

## SAN DIEGO POLICE DEPARTMENT

## DEPARTMENT ORDER

September 2, 1977

TO: ALL PERSONNEL  
FROM: W. B. KOLENDER, CHIEF OF POLICE  
SUBJECT: UNDOCUMENTED ALIENS

This order is intended to clarify the Police Department's policy with respect to the handling of undocumented aliens who come to the attention of San Diego police officers.

The primary responsibility for the enforcement of the federal immigration laws rests with the Immigration and Naturalization Service and the U.S. Border Patrol. Although state and local peace officers have the authority to assist in enforcing the immigration laws, it is the policy of the Department that officers shall not make an effort to look for violations of the immigration laws.

Officers may not therefore stop and detain individuals solely because of a suspicion the individual may be an undocumented alien. If, however, in the normal pursuit of an officer's investigation of criminal activity, the officer makes contact with an individual who admits or otherwise evidences his violation of 8 U.S. Code, Section 1325 (unlawful entry into United States-misdemeanor), a temporary detention would be justified. If probable cause exists to believe the individual has committed a criminal offense unrelated to unlawful entry into the United States, the individual may be taken into custody and either booked into County Jail or turned over to Border Patrol officers, depending upon the nature of the offense and other circumstances.

If probable cause to arrest for a criminal offense does not exist, the individual may nevertheless be turned over to Border Patrol officers at the location where the detention takes place. Except in situations where the detention occurs near the immediate area of the border, such as San Ysidro, the individual should not be transported by police officers to a federal booking facility.

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Please read at squad conferences and post



United California



Mexican-American Assn.

318 EAST SAN YSIDRO BLVD.  
SAN YSIDRO, CALIFORNIA 92073  
(714) 428-2742

June 8, 1979

William B. Kolender  
Chief of Police  
San Diego Police Department  
801 W. Market Street  
San Diego, CA 92101

Dear Bill:

Enclosed you will find signed statement in behalf of Mr. Carlos Navarro, who was arrested by officers of the San Diego Police Department May 28, 1979, and held at the San Diego County Jail until May 30, and released at 11:45 p.m. the arresting officers made very serious charges against this young man which were not proven.

He was not given his rights, and was maltreated and verbally abused by officers of the Southern Division. The most humiliating part of the odyssey was that bail was posted at \$38,500.

I would then request that your office immediately initiate a formal investigation against the arresting officers, whose name appears on the affidavit signed by Mr. Carlos Navarro. Your immediate attention to the above mentioned will be greatly appreciated.

Sincerely yours,

Alberto R. Garcia  
President

c.c. Mayor Pete Wilson  
Councilmen: Bill Michel  
Maureen O'Connor  
Bill Lowery

Leon Williams  
Fred Schnaubelt  
Tom Gade  
Larry Sterling  
Lucy Killea



DECLARATION OF

CARLOS NAVARRO

I, Carlos Navarro, declare:

1. I am a citizen of the United States of America, residing at 1606 Del Sur Boulevard apartment 201 San Ysidro, California 92073, and I am 18 years of age.
2. On May 28, 1979, at about 12:30 noon, I left my residence in the company of my guest, Benito Rincon, at his request to look for an address that was written on a tree by Mr. Rincon's friend (Efren Reyes, deceased) killed by Border Patrol Agent, Dan Cole.
3. We stopped at 500 and Hollister Street, as I was indicated by Mr. Rincon, as we were there ( ten minutes approximately) San Diego Police officer W.W. Carr came to the area and arrested Benito Rincon and myself.
4. Officer W.W. Carr called U.S. Border Patrol agents as they arrived and arrested Benito Rincon and was taken to Border Patrol Station in San Ysidro, and later released by agents, who realized that he was here with permission issued by - U.S. Immigration Service and United States Attorney's Office.
5. I, Carlos Navarro, was arrested and charged with assault with a deadly weapon, kidnapping and many other charges. I was illegally detained without giving me my rights or the opportunity to call my parents or any body else for assistance. I was incarcerated from May 28, 1979, 1:00 p.m. to May 30, 1979, and released at approximately 11:45 p.m. I was asked to post bail in the amount of - - \$38,500. I was maltreated and verbally abused by San Diego Police officers and the consequences of this odyssey was that I lost my job and my mother lost her job. When I was released, I was told that I could leave, no explanation was given to me or my parents and I was fingerprinted and pictures were taken of me without justification. My family and I are very concerned for this outrageous and abusive attitude of San Diego Police Officers. I, therefore, request for an immediate investigation against these officers.

I declare under penalty of perjury that the foregoing is true and correct.

Dated

6-5-79

Carlos Navarro  
CARLOS NAVARRO



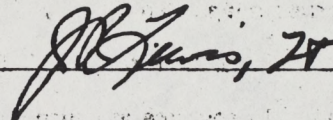
[ Carlos Navarro  
1606 Del Sur #201  
San Ysidro CA ]

**CERTIFICATE OF RELEASE**

As required by the provisions of Penal Code section 851.6 (as amended by Stats. 1975, ch. 1117), I hereby certify that the taking into custody of the above named subject on 5-28-79 157 994  
(DATE)  
by the Police Dept., San Diego, Calif., was a detention only, not an arrest.

The above named subject's charges were released on 5-30-79  
(DATE)  
by the Police Dept., San Diego, Calif., pursuant to the provisions of: paragraph (1) of subdivision (b) of Penal Code section 849 / paragraph (3) of subdivision (b) of Penal Code section 849 / Penal Code section 849.5, pertinent portions of which appear on the reverse of this certificate.

