

IMMIGRANT RIGHTS COMMISSION HUMAN RIGHTS COMMISSION

City and County of San Francisco

London N. Breed, Mayor

Monday, September 9, 2019
Special Joint Hearing

5:30 pm

City Hall, #416

1 Dr. Carlton B. Goodlett Place

ROSTER OF COMMISSIONERS

CELINE KENNELLY, *Chair*

Mario Paz, *Vice-Chair*

Elahe Enssani, Commissioner

Donna Fujii, Commissioner

Haregu Gaime, Commissioner

Ryan Khojasteh, Commissioner

Florence Kong, Commissioner

Paul Monge, Commissioner

Amro Radwan, Commissioner

Nima Rahimi, Commissioner

Franklin M. Ricarte, Commissioner

Alicia Wang, Commissioner

Michelle Wong, Commissioner

SUSAN BELINDA CHRISTIAN, *Chair*

Michael Sweet, *Vice-Chair*

Melanie Ampon, Commissioner

Karen Clopton, Commissioner

Hala Hijazi, Commissioner

James Loduca, Commissioner

Maya Karwande, Commissioner

Mark Kelleher, Commissioner

Jason Pellegrini, Commissioner

Abigail Porth, Commissioner

Joseph Swiss, Commissioner

Adrienne Pan and Sheryl Davis, Executive Directors

SAN FRANCISCO HUMAN RIGHTS COMMISSION AND
IMMIGRANT RIGHTS COMMISSION
SPECIAL JOINT HEARING ON ASYLEES AND IMPACTS OF
THE BORDER CRISIS
SEPTEMBER 9, 2019

Present:
Celine Kennelly
Mario Paz
Elahe Enssani
Haregu Gaime
Ryan Khojasteh
Florence Kong
Paul Monge
Amro Radwan
Nima Rahimi
Franklin M. Ricarte
Michelle Wong
Michael Sweet
Melanie Ampo
Hala Hijazi
James Loduca
Maya Karwande
Jason Pellegrini
Abigail Porth
Joseph Weiss

Absent:
Donna Fujii
Florence Kong
Alicia Wang
Susan Belinda Christian
Karen Clopton
Mark Kelleher

00:00:00

FEMALE

--teen. This meeting is called to order and with the clerks of the Immigrant Rights Commission and the Human Rights Commission please call the roll.

00:00:14

COMMISSION SECRETARY

Chair Kennelly.

00:00:15

CELINE KENNELLY

Here.

00:00:16

COMMISSION SECRETARY

Vice Chair Paz.

00:00:17

MARIO PAZ

Here.

00:00:19

COMMISSION SECRETARY

Commissioner Enssani.

00:00:20

ELAHI ENSSANI

Here.

00:00:24 COMMISSION SECRETARY
Commissioner Fujii is excused. Commissioner Gaime.

00:00:25 HAREGU GAIME
Here.

00:00:26 COMMISSION SECRETARY
Commissioner Khojasteh.

00:00:28 RYAN KHOJASTEH
Here.

00:00:29 COMMISSION SECRETARY
Commissioner Kong is not yet here. Commissioner Monge.

00:00:35 PAUL MONGE
Here.

00:00:36 COMMISSION SECRETARY
Commissioner Radwan.

00:00:37 AMRO RADWAN
Here.

00:00:38 COMMISSION SECRETARY
Commissioner Rahimi is not yet here. Commissioner Ruiz Navarro.

00:00:45 RUIZ NAVARRO
Here.

00:00:47 COMMISSION SECRETARY
Commissioner Wang--here. And Commissioner Wong is excused. We have a quorum.

00:00:55 CELINE KENNELLY
Thank you. Commissioner Ricarte.

00:00:59 FRANKLIN M. RICARTE
Here.

00:01:00 CELINE KENNELLY
Thank you.

00:01:06 COMMISSION SECRETARY

Commission Chair Christian is excused. Commission Vice Chair Sweet.

00:01:10 MICHAEL SWEET
Here.

00:01:12 COMMISSION SECRETARY
Commissioner Ampon.

00:01:14 MELANIE AMPON
Here.

00:01:15 COMMISSION SECRETARY
Commissioner Clopton is excused. Commissioner Hijazi.

00:01:18 HALA HIJAZI
Here.

00:01:19 COMMISSION SECRETARY
Commissioner Karwande.

00:01:21 MAYA KARWANDE
Here.

00:01:21 COMMISSION SECRETARY
Commissioner Kelleher is excused. Commissioner Loduca.

00:01:25 JAMES LODUCA
Here.

00:01:27 COMMISSION SECRETARY
Commissioner Pellegrini. Commissioner Porth.

00:01:33 ABIGAIL PORTH
Here.

00:01:34 COMMISSION SECRETARY
Commissioner Sweiss.

00:01:35 JOSEPH SWEISS
Here.

00:01:37 COMMISSION SECRETARY
Quorum is present.

00:01:39 CELINE KENNELLY

Thank you both. Good evening, ladies and gentlemen. And I would like to welcome all of you here this evening for this special joint hearing, hosted by the Immigrant Rights Commission and the Human Rights Commission. I would like to welcome our Human Rights Commissioners. Thank you for joining us this evening. On behalf of all my colleagues on the Immigrant Rights Commission, we are delighted to be co-hosting this hearing with you and we look forward to a good and open conversation this evening. We have some excellent speaker testimony that we are looking forward to gathering and we very much look forward to hearing from members of the community on the issue of the border crisis and asylees.

Our first order of business to directors Pon and Davis, are there any announcements?

00:02:26

ADRIENNE PON

Thank you, Chair Kennelly. Adrienne Pon, Office of Civic Engagement and Immigrant Affairs. To members of the public, this is a publicly-notice Special Joint Meeting of the San Francisco Immigrant Rights Commission and the San Francisco Human Rights Commission, co-sponsored by Board of Supervisors President Norman Ye and Supervisor Hillary Ronan. Please silence all cell phones and devices so that speakers and commissioners may be heard. Members of the public who wish to make comment should fill out a green comment card and return the card to commission staff. Spanish interpretation is available. Head sets are available at the front through our staff. For members of the public who wish to make a comment in Spanish, please request a Spanish interpreter on your comment card. And speakers using interpretation assistance will be allowed twice the amount of normal time to speak.

This hearing is also being filmed by SF Gov. TV. Individuals who do not want to be filmed or photographed can indicate so on their comment cards or alert us before stepping up to the podium. In a pause, the Chair will make an announcement to alert SF Gov. TV not to film, so that only the audio voice will be recorded.

00:03:49

SHERYL DAVIS

To the commissioners. Commissioners should ask clarifying questions through their respective chairs. Commissioners, please let the commission staff know if you need assistance. Depending on the number of people who wish to make public comments, the chairs may choose to limit the amount of speaking time per person in the absence of Chair Christian, we will defer to Vice Chair Sweet.

00:04:11

CELINE KENNELLY

Thank you, Directors. Before we begin this evening, I would like to welcome some members of our public offices here this evening. We are joined by Adam Mehez (ph) and Katherine Patanko (ph) from Senator Kamala Harris's office. Welcome. And we're

also joined by Yadira Diaz from David Shu's office. So thank you. Thank all three of you for joining us this evening.

We were expecting Board President Yee to be joining us this evening and I'm wondering if there is any representative from his office for opening remarks? Okay. Seeing none, we should move forward to the next item on the Agenda, which are the welcoming remarks by Vice Chair Sweet and I. And if Board President Yee arrives, we shall give him the opportunity to address the Commission, as I know he has another engagement this evening.

So on behalf of my fellow commissioners, I would like to welcome you all to tonight's special hearing on asylees and the impact of the border crisis and immigrant communities. We especially look forward to the partnership of members of the Human Rights Commission and look forward to collaborating with you on this and many other issues.

For 22 years, the Immigrant Rights Commission has fought for the rights and dignity of immigrants and other underserved and under-represented communities. From language rights to the sanctuary ordinance, we have worked with our community partners and fellow commissions to ensure inclusive, fair policies and conditions that make San Francisco a safe and welcoming place for all people to thrive. It has not been an easy road for immigrants. In the past two years especially, we have seen a steady stream of anti-immigrant policies, demeaning and hateful rhetoric and attempts to diminish the many contributions of hard-working, law-abiding immigrants and communities of color. The current administration has demeaned, threatened and used outright racist language against immigrants. It has chosen to cage innocent children and their families and detain them indefinitely. It has chosen to eliminate every possible way for immigrant families to access basic needs for shelter, food and healthcare and has placed our most vulnerable immigrants in even greater danger.

Nothing can be more cruel than the separation of innocent young children from their parents who arrived at our border seeking refuge from untold dangers and threats. To turn our backs on them, cage them and deny them access to basic hygiene, nutrition and safe, clean conditions, then call them criminals is beyond inhumane.

At a time when immigrants continue to face unprecedented hate, rhetoric and federal policies that seek to tear them down, we in San Francisco continue to celebrate the many contributions of immigrants and built opportunities for our collective success. We encourage our immigrants and all residents to be civically engaged to use their voices, to stand up to fear, to participate and to use the pathways and assistance that they are

eligible for and to exercise their rights.

The Immigrant Rights Commission stands with and for our immigrant communities and with the Human Rights Commission. We collectively seek positive, inclusive solutions and pledge to continue our work with the community for a safe and better San Francisco for all. That is why tonight's hearing is so important. Vice Chair Sweet.

00:07:48

MICHAEL SWEET

Thank you. I learned just a couple hours ago that our Chair, Susan Christian, would not be here this evening. I don't have as lengthy remarks but I will comment that the San Francisco Human Rights Commission, as many of you know, has been around for over 50 years and during those 50 years, we have stood for the right of San Franciscans and visitor San Francisco, our citizens and our friends to coexist with dignity and freedom from prejudice. And as we look at the landscape today and what the administration is doing and we recognize that the issues that are underpinning immigration are fundamentally human rights issues and we look at the fact that asylum is fundamentally a human rights issue. We are proud to be here in a city where we would never turn our backs on people who are in need of help. We never do turn our backs to people who are in need of help. And we are proud that we can be part of this conversation and look forward to being collectively part of the effort to do what we can to help to ensure that, regardless of who's making decisions in Washington, that we don't forget that our charge is to think about all those and the dignity of all people who are in need of help and to assist them. And that is the fundamental mission of the Human Rights Commission and we look forward to an informative hearing and to continuing this effort with the Immigrant Rights Commission.

00:09:28

CELINE KENNELLY

Thank you, Commissioner. So our next order of business are policy updates. Commissioners, earlier this year, the IRC held two meetings on critical issues. The next agenda item will include updates on these issues. So in March, 2019, the Commission met with over 70 members of the Yemeni Community in San Francisco about barriers they are facing to send funds to family members in Yemen who are in need of food, medicine and shelter due to the civil war that has claimed thousands of lives. The treasurer's office responded immediately for our request for an investigation and we will hear first from their policy and communications manager, Eric Manke. Welcome.

