

---

**Interviews with Residents**

**Chandler, Arizona**

**September 26, 1998**

---

**United States Commission on Civil Rights**

---

## Residents of Chandler, Arizona

Audio tape one, side A	page 3
Jose Garcia	page 3
Rosalea Garcia	page 11
Audio tape one, side B	page 24
Sylvia Encinas	page 29
Martin Sepulveda	page 35
Audio tape two, side A	page 48
M.R. Diaz	page 48
Ed Delsey	page 60
Audio tape two, side B	page 73

MR. R. GARCIA: We're going to tape this today on September 26, 1998, at the Church of the Nazarene for record-keeping purposes, but we want to let you know — your name was . . . ?

MR. J. GARCIA: Jose Garcia.

MR. R. GARCIA: Jose Garcia — that this is an informal fact-finding meeting we're having this morning, so we're not going to have you do sworn testimony or anything like that. We're interested in just getting your general perspective as a citizen of Chandler on what took place that day. And we're interested in hearing your thoughts on it — mainly the facts —

MR. J. GARCIA: Uh-huh.

MR. R. GARCIA: — as you experienced them.

MR. J. GARCIA: Okay. You want me to tell you?

MR. R. GARCIA: Yes, yes.

MR. J. GARCIA: Okay. Originally, I wasn't even in town. And we live right outside the city limits of Chandler, but we have a business right downtown in the 85 West Boston (inaudible).

And initially, I found out about it through my wife when she came home and she was telling me that several of our members, who are mostly Hispanic, had come into the store complaining about how they were being treated by the police officers. And my wife advised me that she had called Chandler police to file a complaint and find out what was going on.

I told her that I didn't think that was a very good idea, because right away the officer wanted the information as far as the victims, their names,

addresses, and so forth, so they could go contact them. And I told her she should have told all the victims to go ahead or that the people that complained to contact an attorney before they contacted the police department.

Afterwards when we came into the store in the evening, we saw the Chandler Police and the border vigilantes riding around on bikes together. I also saw several (inaudible) along the street there, made by Chandler police officers.

MR. R. GARCIA: Which street?

MR. J. GARCIA: (Inaudible.) And also on Arizona Avenue and assuming that — by the third day, that downtown area was pretty well deserted. People were afraid to come out. We got phone calls at the store that people didn't want to return our videos because they were afraid to come out on the street.

And I myself talked to several people who had complained about how they were treated. One particular (inaudible) who was here legally, advised that he was stopped at least three times within a distance of a block both times. Chandler (inaudible) put the police and border patrol, and each time he had to produce his documents showing that he was here legally.

Then afterwards, after this whole thing stopped or finished or whatever, we had a community meeting here with the police department and citizens and this place was full, overflowing. And the police department sent over Lieutenant Anderson, who was supposedly in charge of the operation, and

Lieutenant Villa. Villa didn't have any idea what was going on, and he had no knowledge of how it was planned or anything.

But at that time, I had already written a set of ten questions that I wanted to ask Lieutenant Anderson or the city representative, and —

MR. R. GARCIA: (Inaudible.) questions?

MR. J. GARCIA: Oh, yeah. I got a copy of it, and I got a copy of the response by the city. Anyway, at this meeting the (inaudible) assistant city manager was here and my concern was that, from what I was hearing, there was no probable cause for any of the stops that the police officers were making.

And from hearing Lieutenant Anderson speak, the only two criteria that they were using to determine whether a person was going to be stopped was the color of their skin and their ability to speak English, which — you know, if we didn't live so close to the reservation, it might be something that they could hang their hat on.

But there's several Native Americans that don't speak English and they're very dark-skinned. They could have been stopped. So anybody that had dark skin and didn't speak English well was suspected of being illegal and were stopped.

And in this conversation, Lieutenant Anderson — or in this meeting, Lieutenant Anderson took full responsibility for planning and implementing this operation, and he threatened to do it again if he thought it

was necessary. And anyway and then afterwards, we met with the city council, the mayor, and the city manager. This was about a week later after I had already submitted my questions to the assistant city manager.

And finally, you know, I brought up the point that they already had over a week to respond to my questions and nobody had responded. And I thought that was very rude of them.

And finally, they responded and in that — in the response — it indicates that the police department was in charge of the entire operation. And it states something like "It was conducted under the direction of the Chandler Police Department." I have a copy of that also.

MR. R. GARCIA: The Operation Restoration — is that what it's called?

MR. J. GARCIA: Right. And then later on we went to a city council meeting. At the city council meeting, I brought up the fact that, if you're not driving, you don't have to produce any kind of I.D. And the fact that there is no national card — that is just — or is proof of citizenship.

Because, from what I had been told by our members, the police department was not accepting your driver's license, your social security card — documentation showing that you're here legally, you know, the green card or a residency card. They weren't accepting birth certificates.

So, you know, I asked the council just exactly what they wanted us to produce. And at that time, the city attorney said they had to produce a

driver's license. And I said, "No, you don't have to produce a driver's license unless you're driving," and that's the only thing.

And we — you know, I must have talked to about at least 50, 60 members that complained about contacts with the Chandler Police Department, and there was never one complaint about the border patrol. And they explained to me that they felt that was border patrol's job. But for the police department, to stop you specifically to ask you for immigration papers or your legal status here, they did not feel that was right.

MR. R. GARCIA: Did you get stopped?

MR. J. GARCIA: No. I — no. We didn't get stopped.

MR. R. GARCIA: And you were out and about during that time?

MR. J. GARCIA: Oh, yeah. Uh-huh.

MR. R. GARCIA: And did you see other encounters?

MR. J. GARCIA: Oh, yeah, several traffic stops like I said. And one of the things that I pointed out to one of the councilmen was that to me — because I'm a retired police officer — to me, when a person makes a traffic stop — when the officer makes a traffic stop, it's a waste of manpower to have three or four officers for one individual.

And that was not uncommon for them to stop somebody in the downtown area and have three or four officers, and then they only have one occupant in the vehicle; but yet they had three or four officers.

MR. R. GARCIA: You think maybe you we're stopped because they

know you in town?

MR. J. GARCIA: Could be. I don't know.

MR. R. GARCIA: Is there anything else you'd like to share with us?

We're running short of time. We need to hear the other people.

MR. J. GARCIA: No.

MR. : Let me ask you a couple questions.

MR. J. GARCIA: Okay.

MR. : Now, on this, on this committee, was there any indication in this committee that the Chandler Police Department was the lead agency?

MR. J. GARCIA: Well, at the community meeting here, Lieutenant Anderson said that he, he himself, had asked INS and border patrol to get involved.

MR. : He had?

MR. J. GARCIA: Right.

MR. : He requested it? All right. Another issue of what is training — how much training does the police department give in these procedures with INS?

MR. J. GARCIA: According to Lieutenant Anderson, they didn't get any training other than briefings just prior to going out on the street.

MR. : Okay. One of the things that I want to make — a couple of things — and I'm now going (inaudible) you know, from reading



everything that I've read and talking to Lieutenant Anderson, attending these meetings and — that the basis that they give for the roundup that the members complaints (inaudible) and yet in the attorney general survey and in some of the documentation that I have read, there was more complaints about the lack of general concern (inaudible) than immigration.

MR. : In regards to general disorder? Or what do you mean, general concern?

MR. : Well, see the city sent out, I don't know how many thousand surveys, wanting to know about crime and how they felt about their neighborhood and so forth. And I think the police department sent out something like 18,000 surveys and the city, the mayor sent about 8,000 or 9,000.

MR. R. GARCIA: How long ago were the surveys sent out?

MR. J. GARCIA: Prior to this (inaudible)

MR. R. GARCIA: Do you know what month or —

MR. J. GARCIA: No, I —

MR. R. GARCIA: It was just a city survey?

MR. J. GARCIA: Right. But on the mayor's survey, there wasn't any mention or any comments of illegal immigration.

MR. R. GARCIA: Uh-huh.

MR. J. GARCIA: And in the police department, there was one reference to illegal immigration.

MR. R. GARCIA: So there was two surveys: one done by the mayor and one by the police department.

MR. : (Inaudible.)

MR. J. GARCIA: Anderson has been relaying this false information to all the citizens of Chandler, to the press, to the border patrol. Because that's what they — you know, from what I've read and I have copies of all the aspects from the border patrol — is that they were told that they were having a big problem with immigration. And they have nothing to base it on.

And in the meeting, Anderson had to admit that any of the community meetings that he had attended, they did not bring that up because one of the people in the audience had gone to those meetings. And she made him acknowledge the fact that nobody had complained about them. Then afterwards, he said that somebody might have talked to them after meeting. But they don't have any —

MR. R. GARCIA: Was there any border patrol representatives at any of these meetings?

MR. J. GARCIA: No, none whatsoever.

MR. R. GARCIA: Anything else?

MR. : No.

MR. R. GARCIA: Thank you very much for your time.

MR. : Appreciate your time.

(An approximate 15-second interruption in the tape occurred at this point.)

MR. R. GARCIA: . . . so we can keep better notes. But again, my name is Rudy Garcia, and I'm the subcommittee chair for the Arizona Advisory Committee on Civil Rights.

MR. : I'm Richard (inaudible)

MS. GARCIA: (inaudible)

MR. : One of the subcommittee members.

MR. : Could you . . . for the record.

MS. GARCIA: Oh, Rosalea Garcia.

MR. : Thank you.

MR. GARCIA: Again, what we're doing today is, basically, informally gathering facts in regards to alleged incidents that occurred here in Chandler sometime ago.

MS. GARCIA: Uh-huh.

MR. GARCIA: And our mission is to then report these findings to our full committee, and then they'll decide on whether or not they need to do a formal hearing which will involve additional citizens, and perhaps other people involved in the whole affair.

So today, all we're asking you, basically, is to express your viewpoint of what transpired. If you have any personal experiences that you could share with us at this time, we like to know that, so that we can begin drawing a consensus as to what actually took place.

MS. GARCIA: All right. Well, in my opinion, we're — I have a small

business in the downtown area. It's a small video store.

MR. GARCIA: Are you married to Jose?

MS. GARCIA: Yes, uh-huh. He's my husband.

MR. GARCIA: Okay.

MS. GARCIA: And I taught in the Chandler School District for nine years; I was a bilingual education teacher. And we've had this business about four years. So I'm familiar with most of the children in the area and the parents. I've had, you know, some contact with them.

The majority of our customers are from this area; they're Spanish speakers. And our store is, basically, bilingual. We have English and Spanish titles.

It's at 85 West Boston Street. At the time of the incident, it was 91 West Boston Street, which was right next door. So we just moved over one space. But at the time when this happened in July, we were at 91 West Boston Street. And the entrance to the store had a couple of double doors that would open.