Signed



Title

Commanding Officer

RECORDS SECTION



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United California

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Mexican-American Assn.

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318 EAST SAN YSIDRO BLVD.  
SAN YSIDRO, CALIFORNIA 92073  
(714) 428-2742

July 17, 1979

Mr. William B. Kolender  
Chief of Police  
San Diego Police Department  
801 W. Market St.  
San Diego, CA 92101

Dear Bill:

Enclosed you will find more sign statements in behalf of Jesus Garcia and Ramon Estrella Junior, both young men alleged abuse of authority from San Diego Police officers. One states that he was brutally beaten by six Police officers. These complains from young Mexican-Americans are starting to concern me like the one I sent you regarding Carlos Navarro, who I understand nothing has happen and nobody has contacted his parents.

I would, therefore, request for an immediate investigation. I hope that your office gives me the courtesy of informing me what is happening on these investigations.

With best wishes.

Yours truly,

Alberto R. Garcia  
President

ARG/tm



DECLARATION OF

RAMON ESTRELLA JUNIOR

I, Ramon Estrella Junior, declare:

1. I am a citizen of the United States of America residing at 116 Elivo St. San Ysidro, California 92073.
2. On July 9, 1979, I was stopped by San Diego Police Officer, Ken Henderson, at approximately 7:30 p.m. for violating sections 12500(A), 27465(B) of the California Vehicle Code.
3. The officer told me that he was going to send for a towing truck, to take the car back to my house. I told the officer that I could walk and call my parents, so that they could pick up the car.
4. The officer stated that it was too late, that he had called the towing service, and that I would have to pay for the service anyway. Which I considered it to be abusive on the part of the Police officer. Total paid to sevel garage \$23 for no reason at all.

I declare under the penalty of perjury that the foregoing is true and correct.

Ramon Estrella Junior  
RAMON ESTRELLA JUNIOR

Date 7/17/79  
In San Ysidro, CA

Ramon Estrella FATHER  
RAMON ESTRELLA

Date 7-17-79  
In San Ysidro, CA



DECLARATION OF

JESUS GARCIA

I, Jesus Garcia, declare:

1. I am a citizen of the United States of America, residing at 5550 Olvera Ave. in San Diego, CA 92114.
2. On July 6, 1979, on or about 2:00 p.m. I was attacked and beaten by six Police officers from the city of San Diego at the house of my friend, Francisco Pacheco, located at 317 Averil Road in San Ysidro, California 92073.
3. San Diego Police officers broke into the house, kicking the door down. I was slapped on the face, punched and kicked all over my body by at least two police officers.
4. I was then handcuffed and taken to the Southern Sub-station and held there four hours. I was verbally abused until my mother came for me.
5. I left the Police Department with a bloody face and bruises all over my body with the possibility of a few fractured ribs and a possible broken nose. My mother then asked the watch commander, why I was beaten and kicked by Police officers. No one could give her an explanation of the abusive behavior.
6. We, therefore, request for an immediate investigation against the responsible officers.

We declare under the penalty of perjury that the foregoing is true and correct.

Jesus Garcia  
JESUS GARCIA

Date 7/16/79  
In San Ysidro, California

Graciela Garcia  
GRACIELA GARCIA mother

Date 7/16/79  
In San Ysidro, California





PETE WILSON  
MAYOR

July 19, 1979

*Rec*  
*7/20/79*

Mr. Alberto R. Garcia  
President  
United California Mexican-American Association  
318 East San Ysidro Boulevard  
San Ysidro, California 92073

Dear Mr. Garcia:

Thank you for calling to my attention the problem which was reported to you by Carlos Navarro.

As a result of your letter, an investigation into the arrest of Mr. Navarro was conducted by a San Diego Police Supervisor. Unfortunately, Mr. Navarro refused to make himself available for interview by the investigating supervisor. Therefore, the investigation was limited to an interview with the arresting officer and a review of the police reports.

The investigation showed that the arresting officer had reason to believe that Mr. Navarro had committed several recent felony crimes. Mr. Navarro was, therefore, arrested and advised of his constitutional right to an attorney. He was charged on the arrest report with several felonies and his bail was, therefore, quite high. He remained in jail less than the time allowed by California law for investigation of felony crimes. Finally, he was interviewed in jail by a San Diego Police Detective and was told that the investigation had shown that he was not the man responsible for the listed crimes. He was told all charges would be dropped and he was released.

Because Mr. Navarro would not talk to the investigating supervisor, it was impossible to find out which police officer, if any, abused Mr. Navarro or to find out why Mr. Navarro and his mother lost their jobs.

As to the matter of not being allowed to make a telephone call, it is County Jail policy to allow subjects who are booked in County Jail to make phone calls immediately after being placed in the primary holding facility. If this policy was not followed in connection with Carlos Navarro, the issue should be investigated by the County Sheriff.

If you would like to discuss this matter further, please contact Captain Yetta at 236-5901.

Thank you, again, for bringing this matter to my attention.

Sincerely,

*Pete Wilson*

PETE WILSON

PW/ps

CITY ADMINISTRATION BUILDING, 202 C STREET, SAN DIEGO, CALIFORNIA 92101 (714) 236-6330





OFFICE OF  
WM. B. KOLENDER  
CHIEF OF POLICE

THE CITY OF

# SAN DIEGO

POLICE DEPARTMENT • 801 WEST MARKET STREET • SAN DIEGO, CALIFORNIA 92101

(714) 236-6534

*Rec  
7/26/79*

IN REPLYING  
PLEASE GIVE  
OUR REF. NO.