00:10:09

ERIC MANKE

Hi. Thank you. Make sure I got this right here. Just to provide a quick update. Again, my name is Eric Manke and I am with the Office of the Treasurer and Tax Collector. Just to provide a quick review, our office received a letter from this Commission in June, notifying us of barriers that Bay Area residents were experiencing as they were trying to

transfer money to family and friends in Yemen. Treasurer Cisneros, myself, our staff, we were very moved by the stories that we read from those hearings. And so we immediately started looking at what we were kind of designated to do, was look at alternatives, to see if there was any other way to actually get money transferred to those family and friends in Yemen who are in desperate need of it.

So we looked at three different areas. The first was our banking section in the Treasurer's office. Reached out to our bank partners at US Bank and Bank of America. And essentially what we found there was that the only way to transfer money to Yemen at this moment is through a wire transfer. We explored--there's all kinds of--which I even learned as we were exploring this, there's all kinds of different ways that you can transfer money electronically but the only thing that's viable right now is wire transfers. The second thing we learned from those interactions were that one thing that we tried to get creative with and think about is would there be a way to purchase pre-paid cards here and somehow get them there? And we were also told that those are only domestically issued and used. So that was the banking issue that we looked at.

Second, we have an Office of Financial Empowerment based inside the Treasurer's office and so folks in that office contacted several other municipalities with similar offices to see if they were experiencing this issue, to see if they had come up with solutions to this issue. And then third, that same office, the Office of Financial Empowerment, we have some connections, relationships we've built with international micro-lending groups. Like, Kiva is a good example, if you've heard of them, to see if they had any presence in Yemen, if they would be able to provide a service. I'm sorry to report that most of our efforts did not lead to any viable option for transferring money besides the ways that were shared with you all during your meetings.

However, a very small thing we did discover that might be useful is that there is a World Bank website which lists potential options for money transfer operators that may still operate in the U.S. and transfer money to Yemen, besides the two that were primarily discussed, which is Western Union and MoneyGram.

And then finally, I think what is at the crux of this that we found most noteworthy was that when we were exploring this through all the different sections of our office, is that we discovered that Yemen is on the U.S. Treasury Sanctions list, and therefore, any attempt to send funds to the country are under scrutiny by the U.S. Department of Treasury, Office of Foreign Assets Control. We provided a report from the U.S. Treasury from that office specific to the Yemen sanctions, so I know you all have a copy of that. And with that, I think I'll end and answer any questions that you might have.

I have a question.

00:14:09

CELINE KENNELLY

Commissioner Enssani.

00:14:10

ELAHI ENSSANI

Thank you. Thank you very much, Mr. Manke, it was very, very good. And thank you so much for your effort to assist them. So--

00:14:16

ERIC MANKE

I wish we could be more helpful.

00:14:18

ELAHI ENSSANI

I know. But being (inaudible) in American and an immigrant, the same thing is really wrong, it's really, really hard because of the economic sanctions, things are really, really difficult. But sometimes, the U.S. Treasury has got this kind of, you know, waiver for humanitarian that I know some non-profits, some (inaudible) and American non-profits have been able to apply and have received. So funds could be sent through them. Now, I don't know if, you know, given the latest sanctions, what's happening and how easy it is to receive those but did you look into whether the Yemenis can actually look, where there any non-profits, can apply for the OFAC waiver, an OFAC license, that's what it's called, to send humanitarian?

00:15:06

ERIC MANKE

Yeah, I mean, we were primarily looking at whether there are broad alternatives and we didn't dig into the U.S. Treasury Policy specifically, but that might be another way to go. And, I mean, we could certainly look into it a little closely, a little closer for you.

00:15:20

ELAHI ENSSANI

That is something because that's what I've seen, that some organization, non-profits, have been able to do.

00:15:25

ERIC MANKE

Yeah, that's very interesting.

00:15:26

ELAHI ENSSANI

Thank you so much.

00:15:27

CELINE KENNELLY

Thank you, Commissioner. In the interest of time and because I want to make sure that we move to the issue at hand, I am going to--I don't believe there are any questions on the Human Rights Commission side, so I'm going to defer to Commissioner Rahimi, who brought this issue to the Immigrant Rights Commission. If you have any questions that

you have, and then we're going to move on to the next item.

00:15:44

NIMA RAHIMI

Yes. Mr. Manke, thank you for being here. Thank you for the work you did on this. Out of the city departments that we contacted, your response was the most robust and thoroughly researched, so thank you for that. In-fact, we still have not heard from the city attorney's office. One question I do have is, did you reach out to the city attorney's office for assistance on the legal side of this issue?

00:16:03

ERIC MANKE

We didn't reach out to them for assistance on the legal side. I know that in the letter, the notification we received, that we kind of had looked at our mandate as trying to find any alternative and didn't go on the legal side. That would be outside of our preview, I think, generally.

00:16:21

NIMA RAHIMI

On behalf of the community, thank you very much. We have passed on what you've found to community leaders and we'll follow up with you directly for questions that the community may have.

00:16:30

ERIC MANKE

Right. And we'll continue to talk to some of the other cities that we're partners with. Because other cities are experiencing the same issue and actively looking for alternatives, as well. I think New York City was a big city and also Chicago we were talking about it.

00:16:47

NIMA RAHIMI

Thank you. We look forward to hearing about that. Thanks.

00:16:51

CELINE KENNELLY

Thank you very much. Thank you. Thank you, Commissioners for your questions. I am going to revert back to our opening remarks. We are delighted to be joined by Jen (inaudible) from Board President Yee's office. So I'd like to invite Jen to come forward. Good evening. Thank you for joining us.

00:17:11

JEN

Good evening, Commissioners. Thank you so much for taking the time to focus on this humanitarian crisis and this issue. I apologize that President Yee could not be here today. He was planning to but got pulled away to another meeting in the district. And we are just completely floored by what's happening in this nation and we are glad that here in San Francisco we do not wait for answers, we come together to bring forward solutions. And one thing that we would love to work with you on, on behalf of the

Board, is to do more of these conversations and to perhaps have a joint meeting also with the Board of Supervisors because every person with the ability to do something needs to be able to step up and ensure that our community understands that what's happening is unconscionable and we won't stay silent or step aside. We need to do everything we can, as San Franciscans, as residents here for our brothers and sisters that are dealing with this migrant crisis. And I do want to emphasize that this issue is not a Latin X issue alone, this is a humanitarian issue and we have people from all walks of life that are trying to cross the border to enter the United States just to survive.

And that's a basic human right. Migration is a human right and that should be protected and the United States should stand for that and we have to uphold that. That's all we have. Many of us would not even be here if our families didn't sacrifice everything for us to actually be in the United States or here in San Francisco. And so that basic tenant needs to be protected and upheld. And thank you so much to Immigrant Rights Commission, the Human Rights Commission and all the staff and all the experts that are coming together today. And especially the community advocates. The rapid response network, the folks that are here doing the work every, single day, defending basic human rights. We see you, we want to support you and we want to make sure that those that you are serving understand that the Board of Supervisors stands with you.

And no matter how scary it is, we have to step up and we have to be the shield for our community. That's the only thing that we can do at this point. So thank you so much and we look forward for future conversations and perhaps even another future joint commission hearing with you. Thank you.

00:19:51

CELINE KENNELLY

Jen, thank you very much. And on behalf of both Commissions, I would like to thank Board President Yee and the Board of Supervisors and Mayor Breed for your collective support for our immigrant communities. We know that there is the plight of our immigrants and the difficulties that our immigrants face are very much to the forefront of both the Mayor's mind and the mind of the Board and we are very grateful for the support that you have. And we ask you to continue with that support and we will be coming to you as we figure out new ways and new paths that we can assist our immigrant community in San Francisco. So thank you.

Moving back to Item 5 in our Agenda, the second of the policy updates. I would like to welcome back a regular presenter to the Immigrant Rights commission, Sally Kinoshita from the Immigrant Legal Resource Center, who would provide an update on public charge.

00:20:44

SALLY KINOSHITA

Thank you so much. Good evening, Commissioners of the Immigrant Rights Commission and the Human Rights Commission. My name is Sally Kinoshita. I'm the Deputy Director of the Immigrant Legal Resource Center. We are a non-profit organization based here in San Francisco and our mission is to work with and educate immigrants, community organizations, and the legal sector to continue to build a democratic society that values diversity and the rights of all people.

I've been asked to present a brief policy update on public charge and I will try to keep it brief. Last month, the Trump administration made good on one of its promises and continued its effort to restrict the ability of immigrants to enter the United States, get a Green Card or petition family members. It did so by publishing a new public charge rule, despite very broad opposition to their proposed changes to this public charge rule. This new rule is 837 pages long, about 800 pages of it are dedicated to addressing the hundreds of thousands of comments that were submitted by the public, highlighting how harmful this rule will be to the health and wellbeing of immigrants and their families while creating uncertainty, inconsistency and chaos in the adjudication of immigration benefits and having a chilling effect in applying for immigration benefits.

So this new rule is set to go in effect on October 15, 2019. However, numerous lawsuits, including one filed by the City and County of San Francisco, have already attempted to block implementation of this new rule for unfairly targeting hard working, lawful immigrants while sewing fear and confusion in our communities.

These lawsuits may stop or delay implementation of the new public charge policies beyond this implementation deadline of October 15, 2019. However, if implemented, the new rule will mainly impact those who are seeking permanent resident status through family member petitions.

So here's a little bit of what the new rule says. It redefines who is a public charge in immigration law by expanding the list of publicly funded programs that immigration officers may consider when deciding whether someone is likely to become a public charge. Under current law, the only public benefits programs they look at are cash aid, like Calworks or Welfare or someone who is institutionalized in long-term care paid for by the government. Under the new rule, they would expand it to include Medicaid or MediCal, food stamps called CalFresh here in California, Section 8 housing assistance and federally subsidized housing. All of those would be used as evidence that a green card or visa applicant is inadmissible to the United States for a green card under this public charge grounds.

It also looks at all cash aid, not just federal cash aid but also state or local cash

assistance programs in barring someone from getting a green card or entering the United States. It also would look at individuals' English proficiency as a possible positive factor, or lack of English proficiency as a negative factor. It would look at medical conditions, whether or not they have private health insurance and whether or not they've ever used a fee waiver to waive a filing fee for a past immigration application.

They would also allow people to potentially overcome a public charge determination if they pay a bond. The minimum amount of which would be \$8,100. So the rule will not take effect until mid-October. Until that time, all pending green card applications and those that are post marked before that date, October 15, 2019, will be adjudicated under what our current standards for public charge. So as I mentioned, under existing policy, the only programs they look at are federal cash aid that people receive and whether or not they're in long-term institutionalized care.