And the first time that I became aware that something was happening, we had returned to the store in the afternoon. And the girl that worked for me — the young girls that were working for me at the time were very upset, you know, because they said that something was going on. And they didn't know what was happening, but they were afraid. And I said, "Well, what are you afraid of?"

And they said, "Well, they're doing something. They're stalking people in the street, you know. People have come in to get their movies, and as soon as they go out, you know, they've been stopped."

I said, "Who's stopping them?"

"The police and immigration."

"Why? You know, why should that be?"

And I had told Joe, and I said, "I don't think that's right. Why, why should they be doing that?"

And then right downtown, right in the walkway, right in front of all the stores, and our store is not really far from the pharmacy, which is right on the corner, and a lot of our customers would walk to the pharmacy and they would walk to the bank which on the adjacent block. And so most of the errands that they do are within walking distance. A lot of them don't have transportation, so they walk.

And people, you know, would pass by back and forth. There was a produce store next door, a couple of doors down at the time. And people would go there to buy their produce and stuff and then they'd go to the pharmacy and go to the bank and do their errands. And they were stopping them along the walkway, you know.

And I told Jack, "I don't think that's right, you know. It just doesn't seem right to me." And as it is, you know, you know, they feel uncomfortable coming downtown, you know, sometimes because the police are

here and all that. And so — and, you know, we saw them, you know. You know, Joe and I watched, and they did stop them. They never came into our store, you know. They waited, you know, for people, you know, that came in. And then after they went out, that's when they would stop them. And so that irked me, you know. I thought, "That's not right, you know."

If they're going to stop them, why don't you stop them (inaudible) you know. I mean, why do that? And I had some customers who came in and then they just stayed for awhile, until we moved out. I told them that — that I, you know, I know, you know. And they stayed, and we talked and stuff.

But he generally did that anyway, until they moved on farther down. And then he left. But I thought that (inaudible) I felt very, very angry for one, because they did that. And I thought, "You know, why should they intimidate people like that?"

They know that for one — and most of these people are used to immigration being here. They know, and they tell each other.

MR. : Yeah, I was going to ask you if I would interrupt one second —

MS. GARCIA: Uh-huh.

MR. : — why, you had mentioned that they hesitated, before all this happened, to come downtown for the reason that they're, I guess a law enforcement presence, even before?

MS. GARCIA: Uh-huh.

MR. : Before (inaudible)

MS. GARCIA: Well, one of the store owners had told me that the merchants downtown had asked the police department to make themselves more present, because they thought that there was a need for them to be present, you know. Because they had people that were loitering, you know, by the pawn shop and by the drug store and those kinds of things. So some of the merchants were concerned about that. They didn't want them loitering and then they didn't want to see them.

MR. : Is this in the same area where your store's —

MS. GARCIA: Yes, uh-huh.

MR. : — located?

MS. GARCIA: Uh-huh, yeah. So anyway, it was like on a Monday. I think they — it happened on a weekend. And then on a Monday, I went ahead and called, and I talked to a Sergeant Kelly, who, you know, was with the police department. And I asked him about, you know, why this was going on, you know, that it didn't seem right to me, you know, that this should happen.

And at the time, you know, he told me that "Well, they had some complaints and some neighborhood meetings. And that was why they were there and that it wouldn't be for very long." You know, they were just going to make their presence known and immigration — they were working with immigration, and they were just going to (inaudible) then they'd be gone.

And I thought, "That doesn't, doesn't seem right."

So then, I decided to go ahead and talk to some of the other merchants and see, you know, how they felt about it, you know. And the man that had the clothing store was saying, "Well, yeah, you know, they — you know, they're stopping my customers and stuff and they won't come because now they're afraid, you know. They're not going to come," he said.

And it wasn't — it isn't just immigration, it's the police department. So every time they see a police officer, it's like, you know, you know, just don't — don't go down there or stay away from there or avoid that, you know.

And I thought, "Oh, that's not right." So I talked to — there's a an Oriental man who has a little store and, you know, he said, you know, he didn't have any problem with anything, you know. He didn't want to get involved, you know. That was not his thing.

And I talked to — Erasmo Flores (phonetic) had a business across the street, and he's gone now. And I talked to him, and well, you know, they were kind of concerned. And they're Hispanic, but, you know, he said, "Well, you know, we really don't want to get involved, you know."

It was that kind of attitude. And in the course of making my rounds, i.e., you know I was coming back, and that's when I ran into the last merchant that I talked to. And he just told me that — he asked me, you know, why I was making trouble, you know. I mean, "What is it that, you know, why



do you want to do that, you know? They're just trying to clean it up, you know, and they're trying to, you know, make it better downtown."

And I says, "Well, make it better for who, you know?"

MR: (inaudible) was this other owner.

MS. GARCIA: The gentleman that owns Savons. You know, he has an ice cream store right downtown. It's a very nice store. He's been there many years.

MR. : Is he Hispanic, or is he —

MS. GARCIA: I believe he's affiliated with the family Haseronald (phonetic) and Brunchis (phonetic) and so they have a vested interest in staying in the downtown area. And he asked me why I was anti-law enforcement, at which point, I got very upset.

And I said, "If you knew anything about me, that's the last thing you'd say about me, you know. My husband was a cop; my son is a cop, you know. Where do you get anti-law enforcement? You know nothing about me."

But he was very upset with me, you know, because he said that, you know, I had no business doing that, you know, and there was need to do that.

And I said, "I feel there is a need to do that, because these people do not have the resources nor the inclination to have voice or to have a say in anything that happens to them. You know, they're victimized constantly,

you know, and it's just not right," I said, you know.

And that was the only thing that, you know, for me that was my thing. That was my interest, you know. I just didn't think it was right. I felt that, you know, if they felt they had a right to say something in their own defense, they would say it. But most of them don't.

You know, they'll say, you know, they're intimidated. They have no self-confidence, you know, in themselves, you know, and whatever people say, "Well, that's okay, you know. That's okay, you know; we just have to learn to deal with that."

And they're very — they know how to deal with immigration. They've always been, you know, able to deal with immigration, but not the police department, you know. The people in this community had always felt safe around law enforcement, I think. You know. They may not have trusted them completely, but they weren't afraid of them. You know, there wasn't a fear. And after this incident, it was like "I don't even want my children close to a police officer, you know.

MR. : If I could ask two questions, because we are running a little bit late on time: How in your mind — how bad was this loitering problem that people had expressed concern about?

MS. GARCIA: Well, I didn't see it, you know, but, you know, you have to remember that I had only been there about a year, you know, so I don't know, previously —

MR. : (inaudible)

MS. GARCIA: — uh-huh, I don't know what their problems were previously to that. I know that walkway in front of all the stores there, you know, are, I mean, they were — had always been used because that was the major walkways. I myself, you know, I didn't see it as loitering.

If somebody stops to talk and, you know, at a — you know, at a pole, you know, I mean, I don't think that was loitering. But then I haven't had that long a time there. And now, we've been there a couple of years, you know, but, with my clientele, you know, they are people that I know, and people that come, you know, pretty consistently. It's not people that — I get very few people that are unknown, you know, that I don't recognize, you know. So I feel very comfortable.

MR. : Were you stopped any time during that period?

MS. GARCIA: No, no, I was not.

MR. : Were you close enough to law enforcement or anybody else that you (inaudible) could have or —

MS. GARCIA: Oh, yeah. I did have a traffic stop after this incident. I was speeding as I was coming down Arizona Avenue, and it was a motorcycle policeman that stopped me. And, you know, for the life of me, I was so scared. It was, you know, like, Oh, God, no, you know. And I felt very uncomfortable, and I felt afraid, you know.

And I had never felt that way before, you know. And I knew

what I had done, you know. I was aware, you know, that I was speeding, you know. And I pulled off onto Frye Road, and he, you know, he stopped me.

But I was very, you know, I didn't say anything negative. I —

MR. : This was after, so he didn't —

MS. GARCIA: Oh, yeah.

MR. : — ask you for any documentation of citizenship?

MS. GARCIA: No, no. He asked me for my driver's license, which was — and then I didn't have my (inaudible)

MR. : I have one more question and then I'll ask Richard.

MS. GARCIA: Okay.

MR. : What was the presence of the INS before all this, before July, before this whole thing? I mean, were they here regularly? You'd mentioned something that there was always a kind of an understanding or, you know, no real fear of the INS being here.

MS. GARCIA: Yeah. Well, I had never seen them before. I had not seen them until that time, until that period of time. You know, I've lived in Chandler 23 years, you know. And we live out in the country.

I mean, I've seen the border patrol, you know. I've seen people run from them, you know. You know, I've seen that, but I had never run across, you know, like, you know, I had never been confronted with it right in front. And it's just so odd to me, you know. And so many, I mean, to me it

seemed like, what in the world are you doing? It was just like they were just sweeping the street from one end to the other and just converging on the whole sidewalk, you know.

And so within the next few days, it was like a ghost town, I mean, you know. Nobody wanted to come in. And then you could see the — and then, what made it worse, was that the police officers were making the stops. Then it wasn't just immigration, the police officers were making the stops.

And so people were just like really confused. If I was confused, can you imagine? You know (inaudible) oh, my, what would possess them to do that? But before that, you know, you — and you heard it, you know, like, I have customers that come in. And, you know, they'd say, "Oh, so and so, you know — I told so and so not to go that way because that immigration was over there, you know."

And you're very much aware of that. And they tell each other, you know, when, you know, where they should avoid or what they should avoid. And it has always been immigration. *La migra*. You know, that's what they are, you know. But they had never, you know, talked about police officers, you know.

And after this incident, you know — you know, we have quite a difference in this community, you know. (Inaudible) I, you know, I'm (inaudible), you know, and here I am (inaudible) (Spanish spoken here) Because in my mind, it shouldn't have been that way. And so that's what I

would say, you know.

And so they would say, you know. (Spanish) You know, I don't need that. Oh, yeah, yeah. And so, and a lot of people that would come in — I, at the time, you know, I had a lot of people who were gone, you know. They had been picked up. They had been taken.

