

NEVADA ADVISORY COMMITTEE TO THE  
U. S. COMMISSION ON CIVIL RIGHTS

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SATURDAY, SEPTEMBER 14, 1985

12:15 P.M.

Holiday Inn  
5851 South Virginia Street  
Tahoe B Room  
Reno, Nevada

Reported by: CAROLINE YAMAOKA, CSR #184

ORIGINAL

MEMBERS PRESENT:

ELIZABETH C. NOZERO, Chairperson  
MORSE ARBERRY, JR.  
SUSAN L. DeLUCA  
MARVIN M. SEDWAY  
MERLE SNIDER  
RICHARD J. TETREULT  
STEVEN T. WALTHER  
CANDY SADER  
THOMAS V. PILLA

SPEAKER:

THEODORE GAMBOA

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RENO, NEVADA, SATURDAY, SEPTEMBER 14, 1985, 12:15 P.M.

CHAIRPERSON NOZERO: Okay. We'll begin this meeting. The Nevada Advisory Committee to the United States Commission on Civil Rights will now come to order.

I am Elizabeth Nozero, Chairperson of the Nevada Advisory Committee. Other members of the Committee in attendance at this meeting will be: Morse Arberry, Susan DeLuca, Candy Sader, Marvin Sedway, Merle Snider, Richard Tetrault, and Steven Walther. Also with us today is Thomas Pilla, a staff member from the Commission's Western Regional Office.

The Advisory Committee receives information and makes recommendations to the Commission in areas which the Committee or any of its subcommittees is authorized to study.

The Commission on Civil Rights is an independent agency of the United States government, established by congress in 1957 and reauthorized in 1983.

I would like to emphasize that this is a fact finding meeting and not an adversary proceeding.

Mr. Gamboa has been invited to come and share information with the Committee and has voluntarily agreed to meet with the Committee this morning.

1           Since this is a public meeting, the press and  
2 radio and television stations, as well as individuals, are  
3 welcome. Persons meeting with the Committee, however, may  
4 specifically request that they not be televised. In this  
5 case, we will comply with their wishes.

6           We are concerned that no defamatory material be  
7 presented at this meeting. In the unlikely event that this  
8 situation should develop, it will be necessary for me to  
9 call this to the attention of the persons making these  
10 statements, and request they desist in their actions and  
11 such information will be stricken from the record, if  
12 necessary.

13           We will now proceed. We have with us today  
14 Mr. Gamboa, who is an attorney from the Reno area.  
15 Mr. Gamboa's legal practice involves, among other things,  
16 immigration matters.

17           Mr. Gamboa, thank you for being with us this  
18 morning.

19           MR. GAMBOA: Thank you.

20           CHAIRPERSON NOZERO: If you have an opening  
21 statement, please proceed and perhaps we can follow-up with  
22 questions if we have any.

23           MR. GAMBOA: All right. As I understand it, I  
24 have been asked to discuss some issues relating to  
25 immigration. I've been practicing immigration law since

1 1978 in Reno, and I feel that I am familiar with all  
2 immigration issues as they pertain to northern Nevada.

3 I have thought about what I was going to talk  
4 about, and I think there is two issues which concern these  
5 people in northern Nevada. The first one has to do with the  
6 apprehension and detaining of persons who are suspected of  
7 being in this country illegally by state and local police  
8 officers. And then the second issue which is of great  
9 concern not only to these people in northern Nevada, but  
10 also to these people throughout the country, and that's the  
11 present status of the Simpson-Mazzoli bill.

12 Now, the first issue is of concern to me  
13 because it affects the rights, the civil rights of Hispanic  
14 appearing permanent residents and citizens. Over the years  
15 in Reno and Sparks, and I know in other outlying areas,  
16 Winnemucca, Lovelock, Elko, there have been incidents where  
17 the state and local police will stop and detain Hispanic  
18 appearing persons simply because of the color of the skin or  
19 because they don't speak English, and inquire into  
20 immigration status. They have no right to do that.

21 The Federal Immigration Act, which is Title 8  
22 of the United States Code Annotated, is very specific in  
23 what it says, and it says that only federal immigration  
24 officers can enforce immigration laws, and even they are  
25 limited. I mean, they can't go up to anyone on the street,

1 let's say, to any of us here and, without probable cause or  
2 reasonable suspicion, ask for your birth certificate or  
3 proof of your legal status in this country.

4 Before a federal immigration officer can stop  
5 and detain a person and inquire into his legal status, he  
6 must have probable cause or reasonable suspicion. It's very  
7 similar to the standards in criminal law, criminal  
8 procedure.

