



CITY OF  
**HAYWARD**  
HEART OF THE BAY

August 7, 2017

David W. Jennings  
Field Office Director  
San Francisco Field Office  
U.S. Immigration and Customs Enforcement  
630 Sansome Street, Room 590  
San Francisco, CA 94111

*Re: Reported arrests of Hayward residents by U.S. Immigration and Customs Enforcement*

Dear Mr. Jennings,

I am writing on behalf of the City of Hayward to register our concern about the lack of notice provided to us about the arrests of the two Hayward residents the morning of Thursday, July 27, by U.S. Immigration and Customs Enforcement (ICE) as the men, identified as Antonio Valenzuela, 34, and Jose Salgado, 42, reportedly were driving away from home on their way to work.

The city learned of Mr. Valenzuela's and Mr. Salgado's arrests from a news article, which is attached and which appeared the following weekend in the San Jose Mercury News. Since then, we have gained additional information about the operation that led to the two men being taken into custody, and their subsequent detention in an ICE facility nearly 400 miles away in Adelanto, San Bernardino County.

Based on news accounts and information subsequently provided by your Field Office and other sources familiar with the matter, it is our understanding that members of an ICE fugitive apprehension unit arrived at the Rainbow Apartments on Harris Road in Hayward early the morning of July 27 looking for one particular individual but ended up questioning and arresting Mr. Valenzuela and Mr. Salgado instead.

By this letter, we are not questioning the operation, the arrests or agent decisions that led up to them. We are, however, extremely concerned about our interests in the following: (1) knowing and being able to assure our community that all of our residents, regardless of immigration status, are receiving due process under the law; (2) that wives and children separated from husbands and fathers in this manner have access to supportive resources; and (3) that trust and cooperative relations between law enforcement and all segments of our community are being maintained and protected to the greatest extent possible.

By way of background, Hayward is among the most demographically diverse cities in California. We are a city with many immigrants from many places, where a language other than English is spoken in more than half of households. Hence, when neighbors watch, and members of our community later read about, two of our residents being taken into custody by immigration agents, it causes no small measure of upset and fear. In such cases, Hayward police and local government leadership need to be informed as soon as possible and given enough information to be able to provide assurances to our residents regarding due process; to provide support to family members if needed; and to be able to take steps

OFFICE OF MAYOR BARBARA HALLIDAY

777 B STREET, HAYWARD, CA 94541-5007  
TEL: 510/583-4340 • FAX: 510/583-3601 • TDD: 510/247-3340  
EMAIL: barbara.halliday@hayward-ca.gov

proactively to distinguish for our residents the respective missions, policies and practices of different law enforcement agencies and different levels of government.

One such difference is that Hayward police and government employees are expected and required to treat all residents equally, regardless of immigration status. City police and employees may not inquire or gather information about residents' immigration status in the course of doing their jobs. And they may not participate in or expend municipal resources in the enforcement of federal immigration law. That doesn't mean we don't cooperate with ICE in the interest of public safety. It just means the city concentrates on local responsibilities and leaves federal immigration enforcement to federal authorities. We operate this way because it builds community trust, which in turn enhances public safety, health and welfare. We see it as best practice.

I want to be clear, however, that we understand that ICE has a different mission, and we recognize and respect the rights and responsibilities of the men and women who carry that mission out. We also understand that ICE policies and practices necessarily will differ, especially as it relates to collateral or incidental contacts with individuals, such as those that, according to news accounts, occurred between your agents and Mr. Valenzuela and Mr. Salgado in Hayward on July 27 and led to their arrests.

Going forward, we respectfully request that when the outcome of ICE operations in our community result in arrests, that this information be shared as soon as possible with the Hayward Police Department (HPD). Appropriately so, ICE already provides advance notice of its operations in local jurisdictions to corresponding local law enforcement authorities, which is an important public and inter-agency safety measure. Similarly, we ask that notice of arrests be provided to HPD, so that information can be shared appropriately and on a timely basis across our city's municipal leadership. This accommodation is vital to our legitimate and substantial interests—that is, in being able to provide assurances of due process of law for our residents; for looking after the social welfare of separated family members; and for building and maintaining community trust in local law enforcement.

I look forward to your response to this request. City Manager Kelly McAdoo, Police Chief Mark Koller and I are available to discuss further our needs and to answer questions and provide clarifications.

Sincerely,

  
Barbara Halliday  
Mayor

Cc: Congressman Eric Swalwell  
Senator Dianne Feinstein  
Senator Kamala Harris  
Thomas D. Homan, Acting Director, U.S. Immigration and Customs Enforcement  
Peter Edge, Acting Deputy Director, U.S. Immigration and Customs Enforcement  
Hayward City Council  
Kelly McAdoo, Hayward City Manager  
Mark Koller, Hayward Chief of Police  
Dana DeBeaumont, Capitol Advocacy Partners

News

# ICE shows up to apartment complex looking for undocumented Hayward man, arrests two others instead



By TATIANA SANCHEZ | [tsanchez@bayareanewsgroup.com](mailto:tsanchez@bayareanewsgroup.com) | Bay Area News

Group

PUBLISHED: July 29, 2017 at 8:19 pm | UPDATED: July 31, 2017 at 4:53 am

**HAYWARD —** For the second time in two months, agents with U.S. Immigration and Customs Enforcement have picked up two undocumented immigrant construction workers who were on their way to work in the morning and are holding them for deportation, leaving their wives and American-born children in limbo and their communities shaken.