They had been, you know — and then we had some people come back, and then I had people call me and say, "(inaudible), you know, I have your movies, but I can't take them back yet, because, you know, they're out, you know, and I'm afraid, you know. (Inaudible) just wait until you can, until you feel that you can. And then I know a lot of people who had disappeared for a while, and they come back. (Inaudible)

And I said, "Oh, okay." You know. And then they were very, you know — if they themselves could see it different, you know, in the way that law enforcement was, you know, in regards to their situation. You know, how could we not be aware, you know, that that wasn't right, you know. It's not right; we have to keep (inaudible)

MR. : Do you have any questions (inaudible)

MR. : Just on the overall atmosphere, overall feelings that starting with the feeling of this merchant feeling that you were raising some trouble — you were a trouble-maker; and you were anti-law enforcement — and this kind of atmosphere of can't fight the police and can't fight the establishment and that kind of thing; that the feeling that you got of

intimidation when you saw the police, that you got stopped, so, and you said this big, big sweep, this big force — how many do you think there was of police and immigration would you say?

MS. GARCIA: Well, the one day that they were watching, they were coming in from the east side and the west side and there had to have been three of each on each side, you know, because you could see them come in.

At one point, I observed a motorcycle policeman on the sidewalk, who had come up to the Savon, you know, which was really strange, you know, because we had never seen a motorcycle cop downtown, you know, much less, you know, on the sidewalk — on a walkway, you know. And it's a wide walkway; it's like a big sidewalk. It's like a porch, like a porch-type thing. That was really unique.

It was very unnerving, you know. It made me feel — it made me feel — and you know, I felt a little guilty, because I thought, "You know, so how come they're not coming in here?"

Because the other merchant over at one of the candy stores that was there — they went into his place, and they went into the boot store place, you know. But they didn't come into mine, you know.

So I even felt a little guilty, because I thought to myself, "Huh. Go ahead. Come into my place." You know, I kept thinking, "You know, (inaudible) so how come they don't come into mine, you know. I mean, they have, you know, they were right in front of my doors. As a matter of fact, you

know, just them being there, you know, intimidated my customers who had felt very comfortable coming into my place. But even though they didn't come in, they were right at the front door.

If you can imagine, you know, this presence — and there in full uniforms, you know, very — and their uniform is — the INS is very, you know, very, very military-like. And then, well, all uniforms are, you know, remind me of the military. But to me, it was unnerving. To the girl that worked with me, it was unnerving; so can you imagine for people that were coming in . . .

**TAPE ONE, SIDE B BEGINS HERE**

MR. : . . . finalize sort of — so it was kind of intimidating kind of force or —

MS. GARCIA: Unnerving.

MR. — unnerving for most brown-skinned people?

MS. GARCIA: You know, and I, I remember thinking to myself, "Gosh, you know, what makes me any different, you know? I'm not any different from anybody else, you know, so why not question me, you know." Other than the fact that maybe, I don't know, maybe they know who I am or they're aware of who I am or whatever, maybe that's the kind of —

MR. : During this period after it had already started, law enforcement never came to your business and gave you information and said, "This is what we're doing, and this is what's going on. And this is why we're in front of your business?"



MS. GARCIA: No.

MR. : That never happened?

MS. GARCIA: No. When I called and Sergeant Kelly is the one who talked to me, you know, told me, you know, it was — I don't remember what he said, but I told him that I was very concerned about that, that I didn't appreciate them, you know, doing that in front of the businesses, that it was — well, for one, it is very bad for business, so it's, I mean, you know, that's a fact for anybody's business. I don't care what it is, you know.

And he — that's when he said that, well, you know, it wasn't very long, you know, it wasn't going to, you know, it was just an operation that they were doing and they would be out of there and they would stay out of the downtown area, and so, you know, I thought to myself, "Well, somehow, that doesn't make me feel real good, because anytime you're anywhere in this area, it's not good, you know, for me, as far as I'm concerned."

It's certainly not good for my customers, you know. And those customers are people that I cater to, you know; they're just like anybody else. It's like I had a phone call, an anonymous phone call. Somebody telling me to go home, you know, and I'm, like, "Go home where? This is my home, you fool, you know." I'm here, you know.

And that sometimes made me feel guilty, because I thought, "You know, gosh, you know, what makes me so different? Whether I'm from here or over there, you know. I look the same; I speak Spanish very well. I'm very

vulnerable." Otherwise, I wouldn't still be here, you know.

You know, I enjoy, you know, business. That's why I went into it. And that's why I took this opportunity. And if someone had told me a few years ago that this would have happened, I would have said, "No way." You know, because I am not a person that would have — that I would have thought would have gotten involved, but it was just such an emotional thing.

I thought, "This not right, you know." And I'm not used to complaining. I'm not a complainer, and I'm not a trouble-maker. I just, you know, that is not — and I have always liked to do things, you know, the right things. And try to resolve things the right way.

But this, my gut reaction was "This is not right, you know." I don't like it; I don't like it; I don't approve of it; and it really makes me feel uncomfortable, you know. It's just not right.

And then, it was really bad when people started coming in and they'd say, "Romea, you know, they took kids. They took this, you know, they did this, they did that."

And it was just, like, oh, my God, you know. And I said, "No, that's not right." But they themselves, you know, they say, "Well, you know, immigration is all right, because we can deal with that; but not the police department, you know."

And then a lot of them, you know, had their things taken after they were gone. You know, they had their — they lost their possessions. They

lost deposits on apartments, you know. You talk about being victimized, some of them had given — had apartments over there. They've lost apartments; they've lost deposits, some of them that were trying to get an apartment, you know.

They lost their possessions; they were burglarized, once they were taken from their homes, you know. Their things were still in there, you know. They were taken; they were burglarized, you know. That's being a victim.

They picked them up at the grocery store; they didn't even let them take their cars. They left their groceries, you know, just all kinds of stupid things, you know.

And I thought, "That's not right, you know." You know, I understand, you know, you want to take them, that's fine. But, you know, let this woman get her baby; let this woman get her stuff for her baby, you know. You just don't, you know, say, "Hey, get in," you know.

MR. : Do you know if some of these people that were taken like that in the raid would finally produce the documentation required to return?

MS. GARCIA: Uh-huh. Some of them had been stopped — well, one of the incidents was over at Foley Park on a Sunday. They did that on a Sunday. And traditionally, that's when they would go and play soccer; they'd go to picnic; they'd take their kids. They'd, you know, there was a lot of families there.

And when they did that, when they were there, you know, a lot of them, they just picked them all up, you know. And them people, you know, if they didn't have their papers on them, they had to have relatives go get their papers and stuff. And then they wouldn't allow them to do that, you know. There were a lot of people that were accused of having false papers, you know.

"Oh, those papers are no good."

You know, people that — they have their papers thrown at them. People that, you know, they had their papers thrown on the ground, you know, just rude, you know. That's not — you don't treat people that way.

I mean (inaudible) who have something, and you ask for it, and, you know, you take it the way you give it to you. But you don't throw it at people, and you don't accuse people of lying, you know. And, gee, you know, there's a way to do it. And this was not the way to do it.

I was very upset, and I — when that merchant told me that, you know, and I said, "Well, you know," I said, "it seems to me, like," I said, "you know" — because he said that, you know, I shouldn't be catering to illegals, you know.

And I said, "Excuse me." I said, "Do you mean to say that, you know, a person comes into your store to buy a \$50 pair of Levi's, you turn them down? Or you ask them for papers? Because I know for a fact that you sell a lot to Hispanics. And not all of those people are legal, you know."

He said, "So then their money's okay."

I said, "So do we start asking them to produce their papers in order to deal with a merchant?" I said, "Do you do that?"

And he says, "Well, no, of course not."

"Well, then, the point is you just don't." I said, "You know, you don't do that to people."

He says, "Well, they shouldn't be here anyway." But —

MR. : I think we'd better move on.

MR. : Thank you very much.

MS. GARCIA: Yeah, you're welcome.

MR. : That was a lot of information. Thank you very much.

**(Brief pause on the tape as another interview begins.)**

MR. GARCIA: . . . again, my name is Rudy Garcia. I'm the subcommittee chairperson for the Human Rights Advisory Committee. This is Richard (inaudible) Your name, again?

MS. ENCINAS: Sylvia Encinas.

MR. GARCIA: The reason we're taping this is just for convenience sake. This is an informal meeting, of course, and we're just asking for your input. (inaudible) Chandler to provide us kind of a viewpoint, perspective, on what you think took place, so that we can provide an assessment to our full committee. And we'll have additional hearings and meetings in the near future in regards to what took place here in Chandler.

You can pretty much start wherever you would like.

MS. ENCINAS: Well, the only reason why I'm here is because I work for an elementary school for one of the beat meetings was held. And, oh, we probably had, like, 75 to 100 people that residence there. It's hard for an elementary school. And I'm also a school clerk there.

MR. : What's the name of the school?

MS. ENCINAS: Hartford.

MR. : Hartford.

MS. ENCINAS: Elementary. 700 North Hartford Street.

MR. : What — I'll quickly interrupt and interject here, a "beat meeting" — what is that?

MS. ENCINAS: It's a beat meeting. It's a neighborhood meeting that we have, like, every three months —

MR. : Oh, okay.

MS. ENCINAS: — in different sections of town.

MR. : And this was before?

MS. ENCINAS: This was right before the, the roundup. And there was quite a few policemen there. And I know most of them because I've been employed with the school district for 19 years.

Cliff Anderson — Lieutenant Cliff Anderson was one of the policemen that was there at that meeting. And we talked about the neighborhood cleanup, you know. How can we better the neighborhood? And

this is what's going to be happening certain days. And we're going to have a dump truck here for you guys to load your trash.

And that's all the meeting was about, you know — the clean up, the (inaudible) committee. And there was a lot of people asking questions about trash. And not once — not once through the hour and a half, two-hour meeting that we were there — not once was there ever mention of illegals.

The following day or two days after the meeting, you know, that's when they decided to start doing the round up, I guess. I don't know what — if that's the correct word for it. But anyway, he — Cliff Anderson said that during that meeting of Hartford School, that's when it was discussed, you know, about the illegals — all the problems that we're having with the illegals.

I talked to him right then and there, you know, because he did mention, you know, the Hartford School meeting. That's what brought everything up.

And I went right to him, and I says, "Cliff," I says, "you know, I've known you for a long time. And not once — " I says, "I was there from the beginning of the meeting through the end of the meeting, and not once was that word 'illegal' mentioned during the meeting."

And he didn't have any answers for me, you know. And then he thought about it, and then he says, "Oh, Sylvia," he says. "It didn't happen at the meeting," he says. "It happened after the meeting in the parking lot. Two

or three came up to me and mentioned the word 'illegal.'"

And I says, "Well, that's strange," I says, "you know, because I'm usually one of the last ones, you know, to leave the meetings because I do work for the school, you know. And I want to make sure that everybody is out of the building and whatever." So that was that.

Then we had a meeting here at this church, and there was quite a few people around this area, you know.

MR. : This was after the meeting?

