

RAIZ

September 8, 2015

SENT VIA EMAIL

Vicky Helton
Records Manager
Garden Grove Police Department
vickyh@ggpd.org

Re: Garden Grove Police Department U-Visa Certifications

Dear Vicky Helton,

Pursuant to the California Public Records Act (Government Code Sections 6250 – 6270), Resistencia, Autonomia, Igualdad, y lideraZgo (RAIZ) asks to obtain access to and copies of the records described in this letter, which we understand to be held by the Garden Grove Police Department (GGPD) and components and subcomponents.

Background on Request

The U Visa is an immigration benefit that can be sought by victims of certain crimes who are currently assisting or have previously assisted law enforcement in the investigation or prosecution of a crime, or who are likely to be helpful in the investigation or persecution of criminal activity.¹

In Orange County, the undocumented population face immense barriers and they are susceptible to abuse on a daily basis. In addition, little is known in the community about the certification process regarding the U-Visa from law enforcement agencies including GGPD.

This request is with hope to create a better understanding between the immigrant community and GGPD in relation to U-Visa certifications and its process.

Records Request

I. Instructions and Definitions

¹ Department of Homeland Security. U Visa Law Enforcement Certification Resource Guide for Federal, State, Local, Tribal and Territorial Law Enforcement.
https://www.dhs.gov/xlibrary/assets/dhs_u_visa_certification_guide.pdf.

The term "Records," as used in the request below, should be construed broadly, and it refers to any material, record, communication, or document, whether in letter or electronic form, including, but not limited to, memoranda, interoffice memoranda, lists, reports, directives, correspondence, data, statistics, spreadsheets, text messages, instant messages and instant message logs, emails, formal or informal policy statements, and internal guidelines.

II. The Request

1. An electronic copy of the U-Visa certification policy of the Garden Grove Police Department (GGPD).
2. All records showing how many U-Visa certification requests were received by the GGPD for the past 5 years. The time period can be starting from Jan 1, 2010 to September 4, 2015.
 - a. We want an exact number of requests made per year using the time frame referenced in the previous sentence.
3. All records showing how many of those requests referenced above were denied certification and how many were actually granted certification. Again, we want this to be also divided by year.
4. All records showing the type of crime committed to the victims requesting certification in the time period referenced above. Again, we want this to be also divided by year.
5. The number of staff, their names, job title, and contact information that handles U-Visa certifications requests for the GGPD.

Timing

We respectfully ask for a determination on this request within 10 days of your receipt of it, and an even prompter reply if you can make that determination without having to review the records in question. Government Code § 6253.

Exemptions

If it is determined that any or all of the information qualifies for an exemption from disclosure, pursuant to the Public Records Act, please note whether the exemption is discretionary, and if so, whether it is necessary to exercise the agency's discretion to withhold the information. If it is determined that some, but not all, of the information is exempt from disclosure and withholding is intended, please produce portions of the records with relevant redactions. If it is determined that any or all of the information is exempt and will not be disclosed, please provide a signed notification citing the legal authorities being relied upon.

Request for Fee Waiver

RAIZ respectfully request a fee waiver for copying costs associated with producing these records. RAIZ is a community organization that works with victims of crimes, at-risk youth, and provides legal and civic advocacy for people in removal proceedings. The requested information will not be used by RAIZ for commercial gain.

Disclosure of the requested information is in the public interest because it will contribute significantly to the public understanding of the U-Visa certification process and practices of the GGPD. However, in the event that a fee waiver is denied, we request notification of any duplication charges so that we may decide which records we wish to have copied.

If I can provide any clarification that will help expedite your attention to this request, please contact Alexis Nava Teodoro, Deportation Defense Coordinator of RAIZ by phone at (714) 574-6540 or by email at alexis@raizoc.org.

Thank you for your attention to this matter.

Sincerely,

Alexis Nava Teodoro
Deportation Defense Coordinator
RAIZ