The use of publicly-funded health care, nutrition and housing programs are not currently considered programs that would affect someone's ability to get a green card or enter the United States. So these are very drastic changes from longstanding policy that have been around for a couple of decades. Although there are many changes proposed under this new rule, some remain unchanged. Public charge does not impact who is eligible for public benefits. In other words, those individuals, immigrants and their family members who are receiving public benefits, may continue to receive public benefits. Many immigrants are not subject to public charge and remain unaffected by the current or the new rule. This includes asylees, refugees, people who already have a green card, people who are victims of crime and applying for a U-Visa. Unaccompanied minors, T-Visa holders and (inaudible) applicants who are applying for special immigrant juvenile status, are victims of human trafficking or are abused by a U.S. citizen or lawful permanent resident family member. Those are individuals who are not subject to this new rule.

Also, many government-funded services are still safe to use and will not cause any immigration harm. Those include programs like free and reduced school lunch, emergency MediCal, disaster relief, Head Start, etcetera. Nonetheless, the damage of these proposed policies has been done in many communities and we've already seen large scale disenrollment and avoidance of public benefits programs by immigrants who fear they could be impacted.

So our advice to immigrant families now is that if they are concerned that public charge could apply to them, that they should seek the help of a legal services expert who can help them do an individualized assessment of their situation. As I mentioned, many people are not impacted by this at all and are not subject to it at all. And for those who

may be impacted, that they consider applying before October 15 and the new rule goes into effect. And to keep in mind that the new rule may not even go into effect then because of pending lawsuits.

We at the Immigrant Legal Research Center are working with the San Francisco Office of Civic Engagement and Immigrant Affairs to schedule a number of trainings of human service agencies staff as well as education and outreach providers and the legal services providers who we hope will be able to receive those individual questions and requests for help.

So that is my quick update. I don't know if we have time for questions.

00:27:08

CELINE KENNELLY

We can make time for one or two. Since the IRC has already heard this item, I am going to defer it to our Human Rights Commissioners. If there is anybody on this commission that has a question. Hearing none, I'm going to come back to IRC. Anybody within? Hearing none. Sally--oh, hang on. We do. Commissioner Monge.

00:27:33

PAUL MONGE

Yeah, sorry, real quick. So I understand that we're working with providers to communicate who might be implicated by the changes. I'm wondering to what extent we're having conversations with city providers within the HSA or other departments that directly do enrollment or disenrollment to see if there can be a preventative step before someone dis-enrolls to make sure that they're adequately informed around whether or not they're even implicated by public charge before they make a decision that may not be the right decision for them or their family?

00:28:01

SALLY KINOSHITA

Yes. We're leaning on our county partners to help us with a large-scale education and outreach effort to let people know that they may not be impacted and they should not dis-enroll from safety net programs that are critical to the health and wellbeing of their families. And we certainly look for the support of any county agencies, schools, county benefits programs, etcetera, that are the first line of contact for a lot of these families to help share information and we have an education and outreach toolkit, for example, that we can share with talking points in multiple languages. And thank you so much for your support.

00:28:33

CELINE KENNELLY

Sally, thank you very much. You are always the expert upon whom we call around all of these legal issues, so we thank you and the immigrant legal resource center for being such an educator and a supporter for our immigrant communities. Thank you for being here.

So the next item on our agenda is special testimony on asylees and impacts of the border crisis. Commissioners, we have invited several speakers to brief us on the border crisis and the impact that this is having on asylum seekers in the bay area. Our first invited speaker is Professor Tom K. Wong, Director of the U.S. Immigration Policy Center at the University of California San Diego. Unfortunately, Professor Wong is ill and called in a short while ago that he is not able to join us. But Director Pon will give a quick overview of Professor Wong's presentation. So Director Pon.

00:29:35

ADRIENNE PON

Thank you, Chair. So Commissioners, this is just a quick snapshot of what Professor Wong was going to share with you. He is, as the Chair said, Director of the U.S. Immigration Policy Center, UC San Diego. And he has published several reports on DACA holders and other immigrant issues. This new report is entitled Seeking Asylum, Part 1 and it is based on the work of the San Diego Rapid Response Network down at the border. So it was an analysis of over 7,000 asylum seeking families, that's totaling 17,000 people just in that one area, including 7,900 children who were five years or younger. The conclusion from their data in part one makes it clear that we are failing to treat people who (inaudible) and that conditions in detention may be worse than anyone thought. Moreover, part 2 of his research, which will be released next month, indicates that--and this will focus on interviews with asylum seekers who have been returned to Mexico under the MPP or Migrant Protection Protocols, and it is much worse for them.

So Dr. Wong asked us to share some quick highlights of the report's key findings. Number one, experiences in immigration detention, that over one out of every three or about 35 percent of the asylum seeking heads of household reported issues related to conditions in detention. Among those who reported, the issues were related to food and water, including being fed frozen or spoiled food, not having enough to eat, not being given formula for infants for their survival. Not being given water and having to drink dirty water. Among those who reported issues in immigration detention, nearly 35 percent reported issues related to hygiene, not being able to shower, dirty bathrooms, not having a toothbrush or toothpaste to brush their teeth, among other things. And by the way, their personal belongings are confiscated from them before they are detained. So even if they brought those items, they're not allowed to use it. Others reported 45.6 percent reported issues related to not being able to sleep, overcrowded conditions, confinement and the temperature being too cold in the area. They were also subject to a lot of verbal abuse, including being told to, "Go back to your f-ing country. You're an ape," among other things said to them. Forty asylum-seeking heads of household reported physical abuse including being thrown against the wall. Eighteen reported having their physical property stolen and then, of course, those who

needed medical assistance were not provided.

Also it's interesting to note in conclusion that of the families that were assisted by the San Diego Rapid Response Network, they came from 28 different countries of all regions in the world. So you heard Jen (inaudible) mention that they are not just from one area. The majority do come from the northern triangle countries of Guatemala, Honduras and El Salvador, but other countries include Haiti, Mexico, Vietnam and India. Some of the results may be surprising to you. And of course, the heads of household spoke many different languages. Over 36 different primary languages and for the asylum seeking heads of households ,whose primary language was not English and was not Spanish, the detention centers gave 87.9 percent or 88 percent were given the instructions about their immigration court dates by immigration officials on their notice to appear in Spanish, even though they were not Spanish speakers. And of the asylum-seeking heads of households who's primary language is an indigenous central American language, only .6 percent were given instructions about their court dates in a language other than Spanish.

So those are just some highlights of the report. The report maybe accessed online and we will share the online--'cause it's a real long link but we will share that with both offices and make that available online for you. Thank you very much.

00:34:27

CELINE KENNELLY

Thank you, Director Pon. It certainly, I think, sends chills down everybody's spine to think that that is what's happening to asylum seekers when they're in detention. So thank you and thank you to Professor Wong and please do pass on our best greetings to him. We're sorry that he wasn't able to join us this evening.

As we move to our additional invited speakers, Commissioners, I am going to ask if you have any questions, that we would hold them to the end. We have four additional invited speakers and then each commission will come through your respective chair for any questions or comments. I am going to ask that they be questions and not statements. We don't have time for statements this evening because we've got a lot of people.

So our next invited speaker is from CARECEN and it's Tala Hartsough. Tala, welcome.

00:35:19

TALA HARTSOUGH

Thank you so much for inviting us to be here. My name is Tala Hartsough, I am a senior immigration attorney at the Central American Resource Center, CARECEN. CARECEN was founded 33 years ago from the sanctuary movement then and it was immigrant-lead and it is an organization that serves migrants, you know, all migrants and we can

serve them in English or Spanish. And I'm just going to give a brief overview from a legal services perspective of what's happening at the border and then talk about what CARECEN is seeing on the ground here. So if we were to compare numbers of people arriving at the border today, as compared to ten years ago, there might be a lower number. But we are seeing more families and more children who are fleeing violent conditions, especially from Central America. So there may be more asylum seekers in those numbers.

Basically, the United States government and the Mexican government at this time have effectively been working together to move the southern border to the southern border of Mexico, with the goal of stopping people there. And if people do make it to our border, there are some efforts by the administration to attempt to change laws and regulations to also stop asylum seekers from gaining access to asylum. So these limits on access to asylum, you might have heard about some of them because the changes have been announced. And then usually, very quickly, there have been litigation cases to challenge those, so I just want to review quickly three of them.

So one of them is the asylum third country ban, which is the attempt to say that if an asylum seeker crosses through another country before getting to our border that they wouldn't be able to seek asylum here if they hadn't attempted to seek asylum in the country they had passed through. There are some exceptions to that but that's the general idea. That is not in effect because it's been enjoined and that was--the injunction happened in San Francisco that was set to be nationwide. It then became limited to just the borders with in the Ninth Circuit and today was, again, made nationwide by a San Francisco judge and that's a district court judge.

There's another type of ban on asylum seekers, which was an attempt to say that if a person didn't come to a port of entry, so they came at somewhere other than where an immigration official was, that they wouldn't be able to ask for asylum. That's also been enjoined.

But the third program that's already been mentioned, the Remain in Mexico or MPP program, has not been enjoined or it was enjoined but that injunction was stayed. So that means that at this time right now, when someone comes to the border to seek asylum, in a not very well defined way, they may be allowed to enter the United States or they may be required to stay in Mexico. I'm saying that there isn't a definable difference in sometimes even members of one family may be allowed to enter the U.S. and other members of the same family may be required to remain in Mexico. And the numbers that I have are from a couple of weeks ago but over 37,000 people, and that means people who are seeking asylum but in order to gain access to the court here in

the United States, basically, their detention center is Mexico. Like, they're there. And only one percent of those people are represented. So there is a certain sense of unpredictability of who will be required to stay in Mexico and there's a level of desperation because only because of the difficulty in representing someone in another country in a court in the United States. Only one percent is represented.

What does this mean for people who are at the border? You know, it means there are camps where people are living, hardly any work, it's not safe, there's no school. There's an extended period of limbo. It began at one port of entry and has expanded to other ports of entry. And in terms of the legal services that are available to people, I can use Tijuana as an example because there is an organization (inaudible) that provides legal services in Tijuana. And an example of how this works, there's very dedicated staff there and there are volunteers that go. There are two trips coming up in September for volunteer attorneys through the American Immigration Lawyers Association and what it looks like is 12 attorneys will be there for two weeks. But if you can imagine the numbers of people who are there needing services, they'll be working, you know, night and day to represent as many people as they can.

