

LA PRENSA 8/14/98

Senator Boxer's office has indicated they will be looking into Herman Baca's request that "strip search" of the Mexican Bishop at the Calexico border be investigated (in spite of the U/T white -wash report on the issue and the non-investigative report by reporter Salazar). Got to say, never saw a story written with half of it denying the event ever happened and then fail to provide any supportive evidence. Guess Salazar wants us to believe it only because he said so.

Bishop story not yet ended

The July 24 story concerning the Bishop being "strip searched" at the Calexico/Mexico border crossing got lots of attention. I doubt that his story has seen the end of the matter.

Ray Garner
San Diego

LA PRENSA
8/14/98

(No the Bishop story has not gone away despite efforts to brush it under the rug. Congresswoman Barbara Boxer's office called CCR Chairman Herman Baca and informed him that their office will be looking into the complaint. And at La Prensa we have been getting a lot of calls in regard to the strip search, many in support of the fighting editor at the Calexico Chronicle.)

Viewpoint

Calexico Chronicle, Thursday July 16, 1998

Catholic Bishop Strip Searched...

The complaint read as follows... Catholic Bishop Jose Isidro Guerrero Macias, a Bishop in Mexicali was apprehended at the Calexico Port of Entry on July 3rd at approximately 4:00 p.m. Bishop Guerrero was traveling to Calexico along with Mr. Dio Murillo President of the Aguilas of Mexicali and Jesus Sommers, Aguilas manager. The trio was sent to Secondary (that infamous place) after the Customs Inspector felt there was a need to send the vehicle and its occupants to the next stage of interrogation...

Bishop Guerrero was taken to a room where he was stripped searched... all his clothing was removed and he was searched!! Customs Inspectors were told that he was the Mexicali Bishop and was just going to Calexico... shopping. The Customs Inspectors laughed at him... not only were they searching his body and clothing.. to add to this ridiculous scenario... they also laughed at the Bishop!

While in the room being strip searched... Bishop Guerrero was pushed into a desk. Customs Inspectors, besides removing the Bishop's clothing and laughing at him... they also removed his crucifix that he was wearing around his neck and broke it... as they inspected it to see if he had drugs in the cross.

Once Customs Inspectors realized that Bishop Guerrero was really a Bishop and not a drug smuggler.. he was released. No apology... No explanation... just let go.

Bishop Guerrero never made it to Calexico... he immediately returned to Mexicali and filed a complaint with Mexicali authorities including Mexicali Mayor Eugenio Elorduy, Mexicali Coun-

(See VIEWPOINT, page 5)

VIEWPOINT

(Con't from page 1)

cilman Alfredo Arenas and with the Mexican Consulate. The Bishop was humiliated. Mexicali authorities are angry, disappointed and can't believe that U.S. Customs treated Catholic Bishop Guerrero in such a way, that why they would treat anybody in such a way.

Not only are Mexicali authorities upset about this incident... advertising in local media will be warning Mexicans about the treatment of individuals at the Port of Entry to Calexico and recommend that they boycott Calexico and Imperial County Businesses. Bishop Guerrero is also contacting the Vatican in Rome to file his complaint about the way he was treated by U.S. Customs at the Calexico Port of Entry.

Now... Mayor Elorduy and Councilman Arenas immediately contacted the Calexico Chamber of Commerce, Daniel Romero, Chamber President, Councilman Victor Carrillo and Chamber Executive Director Fred Knechel immediately responded to the calls. They in turn contacted U.S. Customs Director Daniel Floyd and others at the Port of Entry and suggested an apology was in order.

Mexicali Mayor Elorduy, Councilman Arenas and Bishop Guerrero did return for a meeting with Daniel Floyd and Peter Lewis of U.S. Customs... a faint sorry was uttered and again no sincere apology or explanation was given!!!

What the Hell is going on here.. is U.S. trying to cut our throats or do they really just want people to stop coming across the border? Can we even imagine a boycott of Calexico businesses??? Well, if anybody can get a body of people angry enough to boycott... its gotta be a Catholic Bishop!!!

I suggest a letter of apology direct from Washington, D.C. from the mero-mero of U.S. Customs to Bishop Guerrero... a new crucifix.. and that still won't be enough!

I head Fred Knechel say to supervisor Wayne Van De Graaf the other day... "there goes all those years of public relations work with Elorduy... down the drain."

And you know.. he's right... one stupid mistake can daunt us all!

#2



DEPARTMENT OF THE TREASURY
U.S. CUSTOMS SERVICE

JUL 21 1998

MAN-15.1:FO:CM:SC:PAO:BC

Editor
Calexico Chronicle
601 E. 2nd
Calexico, CA 92231

Dear Sir:

I read in disbelief your editorial of July 16, 1998, which was headlined "Catholic Bishop Strip Searched."

My disbelief was founded in my inability to feature how any accredited journalist could possibly print such misinformation without at least attempting to check the sources of the flagrant rumors on which the piece was based, as well as to check with the subjects of the rumors. No inquiry whatsoever was made to U.S. Customs prior to publication.

Let me set the record straight.

The bishop and the driver of the car in which he was a passenger, both of whom were dressed in civilian attire, were referred for a justified secondary inspection at the Port of Calexico as they were entering the United States. During the secondary inspection they were detained briefly (not apprehended) for a patdown search. They were not stripped. The bishop was not thrown up against anything. The bishop's crucifix was not removed from his neck or broken.

The search of the vehicle, as well as the patdown search, was negative. Although the subjects of the searches seemed somewhat concerned about having been searched, there was no confrontation between them and the inspectors, and no laughter on the part of the inspectors. The inspectors explained how a formal complaint could be lodged, but the subjects declined to issue one. The inspectors also provided them with a copy of the Customs handout "Why Me?" (Copies enclosed.)

During the week following the inspection, rumors ran rampant about what had happened, and the Mexicali mayor and the bishop contacted the U.S. Attorney's office in El Centro about the incident. The port director invited the bishop and his driver to meet with the port authorities, the mayor of Mexicali, representatives of the Mexican Consulate, the U.S. Attorney's office, the Customs Office of Investigations, and the acting Customs Management Center Director. The meeting took place on July 10 at the port of entry.

A thorough explanation of the reasons for and procedures of the search were provided by the U.S. representatives, who emphasized that under the law everyone is subject to search. The meeting consisted of candid statements from all parties, with the bishop emphasizing that the Catholic religion prohibits anyone from touching a bishop.

Although no actual agreement was reached on the differences, the bishop left the meeting saying he was satisfied with the explanations. Moreover, we have been told that the bishop provided news interviews Monday and Tuesday, July 20 and 21, in which he stated clearly that he was satisfied about the entire issue, and that the only reason he had been upset was because the supervisor on duty would not give him the details about why he was being searched. He now understands why that was not possible at the time of the actual inspection.

Also on Monday, July 20, the mayor of Mexicali called the U.S. Attorney's office to say that neither he nor the bishop had released the information in your editorial or in similar articles in the Mexican media, and that they were embarrassed by them, and wished to apologize to Customs for them.

The unprofessional publication of the editorial in your paper has seriously misinformed your readers, and it was a serious disservice to the men and women who protect the public daily as officers of the U.S. Customs Service.

A major retraction of the published article and prominent publication of this letter to you are certainly in order.

Sincerely,

Rudy M. Camacho
RUDY M. CAMACHO

Attachments

cc.

- Catholic Bishop Jose Isidro Guerrero Macias
- Renee Fleming, Senior Process Manager, Southern California Customs Management Center
- Dan Floyd, U.S. Customs Port Director Calexico
- Pete Lewis, Dep. U.S. Attorney, El Centro
- Richard Sandoval, U.S. Customs RAC El Centro
- Lic. Eugenio Elorduy Walther, Mayor of Mexicali, B.C., MX
- Consul Titular Rita Vargas, Mexican Consulate, El Centro
- Editor, El Imparcial, Mexicali
- Editor, El Mexicano, Mexicali

619-231-9180

#3

Vol. 93 No. 208

VIEWPOINT

by Hildy Carrillo - Rivera

Lots of hairs have been on edge over the VIEWPOINT "Catholic Bishop Strip Searched" in the July 16, 1998 Calexico Chronicle. A letter from the Department of the Treasury U.S. Customs signed by Rudy Camacho was sent to me... "Dear Sir" the letter began... and ultimately asked for a retraction of the "Bishop" editorial. As a responsible editor... I have published Mr. Camacho's letter, in its entirety on page 2 for our readers to dissect.

The VIEWPOINT on Mexicali's Catholic Bishop was written by me and I used Mexicali Councilman Alfredo Arenas Moreno's complaint to the Calexico Chamber of Commerce as the basis for the story.

If I had invented the story... it would have been much more interesting... much more creative... with some humor in it and of course a happy ending!

If I had written the story based on rumors only... it would have included pistols, prostitutes, corruption and anti-God U.S. Customs officers... because the rumors were many... and they kept getting bigger and bigger as days went by.

Minding my own business at the Calexico Chronicle office... the first call by an outraged Calexican was received on Thursday, July 9th. "Have you heard what happened to the Mexicali Bishop?" More calls came in Friday, July 10th and the Mexicali Bishop story was the hot item being discussed at the local Wal

Mart and Super Shopping Market over the weekend. On Monday... July 13th... I decided to ask what happened to the Mexicali Bishop because I overheard Chamber Executive Director Fred Knechel say something about it to Supervisor Wayne Van de Graaff. And like I wrote in my editorial of July 16th... "Catholic Bishop Strip Searched"... the telephone call from Councilman Alfredo Arenas Moreno specifically stated that: the Mexicali Bishop had contacted him and gave details regarding his detention at the U.S. Port of Entry in Calexico on Friday, July 3, 1998. Everything that was in the editorial... was information given in complaint form to the Calexico Chamber of Commerce. Not only did Councilman Arenas Moreno leave a long complaint ... which the Chamber secretary typed into her computer for further reference... but again Councilman Arenas Moreno was on the phone... this time he held a conference call where Calexico Councilman Victor Carrillo, Chamber President Daniel Romero and Executive Director Fred M. Knechel heard the complaint all over again.

