."

Walters said he did not know who had prepared the memo, or who had furnished a copy to the Latino Police Officers Association publication. He

said he believes investigators have finished the in-house investigation and are preparing a report.

Walters said he has written Tootie Mead, the editor of the Latino officers' newsletter, to protest publication of the memo.

"It (the memo) should stay in the squad room ... it should not be sent to local or national media sources in anonymous or not-self-addressed envelopes," he said in a letter to Mead, a member of the University of California at Irvine Police Department.



# Sheriff's station memo may become campaign issue

POWAY — Hispanic police officers, angry over a memo posted in the sheriff's substation that derided undocumented migrants, say they may make the matter a campaign issue during the 1990 sheriff's race.

"I think there's a large enough Hispanic community there, and we vote," said Louis Quijas, president of the national Latino Police Officers Association.

"We'd be remiss in our responsibilities if we did not come out and say, 'Look at their attitude there.' It's a slap in the face not only to Hispanics, but law enforcement."

Lupe Avalos, president of the association's San Diego chapter and a California Highway Patrol officer in El Cajon, said the organization will await results of a Sheriff's Department internal affairs probe before deciding on whether to take any action.

The memo, typed on county stationery and posted in the squad room last month, instructed deputies to "Please inventory your assigned patrol vehicles for aliens."

It continued: "The City of Poway has been generous enough to see that each vehicle

is equipped with three (one tall, two short), and they should be alpha-numerically designated per your unit number, i.e., 495-a, -b, and -c.

"Please check your vehicle and make sure all three aliens are present and properly numbered. They should also be fully equipped with baseball caps and plastic shopping bags.

"In addition, these aliens are to be carried only in your vehicle's trunk, under no circumstances are they to be put in the console or glove compartment."

Attached to the memo was a photo

of three Hispanics in baseball caps.

The memo bore the signature of Poway operations Sgt. Doug Walters, who denies writing or signing it.

Walters said yesterday that he assumes someone cut his signature from another memo and pasted it on.

Sgt. Joe Lopez, who worked at the Poway station at the time, sent a copy of the memo to the Latino Police Officers Association. He was transferred to the Lemon Grove substation on Nov. 17, but the Poway station commander, Capt. Jay LaSuer, said the transfer had nothing to do with the memo.

"He had requested a transfer to be closer to home in East County," said LaSuer.

"The entire thing is under investigation by internal affairs, so I can't go into a lot of detail. I think someone decided to make a joke — a very tasteless one. It's racist stuff I wouldn't tolerate for a second."

LaSuer criticized Lopez for not bringing the memo to his attention.

"He's a supervisor, and bound to do what I did when I found out about it — get an investigation started."

See Hispanics on Page B-9

## Hispanics: Group may take action

Continued from B-1

LaSuer said.

Lopez could not be reached for comment yesterday.

An attorney representing migrant workers in an \$18 million lawsuit against the Sheriff's Department called the incident an example of racism in Poway.

"It's one additional proof of the type of police officer the Poway substation has," said Edmundo Espinoza, who filed a federal suit alleging 85 workers arrested in a 1988 rape investigation here were falsely imprisoned and maliciously prosecuted. The charges were eventually dropped.

"I'm not saying people shouldn't have their own feelings in the privacy of their homes," Espinoza added. "But not when you're doing this inside a law enforcement agency that's paid for by taxpayers."

Roberto Martinez, a director of the U.S.-Mexico Border Program run by the American Friends Service Committee, said he felt the memo reflected an undercurrent of racism by some deputies.

"The Sheriff's Department is to protect and serve all members of the community, documented and undocu-

mented. The person responsible here should be disciplined appropriately," he said.

Last month, Martinez held a news conference on the steps of the Poway City Hall, complaining that local deputies had done little to protect migrant workers from attacks in the fields.

"This seems like an extension of that kind of mentality," Martinez said yesterday. "We're already in favor of replacing Sheriff Duffy. We may favor someone else if this sort of thing isn't corrected."

Duffy did not return a telephone call from a reporter yesterday, but a department spokeswoman said the ongoing internal affairs investigation precluded comment on the matter.

The memo was posted on a squad room bulletin board for at least 10 days early in October. LaSuer said he never saw or heard of it until Detective Sal Navarro brought it to his attention around Oct. 20.

The Latino police association published the memo in the October issue of its monthly newspaper, "Badge 911," sent to about 5,000 officers nationwide. The paper circulated among members attending an association convention in San Diego the third week of October.

Quijas said a sheriff's internal affairs investigator called him on Oct. 24 to ask for a membership roster of the officers' association. Quijas declined to provide the list.

"He wanted to find out who sent us the memo. That's what his concern was," said Quijas, a Kansas City, Mo., police captain. "I was wondering

why they weren't looking for the person who wrote the memo rather than the person who turned it over to us."

He added that his organization will monitor the case to see if Lopez, who has acknowledged forwarding the memo, is disciplined more harshly than the note's author.

"Sgt. Lopez shouldn't be the scapegoat in this," Quijas said. "My concern is that the memo was left up for 10 days, and obviously supervisors had seen it. Why would you turn it over to your supervisors if they're the ones laughing at it?"

Walters blamed Lopez for taking the memo out of the station, and "Badge 911" editors for publishing it without contacting him first.

"I'm concerned people will believe that memo was written by me," said Walters. "I wrote a letter to those editors and demanded an apology and a retraction."

Walters said: "I've never in 18 years of law enforcement seen a memo like this one. The racist issue is bogus. It does not exist. I believe it was never intended to hurt anybody or leave the station."

"This would not have been an issue if it had been left in the squad room where it belonged. That's where conversations go on, discussion of the day's events. Officers have a reasonable right to expect those discussions will stay in that squad room."

"Some people think it's funny, some people don't. Cops have a particular sense of humor. There's no way anyone outside the profession can ever understand that kind of thing."



# Packard Refuses to Retract or Submit Proof of Racist Statements

By Daniel L. Muñoz

"Representative Ron Packard has refused to apologize or retract statements which allege that the Mexican workers, or as he calls them, the 'illegal aliens' are responsible for a 'crisis' of crime in the North County," Rev. Rafael Martinez informed *La Prensa San Diego*.

The issue came to a head when Congressman Ron Packard held a press conference and declared that "illegal-alien crime in North County has nearly reached the crisis stage." Packard then proposed the formation of a task force of local and federal officials to tackle the problem. Packard produced no substantiating evidence for his allegations and accusations.

These same type of racially motivated attacks, last occurred in Carlsbad and Encinitas in 1987 when residents complained to city officials that illegal aliens were harassing school children and abusing them. A Task Force was created to investigate those charges. The Task Force report when issued showed that Latinos commit a very small percentage of crime in North County and most were relatively minor thefts. However the damage was done with the hysteria that was generated.

The Rev. Rafael Martinez, (64) a pastor of the Solana Beach Presbyterian Church and director of the North County Chaplaincy, after reading Rep. Packard's statements, issued a warning that the Congressman's statements and proposals could once again foster discrimination against Latinos in the North County. "This could breed animosity, cruel treatment and discrimination," he said.

Rev. Rafael Martinez and the members of the North County Chaplaincy, after having met rejection in trying to meet with the Congressman and/or his representatives then decided to go to the Congressman's Carlsbad office and submit a statement of their concerns. Instead of being received by the local staff, Rev. Rafael Martinez and another member of the group were instead rebuffed and treated shabbily by Packard's staff.

"When we went to the office of Rep. Packard we had about a dozen people with us. Some were businessmen, others were members of the North County Chaplaincy and some were from the Mira Costa College. We had decided to hold a press conference outside the Congressman's office to dramatize our concerns over his statements. We wanted to air our objections to this inflammatory statements and innuendos about the Hispanic workers, or as he calls them 'illegals'. We wanted to state publicly that this was unacceptable and that we felt the Hispanic community had been offended by his statements.

We were demanding an apology. We believe that they are entitled to an apology. If he did not apologize, then we demanded that he support his statements with proof and facts which he used to base his allegations on. When we realized that Rep. Packard was not in his office, we started to leave. But then we said, 'if the Congressman isn't here, we ought to leave a copy of our statement with his office. We then went into his office for the simple purpose of handing a copy of our statement to a staff person. I smiled and said 'good morning' to the secretaries... and nobody answered! I

(See Packard pg 3)

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## Bishop Chavez Perturbed

(Con't fm pg 3)

The MECHA students at their meeting this Tuesday once again have voted to publicly condemn Rep. Ron Packard's racist statements and to confront him at every opportunity until he retracts and apologizes for his inflammatory statements.

It seems that periodically Anglo office holders and the legal police powers feel obligated to raise the fears of a "brown tide" inundating our cities bringing crime and disease with them. This is particularly true when they have proven incapable of carrying out their responsibilities as mandated by law or regulation. The irresponsible climate of fear and hate begun by the INS, in the person of Howard Ezell, still haunts us and brings fear to the hearts of the victims.

"The Catholic community is bothered and perturbed by the inflamator statements made by Congressman Ron Packard," stated Auxiliary Bishop Gilberto Chavez of the San Diego Catholic Dioceses. "The only way to resolve the issue is for a Task Force comprised of the community, and not of law enforcement agencies to seek out the facts to let the facts speak for themselves. We need to ask 'Why are the undocumented attacked? Is it true that being Brown and poor makes them unacceptable to society? A neutral group needs to look at these facts. It would seem," said Bishop Chavez, "that stereotyping is the easy way out instead of doing your homework. Catholic groups are insulted and disturbed at these attacks," concluded the Bishop.

In 1987, Supervisor Susan Golding also attacked without provocation the Hispanic community and the undocumented with unsupported statements that claimed they were responsible for the majority of crime in the county. In spite of the fact that neither the Sheriff nor the police could support her allegations. Evidentially, she also had to apologize and retract her statements.

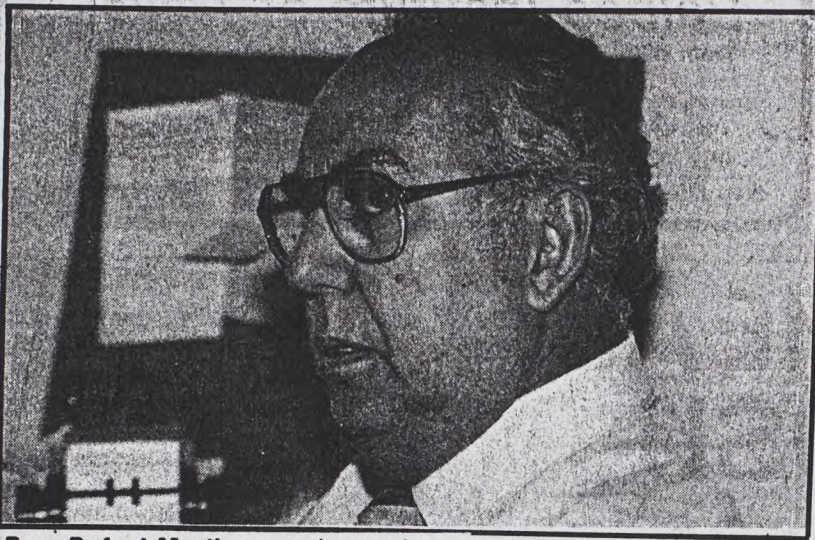


Aux. Bishop Chavez speaks on County.



# Packard Condemned by Hispanics

(Con't fm pg 1)



Rev. Rafael Martinez seeks apology.

couldn't believe it! Then I said, 'can we find out who is in charge here? We want to leave this statement! No one would respond to us. They ignored us like we were nothing. At the point, we asked 'what kind of a Congressman's office is this? Whether you like it or not, Packard is suppose to represent all of us. He is our Congressman! Packard represents all the people in this district and this is our office,' Rev. Martinez informed Packard's staff.

What happened afterwards still amazes and shocks Rev. Martinez and the group of Anglo Religious and Businessman that came in support of the North County Chaplaincy.

"I finally asked a secretary 'Why can't anyone here accept this statement?' She then said: 'I am a volunteer here. After being ignored, rebuffed and mistreated, a staff member said for them to wait that the Assistant, John Weif would come out and speak with us. 'We waited for over a half hour and he never came out! What did happen is that they called the Carlsbad police! All we wanted was to hand him our statement! We refused to leave until we had talked to someone in charge! Weif refused to speak with us in the office and said he would talk with us outside. He was very adamant, negative and rude. What resulted was a confrontation outside the office which was covered by the media.

The Rev. Rafael Martinez, who was the spokesman, was ordained a minister in 1961. He is a retired University College Professor. He became involved in the undocumented worker issues after arriving in California from Florida in 1984. "I became involved in the plight of the undocumented worker after seeing the deplorable conditions under which they live," Rev. Martinez said. "Three years ago, I formed the North County Chaplaincy Group and started a ministry for the farm workers. Its members are mostly business people and members of eight religious groups. It is an ecumenical organization," he pointed out. "I originally sought out church people because they were the most inclined to help those poor unfortunate. Now we have a cross section of the community in the group: Whites, Mexican Americans, Businessmen, Religious people and youth. We seek out the undocumented in their caves and mountain side retreats. We bring them food, clothing, and medicines. We organized a field clinic with volunteer doctors and nurses who work out of a van. We mostly work with the farm workers of Carlsbad, Encinitas, Ocean-side and Vista. The growers do not participate in the ministry. But they do not bother us. Neither does the "Migra", points out the Rev. Martinez.

Rev. Martinez pointed out that Congressman Packard

has never asked to meet with their group on issues concerning the undocumented. Nor has his local administrator, John Weil, asked to meet with them. This in spite of the fact that Rev. Martinez and his group have been involved with the Encinitas Task Force that was created to investigate the allegations that the undocumented were attacking school girls, stealing the children's lunch money, and causing crime in the area. The Encinitas Task Force in a publicized report found no evidence to support the wild allegations of the parents. Instead, their research indicated that the undocumented and Hispanic communities were responsible for very little crime in the North County and that most of that was of a minor type.