But I say represent and I misspoke. What I mean is advise people, meet with them, give them information, orient them because it's going to be like a triage situation of what do you need to know and how can I help you? So the legal services will never reach everyone. The legal services that are there. So the policy needs to be stopped. I mean, that's what needs to happen.

CARECEN is a plaintiff in the litigation that is ongoing regarding this policy and CARECEN, you might wonder why we would be a plaintiff but as a legal services provider in the Bay Area, our normal work is to help families reunite and to work for people who are asylum seekers. And so our very work is affected as well as, you know, our ability to serve our clients normally is affected. And as well if we do have a case that is an MPP case, which we do have one pro bono case, very resource intensive in terms of representing someone and meeting with them in Mexico or San Diego and attending court and working on them. And although I know that there will be attorneys from (inaudible) who become pro bono attorneys, it's just a drop in the bucket and how it affects San Francisco is that there may be families that are separated because of this very program.

I'll just give you one example. In a recent consultation, a colleague of mine was with a father, a husband and father in the office in San Francisco, and they were awaiting a phone call from his wife and they were expecting to be coordinating on how a bond would be paid for her release. But instead, she called and said, "No. I'm already back in Mexico." And it was just a devastating moment that showed that their family

expectation was crushed and he, you know, he just was overcome. It was unexpected and it was also--he felt that they probably wouldn't be able to stay in Mexico and survive and he thought they might return to Guatemala because they would be more at peace dying there than in Mexico.

So CARECEN is an organization that sees consultations, meaning we have an open door policy and see people every day. So because of that level of interaction with the community, we meet with people and we also have the type of services that are social services, as well as legal services and family wellness. And so we are part of the social safety net that San Francisco provides for immigrant families and we view our immigration legal services as almost part of a public health benefit because so many people are extremely stressed about keeping their families together. So if we can take care of their legal needs, their immigration needs, then sometimes they can do better at focusing on mental health, housing, jobs and other needs that they have.

The social workers that work at CARECEN have definitely communicate that immigration services are high on the list of what the services that people come to them and need. And we also believe that it's not only recent immigrants who are wanting to respond to this need, but other San Franciscans and our community at large doesn't want to leave people out in the cold. And we believe that working on solutions and helping to respond to this crisis can help the city.

One of the ways that the city has helped in this regard already, I want to recognize, is funding for legal service providers. And part of that is through the San Francisco Immigrant Legal Defense Collaborative and some of you hopefully have the annual report from last year regarding--from that collaborative. There's also been funding through the public defender and we greatly appreciate this level of support that the city has given to the need for legal service providing. And some of the way that that looks, how that looks, is more attorneys to help people. But also the SFILD Collaborative means we can meet together, strategize, respond, act and some of our partners, you know, have worked together on litigation, on impact litigation.

And the other aspect of this that comes about isn't just direct representation but technical assistance from organizations like the ILRC and the Center for Gender and Refugee Studies. These are excellent local experts who work so hard to help immigrants directly and to help all of the legal service providers who need extra help in understanding the nuances of the changes in law that keep coming at us.

So CARECEN is greatly appreciative of the support of the city and we would, you know, we know that legal services are crucial. There is a constant increase in the number of

people who need representation and so because of our open door policy, we really do have to say no to people a lot. But we also recognize that not only could we use more capacity for this unmet need for representation, but there are other costs associated with legal work that have increased a lot, too. Because of the changes in the law, there have been administrative attacks on asylum, you know, brought on by the attorney general. Things like changing settled law and upending it. And sometimes someone like a mental health expert or a country conditions expert can really help in an extra challenging case and so sometimes the funding for experts, especially for low income people, isn't there and we can't keep asking experts to provide pro bono assistance, even though there are a lot of wonderful, generous experts.

So the other high need that we have seen and that our social workers have noted is mental health needs not only in evaluations to support legal work but just in supporting families who are in incredibly stressful times. And where there's a really high need is for Spanish language and indigenous language mental health providers. Thank you for your time.

00:48:04

CELINE KENNELLY

Tala, thank you. Our next invited speaker is Robert Philips from Border Community Alliance. Robert, welcome.

00:48:18

ROBERT PHILIPS

Thank you. And thank you for this opportunity. To put this in a context, I lived with my wife, who's also an immigrant, in Nogales, Arizona for approximately ten years. I went there to direct a children's clinic and provided free medical care for children coming out of Northern Mexico. And that was my in-depth exposure to the realities at the border as it is today. I am representing the Board of Directors of (inaudible) which is a community foundation operating in the State of Sonora in Mexico. These are colleagues and friends of mine. We worked together on the border for many years now. They felt that San Francisco and the resources, the insights, the dedication that is present in this area in these institutions such as yourselves and the universities, the other agencies could be a critical help to them in their time.

I'm not going to go over all the statistics 'cause many of you have access to them. We know how many more children and families are being forced to remain in Mexico. I have a particular sense of urgency because when I was completing my studies at Stanford, I had a year study at the American University of Beirut. And I witnessed firsthand what happens to large numbers of people who are deprived of a future. There are now 58 refugee camps that have been there since 1948 in the middle east. If you go and look at the causes of violence and civil disruption in the middle east, you need to look there. We are in danger of experiencing that same thing on our border and it is my

dedication to the mission that was entrusted to me to request to the people of San Francisco, the agencies and the universities, to consider aiding the Mexican communities who are receiving the bulk of these migrants and refugees. This is not something that's going to go away. Well aware that the violence and the persecution that takes place in the northern tier countries, as well as all around the world right now--the last count when I looked when I had a communion from the (inaudible) Border Initiative and father Shawn Carol, this is a Jesuit organization that operates in Nogales on the Mexican side, which is allied with the University of San Francisco and Santa Clara University, they reported that they had large numbers not only from Mexico but they had 150 Cubans, they had approximately 100 Venezuelans, they had Haitians, they had Africans, they had Russians and they had several from Vietnam.

So we have a disparate community with very different needs speaking very different languages coming from very different situations with one common thread is they have nowhere to go. They don't exist.

So the Mexican communities that I've experienced, and I spent a lot of time recently working with some colleagues at Stanford who are putting together medical teams to go down to Tijuana and work with (inaudible) and others. The problem with that is that we can never helicopter enough resources in. We just don't have enough and the need is too great. But the Mexican border communities have shown a resilience and ability to handle these situations if they get the extra resources.

So I see it as our charge to help out, through training and through providing the resources that are needed, to Mexican communities to help them to scale up to meet the needs that are there. The group the Board of Directors that I talked about from the Foundation said, "You know, the (inaudible) Organization, which we represent the industrial manufacturing companies in Oglala, Sonora, which are approximately 100, they said we have 3,000 jobs right now but we need help in getting the qualifying legal papers. The INM, the Mexican Commission on Migration, will require that you have to have a certain kind of paper to work. Now, that's obtainable but it needs assistance to get there.

So it's not that there aren't agencies, or not that there aren't jobs but they are not nearly at the level that they need to be. If this situation is left as it is now, what'll happen? Mexico will be forced to create its own detention centers. And if you think you've seen horrors along in Texas and elsewhere, you're going to see a lot worse if that happens. Because these will be unsupervised areas run by people who have no stake in making sure these people are well cared for. If you support the civil organizations providing care, for example, I was deeply moved with my many experiences with the

(inaudible) migrant center in Oglala, Sonora where one family rose up 35 years ago. They have not closed that migrant center for one hour during those 35 years. And during that time, they have cared for and they have salvaged the lives of over one million people.

So the potential is there but they really need our help. So the recommendations that I want to share with you in terms of what I think is the next step, the logical next step, that can turn what is boding to be a tragedy and turn into something that is an opportunity. The opportunity for the internationalization of this issue, an opportunity for us to join hands with the communities who are receiving these people. Don't forget, we in San Francisco were created by the (inaudible) Expedition that came out of Mexico, came from the Nogales area. We are the inheritors of those pioneers and it's time that we maybe turn that migrant stream around and send it back down.

So here's a couple of suggestions that I have vetted with all my children and they think they're great. Adopt a sister city program. And sister city programs generally are somewhat vanilla bland kind of programs where you send a few people there and you send a few (inaudible) there. I'm talking about a much more robust thing where San Francisco allies with places like the cities of Mexicali, of Nogales, of Tijuana and goes down and forms a joint commission. Say, "What do we have that you need and what do we need that you have?" For example, those committees, they can tell you about how to treat and care for many of the refugees who are in our area, who come from their area. So we are family, even though we're not cognizant of it and we haven't organized that way. So (inaudible) the Sister City program that will encourage not only programs of medical and legal assistance, but all the tourism, cultural and educational exchange.

I was the founder of what's called the Border Community Alliance because we found that when I moved there and after I left the children's clinic, no one was doing cross-border work. No one was taking Americans into Mexico and showing them the amazing work that was being done and the strong and vibrant communities that are along the border. And when we did that, we found that when we touched people's hearts, not by just giving them the data and feeding their heads, they changed their attitudes and they realized that we are (inaudible) that we are, in-fact, neighbors. And when all these people began to volunteer and they got involved. And they got involved because they were in. These were people in Tucson and Green Valley and the other communities around.

It is only about an hour and a half flight between here and the Arizona-Mexico border and even less if you want to go down (inaudible) it is entirely possible for us to create lifelines of information, of expertise that flow back and forth. The sister city concept is

just one way of doing it.

I also found the last couple months when--one of the reasons I left the job, I was Director of Partnerships at Hamilton Families Agency, which is seeking to find places for the growing homeless population here. One of the reasons I did that is I felt that we have an amazing opportunity, if we can only connect the outrage, the anger, the frustration and fear that has been generated by the policies of our current government and give people a positive outlet, you know, we don't need more protests. We don't need more signs. We need a way which people can put their interests, their dedication, their knowledge, their expertise, their money to work. And I think if we put together, under this Commission, coordinating council that brought together, first of all, all of the refugee organizations in the Bay Area and get them to start talking to each other under the (inaudible) of this Commission, for example. They have a lot to say to each other.

Right now, they operate in various silos. They get their funding from different sources, they get their staffing from different places, but they're doing the same work. If you could provide a way which they came together on a monthly basis, the executive leadership, they'll find partnerships, they'll find ways of collaborating. They don't really need to be told, they just need to start talking to each other. Right now, they're overwhelmed. So it'd be great if you staffed something up and provide some incentive, gave them a lunch and a place to meet and put them in a room together. I've seen this work. We did this on the Border and it absolutely changed the nature of the interaction between the non-profit and the NGOs operating on the border.

The other part of that is to have this Commission or some similar body provide a clearing house for information. So if I am at Google or I'm at Square or I'm somewhere else and I'm part of an employee group that cares about immigration, I can contact you and say, "Okay. We have 20 people and here's the skills they have. Who should we connect with?" And we would have a list of all the vetted organizations on the Mexican side of the border who need this kind of information, this kind of support, that you had already established a relationship. You plugged them in together and let them start to work.

