

Topic: Hispanic Community Needs and  
Mt. Pleasant Rights

UNITED STATES COMMISSION OF CIVIL RIGHTS

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DISTRICT OF COLUMBIA ADVISORY COMMITTEE

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SPECIAL BRIEFING AND PROGRAM PLANNING SESSION

+ + + + +

MAY 15, 1991

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The Committee met in the Gavan Center of  
the Shrine of the Sacred Heart, 16th Street and Park  
Road, Northwest, Washington, D.C. at 10:00 a.m., James  
G. Banks, Chairman of the Committee, presiding.

+ + + + +

PRESENT:

- |                      |                     |
|----------------------|---------------------|
| ARTHUR A. FLETCHER   | COMMISSION CHAIRMAN |
| JAMES G. BANKS       | COMMITTEE CHAIRMAN  |
| BLANDINA C. RAMIREZ  | COMMISSIONER        |
| YETTA W. GALIBER     | COMMITTEE MEMBER    |
| EDWARD HAYES, JR.    | COMMITTEE MEMBER    |
| CECILIA MUNOZ        | COMMITTEE MEMBER    |
| CLIFTON B. SMITH     | COMMITTEE MEMBER    |
| JOHN C. TOPPING, SR. | COMMITTEE MEMBER    |

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ALSO PRESENT:

JOHN BINKLEY, Director, Eastern Regional  
Division, U.S. Commission on Civil Rights.

EDWARD DARDEN, Civil Rights Analyst, Eastern  
Regional Division, U.S. Commission on Civil Rights

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AGENDAPage

Welcome		
James G. Banks		4
Purpose of Briefing Session		
James G. Banks		4
Introductions		7
Opening Statements		
Chairman Arthur Fletcher		9
Commissioner Blandina Ramírez		11
Scheduled Statements		
Pedro Aviles		13
Jesse Jackson, Senator		24
Raoul Yzaguirre		46
Marjorie Utley		66
Rose Marie Inserni & Students		76
Susana Cepeda		98
Lori Kaplan		105
Elena Rocha		119
Doctor Ricardo Gablis		125
Gabe Chekus		134
Doctor Robert Manning		148
Samson Girma		155
Raymond Gavetti		163
Officer Bonnie O'Neil		165
Jim Eatherly		170

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1 P-R-O-C-E-E-D-I-N-G-S

2 10:57 a.m.

3 CHAIRMAN BANKS: Ladies and gentlemen,  
4 there is a quorum present and we may begin.

5 I am James G. Banks, Chairperson of the  
6 District of Columbia Advisory Committee for the United  
7 States Commission on Civil Rights. I am sorry that  
8 the sound of these fans is so intense that it's going  
9 to be difficult, I think, for some to hear.

10 It is my duty and pleasure to inform you  
11 of the rules for this special briefing session, and  
12 to welcome you to participate.

13 The District of Columbia Advisory  
14 Committee to the Commission is one of 51 such  
15 committees, made up of volunteers and appointed by the  
16 Commission. The committees were created to advise the  
17 Commission on matters pertaining to the discrimination  
18 or denials of equal protection of the laws because of  
19 race, color, religion, sex, national origin, age,  
20 disability, or in the administration of justice. And  
21 to assist the Commission in its statutory obligations  
22 to serve as a national clearing house for information

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1 on these subjects.

2 Today the Advisory Committee will gather  
3 comments on the civil rights complaints and community  
4 grievances, especially among Latino groups, and focus  
5 our attention on the following general subject of  
6 civil rights complaints emerging from recent civil  
7 disturbances in Mount Pleasant and neighboring areas.

8 If there are civil rights grievances, how  
9 should the Advisory Committee and the Commission  
10 respond? The meeting agenda has details of the  
11 invited speakers, but please notice that a portion of  
12 our time has been reserved for an open period. We  
13 will use this time for public comment from members of  
14 the audience who feel they have something to bring  
15 before us.

16 I must bring this to your attention also,  
17 that the conduct of this meeting will conform with the  
18 provisions of the Freedom of Information Act, the  
19 Government in Sunshine Act, and the Privacy Act.  
20 Please assist us by reporting to Mr. Darden before you  
21 make a statement to the Committee. He will give you  
22 any necessary instructions.

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1           The Advisory Committee is also empowered  
2 to receive individual complaints that come within the  
3 jurisdiction of the Commission. If there are any  
4 persons here who feel they have grounds for a  
5 discrimination complaint, again, please see Mr.  
6 Darden. He will make the necessary arrangements for  
7 reporting.

8           The Commission is not an enforcement  
9 agency and will not investigate your individual  
10 complaints. We will forward your complaints to the  
11 appropriate enforcement agency for their review and  
12 possible investigation. The complaints we receive  
13 here today, will be referred to the Commission's  
14 Headquarters Staff for processing. If you prefer to  
15 contact the Commission's Headquarters directly, you  
16 may contact the Commission's Complaints Hotline. The  
17 Hotline numbers are 1-800-552-6843 or 202-376-8513.  
18 If you didn't get all those, Mr. Darden, I'm sure, can  
19 give them to you.

20           At the conclusion of our briefing session,  
21 if time permits, the Advisory Committee will take time  
22 for a planning discussion among its members. The

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1 planning session is a preliminary step in our  
2 consideration of a study project on the subject matter  
3 that will be discussed during this briefing. If the  
4 Advisory Committee should conduct a study project, the  
5 results will be submitted in a written report to the  
6 Commission. This special briefing session is one key  
7 stage in our program development.

8 Our overall fact-gathering will also  
9 include pertinent follow-up to today's formal  
10 presentations, and subsequent interviews as necessary.  
11 And our record will remain open for 30 days to receive  
12 comments from any person or persons who wish to  
13 contribute to our understanding of this important  
14 subject.

15 I would also like to bring to your  
16 attention the publication table, where staff has  
17 displayed Commission and Advisory Committee reports  
18 that deal with the subject. These are, regrettably,  
19 the only copies here today. What we ask is that you  
20 please leave them on the table. The supply of these  
21 reports varies but we will make every effort to send  
22 copies to you by mail. Simply give us your name and

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1 address on the sheet under the document and we would  
2 like -- we will have a copy delivered.

3 We are pleased to have with us today, the  
4 Chairman of the Commission, Mr. Arthur A. Fletcher.

5 Mr. Fletcher, won't you join us at this  
6 table?

7 Ms. Mary Frances Barry. Mrs. Blandina  
8 Ramirez. The Commission Staff Director, Mr. Lofredo  
9 Gonzalez. Also with us, is the Director of the  
10 Eastern Region, Mr. John L. Binkley, in the back  
11 there. And civil rights analyst, Ed Darden, who I've  
12 referred to before. In addition, the Commission's  
13 General Counsel, Carroll Booker is here to receive  
14 complaints.

15 The Committee itself consists of 11  
16 members, some of whom could not be with us today  
17 because of previous commitments. We have today, Ms.  
18 Yetta Galiber, Mr. Edward Hayes, Ms. Cecilia Munoz,  
19 Mr. Clifton Smith, and Mr. John C. Topping, Sr.

20 Now, at this point, I'm going to ask the  
21 Chairman, members of the Commission, and members of  
22 the Committee if they have opening statements they

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1 would like to make?

2 Thank you.

3 CHAIRMAN FLETCHER: The Commission is  
4 here, primarily, in observer capacity. We're  
5 observing for the purpose of determining how we will  
6 employ the Commission's resources with reference to  
7 a fact finding operation that we're responsible for  
8 conducting. And SACS are the local Advisory  
9 Committee's tool.

10 The Civil Rights Commission has the first-  
11 line responsibility. And in my testimony before the  
12 Congress, to those of you who are members of the local  
13 SACS should know, I promised members of the Congress  
14 that the Civil Rights Commission, during my tenure as  
15 Chairman, would look upon the local Advisory  
16 Committees as the primary source for getting involved  
17 in the solution of problems, and that we would manage  
18 from what I call a bottom-up type of approach. We  
19 would get your information and to the degree your  
20 information indicated how we would use our sparse  
21 resources, that we would then employ them.

22 So we're here, more-or-less this morning,

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1 in an observing capacity, to determine exactly how we  
2 plan to employ the Commission's sparse resources, once  
3 the information that you gather here is made available  
4 to us, we will then determine how we are going to  
5 start our fact finding operation.

6 I might just add that one of the things  
7 that the Commission does is overlook the  
8 implementation of the Civil Rights legislation that  
9 has been passed by the United States Congress. We are  
10 an independent entity and we sit, if you will, in  
11 judgment, on how well the voting rights, the housing  
12 rights, employment rights, educational rights,  
13 business opportunity rights, public accommodation  
14 rights, all legislation that has been legislated by  
15 the Congress, and given to the various federal  
16 agencies, the various state agencies, the various  
17 county agencies and city agencies to implement. Our  
18 job is to engage in a fact finding operation to see  
19 how well it's implemented. And then offer criticisms  
20 where criticisms are due, as well as compliments if  
21 our findings justify such.

22 So we're here in that capacity and when

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1 we finally begin to look, we will probably take a very  
2 extended look. I might just add that a hearing, from  
3 where the Commission is concerned, is a result of  
4 finding a fact finding team in the field for 90 to  
5 possibly 180 days, to gather specific facts and then  
6 hold a hearing to find the nature of those facts.

7           And to the degree that legislation is  
8 necessary, we'll make recommendations in those areas.  
9 To the degree that a change in the regulation is the  
10 issue, we'll make recommendations in those areas. But  
11 we only deal from the facts -- I want you to  
12 understand that -- and not opinions. So when we get  
13 involved, we're going after facts because we have to  
14 make recommendations on those bases. And since civil  
15 rights is such a critical issue right now, we must  
16 make sure the facts are as we perceive them. Because  
17 there are those who are just to opposed to an  
18 assertive effort in the civil rights area as there are  
19 those who are supportive. And so our work has to be  
20 as close to letter-perfect as possible.

21           Thank you for that opportunity.

22           MS. RAMIREZ: Mr. Chairman, I'm going to

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1 make my comments in Spanish. I don't know what that  
2 does to our recording capacity, but I think I would  
3 like to paraphrase your statement and the Chairman's  
4 statement, in Spanish, so that everyone here may  
5 understand the role of this hearing and the role of  
6 the Commission.

7 (Whereupon, Ms. Ramirez paraphrased the  
8 above statements in Spanish.)

9 MS. RAMIREZ: Let me just say to those who  
10 did not -- would not speak Spanish that basically,  
11 what I tried to do -- and I don't know how well I did  
12 it -- was to provide a context for the Commission's  
13 authority, and for the way in which we operated. And  
14 I also expressed to the group, our appreciation for  
15 the State Advisory Committee's presence here.

16 CHAIRMAN BANKS: Thank you very much.

17 Any other comments from the Commission or  
18 the Advisory Committee?

19 If not, we will proceed with our first  
20 scheduled statement, Mr. Pedro Aviles, the Latino  
21 Civil Rights Task Force President.

22 Welcome.

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1                                    THE STATEMENT OF PEDRO AVILES

2                                    MR. AVILES: Mr. Chairman, Members of the  
3 U.S. Civil Rights Commission, Members of the District  
4 of Columbia Advisory Committee to the Commission, my  
5 name is Pedro Aviles. I am here in my capacity as  
6 Chairperson of the DC Latino Civil Rights Task Force.

7                                    In my capacity of Chairman of this Task  
8 Force, I would like to take this opportunity to  
9 formally request that the United States Civil Rights  
10 Commission initiate a hearing into the treatment of  
11 Hispanics in the District of Columbia. The DC Latino  
12 Civil Rights Task Force is prepared to cooperate fully  
13 with such an inquiry. We are willing to facilitate  
14 by every means, the full airing of our grievances in  
15 the hope that the United States Government will take  
16 the appropriate actions to safeguard our basic human  
17 rights.

18                                   The Task Force maintains three primary  
19 issues of concern. They are: that the Metropolitan  
20 Police Department has engaged in a pattern of  
21 violating the civil rights of Latino residents. The  
22 hiring practices of the District of Columbia

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1 government discriminate against Latino job applicants.  
2 And that this proportionate dollars target in the  
3 Latino community. Many Latino residents are coming  
4 forward to give testimony of police abuse including  
5 brutality, excessive use of force, harassment, and  
6 beatings.

7 The Task Force further maintains that  
8 there has been a pattern of discrimination in hiring  
9 practices with respect to Latino applicants. Out of  
10 48,000 employees, less than 300 are Hispanic although  
11 Hispanics represent ten percent of the District  
12 population. Most of the Hispanic employees are in  
13 temporary positions or low paying jobs. The District  
14 of Columbia government is a \$3 billion organization  
15 which directs less than \$5 million in direct aid to  
16 the Latino community in the form of services.

17 The current District of Columbia  
18 administration has sought to balance the District  
19 government's budget by first eliminating budget  
20 resources for the already limited programs directed  
21 at serving our community. While the Task Force  
22 understands the need for budgetary constraint, we

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1 maintain that such cuts are excessive and constitute  
2 a discriminatory practice against the Latino  
3 community.

4 The events of the past week have shown the  
5 degree of frustration and anger which can be released  
6 within a community when conditions become intolerable.  
7 The civil rights of Latino residents of the District  
8 of Columbia are being violated in a systemic fashion.  
9 It is our hope that your intervention via the U.S.  
10 Civil Rights Commission will be instrumental in  
11 stopping the abuse.

12 Thank you very much.

13 CHAIRMAN BANKS: You're welcome.

14 Are there questions by the Committee  
15 members or Commission members?

16 MS. MUNOZ: Mr. Chairman?

17 CHAIRMAN BANKS: Yes.

18 MS. MUNOZ: I'm Cecilia Munoz. I'm with  
19 the State Advisory Commission. Can you talk a little  
20 bit about the -- Immigration Act that Immigration and  
21 Naturalization Service has placed -- and --

22 MR. AVILES: It is our understanding that

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1 the INS did intervene. It's my understanding that the  
2 community is also very concerned about the INS  
3 intervention in this matter. As you very well know,  
4 we have a very large population of undocumented from  
5 persons from Central America that have come to this  
6 country because of what some believe is the result of  
7 foreign policy on the part of the past and present  
8 Presidential administration. Yes, there is definite  
9 concern about the presence of INS and our community  
10 is worried about it.

11 CHAIRMAN BANKS: Any other questions?

12 MS. RAMIREZ: Yes. I'm curious. Is there  
13 any mechanism -- I understand that yours is a private  
14 body. Your body is private and independent, is that  
15 correct?

16 MR. AVILES: It is correct.

17 MS. RAMIREZ: It's not a Governmental  
18 agency?

19 MR. AVILES: It is a --

20 MS. RAMIREZ: Excuse me.

21 MR. AVILES: Yes.

22 MS. RAMIREZ: Is there any form or vehicle

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1 or mechanism, either within the police department or  
2 vis-a-vis the city government, that provides an avenue  
3 for resolution. First of all, for surfacing and  
4 second of all, resolution of some of the concerns that  
5 you might have?

6 MR. AVILES: Yes. There is, by an act of  
7 law -- I'm not certain if it was 1974, 1976 -- the  
8 office -- the Mayor's Office on Latino Affairs and the  
9 Mayor's Commission on the Latino Community were  
10 created to advocate and to advise the Mayor and the  
11 city counsel on issues affecting the Latino community.

12 However, we have found that in the past  
13 ten or 14 years of the existence of these two  
14 institutions, organizations, they have been able to  
15 only provide limited assistance. They have tried as  
16 much as they can to bring to the ears of the city, our  
17 concerns, but up to this moment, those two bodies have  
18 proven not to be as effective as we would like them  
19 to be.

20 MS. RAMIREZ: Do you have any sense as  
21 to how many Latinos are part of the police force?

22 MR. AVILES: At this moment, I am not able

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1 to answer that question. I don't think that I have  
2 any accurate estimates on that.

3 MS. RAMIREZ: Is it -- do you think it's  
4 100 or more? You don't have to be exactly exact.

5 MR. AVILES: I would say that probably--  
6 it's probably less than 100, and I guess that figure  
7 is a little bit too high. I don't have those facts  
8 for you.

9 MS. RAMIREZ: Are there any Latinos in  
10 major administrative or supervisory roles in the  
11 police department?

12 MR. AVILES: Yes. The present Mayor,  
13 Madam Dixon, has appointed two Latinos to head two  
14 major city agencies, one of them being the employment  
15 of -- I'm sorry -- the Department of Employment  
16 Services, and another agency doing the banking.

17 MS. RAMIREZ: But in the police department  
18 itself, are there any --

19 MR. AVILES: In the police department, we  
20 don't have any commanders. We don't have any  
21 Hispanics that are serving at a high executive level.  
22 No, we don't.

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1 CHAIRMAN BANKS: Any other questions?

2 MR. SMITH: Yes. Clifton Smith.

3 Thank you, Mr. Aviles, for appearing  
4 before this body. I would like to just ask you  
5 whether, in fact, the process for either beginning the  
6 dialogue or expanding upon dialogue already existing,  
7 perhaps dormant, with the District of Columbia  
8 government and the appropriate agencies has begun, and  
9 what you think of that process?

10 MR. AVILES: Yes, we have established a  
11 process of dialogue with the executive branch of the  
12 District of Columbia government. We are hopeful that  
13 this presence of dialogue may be the beginning to  
14 rectify some of our concerns.

15 At this moment, this morning, I did call  
16 the office of the Mayor, asking as to when we would  
17 meet again with the Mayor. We haven't heard from them  
18 yet. We are preparing to present a set of complete  
19 recommendations to the administration in order to have  
20 some of our grievances rectified.

21 MR. SMITH: What is the status of the --  
22 the director of the Latino Commission? Has that been

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1 addressed as a part of your agenda with the Dixon  
2 administration?