"This is not the first time that Rep. Ron Packard has attacked the Hispanic community by raising the specter of "illegal Alien crime", stated Martin Aider, Mira Costa College instructor and advisor to the student MECHA organization. "George Romnie, who at the time was working for Ron Packard as his administrative assistant, attempted to use the illegal alien issue to bolster his campaign for County Board of Supervisor. At the time, he was running against Jonn McDonald. Romnie, evidently with the support of Packard, used the "illegal alien" bashing tactic to try and demonstrate that he was a law and order type. The MECHA students, with support from some of the Mira Costa faculty issued a public letter, at that time asking Romnie to retract his statements. We repudiated his statements. Our letter appeared in the local media condemning his unfounded allegations and across the board condemnation of the Hispanic community. Romnie was obliged to issue a public apology and admit that he had no intent to slander the whole Latino community. This was issued just shortly before he lost the election. During this same time frame (1985-86),

charges were raised that the undocumented workers were harassing, intimidating and stealing the children's lunch monies. The parents charged that their children were being intimidated by the illegal aliens in the area. Ron Packard, at the time echoed the hysterical statements of the parents in spite of the fact that there was no evidence to indicate that there was any truth in the matter," recalled Martin Aider.

As a result of the hysteria begun by George Romnie, picked up by the parents and fueled by Ron Packard's irresponsible statements the INS/Border Patrol with Howard Ezell in charge held a highly publicized "Operation Clean Sweep" in which they supposedly rounded up all these so call lawless illegal aliens in the North County. "It was during these sweeps our Mexican American students had extreme difficulty attending college. The Border Patrol used the excuse of "Operation Clean Sweep" to harass, intimidate and in many cases to keep our students from attending classes" said Aider. "The whole tone of the operation was set as "an effort to clean out from the White society the dirt and unwanted elements in order to keep America clean and White," Aider said.

In spite of Cong. Ron Packard's grand standing during the Encinitas incident, the issue was finally put to rest when the Task Force created to investigate the allegations and charges against the illegal aliens found them to be without merit or proof. Incredibly once again, Ron Packard has launched another campaign of vilification against the Mexican workers and by implication against all Hispanics with inflamatory rhoteric which is totally unsupported by fact. "It would appear that Packard once again wants to use the tactic of alien bashing in order to project himself as a law and order candidate at the expense of the Hispanic community," said Aider.

(See Bishop pg 4)



# San Diego

South County



**Tom Blair**

**T**rial offer: After 32 years as a San Diego cop — the past 12 as police chief — Bill Kolender began his new job yesterday as assistant general manager of these newspapers. But he wasn't forgetting his old buddies. When they arrived at work yesterday, his former assistant and four deputies found copies of *The SD Union* on their desks, with Kolender's new business card

## Police say migrants take 34% of time

By Emmet Pierce  
Staff Writer

CARLSBAD — North County police officers spend a third of their time responding to calls involving undocumented migrants, according to survey results presented yesterday to the North County Immigration Study Group.

However, despite their frequent contacts with migrant workers, officers involved in the study said relatively few incidents involved serious crime.

"Most of the contacts involve minor or lesser offenses," said Susan

Pennell, the San Diego Association of Governments' director of criminal justice research. "That's contrary to what a lot of the citizens believe."

The 16-question survey, designed to gauge the impact of crime involving the undocumented, was distributed in June to 370 patrol officers in Carlsbad, Escondido, Oceanside and sections of North County patrolled by sheriff's deputies.

Questionnaires completed by 171 officers were tabulated by SANDAG. Fifth District Supervisor John MacDonald, co-chairman of the 20-member study group created by Rep. Ron Packard, R-Oceanside, stressed that

the study consisted of opinions, not documented evidence or verifiable research.

"It's not scientifically collected data, but it does give some indication of the time consumed by law enforcement in dealing with documented and undocumented" residents, MacDonald said.

The survey indicated that, during a typical week, 34 percent of police contacts in the region involve immigrants without proper documentation.

Forty-one percent of those surveyed said they responded to general disturbances each day involving un-

documented workers. The calls included such incidents as disturbing the peace, loitering, trespassing and urinating in public.

Fifty-one percent of those polled said they responded each day to traffic violations involving undocumented residents. Thirty-six percent cited daily calls involving migrants and public drunkenness.

In contrast, only 1 percent of the officers said they responded each day to violent felonies involving immigrants. Thirteen percent cited daily calls involving property felonies.

An overwhelming 94 percent of

those who completed questionnaires said undocumented residents contributed significantly to rising crime, however. The the survey concludes that 62 percent of the immigrants contacted by police are crime suspects while 38 percent are victims or witnesses.

Fifty-one percent of the officers said that criminal activity caused by aliens usually is the result of need or financial necessity. And 85 percent said patrol officers should receive special training for dealing with undocumented workers.

In general, survey results agreed  
See Poll on Page on B-2

### City OKs

### Conflict



# Poll: Police say migrants take 34% of time

Continued from B-1

with a recent study published by UC San Diego's Center for U.S.-Mexican Studies. Author Daniel Wolf concluded that the San Diego press had failed to make a clear distinction between border bandits and the more numerous migrant workers who do not commit serious crimes.

Wolf reported that most crimes committed by undocumented workers involved public order misdemeanors and "survival crimes" such as the theft of food.

Thirty-five percent of those surveyed for Packard's study group said most of their contacts with undocumented residents were resolved through "question and release." Only 22 percent said most immigrants they contacted were detained for the U.S. Border Patrol. And only five of the 171 officers surveyed said police should be allowed to arrest persons for violating immigration laws.

The study sought to determine how officers judge citizenship status. Eighty-five percent said they depended on undocumented immigrants to confess. Seventy-four percent said they could tell by a lack of proper identification. Forty-three percent said the inability to speak English was one factor they used to determine citizenship.

The demeanor of immigrants was cited as a factor by 23 percent of those who completed the survey. Thirty-three percent said they used clothing as an indicator of citizenship status while 44 percent cited "physical appearance."

Although the crimes they are involved with generally are minor, undocumented residents take up a disproportionately high percentage of officer time, said Assistant Sheriff Jack Drown, a member of Packard's task force.

Drown and other law enforcement officials who serve on the panel said the survey's results were what they had expected. Escondido police chief Vince Jimno said he hoped the opinion poll would set the stage for scientific study.

Packard, who did not attend yesterday's study group meeting, could not be reached for comment. Hispanic activists who serve on the immigration study group had favored an alternative proposal to ask police officers to document all of their calls over a two-week period. They were told such a study would be too expensive.

Without such verifiable data, the completed survey is unreliable, charged Ozzie Venzor, a member of the study group who represents the Friends of the Undocumented organ-

ization.

The Rev. Rafael Martinez of the North County Chaplaincy yesterday said the survey was useless because it did not take into account the thousands of immigrants in North County who have been documented in recent months.

San Marcos mayor Lee Thibadeau, who co-chairs the study group with MacDonald, disagreed. His voice rising, Thibadeau accused Venzor of grandstanding. He noted that Venzor held a news conference last week to denounce the survey before the results were made public.

At his news conference, Venzor questioned the fairness and objectivity of the study, charging that it would present a negative image of undocumented immigrants. Yesterday, he said that the survey was de-

signed in part to raise federal grant money for local law enforcement agencies.

Venzor was appointed to Packard's panel earlier this year, after he and other activists challenged the congressman's contention that crime caused by undocumented workers was reaching a crisis stage in North County.

Packard apologized for his statement in March and acknowledged that he lacked data to back up his remarks. Last week, he defended the survey as a sincere attempt to obtain information.

Despite criticism from Venzor and Martinez, study group members yesterday agreed by voice vote to refer the completed survey to their subcommittee on crime to "develop a program of action."

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# ALIENS: Critics Dispute Opinion Poll

Continued from Page 1

Of an average of 71 contacts with individuals each week, officers estimated that 24 of those people, or about 34%, were illegal aliens. According to their responses, it took 37% of the officers 30 minutes to an hour per shift to handle contacts with aliens, while 36% said they spent one to two hours. An additional 21% indicated they spent less than 30 minutes a shift, and 7% of the officers responding said they spent three to four hours dealing with aliens.

A high percentage of the patrolmen said aliens represent a sizable portion of their workload. Asked if contacts with aliens represent a major part of their job, 84% either agreed or strongly agreed.

An additional 94% said they agreed or strongly agreed that aliens contribute significantly to rising crime, and 86% agreed or strongly agreed that contacts with aliens take more time than with U.S. citizens. Correspondingly, 85% of the officers said there is a need for more special training for law enforcement personnel, with 77% suggesting that more Spanish-language schooling is needed.

Officers estimated that illegal aliens make up 34% of the traffic accidents they handled, 56% of the hit-and-run accidents, 44% of the stolen vehicle reports and 45% of

other traffic violations.

The patrol officers suggested, however, that the immigrants do not take part in a high percentage of felony crimes. They said that, on a daily basis, aliens take part in 1% of the violent felonies, 13% of the property felonies, 7% of drunken-driving arrests and 7% of the battery apprehensions.

Minor crimes made up the bulk of the contacts, according to the officers polled, with aliens representing 51% of the contacts involving traffic violations, 41% of the general disturbance misdemeanors (disturbing the peace, loitering, urinating in public, trespassing and others) and 36% of the cases involving drunkenness in public.

### Questioned and Released

The officers said they typically question and release 35% of the aliens they come in contact with. An additional 22% are detained for the Border Patrol, 26% are issued citations, 17% are arrested for misdemeanors and 3% are arrested for felonies.

In their dealings with aliens, officers said, the immigrants are victims about a third of the time and suspects nearly two-thirds of the time.

While Venzor and others blasted the study, San Marcos Mayor Lee

Thibadeau criticized the opponents, saying they are "taking things out of context." In particular, Thibadeau suggested that Venzor and other critics were out of line for holding a press conference last week to debunk the study before the results were even released.

"If you're just going to try to make headlines . . . then I think you're undermining what all of us are trying to accomplish," Thibadeau told Venzor during the task force meeting Monday.

After the meeting, Venzor offered few words on Thibadeau's remarks, noting simply that "he can say anything he wants to."

For each of the following statements, please circle the category that best describes your opinion, based on your patrol experience:

*Source: Packard task force.*

	Strongly Agree	Agree	No Opinion/ Don't Know	Disagree	Strongly Disagree
Contacts with illegal aliens represent a major part of patrol officers' workload.	43%	41%	3%	12%	1%
Illegal aliens contribute significantly to rising crime.	58%	36%	4%	2%	1%
Illegal aliens are more likely to be involved in serious felony crimes than minor, lesser offenses.	12%	27%	18%	41%	2%
Illegal aliens are more often the victims of crimes than the criminals.	1%	23%	11%	55%	10%
Contacts with illegal aliens generally take more time than similar types of contacts with citizens.	36%	50%	2%	11%	1%
Criminal activity by aliens is usually the result of need or financial necessity.	11%	40%	21%	25%	4%



MON. thru FRI.  
9:00 to 9:00  
SAT. 9:00 to 7:00  
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L.A. Times 8-2-88

# Survey of Police on Aliens Arouses Critics

By ERIC BAILEY,  
Times Staff Writer

Illegal aliens are involved in about one-third of the encounters made by police in North County, but most of those are for minor crimes such as traffic violations, according to a controversial opinion survey of officers released Monday.

Conducted by a task force formed by Rep. Ron Packard (R-Carlsbad), the poll stems from the heated debate in North County over the impact of impoverished immigrants from south of the border on everything from crime to health care.

The survey, done over several weeks earlier this summer, came under harsh attack from members of Latino and human-rights groups, who suggested it lacks any scientific validity and threatens to inflame racist sentiments in the community.

"It's very obvious that there are a number of problems with this survey," said Ozzie Venzor, a leader of the 300-member North County Coalition for Human Resources, a group sympathetic to the plight of immigrants who have flocked to the region. "This is a very critical

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**'The thing is an opinion survey, not a scientifically defensible survey. We all knew that. What good is that? It's a starting point.'**

**Supervisor John MacDonald**

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issue, and we should get some real facts."

But leaders of the special task force suggested that the poll represents an important jumping-off point and could lead to a more intricate study.

"The thing is an opinion survey, not a scientifically defensible survey," noted San Diego County Supervisor John MacDonald, who is chairman of the group. "We all knew that. What good is that? It's a starting point."

MacDonald said he hopes the opinion poll will be followed soon by a more detailed study, but he suggested that funding constraints and other problems could hinder such an effort.

A subcommittee of the task force was ordered Monday to come up with recommendations based on the survey, which cost more than \$1,000.

The eventual aim of the task

force, according to MacDonald and others, will probably be to seek help from the federal government to overcome the impact of the thousands of migrant workers in North County who have put a strain on police, health care, social service agencies and schools.

"The whole reason for this exercise is to go to the federal government and say, 'We've got a problem, guys,'" said Vincent Jimno, Escondido police chief and a task force member.

## Long-Held Beliefs of Officers

While cautioning that the survey represents nothing more than the opinions of the officers involved, several law enforcement officials suggested that the results validate their long-held belief that migrant workers have a profound effect on the police workload in North County.

Jack Drown, an assistant sheriff

servicing on the task force, said the survey indicates that "a relatively small proportion of the base population has a disproportionate impact on police services in North County."

Jimno agreed, saying the alien impact "is a real problem whether we like it or not. It's there. It won't go away. It's going to be there for another 10, 15 years at least."

But Venzor and others argued that the opinion poll was poorly drawn up, with questions that could elicit only responses that are negative to aliens.

Moreover, they noted that the survey, administered to officers on a voluntary basis, relied on the memory and estimates of law enforcement personnel instead of hard facts.

"The problem with this type of survey is that it's all opinions," Venzor said. "I think we need to do a scientific survey of some kind."

Of the 470 patrol officers in North County, 171, or about 46%, completed the six-page survey. Sheriff's deputies represented 79 of the respondents, while surveys were received from 29 officers in Carlsbad, 51 in Escondido and 12 in Oceanside.