Meanwhile... the story is getting bigger... the Bishop goes on Mexicali television saying "it wasn't all that of a big deal", while one of the Mexicali Aguilas representatives, that happened to be with the Bishop when he was detained, went on a Mexicali radio program and said "the Mexicali Bishop was abused and ridiculed" at the U.S. Port of Entry in Calexico.

The Mexicali Bishop is presently on a long extended vacation outside of Mexicali... so he is not available for comment. Mexicali agitators are organizing demonstrations on the Mexico side of the U.S. Port of Entry... over all sorts of gripes that they have with the U.S., and the U.S. Port of Entry ... and there are a few protesting the treatment of the Catholic Bishop. Chamber of Commerce Executive Director Fred Knechel is meeting with some Mexicali representatives (as we speak) forming a committee to deal with grievances and other such happenings.

I do not and will not retract my story... I would be Mexicali Councilman a liar... if I did!

Thursday, July 30, 1998

Jul-31-98 12:36P Daniel Munoz

619-231-9180

P.01

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On Monday... July 13th... I decided to ask
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Alfonso Serrano
Pacific News Service
(415) 438-4935



Committee on Chicano Rights, Inc

August 3, 1998

To: News Media

Re: "Strip Search" & Cover-up

Enclosed for your information are the following:

- 1) Letter sent to Senator Barbara Boxer and Senator Dianne Feinstein requesting investigation.
- 2) Article #1, 2, and #3.

For Further Information Contact:

Herman Baca
(619) 477-3800

**710 E. 3rd Street
National City CA 91950
(619) 477-3800**



Committee on Chicano Rights, Inc

August 3, 1998

Senator Barbara Boxer
600 "B" Street, Ste. 2240
San Diego, CA 92101

Facsimile Transmission:
(619) 239-5719

Senator Boxer:

Our organization is requesting an immediate and official investigation of the U.S. Custom Department regarding the following issues:

- 1) The gestapo, perverted and sacrilegious "strip search" of Catholic Bishop Jose Isydro Guerrero Macias at the U.S/Mexico border port of entry on July 3, 1998. (see atth. #1)
- 2) The apparent "cover-up" by U.S. Custom officials of the above incident. (see atth. #2)
- 3) The unconstitutional attempt by U.S. Customs to silence and violate the constitutional guaranteed right of freedom of the press. (see atth. #3)

According to published reports "Bishop Guerrero was taken to a room where he was stripped searched...all his clothing was removed and he was searched!!". "While in the room being strip searched...Bishop Guerrero was pushed into a desk". "Custom inspectors besides removing the Bishop's clothing and laughing at him...they also removed his crucifix that he was wearing around his neck and broke it...as they inspected it to see if he had drugs in the cross".

This action, by agents of the U.S. government is not only appalling and deplorable and a violation of established religious and human rights, but is also a manifestation that this type of incident, rather than being an isolated one, is in fact

**710 E. 3rd Street
National City CA 91950
(619) 477-3800**

- 1) Reporter Sanchez never interviewed Bishop Guerrero, who according to the Calexico Chronicle after he was "stripped search," immediately returned to Mexicali and filed a complaint with Mexicali Mayor Eugenio Elorduy, Councilman Alfredo Arenas, and the Mexican Consulate.
- 2) Reporter Sanchez never interviewed Mexicali Councilman Alfredo Moreno Arenas, who according to the Calexico Chronicle, specifically stated that, "the Mexicali Bishop had contacted him and gave details regarding the detention at the U.S. Port of Entry on July 3, 1998. And furthermore, he filed a complaint with the Calexico Chamber of Commerce...which the Chamber secretary typed into her computer for future reference." And after that Councilman Arenas held a conference call where Calexico Councilman Victor Carrillo, Chamber President Daniel Romero and Executive Fred M. Knechel heard the complaint all over again.
- 3) Reporter Sanchez never interviewed Calexico Chronicle Editor Hildy Carrillo-Rivera who broke the story (27 days before the San Diego Union) who had the Bishop's complaint and who to date stands by her story (which she had a constitutional right to publish) and refuses to retract!
- 4) Reporter Sanchez either ignored or never procured a copy of the Bishop's complaint, which the Mexicali Mayor, Councilman, Mexican Consulate, the Chamber, and the Calexico Chronicle had in their possession.
- 5) Reporter Sanchez never interviewed me, even though I faxed him the letters to both Senator Boxer and Fienstein (including back ground information) in which I requested and investigation of the "strip search," a cover-up, violation of the constitutional right of freedom of the press, and failed U.S. Government policies at the U.S./Mexican border.

I would assume that common sense or sound journalism standards would of dictated an investigation of the above, if a fair, balanced, truthful and objective article was to be written. I also have to assume in reading the contradictory statements i.e. the Bishop's complaint, Councilman Arenas complaint filed with the Chamber, Executive Director Fred Knuchel's statement, "if we would have known what we know now, we would of destroyed that complaint," U.S. Customs' position that nothing happened, that someone is either fabricating or outright lying! What is disturbing is that even though numerous questions remain unanswered, and disruption (the blockade) have taken place, no one appears in any rush to get to the truth. In other words, in my opinion, the San Diego Union has faided to do it's job and carry out it's responsibility to their readers.

In concluding, I am bringing this complaint to you personally as Editor in order that you can investigate it and so that you can make a determination as to the competency of both your reporters and Editors and whether you staff has violated yours and the San Diego Union's "journalist ethics."

Sincerely,

Herman Baca, President
CC News Media



Committee on Chicano Rights, Inc

August 4, 1998

U.S. Attorney General
Janet Reno
U.S. Dept. of Justice
950 Pennsylvania Ave. NW
Washington D.C., 20530

Attorney General Reno:

An investigation into the enclosed matter is hereby requested.

Thank you in advance,

Herman Baca, President

**710 E. 3rd Street
National City CA 91950
(619) 477-3800**



Committee on Chicano Rights, Inc

August 4, 1998

Bishop Chavez:

What is the church...the Bishop, church organizations, members, etc. going to do about this?????? Enclosed for your information is what we are trying to do. Enough is enough. If this is happening to the shepherd, one can only wonder what is happening to the flock.

Sinceremente,

Herman Baca, President

**710 E. 3rd Street
National City CA 91950
(619) 477-3800**



Committee on Chicano Rights, Inc

August 4, 1998

Congressman Bob Filner:

An investigation into the enclosed matter is hereby requested. That this degrading and inhumane practice is being carried out at the port of entries, including the SanDiego/Tijuana port, their can be doubt. As I have pointed out, if this is happening to the shepherd, one can only wonder what is happening with the flock. Anything that your office can do to address this issue to end this practice (which does not occur along the U.S./Canadian border) will be appreciated.

Thank you in advance,

Herman Baca
Herman Baca, President

710 E. 3rd Street
National City CA 91950
(619) 477-3800



Committee on Chicano Rights, Inc

Senator Barbara Boxer
600 "B" Street, Ste. 2240
San Diego, CA 92101

Senator Boxer:

On August 3, 1998 our organization corresponded with your office to request an investigation on several issues. We know that you are in the middle of a campaign, but none-the less we would appreciate a respond to our request. To date it appears that everyone in the Democratic party appears to be to busy or unconcern to either acknowledge or even response to issues of concern (as our 8/3/98 letter) of importance to the Chicano community. I would appreciate a prompt response (one way or another) to our 8/3/98 letter.

Sincerely,

Herman Baca, President

**710 E. 3rd Street
National City CA 91950
(619) 477-3800**



Committee on Chicano Rights, Inc

August 4, 1998

Congressman Duncan Hunter:

An investigation (and not by U.S. Customs) is hereby requested into the enclosed matter.

Awaiting,

Herman Baca, President

**710 E. 3rd Street
National City CA 91950
(619) 477-3800**



Committee on Chicano Rights, Inc

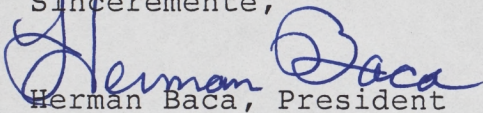
August 4, 1998

Estimado(a)

Enclosed for your information, is a packet on the "strip search" of Catholic Bishop Guerrero of Mexicali by U.S. Custom inspectors. As I have stated to the news media "if this is happening to the sheperd, one can only wonder what is happening to the flock". Enough is enough!

I am requesting your financial assistance(\$5.00, \$10.00 or?) to help us get the word out, pay for phone calls, fax, postage, etc. Any help that you can lend will be greatly appreciated.

Sinceremente,


Herman Baca, President

**710 E. 3rd Street
National City CA 91950
(619) 477-3800**

Also in reading the said article, I find it incredible that a supposedly responsible reporter (or his editors) would begin an article (without an investigation) with a sub-title "story of his being stripped by custom just isn't true" and conclude that it never happened when the following was never investigated:

1) Reporter Sanchez never interviewed Bishop Guerrero, who according to the Calexico Chronicle, after he was "stripped search" immediately returned to Mexicali and filed a complaint with Mexicali Mayor Eugenio Elorduy, Councilman Alfredo Arenas, and the Mexican Consulate.