In May, Hugo Mejia of San Rafael and Rodrigo Nuñez from Hayward — both undocumented immigrants from Jalisco, Mexico who have been in the United States for more than a decade — were detained on the Travis Air Force base in Fairfield after a military official discovered they did not have valid social security numbers during a routine identification screening and reported them to ICE.

Then early Thursday, ICE agents arrived at the Rainbow Apartments on Harris Road in Hayward allegedly looking to detain an undocumented immigrant who lives at the complex. Instead, they arrested two neighbors, according to the men's families.

Antonio Valenzuela, 34, and Jose Salgado, 42, both undocumented immigrants with American-born children, were leaving the area at about 6 a.m. for work when they were trailed by ICE agents and stopped separately a short distance from the complex, according to their wives. Like Mejia and Nuñez, both men have lived in the U.S. for more than a decade.

ICE spokesman James Schwab said investigators found both men had been previously charged with criminal offenses. This news organization was unable to confirm any previous criminal charges on Sunday.

Valenzuela had been repatriated to Mexico three times, including twice by federal agents, Schwab said.

*Like the Hayward Daily Review Facebook page for neighborhood news and conversation from Hayward and beyond.*

Salgado's case has been referred to immigration court under the Executive Office for Immigration Review, where a judge will determine whether he can legally remain in the country, Schwab said.

The men's arrests highlight the Trump administration's increasingly stringent deportation policies, which have vastly expanded the number of people at risk of deportation across the United States. Critics say deporting men like Valenzuela and Salgado — who have stable jobs, American children and no known criminal records — might actually do more harm to this country in the long run.

**"Under Obama, there were really targeted arrests," said Lisa Knox, an immigration attorney with the Oakland-based Centro Legal de la Raza, who is assisting Valenzuela and Salgado with their cases. "ICE didn't generally arrest anyone else that they found who they suspected of being undocumented. But ICE has said that they are now authorized to do that."**

Added Knox: "it's sort of an escalation of 'collateral damage,' where they're signalling anyone who is undocumented is potentially a target now."

On the day he was detained, Valenzuela's wife, Esther León, said ICE stopped him to ask if he was the person they were looking for, giving him the name of the man they sought.

When Valenzuela told them it wasn't him, "they asked him to get out of the car and to provide identification," she said.

At that point, Valenzuela provided a driver's license and a Mexican ID, according to his wife. He was arrested shortly after.

**“Once he showed them his ID they automatically knew about his legal status,” said León, 28. “They didn’t let him talk to anyone, they didn’t let him speak with an attorney.”**

León and Rosalba Ayala, Salgado’s wife, who lives nearby, said ICE agents remained at the Rainbow apartment complex for several hours, knocking on every door and yelling for the man they were looking for to come out of his residence. They later vowed to return, according to the women.

Though many decry what they say is an illegal immigration crackdown under Trump that is sweeping up productive workers without criminal records, others say it’s overdue.

Lori Drake, past chair of the Alameda County GOP, said this stricter enforcement should have been happening all along.

**“If we have laws that restrict the number of migrants that come in, then that should be done across the board,” she said. “It should be that our laws are meaningful from the beginning.”**

Drake also said the spouses and children of people who are deported should simply go back to their home country with them in order to keep the family together.

**“It’s always going to be difficult when you have to undo decades of neglectful policies,” she added. “But eventually you have to stop the tides.”**

Both men were transferred to the Adelanto Detention Facility in Southern California, where they remain in custody, according to their wives. Meanwhile, León and other neighbors said the man for whom ICE was originally looking has not been detained.

The man’s wife told Univision News that she did not let ICE agents inside when they showed up at her door. It’s unclear if they had a warrant for his arrest. Padilla said they only had a photo of her husband.

***Get top headlines in your inbox every afternoon.***

***Sign up for the free PM Report newsletter.***

Ayala said the confusion over the man the ICE agents were seeking was, “just an excuse to detain somebody.”

**“They obviously knew who they were looking for,” she said. “I feel as if they’re stomping on our rights and trying to speed up the entire deportation process so that people don’t have time to look for legal help.”**

Meanwhile León, a housekeeper, said she's unsure of how she'll support their two children, ages 7 and 1, without her husband's income. Valenzuela works for a landscaping company.

"He is our financial support. Without him, I'm completely alone," she said. "I want them to at least give him a chance to fight his case."

*Staff Writer Louis Hansen contributed to this story.*

SPONSORED CONTENT

## What's View-Through, and Why Should You Track

By 

If your digital ad campaign generates the same click-through rates as the average campaign, then mc

---

**Tags:** Immigration, Regional, Trump Administration

**Tatiana Sanchez** Tatiana Sanchez covers race and demographics for the Bay Area News Group. Previously, Sanchez was an immigration reporter for the San Diego Union-Tribune, where she covered race, diversity and the region's multicultural communities. She received a master's in journalism from Columbia University. Sanchez was born and raised in the Bay Area.

 Follow Tatiana Sanchez @TatianaYSanchez

### SUBSCRIBE TODAY!

ALL ACCESS DIGITAL OFFER FOR JUST 99 CENTS!