**Please see ALIENS, Page 8**



# Packard staff causes 'crisis, almost'

THE RIGHT to peaceful dissent is a 200-year-old American tradition and one of our most cherished freedoms. It apparently stops, however, at the door of the Carlsbad office of Rep. Ron Packard, R-Oceanside.

A receptionist in Packard's office called police last week after about 20 North County residents attempted to deliver a statement to Packard criticizing some Packard comments on undocumented workers. Packard's secretarial staff refused to accept the statement from the North County Coalition for Human Resources. Then, after coalition members said they would stay until the congressman's local representative arrived, the receptionist called police.

John Weil, an aide to Packard, arrived shortly after police did and offered to meet with coalition leaders, but not the entire delegation. Weil and the group then moved outside, where he accepted their statement and defended the congressman during an ensuing discussion.

3/1/88 E.T.

The coalition was protesting Packard's suggestion that local and federal officials create a task force to combat a perceived increase in crime committed by undocumented workers. Its members objected to Packard's characterization of the alien crime problem as a "crisis, almost" and his use of the term "illegal aliens."

The congressman acknowledges there are no meaningful statistics to prove that crimes committed by illegal immigrants are increasing. "It is not my job to have documentation," Packard told The Tribune last week. "That is up to the law-enforcement agencies." That is a questionable assertion at best. Granted, it is not the congressman's job to collect the data, but it is his job to have more than anecdotal evidence before recommending action.

We're offended both by Packard's insensitivity toward the undocumented and his staff's rude treatment of his constituents. Packard should learn more about immigrants and crime; his staff should learn better manners.



# Impact: Crime survey slammed

Continued from B-1

needs to be a (study) that lets us know the nature of the problem, the extent of it."

The Rev. Rafael Martinez of the North County Chaplaincy said he considered the survey to be "dangerous."

"What we would like is to have the survey suspended, not done at all," he said following the session with Packard.

Gloria Carranza of the county's Human Relations Commission and her mother, Alica Bedwell, took part in the meeting. Bedwell has represented Oceanside officials during meetings of Packard's task force.

In June, an estimated 300 law enforcement officers were surveyed in Oceanside, Carlsbad, Escondido and sections of North County patrolled by sheriff's deputies, said Susan Pennell, the San Diego Association of Governments' director of criminal justice research.

The officers were asked to estimate how much of their time was spent on calls involving undocumented immigrants, she said. They also were asked to identify the nature of the calls. Pennell is in the process of tabulating results of the survey for presentation to the 20-member immigration group early next month.

Hispanic activists serving on the immigration panel favored an alternative proposal to ask police officers to document all of their calls over a two-week period, said Carranza. Without such detailed information, the approved survey merely will be a collection of opinions, she asserted.

"You are getting a reaction from a group of people that's too homogeneous," said Martinez. "I would object on the same basis if you surveyed 300 ministers or 300 lawyers. That's what bias is: a one-sided point of view."

The activist said he feared that Packard or the involved law enforcement agencies would use results of the survey to justify intensified police action against undocumented workers.

Carlsbad Police Chief Bob Vales said another law enforcement representative on the immigration panel would have detailed crime study consuming expensive and time-

"We decided to do this because we felt we could manage it best," said Vales. "The other (proposal) was going out and tabulating every single contact we made. It's just a lot of time and effort."

Pennell said the survey was not meant to be an exhaustive analysis of crime perpetrated by undocumented workers.

"The subcommittee was interested in having some very quick results," she said. "This (survey) will give them some estimates."

Packard's immigration panel was formed in March and asked to examine the problems of migrant workers. Chaired by Fifth District Supervisor John MacDonald and San Marcos Mayor Lee Thibadeau, the group plans to complete its broad task in the fall.

Thibadeau yesterday said he realized that the police survey was not perfect, but he insisted that it would provide the immigration group with valuable information about crime.

"I would like to have seen it a little more detailed, but I agreed that the method they came up with will still give us a good general idea and point us in the right direction," Thibadeau said. "Some of (the critics) are concerned that this is going to make (undocumented immigrants) look bad. That is not our objective."

In a recent study published by UCSD's Center for U.S.-Mexican

Studies entitled "Undocumented Aliens and Crime — The Case of San Diego County," author Daniel Wolf concluded that the San Diego press has failed to make a clear distinction between border bandits and the more numerous migrant workers who seek honest work and generally do not commit serious crimes.

Wolf found that most crimes committed by undocumented workers were public order misdemeanors, such as urinating in public, and what he called "survival crimes," such as the theft of bedding, food and cash. He cited three types of serious crime which should not be laid at the doorstep of undocumented workers: border banditry and its North County counterpart, in which undocumented aliens are the victims of armed robbers from Mexico; the theft of vehicles for use by alien-smuggling rings; "rob and return" burglaries committed mainly by repeat offenders from Tijuana, many of them juveniles.

Wolf wrote: "An individual lacking a critical approach to the reading of the news would probably come away with a general impression that the net effect on San Diego of undocumented aliens is a contribution to crime, and that most undocumented aliens engage in crime."

"Such an impression would be in error. Yet that impression is widely held, and it is occasionally exacerbated by press treatment of undocumented alien crime."

## Survey to measure migrant worker crime draws criticism

By Emmet Pierce  
Staff Writer

CARLSBAD — A police survey designed to gauge the impact of crime involving undocumented workers drew fire yesterday from Hispanic leaders who serve on Rep. Ron Packard's North County Immigration Study Group.

The activists said they feared the completed but untabulated survey of law enforcement officers would present a distorted image of the migrant farmworkers who toil in local fields.

Distribution of the questionnaire was authorized by Packard's study group in June. The congressman, who was criticized in February for

failing to substantiate, with documentation his assertion that crime perpetrated by undocumented immigrants was nearing a crisis stage, said he had no intention of shelving the survey.

"They've been critical of ... some of the things I've said in the past because we didn't have a data base," the 43rd District Republican said, following a private meeting with three Hispanic leaders. "They can't put me in a Catch-22. I can't be criticized when we proceed to get a data base."

"They've got to allow me to move forward," Packard added. "There See Impact on Page B-4

S.D. 27007  
7/19/88



# Packard hails closed talk on immigration woes

By Mark Arner  
Tribune Staff Writer

Rep. Ron Packard says several creative ideas for solving short-term immigration problems were generated during a controversial private meeting attended by officials from North County government agencies and representatives of civic groups.

Furthermore, Packard, R-Carlsbad, said during a press conference after yesterday's two-hour meeting, the session probably could have been opened to the press because none of the 30 or so people at the meeting made racist comments and it turned out to be an orderly exchange of ideas.

Packard said he had previously decided to close the meeting because he wanted to allow officials to "throw out ideas without fear of being in print."

He said future meetings will be open to the press but to only invited members of the general public.

"We find that it's far better," Packard said, "to have a small group of people who are involved . . . We don't want to open up to any- and everybody, because then we don't have a working meeting."

Packard said highlights of the creative ideas included:

- Having the U.S. government transport Mexicans convicted of crimes in this country to jails in Mexico and pay the costs of their incarceration to ease jail crowding in San Diego County.

- Constructing a new Immigration and Naturalization Service center in the North County to implement a new federal immigration law containing penalties for employers who hire undocu-

mented workers and offering temporary resident status to undocumented aliens who have lived in this country continuously for the past four years.

- Encouraging community service groups to provide housing for migrant field workers and to provide transportation to and from their jobs.

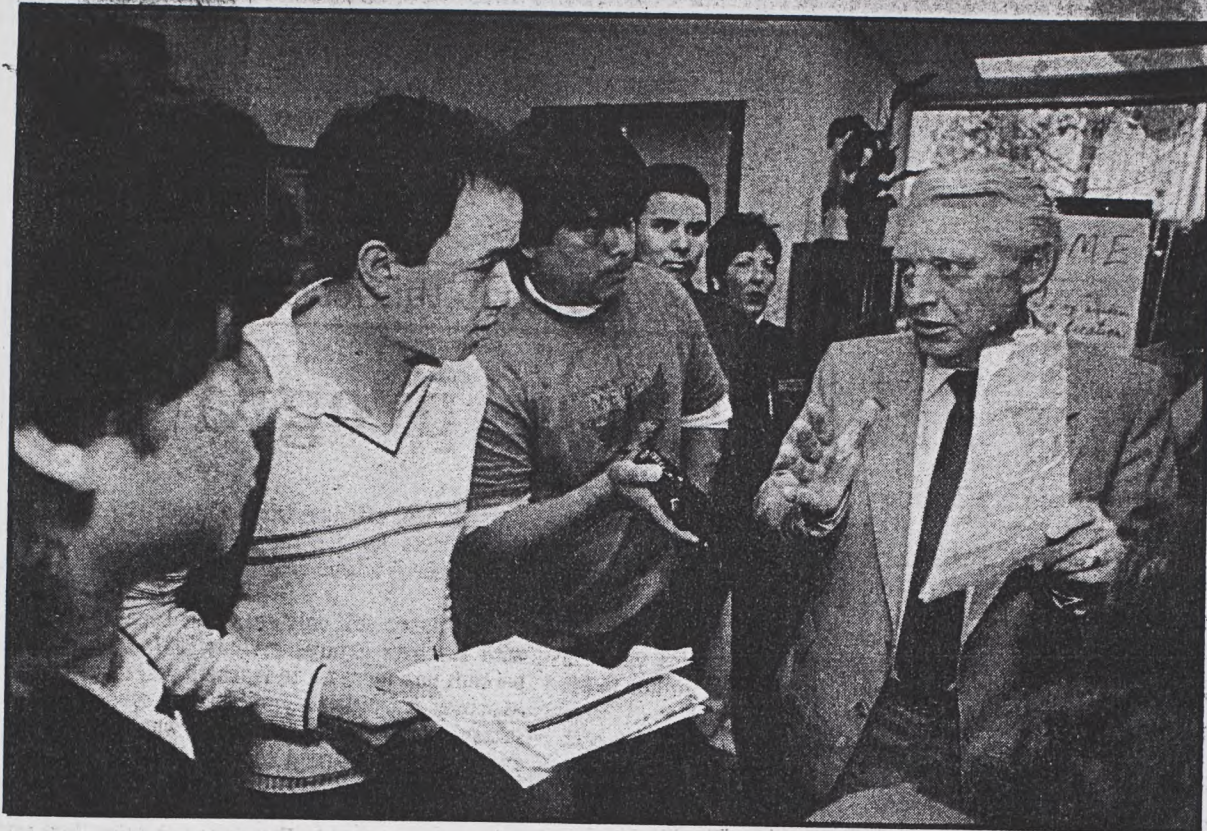
The meeting was picketed by seven students, most of them representing a MiraCosta College Branch of the MEChA/Latino Coalition. MEChA is a Spanish acronym for Student Movement of Azatlan.

The students carried signs and chanted slogans, complaining that the meeting was secret, alleging racist actions by immigration officials toward Hispanics and alleging that El Salvador had been bombed.

Please see *IMMIGRATION, C-2*

11/22/86  
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Tribune photo by Bob Ivins

**ANGRY GROUP TALKS WITH REP. RON PACKARD FOLLOWING PRIVATE MEETING**

Ignacio Torres of the MEChA/Latino Coalition presents list of demands

★Immigration

Continued From C-1

The pickets chanted, "Secret meeting. Who are they for? We demand an open door," and "Packard, Packard, you can't hide; we've got the truth on our side."

Said MEChA spokesman Ignacio Torres: "If it's creative brainstorming, why can't they have community representatives in there that know about the immigration problem?"

One of the picket signs, opposing denials of political asylum, said: "Bring me your tired, your homeless — and I will deport them ... the new Statue of Liberty."

News reports earlier this week that the session would be picketed caused a last-minute change in the meeting site from a room at the Lake San Marcos Resort to Packard's much smaller office in Carlsbad at 2121 Palomar Airport Road. The presence of the pickets and newpeople in the hallways of the professional office building prompted complaints from representatives of neighboring businesses.

Among those who attended the meeting were officials of Oceanside, Encinitas, Solana Beach, Carlsbad, Escondido, San Marcos, Vista, the Immigration and Naturalization Service, the Border Patrol, the Federal

Bureau, the Hispanic Republican Committee, the BECA Foundation, the state Department of Health and Human Services and MEChA.

When Packard emerged from the session, Torres presented him with a list of "demands." Packard was told to "stop scapegoating and spreading racist stereotypes about Chicanos and Mexicanos," to "open his doors to the people and stop making decisions that negatively impact the Hispanic community," to "personally meet with some of the 30,000 undocumented workers" in the North County, to "get North County declared a sanctuary for political refugees from El Salvador, Mexico and Guatemala" and to "deal with undocumented migrants with human compassion and respect, rather than with repression."

Packard apologized to Torres for using terms such as "aliens" for undocumented migrant workers, saying he did not realize that they were offensive to Hispanics.

"Frankly," Packard said, "I think they're on the same team. I have no intention to offend anybody ... Some of my dearest friends and most trusted workers are Hispanic."

"My objective is to get people out of the spider holes ... and to try to get workers legalized so they can't

Deportation of some aliens reported halted

WASHINGTON (UPI) — Federal authorities have suspended deportations of undocumented aliens who appear to have legitimate claims for amnesty under the recently passed immigration law, The Washington Post reported today.

Alan Nelson, commissioner of the Immigration and Naturalization Service, said in a briefing yesterday to senior INS managers that the aliens will be allowed to stay in the United States until the amnesty period starts May 5, 1987, the newspaper reported.

Nelson said aliens with valid amnesty claims, including those already in custody, will be given temporary work authorizations and allowed to stay in the country, the paper said.

The new immigration law, signed Nov. 6 by President Reagan, allows amnesty for undocumented aliens who arrived in the United States before Jan. 1, 1982, and who have lived here continuously ever since.

It also provides a legalization program for undocumented aliens who can prove they worked for 90 days in U.S. agriculture in the year that



# Critics: Packard may respond

Continued from B-1

their concerns about his remarks privately. Ronald Schiffrin, a Carlsbad resident who belongs to the organization, suggested the live satellite broadcast yesterday.