3 MR. AVILES: Mrs. Deborah Delgato is the  
4 Chairperson of the Mayor's Commission on Latino  
5 Community Development. That is the Advisory Committee  
6 that advises both the Office of Latino Affairs and the  
7 Mayor. I don't know if your question has to do with  
8 the Office of Latino Affairs, just --

9 MR. SMITH: In the Office of Latino  
10 Affairs.

11 MR. AVILES: Yes. At this moment, we --  
12 no one has been appointed. We -- we hope that an  
13 appointment be made as soon as possible. The DC  
14 Latino Civil Rights Task Force is, at this moment, in  
15 contact with the Chairperson of the DC Commission on  
16 Latino Community Development.

17 The body, by an act of law, is supposed  
18 to submit to the Mayor, three names for her selection.  
19 Three names have been selected and we are in the  
20 process of advising and recommending to the Mayor that  
21 an appointment from those three names that have  
22 already been submitted to her be made as soon as

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1 possible.

2 MR. SMITH: Are we still at an impasse  
3 there though, beyond -- beyond rhetorical responses  
4 to -- to your request? Are we at an impasse still,  
5 with regards to the appointment?

6 MR. AVILES: With whom? I'm sorry.

7 MR. SMITH: With regards to the  
8 appointment of a Director.

9 MR. AVILES: I -- I -- I wouldn't say that  
10 we are at an impasse. I think that at this moment,  
11 the present director of the office is arranging a  
12 meeting that will take place either today or tomorrow,  
13 so that the Mayor herself, can listen to our  
14 recommendations as to how to proceed on an immediate  
15 appointment for that office.

16 So it is my -- I certainly hope so that  
17 an appointment can be made is possible, no later than  
18 Monday.

19 CHAIRMAN BANKS: Yes, Mr. Hayes.

20 MR. HAYES: Has the Task Force itself  
21 completed any recent studies that you could summarize  
22 for us this morning, or perhaps share with us today

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1 or some other time?

2 MR. AVILES: The Task Force was formed  
3 less than a week, sir. At this moment, we have  
4 established ourselves into a cohesive body. We  
5 already have a committee that is preparing a document  
6 that hopefully will be ready in the next 15 days, and  
7 that we will take to the Mayor so that some of our  
8 concerns be addressed. Yes, we --

9 MR. HAYES: Would you also share that with  
10 us when it's --

11 MR. AVILES: We certainly will.

12 MR. HAYES: All right, thank you.

13 MS. GALIBER: Well, I didn't realize you  
14 had just -- you are less than a week in this Task  
15 Force. But do you have a Task Force looking -- or  
16 sub-committee looking into the educational needs of  
17 Hispanic children, particularly as it relates to  
18 Hispanic children with disabilities that require  
19 special education services?

20 MR. AVILES: We certainly do, Ma'am. We  
21 have a committee that is going to be meeting with  
22 officials from the District of Columbia -- public --

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1 officials, Public Education System, to address the  
2 particular needs affecting Latinos and especially,  
3 those with special needs.

4 Yes, we are, at this moment, drafting  
5 recommendations to that effect.

6 MS. GALIBER: I would like to give you a  
7 name and telephone number of the Hispanic person who  
8 is an advocate for Hispanic children with disabilities  
9 that needs to be a part of that team.

10 MR. AVILES: Certainly.

11 MR. HAYES: John Topping had a question.  
12 John Topping?

13 CHAIRMAN BANKS: John, if I did -- we have  
14 with us this morning, a Senator from the District of  
15 Columbia, the Honorable Jesse Jackson, who has got to  
16 leave early.

17 And Reverend Jackson, I wonder if you  
18 would come up and make a statement and then we'll  
19 continue with this, if you don't mind, Mr. Aviles?

20 MR. AVILES: Sure, that's fine.

21 CHAIRMAN BANKS: Welcome, sir.

22

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STATEMENT OF SENATOR JESSE JACKSON

SENATOR JACKSON: Let me express my thanks to you, Mr. Chairman, and the members of the Commission for allowing me, as U.S. Senator from the District, to share with you briefly today. One who has lived over the long haul through the agony of this growing national crisis that manifest itself acutely in the Mount Pleasant area of our Nation's Capital.

I'm glad the U.S. Civil Rights Commission is looking into the matter because my real hope is that your presence will help to train this dialogue in its proper context. This is a local manifestation of a national and international crisis. In some sense, while we, with all of the humane priorities and values, reach out as we should and we must, and say, "give me your tired, your poor, your huddled masses who yearn to breathe free," as a statement of our character and of our greatness as a nation. There are no provisions for those who accept the invitation.

And when they come, their needs are real. Their needs are as real as cultural diversity; as real as the need for multilingual education; as real as

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1 their need for adequate housing and job training and  
2 health care. And so there's a sense that they are  
3 allured with a great invitation, and then abandoned,  
4 once the invitation is accepted.

5 And so there is a relationship between the  
6 crisis that many Latino brothers and sisters feel  
7 within the country, and our Immigration or in our  
8 foreign policy relative to Central America. Or how  
9 the English-only arguments forces a kind of prejudice  
10 and polarization within our society. Or the impact  
11 of a 75 percent cut in urban aid over the last ten  
12 years. -- is less able to take care of people who  
13 live in urban America.

14 I must say, as I watch much of the news  
15 coverage, even as cynical sometimes, Mr. Topping, as  
16 ethnic tensions and ethnic rivals between black and  
17 brown. That is a sinful analysis, an analysis in  
18 error, of the situation.

19 The fact that the DC government does not  
20 govern Washington, DC, it administers Washington, DC.  
21 The Congress governs Washington, DC. The government  
22 of our city has no right the Congress is bound to

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# Civil rights panel backs off decision to investigate riots

By Michael Cromwell  
THE WASHINGTON TIMES

A District civil rights committee yesterday backpedaled on its pledge to investigate complaints from last month's Mount Pleasant riots, saying it feared its participation might jeopardize local peacemaking efforts.

The State Advisory Committee to the U.S. Civil Rights Commission said it would still be involved in the review of the riot but it voted to first ask the federal body how big a role it should play, if any.

The vote came six weeks after local Hispanic leaders were promised a hearing by the State Advisory Committee to investigate civil rights complaints lodged in the community.

The complaints followed the riots that began in Mount Pleasant May 5 with the shooting of a Hispanic man by a Metropolitan Police officer. The disturbance spread to Adams

Morgan and Columbia Heights over two nights of rioting.

But yesterday, during a hearing to review the complaints, the state committee considered that becoming too directly involved might jeopardize efforts already being made by the city to resolve the problem.

"I don't think this body has the responsibility to go into this community and inspect itself," said James G. Banks, chairman of the committee.

"I understand this situation has national implications. But the commission might be interfering in efforts already being made by the city and Hispanic community," he said.

The federal commission said that, after speaking with officials in Mayor Sharon Pratt Dixon's office and Hispanic leaders, it is convinced that steps are being taken to resolve problems in the community.

At cited police department efforts to increase sensitivity to Hispanic concerns and the establishment of a Latino task force to provide a voice

for the community in dealings with the city.

Noting that progress, members of the state committee, an independent bipartisan government agency that investigates allegations of discrimination, voted yesterday to meet with the federal commission next month and ask for advice on how closely it should involve itself in the hearings.

Hispanic leaders, citing mistreatment at the hands of police and job and housing discrimination, were promised a hearing by the state committee at a public forum held in Mount Pleasant two weeks after the riots.

They said yesterday they are still facing the same problems they faced before the riots.

"Everything's back to normal but nothing's changed," said Ibomne Vega, director of Ayuda, an organization that provides legal services and counseling to area Hispanics. "Lack of services and inequality still exist," she said.

Did we respond?

Wiles

Still open Wiles

1 respect. We who live here can not elect our judges.  
2 We can not elect a single judge. Eight years under  
3 Mr. Reagan, he appointed 14 federal judges, all white  
4 male, Republican, in this city. Two of them had been  
5 rejected by other states. We can not make a decision  
6 here .in terms of government, from the height of  
7 buildings, to the health care options of women.

8 When there was an national educational  
9 conference held two years ago, by President Bush in  
10 Charlottesville, Virginia. No one from Washington,  
11 Black, White, or Hispanic, was invited because he said  
12 we don't have a government. We don't have any right  
13 that Congress is bound to respect. I hope these  
14 hearings will necessarily include members of the U.S.  
15 Congress. Will necessarily include members who are  
16 on the DC Committees on the House and Senate side,  
17 because they bear major burdens.

18 Our distinguished Mayor worked diligently  
19 to get a \$100 million this past year. Not a grant,  
20 not a loan, but money for services rendered. And the  
21 same week that the \$100 million came down, in light  
22 of a \$300 million budget deficit, they took 3,000 jobs

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1 away that same week. The city government in  
2 Washington does not govern Washington. We administer  
3 it.

4 If you will, Mr. Chairman, in South  
5 Africa, they have a Mayor in Soweto and a city  
6 council, police chief, fire chief, school board, but  
7 they can not vote on a single policy in Pretoria. We  
8 have a Mayor, city council, police chief, fire chief,  
9 administer some government funds, can not make a  
10 single vote on policy or on resource distribution in  
11 fact.

12 For example, because it deals with our--  
13 the ability of the government to serve its  
14 constituents, more people live in Washington than  
15 there are Kuwaitees in the whole world. The President  
16 will not fight for our self determination. More  
17 people live here than Vermont, Delaware, North Dakota,  
18 Wyoming, and Alaska. They have ten Senators. We can  
19 not vote. We pay more taxes than ten states; more per  
20 capita than 49 states. We can not vote.

21 We have more youth in the Persian Gulf  
22 this morning than 20 states. We can not vote. And

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1 so, when our young men and women come back home on  
2 June the eighth for the big parade, and they'll come  
3 back to Mount Pleasant and Shaw and Anacostia with  
4 high expectations. But when the parade is over, the  
5 paper mache is swept from the streets, we'll have no  
6 ability to, in fact, deal with those higher  
7 expectations. This hearing must necessarily involve,  
8 not just the governed, but the governors themselves  
9 must be a part of this hearing.

10 Lastly, it's a great source of pain that,  
11 in the aftermath of this very tense period in our  
12 history as a country, there's no plan to rebuild. For  
13 Europe and Japan, a Marshall Plan and a MacArthur  
14 Plan. For them, it was 50-year loans at two percent  
15 Government security. When the walls came down in  
16 Eastern Europe, aid, trade, credit, debt forgiveness,  
17 and loans.

18 Where is the plan, the plan from the  
19 Government, to stimulate the private economy; to help  
20 rebuild urban America; to help rebuild rural America?  
21 And so, my real hope here is that in this discussion,  
22 that it will not get reduced to the lowest and ugliest

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1 dimension of black and brown, or get reduced to an  
2 uncaring administration which has no power to govern,  
3 only to administer -- that handed down from On High.  
4 On High must be a part -- must be a part of this  
5 hearing.

6 Your presence here helps to illuminate the  
7 situation. But certainly, it is as much a hearing in  
8 Washington for Los Angeles, or Denver, as it is any  
9 place else in this country. And all of these cities  
10 have a Mount Pleasant in their future unless there's  
11 a commitment to reinvest in America and to rebuild and  
12 fulfill the dreams of the American people.

13 And I thank you so much for an opportunity  
14 to testify.

15 CHAIRMAN BANKS: Thank you very much,  
16 Senator Jackson.

17 Are there questions that members of the--  
18 Mr. Chairman?

19 CHAIRMAN FLETCHER: Senator, the last time  
20 I sat on a panel in which you testified was about 20  
21 years ago. Chicago, Illinois. We were trying to put  
22 together the so-called "Chicago Affirmative Action

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1 Program." In fact, you've been in the Civil Rights  
2 Movement almost as long as I have.

3 I wish you would, for me, compare what  
4 happened here with what happened in Los Angeles in the  
5 early '60s. Do you see any parallels with respect to  
6 that?

7 SENATOR JACKSON: The parallels are  
8 absolute. Pure poverty, homelessness, hunger, lack  
9 of medical care, in and of itself, never triggered a  
10 riot or rebellion. But those matters of poverty and  
11 depravation always rub the sore raw. In each  
12 instance, in the WATTS, Newark, Detroit, Chicago, it  
13 was some community/police altercation that primed the  
14 trigger or reaction. But that was the start. The  
15 fuel was the long train of abuses and disregard, prior  
16 to that.

17 But out of that period of rebellions came  
18 a -- Commission Report. And that report needs to be  
19 revisited because its basic analysis is as applicable  
20 today as it was then, except the polarization today  
21 between the have and the have nots. And so often,  
22 between black and brown have become even greater

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1 because of the economic strain put upon people.

2 If you recall, during that period, there  
3 was the excitement about the possibility of a Civil  
4 Rights Bill passing the next year in '64, and the  
5 voting rights within '65. Even as we sit today, a  
6 sitting President has taken the initiative to help  
7 sabotage a Civil Rights Bill and call the Affirmative  
8 Action quotas a "race-conscious code -- designed to  
9 incite fear in Whites and put pain upon Black, Brown,  
10 and poor people."

11 The fact of the matter is, Mr. Chairman,  
12 the Civil Rights Bill is not left. It is the  
13 constitutional and moral center of our society. Those  
14 who would dare seek Affirmative Action, those who have  
15 been locked out by law, Afro-Americans, Hispanics, and  
16 women are in the moral and constitutional center of  
17 our society, will have been hit by friend -- by Scud  
18 missiles, collateral damage caused by the White House.

19 So we can not separate the pain that's  
20 felt here from the national climate for the issue of  
21 race and class polarization is being exploited at the  
22 highest levels of our Government. Clearly, if it is

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1 appropriate to begin to talk about debt forgiveness  
2 for allies in Eastern Europe, and plans of aid and  
3 trade and credit and development, those same formulas  
4 must apply right here at home as well, to relieve the  
5 tension. We must commit ourselves to Affirmative  
6 Action.

7 And unlike 20 years ago, I might add, Mr.  
8 Chairman, at that time, it was -- it was mean-  
9 spirited, race-based arguments by Governors in  
10 schoolhouse doors. The chief opposition this time is  
11 not the Klan, it's not a Governor in a schoolhouse  
12 door. It's the National Association of Manufacturers,  
13 the U.S. Chamber of Commerce. Those who want to put  
14 caps on job discrimination suits at home when they're  
15 found guilty of race and sex discrimination, and if  
16 they can, fast-track jobs across the border with out  
17 any commitment to mutual development on both sides.

18 And so, we are in a different phase, only  
19 in that the focus now is economic exploitation. And  
20 that's why people who are victims of this must not  
21 turn on each other, but turn to each other in a fight  
22 for fairness and economic justice.

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1                   How can the President, I must say, look  
2                   at a woman who returned from the Persian Gulf, who had  
3                   --who flew combat missions, who watched other women  
4                   killed in the Scud missile attacks, who dug holes in  
5                   the sand, who carried a rifle on her shoulder. ' A  
6                   woman who left her children home with relatives and  
7                   neighbors and then deny that woman comparable worth  
8                   to -- and a lot and employer to demand that she sign  
9                   a document that she will not sue for sex  
10                  discrimination.

11                  This matter, while in Mount Pleasant, is  
12                  not very far from the White House. It must not be  
13                  detached from the findings of these hearings.

14                  CHAIRMAN FLETCHER: Mr. Senator, are you  
15                  able to speak to the immigration legislation that's  
16                  on the Hill today and see a connection in what  
17                  happened here with that legislation?

18                  SENATOR JACKSON: On the one hand, we have  
19                  a moral obligation to see people who have sought  
20                  refuge from a war, to welcome them. We could not call  
21                  people who come here under these conditions, in part,  
22                  a by-product of our foreign policy, undocumented,

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1 illegal aliens. That's a racist assessment and it is  
2 unkind language.

3           These are undocumented workers. People  
4 who are working, who are a net asset to our economy,  
5 not a net loss. Because they work and work hard  
6 without security, living in the cross fire threatened  
7 by police and our immigration sources, without  
8 insurance, unable to vote and protect themselves in  
9 our democracy. And so often, they've sent their  
10 brothers across in great numbers, not for purposes of  
11 risk -- relief, with purposes of economic  
12 exploitation.

13           And that Immigration Bill must take into  
14 account that those persons who are here deserve the  
15 right to get paid and protection for their work, and  
16 job security. And I'm convinced that a change in  
17 policy in the region to where a comprehensive  
18 development, environmentally and industrially for the  
19 region, will have a stabilizing impact upon the entire  
20 industry.

21           CHAIRMAN FLETCHER: I would hope that --  
22 I would hope that when the Commission does decide to

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1 hold any unofficial Commission hearing, that your  
2 presence, or someone from your office's presence will  
3 be felt, and you'll be prepared to deal, specifically,  
4 with housing conditions, employment conditions,  
5 educational conditions, and business opportunity  
6 conditions as it applies to the Latino and Hispanic  
7 community not only here, but hopefully, across the  
8 country.

9 We at the Commission, are of the opinion  
10 that there are at least several more cities that are  
11 in this particular predicament with reference to  
12 Latino and Hispanic communities. We would like to  
13 have, from your office, what you perceive the problems  
14 to be, as they relate to the areas I just laid out,  
15 as well as the parallels between what happened 20  
16 years ago that triggered a nationwide series of these  
17 kinds of incidents. So that when we go before the  
18 Congress, if that becomes the case, we're presenting  
19 facts that others beside ourselves have said, "this  
20 is the situation."