2) Reporter Sanchez never interviewed Mexicali Councilman Alfredo Moreno Arenas, who according to the Calexico Chronicle stated that, "The Mexicali Bishop had contacted him and gave details regarding his detention at the U.S. Port of Entry on July 3, 1998." After that he filed a complaint with the Calexico Chamber of Commerce...which the Chamber secretary typed into her computer for future reference." And then he held a "conference call" where Calexico Councilman Victor Carrillo, Chamber President Daniel Romero, and Chamber Executive Director Fred Knechel heard the complaint all over again!

3) Reporter Sanchez appears never to have interviewed Calexico Chronicle Editor Hildy Carrillo-Rivera who broke the story (27 days before the San Diego Union) who had the Bishop complaint (which she published), and who to date stands by her article (which she had a constitutional right to print) and which she refuses to retract!

4) Reporter Sanchez never quoted the Bishop's (or who ever wrote it) complaint, nor deemed it important even though the complaint was the basis for publicizing the issue. Reporter Sanchez ignored this critical document even though Mexicali Mayor, councilman, Mexican Consulate, Calexico Chamber of Commerce, and the Calexico Chronicle had copies in their possession.

5) Reporter Sanchez never ^{with I SEND} bothered to interview me, even though I faxed him the letter to both Senator Boxer and Feinstein in which I requested an investigation on the "strip search", a "cover-up" by U.S. Custom, violation of the constitutional right of freedom of the press (Calexico Chronicle) and also the failed U.S. government policies at the U.S/Mexico border.

I am assuming that common sense or sound journalism standards would of dictated an investigation of the above, if a fair, balanced, truthful and objective article was to be written. I also would assume that due to the contradictory statements i.e. the Bishops complaint, Councilman Arenas complaint filed with the Chamber, Executive Director Fred Knuchel's statement, "if we would of known what we now we would've destroyed that complaint", and U.S. Customs' position that it didn't happen and a retraction was demanded, shows that someone is either fabricating or lying! What is disturbing (and our reasons for calling for an investigation) is that even though disruption (the blockade) has taken place and numerous question remain, no one appears to be in any rush to investigate or get to the truth. In other words those in power including the San Diego Union are not doing their job.

Saint Joseph's Cathedral
1535 Third Avenue
San Diego, Calif. 92101-3192

August 10, 1998

Mr. Herman Baca
710 East Third St.
National City, CA 91950

Dear Mr. Baca:

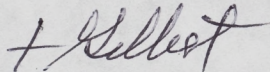
Thank you for the letter you recently sent to me about Bishop Isidro Guerrero from Mexicali.

I first received the news clip about the Bishop from a priest in Imperial Valley. I asked him to investigate this matter. Last week I was informed that the Bishop was dressed neither as a Bishop nor as a priest.

Secondly, the Bishop of Mexicali has changed his attitude and now claims the incident was insignificant.

Thus, the Bishop is not asking for any support.

Sincerely yours,



Most Reverend Gilbert E. Chavez, D.D.
Auxiliary Bishop of San Diego

I wish I could help in this situation but Bishop Guerrero does not wish to cooperate

United States Senate

WASHINGTON, DC 20510-0504

August 13, 1998

Mr. Herman Baca
President
Committee On Chicano Rights, Inc.
710 E. 3rd Street
National City, California 91950

Dear Mr. Baca:

Thank you for your letter on behalf of Roman Catholic Bishop Jose Isidro Guerrero Macias of Mexicali.

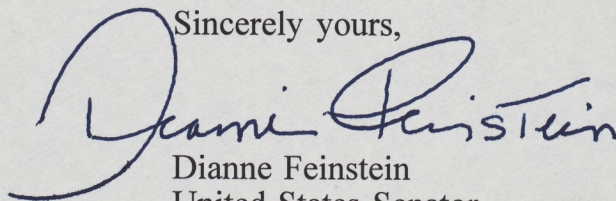
I am concerned about the issues which you raised regarding behavior of federal authorities, and would be pleased to assist in this matter if possible. However, due to the Privacy Act, federal agencies are prohibited from releasing information about individuals without the express, written consent of the person involved. In this regard, I have not been contacted by Bishop Guerrero, nor have I received an authorization for release of information from him. Thus, I am unable to pursue the matters which you raised in your letter at this time.

I stand ready to inquire of the U.S. Customs Service once I receive authorization from Bishop Guerrero for release of information regarding him.

Again, thank you for contacting me about this matter. I look forward to hearing from you and hope to be of assistance.

With warmest personal regards.

Sincerely yours,



Dianne Feinstein
United States Senator

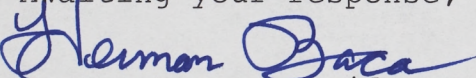
DF:mr

an every day occurrence for persons of Mexican ancestry along the U.S./Mexico border by "out of control" agents of both the U.S. Customs and the INS. One can only wonder if this is happening to the shepherd, what happens to the flock? Furthermore, the incident with a "Mexican" bishop is clearly racist, because such inhumane incidents rarely if ever occur along the U.S./Canadian border.

In bringing this matter to your attention, it should be obvious to all that the root causes which all of us are witnessing along the U.S./Mexico border, which has resulted in the violation of human rights, increased violence and deaths of both U.S. and Mexican citizens, is due to the militarization of the U.S./Mexico border, the failed 1987 Simpson/Rodino immigration legislation, and the so-called drug war. The incident with Bishop Guerrero, and the recent proposal by the INS to deputize private citizens and pay them a "bounty" of \$2,000.00 to \$5,000.00 can only make matters worse.

We urge that before racial, religious, political and economic dislocation erupts along the U.S./Mexico border and heavily Chicano populated U.S. southwestern states that your office initiate an immediate investigation of the above issues.

Awaiting your response,


Herman Baca, President

cc. News Media
Congressman Bob Filner
Congressman Duncan Hunter
U.S. Department of Justice
Apostolic See

DUNCAN HUNTER
52D DISTRICT, CALIFORNIA

COMMITTEE ON NATIONAL SECURITY

CHAIRMAN
SUBCOMMITTEE ON
MILITARY PROCUREMENT

SUBCOMMITTEE ON
MILITARY READINESS



U.S. House of Representatives
Washington, DC 20515-0552

2265 RAYBURN BUILDING
WASHINGTON, DC 20515-0552
(202) 225-5672
FAX: (202) 225-0235

366 SOUTH PIERCE STREET
EL CAJON, CA 92020
(619) 579-3001

1101 AIRPORT ROAD, SUITE G
IMPERIAL, CA 92251
(760) 353-5420

August 24, 1998

Mr. Herman Baca
President
Committee on Chicano Rights, Inc.
710 East 3rd Street
National City, CA 91950

Dear Mr. Baca:

Thank you for your recent letter requesting that I initiate an inquiry into the circumstances surrounding a recent incident between the U.S. Customs Service and a Catholic Bishop from Mexico. In particular, your letter requests an investigation into the possible mistreatment of Catholic Bishop Jose Isydro Guerrero Macias, Bishop of Mexicali, during a routine border crossing. Like you, I believe that it is entirely inappropriate for an official U.S. agency to arbitrarily mistreat anyone, especially members of the clergy.

Upon review of the written materials related to this incident, however, I am uncertain whether it is necessary to launch an investigation independent of the Customs Service. While I believe that the assertions made against this agency are contradictory and inconclusive, if in fact an investigation is warranted, I have complete faith in the Customs Service and its ability to investigate internal matters.

With this in mind, I have forwarded the material you have provided to the U.S. Customs Service Headquarters in Washington, D.C. Please be assured that should additional and substantiating information emerge over this issue in the future, I will respond accordingly.

With warm regards.

Sincerely,

A handwritten signature in blue ink, appearing to read "Duncan Hunter".

Duncan Hunter
Member of Congress

DH/ms



Committee on Chicano Rights, Inc

September 1, 1998

Congressman Bob Filner
333 "F" Street
Chula Vista, CA 91910

Congressman Filner:

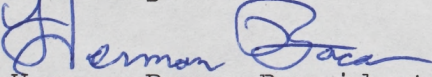
On August 4, 1998, I forwarded you the enclosed letter, regarding an issue which our organization has been addressing for the last 30 years! To date, your office has not given us the common courtesty of a response. I am going to assume that:

- 1) Either your staff did not forward you the information or,
- 2) You like so many other Democrats has lived up to the old Chicano saying which states " The Mexican-American voter always puts the Democratic party first, and they always put us last".

Whatever the reason(s) it is my opinion that it is highly unprofessional for a political representative, to not acknowledge a constituent correspondence, or even worse not address an issue of importance or concern to a constituency which that politician is suppose to "represent".

In closing, I would appreciate, either a response or action to our enclosed letter.

Awaiting,


Herman Baca, President

cc. News Media

P.S. Republican Duncan Hunter didn't response either!

**710 E. 3rd Street
National City CA 91950
(619) 477-3800**



Committee on Chicano Rights, Inc

September 3, 1998

Senator Dianne Feinstein
750 "B" Street
Suite 1030
San Diego, CA 92101

Senator Feinstein:

First thank you for your prompt reply (unlike some of your fellow Democrats i.e. Congressman Bob Filner, U.S. Attorney Janet Reno who failed to response) to our August 3, 1998 letter. Unfortunately, it appears that you or your staff failed to read the context of my correspondences. I never once stated in my letter that I was writing for, or representing Bishop Guerrero. What I did state in my letter was, that our organization wanted you to investigate the following published issue:

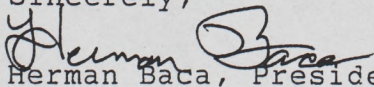
- 1) The gestapo, perverted and sacreligious "strip search" of Catholic Bishop Jose Isidro Guerrero Macias at the U.S./Mexico border port of entry.
- 2) The apparent "cover-up" by U.S. Custom officials of the above incident.
- 3) The unconstitutional attempt by U.S. Custom to silence and violate the constitutional guaranteed right of freedom of the press.

