

# From the shadows

## Jose Beteta is city's first non-citizen appointee

by Michael de Yoanna

Jose Beteta's American story is a familiar kind. When he came to the United States, he was just 13 years old. His parents wanted a better life for him and his brothers and America provided good work and a fine educational system. So his family made the big decision, left everything they knew behind in Costa Rica and came here to carve out a new identity.

Now, with some streaks of gray in his hair, Beteta is 32. He still has an accent but he's deeply settled in his American self. He owns a small business. He's recently become the president of the Boulder County Latino Chamber of Commerce. And, with the blessing of Boulder's City Council, he is the newest member of the city's discrimination-fighting Human Relations Commission.

"I'm very humbled by it," Beteta says of his appointment. "I feel like it is a great opportunity to allow me to connect the Latino community even more with itself and with the non-Latino community. There is a lot, I guess, of mistrust, and a lot of resentment over the years that has happened because of the treatment of underrepresented persons in the community. ... I hope to be able to serve as a link — as a liaison — between these two groups and start the healing process and the progress."

Some of the hurt, he notes, stems from something apparent. Boulder has had few Latino leaders in prominent posts over the years.

What makes Beteta's appointment so unusual is that he's not a U.S. citizen. He represents a milestone for Boulder, and perhaps the nation, as the first person to be appointed to a city commission under a new law approved by voters in November. Ballot Question 2G amended the City Charter to allow adult residents to serve on boards and commissions "even if they are not city electors." Essentially, the measure, which passed by 62 percent of the vote, lets people who can't or don't vote seek appointments to vacant commission and board seats.

Some, including the Libertarian Party of Boulder County, had opposed the measure. Others, such as the



Jose Beteta is an undocumented noncitizen who's been appointed to Boulder's Human Relations Commission.

Cesar Vazquez Photography

Boulder County Republicans, were supportive for their own reasons. In a "Voter Guide" newspaper ad prior to the election, the local GOP said 2G "just seems logical — registering to vote doesn't have anything to do with one's ability to serve."

To Human Relations Commission Chairwoman Amy Zuckerman, the election result was an affirmation of the commission's mission. And last week, she described Beteta's swearing in as a "truly historic" moment for the nation.

"The appointment of a non-electors to a municipal board or commission is, as far as we have found, unprecedented not only in the city of Boulder, but anywhere in the entire country," she said.

Making Beteta's appointment more heartening to Zuckerman is that his immigration status is a legal mess. He's undocumented and has struggled for years through attorneys to resolve his situation without luck.

"A lot of people assume that because all the 21 years that I've been here that I've been lazy about it, but that is not the case," he says. "I've seen over 15 attorneys through this whole process. It's always been a negative outlook. So that's why I've never moved on with it."

Beteta joins a commission that

works to "foster mutual respect and understanding" in Boulder. Such an expansive description plays out for the board in a variety of ways. The Human Relations Commission, for instance, has a budget of tens of thousands of dollars each year to spend on events that raise social awareness, like Asian and Jewish festivals, educational, cultural and arts programs and Pridefest, just to name just a few. About four years ago, the commission, in its quasi-judicial role, was at the forefront of an investigation of Siamese Plate restaurant for its alleged failure to pay its employees wages. Eventually, the commission referred the case to law-enforcement authorities, leading to a federal grand jury indictment of the owner of restaurants in Boulder and Broomfield on suspicion of abusing undocumented workers, including making them work more than 30 hours of overtime a week without compensation.

The Human Relations Commission also takes a leading role in advising the City Council on where to stand on policy. This year, for example, on the advice of the commission, the council is supporting the Wage Protection Act — Senate Bill 005 — at the Legislature. The bill seeks to give the state labor department the power to investigate and adjudicate all wage

claim cases.

Another measure backed by the commission was 2G. Ultimately, the commission convinced the council to place the measure on the ballot for voters to decide.

The effort was about a decade in the making, says Shirly White, a member of the Human Relations Commission for two years and a naturalized U.S. citizen.

"There was a feeling in the Latino community for a long time that there needs to be better representation," White says. "Lots of folks were involved in making this happen."

The criteria for who can serve on city boards and commissions were set in the original City Charter in 1918 and amended in 1998. It states: "Each of such commissions, including the library commission, shall be composed of five electors, appointed by the council, not all of one sex, well known for their ability, probity, public spirit, and particular fitness to serve on such respective commissions..."

The requirement that those who serve be "electors" prevented non-citizens and others who don't vote from participating. But activists, including local Latinos, raised concern that too many people in the community were not being given a voice. The Human Relations Commission agreed and seven years ago first advised the City Council to support removing the "elector" requirement. But the council was closely split and declined, with some members expressing a desire to "avoid concern about 'illegal' immigrants sitting on local government as officials" and the fact that felons, who are barred from voting, might get on boards, according to commission documents.

What turned the tide last year seemed to be the years of hard work and perseverance by community members and commissioners who wouldn't let the issue die, Zuckerman says. Moreover, the support, from the council to voters, was there.

"All of this has come back to our commission and we're really excited,"

See **UNDOCUMENTED** Page 20



Beteta is the president of the Boulder County Latino Chamber of Commerce.