21 SENATOR JACKSON: I will travel to the  
22 site of the hearings. I consider it my duty and an

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1 opportunity. And this matter, when you go into these  
2 hearings, you are going to find in -- sweat shops  
3 where we -- were once over, but you're going to find  
4 sweat shops that exploited Latino workers there.  
5 You're going to find people living two and three  
6 families to a tenement. You're going to find  
7 employers exploiting them. You're going to find  
8 officials turning their heads unless they want to use  
9 Immigration as a threat to them and make them live  
10 lives of anxiety. You're going to find conditions  
11 beneath the dignity of our country and the American  
12 privilege.

13 CHAIRMAN FLETCHER: One other point I want  
14 to touch on before I yield. Is it --

15 We're finding that some of the claims that  
16 were made here, which may or may not be valid, with  
17 respect to police animosities toward Latinos,  
18 particularly Black police, we're finding just the  
19 opposite down in Miami, in which Blacks in Miami are  
20 saying that the Latino policemen have animosities  
21 toward them. I think that this is something that has  
22 to come out on the table and be addressed. Else,

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1 you're going to have one of these groups at the other  
2 and nothing really happening.

3 So again, if when you come forward --  
4 SENATOR JACKSON: Well, I must say, Mr.  
5 Chairman, that --

6 CHAIRMAN FLETCHER: -- I appreciate you  
7 being --

8 SENATOR JACKSON: -- there's Rodney King  
9 in L.A. If you will, when Mr. Gates was asked why he  
10 didn't promote Latinos in L.A., he said they were  
11 lazy. Asked why Blacks have been killed with choke  
12 holds, 12 Blacks, he said we were not normal people.  
13 He said of Soviet Immigrant Jews that they were secret  
14 KGB terrorists.

15 In spite of this catalog of racist and  
16 anti-semitic statements, he was in a campaign  
17 commercial with the President, the one who -- who  
18 passes the -- pulpit in our country. Three days after  
19 the Rodney King beating on television where 21 police  
20 were involved, he was a guest of the White House and  
21 pointed out as the American Top Cop hero, three days  
22 after the beating took place. When asked about the

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1 helicopter flying above the beating and was on film  
2 and light, Mr. Gates said that without the lights or  
3 the helicopter, it would have been bad lighting for  
4 what was a bad movie.

5 And somehow, this kind of behavior is not  
6 repudiated at the highest level to the country. It  
7 throws out very bad signals and messages for the rest  
8 of our country. And this matter of police brutality  
9 is not just Black/White, and White/Brown, and  
10 Black/Brown. It's the mentality, not just the color.

11 I must admit to you that two years ago,  
12 after my speech in Atlanta, and our family was  
13 presented there. We went back to Chicago, one of our  
14 sons graduated. We bought him a car. He had not put  
15 the sticker on. It was new. We drove to the Pancake  
16 House and two police pulled him to the side. And told  
17 him no conversation, get out of your call. Handcuffs,  
18 spread eagle and all of that, put him in the back of  
19 the van to take him to the police department.

20 He would not talk. He was threatened --  
21 try to use his name to get into privilege. And one  
22 of finally probably said, "what's your name again?"

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1 And he said, "Jesse Jackson, Jr." And they said, "oh,  
2 shit." The other one said, "it does not matter."  
3 They took him to the police headquarters. And  
4 fortunately, my wife was in the city and we were able  
5 to get him out.

6 These two police were Black. We're not  
7 talking about race; we're talking about the mentality.  
8 We're talking a culture of behavior that must be  
9 broken. People must see the police as a source of  
10 relief, always, and never as a source of threat and  
11 danger.

12 CHAIRMAN FLETCHER: Look forward to  
13 hearing --

14 SENATOR JACKSON: Thank you.

15 CHAIRMAN BANKS: Are there any other  
16 questions from the Committee or the Commission?

17 Yes, sir?

18 MR. SMITH: Senator Jackson, I thank you  
19 for your -- of what happened in Mount Pleasant --  
20 happen in the U.S.

21 If in fact, you would -- bill -- occurring  
22 situation here, briefly, in terms of a priority

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1 fashion, what could you offer her in terms of advice?  
2 Obviously, you would recommend that she involve those  
3 who are the governors in the resolution of some of our  
4 problems, but --

5           ,           SENATOR JACKSON: One, we must relate to  
6 the Latino community, not just politically but  
7 morally, with an understanding of an international  
8 predicament that manifest itself locally.

9           Someone came to me during the third night  
10 of the tension and said, "we should at least have  
11 Shadow City Councilmen. If we can elect city  
12 councilmen." It was a cry out for access and  
13 communications. Clearly a key, as we begin to address  
14 this matter at the local level with its national and  
15 international ramifications, is communications. That  
16 is to say that the Congress which governs this  
17 District, must make some provisions for people, many  
18 of whom have driven here by its policies.

19           The Congress controls the purse strings.  
20 In Washington, unlike any other place, Mr. Smith, if  
21 you work in Virginia or Maryland and live in North  
22 Carolina, or Delaware, the bordering states, you pay

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1 taxes at the source of income. You make an adjustment  
2 where you live. In Washington however, 60 percent of  
3 our income can not be taxed at the source. So we lose  
4 a billion, two a year. We're subsidizing the suburbs  
5 and robbing people who live here.

6 If we, in fact, had the ability to tax at  
7 the source of income, then the city would have more  
8 resources to address the needs of its people for the  
9 Mount Pleasant, and Anacostia. I mean, across the  
10 city the have-nots are being driven out of the market  
11 by real estate barriers. I mean, I could not forget,  
12 just as we talked about the tension in Mount Pleasant,  
13 the people in the 8th Ward are saying, "but we're  
14 dying over here today. We're hurting over here, too."

15 And so, while the pain may be acute here,  
16 there is this common boil that's moving toward a fever  
17 pitch in many areas of our city and our country.

18 CHAIRMAN BANKS: Thank you very much.

19 Other questions? If not, thank you --

20 MS. MUNOZ: Mr. Chairman, yes.

21 CHAIRMAN BANKS: All right.

22 MS. MUNOZ: Senator Jackson, just one

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1 question for you.

2 You talked a little bit about what's  
3 similar about the situation -- thank you very much.  
4 We appreciate it. Can you talk a little bit about  
5 what -- different about this situation?

6 SENATOR JACKSON: You know, the date.  
7 There's nothing not different about it.

8 Here you have the situation of people who  
9 are in great numbers, who are working without good  
10 wages or job security, more people than adequate  
11 housing, more people than adequate education; in many  
12 instances, a non-English-speaking population that can  
13 not get multi-cultural education or culture --  
14 education. People who came to America with high  
15 hopes, and those hopes have been dashed. And so those  
16 become the particulars of this particular dynamic.

17 And I suppose unlike Illinois or -- is  
18 that in those states, senators immediately move to  
19 seek resources or their people, and hearings. Here,  
20 there is no federal official. And that's why it would  
21 be an error to assume that those who administer the  
22 city, govern it. Those who govern it must be

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1 challenged in a for-real hearing to testify on their  
2 responsibilities. If they're going to assume the  
3 burden of governing the city, they must accept the  
4 responsibility to supply adequate resources to it.

5 Teachers who teach in Montgomery County,  
6 across the border, average \$12,000 to \$15,000 a year  
7 more than teachers who work in Washington. Principals  
8 as much as \$25,000 a year more. We who live here,  
9 we're draining the people who live here, subsidizing  
10 those who do not. So in many ways, this crisis also  
11 presents such an opportunity to really begin to deal  
12 with the substance of the -- of the depravation that  
13 people feel here.

14 Some people are hurting because they can  
15 not get a job; others because they're paying  
16 disproportionate taxes; others because they can not  
17 fix up a home they've lived in for 30 years. And so,  
18 there is a significant distribution of pain and agony  
19 in the city.

20 CHAIRMAN BANKS: Thank you.

21 Any other questions?

22 Now we'll go, Mr. Aviles, back to Mr.

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1 Topping's question to you.

2 MR. TOPPING: To start with, your second  
3 question -- approximately ten percent now. And the  
4 percentage of Latinos working throughout the  
5 government -- here in the District, I think is roughly  
6 about 300 -- percentages, certainly, within that kind  
7 of -- still wouldn't, you know, wouldn't quite seem  
8 to be called appropriate.

9 I wonder if you could elaborate a little  
10 bit further on that. Also, what is -- what is your  
11 perception of -- Latino population.

12 MR. AVILES: To start answering your  
13 second question, I think that a process of hiring  
14 Hispanics should be instituted in the personnel  
15 office. I understand that there is one person, at  
16 this moment, but that hasn't worked very effectively.  
17 We also know that there has been resistance on the  
18 part of the staff's of many city agencies to hire  
19 bilingual and bicultural applicants.

20 So I think that if there is willingness  
21 on the administration to cooperate in order to bring  
22 more Hispanics, there should also be some type of

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1 sensitivity training for a lot of the staff, a lot of  
2 the bureaucracy within the District of Columbia, to  
3 make sure that they will be sensitive to our -- needs  
4 and probably in that fashion, they will be more  
5 willing to consider Hispanic applicants.

6 Now, if you may repeat your first question  
7 because I didn't understand very well.

8 MR. TOPPING: Well, you've answered the  
9 hardest part. I was just struck with the numbers, you  
10 know -- the experience -- even if one were only  
11 employed -- citizen population, recognizing that  
12 citizenship is often a kind of pre-requisite for jobs,  
13 it still wouldn't -- you know, it wouldn't at all  
14 explain that kind of a gap.

15 And I think at this point the question is  
16 really, what are the practical steps, you know, that  
17 could be taken by the DC government, and you've  
18 addressed that, I think, very well.

19 MR. AVILES: Thank you.

20 CHAIRMAN BANKS: Any other questions?

21 Thank you very much, Mr. Aviles.

22 MR. AVILES: Okay. Thank you for the

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1 opportunity.

2 CHAIRMAN BANKS: Our next witness is Mr.  
3 Raoul Yzaguirre, Executive Director of the National  
4 Council of La Raza.

5 STATEMENT OF RAOUL YZAGUIRRE

6 MR. YZAGUIRRE: Thank you very much.

7 Ladies and Gentlemen, my name is Raoul  
8 Yzaguirre. I am President of the National Council of  
9 La Raza. I want to thank Chairman and Commissioner--  
10 for holding this session. I'm not sure what you're  
11 calling this. They're not hearings, but they're an  
12 opportunity for the community to -- to be able to  
13 express some of its deep concerns.

14 Let me make a few quick points. The  
15 events of the last few days have national  
16 significance. They're a mixture of some local  
17 problems, some local difficulties that have  
18 accumulated over time, but they really need to be  
19 understood in deeper and more profound ways.

20 We need to understand them from a civil  
21 rights point of view, as part of a larger movement  
22 that is accumulating some strength in this country,

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1 that says that people who speak a different language  
2 and whose immigration status is in question, somehow  
3 are less deserving of rights, of respect, than other  
4 Americans.

5 We also have to understand that from a  
6 Hispanic point of view, that even those of us who,  
7 like myself, have a long history in this country. My  
8 family came here long before most people who are  
9 enforcing Immigration laws, in the early 1700s. And  
10 I have friends who were here in the early -- whose  
11 forefathers came here, direct forefathers, in the  
12 early 1500s. And yet, no matter what our lineage is,  
13 where we came from or how long we've been here, or  
14 whether, in fact, this country came to us and we  
15 didn't come to this country, we're made to feel like  
16 aliens in our own land, like immigrants in our own  
17 land.

18 And so that the Hispanic experience is an  
19 immigrant experience, independent of what really our  
20 own situation is in this country. So the combination  
21 of language civil rights or discrimination based on  
22 accent and discrimination based on alienage or

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1 citizenship, are the civil rights issues of the '90s.  
2 And we need to begin to understand what's happened in  
3 Mount Pleasant as part of that larger picture that  
4 deserves and merits the utmost attention from the  
5 .Commission on Civil Rights.

6 Thirdly, I think we need to understand  
7 what's happened in recent events as a failure of the  
8 system. Now I'm not talking just about the police  
9 system. I'm not talking just about the political  
10 system. I'm not talking just about the civil rights  
11 enforcement mechanism infrastructure in this country,  
12 which has decidedly not been particularly responsive  
13 to Hispanic concerns for a -- over a long period of  
14 time. But I'm also talking about, and I want to call  
15 your attention to the lack of what I call, "mediating  
16 institutions."

17 We have a theory and a framework in this  
18 nation that says that every individual, every resident  
19 in this society has a right to air grievances, has a  
20 right to redress. In fact, that really doesn't work  
21 at the practical level unless there's something in  
22 between the individual and the Government and decision

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1 makers. And when you look at what's happening in the  
2 Hispanic community, we just don't have those  
3 institutions. We don't have the mediating  
4 institutions. And we don't have them because we don't  
5 want to. We don't have them because we don't think  
6 that they're important. We don't have them for a  
7 variety of reasons.

8 We're meeting here at a church hall,  
9 presumably a Catholic church. 40 percent of all  
10 Hispanics -- I'm sorry. 40 percent of all American  
11 Catholics are Hispanic. Yet this institution is not  
12 controlled by us. We, the majority, the vast majority  
13 overwhelming -- majority of Hispanics belong to this  
14 particular religion. We don't control it. That  
15 mediating institution is not ours to direct.

16 Look at labor. We don't have a single  
17 member, a single Hispanic, in the governing board of  
18 the AFL-CIO. We don't -- we have no influence within  
19 the AFL-CIO. We don't have -- we don't have major  
20 institutions with power, with roots that have had the  
21 support of government, of private industry, of labor,  
22 that can be the mediating factors that can make --

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1 that can make government responsive to the needs.  
2 That can take grievances before they turn into what  
3 we've seen in the last few -- in two days last week.  
4 Because when people are hurting, they're going to find  
5 ways of expressing that hurt.

6 We would all like for that expression to  
7 be done in the kind of civilized, orderly, lawful way  
8 that is part of our heritage. But the only way it's  
9 going to happen that way is if there are those kinds  
10 of institutions where local community organizations,  
11 or national organizations such as our own, that can  
12 be those mediating institutions.

13 Again, I want to thank the Commission for  
14 its interest. I urge you to begin to look at issues  
15 of language and citizenship as major priorities for  
16 your work. And that I ask you to invoke the moral  
17 power of this Commission. A moral power that  
18 hopefully will not be undiminished by recent -- by the  
19 recent decade. And a moral power that we need now  
20 because we need to ascribe to the higher road. We can  
21 easily degenerate into groups, individuals fighting  
22 for their own piece of the pie. And that is a formula

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1 for disaster for all of us.

2 In the '60s, we had rhetoric that appealed  
3 to the higher instincts of American society. We had  
4 -- we ascribed to a higher ideal, to a shared vision,  
5 of what the society ought to be about. I urge you to  
6 look at that rhetoric, that sense of equality and  
7 justice, not just for one particular segment of our  
8 community, but the reason we were able to make that  
9 dream so real, so viable, is because we said to  
10 everybody, "it belongs to everybody." It is a dream  
11 that belongs -- it's a right that belongs to every  
12 American and we need to get it back to that.

13 Mr. Chairman, thank you very much for this  
14 opportunity to make my views known. If there are any  
15 questions, I would be happy to answer them.

16 CHAIRMAN BANKS: Are there questions?

17 MS. RAMIREZ: Yes. If you'll -- if you'll  
18 permit me, Mr. Chairman, I'll go before you this time.

19 CHAIRMAN BANKS: All right.

20 MS. RAMIREZ: We just heard from Senator  
21 Jackson about the broader issues. The fact that the  
22 Government is indeed impeded from defining its own

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1 destiny. The Government of the District of Columbia  
2 is impeded from defining its own destiny in many ways.

3 I think the message is very clear that  
4 there is a larger context, in your own testimony, has  
5 tried to put this into a larger context of the issues.  
6 There are those in the media, and I think those across  
7 the spectrum of our political life, that would want  
8 to make this a Black/Brown issue. And those of us who  
9 have been around for a while understand that game,  
10 too.

11 But there are issues whether it is in Los  
12 Angeles where Hispanics represent a major portion of  
13 the population, and only recently had a Hispanic  
14 elected either to the city council or to the county  
15 commissioners court. You have -- most of our urban  
16 centers are places where political power has been  
17 acquired by one of the minority groups. If it's San  
18 Antonio, we're likely to have a Hispanic mayor. Ten  
19 percent of the population there is Black. If it's  
20 Miami, you have a Hispanic mayor. If it's Detroit,  
21 Chicago, Detroit, New York, you have the configuration  
22 going another way.

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1 I'd like for you to comment directly on  
2 the particular challenges and responsibilities which  
3 we have to be responsive and inclusive and accessible  
4 to the, if you would, the minority group that is not  
5 in power in those situations. And even beyond that,  
6 I think it's important that we have some feel for the  
7 impact of that alienation, if you would, on human  
8 beings themselves, and how they -- both as individuals  
9 and as a community, what happens to them when they're  
10 living with that alienation and powerlessness?

11 MR. YZAGUIRRE: Well, I think what the  
12 last decade has taught us, Commissioner, is that  
13 nobody is immune from racism. Now, we never have to  
14 worry about racism if you don't have power. It's  
15 like, you know, a board that has no electricity, you  
16 know. It's only -- it's an inclination that has no  
17 impact unless you have the power to implement it.

18 So we never worried about whether Blacks  
19 were racist or whether Hispanics were racists in the  
20 '60s. In the '90s, I think we do. Because we now  
21 have a situation where -- where the racism of either  
22 group is very damaging and now, it's a real factor.

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1 We have to understand the nature of that racism and  
2 we have to understand how to -- how to combat it.

3 We also, you know -- what we also need to  
4 understand is that in Miami, there were outbreaks of  
5 violence by the Black community against what they  
6 perceived to be, a Hispanic-dominated city. And in  
7 Washington, we have outbreaks of violence by Hispanics  
8 against, what is perceived to be, a Black-dominated  
9 city.