9 Now, state and local police officers, they have  
10 no rights whatsoever. I was contacted, oh, about a year  
11 ago, I guess they were having some problems at a casino in  
12 Yerington where the police went in over a weekend and --  
13 they have a lot of farm workers out there -- and literally  
14 went into the casino and hauled out about 20 guys and  
15 started calling the Reno immigration office.

16 Now, they can't do that. The only time local  
17 police officers can inquire into the status, one's legal  
18 status, is if that person is suspected of having committed a  
19 crime unrelated to his immigration status.

20 So, let's say he is in a vehicle and he is  
21 speeding or in an accident, then they can pull him over and  
22 they can ask for a driver's license. But if that alien  
23 produces a driver's license, he cannot go beyond that. All  
24 inquiry into his immigration status stops.

25 If Mr. Parks were here from the Reno

1 immigration office, he would agree. Many people, though --  
2 there are, I would say, about 10,000 illegal aliens in  
3 northern Nevada, and that includes Reno, Sparks, Humboldt  
4 County, and Elko County, and all the other outlying  
5 counties, and that may even be a conservative estimate.  
6 There may even be between ten and 20,000. Most of them came  
7 when the MGM, Circus Circus, and the Hilton which was then  
8 the Sahara Hotel, John Ascuaga, I believe his casino was  
9 being expanded at that time and, of course, they are  
10 primarily in the, you know, dead-end, low paying jobs at the  
11 casinos.

12 Now, the reason this is an issue that concerns  
13 me is because I know of U.S. citizens, Hispanics, like me,  
14 who have been, you know, stopped by the Sparks Police  
15 Department, for a traffic citation, which is fine. I mean,  
16 that doesn't mean you can't be stopped if you are committing  
17 a crime. And then the guy produced the driver's license and  
18 they called the immigration office and the guy was a U.S.  
19 citizen and he was mad. And when this happens, you know,  
20 our civil rights are being affected.

21 And I, several years ago, myself, and other  
22 so-called Hispanic leaders met with Captain Bradshaw, I  
23 believe, or Chief Bradshaw to discuss our concern. And he  
24 did implement a policy that no inquiry is to be made into  
25 the immigration status of any person if he produces a valid

1 ID, driver's license, or whatever, okay.

2 And I think, you know, the situation has  
3 improved, but there's always a potential of discrimination  
4 because the person who is being discriminated against is the  
5 Hispanic resident, lawful resident or Hispanic citizen. In  
6 fact, there was an incident in Texas where a state  
7 congressman was pulled over and asked for proof of his legal  
8 status. So I mean, this type of police practice is not, you  
9 know, isolated to northern Nevada.

10 The second issue I wanted to talk about was the  
11 Simpson-Mazzoli bill. Are you familiar with that bill?

12 Now, there is no question that we are in dire  
13 need of an overhaul of our immigration laws. I mean, we  
14 need some sweeping reforms. I even agree that we've got to  
15 do something to control the border. And there's no question  
16 that -- and I believe that our jobs first should go to  
17 citizens and permanent residents.

18 On the other hand, one of the most  
19 controversial provisions of the Simpson-Mazzoli bill is the  
20 so-called employer sanction provisions. Now, what would  
21 happen is, as I understand it, the employers would be  
22 required -- would require that all prospective employees  
23 show proof of their legal status.

24 Now, Hispanic leaders nationwide are against  
25 this provision because then again all Hispanic appearing



1 individuals and/or other persons, you know, Asians or  
2 whatever, would be scrutinized and other non, you know,  
3 Asian and Hispanic people would not be scrutinized. What  
4 would happen is there would be a chilling effect and chances  
5 are these people would not be hired or not even apply. And  
6 again the civil rights of permanent residents and citizens  
7 would be affected.

8 This bill has been in Congress for the past  
9 three years, and last year it didn't pass simply because it  
10 was an election year. I think it has a good chance of  
11 passing this year. In fact, there was an article in this  
12 morning's paper, that says there is a compromise -- boy, I'm  
13 really hot -- on the immigrations that says senate  
14 compromise on immigration is near.

15 The problem with the employer sanction, not  
16 only of the discrimination, but the only way it's going to  
17 pass is if the amnesty provisions are also passed. Now, are  
18 you familiar with those?

19 Now, under the amnesty provisions, if you can  
20 show -- an illegal alien can show that he has been here  
21 before 1980 and he is a person of good moral character, that  
22 is he hasn't been convicted of any crimes involving moral  
23 turpitude and he's been employed and can show proof of  
24 residency since 1980, then he will be eligible to become a  
25 permanent resident. All right.