15.06  
CCF-3431, 3432

July 23, 1979

Mr. Alberto Garcia  
318 San Ysidro Boulevard  
San Diego, California 92073

Re: Jesus Garcia and Ramon Estrella

Dear Mr. Garcia:

This is to verify that we have received the complaint you filed on July 20, 1979 by letter, and to advise you that an investigation has been initiated.

Attached is a copy of the San Diego Police Department Citizen Complaint Reception and Investigation Procedure, for your information.

You will be contacted by the supervisor investigating your complaint, in the near future.

Sincerely,

W. B. KOLENDER  
CHIEF OF POLICE

*C. L. Grimm, Lieut.*

By: C. L. Grimm, Lieutenant  
Internal Affairs Unit

Enclosure



COMPLAINT FILING AND INVESTIGATION PROCEDURE  
OF THE SAN DIEGO POLICE DEPARTMENT

The San Diego Police Department, in order to maintain its current high standards of service and positive relations with the community it serves, invites constructive criticism of its programs, personnel and service.

Citizens are encouraged to contact the Police Department regarding any situation they may have observed that they feel was objectionable or unreasonable. It is the Administration's policy to investigate all complaints received regarding police personnel, use of equipment or service.

Complaints or inquiries may be made by:

1. Contacting the Patrol Captain, either in person or by telephone, at the Central Police Station, 801 West Market Street, San Diego, 236-6137.
2. Contacting the office of the Chief of Police, Monday through Friday, between 8 a.m. and 5 p.m. by telephone, 236-6534.
3. Letter to the Chief of Police, 801 West Market Street, San Diego, California 92101.
4. Contacting the Community Relations Section, Monday through Friday between 8:00 a.m. and 5:00 p.m., either in person or by telephone, at the Central Police Station, 236-6157.
5. Contacting the Community Relations Storefront offices, either in person or by telephone:

2963 Imperial Avenue	235-0010
1808 Logan Avenue	232-1729
6943 Linda Vista Road	278-5610
5025 Newport Avenue	224-2833
3827 Mission Boulevard	488-0589
4010 University Avenue	280-3691
268 W. Park, San Ysidro	428-2501

All citizen complaints alleging misconduct by a member of the Police Department are investigated by supervisory officers. Complaints alleging serious misconduct are investigated by the Department's Internal Investigation Unit. During the investigation, the complainant and all witnesses are interviewed and where appropriate, physical evidence is examined.

At the conclusion of the investigation, the investigating supervisor notifies the complainant of the results of the investigation. When an investigation discloses misconduct on the part of a member of the Department, the complainant is advised that disciplinary action has been taken.



Complaint Filing and Investigation Procedure of the San Diego Police Department  
Page 2

Any person not satisfied with the Police Department's investigation may refer his complaint to any of the following offices or departments.

City Manager's Office	202 "C" Street	236-6363
District Attorney's Office	220 W. Broadway	236-3951
City Prosecutor's Office	202 "C" Street	236-6240
S. D. County Grand Jury	220 W. Broadway	236-2674
The Courts	220 W. Broadway	236-2514
Mayor or Councilmen of S.D.	202 "C" Street	236-6330/6440
Federal Bureau of Investigation		297-3361
State Attorney General		236-7757



DEPARTMENT ORDER

September 4, 1980

TO: ALL PERSONNEL  
FROM: W. B. KOLENDER, CHIEF of POLICE  
SUBJECT: UNDOCUMENTED ALIENS - RESTATEMENT of POLICY

This order is intended to clarify the Police Department's policy with respect to the handling of undocumented aliens who come to the attention of San Diego Police Officers.

The primary responsibility for the enforcement of the federal immigration laws rests with the Immigration and Naturalization Service and the U. S. Border Patrol. Although state and local Peace Officers have the authority to assist in enforcing the immigration laws, it is the policy of the Department that Officers shall not make an effort to look for violations of the immigration laws.

Officers may not therefore stop and detain individuals solely because of a suspicion the individual may be an undocumented alien. If, however, in the normal pursuit of an Officer's investigation of criminal activity, the Officer makes contact with an individual who admits or otherwise evidences his violation of U. S. Code, Section 1325 (unlawful entry into United States-misdemeanor), a temporary detention would be justified. If probable cause exists to believe the individual has committed a criminal offense unrelated to unlawful entry into the United States, the individual may be taken into custody and either booked into County Jail or turned over to Border Patrol Officers, depending upon the nature of the offense and other circumstances.

If probable cause to arrest for a criminal offense does not exist, the individual may nevertheless be turned over to Border Patrol Officers at the location where the detention takes place. Officers should use good judgment in determining how long it is practical to await the arrival of a border patrol unit, keeping in mind the nature of the offense and the impact on field strength associated with prolonged delays. Where an expeditious field transfer to a border patrol unit is impractical, all suspected undocumented aliens should be released outright in the field. In situations where the detention occurs near the immediate area of the border, such as San Ysidro, the individual may be transported by Police Officers to a federal booking facility.

The Federal facility, Metropolitan Correctional Center, will not accept persons charged only with illegal entry into the United States. An attempt should be made to turn undocumented aliens over to the Border Patrol. They are not to be transported to Metropolitan Correctional Center.

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Please read at squad conferences and post

OK  
H. Kellner



United California



Mexican-American Assn.

318 EAST SAN YSIDRO BLVD.  
SAN YSIDRO, CALIFORNIA 92073  
(714) 428-2742

September 11, 1980

Captain Charles Schilder  
San Diego Police Department  
San Ysidro Station  
Southern Division  
San Ysidro, California 92073

Dear Captain Schilder:

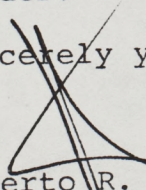
It has been brought to my attention by many citizens of the San Ysidro community that on September 2, 1980 on San Ysidro Blvd. across the street from Church Fried Chicken on or about 11:28 AM Patrol cars 798, 698 and 719 with about 10 police officers harass, abused and violated the constitutional rights of more than 20 male Mexican-Americans that were in that area.