10 Now I don't know that we can afford that,  
11 but you know, we've got to get -- we've got to get  
12 attention to this issue. You know, we can either --  
13 we can do one of two things. We can either say, "it  
14 doesn't exist. Let's play it down. We're all in this  
15 together" and have a very Pollyanna-ish attitude. Or  
16 we can say, "look, there are some real problems, some  
17 real serious issues here and they have to do with a  
18 number of things. Some of them are very  
19 understandable. Groups who are oppressed, who are  
20 kept out of the system, who are now both trying to get  
21 into that." That's a level of reality that everybody  
22 understands and it's perfectly natural.

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1           But I think there are a number of other  
2 factors that are even -- that are even deeper. They  
3 have to do with not understanding each other's  
4 perspective; each other's sense of discrimination and  
5 sense of alienation, and the facts of each other's  
6 history. We had a very -- what I thought was an  
7 important gathering some time back, which you may be  
8 familiar with, at Harvard, where we brought in  
9 scholars from the Black community and the Hispanic  
10 community. And that was an attempt to begin to bridge  
11 the gap between these two major groups in this  
12 country, minority groups.

13           It was a very educational setting for us,  
14 very educational meeting. What I came away from that  
15 meeting -- what I came understanding away from that  
16 meeting -- the understanding I had as a result of that  
17 meeting is that one of the problems that we, as  
18 Hispanics, have is that there is simply no  
19 understanding of our civil rights struggle. And that  
20 it is very difficult to ask people to buy-in to our  
21 claims in the society if there is no understanding of  
22 the underlying basis for those claims. Because the

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1 media has often portrayed Hispanics simply as a new  
2 immigrant group who is making claims on this society  
3 and a new immigrant group should not have any claims  
4 on any society.

5 Now I don't necessarily agree with that  
6 proposition, but that is often what has been put to  
7 us, as recently as last week on a national T.V. show.  
8 That was exactly the question that was -- that was put  
9 to me. And without an understanding, it's very  
10 difficult -- understanding of the deeper perceptions  
11 of the immigration experience that I talked about  
12 earlier in my presentation, you can't -- you can't be  
13 able to -- you can't even dialogue with people because  
14 their basic assumptions are so different, so radically  
15 different.

16 We also have to -- I also mentioned  
17 earlier, Commissioner, that we needed to ascribe to  
18 a shared vision. The only way that we're going to  
19 make progress is to be able to say, "what principles  
20 do we all adhere to? Are we about these kinds of  
21 things?" And if we are, then what follows ought to  
22 be very clear. But we haven't sat down and agreed

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1 that these are shared principles and shared visions  
2 of American life and American society.

3 I hope that's responsive to your question.

4 MS. RAMIREZ: Thank you.

5 CHAIRMAN BANKS: Thank you very much.

6 MR. SMITH: Mr. Yzaguirre, I'd just like  
7 to ask whether you'd have any comments on what has  
8 been characterized in the press as perhaps corollary  
9 of the disturbance in Mount Pleasant as outbreaks of  
10 what is happening in Central America and El Salvador.  
11 And further, any observation or comments about the use  
12 of the Molotov cocktails and any others in terms of  
13 implications for further unrest in the city.

14 MR. YZAGUIRRE: Well, neither the  
15 Salvadorans nor Hispanics invented the Molotov  
16 cocktails. They've been around with us for some time.

17 I think -- let me share two thoughts with  
18 you. One of them is that while it is -- I think it  
19 is legitimate to ask that question. In some ways  
20 though, it focuses attention away from the basic  
21 issues. I think it's one of those kinds of things  
22 that distorts the basics. Not that it isn't an

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1 important thing to talk about and to understand, but  
2 it also -- it's a way of diverting attention from the  
3 central issues.

4 I think what I've seen -- and I'm not an  
5 expert on civil warfare and guerrilla warfare and all  
6 those techniques, but what I do understand is that  
7 what you have in this area is a people who came from  
8 a situation of civil war, and who reacted to that in  
9 a way which was to confront people with authority,  
10 confront people who were bearing arms. And so there  
11 was a perception that here was a group of people who  
12 were doing the same things that they perceived was  
13 happening in their own country, and they reacted in  
14 similar ways. And they reacted in -- what you saw,  
15 I think, particularly Sunday night and also Monday  
16 night, by the residents as opposed to the people who  
17 came out from outside the neighborhood, was a direct  
18 attack on the police. I mean, there wasn't kind of  
19 an all-out frustration, taking it out on everybody,  
20 but it was very directed, very focused, as a result  
21 of that experience in their home country.

22 But I again urge you not to get diverted

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1 from the basic issues by dealing with this one  
2 somewhat exotic issue because it's really not the main  
3 core of what we're seeing here.

4 MR. SMITH: Well, I -- no, no, my  
5 reference though was to the implications for further  
6 unrest.

7 MR. YZAGUIRRE: I'm sorry.

8 MR. SMITH: My implication had to do with  
9 further unrest and the fact that there are other kinds  
10 of weapons that other youth in this city use as well.  
11 And I just wanted to hear what your comments were  
12 regarding that.

13 I understand the -- answer.

14 MR. YZAGUIRRE: I think the police would  
15 be in a better position to answer that than I can.

16 CHAIRMAN BANKS: Mr. Hayes?

17 MR. HAYES: John?

18 MR. TOPPING: I first wanted to commend  
19 Mr. Yzaguirre, I think, both for his statement and  
20 also for the superb work that the National Council of  
21 La Raza has done. Just generally, you know, well  
22 before this issue really for many years, on the broad

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1 range of issues affecting the Hispanic` community.

2 But I wanted also to pick up on your  
3 comments earlier today and also, I think, a recent  
4 interview in USA Today, where you touched very much  
5 on the, essentially, the cultural sensitivity factor  
6 which is structurally a basic factor in the -- in the  
7 immediate incidents that occurred in Mount Pleasant,  
8 but also certainly the underlying anger there of, in  
9 many cases, just mis-communication and so on that --  
10 I mean, I was struck that what we're facing in '91  
11 was a little different from '68 in the sense that --  
12 one, that it was handled a lot more sensitively in  
13 the end, once it happened.

14 But still, there was a very strong mis-  
15 communication there that was based on, not necessarily  
16 on racism on the part of many of the parties, but  
17 really cultural ignorance and insensitivity which  
18 perhaps also links up to the very problem that Mr.  
19 Aviles had earlier mentioned, of the very low  
20 percentage of both Hispanics and presumably also,  
21 Spanish-speaking people within key parts of the city  
22 government that would be in a position to be in

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1 contact.

2 But what -- what ways, at this point, do  
3 you think it would be possible to address this kind  
4 of cultural sensitivity gap?

5 MR. YZAGUIRRE: I think the ways are  
6 fairly well developed. I think what's needed is will  
7 to do that. You have to -- you know, we, business  
8 understands -- American business understands that if  
9 he's going to work with the Japanese, he would make  
10 sure that every one of his employees goes through a  
11 rigorous cultural orientation to make sure that there  
12 is communication and that there are no insults.

13 It seems to me that we deserve the same  
14 kind of treatment. We -- I mean, by we, our society.  
15 That we ought to have from our police people, the same  
16 kind of training and orientation, the do's and don'ts.  
17 You know, what -- you know, how you speak to somebody  
18 makes an enormous amount of difference. And so, I've  
19 seen -- I've seen so many incidents in this city and  
20 in other cities -- because we shouldn't think that  
21 we're somehow unique. I mean, this is a national,  
22 pervasive problem -- where a policeman from one

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1 culture will address or speak to a citizen in a way  
2 that he or she thinks is perfectly normal, perfectly  
3 street -- you know, perfectly street behavior, and is  
4 an enormous insult to the person on the other side  
5 that is demanding, from a cultural point of view, of  
6 a very aggressive response. And therefore, you begin  
7 to touch off a confrontation.

8 I was tempted to give you a specific, but  
9 it would involve language that may not be appropriate  
10 for this body. But let me just -- take my word for  
11 it. Just the use of language, the use of how you  
12 translate your things -- how close you speak to a  
13 person. Whether or not you stand up. All of those  
14 things make an enormous amount of difference, and they  
15 often lead to very dark consequences.

16 We made a movie, not too long ago, called  
17 The Ballad of Gregorio Cortez, which involved a  
18 policeman and a Mexican-American. And it involved a  
19 lot of killings, all because of the incorrect  
20 translation of one word. And I suggest to you that  
21 that kind of cultural insensitivity, just inability  
22 to communicate, is at the core of so many of our

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1 problems.

2 CHAIRMAN BANKS: Thank you very much.

3 CHAIRMAN FLETCHER: I have one question,  
4 one quick question.

5 CHAIRMAN BANKS: Another question over  
6 here.

7 CHAIRMAN FLETCHER: Just right quick, if  
8 you can. As a result of what has occurred with the  
9 focus on the city hall, the city government, what five  
10 things, if you can think of five -- two, three, or  
11 whatever -- would correct the situation as it relates  
12 to city government involvement? Can you think of what  
13 you would like to see happen at the city building and  
14 the city government, as a result of this unfortunate  
15 attack?

16 MR. YZAGUIRRE: Thank you, Commissioner,  
17 for asking the question. Let me also take this  
18 opportunity to wish you the best of health and thank  
19 you for your leadership in the Commission. Let me try  
20 to be responsive to your question.

21 I think, without the benefit of an awful  
22 lot of thought, most of what we're talking about is

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1 attitude. Most of what we're talking about is  
2 willingness, political will, to do something about it.  
3 And of course, some of the obvious things are -- are  
4 recruitment of police officers and training of police  
5 officers. And we've already talked a little bit about  
6 that.

7 But beyond that, I would hope that the  
8 Mayor would, on a regular basis, make it a part of her  
9 duties to regularly consult on a -- not across the  
10 negotiating table, not across the bargaining table,  
11 but on a personal basis, begin to touch base with the  
12 Hispanic leadership in this community. What I saw  
13 during the events was that -- that there just wasn't  
14 the opportunity to have input, to make -- to make --  
15 to give the Mayor -- we have a situation where the  
16 Mayor doesn't have trusted Hispanic people around her.  
17 Now, you can't do that by a Commission, or by  
18 artificial kinds of ways. I mean, that takes a  
19 willingness and a sensitivity. You know, you could  
20 pick up the phone and if you have a situation with the  
21 Hispanic community, and call me; you can call  
22 Commissioner -- a whole range of people, because we

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1 have personal relationships. The Mayor needs to have  
2 those kinds of personal trusting relationships with  
3 the Hispanic community.

4 I think -- those are -- if we can do those  
5 things, I think they'll really make a significant  
6 difference. We're also going to have to look at  
7 redistricting. Right now -- and see if we can't find  
8 a way to make sure that Hispanics have political  
9 representation. We have an opportunity to do that  
10 with redistricting, in terms of the councilmen seats.  
11 If we can increase the numbers and carve out a  
12 district where it will be possible to have a Hispanic  
13 elected to the city council, I think that that would  
14 make an enormous difference. And we could look at the  
15 same way, in terms of the school board. If we have  
16 representation on those two important bodies, that  
17 will go a long way to changing the makeup of the  
18 playing field in the District of Columbia.

19 Thank you very much.

20 CHAIRMAN BANKS: Thank you.

21 Any other questions? Thank you very much.

22 At this point, we're going to call on Ms.

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1 Marjorie Utley, who is an Acting Executive Director  
2 of the DC Office of Human Rights and Minority Business  
3 Development.

4 Welcome, Ms. Utley.

5 STATEMENT OF MARJORIE UTLEY

6 MS. UTLEY: Thank you.

7 Good afternoon. Mr. Chairman, Member of  
8 the Advisory Board, and Members of the Commission, my  
9 name is Margie Utley. I am the Acting Director of the  
10 Department of Human Rights and Minority Business  
11 Development. I'm here as a representative of the  
12 Mayor.

13 CHAIRMAN BANKS: Excuse me just a moment.  
14 Could we have quiet please? We can't  
15 hear.

16 Thank you.

17 Go ahead, Ms. Utley.

18 MS. UTLEY: Thank you. Due to the  
19 lateness of the invitation that was received, those  
20 persons who are most responsible for the areas of  
21 concern to the Hispanic community -- primarily, as  
22 indicated by Mr. Aviles, that is the police

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1 department, hiring -- hiring practices of the  
2 District, and Hispanic political representation --  
3 those persons were unable to attend this meeting.

4 I am were as an expression of the Mayor's interest in  
5 and commitment to address the concerns that have been  
6 raised by this unrest that has occurred over the last  
7 several weeks.

8           One of the questions raised by the person  
9 with whom I spoke, as to the purpose and focus of this  
10 public hearing, indicated that what he wanted to know  
11 was, what the government has done in the past and what  
12 the government will do in the future, with respect to  
13 Hispanic persons in the city. Briefly, those things  
14 of which I am aware, I'll relate primarily to the  
15 Latino initiative which was instituted several years  
16 ago. And pursuant to that, the Office of Latino  
17 Affairs administers a program which places persons of  
18 the Latino community in various agencies, to give to  
19 those agencies a Latino presence. That is, there are  
20 individual staff members who are paid under the  
21 auspices of the Office of Latino Affairs, who work in  
22 that area, who provide the kind of sensitivity that

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1 we hope would be helpful in addressing the concerns  
2 of the Hispanic community.

3           Secondly, the Hispanic community is a part  
4 of the minority community that participates in the 35  
5 percent -- minority sheltered market program. That  
6 program authorizes the certification of minority  
7 businesses as bona fide minority enterprises, and  
8 authorizes them to participate in monies set aside by  
9 the government for their participation. The minority  
10 -- the Hispanic community participates very heavily  
11 in that program.

12           In addition, my office as the enforcing  
13 power of the --

14           CHAIRMAN BANKS: Excuse me.

15           We can not conduct this -- these comments  
16 if everybody in the audience is going to be talking.  
17 So would you please wait until the witness has given  
18 her statement. Thank you.

19           MS. UTLEY: In addition, my office, which  
20 is responsible for the enforcement of our Human Rights  
21 Act of 1977, receives complaints alleging  
22 discrimination based on race and based on national

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1 origin. Any member of the Hispanic community can come  
2 to that office and file a complaint in any of the  
3 areas in which he believed he was discriminated. That  
4 is, in the area of housing, public education, public  
5 services, etc.

6 Briefly, that is what I'm most aware of.  
7 If there are questions that I might be able to answer,  
8 I'm more than willing to try.

9 CHAIRMAN BANKS: Ms. Galiber?

10 MS. GALIBER: I guess I'm wondering, what  
11 kind of outreach efforts do you make from your office  
12 to this community, so that they are aware of the  
13 office that you have and its responsibility to  
14 investigate any type of discrimination that you just  
15 mentioned? Do you have Hispanic staff? Are you  
16 reaching out to this community to let them know that  
17 you do exist?

18 MS. UTLEY: There are, at this moment, two  
19 persons on my staff who are Hispanic. In addition,  
20 there is one person who also speaks Spanish, though  
21 she is not Spanish -- of Spanish origin, her husband  
22 is and she does speak Spanish.

1           In terms of efforts to the community, we  
2           have a program that has been translated into Spanish.  
3           The video tape that we have -- I mean, we go out to  
4           different communities and notify them in that fashion.  
5           I do believe that more could be done and should be  
6           done, and --

7           MS. GALIBER: Do you have any complaints  
8           from this community? Have they registered complaints  
9           with your office?

10          MS. UTLEY: With respect to what?

11          MS. GALIBER: To whatever --

12          MS. UTLEY: Anything.

13          MS. GALIBER: -- discrimination concerns  
14          they might have. I'm just questioning whether or not  
15          they really do know you're there and what you could  
16          do to help them.

17          MS. UTLEY: I'm sure that we do. At this  
18          moment, I could not tell you in specific -- give you  
19          any specific numbers, but yes, there are complaints  
20          that have been filed by members of the Hispanic  
21          community.

22          CHAIRMAN BANKS: Any further questions?

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1 MS. UTLEY: Yes, sir?

2 CHAIRMAN FLETCHER: Let me ask the same  
3 question I did the gentleman just before.

4 MS. UTLEY: Yes, sir.

5 CHAIRMAN FLETCHER: As a result of this  
6 occurrence, and in order to -- the capacity of your--

7 MS. UTLEY: In order to what, sir?

8 CHAIRMAN FLETCHER: -- improve the  
9 capacity of your organization, what has to happen so  
10 you can do a better job? What two, three, or four  
11 things have to happen so that you can do a better job?

12 MS. UTLEY: I guess first and foremost,  
13 the things that we all talk about is, we need more  
14 money.

15 CHAIRMAN FLETCHER: All right.

16 MS. UTLEY: Because in terms of staffing,  
17 there is a severe problem, particularly in my agency.  
18 There have been a number of cuts and has severely  
19 hampered us. We are this year. Next year, it will  
20 be even greater. So it would be an even greater  
21 problem. That's one of the things.

22 And secondly, I think that there has to

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1 be an increased emphasis on getting the materials that  
2 we do have translated into Spanish and distributed to  
3 the Spanish community. I mean, that's -- there's no  
4 other way to do it.

5 CHAIRMAN FLETCHER: Any others?

6 MS. UTLEY: I'm sure there are. On such  
7 short notice, I can't think of any.

8 CHAIRMAN FLETCHER: Could you just stretch  
9 it a little bit and strain some, and tell me what  
10 would more money do for you if you got it? What would  
11 more money do for you?

12 MS. UTLEY: More money would do a number  
13 of things. One is, we could increase staff, vis-a-  
14 vis, Spanish speaking persons. We could -- we would  
15 have greater -- and that would enable us to provide  
16 education and outreach in the community with respect  
17 to the various kinds of programs that are available,  
18 the number of things that Hispanic persons can do and  
19 to seek redress of their grievances.