But right now, the lack of a connection is meaning that so much of this energy, so much of this good will is going to naught because it has no focus and it has no information. And granted, there are a lot of difficulties in working in Mexico. It took us two years to finally set up a means by which we could transfer money from the Border Community Alliance to our partners in Mexico. Took two years and a bunch of attorney time to get that done but we have it down now, so we can do that. So we have all these pieces in place but the bay area has the resources that could really change this and turn this into

an amazing opportunity to take these people who are an enormous creative source, who are willing to work, who have a rich heritage and a culture and enable them to give that to the communities where they find themselves involuntarily.

So that's my request to you, that you consider an expanded role. I bring to you the greetings of the folks that I work with and care deeply about down in Mexico. They need help. They don't want you to do it for them, they don't want you to tell them what to do but they want you to work with them and partners. Okay, thank you.

00:59:56

CELINE KENNELLY

Thank you, Robert. At this point, I would like to recognize another member from one of our public offices who has joined us. I would like to recognize David Latt (ph) from Speaker Pelosi's office. David, thank you for being here this evening. And as always, Speaker Pelosi is a champion of immigrant rights and immigrant needs, so we thank you for being here on her behalf. Okay. Our next speaker is Carol Bisharat from Kids In Need of Defense. Carol, good evening.

01:00:35

CAROL BISHARAT

Good evening. My name is Carol Bisharat. I am a direct representation attorney for Kids In Need of Defense from our San Francisco and Fresno offices. We are a national non-profit that has ten offices across the country dedicated to the representation of unaccompanied minors who are in proceedings before the immigration court.

I have some prepared remarks, which I am willing to share in an electronic fashion. I will forward them to Elena for distribution to each of you, because there's more information than I can relay in this short amount of time that I have to speak with you. And there's so much to say regarding what is going on on the ground and what kinds of changes, both policy and procedures, that have detrimentally affected the lives of the unaccompanied minors that we service.

There is no right to council in the immigration court and that means that even if you're two years old, if you can't afford an attorney or find someone to hire an attorney for you or find a legal service organization to assist you, then you have to appear in immigration court on your own. And for that reason, it's KIND's mission to make sure that no child appears in immigration court alone.

Currently, more than 60 percent of unaccompanied minors do not have council. If a child has access to an attorney, they are five times more likely to win protection and to avoid being returned to the violence that they fled. As mentioned by the other speakers, primarily the children that we're seeing are from the northern triangle countries of Honduras, Guatemala and El Salvador. Since October of 2013,

approximately 275,000 unaccompanied minors have entered the United States. More than 33,000 of those children have been released in California to friends or relatives. In the first eight months of this fiscal year, more than 5,000 unaccompanied children have been released in California.

Beginning in 20--sorry, in 2009, KIND was founded to address the needs of unaccompanied minor and we do so in a three-fold fashion. We provide direct legal services to unaccompanied minors. We also leverage the resources of large law firms and corporate lawyers by counseling attorneys who provide their services pro bono. We train them and we also mentor them throughout the life of the case, providing updates, practice advisories and templates in order to assure their success throughout the life of the case.

I won't bore you with the statistics, except to refer you to my written statement so that you can see the large number of people that we've been able to reach over the last ten years. And I will just highlight that we have serviced more than 18,300 children, throughout our ten field offices.

Traditionally, we represent only unaccompanied children, but given the crisis at the border with family separation, we felt called to answer the needs of both the parents and the children that were separated at the border. I was fortunate enough to participate in one of our field operations at Port Isabelle at the end of last year and met with parents who had been separated from their children without warning, who had been lied to, had no idea that they would not be rejoined with their children at the end of the day.

It was shocking to us, the lack of care on the part of the government, to record the information about each child and their parents for purposes of reuniting them at a later date. And so KIND initially intervened to serve that purpose only to find that the government then stepped in shortly thereafter to try to reunify. And we are still working at this point to reunify children and families. And it does still continue today, the separation.

I'm going to address first what KIND has been seeing at the border. We have both a policy and advocacy team in Washington, DC that studies change in laws and policies and regulations that effect unaccompanied children. We also have a regional team that focuses on promoting safe transit, both to the United States as well as supervising the reintegration of children that are returned to home countries.

And in an effort to assess the needs of unaccompanied children at the borders, I also

participated in a trip earlier this year to Tijuana and the same kinds of barriers that were erected to prevent adults from accessing protection at the borders have also negatively affected unaccompanied children. Even though, technically, legally, unaccompanied children have the right to seek protection at the border or soon after crossing, they have been denied access and told that they need to take a ticket, just like other asylum seekers, and have to wait in line before they can speak to somebody about accessing protection.

We were able to speak with some of the children awaiting passage in shelters in Tijuana and it was deeply concerning that there are not enough organizations to provide shelter, food, education, activities to these children. And in addition, we met with one boy who tragically witnessed the murder of his two shelter mates on the streets of Tijuana and was unable to access protection when he initially tried to cross. KIND intervened and later was able, with cooperation of the Mexican authorities, to secure his safe passage to the United States and he is now residing with relatives in the United States.

I just underscore that story to show the vulnerability of children who are forced to remain in Mexico, even though both, under international law and under U.S. law, they have the right to present themselves and ask for protection at the border.

In addition, the things that we're seeing on the ground in San Francisco is kind of a concerted effort. I've cited a paper that KIND has put together called death by 1,000 cuts. It's very hard to tell you succinctly what that looks like, except to say that the results are delays in the processing of children's claims for protection, both for asylum and many children that we represent are eligible as abused, abandoned or neglected children for humanitarian protections under special immigrant juvenile status.

Both in the area of asylum and in applications for SIJS protections, there has been a delay in the processing of those applications. And so just to give you an example, KIND is also a member of SFILDC and I have been with SFILDC for the past five years. And when I first started doing this work as a direct representation attorney, I can tell you we would file an application for asylum. Within three months, we would be scheduled for an interview, we'd have to prepare all of our supporting documentations, get our client ready for their interview and proceed.

In the last two years, we have seen complete stagnation of the processing of those cases. So I have cases that have been pending since 2016 and I have not had a case scheduled until recently, since January of 2017. And so there have been--in addition to published changes in policy and the law that have attempted to restrict the access to

protection, there is this unwritten rule where cases are not being processed. And so asylum seekers are sitting and waiting for two or three years. Recently, I had a case that was moved forward. Just wanted to illustrate many things about this case that are unique. I represented a boy and his brother, both of them from El Salvador, with severe hearing disability and cognitive deficits as a result. He never received any kind of hearing aids in home country and wasn't truly able to hear until he came to United States at age 15.

We applied for asylum in 2016 and his case was called in May of this year. It was a very difficult case to work on because we were unable to communicate with the boy and it wasn't apparent to us until we coordinated services both with the San Francisco Unified School District and got a hold of his IEP report, worked with professionals at UCSF Medical Center, experts in pediatric development, and together, as a team effort, we were able to produce enough documentation to convince the asylum office that this boy was unable to speak on his own behalf. And thankfully, later in the month of May, actually on May 31, they were both granted asylum.

However, their need for continued support exists and I guess I would highlight it much in the same way that a foster child who ages out of the dependency court still requires special services, many of the children that we represent are in the same situation, especially since they are in this prolonged limbo where they don't graduate to have permanent status. And so they're made to sit as asylum seekers for a number of years. And in that situation, they're not able to access the full panoply of services that would be available to them as asylees.

There was a change in policy that went into effect June 1, which is why it was so important that this case was pushed forward and was able to obtain relief. As of June 1 of this year, there was a policy shift with the intention of restricting access to unaccompanied minors, asylum claims, before the asylum office. There is a policy in place under the TVPRA which requires the asylum office to hear asylum claims rather than as for other asylum seekers before the immigration court, they have to present their evidence and their testimony in open court. For children, the asylum office is considered a more child-friendly environment where they can be interviewed one on one with asylum officer and open up about the circumstances that have led to their flight.

In June of this year, the Trump administration issues a policy memorandum, which shifted that, the application of what had previously been the treatment of child asylum seekers under the TVPRA. And the end result was to send the vast majority of asylum cases involving unaccompanied children back to the immigration court, which would

then have to be calendared and scheduled, along with the 900,000 other cases that are currently in the immigration court's backlog for a hearing before their claims would be considered for relief.

KIND challenged that, along with some partners, and currently, there's a TRO in effect, an injunction preventing the USCIS from acting on that policy. And for the time being, we're told that things will go back to the way they were. Although, what we're seeing is that once again, asylum cases for unaccompanied minors are not moving forward. They're not being scheduled for relief.

To illustrate with another case, I had a boy who entered the country before he was 18. He was badly beaten by gang members in El Salvador and lost the sight through one of his eyes as a result of the beatings. He had a very strong asylum case, he was matched with pro bono counsel who quickly filed his application for relief. And this was under an alternate policy called LIFO, last in, first out. And so we were told that his case would be scheduled within 21 days. His case was scheduled within 21 days only to have the asylum office notify them that his case would be rescheduled without explanation. And then the case sat for more than a year.

Recently, when there was an uptick in cases being scheduled, like I said, in May of this year, the case was scheduled on June--I think it was June 5 and because this new policy had been enacted, his case was referred back to the immigration court. The asylum office told his attorneys that they didn't have jurisdiction over the case and so in order to seek relief or protection or have his claim adjudicated, he would have to wait for it to be scheduled before the asylum office. There are many other policies and, you know, for lawyers that may be a little--they would understand but for non-lawyers, it may be a little bit too technical. But I just would like to convey to you that what used to be a process that worked in terms of seeking relief for the protection of children has come to a standstill, both because of an intention, I believe, not to process these claims and also through changes in policies that have restricted the way that children can access protection.

I will submit, in my written statement, a list of recommendations. I think the strongest of which is to thank the city of San Francisco for funding the San Francisco Immigrant Legal Defense Collaborative, which is an amazing example of what one city can do to help meet the need of vulnerable populations who are unable to afford counsel. It's also an amazing way for attorneys to pool resources and to strategize about how to fight these attacks and changes in policies in order to maintain vigorous protection of their clients.

I will submit the remainder of my comments in writing and I thank you very much for the opportunity to be able to address both Commissions and would also offer that myself or any other members of the KIND office are available for any kind of follow-up questions or even emails on any particular point.

01:17:29

CELINE KENNELLY

Carol, thank you. Thank you very much. We have one final invited speaker before we move to community testimony. At this point, I also do want to recognize Suha Sandoval from Supervisor (inaudible) office, who has joined us this evening. Thank you for being here. Our final invited speaker is Angelina Romano and School site staff from the San Francisco Unified School District. Angelina, welcome.