In your August 3, letter to us you stated (regarding the above) that "due to the Privacy Act, federal agencies are prohibited from releasing information about individuals without the express, written consent of the person involved" and "Thus, I am unable to pursue the matters which you raised in your letter at this time".

Let me point out, that if you or your staff would of read the correspondences which I forwarded to your office, you would of read that U.S. Customs sent out a letter to the news media in which they released all of the information about the Bishops "strip search", which you now state is unlawful under federal law. If your interpretation of federal law is correct (the Privacy Act) I would recommend that you also investigate, (along with our issues) why U.S. Customs released information prohibited by law.

On the other hand, if it is not illegal, I would once again urge you to proceed with an investigation of the above as we requested in our August 3, 1998 letter.

Sincerely,


Herman Baca, President

**710 E. 3rd Street
National City CA 91950
(619) 477-3800**

BOB FILNER
50TH DISTRICT, CALIFORNIA

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CHULA VISTA, CALIFORNIA 91910
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TRANSPORTATION AND INFRASTRUCTURE
COMMITTEE

VETERANS' AFFAIRS
COMMITTEE

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES

September 9, 1998

Herman Baca
President
Committee On Chicano Rights (CCR)
710 E 3rd St
National City, CA 91950

Dear Herman:

Thank you for contacting my office about the incident involving Roman Catholic Bishop Jose Isidro Guerrero Macias as he entered the United States on July 3, 1998.

I am sorry for the delay in responding. But I want you to know that I have contacted Treasury Secretary Robert Rubin, who oversees the U.S. Customs Service, and asked that he immediately investigate this matter. As soon as I receive his response, I will be back in touch with you.

If you have any questions or have additional information that may be helpful, please call me or Mary Niez of my staff at 422-5963. I look forward to working with you to get to the truth in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to be 'BF', written over a faint circular stamp.

BOB FILNER
Member of Congress

BF/mn
239139



Committee on Chicano Rights, Inc

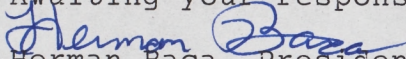
September 10, 1998

Congressman Bob Filner
333 "F" Street
Chula Vista, CA 91910

Congressman Filner:

On September 1, 1998 I wrote you regarding you or your staff not responding or acknowledging a letter which we had forwarded to you on August 4, 1998. In my September 1, 1998 I stated "P.S. Republican Duncan Hunter didn't response either!". I stand corrected Republican Duncan Hunter has responded.

Awaiting your response,


Herman Baca, President

P.S. Even though you do not have to run for re-election, it is going to be real interesting to see if your party (Democratic) can retain the U.S. House of Representatives or even Senator Boxers seat.

**710 E. 3rd Street
National City CA 91950
(619) 477-3800**

VIEWPOINT by Hildy Carrillo - Rivera Children Harassed At Calexico Port Of Entry

It really is sad when you think about. I'm talking about the fact that I have been *warned* by some employees of the Federal Government and told to not write any more *Bad* stories regarding the Calexico Port of Entry and its inspectors. I was told not to cross the border... "they'll get you when you come back," was the comment. A former Calexico Councilman stated that U.S. Customs people are very vengeful... "they're going to get you"! Very sad isn't it?

I received a call from a Calexico resident and mother of three children ages 17, 12 and 10. I will not use the names of this family, although the mother has given me permission to do so. I will keep the family anonymous because of the children involved.

On July 29, 1998 the three children had gone to Mexicali to visit their grandmother who resides there. (A common practice among many Calexico residents.) After the visit, the eldest child called his mother in Calexico and told her they would be on their way to the Port of Entry soon. The mother was to wait for the children on the Calexico side when they crossed, pick them up and take them home. The children do this often enough, the eldest son carries with him an American Passport the other children carry birth certificates.

On this particular evening somewhere between 8 and 9 p.m. the three children walking across, were met at the Port of Entry by INS Inspector Hutchinson. He looked at their documents and said they were false and sent the children to Secondary Inspection where they were met by another inspector by the name of Tovar.

Tovar and Hutchinson continued to tell these children that their documents were false and they could get in a lot of trouble. The children mainly the eldest said that they attended Mission School in Calexico and they lived in Calexico too, giving addresses and phone numbers to the Inspectors.

The Inspectors called them liars and made the eldest son sign his name over and over again as to compare it with the signature on the Passport.

Inspector Hutchinson was the aggressor, according to the children. he threaten them and used improper language when speaking to them. The Inspectors separated the children by putting the eldest son in one room, the younger children a boy and girl in a different room. The verbal abuse continued and the children were told that if they didn't admit their documents were false, they (the inspectors) would arrest their parents. The children report that Hutchinson and other INS Inspectors (the ones wearing white shirts) threatened them, laughed at them and eventually made the younger children cry. "They cried because they were told their parents would be arrested.

The children stuck to their story... it happened to be the truth. Separated and all... the children told the same story. Obviously this wasn't good enough for these brave INS Inspectors at the Calexico Port of Entry. The children were not allowed to call their parents... they were just being held in secondary inspection until they admitted something that was not true! A friend of the family happened to be walking across the border that same evening and spotted the children in secondary Inspection. When she crossed to the Calexico side, she spotted her friend, the mother of the children who had already begun to worry because the children were not walking across. Once she was told where her children were to see what the problem was.

The mother crossed over to Mexicali and immediately turned around came back attempted to see where her children were being held. The mother claims that these INS Inspectors were "*unos groceros*" and were hypocrites. When she finally saw her children, they were hysterical, crying and rubbing their eyes... you could tell they had been crying for quite a while said the mother. Inspector Tovar claimed that the children had just started crying when the mother had shown up. Hutchinson immediately began to interrogate the mother, asking for details regarding her children, started to treat her like she had done something wrong.... Hutchinson ordered her to sit down. The mother said "he didn't ask me to sit down, he barked orders to me to sit down, like I was a prisoner or something," she continued to say "then Hutchinson had the gall to say that I should be grateful that my children were here with them, he said they were being taken care of." Hutchinson told her she was a bad mother. Hutchinson threatened to have the mother arrested for child endangerment... Hutchinson was looking for an excuse to get the mother in trouble... since obviously the children had done nothing wrong. The excuse inspectors Tovar & Hutchinson gave for the detainment of these children was that the crossing documents (American Passport and Birth Certificates) looked false to them.

The mother was told by a Supervisor working that evening that there were several complaints filed against Inspector Hutchinson. The mother was given a form to fill out and send to Washington D.C. ... someone else at the Port of Entry told her not to bother... nothing ever happens.

The innocent children are now scared and looking at law enforcement officials in a different way. What use to be a feeling of being safe and secure when seeing law enforcement officials has now been shattered by the stupidity of Inspectors Hutchinson and Tovar... the kids were called liars and cheats. They were laughed at and held against their wishes... they were NOT in possession of false documents... and they told the truth!!

Obviously... Fat Heads Rule!



DEPARTMENT OF THE TREASURY
WASHINGTON, D.C.

DC

ASSISTANT SECRETARY

NOV 02 1998

October 27, 1998

The Honorable Bob Filner
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Filner:

Thank you for your letter dated September 9, 1998 (your case number 10670), enclosing correspondence from Mr. Herman Baca, President of the Committee on Chicano Rights, Inc., concerning the July 3, 1998, Customs inspection of Bishop Jose Isidro Guerrero Macias at Calexico, California.

Mr. Baca's allegations that Bishop Guerrero was treated contemptuously by the Customs officers and that the officers laughed at the Bishop during his inspection concern us deeply. Although his status as Bishop of Calexico would not exempt him from Customs inspection, Secretary Rubin and Customs Commissioner Kelly certainly would not tolerate anything other than professional, respectful treatment of Bishop Guerrero, or any other person entering the United States.

The Director of the Southern California Customs Management Center (CMC) has thoroughly looked into Bishop Guerrero's Customs treatment, as a result of prior widespread newspaper publicity concerning the incident. The Director reported that both the Bishop and his driver were in civilian attire as they entered the United States at Calexico. They were referred, for valid enforcement reasons, for a more thorough inspection.

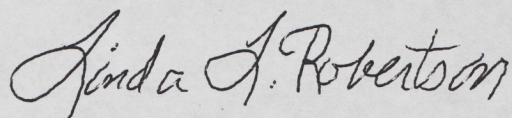
During that inspection, the two travelers were briefly detained for pat-down inspections. They were not strip-searched. The Bishop was not treated with physical force; his crucifix was not removed from his neck or broken. There was no confrontation between the Customs officers and the Bishop and his driver. There certainly was no laughter on the part of the Customs officers.

It is our understanding that the newspapers that published inaccurate descriptions of the incident have retracted their stories. Moreover, the Bishop and his driver attended a subsequent meeting at the request of our Calexico Port Director to discuss this matter. Also attending were the Acting CMC Director; the Mayor of Mexicali, Mexico; local port authorities; representatives of the Mexican Consulate; the U.S. Attorney's Office, and agents from Customs' Office of Investigations.

Although the meeting did not succeed in resolving all of the issues relating to Customs' authority to search travelers, Customs personnel who attended the meeting reported that the Bishop left the meeting expressing his satisfaction with Customs' response to his concerns.

Please let me know whenever we may be of service.

Sincerely,

A handwritten signature in cursive script that reads "Linda L. Robertson".