20 We could also, it seems to me, move out  
21 into the community and set up a satellite kind of  
22 office. Many of the difficulties, I believe, are

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1 associated with a lack of visibility on the part of  
2 the agency. And so, we need to become more involved  
3 in the community itself. While many people are very  
4 familiar with the work of the agency as it relates to  
5 the business community, that is to the Hispanic  
6 community. Not so many are aware of the human rights  
7 aspect and our enforcement responsibilities.

8           You ask anybody about MBOC which is the  
9 acronym for Minority Business Opportunity Commission,  
10 they can tell you that, for the most part, it's in the  
11 Hispanic community. Not so with respect to human  
12 rights. So we do need to engage in a significant  
13 effort to try to make members of the Hispanic  
14 community more aware of our existence.

15           MS. GALIBER: Do you have a backlog? I  
16 mean, how are you -- are you resolving these cases,  
17 really? I guess I question whether you're really able  
18 to resolve the cases that come to you at this time  
19 because of your cut-backs.

20           MS. UTLEY: The short answer to your  
21 question is, yes, we do have a backlog.

22           MS. GALIBER: Yes, that's what I figured.

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1 It's a big one, isn't it?

2 MS. UTLEY: Yes, it is, but relative to  
3 what?

4 MS. GALIBER: To the problems here.

5 MS. UTLEY: That's absolutely true.

6 MS. RAMIREZ: Mrs. Utley, you're not  
7 suggesting that in the absence of additional funds,  
8 nothing can be done, are you?

9 MS. UTLEY: No. And I didn't -- I don't  
10 think that I indicated that. I indicated that  
11 additional funds were needed.

12 MS. RAMIREZ: But do you see yourself  
13 redirecting whatever is available to deal with some  
14 of these issues?

15 MS. UTLEY: Let me say this. I have been  
16 associated with or employed at that agency since April  
17 22nd. In terms of the re-deployment of resources, I  
18 must first assess how the resources are being  
19 deployed. And so, that is the first effort.

20 But in the context of the needs of the  
21 constituent groups -- and there are many -- we are  
22 evaluating how resources are being utilized. But

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1 there, the mandate and the mission of the office,  
2 pursuant to the Human Rights Act of 1977, is quite  
3 substantial. We have 16 protective classes alone,  
4 which is the most comprehensive in the United States.

5 And so, to the extent that the request is  
6 being made that we redeploy those resources that we  
7 now have, I'd have to stand in a posture of saying  
8 that I'm not sure, at this point, that I could make  
9 that kind of commitment.

10 CHAIRMAN BANKS: Are there other  
11 questions?

12 We were scheduled to take a break at  
13 12:30. I think I'd like to schedule two additional  
14 speakers.

15 Thank you very much, Ms. Utley --

16 MS. UTLEY: Yes, sir.

17 CHAIRMAN BANKS: -- we appreciate it.

18 And try to take our break at 12:45.

19 Is Doctor Ricardo Gablis of the Jameter  
20 Health Center here? Is there a representative from  
21 the Jameter Health Care Center here?

22 MR. DARDEN: Mr. Chairman, we're having--

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1 two groups who are left. Both have time problems and  
2 they're working out now, which one will go next.

3 Have you decided?

4 CHAIRMAN BANKS: Let them both come up.

5 MR. DARDEN: It's time to --

6 MS. RAMIREZ: Why don't they both --

7 CHAIRMAN BANKS: Let them both come up.

8 MR. DARDEN: That wouldn't save us any  
9 time.

10 CHAIRMAN BANKS: Well, which two groups  
11 are they?

12 MR. DARDEN: We have unscheduled students  
13 who want to approach the committee and the scheduled  
14 presentation is Doctor Gablis.

15 CHAIRMAN BANKS: Would you give us your  
16 name and affiliation, please?

17 STATEMENT OF ROSE MARIE INSERNI AND STUDENTS

18 MS. INSERNI: Good morning. My name is  
19 Rose Marie Inserni and I am with the -- called Gordon  
20 Adult Education Center.

21 And with me I have brought a group of  
22 students who would like to bring to your attention

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1 some of the issues and cases in which the Hispanic  
2 community is being confronted with in this hearing.

3 One of the things that they have clearly  
4 expressed to me is that while they testify, they don't  
5 want to appear on T.V. They have clearly expressed  
6 that if their employers or anyone in the Government  
7 see that they are talking, they will take reprisal  
8 against them by firing them from work, by not renewing  
9 the rental lease, or by stopping their working papers.  
10 This feeling is real because this is one of the  
11 tactics that the non-Hispanic residents of this city  
12 uses to keep the Hispanic community from talking or  
13 filing any type of complaint. So I would like to  
14 request that while they're talking, please not to be  
15 on camera.

16 WOMAN: May I just ask a question? Would  
17 they object to being taped -- if their faces are not  
18 shown? Or they don't want --

19 MS. INSERNI: It's okay behind, as long  
20 as you don't show their faces.

21 CHAIRMAN BANKS: Would you -- are these  
22 young men you have with you, students?

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1 MS. INSERNI: Yes, sir.

2 CHAIRMAN BANKS: At what school?

3 MS. INSERNI: Gordon Adult Education  
4 Center.

5 CHAIRMAN BANKS: Oh, I see, all right.

6 STUDENT NUMBER 1: I prefer it is  
7 possible, to say my testimony in Spanish and if  
8 somebody can translate me, please?

9 Thank you.

10 (Whereupon, Ms. Cecilia Munoz volunteered  
11 to translate his testimony.)

12 MR. CHOCH: My name is Gregory Choch. The  
13 students have -- a director of the program --

14 My testimony will deal with the way the  
15 city deals with drug addicts, alcoholics -- and humans  
16 in relation to these people in crisis. They have not  
17 -- assistance -- does not exist. I would further --  
18 provide homes for -- but --

19 In specific cases -- as condition of his  
20 parole, he was obligated by the Judge to govern the--  
21 program. He went to two out patient type programs,  
22 once a week. That didn't resolve his alcohol problem.

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1 He continued to have a problem -- He said, "please  
2 take me out of the street. Help me." We couldn't  
3 help him because we don't have a residential facility  
4 -- When a Hispanic goes to an American residential  
5 program -- they have diverse and numerous problems.  
6 And in some -- relief programs, it has not resolved  
7 his problem.

8 Very often, they have a very intense  
9 emotional need which they can not communicate because  
10 of a language problem. This is not a complaint. This  
11 is simply to call your attention to this problem.  
12 It's simply to call your attention to this area of  
13 human services for Hispanics in this city.

14 Thank you very much.

15 (Whereupon, Student Number 2 began his  
16 testimony, having Blandina Ramirez and Cecilia Munoz  
17 translating.)

18 STUDENT NUMBER 2: Good afternoon. I am  
19 the Vice-President of the Student Committee in the  
20 Gordon Center.

21 MS. MUNOZ: I asked him to speak up.

22 STUDENT NUMBER 2: There are more than

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1 2,000 students, majority Hispanic. The Hispanics have  
2 brought forward a great number of complaints because  
3 of violated rights.

4 Many of the services which we require are  
5 not available because of the lack of binding the  
6 personnel. Many of the students who come to the  
7 Gordon Center who -- and this is what you call being--  
8 I thought I was speaking English -- many of the  
9 students who come to the Gordon Center who are parents  
10 of school aged children have complained that their  
11 children are physically abused by their teachers  
12 because they do not speak Spanish -- because the  
13 children do speak Spanish.

14 He is going -- he's giving us an example  
15 of the kind of problems that one encounters with the  
16 police. A group of residents was out in the street  
17 rehearsing in front of their apartment. A police car  
18 came and asked them to go inside without explaining  
19 the motive for asking them to do that. The Hispanic  
20 family asked in Spanish, why it was necessary to re-  
21 enter the apartment. In which case, the policeman  
22 called more police cars to assist.

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1 Another case, employment. A company which  
2 employs Hispanic housekeepers. These workers received  
3 verbal abuse and other bad conditions. They work  
4 under the threat of being reported -- or of being  
5 fired if they report any abuses. We have students who  
6 end up in tears because of the abuses that they face.

7 Another case, a cleaning company which  
8 employs Hispanics which promises a \$6.00 an hour  
9 salary. When employees start working, the employer  
10 actually pays them less.

11 We have another student that for missing  
12 one day of work was demoted and had a salary cut.  
13 Without justification, other employees who are not  
14 Hispanics can miss work without the same  
15 ramifications. Other students who get a drop in  
16 money?

17 STUDENT NUMBER 2: Okay. Other students  
18 -- another student, mother of a child, complained that  
19 a teacher was treating her daughter badly. When she  
20 complained, she was not heard, was not paid attention  
21 to. The woman had to ask for her daughter to be  
22 transferred to another school.

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1           These cases are just a few examples of  
2 what happens to all Hispanics in this area because of  
3 a lack of respect for civil rights. From my part as  
4 a Vice-President of the Student Committee of the  
5 Gordon Center --

6           MS. INSERNI: He is grateful and he  
7 appreciates the opportunity.

8           STUDENT NUMBER 2: Thank you.

9           CHAIRMAN BANKS: Thank you very much for  
10 coming. I would like to ask one question, just --

11           You did raise the issue about mistreatment  
12 of students, children in school. Were reports of  
13 those incidents made to the school principal or to the  
14 school officials?

15           MS. RAMIREZ: He does not have information  
16 to answer that question. These were basically  
17 inquiries and interviews that they made of students  
18 who -- so he basically doesn't have the answer to your  
19 question.

20           MS. INSERNI: Maybe I can answer that  
21 question, yes.

22           CHAIRMAN BANKS: Can somebody -- that

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1 sound reverberates so you can hardly hear.

2 Please?

3 MS. INSERNI: Yes. I just said that maybe  
4 I can answer that question because I know some of the  
5 students.

6 Yes, they have filed a complaint with the  
7 principal of the school and also, they have had groups  
8 of parents talking to other authorities, and nothing  
9 was done. So yes, the answer is yes.

10 CHAIRMAN FLETCHER: I just want to make  
11 an observation.

12 If any of the people who testify here feel  
13 that the word has gotten out and an attempt is made  
14 to intimidate or anything of that nature, for being  
15 here, I want to know about it. And I want to know  
16 about it personally.

17 CHAIRMAN FLETCHER: And I mean come  
18 directly to me. Don't -- don't go around in circles  
19 and try to find out how to get to me. Come direct to  
20 where I am, okay?

21 CHAIRMAN BANKS: All right, may we have--

22 POLICEMAN: Excuse me.

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1 CHAIRMAN BANKS: Yes, sir.

2 POLICEMAN: -- city wants to make a  
3 reference to -- we are here representing community  
4 relations. We try to identify the leaders so we can  
5 promote a better relationship with Hispanics. That's  
6 why we're here. Not to intimidate anyone.

7 CHAIRMAN FLETCHER: I wasn't speaking to  
8 you.

9 POLICEMAN: Okay. I just wanted to --

10 CHAIRMAN FLETCHER: Just to make sure we  
11 got it clear, I'm talking about employers who want to  
12 deny you living opportunities, employment  
13 opportunities, any of the services you're entitled to  
14 because you came here and laid your case out, I want  
15 to know about it.

16 CHAIRMAN BANKS: Excuse me. Would you  
17 introduce yourself, please, and identify the  
18 organization, if you represent one?

19 MR. SCHONENBERGH: Good afternoon. My  
20 name is Carlos --

21 MS. MUNOZ: How do you spell it?

22 MR. SCHONENBERGH: S-C-H-O-N-E-N-B-E-R-G-

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1 H.

2 MS. MUNOZ: Schonembergh.

3 MR. SCHONENBERGH: I'm a student at the  
4 Gordon Center. I'd like to talk about education and  
5 particularly, the type of help that we get at school.  
6 In the Gordon Center we have -- there's a waiting list  
7 of 1,400 students who don't have access to education  
8 because there's neither teachers nor a place to  
9 provide services to these students.

10 Many students who seek services at the  
11 Gordon Center are students who have left public  
12 schools because of being poorly treated. One example  
13 is a group of students who left their high school  
14 because the teachers didn't want them to have physical  
15 education, even though other students did receive it.

16 MS. MUNOZ: He can't say it. Meaning --  
17 he would prefer not to say.

18 He prefers not to say.

19 MR. SCHONENBERGH: Students who wanted to  
20 go to the cafeteria have lunch were not permitted to  
21 go.

22 CHAIRMAN BANKS: Excuse me. Is this

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1 gentleman not going to identify any of the places  
2 which he has talked about?

3 MS. MUNOZ: He will not.

4 CHAIRMAN BANKS: Why?

5 MR. SCHONENBERGH: Because he doesn't  
6 think it is in his own best interest to do so. That  
7 it's convenient to -- I think it's not convenient for  
8 me.

9 MS. MUNOZ: It's not good for you?

10 MR. SCHONENBERGH: It's not convenient.

11 I mean --

12 CHAIRMAN BANKS: Does he have any idea how  
13 we can find out then?

14 MR. SCHONENBERGH: He believes that Latino  
15 and Hispanic leaders who are involved in the political  
16 activity could do the kind of investigation to secure  
17 this information and present it to the Commission.

18 CHAIRMAN BANKS: Let me ask another  
19 question.

20 Is this gentleman saying that these  
21 instances which he is -- given a statement on, he  
22 knows of his own personal experience, or these were

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1 reports that have been made to him?

2 MR. SCHONENBERGH: These are reports that  
3 have been given to him by people that he knows and he  
4 does not believe them to be lying.

5 MR. SMITH: I'd like to know whether or  
6 not the Latino leaders that he referenced, are they  
7 also aware of these particular issues --

8 MR. SCHONENBERGH: Yes. There are so many  
9 problems it would take a week to tell you all of them.

10 MS. MUNOZ: He believes that these are the  
11 types of problems which cause students to leave school  
12 and to form negative attitudes.

13 MR. SCHONENBERGH: Thanks a lot.

14 CHAIRMAN BANKS: Ask him --

15 I'm curious to know, does he have any  
16 information he can give us about housing conditions?

17 MS. MUNOZ: This gentleman can't.

18 CHAIRMAN BANKS: All right.

19 Would you give us your name and identify  
20 your organization, please, if you have one?

21 MS. RAMIREZ: His name is Harba Berniya.

22 STUDENT NUMBER 4: I am also a student at

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1 the Gordon Center. We have a large number of students  
2 there. And we have a large number of different kinds  
3 of cases, including housing. For example, in some  
4 cases, when one of our students is looking for an  
5 apartment in a building, simply because that person  
6 is Hispanic, they are told that it is not available.  
7 We have a number of cases like that which have  
8 happened to students. I don't know if that answers  
9 your question.

10 We're bringing some examples of cases  
11 because we can't bring to your attention all of the  
12 cases that we have, but we are bringing some before  
13 you. A case of a young man who was in a bus stop,  
14 seated on the seat. A policeman came and stepped on  
15 his hand. He responded somewhat angry, and the  
16 policeman who was dressed in civilian clothing, called  
17 others and they took him prisoner for two days.

18 Another case --

19 CHAIRMAN BANKS: Wait a minute, wait a  
20 minute. Prisoner where? In an official police  
21 station or --

22 STUDENT NUMBER 4: He's never been there

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1 so he doesn't know exactly, but it's --

2 CHAIRMAN BANKS: Well, was he arrested or  
3 what?

4 STUDENT NUMBER 4: Yes, he was arrested.

5 CHAIRMAN BANKS: He was arrested.

6 STUDENT NUMBER 4: Another Gordon student  
7 was beaten up on the sixth of May before the curfew  
8 in Mount Pleasant. She went to get her daughter and  
9 the policeman hit her on the hand with the stick, on  
10 the hands.

11 Another case in which an Hispanic young  
12 man was looking -- was at a football stadium looking  
13 at a game. Someone threw a bottle -- the policeman  
14 confronted him, signaled to him, and arrested him for  
15 24 hours. He didn't have an opportunity to explain  
16 his rights because the person involved did not speak  
17 English. And now they're giving him a fine. This  
18 person who doesn't have the income to pay the fine he  
19 has, there's a document showing that the fine is  
20 \$25.00.

21 Supposedly someone threw a bottle. The  
22 police accused him of doing it without investigating

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1 who actually threw the bottle.

2 MR. SMITH: Ask him if they've been  
3 forwarded to Civilian Complaint Review Board, the  
4 Human Rights Commission, and other such agencies?

5 STUDENT NUMBER 4: Last night I was here  
6 to do it before the Civilian -- and I wasn't able to  
7 do it because there wasn't enough time.

8 MR. SMITH: At the time in which these  
9 incidents occurred -- arrest on the street -- bus?

10 STUDENT NUMBER 3: Excuse me. I want to  
11 say something -- because it was not -- I mean -- there  
12 was no one who spoke Spanish, which is why it wasn't  
13 reported.

14 STUDENT NUMBER 4: I have two more cases  
15 involving employment. A young man who works for \$6.50  
16 an hour, if he works more than 40 hours, they pay him  
17 \$5.00 in cash. They do that simply because he's  
18 Hispanic because he gets paid differently than non-  
19 Hispanics in the same position.

20 In another case, a young man was fired  
21 simply for answering the boss. The boss asked him if  
22 he made enough money and the young man said no. He

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1 was fired.

2 Thank you.

3 CHAIRMAN BANKS: Thank you very much.

4 Any questions?

5 STUDENT NUMBER 4: That was him at the  
6 last --

7 CHAIRMAN BANKS: Are there any questions?

8 If not, thank you very much. We're going  
9 to adjourn then until --

10 Yes?

11 STUDENT NUMBER 5: I'm a student at the  
12 Gordon Center. I want to talk about what happened a  
13 year ago on a bus. On a bus.