MS. ENCINAS: This was after; this was way after, you know. They had another of the meetings here, you know. And he was asked, you know, "Why did you say that it was at Hartford School — the initial edict?"

And it was also the newspaper. This is a newspaper where it says, you know, that that's where it started. The roundup issue. And he was asked, you know, "When did you mention that?"

He says, "Well," he says, "because two or three people came after the meeting." And he repeated himself, you know.

And I stood up, and I says, "Cliff, excuse me," I says, you know. "I told you already I was at that meeting. And we never, never discussed this."

And he claims that we did, and we never did. Even our school secretary was there that night, you know.

MR. : Did anybody take notes of the meeting?

MS. ENCINAS: No. No. They don't take notes of that meeting. But



it's — there's an article in the newspaper that states that it was due to that meeting, you know. And like I says, "Hey, I work at Hartford School, and I'm going to defend Hartford School all to the end."

And after this meeting at the church, you know, we went to a city council meeting. And that's also on tape at the city council where I stood up in front of the council. And I said, you know, "I want to tell you that I was at that meeting," I says, "and it was never, never discussed." So that is, that is on tape, you know.

And I — Patty Bruze, a very, very personal friend of mine — we go back many, many years, and so it was (inaudible) and the mayor. And on the tape, I was really, really upset, you know. And I did say, "You know, for what you did, I will never, never forgive you." And I have forgiven, you know, because they are very personal friends of mine.

But I says, "You know, it never happened. I'm sorry. It never, never happened at Hartford School."

And that's the reason why I'm so upset. And I work very, very closely with the whole community. Our school is located about two miles from here. So we really don't have that problem, you know, as far as illegals, you know, being around, you know, seeing them out or anything.

MR. : Did you sense that there was a significant problem with that. There was loitering or —

MS. ENCINAS: No. Because I was born in Mexico, and I (inaudible)

MR. : So your main issues is that —

MS. ENCINAS: The lie —

MR. : The lie —

MS. ENCINAS: The lie — the lie that Cliff Anderson tendered.

MR. : (inaudible)

MS. ENCINAS: Yes. Right. Right. That's my main concern though.

MR. : Well, that's great.

MS. ENCINAS: And (inaudible), you know, and I wish I could remember the date of the meeting. But they should have it on the records, the city, you know. And they also — the newspaper clipping. It's where he stated, you know, that's that where it all started and —

MR. : Two days before, you said?

MS. ENCINAS: I don't know if it was two days; I really don't remember dates, you know, when we had that meeting. If I knew when we had that meeting, you know, because right after that meeting, we had a meeting here at this church and —

MR. : How about the surveys that have been distributed? I guess there was some surveys, two surveys — a mayor's survey and a (inaudible) survey — I'm sure prior to your meeting. Were you aware of those?

MS. ENCINAS: No. No, I was not aware of the surveys.

MR. : (inaudible)

MS. ENCINAS: No. No, I was not aware of the them.

MR. : Okay.

MR. : Okay. Well, we appreciate your time.

MS. ENCINAS: Thank you.

MR. : Thank you for your time.

MS. ENCINAS: Thank you very much. Nice meeting you.

**(Brief pause on the tape as another interview begins.)**

MR. GARCIA: . . . tape this just to keep track of the remarks that —

MR. SEPULVEDA: Sure.

MR. GARCIA: And obviously this is an informal meeting, and it is not sworn testimony or anything. I'm the subcommittee chair —

MR. SEPULVEDA: Already done nine hours of that.

MR. GARCIA: — for the Advisory Committee for Arizona U.S. Civil Rights Commission. And Richard is part of that subcommittee. We have a couple other members that couldn't be present. We're going to just speak to a few of the citizens of Chandler — and you being the council person is even better — to get a perspective of viewpoint.

MR. SEPULVEDA: Uh-huh.

MR. GARCIA: Then we will compile the (inaudible) that we have and present it to the full committee to determine whether additional informal meetings may be required or an actual formal hearing may be needed —

MR. SEPULVEDA: Sure.

MR. GARCIA: — to get what we need, which has nothing to do with any of the — any of the lawsuits.

MR. : — the lawsuits, the other inquiries, themselves.

MR. SEPULVEDA: Right.

MR. : Let me ask you this: Do you have —

MR. : Before you go on, could you give your name into the —

MR. SEPULVEDA: Okay. Am I too far?

MR. : No. Just so we'll get the recording.

MR. : Okay. I'm Martin Sepulveda; I live at 891 North Madrid Street in Chandler. I'm on the city council.

MR. : Thank you.

MR. SEPULVEDA: Do you have access to the depositions? The depositions in —

MR. : (inaudible)

MR. SEPULVEDA: I know that you're not really —

MR. : I believe we do, but we haven't asked for them here.

MR. SEPULVEDA: Okay. They are public documents, and I think some of the questions and perhaps many answers may get to the (inaudible)

MR. : We did receive a copy of a (inaudible) report.

MR. SEPULVEDA: Sure. And survey. But I think some of the depositions — they are public information — would be very helpful as well.

MR. : Uh-huh. What's your viewpoint?

MR. SEPULVEDA: My viewpoint is — growing up here, immigration has always been in issue. It's an issue in any border community or border state, all right? But not being a border community, we haven't seen this type of activity — what the border patrol needs or has the assistance of the local law enforcement agency ever, that I can think of.

MR. : Uh-huh.

MR. SEPULVEDA: I'm almost 40 years old, and I'm a native here, you know. I grew up in Phoenix. My family has always been in Chandler Gilberts. I've really bounced back and forth for a lot of years.

But with respect to this particular incident in Chandler, there was no written policy. There was no precedents; there was no customer tradition for our police department to operate in the manner that they did. The heads-up that was given wasn't sufficient. It didn't discuss the details or the longevity or the breadth of this operation.

It was merely, "Hey, the border patrol is going to be in town. I'm giving you the heads-up that I was Bobby Joe Harris, Chief of Police."

He probably gave me the same heads-up that he gave everybody.

MR. : Were you on the city council at that time?

MR. SEPULVEDA: Yes.

MR. : And that was part of a preliminary announcement that you received —

MR. SEPULVEDA: Yes. It's not uncommon for staff to call council members for a (inaudible) so it was not uncommon. Well, you know, I'm like, well, okay, what gives here? I mean, we're (inaudible) always in Chandler.

In June, a couple of months prior — well, I don't know, about a month and a half prior — they netted quite a bit bust of undocumented workers in South Chandler. That was the border patrol. I know that we were there. We — the Chandler Police Department — in support of — whatever that means — whatever you need to do, but you're not the lead agency.

MR. : Yeah.

MR. SEPULVEDA: So I thought it was funny I didn't get a call for that operation a month and a half prior. I'd get a call for this thing; I'm, like, okay, "Well, my concern is, is the media going to be there?" I don't want a media circus. I think something like this just shows up on the front page, you know. You know, I don't want that, because that could be spun a lot of different ways, okay?

So, "No, it won't be. The media has not been contacted; I've got it under control." In other words, I've got it under control.

And certainly there was no indication that this was going to be anything different than we've experienced previous to that date — any other

type of border patrol operation.

MR. : And this was who? Tony —

MR. SEPULVEDA: No. This was Chief Harris.

MR. : Oh, Chief Harris.

MR. SEPULVEDA: Chief Harris made the call. The operation was on the 27th; and he and I had that conversation on the 25th, Friday, about 5:30 to 7:00 o'clock — I don't know if it was —

MR. : And this was just with you and him or the whole council?

MR. SEPULVEDA: No, no. It was he and I —

MR. : Okay.

MR. SEPULVEDA: He was (inaudible)

MR. : (inaudible)

MR. SEPULVEDA: Yeah, he said he was going to find the council, and I was on my cell phone. I remember where I was going. Hell, I was almost in his neighborhood — not to visit him — but I was going down Ray Road to the freeway.

To my knowledge, the mayor was out of town. His wife was the acting mayor, because she is the vice-mayor; she was the vice-mayor. And he didn't want to tell me who else he had contacted other than he was contacting, you know, the council.

MR. : Did you have contact with him once it started?

MR. SEPULVEDA: Absolutely. He and I had a shouting match on Wednesday, because this thing evolved. It was very obvious it wasn't confined to the downtown area; it wasn't confined to — Chandler Police Officers paired evenly with border patrol officers on bicycles —

MR. : Uh-huh.

MR. SEPULVEDA: — okay? I'd just come from Hamilton High School that was under construction and spoken with half a dozen construction workers that had been stopped on their way to work — 4:45, 5:00 o'clock, whatever time they went to work — for traffic violations.

The actual — there's actually two stops. The people I spoke with at that group there — two different cars. And the first fellow who was stopped was not Hispanic; his passenger was. There were both asked for I.D. They weren't cited; they weren't even given a warning. There were let go.

The next — and these guys were all in the same work group. The next guys behind him, both Hispanic — I think there may have been three people in the car — they released two. They were stopped — and I think the stop was because they didn't use their turn signal.

MR. : Uh-huh.

MR. SEPULVEDA: And maybe upon further investigation, maybe one of the lights was out. It's just really a traffic stop — it's questionable at that hour of the morning without any traffic, okay? And I think what made it more



questionable was the same stop previous to the gentlemen who were cited — that guy wasn't even given a warning. And he's telling me this; not the guys that got the tickets, okay?

So they were stopped; they got a citation; asked for I.D.; asked for proof of citizenship — these were Chandler Police Officers making these traffic stops.

That was not my understanding when I spoke with Chief Harris. He didn't mention anything about traffic stops; he didn't mention anything other than the downtown area, okay?

And certainly what they — the police department, Chief Harris and his lieutenant, and others involved — were putting out is that the border patrol would make the initial contact.

Didn't happen here; did not happen here.

So that's something we talked about. He said, "Well, this is a smashing success; I've got a lot of support," and whatever the hell else he said.

And I said, "Well, you know, how many people you stopped?"

"We've stopped thousands."

And right there — you know —

MR. : This was on Wednesday?

MR. SEPULVEDA: This was on Wednesday morning — the conversation I had probably about 8:30, 9:00 o'clock, probably before 10:00 o'clock. Right there, I pretty much broke off the conversation, because I was

really losing my cool. At that point in time, the conversations I had were with his boss. I had no desire to talk to Chief Harris. As I found out through numerous conversations, his boss didn't know what the hell was going on.

MR. : Kind of like they were out of control sounds like.

MR. SEPULVEDA: Yeah.

MR. : Do you (inaudible)

MR. SEPULVEDA: How far is the high school from —

MR. : — city?

MR. SEPULVEDA: Two or three, four miles.

MR. : Four miles.

MR. SEPULVEDA: Quite a ways.