01:17:56

ANGELINA ROMANO

Thank you. Good evening, Commissioners. Thank you so much for calling this hearing and listening to our testimonies. My name is Angelina Romano. This is my 11th year as a school social worker for San Francisco Unified School District working under the school health program department. I am currently the district coordinator for our refugee and immigrant support and education program, or RISESF. RISESF is charged with increasing access to education for all immigrant and refugee students, through the promotion of culturally and linguistically inclusive programs and services. We work closely with all of our school site staff and district programs, including our school social workers, nurses, family liaisons, health workers and school counselors, to name a few, to offer trainings, advocacy, case consultation and program planning support to ensure services both in and outside of the classroom are equitable and inclusive of our most vulnerable immigrant and refugee students and families, especially our asylum seekers from Central American and Mexico. We train staff in better understanding the migration journey, experiences, strengths and needs of our newcomer students. We offer workshops on sanctuary city policies and connect schools to rapid response trainings through our legal partners in the community and we offer resources to encourage the promotion of positive school climate to combat hate, racism and xenophobia.

We support the coordination and implementation of culturally specific support groups for students, recognizing that healing centered care relies on young people building their peer networks and their power and maintaining a connection to their culture and their joy. We also support the coordination of individual referrals and linkages to needed services. My colleague, Susana Rivera, who's here today, works tirelessly meeting with families, advocating for them at school meetings, orienting them to the public school system, accompanying them to court appointments, assisting them in applying to city services and helping them feel empowered.

In May of 2019, SFUSD had 2,100 students from El Salvador, Guatemala, Honduras and

Mexico, who arrived on or after 2014. While we have seen some slight changes year to year, our enrollment numbers of students from this region remain at or around 400 to 500 per year.

Anecdotally and historically, we know at least 60 percent of these students, though likely more of them now, were or are in asylum proceedings. And as Carol stated, because of the stagnation in court, they are in asylum proceedings much longer than they have been in the past.

I have the great privilege of working for a school district that recognizes the importance of supporting this community and compare to other districts, has a plethora of physical and behavioral health support systems in place to try to meet their needs. And yet we are struggling. Our teachers are struggling to offer appropriate curricular for older young people who have to work all night and who have very little to no formal schooling. Our support staff is struggling to offer appropriate interventions to students who have experienced and continue to experience both interpersonal and systemic traumas.

Our schools are struggling to communicate with and positively engage with students and caregivers who have grown to mistrust U.S. institutions. RISESF is struggling to focus on improving educational outcomes when we were overwhelmed by the tasks of meeting our students' most basic needs and becoming immigration experts. And of course, our families are struggling, they're struggling to work with no work authorization, becoming vulnerable to exploitation. They're struggling to navigate the city's resources with little to no English and with no knowledge of what is available to them. They are struggling to find housing, pay rent, buy clothes, obtain a clipper card, get school supplies, send money to their families back home and somehow find the 10,000-plus dollars necessary to get legal representation for their asylum proceedings. Legal representation that is--really no longer exists because of the wait lists for all of our non-profit organizations.

They are struggling with increased racism, xenophobia and discrimination at the hands of our very own city employees from eligibility workers at CalWorks to SFMTA staff on busses.

When I received the invitation to speak here today, I was asked what the City of San Francisco can do for asylum seekers. So since you asked, supporting this community demands a willingness to create and adequately fund radical and brave new structures and processes that center racial equity and social justice. We need increased funding to hire trained immigration attorneys or universal representation for students seeking

asylum. We need asylum seekers to be automatically eligible for services much like refugees and asylees are, such as free muni passes so that they can take their young people to school, so that they don't get cited by muni officials on the bus. Free phones and emergency funds. We need to create and adequately fund a centralized asylum and refugee program to welcome this community and offer support so they do not feel so alone. We need a place where we can conduct intakes and assess their needs, offer linkages, introduce them to city services, educate them on their rights and how to file grievances and automatically enroll them into free services.

We need trained staff who can help them understand asylum proceedings and attorney searches and accompany them to federal appointments so they are not further victimized. I know this has been discussed a little bit but not so much and Susana Rivero could attest more after if we have questions. But the amount of time that we have to spend telling families that there are no lawyers available to them, that they need to file their own asylum, that they need to search for attorneys and write it all down, even though they probably won't find one, to take time off of work, to go all over the city without a clipper card to try and find an attorney that isn't there is really, really challenging.

So we need to coordinate and streamline all of our services, including those at SFUSD, because while I see no end to this struggle, we need not struggle alone. I implore the City of San Francisco to consider how it can breathe life into its sanctuary city ordinance and truly become a city of refuge. Thank you so much for your time.

01:25:15

CELINE KENNELLY

Thank you, Angelina (inaudible) Okay. I would like to, at this point, thank all of our invited speakers. Professor Tom Wong, as delivered by Director Pon (inaudible) Robert Philips, Border Community Alliance, Carol Bisharat from KIND and Angelina Romano from SFUSD.

At this point, I am not going to open to questions because we are now at five after 7:00 and I really do want to get to the community testimony. Considering that everybody's still here and I want to hang on to you. So to that point, I am going to move to community testimony. If there are any asylum seekers here tonight who would like to share their stories, we invite you to do so. If you would like to speak, Melissa, to your left has a public comment card. Please complete one and drop it back to Melissa and it will come up to us here at the podium.

We currently have ten testimonies to begin with. Each speaker is invited to speak for two minutes. You will be given a warning at one and a half minutes that you've got 30 seconds left. So we ask you to be mindful and to be brief and succinct with your

comments so that we can make sure that we hear from everybody.

There will be additional public comment afterwards. If there are any other members of the public who are not involved in the asylum or asylum seekers who would like to make a comment on asylees and the situation at the border. If there is anybody who does not wish to be filmed, we ask you to make it known and SFGOVTV will not show your face.

So the first speaker within the community testimony and Commissioner Sweet and I are going to tag-team on inviting you up to address the commissions is Melba Maldonado from La Raza Community Resource Center. Melba is a former Immigrant Rights Commission. We are very thankful that you are here with us this evening, Melba and we invite you to come forward.

01:27:30

MELBA MALDONADO

Commissioners, thank you very much for calling this hearing. A very, very important hearing. In light of the situation that this country is in, we've heard testimony from various people and they were truly right on many of them in terms of what's happening at the border. But there is a reason for all what's happening at the border. There is a reason for all this immigration changes and the reason is xenophobia, racism and white supremacy. I think (inaudible) that's really key. If you recall many years go (inaudible) not so many years ago, really, in Europe, the Syrians were coming to Europe and there was a big scandal how the kids died and drown and, you know, so the photos--and the American public, all of us were, you know, like, (inaudible) oh, my god, this is happening. And but before that, we have forgotten that Africans were also, you know, being murdered, beaten and not even allowed to come ashore. So, you know, this is not new and this is an illness that's taking up the world and that's fascism.

So when we have a president like Trump who jails families and children, who denies food and water, hygiene and health to the families and the children at the camp--at the border camps who demand--this administrations demand payments to release the children. I mean, we have had many, many families that we work with that have to scramble to find \$1500, \$1700 because, you know, they (inaudible) child at the cages. But then you have to pay the fare, the airline ticket and this is something that, you know (inaudible) international to the national to here because (inaudible) we have to remember, we had to go with our partners (inaudible) and also alone to talk about what the situation was with the families in San Francisco. So be aware of what's going on the border and support all that but families in San Francisco need help.

And especially access to asylum with more attorneys and especially figuring out in a positive way how we can go around the public charge. And I haven't talk about the (inaudible) because Maritza from my team is going to talk about that. But just a

reminder of, you know, where is this coming from. Just a reminder so then you can make the decisions about what it is, how is San Francisco going to unify the forces and make sure that no family is left without shelter and no child is left out shelter. Thank you.

01:31:52

CELINE KENNELLY

Thank you, Melba.

01:31:52

MICHAEL SWEET

Thank you. Our next speaker is also from La Raza Maritza--is it Villagomez?

01:31:59

MARITZA VILLAGOMEZ

Villagomez, yeah. Thank you.

01:32:00

MICHAEL SWEET

Thank you.

01:32:01

MARITZA VILLAGOMEZ

Thank you, everyone and thank you for the opportunity to address you tonight. Again, my name is Maritza Villagomez. I'm a social worker at La Raza Community Resource Center and what we provide at La Raza is social services and immigration wrap-around services. At our agency, like many here have stated already, we continue to see an increase in families from Honduras, Guatemala and El Salvador. They are monolingual Spanish speakers with many speaking an indigenous language such (inaudible) additionally, many have limited education or are illiterate. As part of their release from ICE detention, many are required to wear an ankle monitor as if they were criminals on probation. The ankle monitor causes both physical and mental trauma and exacerbates the ongoing trauma that these families experience back home. ICE refuses to remove the monitors even for documented health reasons. Some have worn the monitor for over a year.

I personally accompanied one of our families, a mom, to try to remove the ankle monitor and she was hitting about a year and she had medical verification and not only did they not remove the ankle monitor, she has to now do weekly reports with immigration. They go to her house now, weekly. Um, so what I gathered from that situation, when I was advocating for her is that we were penalized, we were being taught a lesson not to do this again. We're playing their rules but the rules change constantly.

Their health and dignity stripped by another tormentor, in this case, ICE. Although San Francisco offers numerous social services, it is a very complex system and hard to navigate. Newcomer families face multiple barriers accessing services including

language-limited or non-existent family support and lack of documents. And that (inaudible) passports, birth certificates and (inaudible) or national IDs are routinely confiscated by ICE prior to their release. Fear is also a daily reality and barrier for our community. They are afraid to apply for services that might jeopardize our immigration case and get them deported.

Additionally, the high cost of living in SF impacts our immigrant community at a much higher level due to no income or unpredictable income, the ability to pay for housing costs and other basic needs is extremely difficult.

Finally, due to an overwhelming demand, the non-profit immigration legal service providers, our agency included, are unable to represent or even provide a legal consultation in a timely manner. We understand how critical legal representation is to winning cases and the huge disadvantage of if you don't. We ask that you help us to help one of San Francisco's most vulnerable and impacted communities by fully funding all of our programs. Thank you for your time.

01:35:00

MICHAEL SWEET

Thank you.

01:35:02

CELINE KENNELLY

Our next speaker is Christina (inaudible) from El Centro Bay View. Is Christina here? Christina is not here, okay.

01:35:12

MICHAEL SWEET

Next is Anna Maria Vacanero (ph) also from El Centro Bay View.

01:35:17

CELINE KENNELLY

Anna Maria is not here, either? Okay. Moving on to Julie McDevot from the Mission Neighborhood Health Center. I am going to remind people that we do need to stay to two minutes. Please keep an eye on Vice Chair Paz, he is going to give you your 30-second warning. And we are going to have to ask you to wrap up once we go beyond that. Julie, thank you and welcome.