Linda L. Robertson
Assistant Secretary
(Legislative Affairs and Public Liaison)

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50TH DISTRICT, CALIFORNIA

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TRANSPORTATION AND INFRASTRUCTURE
COMMITTEE

VETERANS' AFFAIRS
COMMITTEE

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES

November 3, 1998

Herman Baca
President
Committee On Chicano Rights (CCR)
710 E 3rd St
National City, CA 91950

Dear Herman:

I recently received the enclosed letter from the Assistant Secretary of the Treasury in response to my inquiry about the Customs Service inspection of Bishop Jose Isidro Guerrero Macias as he entered the United States this summer.

In it they claim that the Bishop was not strip-searched, nor was his crucifix removed and broken. They claim the Bishop and his driver were treated respectfully. They also claim that the Bishop has met with the Customs Service and expressed satisfaction with the Customs response to the concerns.

I realize that this may not be the answer you had hoped for. If you have other information that may help in this matter, please do not hesitate to call me or Mary Niez of my staff at (619) 422-5963.

I also want to assure you that I take allegations of abuse of power at the border or by any other law enforcement agency very seriously. Please contact me should other instances arise that demand attention.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bob Filner", written over a faint circular stamp.

BOB FILNER
Member of Congress

BF/mn
241852

Enclosure

National City Star-News

PUBLISHED THURSDAYS AND SUNDAYS

More news of National City than any newspaper in the world

89TH YEAR - No. 72

National City, Calif., April 30, 1972

477-4114 10¢ Per Copy

Congressmen hear minorities

Beatings, 'atrocities' told in border crossing probe

BY JEAN CROWDER

Star-News Staff Writer

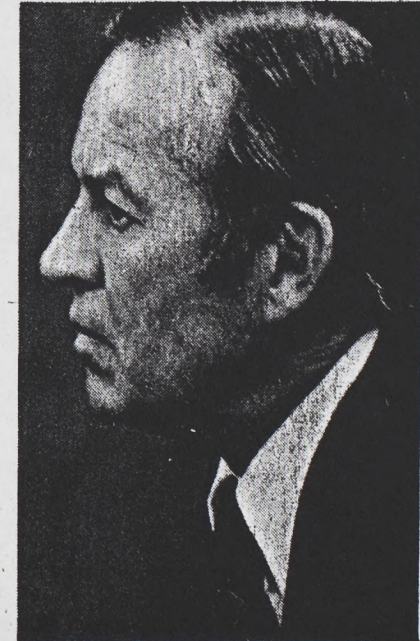
Allegations of brutality, unprovoked beatings, "atrocities", long detentions without arrest and cruelty on the part of U.S. border officials poured from witnesses yesterday as Congressional hearings in San Diego probed charges from persons who have crossed at U.S.-Mexico ports of entry.

Women claimed they were asked to strip and submit to searches of body cavities by customs matrons or male customs officials. None of the women said they were placed under arrest before, during or after the searches.

MEN ALSO told of undergoing strips and internal searches, as well as unprovoked beatings. Both men and women recounted hours spent waiting for the procedure to end, not daring to ask what they felt were their rights for fear of punitive consequences from border officials.



ALBERT GARCIA
Checks his notes



REP. LIONEL VAN DEER
Listens to evidence.

cont.

cont

Evening Tri. 4-29

7

Probe told of harassment at border

By LOGAN McKECHNIE

A tale of harassment of three busloads of Mexican school children opened testimony here today in hearings by a congressional subcommittee into charges of mistreatment lodged against U.S. Customs inspectors at the San Ysidro port of entry.

The hearing is being conducted by Rep. Edward Roybal, D-Los Angeles, of the treasury, postal service and general government subcommittee.

The first witness was Albert R. Garcia, president of the South Bay Neighborhood Corp and a San Ysidro immigration consultant.

Garcia said a busload of Mexican children ages 7 to 10, were stripped and searched when the bus carrying them was stopped at the border crossing as the children returned from a visit to the San Diego Zoo. He said the search was illegal.

More than 150 persons waited outside the federal courthouse at 225 Front St. this morning for the hearing to begin. Roybal was delayed 30 minutes by a late flight arrival. He began the meeting by saying: "This committee is here to look into alleged mistreatment of persons crossing the border and make recommendations to the full (appropriations) committee, which in turn will make a recommendation to Congress."

Attending the meeting was Rep. Lionel Van Deerlin, D-San Diego, who Roybal said could question witnesses although he will not take part in making the report.

More than 20 witnesses were ex-

(Continued next page, col. 6)

Probers told of harassment

CONTINUED FROM PAGE 1

pected to be heard today.

Garcia said many who could be witnesses were afraid to testify.

"Most of the ladies are embarrassed to testify about what has happened to them."

He went on to describe other incidents of strip searches of Mexicans crossing at the San Ysidro crossing, asking Roybal directly to stop them.

Garcia said more Spanish-speaking inspectors at San Ysidro would ease the problems there.

"We find it shocking," said Roybal, "that there are less than 10% of the employes there (San Ysidro) who have Spanish-surnames. But we find it even more shocking when we discover that in the entire government only 1% of the employes

Treatment Of Mexicans Protested

Clapping their hands and shouting "Chicano power," about 50 representatives of Mexican-American organizations yesterday demonstrated peacefully in front of the federal courthouse to protest treatment of Mexican aliens.

The demonstration, which consisted of pickets circling on the sidewalk, also called attention to a congressional hearing scheduled at 9:55 a.m. today in Courtroom B-2, Herman Baca, spokesman for the demonstrators, said. Rep. Lionel Van Deerlin, D-San Diego, will investigate the treatment of illegal aliens in federal court.

During the last week, 2,261 illegal aliens have been arrested in the five Southern California counties in the San Diego sector of the Immigration and Naturalization Service.

S.D. Un
4-

August 27-1972

More than 'mere suspicion' needed for body searches

A U.S. attorney assigned to the San Ysidro port of entry this week said that customs inspectors must have more than "mere suspicion" to make body searches of persons crossing the border.

Shelby Gott said "strip searches," where the person's clothing and body are searched for contraband, can be conducted only if inspectors are positive that the person is trying to hide something.

INFORMER'S TIPS that contraband is coming across the border or a persons unusual behavior at the border "are enough justification for a body search" Gott said.

He said that suspects are interrogated first and, if the inspectors feel that they are still trying to hide something, then the body searches can be requested, he said.

Gott said that body inspections require more suspicion than the inspection of packages, personal belongings or automobiles, he said.

Inspectors can make routine or extensive searches in these areas with only the slightest suspicion, he said.

"**THE BORDER** law is a law in itself," he said. "Peace officers must show probable cause when conducting searches under U.S. law. At the border, however, officials can go on mere suspicion, which is less than probable cause."

He also said that searches can be conducted away from the international border.

"If a person looks suspicious and might be dealing in contraband or involved in some illegal border activity, he can be brought to the border and given an inspection," Gott said.

Though no distance has been determined in conducting these searches, generally it is within one mile of an international boundary, he said.

Also the border patrol comes under the special border law provisions which allow them to check persons for contraband or smuggling aliens within 100 miles of the border without showing probable cause, he said.

★ ★ ★ Customs recruiting 35 bilingual inspectors

The Treasury Department's Customs Service is recruiting 35 Spanish-speaking customs inspectors for duty at the San Ysidro port of entry.

Applicants must be bilingual as well as bi-cultural and be over 21 years old and a U.S. citizen.

They must also pass the civil service entrance examination and undergo a federal security check.

Applicants should write to the nearest Civil Service Commission Office or the Regional Personnel Officer, U.S. Customs Service, Treasury Department.

\$283 in loot taken

Several items worth \$283 were burgled from LeRoy Bair, 55, of 98 Glover St., Chula Vista, police said.

The loss included a pearl pendant, two pair of binoculars and a pair of opera glasses reports said.

Immigration Corruption Probed

LOS ANGELES (AP) — The Justice Department confirmed a report yesterday that it has investigated 321 cases of corruption by U.S. Immigration officials.

Rep. Andrew Hinshaw, R-Orange and San Diego counties, said Thursday that 224 of the cases have been closed, 58 are still under investigation and decisions on whether to prosecute the other 39 are yet to be made.

Most of the charges involve bribery stemming from the smuggling of drugs and illegal aliens.

A Justice Department spokesman in Washington

said Hinshaw's figures were correct, but refused to elaborate on the investigations.

Hinshaw is a member of a House subcommittee that has been investigating operations of the U.S. Immigration and Naturalization Service. He said he received the

Charges Possible In 3 Crash Deaths

BAKERSFIELD (AP) — Charges of criminal negligence or manslaughter may be filed against a farm labor contractor and his wife in the death of three workers in an overloaded camper, the highway patrol said.

statistics from a Justice Department liaison officer with Congress.

Hinshaw has been a critic of the INS for what he said was its lack of success in stemming the flow of illegal aliens into this country.

The statistics as of June 19

The vehicle was carrying 14 persons in the camper shell and five in the cab when the truck went out of control a CHP information officer said. Sixteen persons received injuries, ranging from severe to moderate.

indicated that 59 persons have been indicted as a result of the investigation, and 42 have been convicted of various criminal charges.

The compilation of statistics from Operation Clean Sweep was the first to be made public in almost a year.

The department has been criticized for not revealing details of the two-year-long operation to uncover corruption along the 2,000-mile U.S.-Mexico border.

Some congressmen and investigators have described Operation Clean Sweep as a "coverup."

Student Scores Low In Oakland

OAKLAND (AP) — According to recent tests, public school students here are not fairing as well scholastically as their contemporaries in other parts of the state.