1           Now, what the Senate wants to do, though, is  
2 they don't want to implement both these provisions at the  
3 same time. They want to have the employer sanction  
4 provision go in first, and then the amnesty kicks in two or  
5 three later. And Senator Kennedy offered an amendment  
6 wherein they would both go into effect at the same time, and  
7 it was rejected. He offered another amendment whereby if  
8 these employer sanction provisions were found to be  
9 discriminatory, then they would terminate and that was  
10 passed unanimously, in fact it was a voice vote. And then  
11 the third amendment was that all states would be required to  
12 have all medicare, food stamps, and any other type of  
13 benefits, people who would be eligible for those, would have  
14 to show proof of legal status.

15           So, that's the status of Simpson-Mazzoli. I  
16 still think that there's going to be problems, especially.  
17 I know with the so-called, the Hispanic caucus and other  
18 people who are worried about, other congressmen who are  
19 worried about civil rights of Hispanics and Asians,  
20 especially.

21           That's all I have to say.

22           CHAIRPERSON NOZERO: Thank you very much.

23           Do you have any questions?

24           MR. WALTHER: I'm curious to know where you get  
25 your estimate of 10,000 people here, Theo.

1 MR. GAMBOA: In 1980, the Latin American  
2 Information Center did a, what they call, fact finding study  
3 or something like that, and they did a census, and that's  
4 what it was estimated at that time. I would assume there's  
5 much more.

6 MR. WALTHER: More than 10,000?

7 MR. GAMBOA: Oh, no question.

8 MR. WALTHER: Why no question? That seems like  
9 a lot to me.

10 MR. GAMBOA: Well, it's just, I mean, it's  
11 common knowledge. You can go into any casino and I would  
12 say that 60 percent of the people who are maids, porters,  
13 dishwashers are Hispanics, and chances are they don't have  
14 the proper documentation.

15 MR. WALTHER: Aren't they paid by check by the  
16 casino for their salary?

17 MR. GAMBOA: Right.

18 MR. WALTHER: And don't they deduct their wages  
19 on Social Security?

20 MR. GAMBOA: No question. Some of the -- you  
21 know, I'll be frank with you, I'm sure some of those numbers  
22 aren't good. But who suffers? The alien suffers. I mean,  
23 he's paying into the system and he is never going to receive  
24 any benefits.

25 And then you go out in the ranches. You can't

1 get citizens to work out there, they just won't do that kind  
2 of work.

3 I was involved in one issue about three or four  
4 years ago where the Elko County School Board wasn't going to  
5 admit illegal alien children because of their illegal status  
6 in the country. And myself and some others, we made a  
7 presentation before the State Superintendent of the schools  
8 and the school board, and we went out to Elko to talk to the  
9 school board and there's this huge meeting, you know, must  
10 have been a hundred people in there, and half the people in  
11 ~~they~~<sup>there</sup> were ranchers and they were saying, "Listen, we got to  
12 have these people, we depend on them. If we don't have  
13 them, you know, we won't have any workers."

14 Because a citizen can go on welfare and make  
15 more money than these people are making. And in Nevada,  
16 unless you're a permanent resident alien, you can't receive  
17 any state welfare benefits at all. Unlike, you know, some  
18 of your bigger states like California and Texas where they  
19 have taken advantage of them in the past.

20 So, anyway, that's how I get my numbers and,  
21 you know, out in Winnemucca, they have those big potato  
22 fields and stuff and they're out working there and in the  
23 casinos in Elko County, all your large ranches.

24 MR. WALTHER: Do the schools now educate  
25 people --

1           MR. GAMBOA: Oh yeah, that was no problem. Who  
2 was the state superintendent of the schools, Ralph Decebio.  
3 I don't know if you remember him.

4           MR. WALTHER: No.

5           MR. GAMBOA: He issued a directive and said  
6 basically either you admit these students or you're going to  
7 lose State funding, of course they --

8           MR. SNIDER: I think the figure's  
9 substantiated. We had a figure given to us this week in  
10 another matter, and they said that eight percent of the  
11 enrollment in the Washoe County schools now is Hispanic.  
12 And if you relate eight percent to total population, say  
13 300,000 in Washoe County, you're talking about 24,000.

14           And they say that the figures -- but  
15 demographically, though, the average age is much lower than  
16 the age of the average population. In other words, most of  
17 the Hispanics in this area are younger people, usually 20 to  
18 30.