01:35:38

JULIE MCDEVOT

Thank you, Commissioners for this hearing and for your support for the immigrant communities in San Francisco. My name is Julie McDevot. I'm a licensed clinical social worker at Mission Neighborhood Health Center in the Mission and Excelsior. We have about 12,000 patients and we have over 40 years working with Latin X communities, mostly immigrants and children of immigrants in San Francisco. Medical care is one of the first services that newcomers seek out when they come to the United States. They come for their kids' vaccines, to get birth control or to treat health problems that are

the result of harsh conditions on their journey to the U.S.

Angelina and Maritzá have already given you a very detailed and comprehensive look at what some of their needs are. When newcomer families come in to our clinic, they're usually not there to seek mental health services, which I generally provide. So instead, we help people with whatever is most urgent to them. Food and shelter, legal advocacy, getting their kids to school or child care. Most newcomer families aren't here voluntarily, they're here because of violence or because of draughts that make it impossible for them to farm their land.

Many are from rural areas. This is their first time in a city the size of San Francisco. And many of them have children they were forced to leave behind, often in very dangerous situations. So as our team works to meet their practical needs, it's critical for us to integrate therapeutic interventions to address their mental health.

We also provide psychological evaluations for asylum cases and offer traditional therapy and then all our services, we try to reduce the barriers to care and make it as easy as possible for people to get the help they need.

So based on these years of working with newcomer families, I want to address three areas that we have particular needs. First, concrete, practical support. Someone else mentioned the refugee resettlement program as a model. Asylees and people who are in the process of seeking asylum are ineligible for government assistance, and so we need the city to fund and support a similar system to the refugee resettlement program that would provide services for these families.

Meanwhile, the agencies that work with the families need concrete supports to help them. We need things like bus tokens, muni passes and grocery vouchers. We need the emergency fund at La Raza Resource Center to be fully funded. We need subsidies that cover copays and nominal fees for health services at community clinics and we need to remove the practical linguistic and cultural barriers that new families face in accessing services.

Other people have also already spoken about the need for increased funding to be able to provide legal representation. This is key for asylee families. And finally, mental health services. Many newcomer children and adults are fleeing horrific violence in their countries of origin. Asylees from El Salvador tell us that the level of violence is higher now than it was during the brutal civil war of the '80s and '90s.

01:38:48

CELINE KENNELLY

Sorry, time. I have to call time.

01:38:49

JULIE MCDEVOT

Okay. I'm sorry.

01:38:51

CELINE KENNELLY

Thanks, Julie.

01:38:54

MICHAEL SWEET

Next is Emma Delgado. Emma Delgado.

01:38:59

CELINE KENNELLY

Thank you. And again, at the first bell, you've got 30 seconds. At the second bell, I'm going to have to ask you to wrap it up. Oh, you get double. We've double time as we have translation, so thank you.

01:39:40

EMMA DELGADO

(Translated) Good evening. Thank you for your time. Thanks to all of the presenters. Thanks to the Commissions because you are supporting our communities. My name is Emma Delgado from (inaudible) I am an immigrant rights organizer and I do outreach at schools, at community events and community organizations providing information on immigrant rights. I want to thank you again for your support, for your ongoing support. And we ask for a commitment to continue this support. You have the power to bring about all of these proposals to support the community.

I interact with people all the time and some of the cases are really sad. It makes me very sad to say when I came here I was thinking of an American dream, now people are thinking about saving their lives. People are afraid of sexual violence, people are afraid of being recruited for gangs and when folks come here, they need the basics. They need clothes, they need housing, they need work. People I talk about, they say, "I really cannot go back because going back means going back to death."

01:42:58

CELINE KENNELLY

Thank you, Emma. Our next speaker is Damon Estrada from (inaudible) and I would like to remind--and please don't hold the microphone. It'll catch you. Thanks.

01:31:52

DAMON ESTRADA

(Translated) good evening. My name is Damon Estrada and I'm here on behalf of (inaudible) I am an immigrant woman, I'm from Guatemala and (inaudible) I found a place where I can develop my potential and my leadership in supporting other immigrant women. At my organization, we're organized to support and give a warm welcome to folks who are arriving, particularly women and their children. I would like to speak about the services that we offer. For example, we begin with an orientation so

that folks know what legal services are available. We also provide accompaniment so that individuals can look for clothing and services and medical services and anything that they need.

So we organize to welcome and also to provide mutual support. Also to advocate on behalf of fairer policies. We also have folks who are fluent in Mam who can provide orientation and support to women who speak Mam.

We also provide emotional counseling because we are seeing increased fear, frustration and emotional distress in our communities. We would like to thank you again for all of the support that you provide in the city and also ask you to continue and increase your support to organizations who bring these important services to immigrant women and children, as well as increased funding for organizations who provide services for immigrant women and children.

We are also asking for a city resolution against the attacks to accessing asylum and on behalf of asylum seekers. Thank you.

01:47:17

MICHAEL SWEET

Thank you. Next is Rosario Cruz. Rosario Cruz.

01:47:39

ROSARIO CRUZ

Hello, good afternoon. My name is Rosario. I'm also an organizer with (inaudible) I work with recently arrived and directly impacted women. And I just want to take a moment to kind of look at what we're seeing on behalf of the government. We're seeing extortion, we're seeing aggravating tracking, stalking, persecution by the state and this is all being justified under the criminalization of migration. As survivors are trying to find a way to survive. And also I just want to bring up that on the 5th of September, so four days ago, William Barr, the acting attorney general, is now going after judges who are placing injunctions on federal policies. So he's specifically referencing the injunction that San Francisco passed to protect DACA and he called these injunctions a threat to democracy.

So I also want to reflect on the fact that the legal system of this country is not broken, it's working exactly as it's supposed to, right, as it is intended to. So I want to highlight that as much money as is going to detention, right now, it's costing \$750 a day to detain children, we need to put that same effort into people at the front lines. And working with recently arrived women, I just want to say that they are ready to lead, they are ready to defend their communities and they know what the solutions are going to look like.

And San Francisco also has an opportunity to pass a resolution to defend the right to asylum just because of all these attacks that we're seeing on behalf of the federal government.

And, oh, also, I'm part of (inaudible) also of the BAS coalition, so Bay Area Asylum support coalition and we're looking at solutions to the unbroken legal system, the fact that there are no lawyers available, we're working with legal service providers right now as community organizations to find solutions to this, as well as, just in general, like, it has been expressed by other speakers that all be at the same table talking about the things that we're all struggling through. The burnout that is happening on purpose and that's all. Thank you.

01:50:20

CELINE KENNELLY

Thank you.

01:50:21

MICHAEL SWEET

Thank you.

01:50:22

CELINE KENNELLY

Our next speaker is Magic Altman from Extinction Rebellion Close The Camps Affinity Group.

01:50:30

MAGIC ALTMAN

Good evening, Commissioners. The problem has never been immigrants crossing borders. We need to flip the story. The root cause of the border crisis is the corporations, can, with impunity, cross borders and exploit the rich resources of other countries and their labor, destroying economic systems by underselling local industry, stealing land and using the backing of the military to create a constant state of intimidation. That is what has driven our brothers and sisters and their children to flee for their lives to seek asylum in the United States.

Our current economic system must always have a labor force without rights to keep wages low to fill the pockets of CEOs. Now, let us be clear. ICE is a rogue agency that did not exist until 2003 and was tasked with preventing terrorism, not caging children. It's actions and the camps are illegal even by their own laws and immoral by all who have a moral compass. It is time for San Francisco to demand that ICE leave our great city to end this constant intimidation.

We need to enforce our status as a sanctuary city. There's a resolution that will be introduced at the Board of Supervisors tomorrow to demand the closure of the camps. It will be adamantly stating that we need to boycott by withdrawing all services to these agencies, including the customs border patrol and in my opinion, first and foremost, ICE.

We cannot claim to be upholding our duty as a sanctuary city. We have a madman in the White House because our system has for too long been corrupted by lobbyists for the greedy one percent. The mask of democracy has fallen off the face of fascism. We are all responsible for the deaths and cruel treatment of our dear children and their families. These people have lost their rights. There is a call nationwide to abolish ICE. Let's lead by telling them they are not welcome here and they need to leave. All of you can advocate for the end of ICE. Do it now.

01:52:42

MICHAEL SWEET

Next is Rahid Rasavi (ph). Rahid?

01:52:56

RAHID RASAVI

Good evening, Commissioners. Thanks for this opportunity. My name is Rahid Rasavi. I'm an Iranian-American immigrant. I grew up the Bay Area in San Francisco. The past 20 years I've been a resident of San Francisco. I'm also the founder of Ethics in Tech and Ethics in Tech is a new non-profit here based in San Francisco where we started being active in 2013 by organizing events and writing all our blogs and content.

One of the things I did want to mention tonight is that Ethics in Tech implores tech companies to stop profiting from U.S. concentration camps. Amazon, Microsoft, Sales Force are among the leading tech firms with government contracts tied to immigration detention. As much as the world recoils in horror and continuing (inaudible) reports of refugees including young children being imprisoned, abused and even dying in U.S. concentration camps, scores of business, big and small, are profiting handsomely from this unconscionable atrocity. In addition to the usual suspects and the prison industrial complex like GeoGroup, Core Civic, dozens of medical and financial service, transportation and telecom companies also have government contracts to provide services to prisoners.

Tech sector is no exception. Last month, hundreds of employees at Boston (inaudible) Ecommerce Furniture Company, Wayfair, made headlines with a letter canceling a 200,000 contract for bedroom and furniture supplies. That request from management was refused. Amazon and plants here, group of concerned Amazon employees have been using companies since last year to cut ties with ICE. Amazon (inaudible) have both refused. Sales Force based here in San Francisco that we're so proud of with their new Sales Force Center has been supporting ICE. So how are we gonna go and impact these businesses? You have to impact them at the trade shows, at where they host their events, at where they're having their public forums and make sure that we have a say and people know about their involvement with ICE and CBD. Thank you.

01:55:15

CELINE KENNELLY

Thank you. Vice Chair Paz is going to read a written testimony that has been handed to us.

01:55:23

MARIO PAZ

Yes. I apologize for not being able to stay for the entire hearing. I appreciate your service and thank you for bringing up this pressing issue for our communities. My name is (inaudible) The director of (inaudible) a non-profit organization serving Maya immigrants in the Bay area. We offer a range of cultural and ceremonial activities and spaces for Maya immigrants in the Bay Area including language classes, dance classes, as well as community events for (inaudible) traditional music, food and dance. We also offer social services, including interpretation services in seven Maya languages, case management and emergency support as well as group and informational activities. We serve well over 2,000 people every year with these services.