The statewide findings of the test indicate that some Oakland grammar school pupils may be as much as a grade behind students in other California communities in reading, math and written language skills.

Compilers of the recently released report cautioned that the results should not be "over-generalized."

S. D. Union

7-6-74

Garcia has 'testimony of atrocities'

New border probe request eyed

Albert Garcia, president of the Southbay Neighborhood Corp., said this week that he will ask for a congressional committee investigation of the Border Patrol if interrogation procedures are not changed.

Garcia, who was instrumental in initiating the congressional probe on alleged beatings and other incidents at the San Ysidro border crossing by U.S. Customs officials, said he has a 13-page testimony by an ex-Border Patrol officer revealing "atrocities to Mexican-Americans, U.S. citizens and Mexican aliens."

HE SAID the testimony will be made available to the press as soon as he receives permission to release it from the ex-official.

"If I don't see any satisfactory policy changes in Border Patrol procedures," Garcia asserted, "I'm definitely going to request a Congressional investigation."

He emphasized the need for "affirmative progress" in the Border Patrol department, such as the

employment of additional bilingual Mexican-Americans who would "perform duties in a more humane manner."

Garcia also said he plans to speak to Sen. George McGovern, candidate for the Democratic nomination for President, today to encourage him to support an investigation.

GARCIA is also working on a case of a San Ysidro man who is being tried for smuggling aliens.

According to Garcia, Mariano Gonzalez, traveling to Cochela, Calif., with his wife and four children, picked up two hitch-hikers who were alien Mexicans.

Border Patrol officers apprehended Gonzalez and took him and his family to El Centro for questioning.

Garcia charged that the officers failed to arrest Gonzalez and did not explain his rights.

The officers also stripped a five-day old infant without consent of the mother, he added. In addition, Garcia claimed

that officers mistreated the man's 8-year old daughter, took her away from her parents without their consent and tried to force a confession from her.

"They (Border Patrol officers) violated the 4th amendment to the U.S. Constitution," Garcia contended.

ALICIA McCARTY, a member of the Southbay Neighborhood Corp., attended the beginning of the trial this week under Judge Gordon Thompson.

She reported that Gonzalez's 8-year-old daughter, Marguerita, had testified that an immigration agent pulled her into a separate room, interrogated her in a loud voice and questioned her for a long time.

Mrs. McCarty said Judge Thompson asked the child, "Do you know the difference between a lie and the truth?" during preparation for her testimony.

The trial will continue at 9 a.m. tomorrow. Fred Hetter is acting as Gonzalez's attorney, while Catherine Chandler is representing the case for Jackie Young, one of the immigration officers involved.

Stopped 21 times in 12 months

The border: Sotos' ordeals

By KENNETH WAYNE
Star-News Staff Writer

John Sotos of 576 Flower St., Chula Vista, has been visiting friends in Tijuana for over 32 years. On many of these visits he takes his wife and children along.

Like many other Chula Vistans, he works for Rohr Corp. — he has for 22 years.

But, unlike most Chula Vistans, Sotos says he cannot just visit Tijuana then drive home. He says he is invariably subjected to detainment and a thorough search before he is allowed to re-enter the United States.

Sotos, a Mexican-American, claims he has been searched at the San Ysidro border crossing 21 times in the past 12 months, and he's definitely "sick of all this damn bull."

"They've made me strip down," he said, "searched my wife, my family. And I want to know why they have my number...It happens every time I cross."

Fred Martino, director of Customs at the San Ysidro border, doesn't think it was possible Sotos could have been stopped 21 times.

"The only possible way was if he was an addict," Martino said.

"We wouldn't have a record of any personal search," he added, "but if it happened this many times, it seems he would go to a director, get a badge number or something..."

Sotos' complaint isn't merely with the searches, but that he can't find out why he is "continually subjected to it."

He was observed being searched this week. He was ordered to stand away from a counter in a sideroom at the San Ysidro crossing, with both hands flat on the counter. He turned to the tall, stocky Customs inspector who had been yelling at him and occasionally shoving him as he entered the room.

"What is the problem?" he asked.

The inspector stood back and bellowed at him, "The problem is I didn't tell you to talk! Do what I tell you to and there won't be any problems — SPREAD YOUR LEGS!" he ordered.

While giving the order he wrapped his arms around one of Sotos' already spread legs and forcibly jerked them farther apart.

"You're guilty even if you haven't committed any crime.

You're treated like a criminal. Don't we have any rights?" Sotos asked.

He told The Star-News he has contacted border officials to try to resolve what he terms "the problem."

"They say to hire a lawyer," he reported. "I want to know someplace to go so I can find out the problem."

Martino found that hard to believe. "We investigate all complaints immediately." He urged that Sotos come to his office and file a sworn statement. "It isn't necessary for him to go to a lawyer and spend money."

Sotos also worries about what goes on while he is sequestered inside for the body search. "You have no way of knowing what is going on outside. They could put something in your car."

John Sotos feels his treatment is inexcusable.

"When I was in Korea," he concluded, "I never had any problems...But in the service they have to treat you right. Here you are a criminal. No one caused, 'maybe not'...I would get better treatment."

STARNEWS
10-14-73

ART PATIENT

Boy, 4, Dies at Border Gates

BY ROBERT MITTON
Times Staff Writer

to the U.S. Customs inspector at a desk, the Mexican woman with a 4-year-old boy in her arms was another impatient person waiting across the international border. For other people waiting in the same lobby, the woman's frantic gasps of "Emergencia! Emergencia!" indicated only that something was wrong. How serious it was, one knew.

Except for Guadalupe Astorga, her husband and her Maria Alberto Canedo — that point unconscious and gasping his last breaths — the moment was a ghastly climax to a series of confusing events that ended with a terrified scream as the boy died in her arms.

Please Turn to Page 5, Col. 1

BOY, 4, DIES WHILE WAITING TO CROSS BORDER

Continued from First Page

People who suddenly realized the seriousness of the woman's distraught pleadings began weeping as Mrs. Astorga cradled the boy's limp body in her arms. Moments later — just a few minutes too late — an ambulance team arrived.

The death, a border official explained, was the result of "a certain lack of communication . . . an unfortunate death that fractured emotions and brought everyone who witnessed it to their knees."

On Thursday, border authorities finally pieced together the details of the Tuesday incident.

The Canedo boy, who had a congenital heart disease, had undergone heart surgery about a month ago at San Diego's University Hospital. Doc-

tors told investigators that the boy's operation had involved "rebuilding the heart."

After recuperating to the doctors' satisfaction, the youth was released from the hospital March 14 and returned to his home in Colonia Francisco Villa, about 10 miles southwest of Tijuana.

Mrs. Astorga told police the boy had been fine until Tuesday afternoon when he began vomiting blood. The woman, who had raised the child since birth, carried the boy to a cousin's home and from there began driving to the border.

But en route to the San Ysidro port of entry, the boy began convulsing and shortly afterward lost consciousness.

The time was about 5:15 p.m. and the notoriously long lines of cars at the border by this time stretched beyond the Mexican customs offices, about 200 yards south of the border crossing.

"She had to wait 20 minutes in line, just like everyone else usually waits at that time of the day," said Robert Milton, assistant district director of the U.S. Immigration and Naturalization Service.

After finally reaching the entry gate, the panicking Mrs. Astorga quickly explained her "life-and-death" problem to the Customs officer.

The officer, Milton said, "recognized the problem and wrote the woman a note that indicated she had

an emergency." Mrs. Astorga instructed to proceed to the secondary inspection area, where she took the boy from her car with the boy in her arms and ran into the Customs building.

However, "because of all the confusion going on, it was not made clear the Customs agent inside the inspections building that Mrs. Astorga was experiencing an emergency."

In her limited English, Mrs. Astorga explained to the Customs officer at the permits desk that the boy had a needed immediate medical attention. She was told to wait.

San Diego police and an ambulance crew, Milton said, had been called about 5:45 p.m. moments after Mrs. Astorga had driven into the secondary inspection area.

"The officer (inside) was not aware it was an emergency, even though the woman was screaming," said Milton, whose agency investigated the death. "I think if he would have known what the circumstances were, he would have waived her through. But it was simply a matter of lack of communication."

Consequently, Mrs. Astorga waited in the Customs lobby, pleading and sobbing in Spanish. The lobby was beginning to fill with confused murmur when Mrs. Astorga let out a blood-curdling scream, Milton said.

A hush fell over the lobby, Milton said, and officers who finally went to Mrs. Astorga's side, then realized what was happening.

Even the ambulance team, which police said responded "very quickly," had had no problem with confusion.

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inspection area and couldn't find the woman and boy," Milton said. "No one outside knew that the woman had run into the inspections building."

By the time they reached the boy "the only thing left to do was call the coroner," Milton said.

"What can I say? It was not a very happy thing for us, not a pleasant thing at all. I'm sure there are a lot of people saying, 'if only I could have done this or done that, things might be different.'"

Ironically, the boy had been scheduled to return to University Hospital Wednesday for a checkup. The county coroner said the cause of the boy's death has not yet been determined.

Beatings, 'atrocities' told

Fred [redacted] Asta, a former [redacted] immigration officer, told of beatings, cruelty and what he termed "atrocities" he witnessed while an officer at the San Ysidro border crossing.

Vernon Hann, district customs supervisor for San Diego and Imperial Counties, testified late in the day that his officers did not search body cavities but that persons suspected of concealing contraband in those areas were taken to a Chula Vista doctor on call 24 hours a day.

Hann also claimed strip searches were not made without "probable cause" to think persons being searched were carrying contraband.

He had never received reports of waits as lengthy as witnesses charged, Hann said, although a manpower shortage often necessitated some waiting time.