These police officers were seen by eye witnesses to be checking for immigration documentation, one particular individual who protested this type of gestapo attitude was arrested and incarcerated. The same officers after conducting this immigration sweep, laugh and made sarcastic remarks against the same individuals.

I again call to your attention this type of attitude on the part of your officers. This community will no longer tolerate abuse and lack of respect to our residents.

I urge you to terminate these abuses and educate your officers behave in a more human manner towards our citizens and residents plus our visitors from the Mexican side of the Border.

Sincerely yours,

  
Alberto R. Garcia  
State President

ARG/il



## DECLARATION OF RAFAEL GARCIA

I, Rafael Garcia, declare that the following statement is true to the best of my knowledge. That I am a Permanent Resident Alien, admitted to the United States on July 28, 1955, Laredo, Texas. That my Resident Alien Card Number is A-10-430-432. That I reside at 3574 Palm Avenue, San Diego, California 92154. I am the owner and operator of the SPORTSMEN'S DEN, located at 323 E. San Ysidro Blvd, San Ysidro, California.

On approximately January 29, 1981, at 12:A.M. in the morning, I was working behind the counter of my business. I had a full-house of patrons. As I was looking towards the door, as I usually do looking for minors, I saw two uniformed officers. One was a San Diego Police Officer, badge #1019, and th other was a Border Patrolman of Mexican American descent.

I immediately came from behind the counter and approached the Border-Patrolmen. I told the Officer that he was not supposed to be in my business because he was a federal officer. I tried to direct him outside to talk with him. But the Officer answered me in a harsh and rude manner. He was using profanity as he was yelling at me. He also reached for his nightstick and waived it at me in a menacing manner shouting, "Don't touch me, Don't touch me, Don't touch me". "I can do anything I want because I am a Federal Officer". I then stepped to the side and they proceeded towards the bathrooms. They entered the bathrooms to check them, but didn't find anything they were looking for. Both men then started to ask for identifications of my patrons. Finding nothing , they walked outside and I followed behind. As we stepped out side, I could see about five or six other police cars. Two were City Police and the other thrée were Borderpatrol. As I stepped outside, an Officer standing there, asked me my name and if I was the owner of the place. I said yes, my name is Rafael Garcia. I asked him what they were doing here, your ruining my business. The Officer started to speak to me in a nice manner, very professional. He informed me that there were some "Polleros" in the bar. I then said, "I don't know if there are". This was the first time someone had given a reason for entering my business.

Then the Mexican-American Officer approached the other officer, who I discovered was the Supervisor in charge. I told the Mexican-American Officer in front of the Supervisor, that he should not come into my

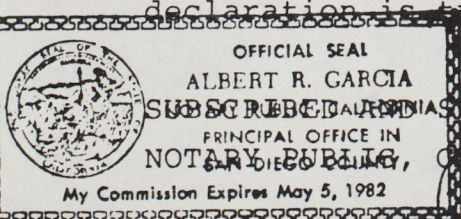


place of busniess, because he was a federal officer. " You are ruining my business your driving away all my customers, everytime you come into my place." The Mexican-American Officer then repeated his initial statement, "I can go inthere anytime I want to". He then accused me by saying, " you know what is going on in your place". I said, "what do you mean". The officer replied, " a bunch of polleros come to your place." I answered, "what do you want me to do, it is a public place. I do not have the authority to ask for identification to persons who are obviously adults of drinking age." Thereafter, the Supervisor, began to inform me of their right to enter any place to look for "illegal aliens". I then went back to the bar, since I didn't have anyone to care while I was outside.

Since January 29, 1981, every night, a Border Patrol officer, together with a San Diego Police Officer station themsleves outside my business. They check everyone coming in and going out. They enter my business around 11:P.M. and check for identification of every person. This has continued up to the present time. On February 7, 1981, at approximately 11:45P.M., a Supervisor of the Border Patrol entered my business establishment. I immediately said to him, "your not supposed to be here". He then said, "I can come in anytime I want". We argued for a while and then he said, "the next time you chase one of my officers from here, I am going to order your arrest". The supervisor then left the bar. I copied the license plate of the vehicle he was driving, J-15193, Van Wagon.

Since this is my main source of income, I am very much concerned and I want this harrassment stoped immediately. I do not expect or want special treatment. I want to be treated equally and justly.

I, Rafael Garcia, declare under penalty of perjury, that the folling declaration is true to the best of my knowldege.



SUBSCRIBED AND SWORN TO BEFORE ME THIS 2- DAY OF 9, 1981.  
NOTARY PUBLIC, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

NOTARY PUBLIC

*Rafael Garcia*  
Rafael Garcia



Part time  
gardener -  
Citation  
cancelled  
3/30/81

OFFENSE # 44.0103  
SPITTING ON SIDEWALK



AFFADAVIT OF ESPERANZA BLANCO SAENZ

I, Esperanza Blanco Saenz, declare that the following facts and information are true to the best of my ability:

That I reside at 239 19th Street, San Diego, California and that I have been a Permanent Resident Alien since 1972. That I became a Naturalized United States Citizen in August of 1979.

( )

That I have three children who are also United States Citizens by birth in this country and their names are: Jesse Blanco Saienz, Age 7, Alexander Blacno Saenz, Age 3, and Anne ,Marie Blanco Saenz, Age 9 months.