19           MR. GAMBOA: Right. What you get is you get  
20 your young single males who, you know, are strong enough  
21 and -- you know, it takes a certain amount of courage to,  
22 you know, go through borders and, you know, cross deserts,  
23 and that's what you usually find.

24           I would venture to say there's probably 2,000  
25 people here from El Salvador alone, and I would say 95

1 percent of them are illegal. And you have a sizable  
2 population from Nicaragua and Guatemala and all --

3 I mean, of course you'll see a lot more in Los  
4 Angeles and San Francisco, but these people are here, you  
5 know, because of the political and civil war in their  
6 countries.

7 MR. SNIDER: You referred to illegal alien  
8 status in order to receive benefits.

9 MR. GAMBOA: Right.

10 MR. SNIDER: Well, let's say, unemployment and  
11 this type thing. What -- further describe that.

12 MR. GAMBOA: Okay. Have you ever heard of a  
13 green card?

14 MR. SNIDER: Yes.

15 MR. GAMBOA: Okay. The first step in becoming,  
16 let's say, a citizen of the United States is you become a  
17 permanent resident. All right. In order to become a  
18 permanent resident, you have to have a basis. And there are  
19 several bases, but the primary basis is a close relationship  
20 with a U.S. citizen.

21 Now, most aliens obtain this through marriage.  
22 So, let's say, you're from Mexico or from England or France  
23 and you come over here on a visitor's visa, you fall in love  
24 with a citizen and you get married, and they file a petition  
25 for you. You don't become an automatic citizen. You become

1 a resident, a resident alien or a permanent resident. All  
2 right.

3 And that's when you receive an alien  
4 registration card and they used to be green, now they're  
5 blue and white, and they called them green cards. And with  
6 that card you have almost all the rights of a citizen,  
7 except you can't vote, can't hold public office, I mean,  
8 some high classified important governmental jobs, but you  
9 basically have all the same rights.

10 Now, the immigration laws do have provisions to  
11 the effect that if you go on welfare within five years, that  
12 you could lose it, but it's rarely enforced.

13 So, if you're an alien and you have this green  
14 card, you're a permanent resident, you can apply for food  
15 stamps, you're eligible for unemployment benefits, or any  
16 other state benefits that any other citizen would be  
17 eligible for. But if you come here illegally and somehow  
18 you get a valid Social Security card and you're working, you  
19 can't, you know, you lose your job and you need food stamps,  
20 you're not going to get them. State of Nevada will not give  
21 them to you.

22 MR. SNIDER: Will Social Security issue a  
23 Social Security card to --

24 MR. GAMBOA: No. Not knowingly, no. In fact,  
25 it's almost impossible.

1 I know the Social Security office here will not  
2 issue a Social Security number unless you have a birth  
3 certificate, U.S. birth certificate. And if you have a  
4 green card, they actually send you to the immigration  
5 office. So it's impossible now, almost impossible.

6 MS. SADER: Theo --

7 MR. SNIDER: Even a person with a green card  
8 cannot get a Social Security card?

9 MR. GAMBOA: Oh yeah, they can. Sure. And  
10 certain aliens who are in the process of becoming permanent  
11 residents are eligible for Social Security numbers.

12 For example, I gave you the example of the  
13 alien coming from a foreign country and marries a citizen.  
14 Once she files the petition and the immigration service can  
15 give them employment authorization, and with the employment  
16 authorization, they can go to the Social Security office and  
17 obtain a Social Security number.

18 MR. TETREAULT: Excuse me. Are most of the  
19 illegal aliens in northern Nevada, are most of them paid the  
20 minimum wages or are they paid less than the minimum wages?

21 MR. GAMBOA: Well, that I wouldn't know. I  
22 would say they're paid the going rate. Now, I don't know  
23 about the ranches.

24 MS. SADER: Theo, how do you suppose the hotels  
25 make employee contribution, federal and state, without a



1 Social Security number?

2 MR. GAMBOA: Well, no, the aliens invent them,  
3 they make them up.

4 You know, when you apply for a job, I mean, I  
5 can't even remember having my Social Security card, I've  
6 just always had it memorized. I mean, how many of you have  
7 it.

8 Well, most people don't so you go and apply for  
9 a job, and you just write one down. I mean, they're going  
10 to accept it, and they pay into the system. But usually  
11 what happens is the IRS when they go to do their return --

12 MS. SADER: I was going to say, that's the next  
13 thing.

14 MR. GAMBOA: -- the IRS will write the alien a  
15 letter and say, "Listen, you're entitled to a thousand  
16 dollar return, but your number's no good." So the alien  
17 never gets a refund.

