

VICTORIA S. DIAZ
Assistant Professor

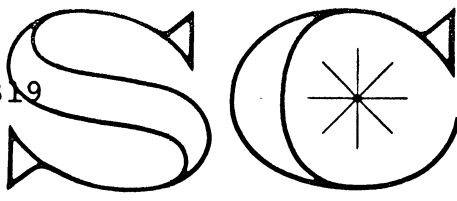
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SCHOOL OF LAW

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December 21, 1979

TO: Members, Hispanic Advisory Committee, U.S. Attorney General

FROM: Victoria S. Diaz

RE: Proposals - 1. Preparation for Second Meeting;
2. Letter to Attorney General (Attached);
3. Agenda for meeting (Attached);
4. Working subcommittees/Issues (Attached);
5. Questions on Employment and Appointments
to Federal Judiciary (Attached).

As we discussed on the phone, I am writing this memorandum to help us prepare for the second meeting with the Attorney General. My latest information is that we may be scheduled to meet around the 17th-18th of January. However, I'll be in touch with Lupe Salinas on January 2 and get confirmation on this. Please consider this a working proposal and feel free to write or call me collect regarding changes or additions you feel are necessary to any item covered by this memorandum.

I propose we set two general goals for our second meeting: that we conduct substantive and in-depth discussion of issues of major concern to the communities we represent; and that with respect to some areas, we present specific recommendations to Mr. Civiletti.

In order to accomplish this, we need to organize our committee and plan our Agenda in advance of the meeting. I suggest that we schedule a 2-1/2 day meeting, reserving the last day for a 4-6 hour meeting with the Attorney General. We would spend the first day and a half on our own preparation. During that time, as a Committee of the Whole, we would finalize our agenda for the meeting with the Attorney General, elect an interim chair and charge subcommittees to deal with specific issues. As subcommittees, we would meet to discuss the issues and report on proposed recommendations to the whole group.

I suggest that we write Mr. Civiletti in advance of the meeting to inform him of our preparation and plans covering the items noted below.

December 21, 1979

1. The location and time we wish to meet as a working committee and, then, with him and Justice Department personnel.
2. Agenda of issues we wish to discuss with him.
3. Information we need from the Justice Department prior to the meeting.
4. Subcommittees we have charged with handling specific issues and questions.

Attached is a preliminary draft of the letter which I propose we send to Mr. Civiletti from the Committee. Items that we need to discuss and agree on are underlined. If in fact we meet on the 17th of January, I would like to send the letter to Mr. Civiletti on behalf of the group no later than January 9. Therefore, I would appreciate receiving your input by that date.

I have also attached two additional items for your consideration: a proposal for a working agenda; and a list of suggested issues for the subcommittees. I have not proposed that we make specific assignments to the subcommittees because I suspect we will volunteer to work on issues with which we each are most familiar. For example, I would prefer to work on the employment and civil rights committees. These are areas in which I have some previous experience. I have identified some questions that need to be examined in the subcommittee/issue list. For the employment area, I have attached a request for data that I would like to have the Committee submit to the Attorney General for answers prior to our meeting.

I look forward to working with you and to hearing from you on this proposal before January 9. In the meantime, if you have any material that should be read by members of the Committee, please send it to us through Lupe Salinas, Special Assistant to the Attorney General. Also, I urge that we each develop requests for advance information from the Justice Department so that we can prepare for a more efficient meeting.

I will be out of town starting the 23rd, but plan to be back on January 2d.

Sincerely,

Victoria S. Diaz

Victoria S. Diaz
Assistant Professor of Law

VSD:jb
Enclosures

Enclosures:

- Drafts
1. Letter to Mr. Ben Civiletti
 2. Proposed Agenda for Second Meeting
 3. Proposed Subcommittees/Issues
 4. Proposed Questions on Employment and Appointments ~~mailed under separate cover~~

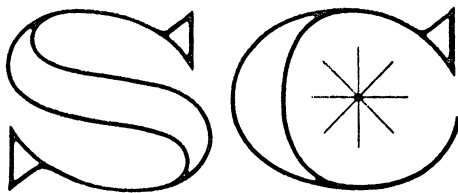
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P.S. Dr. Garcia:

I called you on the 20th to discuss this proposal, and I'm sorry we missed each other.

One question. Do you think we should ask that policy-making non-Hispanic personnel from Justice be present during our meeting with Mr. Civiletti?

I look forward to seeing you.

Victoria S. Diaz



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(408) 984-4319

December 21, 1979

V.S. Diaz/Draft

12/21/79

Hispanic Advisory Committee to U.S. Attorney General

Mr. Benjamin R. Civiletti
Attorney General
Office of the Attorney General
Washington, D.C. 20530

Re: Second Meeting of the Hispanic Advisory Committee

Dear Mr. Civiletti:

We too believe that the Hispanic communities may have better access to the Department of Justice, in great part, through the Hispanic Advisory Committee.