That I am married to Jesse Blanco R. Sr who is also a naturalized United States Citizen. That we have lived in the above mentioned address for approxiamtely five years.

At approximately 8:45 A.M. of the morning of May 17, 1981, I was accompanied with my three children and we were returning from leaving my mother, Laura Gortares, who was departing to Sonora, Mexico, from the Bus terminal in Tijuana and arrived at the primary inspection area at San Ysidro at that time.

The officer stationed at the inspection booth asked me where I was coming from. I answered from Tijuana. The officer then asked me where I lived and I said, "San Diego". I was then asked, "what citizenship are you?" I replied that I was an American Citizen.

He then asked me if the children were mine. I said, "yes".

Immediately, he asked me for their birth certificates. I responded, "I don't have them with me".

The officer then placed a yellow slip on the front window of my car. He asked to drive to the secondary inspection area and pointed to the first entrance to the right.



When I arrived at the secondary inspection area, I parked my car in the first stall and waited until until another officer approached the car. While I was waiting, I fed my baby the last of the milk that was left.

The officer approached the car and began to read the yellow slip of paper. He then asked, "where are the birth certificates of the children". I then said, "I don't have them with me". He repeated, "where are they". I said, "they are at my home". The officer then handed me the yellow slip and asked me to go inside the building. I gathered my children as best I could and headed for the building. I stopped momentarily at the front desk, but was told to go to the next office and the officer pointed towards the door.

Immediately on entering the second office, I presented myself and the children to the desk officer. I noticed that he was busy interviewing someone else. The officer turned to me and said, "take a seat", and so I did. After a short period of time, I noticed another officer come into the office. I saw that it was a female officer. The first officer indicated to the female officer that I was next.

The female officer then asked me to come to the front desk. She said, "how can I help you?" I said that I did not have the papers of my children. She then said, "why don't you carry them with you". I replied, "I never have them with me". The officer then said, "if you don't have those papers, you can't go to San Diego". I said, "what am I going to do". She replied. "go to Mexico". I said, "what am I going to do in Mexico". She answered, "I don't know, you have to go to Mexico". I then said to her, "If



you don't believe me that they are citizens, why don't you send someone with me to my house to look at the papers or bring back the papers". She said that they could not do that. I then asked her again, "what am I going to do?". She replied, "if you don't have the papers, we can't do nothing for you".

I then reached for my purse and looked for the medical card I had for the children. I showed the officer the Kaiser Permanente medical card, but all she did is grabbed them and tossed them back to me and said, "these are no good". I told the officer that I was not going to stay here all day, the male officer standing next to her, said to me in a high voice, "don't yell at her". I answered, "why don't you understand me". Then he spoke with the female officer and said to send me to a Supervisor upstairs. She then wrote something on the yellow slip and told me to go up stairs to the second floor. At this time, my children began to cry. My baby needed attention, but I was told to go up stairs and wait.

When I reached the second floor, I immediately approached the two officers who were near the counter. I handed the yellow slip of paper to another female officer. She told me to wait there. I saw her go to the male officer who was in an office located near the big windows. She returned to the desk where I was standing, but instead of coming towards me she sat down by her desk. After ten minutes or so, the officer in the office came over and asked me what I wanted. I said, "I want to go to my house in San Diego".



The officer then said, "you can't go home, you don't have the papers". I then said, " I need someone to understand me", He replied, "what kind of understanding do want". "If you don't believe me, send somebody with me or call the police". The officer then turned around, held the yellow slip down on the counter and stamped it with some lettering. He then turned towards me and handed me back the yellow slip. I read the slip and it said "RETURN TO MEXICO". I immediately got mad, and said, "hey, I can go over there, I don't have a family and nobody there". AS I said this, the officer was walking away and slammed the door to the office shut.

I gathered my children and decided to leave. I placed the children into the car and I left the area. I approached the small station at the end of the inspection area. I handed the yellow slip to the officer and he replied, "make a left turn to go to mexico". I then told the officer that I was not going to return to mexico. He said if I didn't go to mexico, I couldn't go to San Diego either. I then said, "so I will stay here". "You can't stay". "I can't go to mexico". The officer said that if I go to San Diego, we will charge you \$500.00. I then turned off the car and sat there and said, "I am going to stay right here, I will not go to mexico or San Diego, because my baby is crying and she had not eaten and she is wet and it is bothering her". The officer then told me to go back inside and speak with the officer in charge. I told him that they did not understand. He then told me that he could not do anything also. He then called another officer to the small booth. The second officer appeared very angry. The officer yelled, "Lady, you better move ". I then said, "or what". He then said, "if you don't move



I am going to move the car". I said, "try it". He then yelled at me, "You go to mexico". I told him that I would not go to mexico, that I wanted to go to my house. "If you don't move, I am going to call the police". I said, "fine call the police". The officer reached over and grabbed the telephone and marked several numbers. The officer dialing the telephone turned to the second officer and said that he didn't know how to call out to the police. I said, " call the operator its, 411". The officer then replied, " I am going to call the tow-truck", and as he told me that, he reached into the car and tried to grab the keys from the ignition, but I grabbed them first. He then called a third officer and told the second officer was just standing there. When the third officer was approaching the small booth, the officer standing near the car, told me, "If you don't go to mexico, I will drag you out of the car and walking back to mexico". By this time, the third officer was standing next to the officer, and I said, "why are you going to take me back to mexico if I live here in San Diego". The third officer then answered me and said, "you have to understand that you have to go back to mexico". I then replied, " you have to understand me that I have no business going to mexico".