If such a broadcast is not convenient, organizers of the forum are willing to change the date of their meeting so Packard can attend in person, Schiffrin said.

Local Hispanic rights advocates are eager to meet with the congressman, he stressed.

"If we have a meeting, we will have at least 100 people," Schiffrin said. "We're not looking to bash Packard. We are looking to help him, not to hurt him."

Although Packard may take part in the meeting, he would prefer to meet with coalition leaders in private, Rice said.

"He recognizes it is a controversial and emotion-charged issue," the aide explained. "When you are discussing issues like that, it is best to keep the group small and private. Things then don't have as much potential to get out of hand."

Packard was visiting relatives in California yesterday and could not be reached for comment.

In October 1986, the congressman used a satellite broadcast from Washington to take part in a Carlsbad community meeting at Kelly Elementary School.

Some parents had expressed fears that migrant workers might pose a threat to children at the school. The cost of the live broadcast reportedly was covered by Packard's campaign committee.

After meeting with local law enforcement authorities last month, Packard said some residents of his district lived in fear of the crime caused by undocumented workers. He suggested that sweeps by the U.S. Border Patrol might offer one solution to the problem.

His comments drew about 15 demonstrators to his Carlsbad office. Police were summoned when the group attempted to deliver a statement of protest to Packard's staff.

In their statement, the vocal but orderly group said Packard's comments about migrant workers were "irresponsible and are inciting an inflammatory situation."

Initially, Packard's staff would not

of the office. A receptionist reportedly called the police when demonstrators said they would wait for Weil to return. No arrests were made, however, and Weil accepted the statement when he returned.

During the Feb. 18 demonstration, coalition spokesman Ozzie Venzor charged that Packard, who is seeking re-election, was establishing himself as a law-and-order candidate at the expense of the Hispanic community.

"Several people want to give him the opportunity to answer," the Rev. Rafael Martinez of the North County Chaplaincy said yesterday. "We don't want it to appear that he has been treated with any unfairness. It seems like a friendly dialogue with him and

his constituents is the best way to clear the air."

Packard has said that he may have overstated the situation when he said crime caused by migrants was nearing a crisis point.

"He has said that might not have been the best choice of words," said Rice. "But when you have constituents contacting (you) in the number that they are, that says something about the weight of the problem."

Weil has estimated that the congressman receives between 10 and 15 letters each week from residents complaining of crimes committed by undocumented migrants. The crimes reportedly range from vandalism to theft.

## Packard may answer Hispanic rights advocates by satellite

By Emmet Pierce  
Staff Writer

OCEANSIDE — Rep. Ron Packard, R-Oceanside, may be sitting in a television studio on the other side of the nation when he responds to criticism from Hispanic rights advocates here.

Disturbed by Packard's contention that crime caused by undocumented workers is nearing a crisis point, a group called the North County Coalition for Human Resources has asked him to take part in a March 10 public forum at MiraCosta College.

Packard cannot return to the 43rd District for the forum because Congress will be in session, aide Richard Rice said yesterday from his Wash-

ington office. Packard may be able to take part in the discussion via satellite, however.

"We will work with them to set that up," Rice said. "We did (a satellite broadcast) once before and it was rather successful."

The congressman came under fire from the coalition on Feb. 18 for remarks he made following a meeting with local elected officials and law enforcement representatives. Packard held that crime caused by undocumented workers was approaching a crisis stage in his district.

Members of the coalition have declined Packard's invitation to discuss

See Critics on Page B-4



# Packard clarifies crime 'crisis' remarks

By Emmet Pierce  
Staff Writer

S.O. May  
3/18/86

CARLSBAD — In a letter to a Hispanic rights activist, Rep. Ron Packard, R-Oceanside, said that he was merely repeating information he received from law enforcement authorities when he said crime caused by undocumented workers was nearing a crisis stage.

The letter, sent to Ozzie Venzor, was made public yesterday.

Since making the crime statement last month, Packard has been under mounting pressure from the North County Human Coalition for Human Rights to substantiate his remarks.

Police officials in Carlsbad and Oceanside yesterday said they could not attribute any increase in crime to immigrants.

"I can only repeat the words of the chief," said Sgt. Bill Krunglevich, spokesman for the Oceanside Police Department. "We do not have substantial evidence which would indicate that the undocumented worker is a suspect in crimes. He's more than likely the victim."

Carlsbad Police Chief Robert Vales attended Packard's recent meeting with law enforcement authorities last month, but said he could not recall anyone saying that crime caused by migrants was nearing a crisis.

"I never used the word crisis, that's for sure," Vales said. "The alien population has an impact on the criminal justice system, (but) we don't know what it is."

The congressman could not be

reached for comment. Aide Richard Rice said Packard was on his way from Washington to Carlsbad to meet with some of his critics.

Venzor and two other coalition representatives have agreed to meet privately with Packard today at 8 a.m. in his North County office. Venzor was one of 15 people who held a demonstration outside Packard's office on Feb. 18 to protest the 43rd District congressman's remarks about crime.

Police were called to the scene by a staff member before the vocal but orderly protesters voluntarily left.

Assemblyman Pete Chacon, D-San Diego, and Harold Ezell, the U.S. Immigration and Naturalization Service's Western regional commissioner, stepped into the battle earlier this

month.

Ezell reportedly called Packard's critics "big mouths" during a prayer breakfast for civic leaders in Carlsbad. Chacon took the other side, publicly challenging the congressman "to put up or shut up" on his contention that crime caused by migrants is increasing.

In the letter to Venzor, dated March 10, Packard stressed that he never meant to suggest that a large number of undocumented workers in North County were criminals.

"When I suggested that alien crime in North County was reaching crisis proportions I was only referring to what I had been told by local law enforcement officials," he said.

See Packard on Page B-4

## Packard: Remarks clarified

Continued from B-1

"Certainly my constituents have indicated to me in overwhelming number that they consider it a crisis. I feel it is my duty as a representative to respond to the concerns of my constituents.

"I am now aware that my use of the word 'crisis' was offensive to you," he wrote. "It was not intended to be and I've already stated publicly that it may have been a poor choice of words, but that we have a significant problem is undeniable."

Venzor said Packard had shifted responsibility for his remarks to others, but Gloria Carranza, one of the activists scheduled to talk with Packard today, said she would withhold judgment until after the private meeting.



21 1988  
**Cops called  
 to office  
 of Packard**

**Latino activists  
 protest remarks  
 on alien crime**

By Emmet Pierce  
 Staff Writer

CARLSBAD — Police were summoned to Rep. Ron Packard's office here yesterday when a group of demonstrators attempted to deliver a statement protesting the congressman's contention that crime caused by undocumented workers is nearing a crisis point.

Bearing signs with such messages as "Latinos are people, not aliens" and "more INS means more harassment," about 15 Hispanics' rights advocates marched into the 43rd District Republican's office on Palomar Airport Road after staging an outdoor news conference.

Packard was in Washington, D.C. when the group, called the North County Coalition for Human Resources, arrived at his Carlsbad office at about 10:30 a.m.

Among those who accused Packard of distorting facts about migrant workers and crime were the Rev. Rafael Martínez of the North County Chaplaincy, Ozzie I. Venzor of Friends of the Undocumented, and Dennis Meehan, president of the Carlsbad Board of Realtors.

Initially, Packard's secretarial staff declined to accept the group's one-page statement of protest, explaining that Packard's aide, John Weil, was out of the office. A receptionist reportedly called the police when demonstrators said they did not plan to leave the crowded room until Weil returned.

"All we wanted to do was hand the statement to a member of the staff," Martínez said.

Members of the group were chatting about Hispanic rights when a police officer arrived and asked them to leave.

Martínez quoted the officer as saying: "This is a private office. You have to leave." Martínez said he responded, "These are not exactly pri-

coffee and doughnuts instead of arresting us," one demonstrator told Packard's staff.

"If they wanted us to leave, they should have asked us to leave, rather than calling the police," Meehan said.

No arrests were made, but three officers remained on the scene to monitor the vocal but orderly group.

The protest was triggered by remarks Packard made last week when he called for the creation of a special task force to combat crime reportedly caused by undocumented workers. His remarks were made following a meeting with North County elected officials and law enforcement representatives.

Weil, who arrived at Packard's office shortly before 11 a.m. yesterday, managed to persuade demonstrators to move outside after coalition leaders declined to meet with him privately.

The demonstrators, standing in a parking lot, challenged Weil to provide statistics that supported Packard's assertion that crimes committed by migrant workers were on the rise and nearing a crisis stage.

In their prepared statement, the demonstrators said Packard's remarks were "irresponsible and are inciting an inflammatory situation."

"We hope that Mr. Packard is not a racist, but these comments certainly lead one to believe he is pursuing that level of rhetoric," the statement read. "It is indeed a great disservice to the community.

"... The Latino community, which constitutes a large proportion of his constituency and other decent people in the community are enraged and incensed by his ill-founded declarations and demand either an apology or a clear definition of his facts..."

"So easy it is to criticize those who cannot vote. Carlsbad doesn't approve of this sort of cheap shot."

Pressed for evidence that crime-related problems caused by undocumented workers are increasing, Weil conceded that he had none.

"There are no actual figures to document that," Weil said. "We have just talked to police chiefs throughout North County. The Border Patrol has told us the same thing."

Venzor charged that Packard, who is seeking re-election, was establishing himself as a law-and-order candidate at the expense of the Hispanic community. One of the coalition's goals, he added, is to discourage politicians from exploiting the problems of immigrants.

See Packard on Page B-4

**tin activists  
 rk on aliens**

away from his contention that there is a serious problem involving crime and migrant workers.

"I think we have reached a point where some people are demanding that something be done," Packard said. "If people are frightened and their privacy is being invaded, it's a crisis to them."

Weil estimated that Packard receives between 10 and 15 letters each week from residents complaining of crimes committed by undocumented immigrants. The crimes range from simple vandalism to the theft of mail, he said.

"It's a very difficult situation, a very sensitive issue," Weil said. "We're not out to get the (migrant workers). We also realize that the majority are hard-working and come to America to work."

Weil said yesterday's protest did not come as a complete surprise. Packard knew there would be criticism when he cited an increase in crime among migrant workers, he added.

"We expected a backlash," Weil said. "It's an emotion-charged issue."

"But I don't think there is anyone out there who could disagree with our wish to protect the citizens and the aliens (from crime)."



# Illegal-Alien Crime in North County Nearing a Crisis, Packard Says

By ERIC BAILEY, Times Staff Writer

L.A. Times  
2/12/85

Declaring that illegal-alien crime in North County has nearly reached the crisis stage, Rep. Ron Packard on Thursday proposed formation of a task force of local and federal officials to tackle the problem.

The Carlsbad Republican said he hopes the special coalition can formulate a novel and effective strategy to help curb crime caused by illegal aliens.

The task force proposal sprang up during a 90-minute meeting at Packard's Carlsbad offices of elected officials and law enforcement authorities from across the county's northern region.

Although Packard emphasized that he wants to avoid arousing "any group that has deep sympathies for the aliens," his proposal for a task force to grapple with the crime issue almost immediately drew criticism from some local Latino leaders.

The Rev. Rafael Martinez, director of the North County Chaplaincy, cautioned that a special committee to study the crime issue could foster discrimination against Latinos in North County.

"There is the potential that this could breed more discrimination, animosity and cruel treatment,"

Martinez said when informed of Packard's proposal. "There has already been a degree of polarization in the community. We don't need to stress that kind of polarization any more."

## Formed Committees

Those sorts of divisions flared in Carlsbad and Encinitas in 1987, as residents complained to city officials about the impact of illegal aliens on the safety of their homes and their families. In an effort to diffuse the controversy, each city convened a task force to study the alien issue.

Packard insisted during an interview after the meeting with local leaders Thursday that his task force would be careful to differentiate between illegal aliens who travel here to seek work and those who cross the border to commit crimes.

"We're not dealing with those that come to work in the fields, the ones who send money back to their families," Packard said. "We're dealing with the criminal elements."

The congressman said that he and other local lawmakers have in recent months noted a startling

Please see ALIENS, Page 4

Los Angeles Times

# ALIENS: Packard Calls for Study to Help Fight Crime

Continued from Page 1

increase in the number of residents complaining about crime caused by illegal aliens.

"The agencies have been inundated by letters and phone calls that tear at your heart strings," Packard said. "Our people have been put in a situation where they're literally being driven from homes where they once lived in peace and contentment."

"We've reached the point of crisis almost and we need to find solutions. We need a strategy to keep the pressure on the criminal element and drive them underground."

Just what those solutions are, however, remains to be seen. Packard said the group that met Thursday drew up few concrete answers or strategies. Nonetheless, the congressman and several other officials involved remain bullish on the proposal.

"When a problem is this acute, the solutions will come because they have to," said Vista Mayor Gloria McClellan, who participated in the meeting with Packard.

McClellan said help could come in the form of public education, advising homeowners of ways to thwart burglars and thieves.

Packard said another possibility is to reinstitute the tough border patrol sweeps that netted hundreds

of undocumented laborers about a year ago.

"We cleaned the streets off, but we didn't follow up," Packard said. "I'd like to look at the possibility of developing a series of on-going sweeps to deter illegal aliens from coming."

Carlsbad Police Chief Bob Vales, who also attended the meeting, said it will take more police and border patrol agents, jails and other law enforcement resources to reverse increases in alien crime. In addition, a task force might be able to help provide ways of easing crime perpetrated by aliens against other undocumented workers, Vales said.

"There's no question that aliens are starting to commit more and more crime," Vales said. "You look at the number of stolen cars, they're up 70% in Carlsbad over the last year, and it's about that same level countywide. Aliens aren't stealing all those cars, but they're stealing a lot of them."

Martinez, however, questioned just how much crime is being committed by illegal workers. He noted that a recent report compiled by a citizens task force in Encinitas showed that Latinos commit a small percentage of crimes in that city, and most of those are relatively minor thefts.



# COALITION: Packard Under Fire

Continued from Page 2

ney asserted that North County is plagued by gangs of illegals "that line our streets, shake down our schoolchildren, spread diseases like malaria and roam our neighborhoods, looking for work or homes to rob."

