

**Reform Immigration FOR America**  
**Martine Apodaca**  
**04/15/10**  
**2:00 PM ET**

**Operator:** Good day, everyone, and welcome to the Reform Immigration for America conference call. At this time, all participants are in a listen-only mode. Later, you will have an opportunity to ask questions during the question and answer session. You may register to ask a question at any time by pressing the star and one on your touchtone phone. Please note this call may be recorded. I'll be standing by should you need any assistance, and it is now my pleasure to turn the conference over to Mr. Ali Noorani. Please go ahead, sir.

**Ali Noorani:** Thank you very much. My name is Ali Noorani. I'm the Executive Director of the National Immigration Forum and Chair of the campaign Reform Immigration for America. This afternoon, we gather in response to two actions that have taken place in the State of Arizona over the last 48 hours. First is a state legislation that passed yesterday and that will be moving to the governor's desk, and the second is an immigration and customs enforcement action that was started this morning and has continued throughout the day. We have a panel of local leaders who have seen the impact of this legislation as it has moved through the legislature and understand the legal impact on the State of Arizona, but we also have community leaders from the ground who have been dealing with the repercussions, the consequences of this morning's immigration enforcement action. From our perspective as a national campaign, the state legislation that was passed yesterday by the Arizona legislature is an affront to our United States Constitution. It is legislation that should be vetoed by the governor and it is legislation that should be immediately repudiated by Assistant Secretary John Morton of the Immigration and

Customs Enforcement. In fact, we feel that Secretary Napolitano and the President should come out and say that this is legislation that should not be signed nor should it ever, and that it is an affront to our Constitution. In terms of the action by Immigration and Customs Enforcement, we believe that human smugglers, drug smugglers, violent offenders have no place in our communities and we support the work of Immigration and Customs Enforcement to remove violent criminals from our communities. I want to make that clear. We will support Immigration and Customs Enforcement's actions to remove violent criminals from our communities. However, the fact that a word of this action was leaked to the press some 48 hours ahead of time has caused a level of fear and confusion in the communities in Phoenix and in the Greater Phoenix area that have caused incredible fear and concern that many of our panels will speak to. So with that, I want to get us started today and our first speaker is Representative Kyrsten Sinema. Representative, please.

**Kyrsten Sinema:** Thank you, Ali, and thank you all for joining today. I want to talk briefly about SB1070, the legislation that passed the Arizona House of Representatives this week. This legislation is unconstitutional in a variety of ways, but I think most importantly, there are some provisions in this Constitution that will only increase fear amongst local communities for both individuals who are documented and undocumented. One of the provisions of this legislation makes it a state felony for an individual to be within the state boundaries without proper documentation to live within this country, and so that immediately puts all individuals who live here without status at risk for felony convictions for doing nothing more than simply being here without proper documentation. In addition, the law also forces local law enforcement to "enforce all Federal immigration laws to the fullest extent permitted under Federal law," and that requirement

applies to all local law enforcement officials whether or not they have received training or have the resources to adequately and appropriately assist Federal law enforcement officials in enforcing Federal immigration laws. In addition, this bill also allows individual citizens to sue any local law enforcement agency if they believe that law enforcement agency is not adequately enforcing all Federal immigration laws. This presents a great burden for law enforcement and for individuals who are witnesses and victims of crime. For instance, if there's an undocumented woman who is a victim of battering and abuse by her citizen husband, if she does get the courage to call a police officer to seek help for her safety and for her children's safety, under the current law – if it becomes law by our governor, then the individual officer would be required to report that woman to ICE and begin processing her removal from the country, and if that person failed to do so whether it be for compassion for the woman or to be able to use her in a criminal case as a witness against the abuser, the actual abuser could sue the local law enforcement agency for failure to fully enforce all immigration laws. So this takes away all discretion for local law enforcement to engage in community policing and really jeopardizes the ability for individuals in our community to feel safe and comfortable making reports around domestic violence, armed battery, and assault. There are many other provisions of this law which are very concerning, but one of the things that I am most concerned about is that it absolutely fails to address the real issue facing our state. Arizona's border region is home to an increasing rash of violence connected to drug smuggling, gun smuggling, and violent human smuggling, and this bill does absolutely nothing to address those three growing criminal syndicate issues in our border. In fact, by forcing local law enforcement to enforce all Federal Immigration laws at all times with all people in the community, that actually will take away the ability for local law enforcement and

prosecutors to focus on breaking these criminal syndicates apart and bringing justice and safety to our communities in Southern Arizona. Thank you, Ali.