However, this can be accomplished only if we can meet and prepare among ourselves as a Committee first and subsequently conduct substantive and in-depth discussions of issues that are of critical concern to the Hispanic communities we represent with you and personnel from the Justice Department. This goal can be achieved most effectively through our schedule as indicated below.

1. We would like to meet for 2 1/2 days starting at 1 p.m. on January 17 through January 19 in Texas, (Chicago, New York, San Francisco, Los Angeles, and Washington, D.C.).
2. We would like to meet as a working committee alone during the first day and a half.
3. During this time, we would like to ask that Mr. Lupe Salinas be available to help us in obtaining necessary information and in other ways.
4. During the one and a half days we will have formed sub-committees charged with examining specific issues.
5. We will have prepared an agenda of the issues we believe need to be examined.
6. We will have elected an interim chair.

V.S. Diaz/Draft

12/21/79

Hispanic Advisory Committee to U.S. Attorney General

Civiletti - 2

7. We will meet in Committee and in Subcommittees to discuss specific issues in preparation for our meeting with you.

8. On the last day, we would like to meet with you and your staff from 4 to 6 hours. We request that the following individuals be present at those meetings:

Lupe Salinas; Richard Cruz; John Huerta; Emilio Abeyta; Gil Pompa, Drew Days, and the new Deputy Attorney General, if one has been confirmed.

9. We are enclosing a preliminary agenda of issues we need to address.

10. Also, we enclose a list of questions requesting specific information and would appreciate receiving it as much in advance of the meetings as possible.

Finally, we would like to ask that Mr. Lupe Salinas make the necessary arrangements for such a meeting, including travel for the members through the GTR voucher which is more expedient than the post meeting reimbursement procedures and reservations for the necessary conference rooms.

We believe that the above procedures will maximize our ability and efficiency in helping you to assess the needs of our communities and we too look forward to working with you in January when the formal advisory committee has been established.

Sincerely,

Working Hispanic Advisory Committee

VSD:mm

ENCS. 1. Preliminary Agenda for Second Meeting
and proposed Subcommittees/Issues

2. Requests for information

cc: Mr. Lupe Salinas, Special Assistant to the Attorney General

V.S. Diaz/Draft
12-21-79
Hispanic Advisory Committee, U.S. Attorney General

PROPOSED AGENDA - JANUARY 17, 1980 MEETING

FIRST DAY AND A HALF - January 17, 1:00 P.M. and January 18

1. Committee of the WHOLE -
 - A. Election of interim Chair
 - B. Formation of Subcommittees
 - C. Charge subcommittees on specific issues for discussion
 - D. Identification of and request for necessary information from Justice Department
2. Subcommittees
 - A. Discussion of issues
 - B. Preliminary recommendations
 - C. Identification of necessary information from Justice Department
3. Committee of the WHOLE
 - A. Reports from subcommittees
 - B. Discussion
 - C. Formulation of recommendations
 - D. Finalize Agenda for meeting with Attorney General
 - E. Plans for next meeting

LAST DAY - January 19

4. Committee with Attorney General
 - A. Presentation of issues
 - B. Questions and Discussions
 - C. Recommendations
 - D. Plans for next meeting and information needed
5. Committee of the WHOLE - wrap-up
 - A. Evaluation
 - B. Assignments to Subcommittees
 - C. Plans for third meeting?

V.S. Diaz/Draft

12-21-79

Hispanic Advisory Committee, U.S. Attorney General

PROPOSED SUBCOMMITTEES

1. Immigration

- A. Pending Legislation
- B. Rights of undocumented persons
- C. Construction of fence/curtain along U.S.-Mexican Border
- D. Deportation of undocumented persons
- E. I.N.S. policy on residential and place-of-employment raids
- F. I.N.S., U.S. Border Patrol and U.S. Customs violation of rights of undocumented persons
- G. Justice Department policy with regard to local law enforcement procedures and practices vis à vis undocumented persons
- H. Federal fund allocation in enforcing immigration laws
- I. Identification of specific incidents and departments involved in violations of rights and abuses
- J. Oversight hearings by U.S. Congress re role, function and present operation of I.N.S.
- K. Investigation of KKK activities
- L. Appointment of I.N.S. Commissioner

2. Civil Rights

- A. Use of force
 - 1) Policy by Department of Justice
 - 2) Statistics:
 - a. Complaints
 - b. Deaths, injuries
 - c. Arrests
 - d. Force involved
 - e. Weapon(s)
 - f. Ethnic/racial identity of individual(s) and officer(s) involved
 - g. Charge of crime against individual - if none, reason(s)
 - h. Action taken - reasons
 - i. Final investigative disposition
 - j. History of officer's use of force, testing and counseling

- B. Review Boards - Participation by Hispanic community
- C. Shredding of records
- D. Policy of Justice Department re investigation of civil rights violations
- E. Bilingual information on civil rights
- F. Federal fund use
- G. Identification of specific agencies with problems in the use of force.
- H. Sanctions/review of federal judiciary for abuse of power in sentencing police officials. Department's policy and initial action in such cases
- I. Department's policy and procedure to insure that candidates for high level positions and nominees to federal bench have responsibly discharged duty to inform selves of needs of Hispanic communities