MR. : Uh-huh.

MR. SEPULVEDA: Quite a ways.

MR. : So you are participating in part of a lawsuit?

MR. SEPULVEDA: No. I'm neither a plaintiff nor defendant.

MR. : Okay.

MR. SEPULVEDA: But I have given deposition.

MR. : Is there anything else that you want to provide for the record that might useful in our investigation?

MR. SEPULVEDA: I think anytime an elected public official asks for information, that information should be forthcoming. There's a lot of legal wrangling that's gone back and forth here. But the bottom line is, as an

elected official, I and others really should know the truth the first time — the whole truth, not just bits and pieces.

MR. : Uh-huh.

MR. SEPULVEDA: And anytime there's an agency — in this case, it's the law enforcement agency or department of the city — that hasn't chosen to provide all the information and been totally truthful, that's got have some very serious implications with that.

It's very obvious that the mayor has not chosen a leadership position here. He's rallied at least the votes he needs to be in the majority.

But that aside, this has got to go much beyond this elected body here, because the issues really that we're talking about are those should offend us as Americans and should violate our sense of fair play and justice.

You know, I'm not a bleeding-heart liberal; I never have been. When I see issues that pop up like this and people chose to run and hide; whether it's the former U.S. Attorney now running for State Attorney General; whether it's the mayor of Chandler; whether it's bureaucrats that want to make a spin to placate the masses even though in the minority, there's still a big problem here.

And perhaps — once the problem becomes more recognized through surveys, through investigations, through information just out there — the majority will realize that maybe this isn't just immigration and maybe there's some true violations here.

MR. : Uh-huh.

MR. SEPULVEDA: What do we do to make sure it never happens again? What has the council done? What has our elected body — what have they done to make sure that this won't happen again?

They've done nothing, because politically, it probably is too volatile or too dangerous for people who really may care about their political office more than service to the community, you know. And that offends me.

That offends me. And it takes a higher authority to intervene here. And I don't suggest it be a political authority, because that's probably a contradiction in terms from what I've seen. And that's what needs to happen.

You know, the fear that I've been given by my colleagues on the council and other folks, well, it's going to be you if we have to pay — well, I'm not the issue; I'm not the issue. But here, you see the political spin starting, and I don't care.

MR. : Uh-huh.

MR. SEPULVEDA: You know, this office is important to me, but it doesn't define who I am. And it's certainly not going to define what my sense of right and wrong is.

So I guess what I'm saying, and it's a long rambling, drawn out answer — in my view, the world right now — it's going to take powers much greater than the elected political officials in this city and perhaps this state to deal with this issue.

What happened, happened. There were very specific violations that we, as Americans — irrespective of our national origin, whether we're ethnic or not — should understand that these aren't supposed to happen in this country. There's no negotiation.

MR. : You know, on that point there — what's been the — in your viewpoint, what's been the atmosphere? This has hit this issue, civil rights issue has hit this community all over the nation. This is one of the first incidents where this police/INS situation has occurred.

What do you feel is going along with your political justice/equality-type American atmosphere? How has this affected the atmosphere in Chandler?

MR. SEPULVEDA: It's very divided. It's very divided. And anybody who suggests there should be justice sooner or there should be some very punitive action taken is being called divisive, okay? I spoke with a dear friend of mine, non-Hispanic, senior citizen, very active politically. He said, "Well, Martin, we do have a problem."

I said, "Well, Bobby, if we have a problem, let's address the problem. Let's not create a bigger problem, vis-a`-vis our police department acting as though they can force federal immigration law when; one, they can't; and two, they're not trying to do that; and three, when, you know — it's cause/effect here.

You know, what they did — then that effect is that we're being

sued. It was done improperly; let's not dig ourselves a bigger hole, you know.

But if you look at this thing and forget — just being totally objective — and you look at this in a different area, it has nothing to do with politics, but pure economics. It's supply and demand. It's a tight labor force right now. The economy is still doing very well, and we're still expanding.

These folks are fulfilling a need that's dictated and driven by the market, you know. And so, if we really want to correct this ailment, then you attack the cause, not the symptom. They're the symptom. The cause is a great economy.

Well, if we have such a great economy, yet we have nobody to work there and you X these people out, what's going to happen to the service industry? What's going to happen to the construction industry? What's going to happen to our local economy?

They're not going to like that. So maybe it's time to think in terms of a new (inaudible) program. Maybe that's part of the solution here. But here again, has that been brought up? No, because there's this anti-immigrant frenzy in the political arenas, you know.

But forget the politics. The reality is these people are fulfilling a need that's based right now on our economy. I figure that's not popular; that's not popular, you know. And to have Harris or any other law enforcement agent of a city or a town or any type of government entity suggest that "Well, gee, you know, these guys abscond, you know. We catch them, and then they

go back to Mexico. And they rape; they murder."

You know, well, gee, I think Grant said it best in the survey: "If you want to catch, you know, criminals, maybe you should look at a bunch of white guys, because most of the crimes that are committed are white guys."

You know, you just can't make those exceptions that we were somehow able to make in chambers on it (inaudible) for a week and assume that people who spoke a different language, people who look Hispanic look like they could be from Mexico. They were hard workers, I mean, this is a socioeconomic thing, too.

I guarantee you when I'm working for a couple days doing (inaudible) I look pretty scruffy, okay? I might smell after I've been working hard. And if I'm in a Food City or, you know, a market, then I may want to pick up some tortillas. I might be able to blend in pretty well, okay? They follow me out to my \$40,000 Bauer (phonetic) they're going to stop the pursuit, much like they did the golfer; because it doesn't fit the profile, okay?

So I would suggest there's a socioeconomic issue tied to this thing as well. And all that's wrong, but it's predicated on profiles.

And law enforcement — you know, and I think the exception may be the border patrol, because they have to have a profile, but there's training issues there. There's bigger issues than the Chandler Police Department is cognizant of.

MR. : Civil rights isn't exclusive to any group or class; it's

for everyone.

MR. SEPULVEDA: No. But I think, I think the political environment right now — in my opinion, what I've seen in the past year and change — may not have the courage to address this, and I think that it may . . .

**TAPE TWO, SIDE A BEGINS HERE**

MR: (inaudible)

MR. SEPULVEDA: I'm not going to hold my breath and wait for elected officials to come up with solutions. Because if there's any sincerity, I think we'd have been there already.

MR. : Okay. Thanks a lot.

**(Brief pause on the tape as another interview begins.)**

MR. GARCIA: . . . and for to facilitate record-keeping.

MR. DIAZ: Okay.

MR. GARCIA: But this isn't a formal meeting. There's no sworn testimony. My name's Rudy Garcia; I'm the subcommittee chair for Arizona Advisory Committee on Civil Rights, and this is Richard (inaudible), one of the committee members. There's other members that couldn't be present this morning for other responsibilities that they had.

And so your name again was —

MR. DIAZ: My name is M.R. Diaz. I live right down the street here, so it's downtown Chandler. I've been living here for about almost four to five years, almost five years now.



MR. : "M," "R," like in Mr.?

MR. DIAZ: Just the same.

MR. : Okay. Great. Well, all we are asking in this particular meeting is that we get some feedback and it's kind of an open (inaudible) primary thoughts are on what took place — so your experience, personal experience and perspective. (inaudible) give you about a ten-minute gap —

MR. DIAZ: Okay.

MR. GARCIA: — and you can tell us what your thoughts are.

MR. DIAZ: I was, you know, I was just out of Forkland (phonetic), and I started seeing these little occurrences with border patrols and Chandler Police Department.

I got home — I live with my Dad, and he works construction in which he told me — he was just backing out of the yard about 4:00 in the morning. And this is when I started trying to figure out what was going on. A police officer stopped him just backing out of the yard and wanting to find out verification if he was an American.

MR. : This is your father?

MR. DIAZ: Yeah, this is my father.

MR. : How long has he been here?

MR. DIAZ: He's been — my grandmother died five years ago, so we took over the house. And I told him, I go, "If you got any complaint with this,

you know, we'll go talk to the Chief of Police."

And, you know, he shrugged it off, saying that this isn't — you know, it's bound to happen, you know. It's a police department; they're going to do whatever they want to do. And I told him, you know, if you have any problems, we can go talk about this.

Later on, I started finding out more about these people getting stopped, searched — visibly you can see this down here in downtown Chandler. I mean, walking — the drug store's right down the street. I remember a police officer, a motorcycle officer riding up — jumping on the sidewalk to talk to an old lady to get her paperwork.

And I think it was just really odd that — they say that the police department and border patrol working together — there were some cases that I saw visually that police were going on their own and looking for their own paperwork.

MR. : Uh-huh.

MR. DIAZ: You know, some of these people here, I know they haven't spoken out. You know, there's quite a few more, I know.

MR. : Do these — some of the these people that you saw stopped or whatever, maybe even such as your father —

MR. DIAZ: Yes.

MR. : — (inaudible) citizen

MR. DIAZ: Yes, yeah. Citizens, American citizens, you know, just, you know, the claim is by the color of their skin. And just to me, my feeling, I think it was.

I remember the first incident. I remember I was going to the drug store; got off work. I was going to go get a (inaudible) And they were just, you know, it was the police department/border patrol bike officers. The oddest thing was I had a Chandler Police Department shirt. So they just noticed that real quick, and they just backed off. I don't know why. "What's going on here?"

And that's when I started border patrol/police department bikes, and I just followed them with my car. And they started going down the neighborhood and just — anything, you know, anything that was walking around here — they'd stop.

This was, I think, when some of the camera crews were down here that week, you know, Channel 12 or Channel 33 or something.

MR. : There wasn't any occurrence of traffic violations —

MR. DIAZ: No, no. That was just "You're walking on the street," you know. That was it. Time to question you. You know, these — I never saw anyone pulled over, you know.

What I saw here were people just walking on the sidewalk. That happened. It got pretty intense for, like, two days, I think. And a couple days later, you know, some members of the community spoke out. This is where I

was, like, in a confused area, because I work with the city personnel, too, with the development of downtown Chandler. And in January of that year, '97, this is when they started implementing anti-vagrancy, street-cleanup campaign.

MR. : In '97?

MR. DIAZ: In '97, in January. And this is with the downtown Chandler Community Partnership, and I was with the Design and Safety Committee.

MR. : Are there a lot of vagrants here?

MR. DIAZ: Yes, there was vagrants; two transient services were down here. And I still have paperwork, you know, saying that the main concerns were vagrants and people drinking, loitering.

MR. : So it was a formal policy at that time?

MR. DIAZ: Yes, there was a formal policy at that time. The oddest thing was, it was in the beginning it was — it was just business owners, you know, wanting to do this.