**UNDOCUMENTED** from Page 19

Zuckerman says. “So this has been a journey ... I think sometimes in the advocate role you can feel as though there isn’t a groundswell of support, but I think in this case that has been laid.”

What voters have done is provide a place for people like Beteta to emerge from the background of Boulder’s daily din to play a role in shaping the community to which they belong. Beteta, who was selected from five applicants, sees his five-year appointment by “acclamation” (that is to say with the support of all) of the City Council as a special duty.

“I want to be able to work more with Latinos to be able to bring more people like myself out of the shadows,” he says.

Life in the shadows, he adds, is one where “you are always looking over your shoulder.”

Undocumented people may be denied basics most Americans take for granted, like being able to open a bank account, rent or buy a house or have health or car insurance, Beteta says. They hesitate to raise their voice about injustices, he adds.

“A lot of undocumented persons stay quiet when crimes are committed against them, whether it be wage theft, whether it be physical violence, whether it be discrimination — those are the kinds of things that they will not report because they are afraid that when they come into contact with law officers that they are going to be apprehended and taken away from everything that they know,” Beteta says, adding that he plans to work with law enforcement on

such issues.

He has already come a long way for someone in the shadows. Seven years ago, Beteta graduated from Howard University in Washington, D.C., receiving a degree for information systems and business administration, computer and information sciences and support services. In 2008, he launched his own business, LeapTech Solutions, a network infrastructure company that emphasizes environmentally friendly, cost-saving solutions. With his wife Tamil Maldonado, a U.S. citizen from Puerto Rico, he co-founded Barrio E’, an organization that embraces Puerto Rican music, culture and education.

His work with the Boulder County Latino Chamber of Commerce is a deep source of pride. Beteta joined in 2012 and by 2013, with an eye on marketing strategies, he became vice president. Now president, he says the chamber is succeeding, thanks to a combination of savvy online techniques, engaging “ice-breaker” events that challenge stereotypes and outreach to young people and small businesses. Part of the strategy is low membership dues that “mom and pop shops can afford.” He’s watched the organization grow quickly around Boulder County and even has seen interest from as far away as Fort Collins and Denver.

“Our membership has doubled already and it’s not even the first half of the year,” he says. “I’m very optimistic about that.”

While it seems Beteta has taken firm steps into the realm of public life,

he says his appointment to the Human Relations Commission has brought intense interest in his affairs that at times he's struggled to become comfortable with. Before agreeing to an interview with *Boulder Weekly*, Beteta hesitated. He'd been branded an "illegal" immigrant in headlines by other news organizations. But eventually, Beteta said he wanted to tell *BW* his story so that others can learn from his experiences.

The undercurrent is fear — fear that federal immigration authorities might intervene or investigate Beteta if they are paying attention to the news in Boulder.

And deportations in recent years are up — way up.

President Obama has earned the label "Deporter-in-Chief" from his critics because his administration has deported some two million people at a rate of deportation that has eclipsed that of his predecessor, George W. Bush. Immigration attorneys have cried foul, saying the system has even sent some away who have legal grounds to stay in the country.

But for the first time Beteta is feeling optimistic about his status.

"Right now," he says, "I see a light at the end of the tunnel."

He attributes that hope, which ends with U.S. citizenship, to going public. The light at the end of the tunnel is emanating from the collective torchbearers who want him to stay, he says.

Among his supporters is Congressman Jared Polis, a Boulder Democrat. After Beteta was sworn in, Polis picked up the phone to offer congratulations. He knows Beteta "took some degree of risk" to merely apply for a place on the commission.

"It really is groundbreaking that he is the first undocumented American to serve in an official public service capacity," Polis tells *Boulder Weekly*. "I know that the Human Relations Commission will benefit greatly."

Polis notes that there are many people in Boulder County and across the country facing the same kinds of legal issues, looking for pathways to become Americans.

"Jose is similar to so many other aspiring Americans who live in the shadows and want nothing more than to pay taxes and follow our laws and work hard and make our country stronger," Polis says. "We certainly need to create the legal framework that allows them to do that."

Polis' office is directly assisting Beteta in his bid for citizenship.

"He has the possibility of normaliz-

ing his status based on his marriage," Polis says. "It's not an easy road, but I'm committed to supporting his case at every step, including letters of support and doing everything we can to allow him to seek a remedy under the law."

When he was sworn in, Beteta agreed to uphold the Constitution. He also took the opportunity to thank many people: his wife, his friends and all of those in Boulder who collaborat-

ed for nearly a decade to pave the way for a non-citizen to be part of civic life. In his remarks, Beteta issued "a call to action to underrepresented persons to seek leadership positions in the city, the county and the state."

"We need to make our voices heard and embrace each other's differences to grow stronger together," he said. "Our board is here to address your concern so please be involved in what we do."

Later, Beteta reflected on that big day — all the people, the supporters, the pomp and circumstance and the well-wishers.

"I have no words for it," he says. "I was flabbergasted ... I was almost paralyzed when they were all there and they applauded. It was just beautiful to see a community come together for a common purpose." ❏

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