14 The bus driver towards all the Hispanic  
15 passengers, when they asked for a transfer, asked them  
16 where they were going. The last two Hispanic  
17 passengers, he refused to give them a transfer. And  
18 a group of Americans came up, and got on the bus, and  
19 he didn't ask them anything. In which case, I asked  
20 him why he was asking questions of the Hispanics and  
21 not of the non-Hispanics. I told him that if I asked  
22 for a transfer, it's because I need it. I got off of

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1 the bus and I refused to --

2 In another case, three years ago, on 16th  
3 Street in between U and V, I was assaulted by a Black  
4 man. The police were a block away. I went in and  
5 gave the information, and I don't know what happened.  
6 I think they didn't think it was important. A year  
7 ago a police officer came to give a talk at the  
8 school, and I gave information about my case, that the  
9 policeman was Hispanic. If they are of the same  
10 group, why would they pay attention to me. We are  
11 Hispanic.

12 I have a complaint against 911. In July  
13 of the last year, a friend and I were assaulted by  
14 three men in a car when we were at a bus stop. I went  
15 to an apartment to use the phone and to call the  
16 police. The police came. They took our information  
17 and everything. The assailants lived nearby and they  
18 saw that we were calling the police. After two hours,  
19 the assailant came in a white truck, drove the truck  
20 on the sidewalk and nearly killed me.

21 I called 911 once again, and they told me,  
22 "you again?" using curse words. They hung up on me.

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1 After telling me -- they said, "you again?" they used  
2 foul language. They said, "you are Hispanic" and they  
3 hung up.

4 MS. MUNOZ: She was -- at that point, she  
5 was very frightened because the statements were  
6 persecuting them and they couldn't get any help.

7 STUDENT NUMBER 5: My son is being --

8 MS. MUNOZ: A friend of hers is being  
9 sexually abused?

10 Oh, okay, abused, not sexually, but in  
11 terms of the employer/employee relations by his boss.

12 STUDENT NUMBER 5: The employer is  
13 petitioning for his residence. The employer calls him  
14 at any hour, even on his day off.

15 MS. INSERNI: Yes. The employer calls him  
16 anytime he feels like it.

17 STUDENT NUMBER 5: And when he refuses to  
18 go to work, the employer then gives him three or four  
19 days without work and without pay, simply because the  
20 guy refused to work on a Sunday.

21 In my case, I worked for a family and they  
22 supposedly pay me every week, except they don't pay

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1 me every week. And on the fourth of April, I left  
2 because they owe me \$2,000 and they refused to pay me.

3 MS. INSERNI: And she's unemployed.

4 STUDENT NUMBER 5: Thank you very much.

5 CHAIRMAN BANKS: Thank you. Could I ask  
6 one question? How long have you lived in Washington?

7 STUDENT NUMBER 5: I've been here for  
8 eight years.

9 CHAIRMAN BANKS: Did you give this -- this  
10 statement in Spanish because you couldn't do it in  
11 English, or because you felt more comfortable?

12 STUDENT NUMBER 5: I understand.

13 CHAIRMAN BANKS: What?

14 STUDENT NUMBER 5: Because I was more  
15 comfortable speaking in Spanish.

16 CHAIRMAN BANKS: Okay. Thank you very  
17 much.

18 Any questions?

19 MS. RAMIREZ: I would just like to  
20 reiterate the Chairman's statement in Spanish.

21 Thank you. Thank you very much.

22 CHAIRMAN BANKS: If there are no further

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statements to be made, we're going to adjourn for 45 minutes.

(Whereupon, the meeting was recessed at 1:18 p.m., to reconvene at 2:00 p.m., this same day.)



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1 A-F-T-E-R-N-O-O-N S-E-S-S-I-O-N

2 2:58 p.m.

3 CHAIRMAN BANKS: Ladies and gentlemen, we  
4 are about to reconvene the meeting of the District of  
5 Columbia Advisory Committee to the U.S. Commission on  
6 Civil Rights, concerned principally with comments on  
7 the civil rights complaints and community grievances.

8 MS. GALIBER: Excuse me. Excuse me. They  
9 can't -- have to keep quiet for you to hear.

10 CHAIRMAN BANKS: We are continuing a  
11 meeting of the District of Columbia Advisory Committee  
12 to the U.S. Commission on Civil Rights to gather  
13 information on civil rights complaints and community  
14 grievances, especially among Latino groups, and to  
15 focus our attention on the following general topic,  
16 are civil rights complaints emerging from the recent  
17 civil disturbances in Mount Pleasant and neighboring  
18 areas?

19 We've heard of some statements this  
20 morning and this early this afternoon, and we're about  
21 to continue.

22 And ladies if you would identify

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1 yourselves and the organizations which you represent,  
2 we'd be pleased --

3 STATEMENT OF SUSANA CEPEDA

4 MS. CEPEDA: Good afternoon. My name is  
5 Susana Cepeda. I am with the Council of Hispanic  
6 Community and Agencies, and also with the DC Latino  
7 Civil Rights Task Force which was formed recently.  
8 Begin?

9 CHAIRMAN BANKS: Yes, please.

10 MS. CEPEDA: Allow me first to thank you  
11 for your presence today in our community. We  
12 appreciate you coming here, and furthermore, we want  
13 you to invite -- we want to invite you to come back  
14 again. As you know, our house has been in five. Most  
15 of our time in the last ten days has been spent trying  
16 to take -- to defend our belongings and our own  
17 people. So we need some extra time to prepare the  
18 types of testimonies that are required for the best  
19 performance information.

20 Having said that, I would point out first  
21 to -- that Title VII and that is employment. Although  
22 it is usually accepted in our community that we are

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1 ten percent of the city population. And according to  
2 the recent census, which didn't count us properly, we  
3 are five percent.

4 CHAIRMAN BANKS: Five percent?

5 MS. CEPEDA: That's according to the  
6 census, although we believe that we have been under  
7 counted as minorities -- however, even at five  
8 percent, the point I am trying to make --

9 CHAIRMAN BANKS: We're having difficulty  
10 hearing you. I guess it's because --

11 WOMAN: Can you push that away from your  
12 mouth a bit?

13 WOMAN: We may be able to understand you  
14 better without the microphone.

15 MS. CEPEDA: But we want the people to  
16 listen to our problems.

17 WOMAN: Yes, but we want to -- don't you  
18 want us to hear you?

19 MS. CEPEDA: Okay. If we ask people to  
20 come closer, I'll just stand up and I'll --

21 CHAIRMAN BANKS: Let's try it like that.

22 MS. CEPEDA: Where shall I -- okay.

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1 CHAIRMAN BANKS: No, you can sit. We'll  
2 try it like that.

3 MS. CEPEDA: We'll not be able to -- will  
4 that be fine?

5 Is that fine? You know, I can speak up  
6 if I'm standing up.

7 As a result of the gas I received while  
8 trying to calm the incidents, I'm with asthma. So I'm  
9 having problems talking.

10 The point I was making is that Hispanics  
11 are about ten percent of the population in the  
12 District, although we have been counted as five  
13 percent by the census. However, when you see the  
14 employment patterns of the District of Columbia, you  
15 will find out that we are not even one percent of the  
16 -- of the employees.

17 This poses a dual problem. On the one  
18 hand, our right to employment, to be represented, is  
19 not being taken care of. But furthermore, the  
20 services that are usually provided by Government  
21 employees, especially those that are on the day-to-  
22 day operations serving the people, do not come to us.

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1 So that's something that I believe the Commission  
2 should investigate.

3 CHAIRMAN BANKS: What services do not  
4 come?

5 MS. CEPEDA: Hospitals.

6 CHAIRMAN BANKS: What?

7 MS. CEPEDA: Hospitals.

8 CHAIRMAN BANKS: Hospitals?

9 MS. CEPEDA: Hospitals, emergency rooms.  
10 People are rejected from emergency rooms. Housing  
11 services.

12 CHAIRMAN BANKS: Hello in the back of the  
13 room. In the back of the room -- please.

14 MS. CEPEDA: You can't hold other meetings  
15 inside this room. Please have them outside. The  
16 people can't hear a thing here.

17 CHAIRMAN BANKS: I'm sorry. Please.

18 MS. CEPEDA: As I was -- oh, I was  
19 answering your question. It has to do with health,  
20 such as hospitals, emergency rooms.

21 CHAIRMAN BANKS: You mean the emergency  
22 rooms do not accept you?

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1 MS. CEPEDA: Exactly. They will not  
2 accept an Hispanic, or the Hispanic will not be taken  
3 care of because there is nobody who will speak the  
4 language there.

5 CHAIRMAN BANKS: Well, now, that is not  
6 universally true.

7 MS. CEPEDA: That is true most of the  
8 time. Community organizations operating with very  
9 meager resources, have to provide translators. Most  
10 of the times, if we send somebody. But we do that  
11 whenever we are prepared, you know, with an  
12 appointment. In emergency cases, there is no way that  
13 we can do it.

14 So, as I'm saying, we have very little  
15 resources and I'm calling on your resources to be  
16 utilized in investigating this further.

17 CHAIRMAN BANKS: Yes, okay.

18 MS. CEPEDA: And, you know, when we meet,  
19 hopefully while most have not, we'll be better  
20 documented.

21 I want -- in terms of the employment  
22 pattern that I illuded to, I want to provide you with

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1 an example. In FY '90-'91, the Department of Human  
2 Services passed an -- budget of over \$700 million and  
3 5,797 continuing full time positions. And an --  
4 budget of close to \$400 million and \$3,086 temporary  
5 positions. This constitutes about one-third of the  
6 total city budget. However, the Department provides  
7 no more than \$2 million in grants and contracts to the  
8 community-based organizations that it will represent.  
9 And then again, these are the many of the different  
10 types of services including housing, including also  
11 all types of health counseling, drugs, etc., that are  
12 provided with -- tax money that we have very little  
13 access to.

14 In terms of employment, the number of  
15 Hispanics employed by the Department is not -- To  
16 give you an example, within the Commissions of the  
17 Department, the Commission of Mental Health Services  
18 employs 39 Hispanics out of a total of 3,275  
19 employees. Even if we use the five percent numbers  
20 of the census -- you know that the amount is meager.

21 I would urge you also to look into the  
22 contracting practices in the city government. We

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1 don't have the resources to do all that, I repeat  
2 again. However, our business people who make a very  
3 important contribution to the tax base in this city,  
4 hardly receive any contracts. We are practically  
5 written out of the -- of the process. So that's --

6 CHAIRMAN BANKS: Including highway  
7 construction? Including highway construction?

8 MS. CEPEDA: I don't know, sir, about  
9 highway construction, and you might know something  
10 about that. I am urging your Commission to study that  
11 and to provide the appropriate statistics.

12 I have heard the clamor and the complaints  
13 of people in the contractors who feel that they don't  
14 receive their fair share. And that's basically what  
15 I had to say. I thank you again. And again, I invite  
16 you to come back again after you deal with the -- that  
17 we have in the problems in our neighborhood. We will  
18 be better prepared.

19 CHAIRMAN BANKS: Thank you very much. Any  
20 questions?

21 MS. KAPLAN: Should I go ahead?

22 CHAIRMAN BANKS: Please.

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1 we got our first contract. We've worked with probably  
2 five or six of the District government agencies.

3 Now, let me give a very specific example  
4 of something that happened to us. Starting in about  
5 1986, it was clear that the social service needs of  
6 the Latino youth were just increasing. Abuse,  
7 neglect, family problems, involvement in the juvenile  
8 justice system, legal counseling that they needed,  
9 runaway youth, homeless youth, etc. We began dialogue  
10 with the Department of Human Services in 1986 -- in  
11 1984. It took us two years of dialogue to inform,  
12 educate, convince the Department of Human Services  
13 that they needed to purchase some services from the  
14 community to provide to the youth and families that  
15 were in our neighborhood.

16 So in 1986, we got a contract. Things  
17 went along for a while, but every year, I was worried  
18 that this contract would go down the drain. In 1988,  
19 we received a letter saying, "thank you, but no thank  
20 you." We no longer need to purchase your services any  
21 longer. Please fold up your shop for the social  
22 services that you've been offering.

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1 Well, as you can imagine, we were alarmed.  
2 We were upset. We were angry and confused,  
3 particularly in light of the fact that we were the  
4 only Hispanic agency that had a contract with that  
5 specific department to provide social services to  
6 Latino youth and families. So I went to them and I  
7 said, "who are we supposed to refer our case load to?"  
8 And their response was, "we don't know, but we no  
9 longer have the money to purchase your service."

10 To make a very long story short, we  
11 mounted a campaign to get the money back. And we went  
12 through several layers of bureaucracy to do so, ending  
13 up with city council, who agreed with us that it was  
14 not a good decision and some of that money was  
15 replaced, not all of it.

16 Now, it took me probably four to five  
17 months of my time, as Executive Director of the  
18 organization, to retrieve the funds that had gotten  
19 cut. And I kept saying to myself, "gee, you know, I'm  
20 just not sure that this is the best use of my time.  
21 However, I have no choice. I have to go in there and  
22 I have to fight to get this contract back" because it

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1 is the only one that was in the whole Department of  
2 Human Services at that time.

3 Since that time, the few contracts that  
4 we've been able to maintain have either been  
5 consistently cut back, or maintained at the same  
6 funding level for years. Here we are, getting ready  
7 to go into fiscal year '92. On top of that, there  
8 seems to be no consistency inside the departments, as  
9 to who gets what they call a multi-year contract and  
10 who doesn't. Seemingly, there are some organizations  
11 that come in and get to this thing that's called  
12 multi-year. They don't have to reapply year after  
13 year after year after year. Every year I go in and  
14 I say, "why weren't we offered that?" and they all  
15 look at me like, "offered what? We've never heard of  
16 these multi-year things that you keep talking about."  
17 Needless to say, we've never been offered one.

18 So in summation, I want to say that the  
19 other problem is, while we all agree, understand,  
20 respect, the process of competitive bidding, the first  
21 part of competitive bidding is that the city has to  
22 decide that it is necessary to purchase the service.

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1 If they don't think it is a necessary service, one has  
2 no opportunity to -- to compete for that service. So  
3 I'm always going in and saying, "you need to issue the  
4 request for proposals to serve our community, so that  
5 we can, in turn, respect your process and compete."  
6 But those RFPs for the Latino community are not ear-  
7 marked, or for the community at large, that the Latino  
8 community, in turn, can compete for.

9 So it's a real problem. One, holding on  
10 to what we've got; two, competing for new things in  
11 line with the demand and the increased numbers in our  
12 community. A feeling that first of all, there is not  
13 comparable services. There's not parity in services.  
14 There's no, seemingly, consistency in how the whole  
15 contracting process takes place. I could be much more  
16 specific, if need be. I don't want to take up your  
17 time because I know there's a lot of young people who  
18 are waiting to talk to you.

19 MS. GALIBER: You said you're be funded  
20 to provide social services for Latino youth.

21 MS. KAPLAN: Yes.

22 MS. GALIBER: Specifically, what services

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1 do you provide that are not provided through --

2 MS. KAPLAN: The department?

3 MS. GALIBER: -- the other programs of the  
4 Department of Human Services. You know, I'm wondering  
5 if they're looking at that as a duplicative type  
6 program. What is unique about your program?

7 MS. KAPLAN: Well, first of all, I don't  
8 think they see it as duplicative because a lot of the  
9 line workers, inside DHS who know about us, refer  
10 their cases to us.

11 MS. GALIBER: Okay.

12 MS. KAPLAN: Because they don't have the  
13 bilingual capability. Nor do many of them work after  
14 5:00.

15 MS. GALIBER: How do you tie into the  
16 Mayor's Youth Employment Program in the summer? Do  
17 you get your youth involved in jobs?

18 MS. KAPLAN: Yes. This summer -- and jobs  
19 are a real problem. And I was sort of eavesdropping  
20 on the kids' conversation, and I know they're going  
21 to talk to you about jobs. So I don't want to step--  
22 I will say that at this moment, 9,000 kids have

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1 registered for the summer jobs program. 200 are  
2 Latino. And we're working desperately to get more  
3 Latino kids into the summer jobs program. It is very,  
4 very difficult to get them through that certification  
5 and registration process.

6 CHAIRMAN BANKS: Why?

7 MS. KAPLAN: Why? Because it's a -- you  
8 need to bring in a lot of like pay stubs, and  
9 telephone receipts. Sometimes their parents get paid  
10 in cash and they don't have a pay stub. Therefore,  
11 we have to go to a lawyer and get a notarized letter.  
12 And you have -- it's a very complicated, cumbersome  
13 procedure.

14 MS. GALIBER: Do they register with you,  
15 or do they register through the schools?

16 MS. KAPLAN: Both. The Department has  
17 been very -- the Department of Employment Services has  
18 worked with us to come to our sites to do  
19 registration.

20 MS. GALIBER: Okay.

21 MS. KAPLAN: They have done both.

22 MS. GALIBER: I guess I'm missing some

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1 specificity. That's why I'm trying to get you to --

2 MS. KAPLAN: Specifically, we have multi-  
3 cultural staff who can go out and do home visits. We  
4 can go to the Courts with the kids.

5 MS. GALIBER: Okay.

6 MS. KAPLAN: We can identify places for  
7 the kids to go, who are unaccompanied, who are runaway  
8 kids. Our staff is a much more grass roots,  
9 community-based staff who are trying to one, access  
10 the services inside the Department that our youth and  
11 families should have access to. Not duplicate  
12 anything but enhance and enrich what the Department  
13 is able to offer in a way where we have the linkages  
14 with the parents, with the teachers, with the schools.  
15 We network the whole case.