18 CHAIRPERSON NOZERO: Do the hotels have an  
19 effective procedure to verify numbers or do they just sort  
20 of tolerate this practice?

21 MR. GAMBOA: Well, Tom and I were talking about  
22 that. For the past several years, the immigration office  
23 has put into effect this program. I think it's called  
24 Operation Cooperation, whereby any prospective employee, I  
25 guess if he says he's not born in the United States, they

1 send him to the immigration office and the immigration  
2 office verifies their status.

3 Now, I question the constitutionality of that  
4 practice. In effect, what they're doing is making the  
5 casinos, some of the restaurants, and other businesses  
6 branches of the immigration service.

7 I mean, if an alien goes there, and he can't  
8 speak a word of English, let's say, he's an Asian or he's  
9 from Central Mexico or South America, and he writes he's a  
10 U.S. citizen, they have no right to send him to the  
11 immigration service. I mean, all inquiry should stop.

12 But I know they send them all to the  
13 immigration office. There's this form and, of course, if  
14 the alien isn't in the United States legally, they don't go  
15 to the immigration office. And it's been working. I think  
16 it's a very successful program. But whether it's  
17 constitutional or not, I don't know.

18 MR. SEDWAY: Mr. Gamboa, is there any formal  
19 organization that you are aware of here in northern Nevada,  
20 a Hispanic organization, which is active, who would be able  
21 to provide us with information, statistics, and things of  
22 that nature?

23 MR. GAMBOA: Yes. There's the League of United  
24 Latin American Citizens.

25 MR. SEDWAY: LULAC.

1 MR. GAMBOA: LULAC, right. There's three  
2 branches here in Reno. There's two in Reno, one in Sparks.

3 MR. SEDWAY: Could you supply us with the names  
4 of officers of that?

5 MR. GAMBOA: Sure. Robert Rivas, R-i-v-a-s,  
6 and has he spoke before this group before?

7 MR. PILLA: He's spoken before but not to some  
8 of the members that are now presently sitting.

9 MR. GAMBOA: I'm sure he would have the  
10 statistics.

11 And then there's the Latin American Information  
12 Center, and they may have more accurate statistics than I  
13 have.

14 MR. SEDWAY: How about other groups like  
15 Vietnamese, Cambodians, Thailanders, are you familiar with  
16 any problems with these groups?

17 MR. GAMBOA: You know, I've seen a few in my  
18 office, but I'm not really familiar with any problems they  
19 might have. That's not to say they don't have the problems,  
20 but I'm not aware of them.

21 MS. SADER: Do you know who might be? Who  
22 might handle those problems?

23 MR. GAMBOA: No, I really don't.

24 MS. SADER: In the same capacity that you do?

25 MR. GAMBOA: No.

1 MR. SEDWAY: Are there a significant number of  
2 Vietnamese here in northern Nevada who are employed in the  
3 casino or gaming industry?

4 MR. GAMBOA: I wouldn't say there's a  
5 significant number. See, usually the Vietnamese, they don't  
6 have immigration problems because they're refugees. They  
7 come under a totally different category or classification.

8 Many of them don't even have green cards. I  
9 mean Congress says your status is refugee. They're like the  
10 Cubans, all right, they come over and they have work  
11 permits, they're not permanent residents, but they can stay  
12 here legally and work. So they don't have problems getting  
13 jobs.

14 Now, whether or not, you know, they've been  
15 exposed to certain civil rights problems, I don't know. But  
16 I'm sure there are some leaders in town, I just don't know  
17 who they are.

18 MR. SEDWAY: Let me ask you another question:  
19 Do you feel that there's some sort of an unwritten agreement  
20 between the immigration naturalization service and the big  
21 hotels not to go in and raid them, so to speak, to determine  
22 if --

23 MR. GAMBOA: Oh no question.

24 MR. SEDWAY: Yeah,

25 MR. GAMBOA: I mean, they could go down any

1 day, do a raid on any major hotel and casino and they'd have  
2 to shut the doors. It would be utter chaos.

3 The way the immigration service does it is it  
4 depends on complaints. All right. What you have is you  
5 have a citizen employee who thinks he lost a job because of  
6 an illegal alien, then he'll call the immigration service  
7 and they'll act on it. Or you have personal problems  
8 between aliens themselves, I've seen a lot of that.

9 But, you know, they only have four or five  
10 immigration officers here in town. In fact the present  
11 policy now is they aren't even deporting anyone. In fact, I  
12 think it was in the paper a week or two ago.