**Ali Noorani:** Thank you, Representative. Our next speaker is Bishop Minerva Carcaño who is [with] United Methodist Church in Arizona. Bishop, thank you for joining us.

**Minerva Carcaño:** I not only serve as the bishop for Arizona and Southern Nevada, and Southeastern California, I also serve as the President of the Arizona Ecumenical Council and over the last few hours since last night, we have all been working, those of us who are part of the Arizona Ecumenical Council – working on communicating with churches about the situation with this bill in our state, because it affects the core of our ministry. We're working hard to be a ministry with all people of all cultures and of all races, and from all over the world, and so many of our programs address the ministry needs of children and we have been preparing our churches to be ready to care for children who may get left behind as perhaps parents are picked up in what is happening with the raids and also preparing for the future because of the potential impact of this state bill that is soon to go to Governor Brewer's desk, which would threaten to separate families and undermine families. We are amazed as religious leaders at the fact that our legislative body, rather than working to help us build community, help us create strong families, help us undergird relationships across communities of different cultural backgrounds that they continue to look at ways that are destructive and that divide us. So we as religious leaders are becoming very frustrated with our legislative body and its lack of compassion and care, and a true sense of how one brings communities together to build up a state. It feels that they are more

inclined to be repressive and destructive, and we're very concerned about that. We're also very concerned about the fact that the action of ICE at this point comes right in the middle of trying to address this very negative bill, and are concerned about the message that sends. So we're in communication with Secretary Napolitano's office about that trying to hold her accountable as well. We certainly do not want to interfere with anything that addresses the criminal smugglers, human smugglers, and criminals, but is this the way you intervene into a community that's got a legislative body that's working in such a dysfunctional way? Is this the right moment to do that? So we're communicating that to Secretary Napolitano, have been doing that, have had some conversations back and forth this morning. So we want to hold our legislative body accountable, Secretary Napolitano, we're asking her many questions about the ICE actions, but we're mostly concerned about our families and our children in the State of Arizona. I thank you.

**Ali Noorani:** Thank you, Bishop. Our next speaker is Jen Allen, Executive Director of the Border Action Network. Jen, please.

**Jen Allen:** As an organization that is based on the Arizona-Mexico border, I think we would agree that no one in Arizona [audio gap] operations, particularly if they prey and exploit Arizona families. [This] operation was an overly dramatic show that at least for Tucson netted only a mere handful of individuals; however, the lasting impact of today's operation will be its toll on Arizona families who are now holding themselves up in their homes. They're reporting other ICE operations in apartment complexes, in local businesses. They are calling their offices terrorized. They are afraid of local police who are out in full force standing side by side with ICE agents. We say enough is enough of the mixed messages that we

have been getting from Washington. On one side, we hear support for immigration reform and seeing immigrant families as part of the solution. We've been told that we should not have fear participating in the sense that we should all stand up and be counted, but then we see operations like today where ICE has conducted itself in ways that further marginalizes and terrorizes our families, especially the day after the harshest anti-immigrant legislation [that's] passed in our state. Thank you.

**Ali Noorani:** Thank you, Jen. Our next speaker is Pablo Alvarado, Executive Director of the National Day Laborer Organizing Network. Pablo, please.

**Pablo Alvarado:** Thank you, Ali. My organization has members in Phoenix and we are very worried about their future, because this bill also targets day laborers in a very mean spirited way. We know that John Morton is now in Arizona and he needs to reassert fair control of immigration policy, restore the rule of law, and take appropriate actions to defend people's civil rights. Now were very eager to hear the Secretary Napolitano and the Obama administration's comments on the new Arizona bill, because they have the ability to stop its implementation with the stroke of a pen. We applaud law enforcement efforts that get rid of neighborhood smugglers, drug dealers, and other dangerous elements, but we're very concerned of the time of an ICE operation that seems to be as much designed for media consumption as anything else. SB1070 is quite literally intended to terrorize immigrant communities. We are very worried that ICE Director Morton's intense media campaign to publicize this action, we know that it will only contribute to the climate of fear that is already sending shockwaves across the state and the country. It is worth noting that the policies the Arizona legislature hopes to [qualify] could be stopped immediately by John Morton, Secretary Napolitano, and by President

Obama. Secretary Napolitano has the power to end the dangerous experiment she started in her home state by terminating the flawed 287(g) and secure communities programs. The Secretary knows full well that the right of Arizonians are in peril and she has a moral obligation and a legal responsibility to take swift action to really make things right. Thank you.