Then my son Jesse said that he would stay here and I go for the papers. I turned to the officer nearest the car and said, "he understands more than you and he is only a child". I then started the car and left the area.

I was near my home when I observed the San Diego Police stationed near the intersection of 19th and L street. As I passed them by, they immediately placed their cars behind me and turned on the siren.



I immediately stopped the car in the middle of the street. I waited until the officers approached my car. They asked me if I had my driver's license. I presented my driver's license to them. One of the officers then asked me why I didn't stop at the Border. I then told him that I did stop at the Border. He repeated the question of why I didn't stop at the Border. I said, " I did stop". He then asked me if I stopped at the first inspection and I said yes. He then asked me if I went to the second station. I said, "yes". He then asked me if I went into the building and I said, "yes, but they didn't understand me and they didn't want to understand me". He then said, "It isn't none of my business what happened, I am here because they called me to stop you". I asked the officer if I could go inside the house to change the baby and prepare a bottle for her. He gave me permission to leave and said, "It isn't my business, the Border Patrol is coming for you". I then entered my home and cared for my children. I also gathered all the birth certificates of the children. I then returned outside and waited until the Border Patrol came. I waited for approximately thirty minutes before they arrived. Prior to their arrival, I handed the birth certificates to the police officer. When the immigration arrived, they immediately spoke with the police. I saw the officer hand over to the immigration the papers of my children. I then asked the second police officer if I could get another bottle and a diaper for my baby. As I was returning back, I saw a police officer coming for me.



As we approached the immigration officer, he indicated that he would be taking my car and that I had to ride in the patrol car. The immigration officer also told me that I had to leave my children at home. I told him that I did not have anyone to care for them and they will stay with me. He then told if the big ones could stay and I said no. Then I asked the immigration officer what was going to happen to me. He then said that I might go to jail or you may pay a fine. AS we arrived at the port of entry, they escorted us to the office inside the building. They took me and my children behind the counter and the female officer that was there asked me for my purse. She began to look through everything I had. She then told the male officer that she could not find any thing to prove that I was a citizen or that I lived in the states. The male officer then said that with the birth certificates that the female officer was holding was O.K.

Then the officer that I had spoken with earlier came into the office. He asked me to come over so that he could speak with me. He asked me why I had jumped the stop. I told him that because he didn't understand me. He then said, who didn't understand you. I then said, " when I went up stairs to talk to you, you stamped the slip and turned around and shut the door". He then asked me why I had called the officer a "Cabron". I then showed him my arm and said, "because he hit here". He then left the office. Then a second officer came in and told me that they needed my signature on the forms that he was holding. He then was trying to explain what laws I had violated when I jumped the stop. He also told me that they were going to keep the car and I asked him to repeat the reasons why they wer going to do that. He said that I would have to submit a letter indicating why I had jumped the stop and the



reasons why I wanted the car back. I was then handed a form where I could write down the reasons. My statement was written in the spanish language. My reasons for passing the last inspection area was that they did not understand me and that they had me corraled and that my children need food and needed attention. Also said that I needed the car to go to work. I then signed the form and gave it to the officer. The officer then left the office and returned in a few minutes. He told me that the fine was going to be \$100. I was carrying with me the exact amount. Since my husband was on duty with the National Guard that day, Knowing this, I went to the bank on Friday, May 15, 1981 to withdraw money so that I would have enough to take my children to the San Diego Zoo.

I then handed the officer the correct amount. I given a receipt for the penalty. I then turned to my son Jesse and told him that we would be unable to go to the zoo and to MacDonaldis since I had to pay the fine of \$100. The officer then handed me another form and advice me that I could file another petition where possibly they could return some of the fine back. As I was standing by the counter, another officer came in and began to ask me several questions. He asked me when I immigrated to the U.S. and when I did I become a naturalized citizen. I told him that I immigrated in 1972 and that I became a U.S. Citizen in 1979. He then asked me if I had been informed of the laws. I then said yes. Then why are you not obeying them. I do obey them, but you circumvent them. The officer then left and another one came in and told me to go to another office and handed me the yellow slip. AS I was standing in the next office, the officer was reviewing the documents again. I waited for approxiamtely one half hour. I was then sent up stairs with the supervisor. I was told to take a number and sit down. When



my number came up, I approached the counter and I advised the female officer who I was. I gave her the yellow slip and it had indicated that the supervisor need to review the case. She told me tha the supervisor was not in. I then pointed at him and told her, "thats him right over there". She then replied, "oh,yes". He was called over and he began to review the slip and asked me for the birth certificates of the children. He then told me, "why didn't you show them the first time". I then told him, "because I didn't have them the first time". He then asked me how I had got them. I told him that I had gone to my house and picked them up. The supervisor then handed the female officer my son Jesse's birth certificate. The female officer then asked my son if he was Jess and my son said yes Iam Jesse. She then asked the same question to Alex and Alex replied that he was Alex. Then the Supervisor checked off the yellow slip and gave it to me. He then told me if I knew that the car was going to be held. I then told him, "I don't think so, I already payed". He then called down stairs and inquired of the fine. Thereafter, I was told to leave and so I did. I returned to my car and my children and I left the area.

I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE STATEMENT IS TRUE TO THE BEST OF MY KNOWLEDGE.

Date 09-20-81

Esperanza S. Blanco  
Esperanza Blanco Saenz



318 E. San Ysidro Blvd.  
San Ysidro Calif. 92073



Tel. (714) 428-9530

*International Chamber of Commerce of San Ysidro*  
*Camara de Comercio Internacional de San Ysidro*

February 23, 1981

**PRESS RELEASE**  
**FOR IMMEDIATE RELEASE**

President Ronald Reagan  
White House  
Washington, D. C. 20510

Dear President Reagan:

The International Chamber of Commerce of San Ysidro, no less than American businesses generally, are growing weary of governmental interference that seriously hampers the free enterprise system, over the lack of respect for private property, of excessive and arbitrary regulation, of repressive-spawning policies that make it ever harder to operate or own a business.