13 The deportation department of the immigration  
14 service has either run out of money or all the jails are  
15 full, so they're picking up people here, you know, let's  
16 say, are picked up on DUI's or commit petty offenses, and  
17 they're referred to immigration because they can't produce  
18 any ID, which is okay if they've committed a crime. So,  
19 they call in immigration, immigration writes them up but  
20 doesn't deport them like they would in the past because they  
21 ran out of money or all the jails are full. So, they're  
22 only deporting the hard core criminal.

23 But getting back to your question about this  
24 unwritten law, it's, you know, it strikes me funny that they  
25 know they're there but they don't take any action. And I

1 don't know why.

2 MS. SADER: Do you think that hurts the legal  
3 Hispanic community?

4 MR. GAMBOA: Well, that's it, it does. And  
5 it's created some deviciveness, you know, in the Hispanic  
6 community.

7 Because I grew up, you know, admiring Cesar  
8 Chavez, but I'm kind of angry at him because, you know, he's  
9 in favor of his union and his union does not advance the  
10 rights of illegal aliens, because he feels that they're scab  
11 workers. They're willing to work for less than what his  
12 union members are demanding.

13 So, there's no question it hurts the legal  
14 Hispanic people.

15 MR. SEDWAY: Can you return to your first  
16 subject, and that is the police relationship of the people?

17 MR. GAMBOA: All right.

18 MR. SEDWAY: You specifically mentioned the  
19 Sparks Police Department several times. Do you feel that  
20 the Sparks Police Department is discriminatory towards  
21 Hispanics more so than, say, the Washoe County Sheriff's  
22 Department or the Reno Police Department?

23 MS. SADER: Their community is in Sparks.

24 MR. GAMBOA: Well, there's three -- there's the  
25 Reno Police, there's Washoe County, and there's Sparks. And

1 it seems to me we have had more problem with Sparks simply  
2 because I think there's more Hispanics in that area.

3 MS. SADER: Right. That's where their  
4 community is.

5 MR. GAMBOA: Right. And, you know, there's  
6 been reports to me where, you know, a group of guys are just  
7 walking down the street, they'll be pulled over and taken in  
8 for questioning. And I mean, they're not doing anything  
9 except hanging out. And no charges are brought against  
10 them.

11 It's a problem, but I don't know what to do. I  
12 guess I could file a lawsuit, but I'm so busy with  
13 everything.

14 MS. SADER: Do you see the problem in Sparks  
15 getting better or is it --

16 MR. GAMBOA: Yeah, well, I don't know if it's  
17 getting better. I wouldn't go that far. I haven't heard of  
18 any complaints.

19 MS. SADER: Recently.

20 MR. GAMBOA: Uh-huh. But I know in years past,  
21 it's been a real problem.

22 And I remember many years ago we talked to I  
23 think Captain -- Chief Hill. I forget, I don't know who the  
24 chief of police is over there. And we talked to him about  
25 it, and they eased up for awhile.

1 MR. WALTHER: What about the outlying areas,  
2 like Winnemucca?

3 MR. GAMBOA: Well --

4 MR. WALTHER: Winnemucca's been notorious for  
5 some of their problems.

6 MR. GAMBOA: Right, there were some real  
7 serious problems there not too long ago where the police  
8 were just stopping these people for no apparent reason.

9 I think it has -- there's just a lot of anger  
10 in the community because so many Hispanics have moved in and  
11 feel they're kind of taking over and, I don't know. But  
12 it's a real sensitive area, you know.

13 MR. WALTHER: Are there some people in  
14 Winnemucca and Elko that we could invite to give us more  
15 information that you know of?

16 MR. GAMBOA: You know who would talk to is I  
17 would contact the Catholic priests in Winnemucca.

18 MS. SADER: Good idea.

19 MR. GAMBOA: I believe I would contact the  
20 Catholic priest out in Sun Valley. I mean, they have their  
21 own church now, it's all in Spanish, it's just this little  
22 small Catholic church and Sun Valley has a, you know,  
23 good -- I would say probably 50 percent of the people out  
24 there. Maybe not that high, but there's a lot of people out  
25 there.



1                   And I'd go to the churches and talk to the  
2 priests, and I think they can give you a lot of information.

3                   MS. SADER: There are over 12,000 residents in  
4 Sun Valley.

5                   MR. GAMBOA: Are there? Well, maybe there's  
6 not 6,000, but I would say there's several thousand out  
7 there.

8                   MS. DeLUCA: Do you have any knowledge of an  
9 estimate of the number of illegal aliens in southern Nevada?