He sent a telegram to Harold Ezell, western regional commissioner for the U.S. Immigration and Naturalization Service. Romney was easily defeated by MacDonald and after the election he offered an apology for his campaign rhetoric.

Packard drew a distinction between his comments and those of his former aide.

"That was entirely different," Packard said. "I think Clyde almost unwittingly used words that were inflammatory. I don't think I have, really. I don't refer to them always as undocumented because I'm not always conscious of the terminology."

"I know some find the term illegal alien derogatory but I don't think I've said anything racist or inflammatory."

The Golding and Romney examples have not been forgotten.

"In the case of both Susan Golding and Romney, they both backtracked when confronted with the facts," said Ozzie I. Venzor, president of the Encinitas-based Friends of the Undocumented. "We don't want politicians to be able to

falsely  
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# Packard Under Fire for Alien Crime Claims

By ANTHONY PERRY, *Times Staff Writer*

Like two other North County politicians before him, Rep. Ron Packard is hip deep in an emotional controversy after blaming illegal aliens for a rise in crime and calling for a federal crackdown.

Two dozen members of the newly formed North County Coalition for Human Resources held a press conference Thursday outside Packard's district office to decry the Carlsbad Republican's recent statement that crime by illegal aliens in North County has reached crisis proportions.

The Rev. Rafael Martinez said the coalition is being organized to educate the public about immigration and the Latino community and to oppose politicians who insist on linking aliens and crime.

Martinez, pastor of Solana Beach Presbyterian Church and director of the North County Chaplaincy, said Packard and other politicians are pandering to a conservative electorate and spreading fear rather than solving the problems of

homelessness and poor health care associated with illegal aliens.

"Packard is trying to ingratiate himself with the conservative element in the community which sees the problem in this manner—that aliens bring crime," Martinez said. "He's trying to be their boy rather than face facts that the vast majority of aliens are docile, hard-working family men."

A tense exchange between coalition member Ronald Schiffrin and Packard aide John Weil on the steps of Packard's office Thursday reflected the political split in North County over illegal aliens.

Earlier, Packard staff members had called Carlsbad police after coalition members filed into Packard's office near the Palomar Airport in Carlsbad.

"We think what Packard has done is a cheap shot, an exercise in Mexican-bashing," said Schiffrin, a retired printer from New Jersey now living in La Costa. "The

Please see **COALITION**, Page 2



# COALITION: Packard Under Fire for Illegal-Alien Crime Claims

Continued from Page 1

easiest thing in the world to do is bash poor people who don't vote and can't fight back."

Replied Weil: "We're not bashing anyone, but you haven't read the letters we've received from constituents who are afraid of what's going on."

After the confrontation ended peacefully, Weil, who joined Packard's staff seven months ago, told reporters that Packard receives an estimated 10 to 15 letters a week

**'We think what Packard has done is a cheap shot... the easiest thing in the world to do is bash poor people who don't vote and can't fight back.'**

**Ronald Schiffrin**  
North County Coalition  
for Human Resources

from constituents concerned about illegal aliens, with complaints ranging from vandalism and harassment to stealing mail.

He said some elderly residents of mobile home parks located next to farmland are afraid to venture out alone. He declined to release the letters, saying a letter to a congressman should be considered confidential.

The coalition press conference was prompted by Packard's call last week for a task force to be formed among local and federal officials to tackle illegal alien crime.

Packard also said he is considering a request for increased Border Patrol sweeps in North County to remove the hundreds of illegal aliens who line major arteries such as Encinitas Boulevard and El Camino Real daily looking for work as day laborers.

"We expected a backlash," Weil said. "It's obvious. It's an emotionally charged issue regardless of what side you're on. But I don't think anyone disagrees with the

idea of protecting both the citizens and the aliens from those who would victimize them."

As a border county, the presence of illegal aliens is felt throughout San Diego County. But increased numbers and visibility in North County, particularly the coastal section, have made for mounting edginess.

A task force report for the Encinitas City Council last fall noted that much of the concern by homeowners arises from a trend among aliens to wait on major streets rather than go directly to the fields.

"... Their presence at streetsides and shopping malls is seen as incongruous by the relatively upscale Anglo majority in Encinitas," the report said.

Homeowners do not have the similar level of concern about illegal aliens who live in apartments or motels and have regular jobs, a group labeled by the task force report as "the 'invisible,' or at least less visible, unauthorized aliens residing within the city."

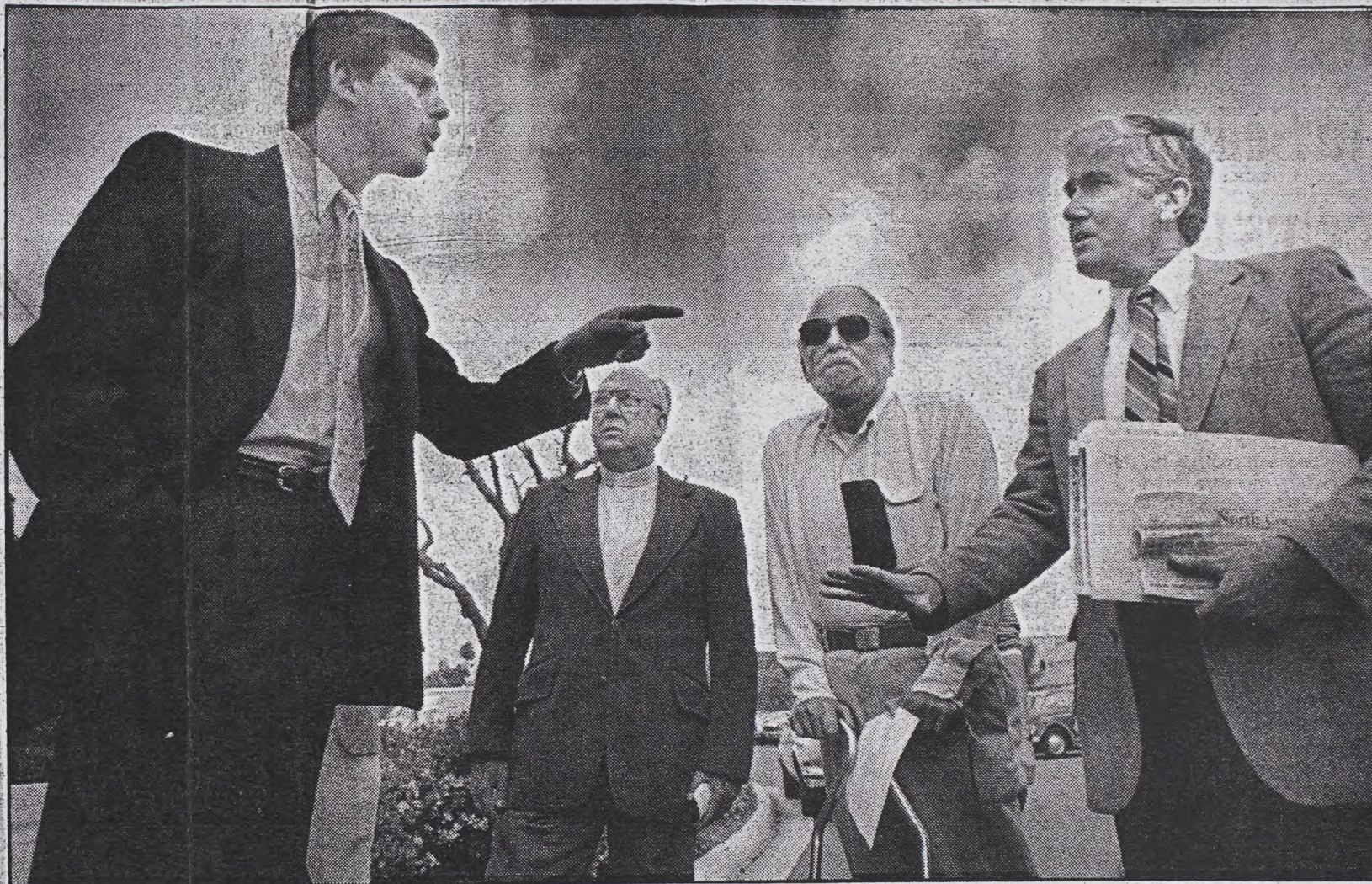
## Heated Debate

The Encinitas report—still the subject of heated debate—also indicated a disproportionately high burglary and armed robbery arrest rate for illegal aliens in Encinitas, Del Mar and Solana Beach, areas that are patrolled by the Sheriff's Department station in Encinitas.

Packard, in a telephone interview from Washington, said he called for the regional task force after being told by local government and law enforcement leaders that the new Immigration Reform Act is not curing the problem of crime by illegal aliens. He said he hoped his critics would join the task force.

"We need help from the entire community, including Hispanics," Packard said. "I had no intent to slur the Hispanic people. I've worked with them my whole life and employed them my whole life. I have nothing but good feelings toward them. But we've got a problem, and I'm looking for solutions."

Packard, who is seeking his fourth term, also disagreed with the idea that he can gain political advantage from the alien issue.



DON BARTLETTI / Los Angeles Times

A tense confrontation took place between John Weil, left, aide to Rep. Ron Packard, and North County Coalition for Human

Resources members. From right are coalition members Dennis Meehan, Ronald Schiffrin and the Rev. Rafael Martinez.

"This is a lose-lose situation politically," Packard said. "People are crying for something to be done. We've reached the point where we have to do something. I'm struggling for solutions."

"I would prefer help rather than being hammered. What sort of representative would I be if I walked away from a problem because it was a political hot potato?"

Coalition members said they favored a crackdown on crime but opposed illegal aliens being singled out as if they are a primary cause of crime, rather than just one contributing element.

All of the criminal element

should be caught and punished, but to segregate by nationality rings close to a broad ethnic slur," said the group's statement, read by Schiffrin.

The reaction to Packard's comments was similar to that brought on by Supervisor Susan Golding in May, 1986, and supervisorial candidate Clyde Romney in October, 1986. Both Golding and Romney backed down after being challenged on their facts and motives by Latino groups.

Golding had called a press conference to urge the county Board of Supervisors to sue the federal government to recover millions of

dollars spent by the county to arrest illegal aliens and also provide social services for them.

She said citizens were being shortchanged with unfixed roads and overflowing sewers, as well as cutbacks in other services, because the county was being forced to increase its law enforcement budget to fight alien crime.

To bolster her assertion, she presented figures that proved to be inaccurate, saying, for example, that half of people arrested in Escondido were illegal aliens, whereas the real figure proved to be 13%.

In the resulting furor, Golding

withdrew her lawsuit suggestion. She also moved to heal any political breach with the Latino community. Golding's supervisorial district includes the northern half of San Diego, as well as Del Mar, Solana Beach and Cardiff.

In the months after Golding's retreat, Escondido attorney Romney, a former top aide to Packard, turned to the issue of illegal aliens and crime during his campaign against John MacDonald for the North County seat on the Board of Supervisors.

At a press conference near a Carlsbad elementary school, Rom-

**Please see COALITION, Page 6**



# Hispanics press Packard over crime

S.D. 57107  
3/5/85

By Emmet Pierce  
Staff Writer

CARLSBAD — Rep. Ron Packard, R-Oceanside, reportedly has declined to meet publicly with Hispanic rights activists, but critics are continuing to press the congressman for evidence to support his contention that crime committed by undocumented workers is nearing a crisis point.

According to Ozzie Venzor, president of Friends of the Undocumented, Packard is calling for a private meeting with leaders of the newly formed North County Coalition for Human Resources. The group led a demonstration outside the 43rd District Republican's Carlsbad office on Feb. 18.

"He said he was afraid of a public meeting because it might get out of hand, but he would meet with (the Rev. Rafael) Martinez and me," Venzor said yesterday.

"He does not, at this point, seem to

be agreeable to meet with the (entire) group," said Martinez, a member of the North County Chaplaincy. "Obviously, we cannot force him."

On Monday, the coalition will deliver a letter requesting a formal response to a statement that was delivered to Packard's North County office during the recent demonstration, Venzor said.

Venzor and Martinez were among about 15 activists who assembled to criticize remarks that Packard had made following his recent meeting with elected officials and law-enforcement representatives.

In addition to saying that crime caused by undocumented workers was approaching a crisis, Packard suggested that one solution might be sweeps of the North County by the U.S. Border Patrol. He also proposed the creation of a special task force to study the situation.

Packard was in Washington, D.C.,

during the coalition's demonstration. In a written statement, the group held that Packard's remarks were inflammatory and irresponsible. Venzor charged that Packard, who is seeking re-election, was establishing himself as a law-and-order candidate at the expense of the Hispanic community.

John Weil of Packard's Carlsbad office has estimated that the congressman receives 10 to 15 letters each week from constituents who complain of crimes caused by migrants.

During a meeting with demonstrators outside Packard's office, Weil conceded, however, that there were "no actual figures" to back up Packard's statements.

Packard has declined to apologize for his remarks but, according to aide Rice, the congressman has said he may have overstated the problem. On Monday, Rice said that Pack-

ard might take part in a discussion with Hispanic activists on March 10 via satellite. Packard has since ruled out such a live broadcast from Washington, however, said Venzor.

"Certainly, the meeting will not happen without Mr. Packard," said Martinez. "The purpose is to (have a) dialogue with the congressman."

A recent task force report to the Carlsbad City Council found that undocumented workers had done much to aid the local economy but little to increase crime.

Martinez was optimistic the coalition eventually would arrange a public meeting with Packard.

"The intention of the coalition, in the long run, is to work with him and other North County officials," said Venzor. "The last thing we would want to do is have a session bashing Ron Packard. We don't want to put him on a spot, but he must come forth with a statement."



San Diego  
ASSOCIATION OF  
GOVERNMENTS

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1200 Third Avenue  
San Diego, California 92101  
(619) 236-5300


RECEIVED

JUL 26 1988

CONG. RON PACKARD  
CARLSBAD OFFICE

July 25, 1988

TO: Gloria McClelland, Mayor  
City of Vista  
P.O. Box 1988  
Vista, CA 92083

FROM:  Susan Pennell  
SANDAG  
Director, Criminal Justice Research Unit  
1200 Third Avenue, Suite 524  
San Diego, CA 92101

As you know, the immigration study group requested that police officers in North County be surveyed about time expended on contacts with undocumented persons.