The International Chamber of Commerce of San Ysidro as a promoter, guardian and defender of our system of free enterprise, of private property and the right of an individual to create capital soundly condemns the deliberate actions of the San Diego police, the U.S. Border patrol and the immigration authorities that violate these rights.

Over the years our Chamber has refrained from publicly speaking out against the implementation of police practices in the field by the San Diego police, the U.S. Border patrol and the immigration authorities that are seriously effecting our business community. Our position had been that not enough data were in. Where data were in we felt it was too little, too subjective to make a call. We were aware however, that policing powers, in the field, were being misapplied and were having a negative influence on our businesses daily lives. We were also aware that the agencies, in many instances, were construing the law in the field in whatever manner they felt would justify their immediate acts.



President Ronald Reagan  
Page Two.

Disruption by them of legally operating businesses never appeared to warrant their concern. Neither did their disrespect for private property and the public's right to fair and courteous treatment. Their urge to enforce drowns their duty to serve and protect. We now feel that enough data was in, it is first hand and that it is reliable. We have had enough time to evaluate the information and the evidence clearly shows that the lives of many of our businesses are in jeopardy. Moreover, most of the information on the effects of the policing methods on our businesses profit decries the plight of our business community. We can no longer remain silent. Too much is at stake, we must now speak out and take whatever action is appropriate.

To the extent that governmental inspections excursions are made on private property without consent whose ultimate effect disrupts a legally operating business, denies a business its rightful profit, endangers, frightens or shows disrespect for the buying public or prevents people from performing legal work, our Chamber condemns such action.

That these policing powers are meant to serve as a solution to an international economic problem but are applied to a very narrow corridor in our country, we again condemn these actions. To the extent that these policing powers are not even handed, are not comprehensive but are only expanded to deny American citizens, living next to the Mexican border, their constitutional rights, we again condemn these actions.

To the extent that these policing methods only serve to ferret out possible undocumented workers by choosing people at random on private property without the owner's consent, serve only to possibly apprehend persons who are obviously committing no crime, are no threat to life or property, we again condemn these actions. Let us not fail to realize that legal rules should only be applied to reach just and sensible results.

Moreover, we fully realize that these methods of policing are popular to the police. They may even appear to the casual observer to be necessary. They may even appear to be correct and appropriate law enforcement tools today. But let us not forget that an erosion of our constitutional rights no matter how small, is forever.



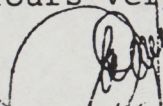
President Ronald Reagan  
Page Three.

Our Chamber in no way desires to minimize the importance or the necessity of the police performing its function. The problem for our businessmen is not the police but rather the policing methods. We sincerely believe that it is possible for the police to perform its policing without abandoning governmental respect for private property and the system of free enterprise. We believe this because it is happening all over the world. The police are policing with little or no disruption to any business community. Moreover, even if these policing acts could withstand constitutional challenge, it would not be effective protection against intrusion or needless and unwarranted constraints on our system of free enterprise.

Our Chamber also has a duty and an awesome responsibility. We have a sworn duty to protect and defend all legal profit making businesses, not only in our community, but anywhere in America. Because if one is threatened, all are threatened. This is one responsibility we truly cherish and we will never compromise it. For to do this would mean to deny one of our country's most precious heritage, the concept of private enterprise and the creation of private capital.

Whether ours or the public's perception is accurate it is not the question. The reality of the declining confidence of our business community for the police, the U.S. Border Patrol and the Immigration Service must be addressed, even if it is not justified.

Yours Very Truly,



Alberto R. Garcia  
President

ARG/il

c.c.

Edwin Meese, 111 Counsellor to the President  
Attorney General U.S. Department of Justice.  
Commissioner INS Washington, D. C.  
Edward O'Connor, Regional Commissioner  
Senator Alan Cranston, Washington, D. C.  
Senator S.I. Hayakawa  
Senator Paul Laxal, Washington, D. C.  
Senator Dennis E. Carpenter, Republican CUCAUS  
Congressman Edward R. Roybal  
Congressman Robert Garcia  
Congressman Duncan Hunter



C.C.

Gilbert G. Pompa, U.S. Department of Justice  
Tirsio Del Junco, State Republican Chairman  
National Republic Hispanic Assembly  
U.S. Commission on Civil Rights, Washington, D. C.  
All Chambers of Commerce State, Local and National  
Mayor Pete Wilson, San Diego, CA  
Councilwoman Lucy Killea, 8th District, San Diego, CA  
William Kolender, Chief of Police, San Diego, CA  
Lt. Governor Mike Curb  
State Attorney General George Deukmejian  
Assemblyman Art Torres, Sacramento, CA  
Assemblyman Waddie P. Deddeh, Chula Vista, CA  
Border Patrol, Chula Vista Sector  
To All Mexican American Organizations  
Dr. Ralph Ocampo, Mexican-American Businessman Forum



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*Rec  
4-24-81*

▶ INTL CHAMBER OF COMMERCE MG  
318 EAST SAN YSIDRO BLVD  
SAN YSIDRO CA 92073

THIS MAILGRAM IS A CONFIRMATION COPY OF THE FOLLOWING MESSAGE:

7144289530 MGM TDRN SAN YSIDRO CA 253 04-23 0313P EST  
ZIP

ATTORNEY GENERAL WILLIAM FRENCH SMITH  
US DEPT OF JUSTICE  
WASHINGTON DC 20530

AT THIS TIME THE HISPANIC COMMUNITY OF THIS COUNTRY IS CONCERNED WITH THE APPOINTMENT OF POLICE CHIEF OF THE CITY OF SAN DIEGO WILLIAM B. KOLENDER AS COMMISSIONER OF THE IMMIGRATION AND NATURALIZATION SERVICE BECAUSE OF SUFFICIENT DOCUMENTED EVIDENCE OF SERIOUS VIOLATIONS OF HUMAN AND CONSTITUTIONAL RIGHTS BY SAN DIEGO POLICE DEPARTMENT UNDER HIS LEADERSHIP. WE ARE APPREHENSIVE OF WHAT THE REACTION WILL BE FROM 20,000,000 HISPANICS LIVING IN THIS COUNTRY IF SUCH APPOINTMENT TAKES PLACE AND IN WHAT MANNER IMMIGRATION POLICIES WILL BE IMPLEMENTED BY A PERSON WHOSE BACKGROUND IS INSENSITIVE TOWARDS HUMAN AND CONSTITUTIONAL RIGHTS IN SUCH LARGE SCALE AT A LOCAL LEVEL. WE URGE YOUR RECONSIDERATION IN APPOINTING SOMEONE OF HISPANIC HERITAGE WHO UNDERSTANDS OUR CULTURE AND IS RESPONSIBLE ENOUGH TO ENFORCE THE IMMIGRATION LAWS. WE STRONGLY RECOMMEND GOOD HISPANIC AMERICAN REPUBLICANS WHO CAN TRULY SERVE THIS COUNTRY AND PRESIDENT REAGAN. MR. FERNANDO E. C. DE BACA WHO HAS SERVED PAST REPUBLICAN ADMINISTRATIONS, GILBERT G. POMPA WHO HAS SERVED FIVE PAST PRESIDENTS AND NOW HOLDS THE OFFICE OF DIRECTOR OF COMMUNITY RELATIONS SERVICE U.S. DEPARTMENT OF JUSTICE, TOMAS ARANDA ATTORNEY AT LAW WHO HAS ALSO SERVED PAST ADMINISTRATIONS ALBERT ZAPANTA, HENRY RAMIREZ AMBASSADOR PHILLIP SANCHEZ. WE HAVE QUALIFIED PERSONS AMONG HISPANICS WHO CAN SERVE EFFICIENTLY WITH HONESTY AND COURAGE WITH THE UNDERSTANDING OF OUR COMMUNITY TO AVOID FURTHER AGGRAVATION OF THE EXISTING PROBLEM.

ALBERTO R. GARCIA, PRESIDENT  
UNITED CALIFORNIA MEXICAN AMERICAN ASSOC  
PRESIDENT OF INTL CHAMBER OF COMMERCE

15:15 EST

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*Rec  
5-16-81*

*Terry*

► INTL CHAMBER OF COMMERCE MG  
318 EAST SAN YSIDRO BLVD  
SAN YSIDRO CA 92073

THIS MAILGRAM IS A CONFIRMATION COPY OF THE FOLLOWING MESSAGE:

7144289530 TDRN SAN YSIDRO CA 141 05-14 0659P EST  
PMS PRESIDENT RONALD REAGAN RPT DLY MGM, DLR  
WHITE HOUSE  
WASHINGTON DC

THE INTERNATIONAL CHAMBER OF COMMERCE OF SAN YSIDRO WOULD LIKE TO GO ON RECORD AS VERY SUPPORTIVE OF YOUR ADMINISTRATION ALLOCATING SUFFICIENT FUNDS TO MANPOWER THE SAN YSIDRO PORT OF ENTRY. AND THE FUTURE SECOND BORDER CROSSING IN OTAY MESA. WE DON'T WANT TO SEE AN EXISTING PROBLEM BECOME COMPOUNDED WHEN THAT PROJECT BECOMES A REALITY. AT THIS TIME, BUSINESS PEOPLE AND THE GENERAL TRAVELING PUBLIC ARE SUFFERING THE LACK OF STAFF IN BOTH AGENCIES I.N.S. AND U.S. CUSTOMS BESIDES LONG PERIODS OF WAITING IN LINE SOME INCIDENTS ARISE BY THE FACT THAT THE SITUATION CAUSES EMOTIONAL STRAIN LEADING TO UNNECESSARY CONFRONTATION AND ABUSIVE TREATMENT OF MEXICAN NATIONALS WHO IN 1980 SPENT \$502,000,000 IN SAN DIEGO COUNTY. WE ARE EXTREMELY CONCERNED AND EXPECT IMMEDIATE ACTION BY YOUR ADMINISTRATION TO ALLEVIATE THIS PRESENT SITUATION TO THE BUSINESS COMMUNITY IN THIS AREA. SINCERELY

ALBERTO R GARCIA, PRESIDENT  
318 EAST SAN YSIDRO BLVD  
SAN YSIDRO CA 92073

18:58 EST

MGMCOMP



## COMMUNITY CONCERNS IN SAN YSIDRO

### SAN DIEGO POLICE OFFICERS

#### Activities:

1. Interfering with business.
2. Coming in without authorization from owner or manager.
3. Going into private property without authorization.
4. Stoping people on streets without valid reason and asking for immigration documents.

#### Attitude:

1. Refusing to properly identify themselves when asked.
2. Telling people they can do anything they want.
3. Using foul language degrading themselves & others.
4. "Man handling" youngtears, women, and elderly persons.