**Ali Noorani:**

Thank you, Pablo. I do also want to note that we will be circulating a transcript and a recording of this conference along with our follow-up statement from the campaign as well as a complete list of speakers in case the press wants to follow up with them individually. Our next speaker is Pastor Ian Danley. Pastor, please.

**Ian Danley:**

Thank you. I work for neighborhood ministries and evangelical non-profit church in downtown, Phoenix. We are on the call today to bear witness to the action today in Phoenix. We do not ask people for their documents when they attend church and we want our place of worship to be a safe place, so we have let everyone in our church and community know that they can come to neighborhood ministries and we will have a prayer service for anyone who is afraid or who would like to pray for our community. This morning I went to a home not far from our community that was being investigated. There I saw men, women, and what seemed to be young people in handcuffs in the front yard. There were dozens of law enforcement officials all around, the City of Phoenix Police Department was acting as a sort of secondary enforcement partner walking the streets. There's helicopter circling overhead, neighbors were outside filming, and I saw men in tears. Lastly, an intimidating group of about five trucks without insignia or markings drove past with men sitting in the bed of the truck who were also unmarked and wearing green vests. People are very afraid. People are not going to work. They're not going to

school, but they are also afraid to stay home. So we have said that our church is open to anyone who would like to pray with us. Thank you.

**Ali Noorani:** Thank you, Pastor. Our final speaker is organizer with Respect/Respeto, Carlos Garcia. Carlos, please.

**Carlos Garcia:** Yes. The receiving center and processing center that ICE has taken over here in Phoenix, it's actually a business plaza that they're using as their headquarters. Mr. Morton just [arrived] about ten minutes ago. We've been witnessing folks coming in in unmarked vehicles all day, every fifteen to twenty minutes, folks are coming in. Mr. Morton knows what's going on in Arizona. He knows the law that was passed yesterday. We're asking them to please repeal that law. We know he has the authority and the know-how to make this happen. We're here, families throughout the weekend have been coming [audio gap] center saying how afraid they are. The fact that this information was leaked to the media and the public became aware of it made folks stay home from school today, made children – US citizen children stay home from school, folks didn't go to work. There's just fear and terror throughout Arizona today. Thank you.

**Ali Noorani:** Thank you, Carlos. Thank you to our panelists. Kaitlyn, can we open the line for questions please?

**Operator:** Absolutely, and at this time, if you would like to ask a question, please press the star then one on your touchtone phone. Once again, if you would like to ask a question, please press the star then one on your touchtone phone. You may withdraw yourself from the queue at any time by pressing the pound key. We'll pause momentarily to allow questions to enter the queue.

**Ali Noorani:** As we are waiting for questions to come into the queue, I just want to reiterate our expectations. Our expectation is number one, that the governor veto this legislation. It is a toxic piece of legislation. It is a legislation that does nothing for the security and safety of the residents of Arizona. Second, we expect Assistant Secretary John Morton to repudiate the legislation that was passed yesterday and make it clear that immigration enforcement is the purview of the Federal government and that furthermore, that the 287(g) Program should be eliminated because in many ways, the 287(g) Program was with the appearances of this legislation that we saw passed. So those are our expectations of both the governor and the Assistant Secretary, and obviously Secretary Napolitano and the President have roles to play – very clear roles to play as well. So if there are any questions, Kaitlyn?

**Operator:** Yes, we'll take our first question from the line of Ben Salazar from Nuestro Mundo. Please go ahead.

**Ben Salazar:** All right. Good afternoon. I'm a second generation Mexican-American born and raised here in Nebraska. I now reside in the City of Omaha, Nebraska where we have a population of about anywhere between 70,000 to 80,000 Latino immigrants, many of whom it's estimated 50% or 60% are undocumented. A couple of points, the legislation [crosstalk] was...

