

HB2466 TESTIMONY

My name is Catalina Velarde and I am here to testify in opposition to HB2466. I am an immigration attorney and member of the American Immigration Lawyers Association (AILA). AILA is the national bar association for practitioners focused in Immigration Law. AILA has 14,000 members worldwide, and 225 members in its Missouri-Kansas chapter.

My practice is primarily the assistance of asylum seekers (victims of persecution abroad) and victims of violent crime in the United States. Often they are one and the same. Every day, I meet victims of the worst of humanity - I see men, women and children who have had to endure situations that neither you nor I would or should wish upon anyone. Assaults with deadly weapons, molestation, drive-by shootings, violent robberies, domestic violence, rape, and more. I've seen victims as young as two years old, and victims with scars, gunshot wounds, permanent disabilities, and all the markings of PTSD.

The families I see have come to the United States for the same reason I did, and for the very reason many of our ancestors came as well - for survival and for a better life. They have come here in the hope that our great nation will live up to its declaration that all are created equal and endowed with certain unalienable Rights among which are "Life, Liberty and the pursuit of Happiness." Those ideals may seem so obvious, but the men, women, and children I serve have put everything on the line for this.

Last summer I participated, through AILA, in the CARA Pro Bono Project. Nearly 30 AILA members and community volunteers from Kansas City and as far away as Wichita and Garden City took turns and traveled to the remote city of Dilley, TX, a town of 4000 residents located between San Antonio and the border city of Laredo. In Dilley you will find the South Texas Residential Family Center.

Housed in the detention center are hundreds of mothers and their children who fled their countries of origin because they faced a choice - to flee or to die. It's not much of a choice. I saw young mothers who had to abandon everything they had to save their children. Some faced domestic violence and others faced the ever-spreading gang violence that has made of places like El Salvador and Honduras among the deadliest nations on Earth.

El Salvador has a murder rate of 104 homicides per 100,000 people (increase of 70% from the year before). The murder rate in Honduras was 57 homicides per 100,000 people. And in Guatemala, there are 96 murders per week. Kansas, by comparison, had a homicide rate of 3.1 (per 100,000).

Whatever the threats the victims faced, they faced something else in common - despair. They faced a wave of helplessness at being abandoned by those those were supposed to protect them - their governments, their law enforcement officials. Often, as immigration practitioners we heard our clients in resignation state "I do not trust the police. They will not help me. They will not protect me."

I am a resident of Overland Park KS and a member of the Independent Citizens Advisory Board on Racial Profiling and Non-Biased Policing for the City's Police Department. In my tenure on the Board, I have been nothing but impressed. Chief Frank Donchez and the Department leadership take to heart their duty to guard the safety and welfare of the residents under their watch. They know that as stewards of the community they must hold the community's trust but before they hold this trust they must earn it.

OPPD understands that racial or other biased-based policing is unethical, unlawful, and unacceptable. Biased policing fosters community distrust of law enforcement. I have the utmost respect for the Overland Park Police Department, but I cannot believe they are unique in this endeavor. And the reason I can say this is because the very nature of my work leads me to work with law enforcement bodies throughout the Kansas City area.

Vulnerable victims need someone to trust. I've had clients who were victims of domestic violence say they have been afraid to leave their abuser because the abuser threatens them by saying, "If the police comes, you're going to be the one arrested and sent to Immigration." This cannot be. We cannot allow this. We dubbed Lady Liberty the "Mother of Exiles" and engraved at her feet her cry. She lifts her lamp as a beacon of welcome to the tempest-tost. In our communities, it is our law enforcement who is often the first beacon of hope and protection to those who need help. Please do not extinguish that light. Thank you.