Then in the beginning of January, the Assistant Chief of Police became part of the program — Roger Nash. I started seeing police officers being more — farther involved.

And it was never stated that it was illegal aliens. It was stated there was problems with transients; there was problems with loitering and drinking. So I figured that that would be the main concern.

MR. : Was there any directive in this, in these policy

meetings that indicated that this was going to be handled by the police department?

MR. DIAZ: Yes, yeah.

MR. : It was?

MR. DIAZ: Yeah, it was working with the police department. This is called the Downtown Chandler Community Partnership. It's a nonprofit organization, but it's like a division of city government because there's council members. The city manager is involved with it — a few other business people. But I think two council members are on the board; a city manager is on the board; some other city officials.

But, it's just odd that the main concern during this beginning of January of '97 was transients, loitering, and drinking. But in the middle of summer, you know, July, then it just became a full-blown operation with the border patrol.

MR. : Was there any other meetings between that time, I mean, if we go back to January of '97, you guys were formulating this policy —

MR. DIAZ: Yes.

MR. : — or it was already established?

MR. DIAZ: It was formulated; it was starting the policy with the police department. It was — there was something in January. That's when the group became a 501, like, incorporated —

MR. : 501 (inaudible)

MR. DIAZ: Yeah, 501 (inaudible)

MR. : Downtown (inaudible) Chandler Partnership?

MR. DIAZ: Downtown Community Partnership.

MR. : Uh-huh.

MR. DIAZ: Yeah. So when they acquired a downtown coordinator, this is when the policy went forward and the main concern was downtown appearance, downtown security.

MR. : Did you meet again after January?

MR. DIAZ: Yes. There was many other meetings, dealing about — there was never no quota. It was the oddest thing; it was, like, never no quota about illegal aliens.

It was just a security of downtown, the area — since I was a resident here, and I am a resident here — that was my concern. I wanted to be part — to work with the city — to, you know, clean up, you know — the neighborhood and make it look nice.

But it was always on just transients and drinking, so — I think I kept on until probably about June — as I remember — was the last meeting I went to.

And there was a little Latino store that opened up. It was called Latinos' Fashion. And I was at one of the board meetings, and I think they're like a third Thursday of the month. And one of the ladies spoke up and she's Anglo and she said that she saw another little Mexican store open up. And

she said that she's tired of these little Mexican stores opening up. She said she didn't want to turn this downtown into a downtown Nogales.

And she goes, "I'm sick; we don't want this downtown to turn into downtown Nogales. We should get rid of these type of businesses."

Then one of the people on the board said once we get rid of the people that shop at these places, these businesses will soon leave. Two weeks later, guess what happens? And that's why I was, like —

MR. : Oh, so you think was that the trigger —

MR. DIAZ: Yeah, it was like the, you know, it's like to me, it's like, it wasn't the trigger because it's a different board group, but also two council city managers there.

You know, I was — I don't know if they ever kept minutes of that meeting. I don't think they do, that group. But it was just really odd, that why would someone start venting out about, you know, a little store, a Mexican store?

MR. : Uh-huh.

MR. DIAZ: You know.

MR. : Meetings prior to that that you had attended with this group?

MR. DIAZ: Yeah.

MR. : Was there actually some discussion of getting the police assistance, getting the law enforcement involved to help facilitate this

vagrant policy?

MR. DIAZ: I guess. Yeah.

MR. : And they just hadn't developed a time to start that or did they ever restart some —

MR. DIAZ: I think, you know, it was, I think it was work with downtown coordinator, because the downtown coordinator sort of has like the focal point of downtown so — I met him — when I first met him, and he always said that, if I ever had a problem with my neighborhood or something like that, give a call. Him and the Chief of Police were like that. Five minutes.

And it was odd, because I always had a problem; I just had to go talk to him, go up to his office, by the time I walked back to the house right there, there'd be police — I'd have a police present in less than three minutes.

So I never had a problem with police. And I always thought it was great because I figured, you know, I got someone who can help me, you know, work with the community, and you know, get some of the problems with the drinking, the transients —

MR. : Right.

MR. DIAZ: — you know. So the policy, I know, was already right off the bat.

MR. : Who's the — what's the name of the downtown —

MR. DIAZ: — coordinator?



MR. : Coordinator.

MR. DIAZ: His name is Michael Kerski.

MR. : Michael. How do you spell his last name?

MR. DIAZ: K-E-R-S-K-I.

MR. : K-E-R-S-K-I.

MR. DIAZ: Yes.

MR. : Is he the chairperson of the Downtown  
Community of Chandler Partnership?

MR. DIAZ: Yes, he's the main — the coordinator, yeah.

MR. : And, let's see if I got the story. So this lady  
complained —

MR. DIAZ: Yes, sir.

MR. : — that there was these — all these Mexican-type  
shops coming in to downtown —

MR. DIAZ: Yeah.

MR. : — and then one of the board members responded  
that as soon as they get rid of the people —

MR. DIAZ: Yeah. Once you get rid of the people that shop there —

MR. : The customers —

MR. DIAZ: Yeah. Once you get rid of those people, these businesses  
will soon leave.

MR. : The businesses will go away?

MR. DIAZ: Yeah.

MR. : So that was the essence of the conversation?

MR. DIAZ: Yeah.

MR. : No other comments on it?

MR. DIAZ: No other comments. I mean, it was really odd, because it became really silent, and you know, I was, like, "What's going on here?"

You know, I never heard — out of all those board meetings — I never heard anyone vent about a certain type of group of people, you know. And down here during that time, most of these places were vacant. So that's, you know, you got (inaudible) coming in. It doesn't matter; I would have thought it was just new business; it didn't bother me.

But apparently it did for a couple of these members. They wanted, I guess, some upscale or something.

But that's the first time, and this was before, you know, the occurrence with the border patrol and the City of Chandler.

MR. : About two weeks you said?

MR. DIAZ: Two weeks before.

MR. : Two weeks before.

MR. : Regarding the vagrancy, again, on that issue.

MR. DIAZ: Yes.

MR. : Have you ever witnessed any proactive steps by

law enforcement to move people off of a certain area because or — I would assume that drinking in public would —

MR. DIAZ: Yes.

MR. : — have some consequences.

MR. DIAZ: Yes.

MR. : Did you ever witness any of that happening?

MR. DIAZ: Yeah. That was going — that was when we — that campaign working with the city in January. It started to progress, you know. They started doing the cleanup campaign, and I don't know what — you know, my opinion was — and maybe they thought they just got full swing, that they were able to clear up the vagrants. And why not jump to another problem?

I went to some, you know, Los San Marcos School meeting that was on the tenth, I think, in June of '97.

MR. : Uh-huh.

MR. DIAZ: And there was never no saying that there was a problem with illegal aliens. There was just — everyone was concerned about, you know, trash, you know, common debris, clean-up, you know, lack of police presence. But there was never no saying that, you know, it's, like, "Well, have we got a problem with illegal aliens?" No one in the —

MR. : So did the public (inaudible) in the vagrancy issue? Were they already being addressed —

MR. DIAZ: There were — yeah, it was improving; it was improving. So the police was already working with an anti-vagrancy campaign already, starting in January. So their presence started popping up a little bit more with working with this partnership.

MR. : But it was also having a positive effect on those specific issues?

MR. DIAZ: Yes, yeah, yeah.

MR. GARCIA: Any other questions you have, Rich?

MR. : No, that's it.

MR. GARCIA: We appreciate you input.

MR. DIAZ: Thank you for doing it.

MR. : M.R. —

**Brief interruption as new interview begins**

MR. GARCIA: . . . we have with everyone else. You can just say who you are. We're taking this for a formal fact-finding mission for us the Advisory Committee of the Arizona U.S. Civil Rights Commission.

MR. DELSEY: My name's Ed Delsey; I'm one of the plaintiffs in the lawsuit, and I'm native — born and raised here in Chandler and lived just three blocks down the street here —

MR. GARCIA: Okay. Going — one of the things that — Richard Sausweta (phonetic) is also a committee member as you know. In terms of requesting your assistance in facilitating some of the discussions that we had

this morning in picking out certain individuals, we were referred to you by Steve Montoya.

MR. DELSEY: Uh-huh.

MR. GARCIA: And we also had a discussion with Juan (inaudible) who's one of the committee leaders.

MR. DELSEY: Right.

MR. GARCIA: Could you just talk about where you fit without regard to the lawsuit, the pending lawsuit —

MR. DELSEY: Sure.

MR. GARCIA: — but just in terms of you as a citizen of Chandler, what role do you play in your community?

MR. DELSEY: Okay. Again, being native-born, I raised my kids here in town when they came back from being Peace Corps, training, university, work, and so forth. Chandler's always been my home; my family was raised here completely.

And I wanted to raise my kids here with my — their grandparents, my parents. So my kids came through from preschool, kindergarten, all through high school in the public school system. So I always had a very close affinity to the community.

In my professional work I was adult probation officer for this sector of Maricopa County — Chandler being the principal, so I knew the in's and out's of the police department. But as an active parent and my kids in

school, I was involved with one of the local schools — Frye Elementary School.

I was president of the parent/teacher organization there and then an advocate for bilingual education here, knowing, in fact, many of the victims and the families here in town. My initial contacts with them were through my involvement in the schools. So I had a lot of empathy to what had occurred.

Secondly, for over about 15 years I was involved with the United Farm Worker Community Base that they have here in Chandler in the service center. So my wife and I, both of us, worked in (inaudible), volunteered back in 1983, in an adult literacy program. So we were volunteer teachers and working here, and that's how I initially met Juanita Encinas — we went to the Farm Worker Service Center.

And then, we made the service center part of (inaudible) A.S.U. (inaudible) I was — my wife and I were the advisors to the group to have — it was a local project. Out of that, later, came on when Proposition 187 happened in California and the students were very uncomfortable with everything that happened and I was — both of us, in fact, my wife and I — were very involved with the Arizona Hispanic Community Forum.

We wanted to turn student outrage into a more positive and constructive arena, and that's where the citizenship classes came in. In fact, they were in this church — held. This is where Manual Ortega took the lead with Juanita Encinas. We provided the materials and did some initial training, and they got other students involved as volunteers.

In fact in this church here, we had the first graduation ceremony for the first group. These were the same families that were impacted by the Chandler sweeps. So, our involvement has been continual. Although I'm not living in Chandler, I still felt I was very much a part of the community.

When the sweeps exploded and I first heard of them because I got a call from Mrs. Encinas, Juanita Encinas — at my office where I work at A.S.U. — that this was happening, then her outcry was "What can we do?"