**Ali Noorani:** Excuse me, sir. Do you have a question? Are you with the press?

**Ben Salazar:** I'm with the media, yes. I represent Nuestro Mundo.

**Operator:** Great. Go ahead. I'm sorry. I apologize.

**Ben Salazar:** It's all right. The legislation that – first of all, I'm not clear as to whether or not that has officially been made into a law because I read an article in this morning's Arizona Republic where I think it had also some modifications in the Senate first before the governor receives it to sign it. So that's question number one as to whether or not it's actually an official law at this point. Secondly, whether any of the, in fact, individuals that live in Arizona or have dealings in Arizona on your panel are aware that the tentacles of this kind of legislation reach beyond the borders of Arizona even up through the Midwest where I reside because even though there is no official policy or law on the books such as Arizona may have, law enforcement in cities throughout the Midwest are in fact also starting to subtly but forcefully start checking and started checking documents routinely as a matter of policy even though many chiefs say they don't support that kind of a policy. It is happening elsewhere as well. So are you all aware of this sort of unenforced but enforced policy.

**Ali Noorani:** Okay.

**Danny Ortega:** This is Danny Ortega. I'm an attorney in Phoenix, Arizona and the Chair of the National Council of La Raza. Mr. Salazar, that is happening in Phoenix, Arizona also and has been happening previous to the passage of this law, number one. Number two, the bill that we're talking about currently is not law yet because the governor has not signed it, and if you heard the comments earlier, we're asking the governor to veto it.

**Kyrsten Sinema:** Well, and actually – this is Representative Sinema from the state legislature – there is one step that must occur prior to the bill going to the governor's desk. The bill passed the Senate on a party line vote earlier

this year. On Tuesday of this week, it passed the House on a party line vote. It will now go back to the Senate for what's called a final vote to approve the changes that were made to the bill in the House. It will then go to the governor. We anticipate it will be on the governor's desk early next week. She will then have five days in which to decide whether to sign it or veto it.

**Minerva Carcaño:** This is Bishop Carcaño. I want to add that I agree with what the reporter has stated in terms of the domino effect that it has. I think it encourages the same kind of attitude and movement towards legislation in other states, but even more than that, it also impacts the fear among communities from state to state. I hear that from bishops in other states. I've experienced it as I've served in this state and other states do take these kinds of action. So it has a ripple effect that tends to create a culture not only of one state but of the country, and that creates fear all across the country among immigrants.

**Ali Noorani:** Thank you. Daniel, welcome. I apologize, I didn't realize you have been able to come on the call. So thank you for joining us.

**Danny Ortega:** No problem.

**Ali Noorani:** Then can we get the next question, please, Kaitlyn?

**Operator:** Absolutely. We'll take our next question from the line of [Felisa Tradino] from the Washington Independent. Please go ahead.

**[Felisa Tradino]:** Hi, I wanted to ask whether anybody there believed that the killing of the rancher in Arizona had anything to do with [this report that we've] been receiving?

**Kyrsten Sinema:** This is representative Sinema and I can tell you well that the incident on the border is unfortunately not an isolated incident any longer in Arizona and as I mentioned earlier, this is the kind of activity that has been escalating and increasing around our southern border. Our Attorney General has posited that it was likely due to a marijuana scout who is engaging in illegal transfer of drugs when the rancher happened upon him. This is exactly the kind of thing that needs to be addressed [in conference of the] immigration reform and that is not addressed in the legislation that just passed the House this week. In terms of whether or not that incident changed the votes or changed the minds of legislators at the capital, I do not think that it did. Again, the legislation doesn't provide any tools for law enforcement or prosecutors to more appropriately handle those kinds of criminal syndicate issues, and so this bill unfortunately doesn't address the very real issue of criminal and violent behavior on the border.

**Danny Ortega:** This is Danny Ortega. In response to your question, you have to remember that this bill was passed approximately two months ago in the Senate before this occurred, so I agree with Ms. Sinema that it probably didn't have anything to do with it, especially in line with the fact that the Senate passed it much earlier.

**Minerva Carcaño:** This is Bishop Carcaño. Another consideration is the fact that it's lamentable that this rancher was killed. He is one of hundreds who die on the desert because of broken immigration laws in the State of Arizona and in this country.