10                  MR. GAMBOA: I have no idea.

11                  MS. DeLUCA: Just something you heard from your  
12 colleagues or --

13                  MR. WALTHER: What lawyers down in Las Vegas do  
14 immigration law?

15                  MR. GAMBOA: I believe her name's Eva Garcia.

16                  CHAIRPERSON NOZERO: That's correct.

17                  MR. GAMBOA: Ochoa and Garcia. I would contact  
18 Deliah Martinez.

19                  CHAIRPERSON NOZERO: Ochoa is no longer with  
20 Garcia, so --

21                  MR. GAMBOA: I know, he's opening up an office  
22 here.

23                  CHAIRPERSON NOZERO: Oh, is he?

24                  MR. GAMBOA: That's good. We need more  
25 Hispanic lawyers up here. Give me a break.

1                   Who else is up there? I went to law school  
2 with this guy named Fernando Guzman, and I don't know if he  
3 does immigration work or not.

4                   MR. SEDWAY: I know one attorney, Ed Weinstein  
5 does a lot of immigration work down there.

6                   MR. GAMBOA: Yeah.

7                   MR. SEDWAY: I think that's really all he does.

8                   MR. GAMBOA: It's only about 20 percent of what  
9 I do. I've always -- it interests me. Keeps me fluent in  
10 my Spanish.

11                   MR. PILLA: Let me ask you one question: How  
12 can you reconcile the high figure of undocumented that  
13 might be working in the casinos and hotels with what the  
14 immigration<sup>and</sup> naturalization service is telling us about  
15 Operation Cooperation and its impact?

16                   MR. GAMBOA: It's because when these casinos  
17 were first built in the late '70's, I would say that 90  
18 percent of the, you know, dishwashers, porters, maids were  
19 all illegal aliens. And, you know, it was just -- they  
20 didn't go back into the casinos and start checking everyone.

21                   MS. SADER: They were already there.

22                   MR. GAMBOA: So, it's just for new employees,  
23 and it wasn't retroactive.

24                   MR. PILLA: Thank you.

25                   MR. GAMBOA: But it is working. The program is

1 working.

2 And what happened is, getting back to the  
3 question that you asked, the issue of these work permits and  
4 Social Security cards are directly related to our economy.

5 I mean, I remember summers where the casinos  
6 are just booming and all of a sudden the immigration office  
7 is issuing work permits for almost no apparent reason. It's  
8 because they need the workers. And then at the end of  
9 summer, every year, things slow down, no more work permits.

10 MR. SEDWAY: How long are those work permits  
11 good for?

12 MR. GAMBOA: Well, indefinitely, that's just  
13 it. Well, sometimes they put three months, sometimes six  
14 months, sometimes -- you never know. It's always changing.  
15 Someone's making these decisions, I don't know who it is.

16 MR. SEDWAY: Just unilaterally they can write  
17 down anything they want --

18 MR. GAMBOA: Oh yeah.

19 MR. SEDWAY: -- or is there a directive on it?

20 MR. GAMBOA: Well, no, I think there's a  
21 directive.

22 At one time all your Central Americans that  
23 were coming over illegally and seeking asylum, the minute  
24 they filed the application for asylum, whether it was bona  
25 fide or not they, gave them a work permit. That's changed,

1 now it has to appear to be a bona fide application for  
2 political asylum. But it always changes.

3 It's directly related to the economy. That's  
4 why in Simpson-Mazzoli, even in this article here, the major  
5 land owners are concerned about the seasonal workers, you  
6 know, with our perishable fruits. They want to have at  
7 least -- I think it said here 350,000 -- I may have read the  
8 article in the Chronicle-- 350,000, you know, illegals here,  
9 you know, at at high season to pick the fruit.

10 MR. SNIDER: What happens to these people then  
11 after the season is over?

12 MR. GAMBOA: Well, supposedly they're supposed  
13 to go back home.

14 MS. SADER: But they don't.

15 MR. WALTHER: A lot of them do.

16 MR. GAMBOA: A lot of them do. I grew up in  
17 around Fresno, the San Joaquin Valley, you'd see families  
18 come every year and then go back.

19 But there's a percentage that always stay. You  
20 know, they make, the dollars here and buys a lot of pesos  
21 back there. But there are some that stay, there's no  
22 question.

23 MR. SEDWAY: What is the feeling of the  
24 resident Hispanic community towards the illegal alien?  
25 Could you address that?

1 MR. GAMBOA: Well --

2 MR. SEDWAY: Have you got a sense of how they  
3 feel about it?

4 MR. GAMBOA: Well, some of them are very  
5 sympathetic with their plight because, you know, the  
6 immigrated ones, the ones who are citizens or permanent  
7 residents were, you know, in their shoes not too long ago.

