

Letter to the Community

Illegal immigration has been a hot topic recently and I have been asked on a number of occasions, especially since the recent election, what my views are and what the Windsor Police Department's policies are regarding immigration violations. Many questions were raised regarding cooperation with ICE, sanctuary status, immigration sweeps, immigration enforcement and questions regarding the relationship between the Windsor Police Department and the Sheriff's Office on this issue.

I see this as an opportunity to educate and inform my community here in Windsor as to what we do and don't do in regards to this topic and explain my perspective. I know that I cannot and probably will not make everyone happy on any given issue, including this one. However, what I can do is be explicitly honest on how I conduct business and in my perspectives on any given issue in our town.

Let's talk policy first. As most people know, the Town of Windsor contracts its police services with the Sheriff's Office, so all policies are shared policies with the Sheriff's Office. However, Windsor Police Department is its own entity and may do or not do any given directive or conduct enforcement efforts differently from the Sheriff's Office, so long as it is within policy and the law. Also, the Town of Windsor has elected and appointed officials who can and should give direction on what they want to see happen with any given issue. Our policy is two and a half pages in length, but in essence this is what it contains:

The Windsor Police Department is committed to equal enforcement of the law and equal service to the public – regardless of immigration status. We shall not arrest or detain any person solely for violations pertaining to immigration status.

We shall not undertake any interrogation of any person for the sole purpose of ascertaining his/her immigration status.

We shall not independently conduct sweeps or other concentrated efforts for the purpose of locating and/or detaining persons who are solely suspected of being illegally present in the United States. Basically we will not engage in federal immigration enforcement activities. It is not our job or mission.

However, we can and will work collaboratively with ICE or any other federal agency in the apprehension of serious or violent criminals. However, as a condition of this collaboration, we shall require that ICE refrain from arresting or taking custody of any person based solely on immigration status, including low-level or minor traffic violations. We will do this, because it is our job to protect our community against serious or violent criminals/predators.

For four years I supervised the Multi Agency Gang Enforcement Team and during that time we conducted various gang sweeps with the assistance of ICE agents. These agents were always briefed regarding our policy and operational parameters and always understood and accepted it. They understood that we were conducting "gang sweeps" and not "immigration sweeps." On several occasions I or those working for me would direct them not to interrogate, detain or arrest individuals we determined were not gang members or criminal offenders. At no time did they question us or refuse our directive. This has always been my personal and professional experience in collaborating with them.

As for my perspective, it is derived from both personal and professional life experiences. I was fortunate enough in life to have been born a US citizen, as were my parents. However, my grandparents all

emigrated from Mexico and like most, worked all their lives in the fields and ranches in California. When I was in junior high, my parents made my brother and I work in the prune fields to earn money for school clothes. There were lessons learned in doing this, but we also learned to appreciate all those who did this type of work day in and day out for most of their lives. We also knew that most, if not all of these people, emigrated here from other countries to do this work, for little pay, in hopes of making a better life for themselves and their families. In essence, I can relate to these people, because like many of us in this town, we are these people.

I can say and will argue that an overwhelmingly large percentage of the people who emigrate to this country are good, decent, hard working people who want nothing more than what we already have.....the opportunity to live a happy, peaceful and thriving life. I am committed to provide them and all other segments of our community with a safe and healthy community for all to enjoy and prosper and to have a feeling of equality. Our community involves and includes everyone.

The Windsor Police Department can only do its best when it has the trust and support of its community. We are so much more effective at preventing and solving crimes when the people in our community trust us enough to work with us. I don't want anyone, and I emphasize anyone, to be afraid to call upon us for assistance, information, advice or to report any crime or issue in our town. Therefore I am committed to stand by our policies as explained above without reservation. If you are an undocumented immigrant in the Town of Windsor, you do not need to fear the officers of the Windsor Police Department nor assume that they have any reason to bother you, detain you or arrest you for simply being undocumented. Your immigration status is completely irrelevant to us.

I have been in law enforcement for over 28 years now and I also have another perspective towards illegal immigration. I have worked in many different positions and assignments. I've worked in the jail, investigations, patrol and with the gang unit to name a few. During my career it was plainly obvious to me that there was also a segment of the immigrant population that was engaging in criminal activity and aberrant behavior. There is a segment committed to violence, drugs and domestic terrorism. To think that this does not exist and that all immigrants are good people, is to be either naïve, uninformed or in denial.

It is a fact that along with all the wonderful people that do emigrate to our country we also receive much smaller percentage of those who are violent gang members, drug dealers, murderers, rapists, human traffickers, spousal abusers and child abusers. I know this because I have personally dealt with them for over 28 years. I am committed to do all that I can to remove them from our communities and keep them out, preventing them from committing more crimes in our town. Therefore, I will use every resource at my disposal to accomplish this, including cooperating with federal agencies under these specific circumstances. This is our job.

I believe it would be negligent for a local or state agency not to collaborate with federal agencies to discover opportunities for partnerships against criminals of any kind from any country or from any background. I refuse to let emotion or political agenda fuel my obligations and commitments to the Town of Windsor and the people in my community. I absolutely understand the compelling need to search for and apprehend all violent offenders, predators, gang members and drug dealers within our community and I will use every resource available to me.

Illegal entry to the United States is against the law, but as local police officers, federal law doesn't generally allow us to conduct immigration enforcement, or enforcement of most other federal laws. Additionally, California law, the TRUST ACT, also restricts local law enforcement agencies role in immigration enforcement. So for those who would say that we are picking and choosing which crimes we want to enforce, I offer this. We are not picking and choosing crimes to enforce, we are however, determining roles and responsibilities over authority and jurisdiction. We are also attempting to build partnerships with all segments of our community, including the undocumented segment. They are a segment of our community that also needs community oriented policing and respect. We, at the Windsor Police Department, will do what we can to see that they get it.

There is a new president of this great country and yes, he has stirred much controversy that has led to widespread protests, anxiety and unrest. However, that does not change the fact that there are still criminal undocumented immigrants in our communities who need to be identified, apprehended and deported. Again, I will continue to collaborate with the federal government when needed and appropriate, to see that this happens.

There was a recent article in the Press Democrat titled, "Immigration enforcement tied to jail." What I noticed was that no-where in the article did it speak to the undocumented immigrant population and offer a simple but compelling piece of advice. The same advice that I heard the San Francisco-based consul general of Mexico say just weeks before, while addressing a large group of Latino leaders in Santa Rosa. Gemi José González López said that in order to avoid being deported, "now more than ever, it is time to respect the law" in the United States. In essence, respect the law and don't place yourself in a position to be arrested.

My in-laws emigrated from Mexico in the late 1960's and worked the pear orchards well into their sixties. My in-laws eventually became naturalized citizens, late in life, and accomplished all this without ever being arrested. They are a great example of how respect for the law in a foreign country goes a long way towards receiving good will and fulfilling your dreams. It is important to educate and inform people about what they need to know, but let's not be afraid to tell them what they need to hear.

Well, these are my perspectives and our policy regarding immigration and my viewpoints regarding the Windsor Police Department's relationships with our residents. If you've taken the time to read all that I have written, I ask that you consider this: Most of you will have differing opinions on the issues surrounding immigration....which side of the issue you are on is not important. Respect and tolerance is....

Respectfully,

Carlos G. Basurto - Town of Windsor Police Chief