There are at least three main areas of concern for our community when we think about the crisis at the border. It is important to keep in mind a large number of those trying to ask for asylum are immigrant of indigenous background, specifically Maya immigrants from Guatemala and Southern Mexico.

This means that many of them do not speak Spanish as their primary language but rather one of the two dozen Mayan languages and its dialects spoken in Central America. Culturally and linguistically, our communities are different from our non-indigenous mixed race (inaudible) counterparts and we want to make sure that our cultural linguistic and context needs are taken into consideration as we arrive in the large urban centers like San Francisco.

Interpretation services and other services that are relevant to our culture and language will be critical in addressing our needs and engaging our communities here. As indigenous people, we have seen some of the worst violence, discrimination, racism and abuse of our families in recent past. The scars of the Civil War in Guatemala and the ongoing conflicts in Southern Mexico are powerful elements to be considered when reaching out to our communities.

Trauma is a very present issue in our communities. Not only because of what I described above in terms of civil war, crime and discrimination against indigenous communities, but in addition because of the journey here is plagued with very harmful situations both physically and emotionally. Children are particularly susceptible to all of this and we want to make sure that this is considered so we create communities of healing for these families once they reach our jurisdictions.

Last, along these lines, I want to say that the environment that--we need to say that an

environment as welcoming and that reflects us culturally and otherwise is a powerful took for healing and for ensuring these families engage and join our communities to reach their full potential. We hope we can create the spaces, services and (inaudible) that will help let these communities know that they are now part of the city. A mural to welcome them, an event with music, dance, anything that reminds us of our home will make a huge difference so that healing--so that the healing process begins as families step into this great sanctuary city

Thank you Alberto (inaudible).

01:58:21

CELINE KENNELLY

Thank you. Are there any other comments on--are there any other members of the community who would like to make community testimony on this issue? I do have one final speaker card that I have and I do need to remind that candidates for public office may not make political statements. You are more than welcome to speak on the issue at hand but this is not the forum for political statements. So I would like to call Shahid Buttar for Congress.

01:58:52

SHAHID BUTTAR

Thank you. As an immigrant myself, I find it very compelling and important that you all are holding this hearing and I applaud and thank you for it. I just wanted to add a couple comments to the discussion. When we talk about migration, particularly at the southern border, we can't take our eyes off the impact to which climate change and chaos is playing a role. We know that drought in Central America is part of what is driving people to flee. When we think about solutions to these crises, we can't do them within silos. These are intersectional issues.

Further, I had an opportunity to visit the border and it's detention facility outside San Diego about a month ago. I met with some people from a human rights group called (inaudible) and I'll particularly refer you to a report published by Amnesty International titled Saving Lives is Not a Crime. Amnesty documents the experience of human rights advocates at (inaudible) these are U.S. citizens being denied egress by ICE and CBP because they are on watch lists of human rights advocates.

It is one thing when we illegally detain asylees, it is another thing when we do it en masse. It is another thing when we separate children from their families. It is an entirely different zone of legal abuse when we start threatening and abusing, wantonly, the rights of U.S. citizens in three different dimensions. We don't have the right in the first place as a government to deny egress to citizens. We, secondly, don't have the right to discriminate across viewpoint. And further, to discriminate against support for human rights principles that we fought a world war to establish is just gross and

detestable, frankly.

I urge each of you to support the resolution that my neighbor Magic mentioned, being introduced to boycott ICE and CBP. I want to applaud also the Board of Supervisors and you for supporting the face surveillance ban that was recently put in place. Those kinds of measures to deny data to ICE is a further expression of our existing sanctuary commitments. Thank you.

02:00:49

CELINE KENNELLY

Thank you. At this point, I would like to thank all of our invited speakers and all of those who gave community testimony on this issue. There are many facets to this conversation. There are many struggles, there are many--there's a very long and difficult road and there are many difficult conversations that need to be had as we figure out the best way to support our communities.

And I would like to thank each of you for your feedback, for your comment, for your thoughtful insights and for your suggestions and recommendations that each of the Commissions will take and discuss and look at moving forward where best we can and where best we can effect change.

At this point, I would like to see if there are any other members of the public who would like to comment on asylees and the situation at the border. Are there any members of the public present here who would like to comment on any matters within the jurisdiction of the Immigrant Rights Commission and-or the Human Rights Commission that are not appearing on tonight's agenda? Hearing none.

I am going to open the floor to both commissions. In the interest of time, I am going to-Vice Chair Sweet and I have agreed to two questions from each Commission. Each Commission will come through your Commission Chair and the questions will be based on the invited speakers. The testimony as given by Professor Wong, Tala Heartsough, Robert Philips, Carol Bishart and Angelina Romano. And I am going to defer to the Human Rights Commission for the first question.

02:02:35

MICHAEL SWEET

Commissioner Hijazi.

02:02:37

HALA HIJAZI

This question is for San Francisco Unified School District. Are there any informal or formal coordinating efforts, coordination efforts with Department of Public Health or SF General as it relates to asylees, immigrants, undocumented immigrants, as well as any translators also available.

02:03:00

FEMALE

We have a monthly standing meeting that we've had since 2014, since I first served for our Department of Public Health Unaccompanied Minors meeting at Mission Family Center where we meet with Mission Neighborhood Health Center, Southeast Family Health Center, SF General Hospital and their newcomer health program. I'm also in collaboration with newcomer health program because we're both part of the refugee and asylee program. So we do coordinate.

And then of course, you know, we're lucky in San Francisco that we have social workers and nurses based at almost every single one of our schools that can also help coordinate and connect students to those services.

In terms of translation support, we have--we just got a contract with Language Line to offer real-time interpretation support and that funding ends in about two weeks.

02:03:50

CELINE KENNELLY

Commissioner Rahimi.

02:03:51

NIMA RAHIMI

I heard about at least two resolutions that have either been drafted or are in the process of being drafted, one related to ICE and one related to the right to process asylees as asylees. The folks who have access to those resolutions, can you submit them to our commissions, as well so we can review and vote on them, as well? Thank you.

02:04:19

MICHAEL SWEET

Commissioner Hijazi.

02:04:20

HALA HIJAZI

I just have a question. It's not on the list, not regarding (inaudible) are we going to discuss that towards the end of the meeting (inaudible).

02:04:27

CELINE KENNELLY

We can do--we might see if there's any other question on the invited testimony and then I'll come back to you for your comment. Is that okay? Perfect. Any other questions? Commissioner Monge.

02:04:37

PAUL MONGE

Yeah. I'm wondering, from the legal services community, I understand that there's a constant funding deficit to adequately respond to the demand, to provide full scope representation and defense. As a part of the upcoming budget cycle, I'm wondering if we can have some ongoing conversations around quantifying just exactly how much

financial support and investment must the city provide to truly shore up that gap? And if there's a sense of those figures, it'd be helpful to know so that we can be on the same page in advocating for those additional investments from city resources. Thank you.

02:05:08

FEMALE

Yes. I think, just to give you an idea, but I know that the SFILDC leadership is working on that and quantifying that in terms of the number of attorneys that are needed. Also based on the existing wait list, which as I stated earlier, is 127 children. And I believe another 200 individuals on top of that.

In addition, I failed to mention earlier but we have our hands on the pulse of what's taking place for people that are not represented because part of the SFILDC duties are to staff the Attorney of the Day program at the immigration court, which is basically to provide triage services for unrepresented individuals before the court. With all the legal maneuvers that have been put in place, the changes in policy, the needs grow greater, the number of hurdles to access relief, the number of barriers, if they don't file on time, if they don't understand that there's been a nuance change in policy and they're about to be precluded from accessing relief, the demands on the attorney of the day have grown tremendously and I believe we will be asking for increased funding as well, to expand that program. And we are also working on other ways to triage by having short term clinics to meet the needs of people that do not have representation.

Understanding that there's always a tension there between putting a band aid on the system and at the same time, helping meet the dire needs of individuals who must appear before the court with or without an attorney.

02:06:43

CELINE KENNELLY

Thank you. And I would like to ask the staff of the Office of Civic Engagement and Immigrant Affairs to follow up on that item on the Commission's behalf, please. Commissioner Rahimi, you have a follow up to that question?

02:06:55

PAUL RAHIMI

Yeah, along the same lines and along the same lines of Commissioner Monga's questioning here. If it makes sense for the City and County of San Francisco to provide funding to the Office of Civic Engagement and Immigrant Affairs to hire a staff of attorneys to support the community in these efforts, we should explore that. If we can't fund through the city the non-profits that are working on this. Depending on what the community needs are.

02:07:22

CELINE KENNELLY

Thank you. Any other questions on this side? Commissioner, I defer to you for your comment.

02:07:29

HALA HIJAZI

Well, I just want to say thank you so much for giving us an opportunity to do a joint commission here. I guess it was fairly powerful and impactful and educational. The other thing that I'd like to propose is if and when the San Francisco Police Department decides to explore reengaging and participating in the FBI's Joint Terrorism Task Force, that we would convene the joint Commission between the Human Rights Commission, the Immigrant Rights Commission so that we can have a robust and open dialog and debate and get as much input as possible from the public.

02:08:01

CELINE KENNELLY

Thank you. Duly noted. I shall defer to both commission directors to keep us abreast on that and to convene. We can convene a joined hearing at that point in time. Thank you, Commissioner.

So I think that brings us to the end of this evening's hearing. I would very much like to thank all of you who have stayed with us for the duration. It has been a long evening but it has been a very worthwhile evening and we are thankful to you for your time and your presence. I would like to thank the members of the Immigrant Rights Commission and the Human Rights Commission for your hearing. The Board of Supervisors and especially the staffs of the Office of Civic Engagement and Immigrant Affairs and the Human Rights Commission, particular shout out to both Director Pon and Director Davis for being here. Thank you for your time, for your leadership and for your staff.

Tonight's testimony, I think we can agree, was both heart wrenching and compelling. We thank all of the speakers for their courage and their candor in sharing their information and stories. And on behalf of both commissions, we pledge to work with the community on your behalf. Vice Chair Sweet.

02:09:06

MICHAEL SWEET

Well, I would like to echo those words of gratitude, particularly to the staff of both commissions who work tirelessly in the trenches on all of the initiatives of these commissions. It's when we see a full room like this that we're reminded of the important work that we all do and that our staff does, often for little or no recognition. So thank you to the staff. Thank you to everyone who came and spoke. It's very important for us to have people come and speak to us in public comment, that's how we can communicate with you, that's how we can ensure that the message is carried. And I want to thank my fellow commissioners and the commissioners from the Immigrant Rights Commission for a very informative and thought-provoking hearing.

02:09:57

CELINE KENNELLY

Thank you all. The meeting is adjourned.