Enclosed are the tabulated results. These data represent officers' opinions based on their patrol experience. The study group may wish to consider supplementing the survey results with other research approaches.

All requests for information or interpretation of the survey results will be referred to members of the law enforcement subcommittee.

At his request, I have also sent a copy to John Weil of Congressman Packard's office.

Enclosure

cc: John Weil

*Not mine!*

*Why? A Commission*

*Acct -*

*25-30% -*



## SURVEY OF NORTH COUNTY PATROL OFFICERS

Background: On June 6, 1988, the North County Immigration Study Group requested that a survey be conducted to estimate law enforcement time and resources expended on contacts with illegal aliens.

Survey Procedures: The following North County agencies participated: Carlsbad, Escondido, and Oceanside Police Departments and the Encinitas, Fallbrook, and VisCa stations of the Sheriff's Office. To increase the response rate, surveys were distributed and collected at morning, evening, and midnight shifts on two different days: June 27 and June 30. There are 370 patrol officers in these agencies. Forty-six percent (46%) of the officers (171) completed surveys. A relatively low number of responses was received from Oceanside, which may be due to labor negotiations taking place during the days the surveys were distributed. The survey should not be viewed as an in-depth analysis of police contacts with aliens. To address this issue in a comprehensive manner would require a multi-faceted approach and considerable time as well as expense.



PATROL OFFICER OPINION SURVEY  
June 1988

AGENCY (Circle One)

- 1 = Carlsbad - 29
- 2 = Escondido - 51
- 3 = Oceanside - 12
- 4 = Sheriff - 79

Total Respondents: 171

PLEASE NOTE: The following questions refer only to California law, not federal immigration law.

1. During a typical week, about how many contacts do you have with individuals? (Contacts include all activity, e.g., response to calls for service, observation, traffic stops, crime incidents, arrests, etc., with all persons.)

71 (average)

2. Using the number of contacts you stated, about how many of those contacts involve illegal aliens?

24 (Average)

Note: Based on the above responses, officers' contact with aliens averages 34% of their total contacts.

3. On a typical shift, please estimate how much time you spend on contacts with illegal aliens: (CIRCLE ONE RESPONSE)

Percentage of respondents:

- 21% 1. Less than 30 minutes per shift
- 37% 2. 30 minutes to an hour per shift
- 36% 3. 1 to 2 hours
- 7% 4. 3 to 4 hours
- 0- 5. 5 or more hours



TRAFFIC OFFICERS ONLY (OTHERS GO TO #5). Total Respondents: 128

4. Given 100 traffic-related contacts, estimate the number in each category:

	Illegal Aliens	Others	Total
Traffic accidents (excluding hit & run)	34	66	100
Hit and run accidents	56	43	100
Stolen vehicles	44	56	100
Other traffic violations	45	55	100

5. Please indicate how often you have contacts with illegal aliens for the following types of incidents: (Please check (✓) one frequency category for each incident.)

	Daily	3-4 Times Per Week	1-2 Times Per Week	2-3 Times Per Week	Less Than Once a Month	Never
	1	2	3	4	5	6
<u>Percentage of Respondents</u>						
o Violent felony	1%	10%	26%	35%	25%	4%
o Property felony	13%	18%	26%	22%	18%	3%
o Car prowling	10%	23%	24%	12%	24%	6%
o Petty theft (shoplifting)	13%	27%	24%	21%	9%	6%
o Driving under the influence	7%	16%	24%	28%	20%	6%
o Battery	7%	17%	31%	24%	17%	4%
o Drunk in public	36%	25%	22%	11%	4%	2%
o General disturbance (415 P.C., disturbing the peace, loitering, urinating in public, trespass, etc.)	41%	29%	16%	7%	5%	2%
o Traffic violation	51%	27%	17%	4%	1%	1%
o Traffic accident	11%	19%	35%	24%	7%	5%
o Unfounded incidents	18%	10%	22%	19%	23%	8%
o Suspicious circumstances	30%	30%	19%	9%	8%	4%
o Other misdemeanor	28%	21%	28%	12%	9%	3%



6. Generally, how do you resolve most of your contacts involving aliens? (Note: Some respondents gave more than one response.)

- 35% 1. Question and release
- 22% 2. Detain for border patrol
- 26% 3. Issue citation
- 17% 4. Arrest for misdemeanor
- 3% 5. Arrest for felony
- 1% 6. Unfounded
- 5% 7. Other (please specify) \_\_\_\_\_

"Other" responses included: ○

- "Take most appropriate action" (6)
- "Refer to other agencies" (1)
- "Same action as citizens" (1)
- "Each contact is different" (1)

7. Which of the following factors do you use to make a judgment of illegal citizenship status? (CIRCLE ALL THAT APPLY.)

- 85% 1. Self-admission
- 74% 2. No identification
- 43% 3. Non-English speaking
- 23% 4. Demeanor ✓
- 33% 5. Clothing ✓
- 44% 6. Physical appearance ✓
- 9% 7. Other (specify) \_\_\_\_\_

"Other" responses included:

- "Location of contact" (4)
- "Residence" (3)
- "Immigration papers" (3)
- "Run when they see police" (2)
- "Have mail from Mexico" (1)
- "Ask border patrol" (1)
- "In 'load' vehicles" (2)

8. In your opinion, which one of the above factors is the best indicator of illegal status? (CIRCLE ONLY ONE.) (Note: Some respondents gave more than one response.)

- 68% 1. Self-admission
- 27% 2. No identification
- 6% 3. Non-English speaking
- 4% 4. Demeanor
- 2% 5. Clothing
- 6% 6. Physical appearance
- 3% 7. Other (specify) \_\_\_\_\_

"Other" responses indicated "location of contact".



9. Are you able to determine different types of citizenship status, such as resident alien, students with visas, aliens with amnesty cards?

61% 1. Yes  
39% 2. No

If yes, how?

Ninety-seven (97) officers described how they distinguish different types of immigration documents. Responses included:

- o Those who are legally in this country have appropriate documents. (64)
- o Thirteen (13) officers said they ask persons contacted about citizenship status.
- o Several (14) officers indicated that they have received training in immigration laws and pertinent documents.
- o Speaking Spanish was the means used by four (4) officers.
- o One (1) officer requests assistance from border patrol and another respondent cited body language of the person contacted as a way to determine citizenship status.

10. About what percent of your contacts with illegal aliens involve aliens as suspects? As victims/witnesses?

62% Suspects	}	(including crime cases, F.I.'s, traffic accidents, traffic violations, infractions, and unfounded incidents)
38% Victims/Witnesses		
100%		

11. For each of the following statements, please circle the number that best describes your opinion, based on your patrol experience.

	<u>Strongly</u> <u>Agree</u> 1	<u>Agree</u> 2	<u>No Opinion/</u> <u>Don't Know</u> 3	<u>Disagree</u> 4	<u>Strongly</u> <u>Disagree</u> 5
o Contacts with illegal aliens represent a major part of patrol officers' workload.	43%	41%	3%	12%	1%
o Illegal aliens contribute significantly to rising crime.	58%	36%	4%	2%	1%
o Illegal aliens are more likely to be involved in serious, felony crimes than minor, lesser offenses.	12%	27%	18%	41%	2%
o Illegal aliens are more often the victims of crimes than the criminals.	1%	23%	11%	55%	10%



	Strongly Agree 1	Agree 2	No Opinion/ Don't Know 3	Disagree 4	Strongly Disagree 5
o Contacts with illegal aliens generally take more time than similar types of contacts with citizens.	36%	50%	2%	11%	1%
o Criminal activity by aliens is usually the result of need or financial necessity.	11%	40%	21%	25%	4%

*Survival?*

12. In your opinion, what is the major concern for you in your contacts with illegal aliens; for example, time expended waiting for border patrol, language barrier, other?

The majority of officers (96%) responded to this question. Responses follow:

- o The concern expressed by most officers (62%) was the language barrier and the officers' inability to effectively communicate.
- o Thirty-three officers (20%) cited that aliens tend not to have identification, e.g., drivers' licenses, social security cards, etc., and it is difficult to verify the names given to officers. This circumstance inhibits criminal history checks, follow-up investigations, and creates difficulties in contacting victims and witnesses.
- o The unavailability of border patrol assistance was mentioned by 30 officers. This was described in terms of poor response time, insufficient number of border patrol agents, or simply: "They are never available when we need them."
- o Ten percent (17) of the respondents stated that time expended in cases involving aliens was a concern. Examples given include waiting for border patrol, waiting for an interpreter, and searching existing data bases for verification purposes.

Additional remarks by 10 or less of the officers include:

- o Cases are not prosecuted; aliens are returned to Mexico, and then come back to commit new crimes.
- o Those cited and released don't show up for court.
- o Patrol officers have limited options for handling aliens who are not taken into jail.
- o Some aliens present a safety hazard for officers because they carry weapons and are often in groups when contacted.
- o A major concern is the increase in vehicle code violations, including no driver's license, no insurance, no vehicle registration, and hit-and-run accidents.
- o Aliens know local law enforcement is powerless — it's easy to commit crimes. They lack respect for our laws.



13. Should patrol officers receive special training for handling contacts with illegal aliens?

85% Yes (please specify)

77% 1. Spanish language training

8% 2. Cultural sensitivity training

50% 3. Knowledge of different documents noting citizenship status

4% 4. Other (please describe) \_\_\_\_\_

15% No 0

"Other" responses included:

- o "Patrol officers should be allowed to arrest aliens for immigration violations" (5)
- o "Need more information on deportation charges and handling of repeat offenders" (2)

14. Present assignment:

78% 1. Patrol

16% 2. Traffic

5% 3. Other

15. Shift: 37% 1 37% 2 21% 3 6% Other (varies)

16. In which area do you generally work? (CIRCLE ONE)

City of:

Unincorporated Area of:

1. Carlsbad - 29

2. Del Mar

3. Encinitas - 30

4. Escondido - 51

5. Oceanside - 12

6. San Marcos - 10

7. Solana Beach

8. Vista - 25

9. Escondido/Bonsall/Rainbow

10. Fallbrook - 14

Note: The cities of Del Mar and Solana Beach are patrolled by deputies in the Encinitas substation.

Additional Comments:

Additional comments expressed by some officers include:

- o "The legal system must take more responsibility. Judges are reluctant to prosecute if deportation is considered."



- o. "This problem is out of control — burglaries in Vista and San Marcos are extraordinary."
- o "In any given patrol log, about three-quarters are somehow involved with illegals such as: drunk in public, shoplifts, disturbances, robbery (victims and suspects), and various city violations — urinating and defecating in public, littering. A lot of illegals are getting hit by cars as they stagger across streets drunk. I also get many complaints by females that they are getting harrassed by them."
- o "A lot of the questions in this survey were kind of vague and hard to answer from a police patrol point of view. Most aliens are good people who come to America to work but many do not find work when they get here. Many of them turn to crime. They know our "justice system" and they are not threatened by it at all. Doing time here is a picnic compared to the jails in Mexico."
- o "This entire question has been blown entirely out of proportion by both sides. Illegals are just as apt to be victims as suspects. I have had them as major crime victims (robbery, attempted murder, assault) and as suspects (robbery, burglary, attempted murder, felony DUI).

Most illegals want as little contact with authorities as possible. There are some who are professional criminals who try to blend in for protection against prosecution.

My major resentment is that some Chicano groups think, because I'm a "dumb Anglo cop," who cannot speak much Spanish, I can't after 11 years of field work determine if a person is in this country illegally. I and the officers I know don't drive around all day, picking on illegals. We don't stop them unless we have a valid reason for doing so."

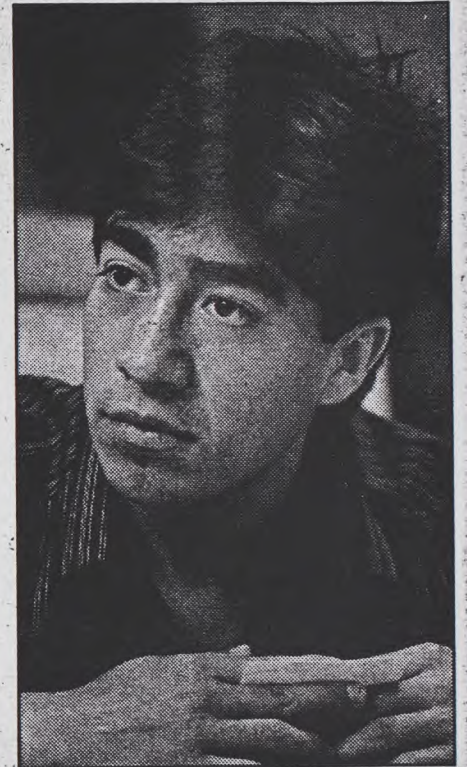
- o "Because of our department policy of not arresting illegals unless we encounter them on a radio call or observe a violent crime, I think the average patrol officer makes them a low priority in an observed crime situation, i.e., illegal alien walking in flood channel, 602 trespass, always walking against "Don't Walk" signals, walking in the roadway, loitering, drinking in public, trespass in empty or abandon houses, constantly driving without a driver's license or insurance, just to name a few! Now that there are so many of them, there is not enough work to go around, so they prey on each other, and on the public. Special enforcement is long overdo."



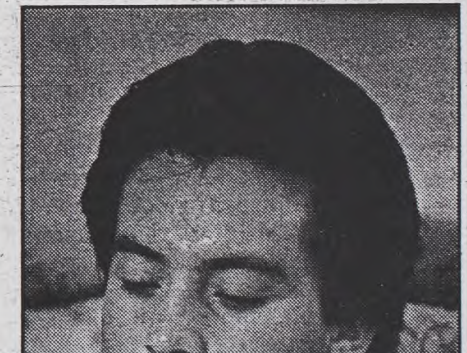


José Luis Romero, left, Camerino Cedillo Martínez and Monica Acevedo Arce were accused of but never found guilty in the rape of a 15-year-old Poway girl.

