

# Keep Innocent Families Together in San Francisco!

Despite the passage of a policy to restore due process to youth, San Francisco is still tearing innocent youth from their families and reporting them for deportation, without the basic right to a hearing.



This cruel policy encourages racial profiling and discrimination against innocent immigrant youth. The following true stories of impacted youth document the pain the policy has caused.

## Roberto, 14 years old: a teachable moment becomes a nightmare

<p>Featured in <b>The New York Times</b> “San Francisco at Crossroads Over Immigration,” Jesse McKinley, 6/13/2009</p>	<p><i>“He spent Christmas at a juvenile facility in Washington State and is now facing deportation to Mexico, where he was born. The experience left Roberto shaken. “I was feeling really scared,” he said in an interview here.”</i></p>
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After he improved his grades at school, Roberto’s hard-working father bought him a toy gun as a gift. Roberto made the mistake of carrying the toy gun in his backpack to school one day. He was picked up by police and sent to juvenile hall. What could have been a teachable moment for this well-behaved, shy teenager – who had no prior record, and did not hurt or threaten anyone – has instead turned into a nightmare. Under San Francisco’s policy, the Juvenile Probation Department automatically referred him for deportation right after arrest, before he even received a hearing on the charges.

## “B,” 16 years old: torn from his father by grossly exaggerated charges

<p>Featured in <b>San Francisco Chronicle</b> “New sanctuary proposal on protecting youths,” Marisa Lagos, John Cote, Aug. 18, 2009</p>	<p><i>“The teenager has lived here since he was 7 and says San Francisco is the only home he knows. “I won't have no one to turn to - no shelter, no food,” if he is deported, said the youth, whose father lives in San Francisco.”</i></p>
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“B,” a friendly 16 year old, lived with his single-parent father in San Francisco. He was charged with “tagging” the word “calm.” The facts suggest that the felony charge from the police was grossly exaggerated. As the *Chronicle* noted, B “was arrested for felony graffiti, though a juvenile court judge considered the offense minor enough to warrant just six months of informal probation and some community service.” B is now facing deportation and has no family who can take care of him in Mexico.

## Jesus, 17 years old: declared innocent by DA, still deported

<p>Featured in <b>SF WEEKLY</b> “Sanctuary Sellout,” Lauren Smiley, Nov. 18, 2009</p>	<p><i>“...the assistant district attorney dropped the charges against him and declared him innocent, says his public defender... [The attorney] forwarded an e-mail from the prosecutor to the probation department explaining that Cortes was not involved with the crime, hoping it would somehow affect the impending deportation proceedings. It didn't.”</i></p>
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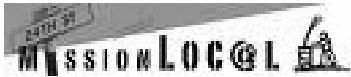
Smiley reports that Seventeen-year-old Jesus “was walking home after dinner on 19th Street. Little did he know police were driving around the Mission District, helping a robbery and assault victim to identify his assailants. Cortes was walking behind two strangers when the police car drove by and, according to the police report, the victim alerted the cops: "That's them! That's them!" Police arrested Cortes along with the two adults.” Despite the DA’s office declaring Jesus innocent and dropping all charges against him, Jesus was still reported to ICE and deported to Mexico. "I got depressed," he told the reporter during a phone call from Mexico. "When I went back, I still hadn't been able to accomplish anything."

## Maria, 15 years old: Facing deportation for ... fighting with her sister

<p>Featured in</p>  <p>“Crossing the line: How Mayor Newsom's policies are tearing apart families, imprisoning and imperiling children, and creating a climate of fear in immigrant communities,” Sarah Phelan, Nov. 11, 2009</p>	<p><i>“The experience shattered Estella's dreams and terrified her family.”</i></p>
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Phelan reports: “Estella ... is a single mother of five who came to the United States from Latin America when her oldest daughter was a baby, hoping for a better future for her family. But ... Estella's daughter — we'll call her Maria, now 15 — was seized by federal immigration authorities this fall, ripped from her family and community, and shipped to a detention center in Miami. Her crime: she got in a fight with her younger, U.S.-born sister. ... Ultimately, a juvenile judge in San Francisco recommended Estella's daughter be put on probation [*note: there were no weapons or injuries in the fight*] — but by that time, Maria was already in Florida” in an immigration detention facility.

## Dolores’ son, 16 years old: In the wrong place at the wrong time

<p>Featured in</p>  <p>“ICE Spirited Immigrant S.F. Teenager Out of State,” Evan Hill, Nov. 6, 2009</p>	<p><i>“I just felt very bad because I felt that there was no justice,” Gutierrez said through an interpreter, dabbing at tears. “From that point forward, my life, there is no reason to live.”</i></p>
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Hill reports: “The district attorney’s office declined to file charges against the 16-year-old, but San Francisco juvenile probation authorities had released him into the custody of Immigration and Customs Enforcement that day, and he was transferred to a facility outside of California, officials said.”

Dolores’ son was taken in by police in a case of mistaken identity. “He cooperated with the police because that is what I have always taught him,” she later told community advocates. At the Board of Supervisors’ final vote on the due process policy, she had this message for Mayor Newsom and other top city officials: **“I want you to know about the innocent children who have been hurt by the current policy. I know you will do the right thing if you know what is happening to innocent children and their families.”**

*\*names have been changed to protect the privacy of these youth*