3. Employment

- A. Affirmative action record of Justice Department, especially policy making positions
- B. Appointments of Hispanics to the federal judiciary
- C. Enforcement of anti-discrimination laws by the Justice Department's policy
- D. Identification of specific agencies in violation of laws
- E. Legislation - Congress

4. Legislation

- A. Immigration
- B. Anti-Discrimination
- C. Proposals

12-21-79

Hispanic Advisory Committee, U.S. Attorney General

PROPOSED QUESTIONS ON EMPLOYMENT AND FEDERAL JUDICIARY

JUSTICE DEPARTMENT

1. Please provide the following information separately for each agency and/or division of the U.S. Justice Department (for example, F.B.I., L.E.A.A., D.E.A., I.N.S., C.R.S., etc.) as of December 31, 1979.
 - A. The total number of employees in each job classification, including non-classified and appointive positions and the chief officer of each division.
 - B. For each of the job categories and Justice Department divisions listed in A, above, indicate the total number of employees in each of the following categories: male, female, race/ethnic group. For Hispanics, please indicate the specific group (Puerto Rican, Cuban, etc.) by sex.
2. Please provide the information requested in 1 (A-B), above, as of June 30, 1979.
3. For the period July 1 through December 31, 1979, indicate the total number of promotions in each Justice Department division by job category and indicate the total number of promotions in said divisions and job categories within each group identified in 1 (A-B), above.
 - A. For the period July 1 through December 31, 1979, indicate the total number of hires in each Justice Department division by job category, sex, race/ethnic and Hispanic group as requested in 1 (A-B), above.
 - B. Excluding terminations resulting from promotions, for the period July 1 through December 31, 1979, indicate the number of terminations in each division of the Justice Department by job category, sex, race/ethnic and Hispanic group as requested in 1 (A-B), above. **Reasons.**
4. Please provide a copy of goals and timetables for each Justice Department Division by job category, sex, race/ethnic and Hispanic group as defined in 1 (A-B), above, for the 1980 calendar year.
5. For the period July 1 through December 31, 1979, please identify and describe specific outreach, recruitment and training procedures used by the Justice Department to advance the employment of Hispanics. Where different methods have been used for a specific job category(ies)

and/or division(s), please specify the division, job category and method. In response to this question, please identify the specific method as follows.

- A. Name(s) of publication(s)
 - B. Name(s) of Broadcast medium-network and station
 - C. Name(s) of academic Institution(s), including identity of offices and persons
 - D. Name(s) of community group(s)
 - E. Name(s) of organization(s)
 - F. Other. Specify.
6. Identify and describe the specific procedures used by the Justice Department to insure that candidates for and personnel in policy making positions become familiar with the needs and problems of Hispanic communities.

ANTIDISCRIMINATION LAWS AND CONGRESSIONAL PERSONNEL

7. With respect to extending coverage of the federal antidiscrimination laws, such as Title VII of the Civil Rights Act of 1964, to all Congressional staff, specify the position(s) the Department has taken from July 1 through December 31, 1979.
- A. For that same period, describe the advice it has provided on this issue.
 - B. If any changes in either position or advice are anticipated for 1980, please describe.
 - C. If the Department has taken no position or if it takes the position against such an extension, please specify the reasons.

EXECUTIVE ORDER 11478

8. With respect to Executive Order 11478, describe the position(s) the Department has taken from July 1, through December 31, 1979.
- A. Describe the advice it has provided on the advisability of retaining, rescinding or modifying the Order during the same period.
 - B. If any changes in position(s) or advice are anticipated for 1980, please describe and specify the reasons.
 - C. If the Department has taken no position or advises against rescinding or modifying the Order, please specify the reasons.

FEDERAL JUDICIARY

9. Please provide the following information.
 - A. The total number of seats at the federal district court level, including those which are currently vacant such as the judgeships created by the Omnibus Judgeships Act, Public Law 95-486.
 - B. The total number of judgeships in 9 (A), above, filled as of December 31, 1979 and as of July 1, 1979.
 - C. The total number of judgeships in 9 (A), above, broken down by sex, race/ethnic group as of July 1, 1979 and as of December 31, 1979. For the Hispanic group, indicate whether Puerto Rican, Cuban, etc., and sex.
 - D. For the Hispanic judges indicated in response to 9 (C), above, identify the federal district.
10. Please provide the same information requested in 9 (A-D), above, for federal circuit judgeships.
- 11.. Identify and describe specific procedures undertaken by the Department to insure that qualified Hispanics are located and appointed to the federal bench. In response to this question, please identify the specific methods used as requested in 5 (A-F), above. If a list of potential candidates of Hispanic candidates has been compiled, please attach (names only).
12. Identify and describe the specific procedures used by the Department to insure that nominees and or potential nominees to the federal bench have responsibly discharged duty to familiarize themselves with needs and problems of Hispanic communities.

OTHER

13. Policy on defense or prosecution of suits for violation of employment discrimination laws.