And my reaction was "Well, it's already happened; it's happened; it's happening." It's "How do we turn this around without anybody getting hurt, because of their own actions?"

MR. : Uh-huh.

MR. DELSEY: I was convinced that the press wanted to see buildings burning just like you saw in South Central L.A., and I didn't particularly care for that. I was not even aware at the time that, other than just brief articles in the paper about Chandler's downtown in (inaudible) on Michael's Resort in trying to bring the Mexican traditional plaza — which is what it originally was — not a plaza, but a *parque*. The downtown area — before this big highway department came and split the park in the center of town that you have it split four ways now.

But initially, it was geared to be a family environment. And I was very concerned that Chandler retain that family environment for our community. So when the call came in, our reaction was — when she informed

me that the press was all over the place — take advantage of the situation was my response.

Call a press conference at high noon Friday, and that will draw the attention to an outcry from the community. But let the outcry go in informing the public — as far as this action is happening, the realities are that (inaudible) — and sense of outrage, rather than going and demonstrating —

MR. : Yeah.

MR. DELSEY: — doing any physical violence, because we just do not have the — the strongest arm that we have is our voice. And so we used that opportunity. And she set out getting the support base here, let the word out to the press.

We both at different times contacted Manolo Terra (phonetic), who was then teaching classes — had been teaching classes in Phoenix — to see if he would be available to lead the press conference, because of his experience in public speaking and being such a strong volunteer already — that the injured families would identify with him. And yet his head would very clear on the issue, and that was really the idea. So he accepted and came and put the press conference together and bingo — that lit the whole thing up.

MR. : Uh-huh.

MR. DELSEY: We — at the same time, right after I got that call, I contacted the U.S. Attorney's Office for information as to what steps to take



directly and what sector — I was not aware about the specific sectors of the border patrol and my first assumption was to go to the Phoenix office. Well, they gave me the numbers to the office and I called over there.

Phoenix right away washed its hands, not having anything to do what — they were aware of what was happening, but having anything to do with it — then they told me that it was most likely the Tucson sector and maybe the substation at El Paso Grande.

So I placed a call to the Tucson sector, and they said, "Its operation is in place; we cannot address anything beyond that point."

So the next step that I took was reaching out to some attorneys that I knew were acquaintances and were doing civil rights work and Steve Morclay (phonetic) was not one of them at the time. And so, they let me know — because we had — at the press conference, we were declaring for a community meeting.

The next step for us to take here was to create a situation where families impacted could voice — air their opinions and air their insight as to what actually was being experienced.

So when that occurred — that we scheduled it for the middle of the week so it wouldn't get too far away from us and still give us time to contact different people: our congressional delegation and the U.S. Attorney's Office again, and so on. So we scheduled the meeting here and as I recall, that Wednesday would have been about the 6th of August.

And so the call was made to Reverend Regal, who's a pastor for this church, to use his church as a community meeting place since it's right in the heart of where everything was occurring. That made more sense, but in reality, a church is a sanctuary. And we looked for a sanctuary where the police would not come in with their squads again and do the whole thing. And people would have more confidence to coming in.

We never expected the turnout that we got. We had over 350 people come. Some of the attorneys that I had called, called other attorney friends. And we had a strong delegation of attorneys. They didn't necessarily — they came to inform themselves of what happened.

And then, I think it was like the following Monday or Tuesday that Lieutenant Anderson, Cliff Anderson from the Chandler Police Department, contacted Juanita Encinas so that the police could give their side of the story.

MR. : (inaudible)

MR. DELSEY: No, rather than — to have them to come the same meeting. But he wanted to change the meeting to the community center, which is where the city council — at the Chandler Library — where the city council had its meetings.

And our position was "No way. This is our community meeting. Our people have to feel comfortable in that setting. To go adjacent to the police department —

MR. : Uh-huh.

MR. DELSEY: " — no way. The police want to come, it's an open meeting. Anybody can come. If police want to make a presentation, it's the opportunity to explain to our community what justifications, what rationale do you use to conduct the sweeps."

So they came. And when we started off the meeting, we asked Reverend (inaudible) to open with a prayer. We wanted things to be constructive.

MR. : Uh-huh, uh-huh.

MR. DELSEY: And we, we preached Cesar Chavez's nonviolence, but yet we were not — we were going to take a direct action and take a stance. But we were going to take that stance by presenting the truth. And we asked people who were impacted to speak up and to feel comfortable in speaking up in a public audience.

And when Lieutenant Anderson opened the meeting for the informative part and went into, step-by-step, what they were doing — you saw the (inaudible). We did a tape recording; I personally did a tape recording of all the proceedings that evening. One of our community folks who came in did a video taping. Both of these pieces of evidence are held by Steve Montoya.

So we had the recorded documentation. The press was all over the place; this place was just bursting at the seams. And it worked to our advantage. The beautiful part about it is that people felt comfortable to be

able to air their positions.

Nobody really introduced dignitaries of anybody who showed up. All we — the people that were introduced were Juanita Encinas, as a representative of the community; and Manuel Ortega, as facilitator for the community; and Reverend Preco (phonetic); and then myself, just speaking on behalf of the community also.

We were the only people introduced aside from the police who were present, not even council member (inaudible) was introduced; the assistant city manager who was here at the time, was not introduced — because we didn't know that they were there.

So they came out later and introduced themselves as to who they were and Councilman Sepulveda later in the meeting attempted to be mediator in the whole process, because things were getting pretty hot.

The clear reflection of what Lieutenant Anderson indicated at that point was, to me, just raw police arrogance. They had the authority to do anything that they wanted to and they would do it at their pleasure any time that they wanted to.

That was the mindset that he presented other than initially indicating "Well, we had a series of meetings, and we had community meetings," and proceeded to blame every criminal activity — and I'm saying "every," because that's how he said it — that happened in this community — in particular, in a two-square mile area within the city limits and outside of the

city limits of Chandler — was all at the fault of "illegal aliens" by his terms; "undocumented folk" by my own identification.

They were the cause of everything. And the community person, Jose Garcia — and I had known Jose Garcia because our kids went to school together; had not seen him in ages — was the one that pinpointed the type of documentation the police kept during the sweeps and kept prior to the sweeps to be able to reflect in public that, in fact, the Hispanic community was the cause — undocumented folks, in particular, were the cause for all of the crimes.

And part of his citation of crimes were six homicides. I said, "How many of those were documented? How many of those were garnered through a complaint? How many of those had a criminal investigation? What was the conclusion of the investigation? And what was their conviction?"

Lieutenant Anderson himself indicated that there were no police records, which — to say that in public and to conduct a type of an operation that they did without any specific documentation when they — an individual resident was stopped by the police, for whatever the inquiry — not to have documentation was appalling. That, to me, was just an outrageous operation by the police.

MR. : Did he describe at that meeting what criteria was used to stop citizens?

MR. DELSEY: He was challenged as to what criteria they used; he did not explain. After he was challenged, he tripped into that.

MR. : Did he —

MR. DELSEY: "Well, Hispanic-looking. Well, we live in the Southwest." He used the exact words, "Well, we live in the Southwest. They look Hispanic; the language — they don't speak very good English."

I mean, those are the exact words that he was saying, and those came around the tape; I recorded them.

That was the only criteria, especially when this is a community that's adjacent to an (inaudible) Autumn Pima community, the Gila River. There's a large community over here in Chandler (inaudible). Our pigmentation is the same — could not distinguish between one or the other.

But those are the exact words that he used in public. I thought he was going to get hung — to the extent that Sergeant (inaudible) who's the (inaudible) now at Ravea (phonetic) pulled after some discussions and Steve Montoya (inaudible).

Steve Montoya surfaced; he didn't introduce himself as an attorney; he did not introduce himself as Steve Montoya. I knew who he was just because of the work that he did in the English-only proposition. That's how I knew Steve Montoya; I had never met him personally. And I didn't talk to him to say that I knew Steve Montoya was coming to the assembly.

So when that came out, Steve just pinpointed directly the

question to him about the criteria — and just pinpointed specifically the questions that he raised.

And Anderson just arrogantly just then came out and said the pigmentation, the language, the region that we live in, and that they were doing anything — and that he was solely involved with the whole operation and tied into their — (inaudible) and with full authority to do whatever he wanted to do. To me, that was raw police arrogance.

MR. : So he didn't indicate he was directed by anyone else, any other city official to clean up the sweep in this fashion?

MR. DELSEY: At that point he — the question wasn't raised to him, other than just he saying, "I was the person in charge of the entire operation." Completely on that — and then directing them from deposition and so forth, otherwise or no otherwise.

But at that point, that's what he came out and said. It antagonized me to the extent that I finally rose my hand to speak and question his professionalism as a police officer and the disgrace that he was to all law enforcement, because our concern was that laws be respected both by the residents and by the police.

And that's why they're in the books. And you only enforce laws when there's an infraction. And we never question that.

We question the abuse of police authority, and it was so clear that that's what was happening. And my impression, by his statements was

that that's what they were doing. And he was in charge of the whole operation that made the entire police department liable, which then subsequently made the city liable, because the city was, in essence, authorizing this to occur within the city limits.

They didn't raise an issue that we sought authorization from the border patrol, or we went to the border patrol. The border patrol is almost incidental to what the police action materialized. And that, to me, was just a clear reflection that the police department was arrogant beyond its means of checks and balances and working them out.

And I know more of the inside on that because of my previous professional work, but I had been out of that for about 12, 13 years to know exactly what was occurring internally within the police department. So I knew a lot of the police personalities from that respect.

But getting back to Lieutenant Villa — I overheard him say to Anderson, Lieutenant Anderson — "I'd better ask you to leave the room, and I'll escort you out because, if you keep talking, you're going to get seriously hurt. And I can't blame the people."

But we had already set the tone for people to be collaborative and to be open and to be trusting. And that's when Councilman Sepulveda and the Assistant City Manager McDermott spoke up to mediate the circumstance. Because, I mean — people, — (inaudible) were out of control.

MR. : Let me ask a question on that. How do you see



this playing out? This outrage, these allegations, civil rights abuses, brutality — the whole spectrum — how do you see them playing out? Is it going to be more divisive or is it going to show . . .

**TAPE TWO, SIDE B BEGINS HERE**

MR. DELSEY: The way I see the final end result — I see it from the ideal and the real. In the reality portion, by being involved — because from that meeting and from the initial call that I got, I was identified as a — I saw myself as a resource person who had been born and raised here in the community and still had some concern for my community's health. That's exactly how I looked at it.

And working with the people that were involved, when we came together as a group and formed our coalition, my original suggestion was to create a committee — and I see it pretty much as an ad hoc committee — to address the injustices that occurred.