HANN ALSO FACED probing questions from two members of the House Appropriations Committee's subcommittee investigating the Treasury Department, of which customs is a branch. Among information gathered is that, unless victims file complaints, reports of physical confrontations are not sent to his office.

The hearing was chaired by Rep. Edward R. Roybal (D-Los Angeles). Also present was subcommittee member Rep. Don Reigal (R-Flint, Mich.), subcommittee counsel A. A. Gunnel and Rep. Lionel Van Deerlin (D-San Diego), not a member.

During morning hours, the subcommittee heard testimony from five women, Southbay Neighborhood Corp. President Albert Garcia and Legal Aid attorney Steve Hartwell, who

worked [redacted] before a transfere [redacted]

[redacted] four men, including Drew, testified before Hann was called. As he entered the room from a side chamber, about eight South Bay Chicanos led by Herman Beca of MAPA (Mexican-American Political Assn.), strode from the courtroom in protest at Hann being allowed to testify.

The hearing was called after local citizens, Garcia among them, began lobbying with Van Deerlin, Roybal and other federal representatives for investigation into brutality and cruelty the citizens claim have historically marked border crossing points, especially in the case of minorities.

A mother who left her sick bed to testify told how her daughter was strip searched by a matron in 1970. The mother said her daughter was told to bend over while the matron visually checked the girl's vagina and rectum with a flashlight.

Her daughter, the mother said, was with a black girl and two Mexican-American young men. The black girl also underwent the strip search, and the man were searched, she said.

"At any time was your daughter told she was under arrest?" asked Roybal.

Replied the mother, "No, my daughter told me it was a very humiliating experience. I asked her why she thought she had been searched, and she told me she had long hair, was wearing blue jeans and was with a black girl and two Mexican-American men and she thought she represented the counter culture to the customs officer."

A [redacted] formerly of Chula Vista [redacted] in Artesia, told the subcommittee she was a frequent visitor to Tijuana while she lived in the South Bay until May 28, 1971, when she, too, was stripped and searched.

As she was returning to the U.S., she said, she answered routine questions and then he [redacted] to the secondary in [redacted]

She [redacted] and after her purse was searched, she said, she was taken to a small room, about the size of store try-on cubicles, and told to strip.

"As I took off my clothes," she said, "she (the matron) went through them, even checking the hems. I had long hair at the time, and she told me to lift my hair so she could check my neck. The floor was dirty so I slipped my shoes back on my bare feet, but she told me to take them off."

"Then she told me to bend over, hold my knees and spread my cheeks apart, and she checked me with a flashlight. As a nurse, I know that is no way to conduct a search."

She was allowed to dress under the eyes of the matron, the woman testified and returned to the room she originally was brought to. As she took her driver's license off the counter, she said, a customs officer told her, "You can't win 'em all. Have a good day'."

QUESTIONING by subcommittee members elicited from the woman that she was given nothing with which to cover herself, that, in comparison with hospital [redacted] the examining [redacted] and that medical [redacted] internal examinations calls for constant presence of a nurse while a doctor makes the examination.

A young woman employee of the Tijuana office of civil registry told, with bowed head, of a similar search. Three of her friends, she said through a translator, also underwent searches and the "harassment" she suffered.

Another woman, an employee of Penney's in National City, said she was stopped twice within one week. Both times, the cars she was in were searched and once she underwent a strip search. She was with two blacks and a Caucasian both times, she said. Her ancestry, she added, is French and American Indian.

The women said they were detained between [redacted] and almost five hours [redacted]

AT LEAST THREE witnesses slated to testify, including 29-year-old Marco Antonio Cuevas of San Ysidro, who earlier charged he was beaten twice while returning from Christmas parties in Tijuana in December, 1971, failed to do so. Cuevas' story was carried in The Star-News.

"Cuevas is afraid to testify," said Garcia, "and therefore he is not here. I think he was called on the telephone and threatened if he testified."

Noted Roybal, "This is apparently the third person [redacted] not to testify today [redacted] the other two [redacted]"

JOE VIOACA, Chula Vista real estate broker and Star-News Spanish-language columnist, told of beatings he underwent in July, 1970, as he was returning from Tijuana. His case, he said, was investigated and the officer charged with striking him was transferred to Los Angeles.

A San Diego shipyard welder told of being strip searched, internally examined and slapped.

A United Farm Workers Organizing Committee organizer from Blythe charged an unprovoked "aggressive, brutal" attack by officials at the Calexico crossing. He testified he was arrested and transported in shackles to El Centro, and then San Diego, where charges of smuggling marijuana and assaulting a federal officer were dismissed in federal court.

He now, he said, has a suit pending against the officer that attacked him.

DREW said that during the four months he worked out of the San Ysidro border crossing, he soon learned the official attitude toward minority group members decreed they were customarily be treated with something less than courtesy."

He spoke of instances of "outright brutality and outright cruelty" against Chicanos and Mexican-Americans.

"Never during the time I was migration inspector did we, to my knowledge," he said, "ever apprehend [redacted]"

Priest claims being beaten by Customs officers

By JESSICA WATSON
Times Staff Writer

The pastor of Our Lady of The Light Catholic Church, largest in El Paso, reported Tuesday he was taken down, stripped and beaten by U.S. Customs officers in an early-morning detention after crossing the Bridge of the Americas.

The Rev. Jesse Munoz, making the accusations, said he was ordered from the car he was driving while returning from what he termed was "a rescue mission" by a Customs officer and sent to quarters inside the Customs building where he was told to strip.

"I was thrown against the wall five times inside an office they have for questioning," Munoz said. "I was stripped of my clothes. They slapped me down

when I tried to say anything. They were taking off my socks, and I asked why. As I was about to say I was Father Munoz, one said, 'Oh, you're just another Mexican S.O.B.'"

Munoz said after the incident, which he said occurred at 2:50 a.m., he went for treatment to the office of Dr. Fernando Jimenez.

Jimenez, late Tuesday, confirmed he had found Munoz to be suffering acute trauma and sprained shoulders and upper back.

Repeated attempts to contact Customs officials for their version of the incident proved fruitless. William Hughes, director of Customs, was reported out of his office and unavailable.

Joy Hughan, supervising inspector who was in charge of the office during a later shift, said she

knew "only what I was told," and that she was not authorized to disclose what that was.

Officer Hughan said she would phone her supervisor to let him know The Times was inquiring about the incident and wished him to provide the Customs account of what happened. That supervisor never called.

George McAlmon, an attorney contacted by Munoz, said he plans legal action against the government.

Munoz said that, when he went to say Mass at dawn at the Dolan Street Chapel, he "couldn't even lift the chalice."

Munoz said he tried to contact Charles Perez, director of Immigration and Naturalization. He said Perez is a member of Our Lady of The Light Parish,

but he was unsuccessful. Customs is not under the jurisdiction of INS, but Munoz said he had hoped Perez might intercede for him.

When the Customs officials finally did acknowledge his true identity, Munoz said, "everybody apologized to me."

Munoz, 35, has been pastor of Our Lady of The Light for 11 years. He said it was not the first time he had noticed animosity on the part of U.S. officials at the bridges, but "physical assault is new."

He said he has reported the badge numbers of two officers who assaulted him.

He said he had gone to Juarez to assist a vacationing couple from Colorado Springs in making their return to El Paso after they had sampled Juarez night life.

FBI investigating abuse charge

By JESSICA WATSON
Times Staff Writer

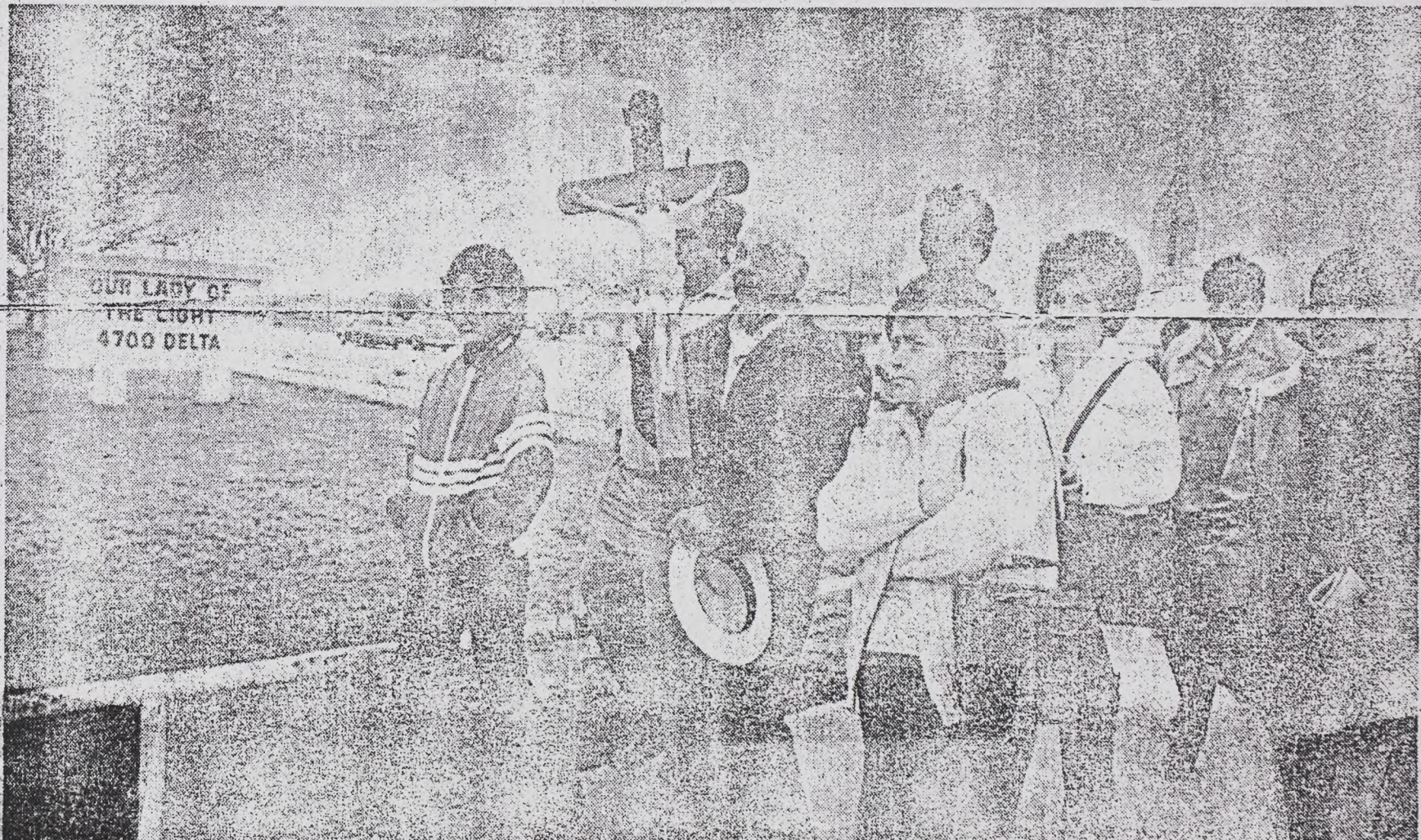
About 100 persons marched silently Wednesday in front of Our Lady of the Light Church to protest "actions of government agents stationed at the border."