## A Look Behind Mystery of Poway Rape



José Luis Romero

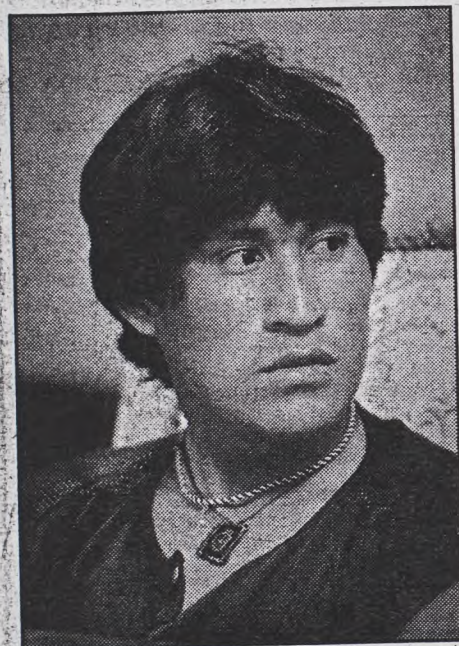


Look of Apology





Monica Acevedo Arce



Jorge Luis Méndez Herrera

## Lack of Apology to Suspects Leaves Legacy of Ill Will

Text by  
**PATRICK McDONNELL**  
Times Staff Writer

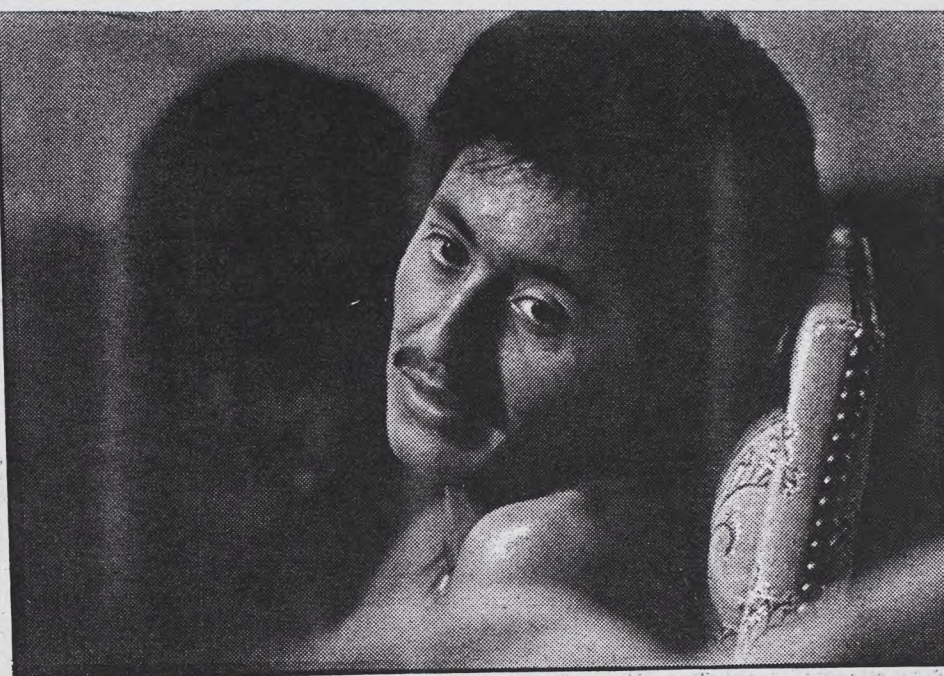
**T**he case galvanized public attention. Authorities said a group of suspected illegal aliens had attacked a 15-year-old American girl in a back alley in the suburban community of Poway, surrounding her, dragging her from her horse, pinning her down as one raped her.

"Eight men popped up in front of this girl like a skirmish line," a sheriff's deputy was quoted as saying shortly after the alleged incident April 24.

The reported attack—against the daughter of a San Diego police officer and a county sheriff's deputy—served as a focus on rising tensions. The allegation arose at a time when uneasiness had been mounting between northern San Diego County's mostly middle-class suburban residents, overwhelmingly white, and the migrant workers from Mexico who were their unlikely neighbors.

"Something is going to happen here; it's just a question of when," Bob Fenner, a parent from the North County community of Carlsbad, had told authorities during a fiery meeting on the issue in late 1986, according to an account in the San Diego Union.

Now, almost four months after the reported rape, after all charges have been dropped, the case has left a legacy of ill will and confusion—and about \$7 million in civil claims against San Diego County. Critical questions remain unanswered in this very public, racially charged case, including the central one: Did a rape ever



Charges of rape against Leonardo Martínez Cedillo were dropped.

occur?

Scores of Latinos were detained and six had spent up to two months in jail in connection with the case, but authorities have provided only scant details—and no apologies.

Despite the gap in public knowledge, an examination of sheriff's reports along with interviews of the former suspects, attorneys, investigators and others, has made it possible to piece together what happened in Poway on the evening of April 24 and during the ensuing investigation.

What emerges is a portrait of a girl insisting that she was the victim of a vile gang attack; of law enforcement authorities assiduously tracking down every lead; and of a group of confused and frightened "suspects," all from a very distinct culture, all speaking a foreign language, who were caught between

their own claims of innocence and a divided community's demands for justice.

□

Like many communities in northern San Diego County, Poway, with about 40,000 residents, is rapidly undergoing the transformation from a semi-rural valley hide-out to a suburban bedroom community. It prides itself as "The City in the Country," and the characterization still has some truth: rugged foothills to the east form a picture-postcard Western backdrop to this sun-drenched former stagecoach and railroad terminus. It is not unusual to find horse corrals, chicken coops and goat pens near newly constructed apartment complexes and housing tracts that cater to young professionals.

But, as with neighboring residential  
**Please see POWAY, Page 4**



Guadalupe Cedillo Martínez



Camerino Cedillo Martínez

Photos by  
**DON BARTLETTI**  
Los Angeles Times



## No Apology to 6 Suspects

Continued from Page 4

"choke hold" on her as she yelled, screamed and tried to hit him, she said. The others, now including a "Mexican female," then encircled the girl.

As one man held her, she told police, another pulled down her pants, as well as his own, and raped her; the act lasted 30 seconds. The attackers then ran away, the girl found her horse and rode back to the Aspeytias' house, according to her account.

The girl, clearly upset, returned to the Aspeytias' house about 20 minutes after leaving. She said nothing about a rape, the friends recalled. "She just told me that some guys messed around with her," Cruz Aspeytia said in an interview.

In a statement to police, Tina Aspeytia said the girl "appeared to be in shock." The friend quoted the girl as saying, "Oh my God, I can't believe what they did to me."

Almost immediately, Cruz Aspeytia said, he and his wife, with the girl following on horseback, left for her mother's house. They left the horse there and quickly returned in the Aspeytias' car to the area of the Old Poway Market, looking for the men who had been "messaging" with the girl, Aspeytia said. The girl recognized one of two men walking near the market, prompting Aspeytia to leave the car and approach him, he recalled.

"I just warned them not to mess with her again," said Aspeytia, who brandished a chain and spoke Spanish. "I didn't know she'd been raped."

Shortly afterward, Aspeytia said he drove the girl back to her father's home. That evening she finally told her father she had been raped, prompting him to call the sheriff's office.

On Sundays, undocumented workers in Poway often gather in a field behind Tierra Bonita School, near Twin Peaks Road, where they play pickup games of soccer and volleyball, shoot hoops on nearby baskets, or just relax in the grass. April 24 was no different, according to the six former suspects, all of whom say they spent the afternoon at the field, arriving separately, and joining more than 50 others there.

### Car Was Stopped by Deputy

After the game, six Mexicans, five of whom were later arrested, said they left the field together shortly after dusk, which fell at 7:25 p.m., and headed back to the Midland Road area, a short distance away, in a 1977 Ford Mustang owned by Camerino Cedillo Martinez, the driver. Heading north on Midland Road, less than two blocks south of the Old Poway Market, near where the rape allegedly occurred, the five, accompanied by a sixth person known only as El Caballo, said that a sheriff's officer stopped their car.

Sheriff's Deputy William Donahue, in his report on the incident, said he stopped the vehicle at 7:47 p.m. at Midland Road and Poinsettia Drive because it had its parking lights on, in violation of the traffic code. He discovered that neither the driver of the car nor its passengers had a driver's license and impounded the car.

At 8:10 p.m., Donahue wrote, the driver and his passengers began walking north on Midland Road. They told police and repeated in interviews that they were heading to the nearby house of a friend, a licensed driver, to seek his help in getting their car back.

Please see POWAY, Page 6





## POWAY: Case Still a Mystery

Continued from Page 5

En route to the licensed driver's house, the former suspects said, they encountered the girl—smoking a cigarette while riding her white horse—at a spot about 100 yards north of the traffic stop, on a eucalyptus-shaded dirt path along busy Midland Road. Several of them recognized her as "Marcela," which is not her real name but is the name she was known by to area migrants, who had seen her frequently riding in the area. Communicating in broken English and some Spanish, they said, they talked briefly with her.

"I asked her for a cigarette," recalled Guadalupe Cedillo Martinez, 18, who was eventually accused of being the one who held the girl down while another raped her. "We just made some small talk."

Guadalupe Cedillo said he and the man known as El Caballo stayed behind with the girl for a few minutes while the other four walked on to the house of the licensed driver. Cedillo said the girl allowed him to ride behind her on the horse for the short jaunt to the market, as El Caballo followed on foot, until they split up cordially and the two men rejoined their friends.

"She seemed friendly, but we didn't say much," said Cedillo, who since the incident has obtained temporary legal status in the United States as part of the farm-worker amnesty program. "We were with her for five minutes or so. Nothing happened. We just talked a little. She seemed relaxed, not nervous at all," added Cedillo, interviewed on a recent Sunday playing soccer at the field frequented by migrants.

By the time the group returned to the site of the car stop with the licensed driver, they said, the car had already been towed. At that point, two of the men, including Leonardo Martinez Cedillo, who was later accused of being the actual rapist, say they were confronted near the Old Poway Market by a man who turned out to be Cruz Aspeytia, the girl's chain-brandishing friend.

"He told us to stop bothering the girl, he was really mad," recalled Martinez, who is not related to his other companions with similar names. "I told him we never did anything to her. We only talked to her. I couldn't understand why he was so mad."

□

That evening, at her father's house, the girl provided investigators with nebulous descriptions of her alleged attackers: The eight male suspects were said to be Mexican men whose ages ranged from the late teens to early 40s. The woman suspect was short, in her 20s with long dark hair, she told police.

Please see POWAY, Page 9



# POWAY: Case Remains Mystery After 4 Months

Continued from Page 6

A few hours later, the girl's stepmother took her to be examined by a doctor at Children's Hospital and Health Center in San Diego, at the request of the Sheriff's Department. A doctor there found a fresh cut in her genital area, an injury often associated with rape, officials said, but one that defense lawyers say could also be the result of rough consensual sex. The girl told doctors that she had not had sex, apart from the incident, in the past 72 hours.

The doctor made several other tests that are standard in such cases. Medical and law enforcement authorities declined to say if any other physical evidence emerged indicating a rape.

## The Hunt for Suspects Began

The next day, police began looking for suspects, and the pace was brisk.

At a pre-shift hearing on April 25 at the Poway sheriff's station, Deputy D.K. Gaddis recalled in his report, the two "main suspects" in the case were described as "illegal alien looking, Hispanic male adults."

Soon, as word of the reported rape spread, deputies and Border Patrol officers, accompanied by a SWAT team armed with automatic weapons, began combing the hills and roadsides, eventually detaining about 80 Latinos. Civil libertarians denounced the sweeps as a dragnet based on race, but a local councilwoman commented: "I think the Sheriff's Department sent a clear message that this type of crime won't be tolerated in Poway."

□

Within days of the reported rape, sheriff's officers had questioned five of the six eventual suspects, although all were released pending further investigation. A final suspect, the man known only as El Aballo, was never found, and was presumed to have returned to Mexico.

Soon, officers heard outlines of events that would emerge as central to the migrants' version of what happened that Sunday evening: the afternoon at the soccer field, the sheriff's stop of the migrants' vehicle, the encounter with "Marcela" on her horse and the confrontation with the girl's chain-brandishing friend.

All six suspects, questioned separately and intensely, gave fairly consistent stories and adamantly denied that any rape or attack occurred, according to sheriff's reports.

As the investigation progressed, one suspect, Leonardo Martínez, began to stand out as the alleged rapist. Found in his trailer were a turquoise tank-top shirt and black slacks, clothing that matched the description given by the girl of her attacker's garb.

Late in the evening of April 25, sheriff's Detective Richard G. Stok, who headed the investigation, showed the girl a photo lineup that included a picture of Martínez, who has a mustache. She was unable to identify a suspect, explaining that

she didn't think the suspect had a mustache, according to the detective's report.

## Showed Friend a Picture

The next day, the detective showed the same lineup to the victim's friend, Cruz Aspeytia, who tentatively identified Martínez as one of the two men he had confronted near the market on the night of the reported rape.

On April 29, however, detective Stok received a telephone call from the girl's stepmother: While assisting on a composite drawing of the suspect, the girl had recalled that

**'We don't want vengeance. We want our names to be cleared, to have the records cleaned. . . . But I still don't understand. Why did this girl accuse us? Why didn't the sheriffs investigate better? Why did they treat us like criminals when we didn't do anything?'**

**Leonardo Martínez Cedillo**

Jailed, Later Released

the alleged rapist had a birthmark or abrasion on his right cheek. Martínez has such a bruise.

Later that day, the girl, shown a different photo lineup, positively identified Martínez as the rapist. Under questioning by the detective, the girl acknowledged that, since last viewing the photographs, she had discussed the lineup with her friend Aspeytia, who had already tentatively identified Martínez. But the girl insisted that she had recalled the bruise independently.