From the content of the discussions with the committee, which — we met over that weekend. In fact, my decision to become a plaintiff came directly as a result of my vehicle identified by the police in front of the office at 108 West Boston, where I had visited many times, parallel parked there many, many times over the years — had every right to circulate within the community. Not once had my car been identified.

All of a sudden, my vehicle, which I had — brand new, just gotten

it out of the shop, maybe three months, two months earlier — was being identified. And to me, the police action was taking down the license plate number.

So they were monitoring the traffic in and out of Mrs. Encinas's office to see who was circulating in the neighborhood. And they circulated three or four times before they disappeared. I went there to see what actually happened, what was going to — what's our next step, what can we do to keep some sense of rationale cohesion.

So, when we formed a coalition for civil and human rights, the intent was that this be the coordinating body to monitor the information and kind of serve as a clearinghouse. That was our whole intent.

Since Mrs. Encinas was working out of that office initially through the Farm Worker office and then through her own immigration services there, it would have been a natural place to congregate. Otherwise, we would have looked for somewhere else.

But that was the original intent. And then just keeping some sense of cohesion and trying to keep a united approach to what I consider was a serious abuse problem that had been perpetrated by the police. So from that action, we have continued just working together.

The follow-up contact came through the Los Alvarados (phonetic) Organization, and then we asked them to come in. And that's where Steve Montoya initially came in; Herman Acantare (phonetic) initially

came in; (inaudible) Ortega was initially invited. Then through Steve Montoya, Albert Flores came into view; and Manuel Evallevia (phonetic), who is a resident. And he's an attorney, private attorney, but he's a resident of Chandler — who came into view.

So Steve came in; we talked about what had occurred; what happened. What's our next step? Do we legitimately have a complaint? The issue was — from the police — well, they weren't getting any complaints from people. People are too (inaudible); they were too intimidated.

They felt comfortable speaking, but then we also wanted to make sure that the information was kept open and within our perspective — our community's concern — rather than the complaint going to the police department — bingo. Control within the police department, people intimidated, terrorized — we wouldn't have any access to any information, so we kept all the information to our side and Los Avogados offered their services.

So we said, "Okay. Any comments that come out of people who come to the office, who call us, whatever the focus would be, would directly go to our attorney. Our attorney would then determine what information goes beyond that. And we had total trust in their effort.

The police based their positions in "Well, nobody really complained." They circulated complaint brochures that night and subsequent meetings, but not before. In fact, the initial complaint that was filed by

Inhecana (phonetic), U.S. born, a staff member at one of the local schools, her name was (inaudible) Martinez, I think, if I recall correctly.

She had filed previous complaints with the police about individuals — mohales (phonetic), as she stated bothered her children, her teenage daughters, as they were going home from the junior high to their home.

And the police actually said, "Well, we don't have any information; we aren't going to look into that."

And she was pleading for them to intervene just to be able to make sure that her daughters could get home safely. Don't have a question with that; don't have a problem with that type of complaint.

But ignoring the fact — that's their responsibility, yet they tried to use her statements as a rationale for sparking the sweeps. They had no report. They had no record.

Then they went back to her after the community meeting that we had here to get her to refile her complaint so that they could come in. If that's not a cover what is it? Define to me what a cover-up is all about.

And she had already been approached by the camera, because I've got it recorded. I know what she said in English, because I've got it recorded. That in itself was telling me that we weren't going to be able to trust any information going to the police and that they were going to use it to cover up their tracks.

The subsequent reports that we've gotten through the Freedom of Information Act is telling us what was transpiring within that area.

But, as far as trusting the police at that point — I mean that was — no way, I mean — I felt intimidated driving in my own town. And I had to twice kind of caution myself to say, you know, "Your car's been identified; you've probably been identified, if not photographed."

And here I take my regular route, because my family's also here in Chandler and I visit them. And I come through Chandler to go to my Dad's ranchito to leave off whatever junk I want to leave over there, or whatever — visit my brother. But I come automatically to town. I'm on autopilot when I come through; I don't know.

But more than once, I had to come in and say, "You have to be careful; watch your speed." Why do I look around when a police car passes me? Why do I look around when a police car makes a U-turn?"

MR. : Right.

MR. DELSEY: So that type of element started coming in, in my own behavior. And I said, "Wow, I really have to be careful when I come into town, because we don't know when it's going to stop and we don't know that any action subsequent to what originally happened was going to be continued by the police."

MR. : Uh-huh.

MR. DELSEY: So we had to — and then among ourselves, we're

saying, "We all have to be very careful. We're meeting here."

I have no problems coming over; I have some hesitance internally, and all of us have to feel that way. Even to when Juanita Encinas's son got involved in an altercation here — the subsequent police actions afterwards, and her filing the complaint, or wanting to file a complaint and being told by Lieutenant Villa, "Well, let me look; we're going to look into it before you file a complaint."

No follow-up.

MR. : Now, beyond — going beyond, what do you think is the final — you have this chilling effect, this paranoia that — how do you think it'll be — play out in the end?

MR. DELSEY: I only hope that we win the lawsuit to the max; that's my ideal wish. I also hope that we can create within the community and fund it by the city to the max at our request — to create — in my mind, it's a family institute, a family awareness-type program that will enable people to understand their rights, enable people to encourage them, especially the residents, the legal residents, to become citizens, to empower the community.

Empower the community so that families can recapture their sense of belonging in knowing that their children can walk the streets in Chandler safely, that they can go to the grocery store or to the drug store for whatever business interest that they have, to walk in this community without any fear.

We need to — the city needs to underwrite a program that will re-engage faith and confidence in the city officials — in their city's agencies and to participate openly, understanding what rights they can exercise and what responsibilities they can undertake in a positive, constructive environment. That's my ultimate vision — totally empowering the community.

I have not been involved in this process for any personal gains whatsoever, but for the full focus of empowering the community so that — I was raised in this community when this community's deep roots of racism were experienced directly on my part, right downtown.

My kids going to school here were deprived of a higher level of education because of racism. My kids should have been in the honors program, in the advanced placement program all along; but because of their — I don't think it was their name, but because of my identification of them as Hispanic with this in the school (inaudible), you don't find Hispanics in the honors classes.

And I had a principal tell me — when we had a confrontation, trying to get my son in the advanced reading program — he was four years ahead of his class. And that's all we wanted him to do. It took a session of eight teachers, two counselors, and the principal to come to a resolution when my son had already tested above and beyond the necessary minimum to be in the advanced program.

If that isn't racism, then I don't know what racism is all about.

And the principal tells me — and tells all of us, my wife and I at the time — this child should have been in the advanced program since the second grade, because he tested (inaudible). They were not — he was not placed in those classes because of not right — racism.

And that transfers from the schools to the community administration. And I've personally felt those experiences here.

My wife at the time, my ex-wife now, applying for a position here — she's Latina from Ecuador (inaudible) and she has an accent in her English — no different than Kennedy had an accent in his English.

MR. : Uh-huh.

MR. DELSEY: Yet she was denied a teaching position, and she's now a master teacher over here in the school district.

MR. : Uh-huh.

MR. DELSEY: But she was denied early employment in that area. I wouldn't want to see anybody of our pigmentation or accent or surname be denied a job either in the schools or within the city because of that. That's my real (inaudible) in my ideal because that should be practiced on the common — because of the needs within the school system.

My ideal would be that the city would institutionalize this within its parameters to keep it an ongoing relationship between the city and the



school, so that families can, on a regular basis, know that they can go to the schools or to the cities and receive these type of services. They pay for them through their taxes.

MR. : Yeah.

MR. DELSEY: And they have every right to exercise them. That would be my ideal.

MR. : I just have one final question in regards to how you assisted and facilitated the meeting. We asked you to gather some citizens.

MR. DELSEY: Uh-huh.

MR. : How — what criteria did you use to do that?

MR. DELSEY: When you asked me for five or six people, the question was "Which five or six people?"

MR. : Uh-huh.

MR. DELSEY: We contacted about 10 to 15, hoping that we would get the five or six, and we went — I looked at the list that I have — because I've got all of our documentations and more — of the families who've been active, the families that were injured; and see who we could contact, who would be available for this time.

For example, probably Catalina Velos has gotten the most — outside of Juanita Encinas and Manuel Ortega (inaudible) — have gotten the most notoriety of this. She was featured in the *L.A. Times* — big article. I

don't know if you've seen it or not. Nationally, National Consult La Rasa highlighted a letter for the national conference this past year.

And she would have been very vocal. She was — in the early, in the outset — I never knew Catalina Velos until this occurred. And I had never spoken with her directly; any conversations with her had been through Juanita Encinas.

So I finally contacted her, just following up on the list that I had asked Mrs. Garcia, I says, "Off of the top of my head, I can think of these people who might be available. They've been involved — try to get a fairly open cross-section of people." And I said, "See who can be available for the times that you asked."

And then she had not been able to get ahold of Catalina Velos, and I finally made some attempts and finally contacted her attorney. He gave me a couple of numbers. I had mentioned it to Mrs. Encinas, Juanita Encinas, to also follow up with her.

I lucked out then on my fourth call. I was able to locate her; and she works at the Salvation Army, which I had not known before. She couldn't be here because she's coaching a soccer team; her daughter's on the soccer team. She said, "But I'll be available afterwards, you know, we're going to have it at Erie School."

That's right there on the Erie and Ama School Roads. That's north of Chandler boulevard, the first light, in fact. She said, "Well, I'll be

right there; if they want to talk to me, they're more than welcome to come and talk to me. But right now, it's my daughter."

And I says, "I can understand it." I says, "You're an active parent and keep your soccer." I said, "We'll have others; but if you can make it, still try to come. We'll be probably ready to begin at 10:00 and 12:00, which would probably be a good time."

And the criteria that I used are just people who I have seen at meetings. I saw Catalina Velos at this meeting here, but did not speak with her. I read the articles, and I kept the articles. And I know that they've been in contact, and that she's one of the plaintiffs.

I chose names from the plaintiffs' list and chose names from the community list. And then just gave them the information, "See if you can make it; if you're available —

MR. : (inaudible)

MR. : We appreciate this and we've got a pretty good (inaudible) —

MR. DELSEY: I — yeah. I'm glad that it, you know, it worked out that way.

MR. : (inaudible)

MR. DELSEY: Thank you. Because you're talking to me is a complete surprise.

MR. : That's good; that's good. It's a tough issue, but

that's the ones that —

MR. DELSEY: It's been a hell of a year.

MR. : Yeah.

MR. DELSEY: It's been a hell of a year. I mean, we've been on a  
roller coaster —

**TAPE ENDS HERE**