The Rev. Jesse Munoz, pastor of the church, Tuesday accused Customs inspectors of "stripping me down, throwing me against the wall five times, slapping me down," in an early-morning detention at the bridge. He added that the abuse occurred before he was given a chance to identify himself.

The El Paso FBI office Wednesday began a preliminary investigation of Munoz's allegations to determine whether his civil rights were violated, assistant agent in charge Robert Ivey said.

Meanwhile, Customs spokesmen said the incident is being investigated by their internal affairs agents.

"We don't know what happened ourselves," said Charles Conroy, spokesman for the Houston Customs Region. "What we are doing is trying to find out what really did happen. We are in the process of interviewing all the people involved, including Father Munoz and the Customs inspectors. We are getting written statements from the inspectors," the public affairs officer said. The incident was reported at the Bridge of the Americas.



from the inspectors," the public affairs officer said. The incident was reported at the Bridge of the Americas.

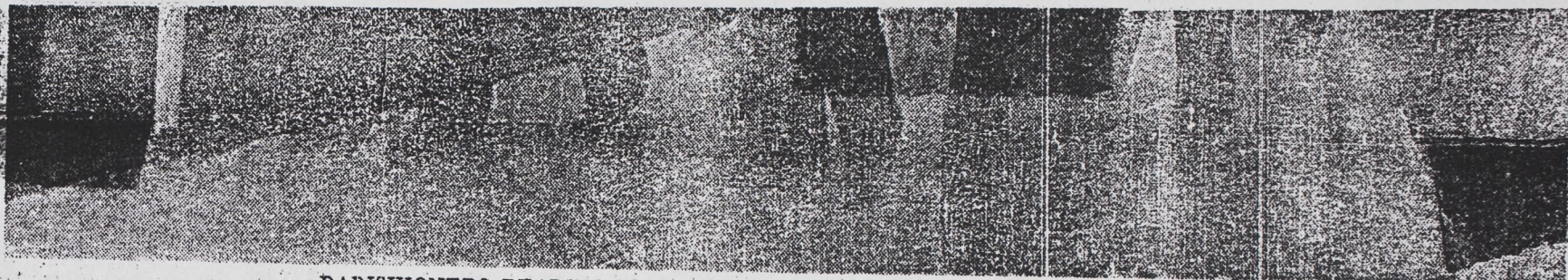
Efforts to obtain comments from El Paso Customs officers again were unsuccessful Wednesday. However, agent Vince Moore said an investigation is automatic when charges as serious as Munoz' are made. Moore, an internal affairs agent, is conducting the Customs investigation here.

A diabetic, Munoz Wednesday recounted more of his "humiliation" at the bridge. "I asked them if I could use the bathroom. I was told to shut up. Then I showed them my health card that says I'm a diabetic. I wanted to call a parishoner who helps me with my illness. They refused. I ended up urinating in my pants. It was very humiliating," he said.

Moore confirmed that any Customs inspectors found guilty of such behavior could lose their jobs. "If it were to prove out that Munoz' allegation is substantiated, somebody could possibly lose his job," he said.

Emphasizing the point that Customs officials do not know the facts surrounding Munoz' detention, Conroy said, "If it is established there was any wrongdoing, appropriate disciplinary action will be taken against the persons responsible. The range of action depends on what happened."

The Customs spokesman said his agency's investigation should be concluded early next week. "We expect to be through by Monday or Tuesday next week," he said.



PARISHIONERS, BEARING CROSS, MARCH IN PROTEST OF ALLEGED ABUSE OF PRIEST

—(Times staff photo)

Bishop

Little paper wrong on customs strip-search

Continued from A-3

"He never intended to create any of this commotion," said Mexicali Mayor Eugenio Elorduy.

Bishop Guerrero didn't like the way he was treated by customs inspectors, but he was also unaware of their broad authority to search anyone entering the United States, say people who know him.

"He's not from around here," said Father Raul Enrique Ramirez. "He's from Culiacan (in Mexico's interior) and he thought he was being treated like a delinquent.

"Those of us who have been here for years know these sorts of things happen," he said.

On July 3, Bishop Guerrero was on his way to see the Padres play in San Diego. He was traveling with Dio Murillo and Jesus Sommers, officials with the Aguilas de Mexicali professional baseball team.

The three were dressed in jeans and light shirts and were traveling in a sports utility vehicle driven by Murillo when they were stopped at the Calexico port and sent to secondary inspection.

The inspectors refused to tell them why they were being singled out for questioning, said Sommers.

"The bishop tried to say who he was, but they wouldn't let us speak. They told us to be quiet," he said.

The men were taken to a room where they were told to remove their shoes, spread their legs and lift their arms for the patdowns.

The inspectors did not find anything illegal, and the men were allowed to continue on their trip.

The inspectors gave the bishop a handbook titled "Why me?" It explains the agency's search policies.

The bishop mentioned the incident days later to the Mexicali mayor and together they filed a complaint with U.S. authorities in El Centro.

On July 10, the bishop and the mayor met with Calexico port and city officials. U.S. officials explained customs policies and apologized to the bishop.

The meeting did not end the controversy, however.

Days before the meeting, Mexicali City Councilman Alfredo Arenas Moreno filed a complaint with the Calexico Chamber of Commerce. Arenas, who could not be reached for comment, said the bishop was strip-searched, according to the chamber's executive director, Fred Knechel.

"If we would've known what we know now we would've destroyed that complaint," he said.

Hildy Carrillo-Rivera, editor of the Chronicle, got hold of the complaint and wrote the now-controversial piece. The headline read, "Catholic bishop strip-searched." She did not speak to the bishop or to U.S. Customs.

Rudy Camacho, Customs Service director for Southern California, has demanded a retraction, calling the column "a serious disservice to the men and women who protect the public daily as officers of the U.S. Customs Service."

The editor has printed Camacho's demand for a retraction, but stands by her story.

California & the West

A bishop and the search at the border



SERGIO HARO

Story of his being stripped by customs just isn't true

By **Leonel Sanchez**, STAFF WRITER

CALEXICO — It was a shocking story that appeared in this small border town's weekly newspaper.

Only it wasn't true.

On July 16, the Calexico Chronicle reported that Mexicali's Bishop José Isidro Guerrero Macías had been strip-searched by U.S. customs inspectors at the port of entry here.

The bishop was shoved, laughed at and his crucifix was broken by customs inspectors, the weekly said.

Bishop Guerrero said in a news conference days later that he was not strip-searched. He was patted down. And though he objected to being searched, he was not abused.

But by the time he clarified what had happened, the damage had been done.

The story outraged people on both sides of the border, particularly because it involved such a high-ranking religious leader.

The Mexicali press picked up the *Chronicle* story and brought it to this capital city of 800,000 south of the border. One paper published a cartoon of a U.S. customs inspector stomping on a crucifix.

Calexico officials feared that it would harm relations between the two sister-cities on the border.

The incident focused attention on the way customs inspectors treat Mexicans crossing the border.

Customs officials have demanded the 2,000-circulation *Chronicle* retract the story, saying it is untrue, but the paper has refused.

Tens of thousands of Mexicali residents cross the border each day to visit and shop in Calexico, a town of 28,000.

So far this year, the Mexican Consulate has received 10 complaints of abuse in Calexico, including five against customs inspectors.

None has been bigger than the one involving Bishop Guerrero, 47, who has been in Mexicali for less than a year.

The rancor continued even after the bishop went on television July 20 and denied being abused. Mexicali activists staged a protest at the port six days later, blocking traffic for 15 minutes.

In San Diego, the Latino-owned *La Prensa* reprinted the *Chronicle* story in its July 24 edition. Longtime Chicano activist Herman Baca demanded that U.S. Sen. Barbara Boxer, D-Calif., investigate the incident.

Bishop Guerrero recently returned from a weeks-long leave and has not been available for comment.

See **BISHOP** on Page A-5

No customs abuse: But Mexicali's Bishop José Isidro Guerrero Macías, seen in this 1997 file photo, objected to U.S. search of himself, friends on trip to see Padres.