The detective was apparently convinced. After receiving the girl's "positive identification," sheriff's deputies arrested Martínez that day and charged him with rape. Five other arrests would follow in coming days, four after photo identifications by the girl and the other after the suspect "admitted" being in the group that encountered the girl the evening the alleged rape occurred, according to a sheriff's report. Among the five arrested was Jorge Luis Méndez Herrera, who wasn't even in the group that encountered the girl that evening, according to the

## Marine Killed on I-5 by Hit-and-Run Driver

A Camp Pendleton Marine corporal was killed Saturday morning by a hit-and-run driver in Ocean-side.

The California Highway Patrol said 27-year-old Steven D. Gibbs was attempting to cross Interstate 5 shortly after 3 a.m. when he was struck by a southbound vehicle near the Harbor Drive exit.

Gibbs was found lying by the roadway by another motorist, who notified the CHP. Officials said they had no description of the vehicle that struck Gibbs.

accounts of all the suspects.

□

The six—all undocumented immigrants from Mexico, all in their late teens and early 20s—were in jail, facing sentences of up to nine years in prison if convicted. Some said they were threatened and abused, both by deputies and fellow inmates, but were more fearful of their uncertain futures.

"All the time we were in jail, we never knew our fate," said one of the six, José Luis Romero, 20, a gregarious former resident of Mexico City. "The sheriff told us we could spend 10 or 20 years in jail.

Przytulski announced to a stunned courtroom that unspecified new evidence "favorable" to the defendants had prompted prosecutors to drop charges, a decision jointly agreed upon by the district attorney's office, the Sheriff's Department and the victim's family.

"We couldn't prove the case beyond a reasonable doubt," said Przytulski.

That day, all six suspects were released from custody, and all so returned to their semi-shadow life style in Poway. But, although they were free, there was no exoneration: The San Diego County district attorney's office has refused to detail why charges were dropped, citing the girl's privacy rights.

Meantime, the six, eager to move on with their lives, haven't found it easy. The time in jail had cost them jobs, homes and the modicum of a stable life style that they had worked hard to achieve. Some of them worry because their families in Mexico have heard about the incident. Each of the six has filed a \$1-million wrongful-arrest claim against the county.

"I haven't found jobs like I had before," said Romero, who spoke of he stood in the parking lot of Old Poway Market on a recent afternoon. "We've had to start over. I've found a little work, not like I had before this happened. My landlady said she didn't want Mexicans anymore, that we caused too much trouble."

While voicing little rancor about their treatment, all express continued puzzlement and the strong feeling that the cloud of suspicion continues to hover above them and possibly even hurt their chances to legalize their immigration status.

"We don't want vengeance," concluded Leonardo Martínez, eldest of the six at 24, who was found recently near some horse corrals where he now works as a stable boy. "We want our names cleared, to have the records cleaned. . . . But I still don't understand. Why did this girl accuse us? Why didn't the sheriffs investigate better? Why did they treat us like criminals when we didn't do anything?"



L.A. Times

SEE BACK FOR PG. 5

# POWAY: Still Mystery After Four Months

Continued from Page 1

areas, there is another population here. For years, migrant Mexican workers have crossed the border just 35 miles south and sought work in farms, nurseries, construction and other fields throughout northern San Diego County—a movement that has accelerated since 1982, when the Mexican economy went sour.

### Poor Live Next to Wealthy

Frequently, the workers cannot afford local rents on their meager wages and instead live in crudely constructed shacks amid the chaparral and brush, often uncomfortably close to the burgeoning suburban developments, creating a Third-World-like juxtaposition of the poor and the wealthy.

“What’s so unusual about North County is that you see great poverty literally cheek-by-jowl with affluence,” said Daniel H. Wolf, a researcher at the UC San Diego Center for U.S.-Mexican Studies. Wolf has authored a study on relations between the migrant workers and other residents. “The fact that these people are of a different national origin adds a level of nonunderstanding as well as misunderstanding.”

Anglo homeowners, who complain of a rash of burglaries and vandalism, accuse the migrants of committing such crimes disproportionately to their population. Rights advocates say this is greatly exaggerated, a product of fear and racial stereotyping of people speaking a different language.

Faced with occasional hostility and always subject to arrest by immigration authorities, the workers have formed microcommunities that provide a measure of support. The area near the central drag of Midland Road has become a gathering point for many migrants from the tiny community of San Jerónimo Silacayoapilla, deep in the interior state of Oaxaca, about 2,000 miles away.

“I heard about this place from others who had been here before,” said Jorge Luis Méndez Herrera, a reticent 20-year-old from the San Jerónimo region who was among the six arrested and was found recently living in the hills above the spot where the rape was alleged to have occurred. “I just came here to work,” said Méndez, who sat on a Midland Road bus-stop bench one recent evening as Anglo joggers and bicycle riders passed by.

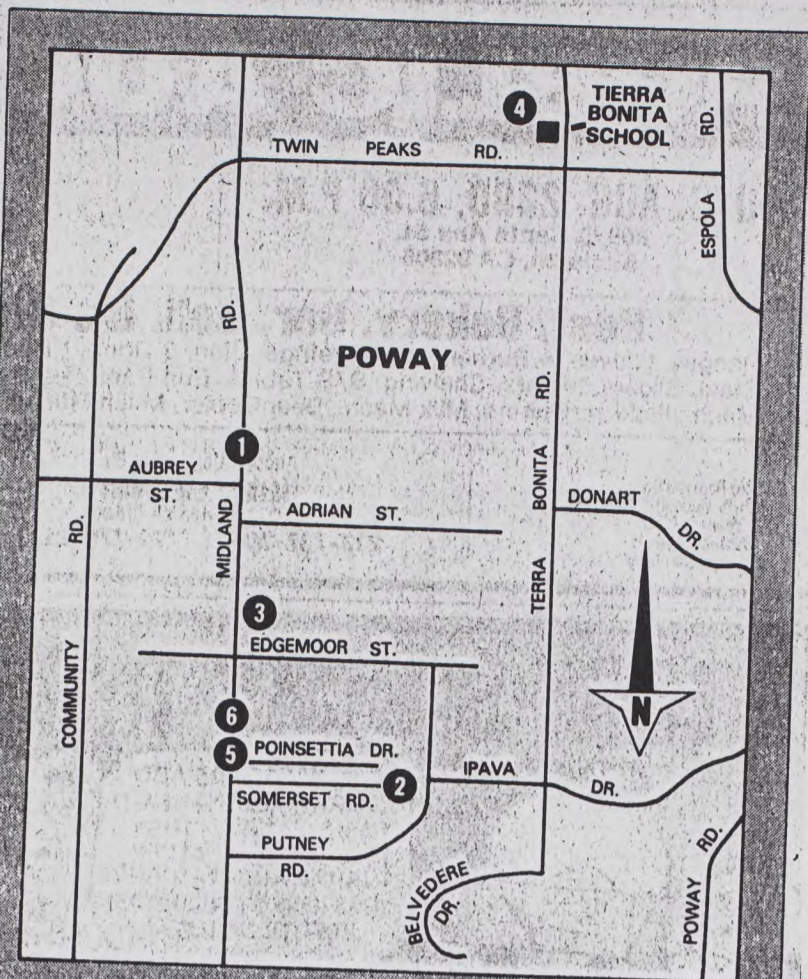
That sentiment was echoed by Monica Acevedo Arce, an 18-year-old who was also among the six arrested, and, like the others, has returned. “We never bother anybody,” said Acevedo. “The Mexican people here, all we want to do is find work. We want to help our families in Mexico.”

□

Along with migrant workers, the upper Midland Road area, with its sleepy, country ambiance, is also a favorite place for the area’s many horseback-riding enthusiasts, among them the 15-year-old girl who claims she was raped. The girl, who lives in Rancho Bernardo with her father, a longtime San Diego police officer, and her stepmother, a state campus police official, also keeps a horse at the nearby home of her natural mother, a sheriff’s deputy.

According to all versions of the story, the girl was riding her horse on Sunday evening, April 24. She told police she left the Midland Road house of some friends, on horseback, at about 7 p.m., although the friends, Tina and Cruz Aspeytia, later recalled that she may have left at 7:30 p.m.

Shortly after leaving the Aspey-



1. The home of the girl's friends, 14200 block of Midland Road. The girl says she left the house with a horse about 7 p.m. April 24, heading for her mother's house. The friends say she may have left at 7:30 p.m., and returned about 20 minutes later, obviously shaken.
2. Home of girl's mother, on nearby Somerset Road.
3. Old Poway Market, 14047 Midland Road. Shortly after leaving friends' house, girl says, she was approached by a group on the dirt alley behind the market. She says one man pulled her off the horse and held her on the ground while another raped her as the others, including a woman, encircled her. When they were done, she says, they ran away and she got back on the horse, returning to her friends' home.
4. Tierra Bonita School. The six suspects say they spent much of the afternoon at the soccer field behind the school along with other migrant workers, most of them not leaving until shortly after sunset, which occurred at 7:25. Five say they left in the car of a friend.
5. Midland Road, corner of Poinsettia Drive, where a sheriff's deputy says he stopped the car at 7:47 p.m. because of a traffic violation. He remained with the driver and passengers until 8:10 p.m., when they left on foot, going north on Midland Road. They say they were seeking a friend with a driver's license so the car would not be impounded.
6. A spot about 100 yards north of traffic stop where, suspects say, they encountered the girl briefly as they walked north on the east side of Midland Road and she was headed south on her horse. They say they chatted amiably with her for a few minutes. She gave one of them a ride for about a block to the Old Poway Market and they split up amicably, according to his account.

tias' house, the girl told police, she was riding her horse on a dirt path behind the Old Poway Market on Midland Road, en route to her mother's house, a few blocks to the south, when she encountered a group of eight Mexican men drinking beer. The men, she told police,

formed a line and began walking toward her.

One of the assailants then grabbed the reins of the horse, she told authorities, as another clutched her sweat shirt and threw her to the ground. He then put a

Please see POWAY, Page 5



# COMMENTARY

## Round up the usual suspects

**Raul Lowery Contreras**

On a recent evening, several dozen San Diego County Deputy Sheriffs, including SWAT teams in camouflage, armed with high-powered, semi-automatic rifles-- surrounded, detained and questioned 85 brown-skinned, Spanish-speaking men aged 16 through 50 regarding a rape in suburban San Diego.

The 15-year-old victim reported that two young men repeatedly raped her in front of five witnesses. Her description of the assailants: young, Mexican, Spanish-speaking, approximately 5-foot 7-inches tall. Her descriptions of the witnesses: the same, except two were young women.

Mobilizing an army of deputies, the Sheriff's Department rounded up 85 Mexican men in the rape's general locale and, according to reliable witnesses, slammed many of them against walls, handcuffed and laid them out on the parking lot for hours while each of them was questioned.

Almost all of the 85 were properly documented, either U.S. citizens of legal immigrants; those who were not were turned over to the U.S. Border Patrol.

While the 85 were being individually questioned under searchlights, sheriff's spokesmen reported that only those who met the description given by the girl were detained for questioning. They offered no explanation why men up to 50 years old, or men 6 feet tall, were held.

When this story hit the newspapers, the American Civil Liberties Union and Mexican-American groups protested the raid on grounds that it was racially implemented. Denials from the Sheriff's Department were along the lines of: the detention was really not a detention, it was voluntary; force was not used, the deputies were well-mannered and everyone was treated with respect.

Respect.

A number of questions arise from this episode. First,

the rights of the victim. Without a doubt, she's entitled not to be raped, and anyone convicted of this crime should spend the rest of his life in prison, without possibility of parole. If, however, the constitutional rights of 85 brown-skinned, Spanish-speaking men are trampled on in the process of the investigation, what have we gained?

None of the 85 detainees were arrested for the crime. Information leading to the suspects' arrest was not, repeat, not developed by the detention. Rather, it was voluntarily offered days later by other Mexican-

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**Without a doubt, she's entitled not to be raped, and anyone convicted of this crime should spend the rest of his life in prison, without possibility of parole. If, however, the constitutional rights of 85 brown-skinned, Spanish-speaking men are trampled on in the process of the investigation, what have we gained?**

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Americans repulsed by the crime and eager to see the perpetrators punished. They did what all good citizens should do. They stepped forward.

As to the Sheriff's Department, one wonders if the raid was proper and what motivated it.

To analyze its consequences and motivations, allow me to propose another scenario.

In downtown San Diego, there's a special bus stop for affluent suburban commuters. Most of them are upwardly mobile Anglo college graduates, well dressed in three-piece suits with briefcases. A rape occurs within a block of the bus stop at approximately 5 p.m., commuter

time. The victim: a 15-year-old Mexican girl.

What does the San Diego Police Department do?

The Deputy Chief, a Mexican-American, orders SWAT teams and dozens of his Latino officers to arm themselves with high-powered, semi-automatic rifles, instructs them to dress in urban warfare camouflage uniforms, and briefs them as follows:

"Gentlemen," he says, "a heinous crime has been committed by two blond, blue-eyed men dressed in three-piece suits and carrying briefcases. The victim reports," he continues, "that several other men and two women, also wearing suits and carrying brief cases, witnessed the rape and cheered the rapists on."

"Deploy around the special commuter bus stop and interview every blond, blue-eyed man and woman dressed in a suit and carrying a briefcase. While we're at it, I want everyone's papers and documents checked. If anyone can't produce papers, the Border Patrol will arrest them.

"We are not notifying the press of this exercise. Thus you may use any methods necessary to find these vicious, criminal rapists and their friends. Handcuff everyone and place them on the ground to await their questioning. Take your time. We have all night."

Imagine, if you will, the consequences of this scenario. How many lawsuits? How many agents of the FBI and Department of Justice would descend on San Diego? How many federal grand juries would be impaneled? How long would the Mexican-American Deputy Chief keep his job?

Or, have we Spanish-speaking with brown skins been relegated to constitutional black hole epitomized by the imperishable words spoken by Claude Rains in the waning moments of the classic movie "Casablanca" after one of the bad guys, a Nazi, has been killed. His orders to police officers:

"Round up the usual suspects."