16 MS. GALIBER: So you really provide -- how  
17 about for health care? Are you involved in that area,  
18 too?

19 MS. KAPLAN: In the health care area,  
20 again, there's a lot of gaps. The few city  
21 government-funded clinics that have bilingual  
22 capability are overwhelmed. The waiting list, the

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1 staff, the taking of new patients, not taking new  
2 patients. So, I feel like what we on a community do,  
3 is to try to provide services. There are some  
4 community-based health clinics. They, too, have felt  
5 that it is difficult to access the contracting process  
6 to collaborate and to work hand-in-hand with the city,  
7 to enhance, enrich, not to duplicate.

8 But what the city has to offer is not  
9 sufficient for the large numbers of people that have  
10 come. And the people who need the services, pay  
11 taxes. They want to have services from the city.  
12 They also want to have services right in their own  
13 communities that they can access, and that they can  
14 be linked to with the larger bureaucracy. And that--  
15 I mean, it's cost effective. It's been -- it's been  
16 testified over and over again, that communities,  
17 neighborhoods, can provide many services, much more  
18 cost effectively than a larger bureaucracy.

19 So we're trying to say, "let us do that.  
20 We can do that. We know our community. We know the  
21 issues. We will collaborate with you. We don't want  
22 to compete with you, but we want the chance to bring

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1 the dollars into our community to serve the people who  
2 -- we're really good at working with."

3 MS. GALIBER: Most of the RFPs are for  
4 five years. I'm a little concerned that you have your  
5 -- your RFPs for only one year. Is that designated  
6 in the RFP that it's for one year, or is there  
7 confusion?

8 MS. KAPLAN: That's a \$60,000 question.

9 MS. GALIBER: Because now, they're all  
10 supposed to be five years.

11 MS. KAPLAN: Well, I have been -- I have  
12 been at the Latin American Youth --

13 MS. GALIBER: Social Services are five  
14 years.

15 MS. KAPLAN: But I'm only told that --  
16 what I'm told is that I can have a multi-year option  
17 if the funds are available.

18 MS. GALIBER: Oh, well, I guess that's  
19 true of all of us.

20 MS. KAPLAN: Well, not necessarily. What  
21 that means is, I have to go to city council and make  
22 sure that my little line item for social services for

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1 Latino youth doesn't get cut out.

2 See, my argument, when we got cut out of  
3 social services to begin with was that they said, "no  
4 funds are available." So I got city council to say,  
5 "yes, funds are available." Because left to their own  
6 decision, they decided that they -- the letter said  
7 to me, "what you have to offer, we do not want to  
8 purchase." And so now I have a -- so when I say, "can  
9 I exercise my multi-year option?" on one contract out  
10 of about 75. One out of 75 that I've had since 1978  
11 have I been asked this question. Most of the time  
12 when I say, "multi-year option" they look at me like  
13 they don't -- that it's Greek.

14 MS. GALIBER: Maybe we need to look at the  
15 RFP. Maybe --

16 CHAIRMAN BANKS: We would have to --

17 MS. KAPLAN: Okay. We could speak more  
18 at another time. I don't want to take too much time.  
19 But I did want to specifically address the contracting  
20 issue, because I knew people were picking up other  
21 issues around employees and summer jobs and the police  
22 issues.

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1 Thank you.

2 CHAIRMAN BANKS: Thank you very much.

3 Mr. Chairman?

4 CHAIRMAN FLETCHER: One question. What--  
5 knowing the contracting process as -- and some of the  
6 basics that are automatic assumptions, what would you  
7 like to see waived, so that you could get on with your  
8 business? It's not uncommon to waive a standard when  
9 it's obvious that --

10 MS. KAPLAN: Well, I think there has to  
11 be some top -- some real -- a real close look at "what  
12 are the services that are being contracted out?" and  
13 what are they saying is being provided by the  
14 Department? And where the gaps are, and if the things  
15 that are -- they say are provided by the Department  
16 truly are being so, or if it could be done more cost  
17 effective out in the community in collaboration with  
18 the Department.

19 You know, in terms of waivers, I'd have  
20 to really think about that in terms of answering your  
21 question. I think that they have not understood yet,  
22 certain -- what we know are services that they should

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1 want to purchase. Because there's -- the clients and  
2 the needs and the issues are falling through the gaps.  
3 They're falling through the holes.

4 Like there's no transitional living  
5 program for Latino kids. The foster care issues for  
6 Latino kids are just -- it's not -- you know, the ACLU  
7 lawsuit addressing the foster care system, didn't even  
8 look at the issue of Latino kids. I spoke to the  
9 lawyers last week and I said, you know, "if you all  
10 are opening this Pandora's box, no one even bothered  
11 to mention to you that we can't even get foster care  
12 for Latino kids. So it's not even that they're being  
13 poorly treated. It's not made accessible to them.  
14 They're being kept out.

15 Now, I'm not sure I want them in it, to  
16 tell you the truth. But sometimes you need access to  
17 foster care because you have homeless, and runaway,  
18 and unaccompanied minors that we need to place.

19 CHAIRMAN FLETCHER: You don't have to  
20 answer this next one if you don't want to. But how  
21 much of this is politics, in terms of contract awards?

22 MS. KAPLAN: Oh, I think -- you know,

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1 again, I'm a service provider who knows how to prepare  
2 a good proposal and I'm willing to compete.

3           You know, how much is politics? I feel  
4 that the Latino community is not getting -- not many  
5 dollars. I don't have the -- Susana quoted some of  
6 the statistics. I'm not up to date on that. All I  
7 know is, I feel like the few little contracts we've  
8 gotten, we've had to just, you know, hang in there for  
9 years. I've been at this for 12 years. I've been at  
10 the Youth Center. I mean, you know, and I still feel,  
11 every year, that my budget is going to go down the  
12 drain; that these contracts aren't going to -- the few  
13 that I've gotten won't be renewed. The city won't  
14 want to purchase the service anymore. You know -- and  
15 so I look at other agencies who seem, from year to  
16 year, just to know that they'll probably get that  
17 contract renewed. I've never had that feeling, and  
18 I know that our proposals are competitive and high  
19 quality, professionally done.

20           Now, in terms of answer to your question,  
21 politics pervades everything, you know -- I'd have to  
22 -- I'm not sure I can really answer that in the --

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1

CHAIRMAN BANKS: Do you have a question?

2

3

CHAIRMAN FLETCHER: No, no, I don't think

4

so.

5

CHAIRMAN BANKS: Thank you very much.

6

MS. KAPLAN: Okay, thank you for the

7

opportunity. I'm going to have to excuse myself and

8

get back to the Youth Center.

9

Thank you.

10

MR. DARDEN: Is that all --

11

STATEMENT OF ELENA ROCHA

12

MS. ROCHA: Good afternoon.

13

CHAIRMAN BANKS: Good afternoon.

14

MS. ROCHA: And I am going to repeat what

15

these two ladies have said that we --

16

CHAIRMAN BANKS: Let me suggest this.

17

One, would you identify yourself, your name and --

18

MS. ROCHA: Oh, my name is --

19

CHAIRMAN BANKS: -- just a minute.

20

Identify yourself and the organization to which you

21

are a representative, if you are representing one.

22

And please, we would like to confine these

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1 presentations to five minutes. If you can get your  
2 point over without repeating what somebody else has  
3 said, it would be very helpful. Because we would like  
4 to get all the folks who would like to have a  
5 statement.

6 MS. ROCHA: My name is Elena Rocha. I am  
7 a former president of the Latin American Employees  
8 Association of the city. I consider myself an  
9 activist. And I like the way you said it, sir,  
10 straight to the point, and short and sweet.

11 Unfortunately, we have never seen you, so  
12 I can not be very elated about your limited time. I  
13 would definitely like to invite you, as the two ladies  
14 have done before me, to come back to us. Many of the  
15 people -- now these two ladies have talked to you  
16 about social services. That is what they do and  
17 they've been active in that situation.

18 I've been active with workers. We work.  
19 We pay our taxes. We respect the law. I wouldn't say  
20 everyone in my race, but what I am coming here to your  
21 Commission -- I just reading over and over again. It  
22 says civil rights. Civil rights to me means that you

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1 have certain rights in this country. First amendment,  
2 you mean to me.

3 What I'm going to talk is, the people that  
4 I work with, I was honored to represent labor force,  
5 is that we believe to ask from you something that  
6 doesn't cost money. It is respect. We believe, and  
7 it may surprise you, a lot of us who have accents read  
8 and write. A lot of people have the impression that  
9 we have accents, we are uneducated and sort of  
10 animals. The fact that you hear our accents means  
11 that English is our second language and maybe a third.

12 I am here not to ask you to intercede for  
13 the people I worked with for many years, for us to  
14 give us this, give us that. I'm not going to do that.  
15 We are demanding from you to do your jobs. We demand  
16 that people treat us with respect. We don't  
17 appreciate in the working areas, being taunted by  
18 people whose ancestors came here three, four  
19 generations before. We demand from your Commission,  
20 to educate people that the Mexican-Americans own all  
21 the way to New Mexico, that the land is still under  
22 dispute.

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1                   Please European people understand, that  
2                   you ran away from your lands over here to get refuge.  
3                   We resent anybody out there, telling us to pack our  
4                   kids, put them on the bus, and go back where we came  
5                   from. Many of this community here, will have to bus  
6                   their children to Arizona, to New Mexico, to Texas.  
7                   Maybe they should go out there and claim part of their  
8                   land. I don't know.. But I told a woman the other  
9                   day, who was very sarcastic, who told me, "it's about  
10                  time you pack your things. Pack your kids who have  
11                  been breaking our things around, and send them where  
12                  they came from." I said, "fine. We will put our kids  
13                  on the bus. Where do we bus your kids?"

14                  Now, I don't think this is an answer. I  
15                  am not asking you to go and talk to somebody to give  
16                  us handouts. What I am going to ask from you,  
17                  respectfully, is that you do your job when you leave  
18                  here. I didn't come here because I have nothing else  
19                  to do outside. We demand that respect is given to us.  
20                  If you don't give us that much, I believe that this  
21                  Commission is not there to serve the people.

22                  We are not like these two ladies, trying

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1 to make you to be sensitive towards them. We are not.  
2 We believe that according to the people who wrote the  
3 Constitution in this nation, where men were created  
4 equal, we believe that we deserve our rights. We are  
5 tired of people patronizing us.

6 Furthermore, I would ask this Commission  
7 also, to make a note about the utility companies in  
8 the city. We are not here just to give them our money  
9 for nothing. I haven't seen the gas company making  
10 any efforts towards the Latin American work force.  
11 We have tremendous power there, labor power, but you  
12 don't need to be very fluent in English or -- I would  
13 appreciate you also making a note for PEPCO. We have  
14 very good electricians, or the C&P Telephone Company.  
15 Furthermore, I would not appreciate you just  
16 mentioning that to them, but we want upward mobility.  
17 We don't want to bear -- you know, carry water around  
18 them. We've been carrying water around for a long  
19 time. We are paying for that ball that they are  
20 playing with. We understand that Americans understand  
21 football, okay? We play football, too, but with our  
22 feet.

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1           What we are trying to say is, that ball  
2           that many people have been playing in this town with,  
3           we have stock on it. We are paying for it, and we  
4           don't want to continue sitting in the benches.

5           Thank you.

6           CHAIRMAN BANKS: Thank you very much.

7           Any questions?

8           If not, thank you very much.

9           Will the next panel come and be seated,  
10          please?

11          MR. DARDEN: Doctor Gablis, are they with  
12          you?

13          MR. GABLIS: What?

14          MR. DARDEN: Are these eight young ladies  
15          with you?

16          DOCTOR GABLIS: No.

17          MR. DARDEN: Okay. We are going to have  
18          to stick with the order of speakers that was left over  
19          from the morning. Doctor Gablis is one of them. So  
20          he'll be next. Then we'll be hearing from Gabe  
21          Chekus, the representative from the DC Civilian  
22          Complaint Review Board. Then we'll be hearing from

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1 Doctor Robert Manning, of the Department of Sociology,  
2 American University. And then we'll be hearing from  
3 Bonnie O'Neil. And if it's still -- we still have any  
4 time after that, we'll be able to take more people.

5 CHAIRMAN BANKS: Doctor, in the interest  
6 of time, I see you have a written statement. Could  
7 you try to summarize it so that we can include some  
8 others in this testimony this afternoon?

9 STATEMENT OF DOCTOR RICARDO GABLIS

10 MR. GABLIS: Thank you. I'm glad to be  
11 here. My name is Richardo Gablis, and I'm originally  
12 from Havanna, Cuba. I've been in the community and  
13 lived here in Washington for 30 years now. And for  
14 the majority of that time, in -- and I direct a  
15 community-based organization called Andromeda. It's  
16 a mental health center.

17 I come here in the interest of two things.  
18 I would like to point out that many of the -- what  
19 we're seeing now in event this committee forming that  
20 we're attending, has been provoked by things that have  
21 happened for many, many years in the community.

22 I came here when I was a kid. I learned

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1 English. And I didn't feel discrimination at any  
2 time, very much so, until I chose to identify with my  
3 fellow Hispanics. And when I chose to identify with  
4 Hispanics, then I did feel that discrimination. And  
5 it was very, very interesting because it changed to  
6 the way I perceived things and the way I acted,  
7 really.

8 I am a psychiatrist and a physician and  
9 I took time out today because first, I think you're  
10 taking time out from your busy schedules to come here  
11 and try to make some reasoning from the happenings  
12 that we've had in our midst. I have formed part of  
13 several committees in the past. The Reorganization  
14 and Transition Team of the Mental Health Hospital, the  
15 local St. Elizabeth Hospital to the city. I am still  
16 a firm part of the Mayor's Advisory Committee on  
17 Mental Health. Form part of the Latino Agenda, and  
18 I'm saying all these things because a lot of this is  
19 debt letter. This -- recommendations and if these  
20 suggestions or advice from the community is not taken  
21 down, then we can just throw it off.

22 Personally, even though now I'm the big--

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1 I still remember May Day of 1960 in which Washington  
2 -- the first of May of 1960, Washington was full of  
3 tanks. And I lived near DuPont Circle. I looked a  
4 bit younger than my age, maybe, at that time. I had  
5 a full beard. I was coming from my office on Rhode  
6 Island Avenue that is now the YMCA, the Brannon  
7 Building now. I had an office there. And I was  
8 coming in my Volkswagen to a recently-bought home in  
9 S Street, 19th and S that I still own there.

10 When I passed through the tunnel, I was  
11 accosted by the police, and I looked -- I had been  
12 painting -- and a lot of hair. They said, "where are  
13 you going?" I said, "I'm going home. I live near  
14 here." And they began to push me against the car.  
15 And I say this because I sympathize with persons that  
16 sometimes end up in situations that they didn't dream  
17 of that. I got pushed on the car and all of a  
18 sudden --

19 CHAIRMAN BANKS: May I suggest -- we're  
20 here really to hear about civil rights problems that  
21 are associated with the Mount Pleasant Street  
22 uprising--

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1 DOCTOR GABLIS: Okay.

2 CHAIRMAN BANKS: -- or disorders, and if  
3 you can keep it to that, it would be very helpful to  
4 us in getting all the people who want to speak this  
5 evening. Continue.

6 DOCTOR GABLIS: Very fine. Nevertheless,  
7 I remember that at that time, I was accosted by the  
8 police. I was arrested and manhandled. And when I  
9 went to the station and registered a complaint with  
10 the Chief, they said, "we see no blood." And of  
11 course, then I said, "well, you don't see them in --  
12 either."

13 I'm saying this just as a preliminary  
14 thing. In the recent happenings, you have a problem  
15 with alcoholism that sparked it all off. Alcoholism  
16 is a problem that -- produces the biggest health  
17 problem in all the Americas, and one of the biggest  
18 here in the United States. One out of ten Americans  
19 has some trouble with alcohol consumption, and one out  
20 of five Hispanic Americans.

21 That man that unfortunately got shot was  
22 drinking on the outside, but that is normal in many,

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1 many countries of Latin America. When it's hot, you  
2 drink out of your small hut, your small home. That  
3 fellow was drinking on a Feast Day, or a Festivity  
4 Day, May fifth. He was different. He didn't  
5 understand what was said. We don't know what happened  
6 exactly. I wasn't there. I know he ended up in the  
7 hospital where I work and his liver is all but gone.  
8 He's still alive.

9 Now, just as a preliminary thing -- what  
10 is the difference? What people think of each other  
11 when they see something that they're not accustomed  
12 to. They do not understand, comprehend. They can not  
13 talk to. There is a man here that was coming home to  
14 Mount Pleasant before the riots happened. And it's  
15 an interesting thing and I won't take much of your  
16 time, because he, himself, has had problems with  
17 homelessness and alcoholism. He has been arrested.  
18 He was arrested in Tennessee. I'm just going to --  
19 him very briefly so he can state his point.

20 And the point I want to make is that if  
21 you're different and if you're maybe foreign, things  
22 can happen to you that are not good. This person is

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1 a Cuban refugee. He's always been a gardener. He's  
2 never had a police record. He was coming in a  
3 tricycle from Miami to Washington on May 26th. And  
4 because he was riding on a tricycle on an Interstate  
5 highway, he was arrested in Tennessee. And he had  
6 tricycle that he used to deliver newspapers or bread,  
7 or something like that. He had all his belongings in  
8 that little tricycle. He wasn't drunk. He was just  
9 -- he was breaking the law, moving on an interstate  
10 highway.

11 He got arrested in Tennessee, Kingsport.  
12 Before, he had been stopped and told to use the  
13 secondary roads. Because he couldn't speak the  
14 language and because he looked a little bit different  
15 from the local people, his tricycle got pushed off the  
16 road. He was accused of being disorderly. They found  
17 him a -- among his belongings so he got accused of  
18 having a weapon. He was placed in jail five days.  
19 And eventually, after his tricycle was -- it was  
20 broken. It was pushed down a cliff by a Sheriff, he  
21 managed to make his way here.