8 MR. SEDWAY: They went through the same thing.

9 MR. GAMBOA: Right. But, you know, many of  
10 them I've heard them complain, "Hey, they're taking our  
11 jobs, they're depressing the wages." And they do complain  
12 about it.

13 Some of them think, hey, these economic  
14 sanction provisions are good, we need them, you know, they  
15 want to protect what they have.

16 All of them, though, are in favor of the  
17 amnesty provisions, which would give all these people that  
18 were here the right to immigrate. I don't know of anyone  
19 who has problems with that.

20 MR. WALTHER: Does it give an absolute right?

21 MR. GAMBOA: No. Like I said, they have to  
22 show that they've been here and they're persons of good  
23 moral character and all of that. And that's going to be  
24 hard for some of them, you know, if they've had a DUI here  
25 and, I mean. You know, they're going to have to prove it.

1           You just can't come in and say, "Well, I've  
2           been here since 1980." They're going to have to show school  
3           records if they have children, verify it through paycheck  
4           stubs and however they do it. And it's going to be  
5           interesting to see how it works.

6           As I understand it, they are going to have  
7           nonprofit agencies assisting the immigration service in  
8           processing these applications.

9           MR. SEDWAY: You said that these illegals are  
10          not eligible for Medic-Aid and things like that. If someone  
11          is medically indigent and say they're in a severe trauma,  
12          something like that?

13          MR. GAMBOA: Right.

14          MR. SEDWAY: Do they then fall under the  
15          purview of the county?

16          MR. GAMBOA: Right, they do.

17          That, you know, one of the main arguments  
18          against illegal aliens is they are a drain on the economy.  
19          And, you know, we always counter it by saying, well, you  
20          know, they pay taxes, their rent, you know, they pay taxes  
21          when they buy food, they're consumers. And they pay into  
22          the Social Security system and don't get the benefits, and  
23          they pay into a lot of systems and don't get benefits back.

24          But where they do hurt the economy is when like  
25          there's a major injury, they have no medical insurance, and

1 they're in the hospital for a month, then run up huge bills,  
2 and then counties do suffer, there's no question. And in  
3 the rural counties, it's been a real problem. I understand  
4 in our last session, they passed some law.

5 MR. SEDWAY: Medically indigent.

6 MR. GAMBOA: Right. In fact I, our law firm,  
7 has something to do with it. For Saint Mary's we filed a  
8 suit against the County because the indigents were injured  
9 and taken to Saint Mary's, the bill would not be paid, but  
10 if they had been taken to Washoe Med it would have been  
11 paid.

12 MR. SEDWAY: You're the guy that sued them?

13 MR. GAMBOA: Yeah, that's my case.

14 MR. SEDWAY: Any other questions?

15 CHAIRPERSON NOZERO: Any further questions?

16 MR. GAMBOA: I know you all have flights to  
17 catch.

18 MR. SEDWAY: Thank you very much.

19 MS. SADER: Thank you very much.

20 CHAIRPERSON NOZERO: Thank you, we appreciate  
21 it.

22 MR. GAMBOA: Okay.

23 CHAIRPERSON NOZERO: Do you have something?

24 MR. PILLA: Yes. The second agenda item was to  
25 be a presentation from Mr. Parks from the immigration and

1 naturalization service.

2 For the record, I would just like to show that  
3 he cancelled out yesterday, and so we will get some further  
4 information from him in writing. I will draft the letter to  
5 him and attempt to solicit data that we need for the record.

6 (Whereupon, the proceedings  
7 were concluded at 1:00 p.m.)  
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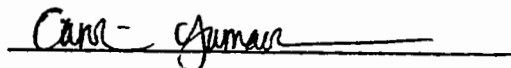
STATE OF NEVADA,        )  
                              )  ss.  
COUNTY OF WASHOE.     )

I, CAROLINE YAMAOKA, Certified Shorthand Reporter in and for the County of Washoe, State of Nevada, do hereby certify:

That at 12:15 p.m., Saturday, September 14, 1984, at 5851 South Virginia Street, Tahoe B Room, Reno, Nevada, I was present and took stenotype notes of the hearing held before the Nevada Advisory Committee to the U.S. Commission on Civil Rights in the matter entitled herein, and thereafter transcribed the same into typewriting as herein appears;

That the foregoing transcript, consisting of pages 1 through 30, is a full, true and correct transcription of my stenotype notes of said hearing.

Dated at Reno, Nevada, this 6th day of October, 1985.



Caroline Yamaoka, CSR #184