**Kyrsten Sinema:** I would just add that the unfortunate and tragic death of Mr. Krentz down in the Douglas area has actually been the only homicide of a US citizen on the Arizona border of late. That investigation is still ongoing so there have actually not been any perpetrators named and actually, I should even correct myself, the other death that has occurred more recently was the shooting death of a man and his daughter by some Minutemen members in the Arivaca, Arizona area. So in that sense, so the border violence is happening both from, in this case, Minutemen chapter, but it has actually been – per conversations with local law enforcement in border town, it has not been having a spillover effect and we have to be sort of clear about what has specifically happened and what has not.

**Ali Noorani:** Pablo or Carlos, or anyone, any comments on your part? Can we get the – are there other questions please?

**Operator:** Absolutely. We'll take our next question from the line of Maria Barquin from Radio Campesina. Please go ahead.

**Maria Barquin:** Good morning. My question is, as a media, what kind of message we need to take to our community to create a call to action to stop this bill to become a law?

**Kyrsten Sinema:** Well, I mean the number one action – this is Representative Sinema. The number action to take is to contact Governor Jan Brewer. She has the power to determine whether or not this bill is enacted into law and I would say that folks should call and e-mail, and write, and contact her office from now until the date on which she has to make a decision. I think that the best thing for folks to do would be to help the governor understand that

this bill increases fear, decreases the ability for law enforcement to do their job appropriately by securing communities and neighborhoods, and does nothing to address the real issues that face our border communities.

**Pablo Alvarado:** This is Pablo Alvarado again. Also, we have to let the Obama administration know, they need to take a stand right now. This is the moment when we have this crisis in Arizona. This is the moment for the Federal government to state that the enforcement of immigration law be launched through the Federal government, not through the states and localities. This is the moment for them to stand up and make things right. We also again reiterate that we need to be calling the governor and demand that she vetoes this legislation.

**Danny Ortega:** This is Danny Ortega, and Kyrsten couldn't be more precise about when we can anticipate that this law will go into effect, but I think it's also important for the media, especially the Spanish speaking media, to inform the public that this is not going into effect immediately. This is going to be a while before it goes – what would the earliest date be, Kyrsten?

**Kyrsten Sinema:** Well, it's likely that it would be the beginning of August, because if she were to sign the law, it would go into effect 90 days from the last day of the legislative session, which is likely to be somewhere around Cinco de Mayo.

**Danny Ortega:** Okay. So it's very, very important that the community know that the implementation of this law, if it is implemented and – I'll just leave it at that, if it is implemented – would be at the earliest August. So we don't need for people to begin to panic and run right now.

**Ali Noorani:** Just sort of as a point of information, the governor's phone number is 1-800-2530883. Again, that's 1-800-2530883, just to facilitate the information. Are there any other questions please?

**Operator:** Yes, we do have one more question from [Juanes Barsa] from [unintelligible]. Please go ahead.

**[Juanes Barsa]:** Yes. If the governor signs the legislation, it becomes law, are there any plans right now by any organizations to file a lawsuit against it on grounds of not adhering to constitutional law or whatever?

**Pablo Alvarado:** Yes. This is Pablo Alvarado again from the National Day Laborer Network. Yes, at this moment, our lawyers are already analyzing the bill and there will be perhaps not one but several lawsuits. Make no mistake about it. We will decide this legislation inside of court.

**Kyrsten Sinema:** Also, the American Civil Liberties Union of Arizona has been very involved as well as the national organization MALDEF, the Mexican American Legal Defense and Education Fund. This bill is so rife with constitutional infirmities and the record on the legislative books is very, very heavy. So I think that there is ample evidence already to show that this bill is patently unconstitutional.

**Ali Noorani:** Thank you. Are there any other questions?

**Operator:** There are no more questions at this time.

**Ali Noorani:** Great. I want to thank our panel, our Representative Kyrsten Sinema, Bishop Minerva Carcaño, Jennifer Allen from the Border Action Network,

Pablo Alvarado with the National Day Laborer Organizing Network, Pastor Ian Danley, Danny Ortega, Board Chair of the National Council of La Raza, and then Carlos Garcia with Respect/Respeto. Thank you to members of press for getting onto the call and we will be sure to keep everybody updated. I want to close by offering my thanks for the leadership of the local organizations and the local leaders who have been doing incredible work and really are in a position now to lead our country forward to make sure this legislation is defeated, and that ICE and DHS do the right thing. So thank you.

**END**