22 I know him. I know he's a fairly hard

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1 working person. Down on his luck, it could be some  
2 other of us. Now, if you compare the man in the  
3 hospital today and this guy who got arrested in  
4 Tennessee, you see this is a national thing. A person  
5 that is different sometimes has it hard with the so-  
6 called majority.

7 I'm not going to elaborate because there  
8 are other people who have to be seen. I'm just going  
9 to say that, for instance, the program that has helped  
10 him get back his papers that were thrown away, and his  
11 things, we are giving just a small amount of money for  
12 labor for employment. Yet he has other troubles that  
13 have nothing to do with employment.

14 I see that Yetta Galiber is here and she's  
15 been a champion for the handicapped and underdog for  
16 more than -- God knows how many years. And  
17 congratulations, I couldn't make it to your retirement  
18 party, but I know you'll never retire.

19 MS. GALIBER: Thank you.

20 DOCTOR GABLIS: I'm going to just belabor  
21 a point that the community-based organizations should  
22 be given the tools to make their jobs. We were cut

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1 in the so-called "transition." We were cut half of  
2 our funds, practically in a month's time. We're not  
3 sure how to access the federal funding, how to access  
4 the city funding, yet we're doing the job. We're  
5 still there. We're doing the job, and we'll continue  
6 to do so.

7 But what the young lady before me said,  
8 is true. We don't know what, you know, what brings  
9 next.

10 It's true that the city is in -- financial  
11 -- but nevertheless, for instance, the Mental Health  
12 Administration has -- and you will see. I will leave  
13 this for Mr. Darden to copy for you -- has more than  
14 39 alien -- contracts, none of which one penny goes  
15 to the Hispanic community. I think that's changed.  
16 There are more than 300,000 employees in the Mental  
17 Health Commission. There are 39 Hispanics and we  
18 don't know whether they're dishwashers or whatever.

19 I see. Let me have the -- exactly the--  
20 Okay, the city has two points -- \$27.8 million in  
21 mental health contract and none of them goes to the  
22 Hispanics. Of the employees, I think that there are

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1 39 Hispanics in the -- let me see --

2 CHAIRMAN FLETCHER: Continue your  
3 testimony.

4 DOCTOR GABLIS: Yes.

5 CHAIRMAN FLETCHER: It will be submitted  
6 for the record?

7 DOCTOR GABLIS: Yes, it will be.

8 I'm sorry. It's not 300,000. It's my  
9 mistake. 3,275 out of which 39 are Hispanics.

10 CHAIRMAN FLETCHER: Okay.

11 DOCTOR GABLIS: But nevertheless, there's  
12 a big difference.

13 And the budget for the Commission of  
14 Mental Health is \$161.3 million. Now if the Hispanics  
15 are ten percent, it would be at least a million and  
16 something allocated for Hispanic -- we get not one  
17 cent from the Mental Health Commission. There is a  
18 division among -- program of multi-lingual services  
19 that has about 12 positions allocated. Half of them  
20 are vacant now because of the freeze.

21 What we want is a continued partnership  
22 between the community-based organizations and the

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1 city. We have access to the planning of the future  
2 RFPs. We have access to federal monies and we really  
3 can -- like we should in a professional way and with  
4 -- look ahead more than a month or two or three. By  
5 now -- we're depending on United Way, third-party  
6 payments, and a lot of goodwill. That's not enough  
7 sometimes.

8 I thank you very much.

9 CHAIRMAN BANKS: Thank you very much.

10 Are there any questions?

11 I'm going to call now, Mr. Gabe Chekus,  
12 representing the DC Civilian Complaint Review Board.

13 Welcome Mr. Chekus. If you can --

14 STATEMENT OF GABE CHEKUS

15 MR. CHEKUS: I will be very brief.

16 CHAIRMAN BANKS: Thank you.

17 MR. CHEKUS: Mr. Chairperson, the name is  
18 Gabe Chekus. I'm the Public Information Officer with  
19 the DC Civilian Complaint Review Board, an agency that  
20 has a deep fondness and respect for this Committee.  
21 In fact, Ms. Galiber sat on the committee that held,  
22 almost 11 years ago to this date, a public forum on

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1 the police/community relations as a result of concerns  
2 regarding the same here in the District. And as part  
3 of the report following that forum, included the draft  
4 legislation which lead to the creation of the Civilian  
5 Complaint Review Board.

6 As many of you are aware that CCRB, as  
7 we're known in the acronym, held a public forum last  
8 night. The primary purpose of the forum was  
9 educational and informational. This was the third of  
10 a series of public forums that the Board holds  
11 throughout the community, to better inform the public  
12 about the existence of the Board and its mission. We  
13 had a very diverse list of speakers, scheduled  
14 speakers, and I've brought a list of those speakers  
15 that I'll provide Mr. Darden with for your  
16 information. I've also brought some information  
17 material about the work of the Board.

18 There were approximately 150 to 200 people  
19 in attendance last night at this meeting. The  
20 audience was quite diverse, represented the racial,  
21 cultural diversity of this immediate neighborhood.  
22 The witnesses who testified, testified to many of the

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1 same concerns and conditions that others testified to  
2 11 years ago, with respect to police/community  
3 relations. And I wish I didn't have to give you that  
4 information. I would have hoped that I could report  
5 some improvement. And perhaps there was, but the  
6 expressions of concerns generally revolved around the  
7 same issues of cultural and linguistic barriers.

8 The gentleman who spoke just before me had  
9 mentioned people who may have different infirmities  
10 or handicaps. And you took testimony 11 years ago  
11 with respect to individuals who are handicapped, or  
12 who appeared to have some sort of infirmity, and the  
13 difficulties they had with respect to police/community  
14 relations. I should add that while culture and  
15 language were mentioned as reasons for difficulty in  
16 communications, some who testified, for whom language  
17 and culture posed no barrier, also complained of  
18 having difficulties. And the underlying concern  
19 expressed by many, seems to have related to a  
20 perception of a lack of sensitivity on the part of the  
21 police.

22 There was also discussion regarding how

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1 linguistic barriers seem to create a defensive  
2 reaction on the part of officers who weren't prepared  
3 to respond in Spanish, or who may not have been  
4 familiar with the culture. But there may have been  
5 a misinterpretation of actions or statements that  
6 weren't easily understandable.

7           There were several members present at the  
8 meeting, who are representatives of the Mayor's Task  
9 Force who, at the conclusion of the meeting, expressed  
10 their belief that the meeting may have been a helpful  
11 first step in opening dialogue with the community  
12 regarding the current status of police/community  
13 relations. Our Board, essentially, exists to receive  
14 complaints of police misconduct in three very specific  
15 areas: excessive use of force, harassment, and use  
16 of demeaning language.

17           However, we also have a statutory  
18 responsibility to obtain from the public, information  
19 that relates to their concerns regarding the police  
20 complaint process and accountability. And I believe  
21 that last night, we were able to obtain some of that  
22 information. We are going to have a transcript of

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1 that hearing and we can, if your committee is  
2 interested, provide you with a copy of that transcript  
3 through Mr. Darden. And we will also be preparing a  
4 report regarding an analysis of the transcript.

5 I would like to also extend the regrets  
6 of Mrs. Porter, Alfreda Davis Porter, who is our  
7 Executive Director, who was asked by Mr. Darden to  
8 appear this afternoon, she unfortunately could not  
9 make it.

10 But that is essentially my testimony. Mr.  
11 Darden wanted me to provide you with a briefing  
12 regarding the results of last night's meeting. If you  
13 have any questions --

14 CHAIRMAN BANKS: Any questions? -- very  
15 much.

16 MR. CHEKUS: Excuse me?

17 CHAIRMAN BANKS: Are there questions?

18 MS. RAMIREZ: I just want to ask. Is  
19 there any -- I'm not even going to say Hispanic or  
20 Latino. Is there anyone from the Mount Pleasant/Adams  
21 Morgan area who serves on the Commission of the Board,  
22 or on the Staff?

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1           MR. CHEKUS: We have -- I think it would  
2 be just outside of the Adams Morgan area. We have one  
3 staff member who lives down on 16th Street, just below  
4 Malcolm X Park. We have a Board member who lives over  
5 on S Street, 1600 block of S Street.

6           MS. RAMIREZ: Are they Latinos?

7           MR. CHEKUS: Yes, they are. There are two  
8 Latino members of the Board, and we have two Latino  
9 Staff members.

10          MS. RAMIREZ: I guess this is more of a  
11 statement than a question. I firmly believe that the  
12 issue of cultural differences and interpersonal style  
13 exacerbate many issues. But I think that some of the  
14 incidents that have been described to us, although not  
15 in specific terms, are -- go beyond issues of cultural  
16 differences. And I am -- and as I listened here, I--  
17 all day today, I thought about -- I work at DuPont  
18 Circle. And I walk out of my building at DuPont  
19 Circle any time of the day and there are an enormous  
20 number of people who are behaving in ways which are  
21 not -- which are offensive; in some cases,  
22 frightening, unruly. And some of the people are

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1 homeless, but a lot of the others are people who are  
2 working. You walk around DuPont Circle at noon, and  
3 there's a bizarre -- sometimes there's a pretty  
4 bizarre collection of people around there. And yet,  
5 the police pretty much leave everybody alone.

6 And it seems to me that what you have  
7 operating -- some of what we've seen described goes  
8 beyond insensitivity to something that borders on  
9 hostility. And I think that it's -- that we can all  
10 find reasons and there is a bit of truth in every one  
11 of those reasons, but I think we ought -- not to gloss  
12 over issues of -- of basic intent with statements  
13 about cultural sensitivity -- cultural training as--  
14 certainly as the Black community understands, over  
15 the course of the last 25 years, there's been a lot  
16 of multi-cultural training to police forces all over  
17 this country, and yet we still have the incident in  
18 Los Angeles that all of us saw on television.

19 So I guess I'm not -- I'm not chastising  
20 you, but I do think that it's important that we not  
21 get caught up in the words that make it all seem a  
22 little more plausible or defensible.

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1 MR. CHEKUS: Yes. My point in raising the  
2 issues was to report to you what was stated last  
3 night. I'm certainly not in a position to -- our  
4 Board, independently and impartially, investigates  
5 these complaints and we're not apologists.

6 I would also like to express my sadness  
7 that the panel from Bell had to leave. They appeared  
8 last night and testified, and the young men and women  
9 who came from Bell had -- were very eloquent and  
10 stated some concerns that we also wanted to assess  
11 from the young people of the community.

12 And we have a particular concern for the  
13 youth, all throughout the city, since it seems that  
14 young people are coming into contact with law  
15 enforcement more frequently than in the past. And we  
16 want to make certain that all youth within Washington  
17 are familiar with the operation of the Board, so that  
18 they know of the existence of a legitimate complaint  
19 process, and can exercise their rights to file a  
20 complaint, if they have a grievance of that type.

21 CHAIRMAN BANKS: Thank you.

22 MS. GALIBER: But you will provide us with

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1 the transcripts so we will hear the testimony?

2 MR. CHEKUS: Yes, Ma'am, Ms. Galiber.

3 MS. GALIBER: Thank you.

4 MR. CHEKUS: It will be my pleasure.

5 CHAIRMAN FLETCHER: I just -- without  
6 belaboring it, the Commission has been in the  
7 community/police relations business forever, it  
8 appears. And yet, it further reviews that nothing  
9 of any substance seems to be happening -- over and  
10 over.

11 Can you give me two, three, maybe four  
12 reasons why we haven't been able to get any of our  
13 recommendations, or very few of our recommendations  
14 implemented at the law enforcement level?

15 MR. CHEKUS: Yes, I -- it would be very  
16 difficult for me to -- to try to explain the reason  
17 for that. As I had mentioned, and I think Ms. Galiber  
18 could speak to, some of the recommendations that you  
19 did provide through that 1981 report as a result of  
20 the '80 forum, were implemented and have been  
21 relatively effective.

22 CHAIRMAN FLETCHER: Have they been

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1 effective?

2 MR. CHEKUS: Relatively effective, yes.  
3 I think one of the things that was a concern at that  
4 point was police accountability. That was another one  
5 of the issues addressed. Not just that community  
6 relations, but police accountability. And there were  
7 some strong recommendations with respect to improving  
8 police accountability.

9 The notion of a Civilian Review Board was  
10 one of those concepts that was supported as providing  
11 the public with a greater sense of the impartiality  
12 of a complaint. And it wasn't necessarily designed  
13 to cast or impugn the integrity of a police  
14 investigation, but to suggest that an investigation  
15 that's conducted by an impartial panel is free from  
16 any perception that there may be a vested interest.

17 CHAIRMAN FLETCHER: It's kind of obvious,  
18 at this stage in the game, that the Commission is  
19 going to have to hold a hearing. We would certainly  
20 like for you -- as Chairman, I'm inviting you to  
21 testify again. And I would appreciate it if you could  
22 focus a little tighter, if you will, on the extent to

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1 which our previous recommendations have been not only  
2 carried out here, but to the degree that you know  
3 across the country and what your perception is as to  
4 how effective they have been.

5 We were just in Los Angeles -- you can  
6 imagine.

7 MR. CHEKUS: Yes.

8 CHAIRMAN FLETCHER: And we've been asked  
9 to come to a couple, three other places where there's  
10 already been very clear excess use of force, etc.,  
11 etc.

12 MR. CHEKUS: It would be a pleasure  
13 working with you in that regard --

14 CHAIRMAN FLETCHER: We appreciate that.

15 MR. CHEKUS: -- and in fact, our Executive  
16 Director serves as a Secretary for the International  
17 Association for Civilian Oversight of Law Enforcement  
18 which is an association of agencies that are involved  
19 in the civilian review process of police complaints.

20 So she can bring too, as could our  
21 Chairperson, Mr. Donald Temple, bring to such a  
22 meeting, experiences that go beyond just the District

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1 of Columbia.

2 CHAIRMAN FLETCHER: Thank you so much.

3 MR. CHEKUS: You're welcome.

4 CHAIRMAN BANKS: Any other questions?  
5 Thank you very much.

6 MR. CHEKUS: Thank you.

7 CHAIRMAN BANKS: Is Dr. Robert Manning  
8 here?

9 DR. MANNING: Yes.

10 CHAIRMAN BANKS: Dr. Manning, before you  
11 begin, I'd like to ask: are you going to give a  
12 statement regarding civil rights complaints that are  
13 associated with the Mount Pleasant civil --

14 DR. MANNING: What I'm going to do is  
15 present some comments that are limited to my own  
16 research on Washington to give you a context for  
17 interpreting the events that have transpired.

18 CHAIRMAN BANKS: You're going to do what?

19 DR. MANNING: I'm going to give you  
20 information to interpret the events that have recently  
21 transpired.

22 CHAIRMAN BANKS: You're going to give us

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1 some information. Do you have that in writing?

2 DR. MANNING: It could be. I'd like to  
3 just restrict my comments to --

4 CHAIRMAN BANKS: We're really trying to  
5 get facts about civil rights complaints.

6 DR. MANNING: I really don't think that  
7 you can understand events in isolation of the history  
8 of Washington, D.C. and particularly the changes --  
9 the rapidity of change in Washington, D.C. that have  
10 elicited the tinder box that has been smoldering in  
11 Mount Pleasant and Adams Morgan. If you see --

12 CHAIRMAN BANKS: You're going to give us  
13 a statement for the -- it's the reasons for this  
14 problem that occurred in Mount Pleasant?

15 DR. MANNING: That's correct.

16 CHAIRMAN BANKS: At least your view of the  
17 reasons.

18 DR. MANNING: Merely an interpretation and  
19 a perspective.

20 CHAIRMAN BANKS: Well, I'll leave it up  
21 to the -- time is short. I'll leave it up to the  
22 members.

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1 Can we take time to hear that at this  
2 point or should we wait until we have the -- if there  
3 is a hearing? Which I think would be a more  
4 appropriate time to have that kind of discussion.

5 Yes ma'am?

6 MEMBER MUNOZ: My point of concern is that  
7 there is one student who's waiting here to testify.  
8 He's been waiting since the lunch hour and I think it  
9 would be important that we hear from this particular  
10 individual.

11 If we can have time to do both, that would  
12 be fine; but I --

13 CHAIRMAN BANKS: How many other persons  
14 here are waiting to give a statement?

15 (Show of hands)

16 MR. DARDEN: Officer O'Neill.

17 CHAIRMAN BANKS: This gentleman and there.

18 Does anyone have a feeling on this?  
19 Because I would like -- if you could just give us a  
20 summary of what you're going to say in about two  
21 minutes --

22 DR. MANNING: I can restrict it to five

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1 minutes.

2 CHAIRMAN BANKS: How's that?

3 DR. MANNING: I can restrict it to five  
4 minutes. I think it's certainly germane to the  
5 discussion you want to have.

6 CHAIRMAN BANKS: It may be germane to the  
7 discussion, but we are fact gathering and I'm not  
8 sure, from what you've described, that you are going  
9 to offer facts. It's perfectly legitimate for your  
10 appearance here, but we just have a time problem.

11 DR. MANNING: My presence was requested.  
12 If you prefer that you hear other people, that's  
13 certainly --

14 CHAIRMAN BANKS: Requested by whom?

15 DR. MANNING: Pardon me?

16 CHAIRMAN BANKS: Requested by whom?

17 DR. MANNING: By the Civil Rights  
18 Commission members that were putting together this  
19 discussion with community members.

20 CHAIRMAN BANKS: Okay. Let's have five  
21 minutes.

22 STATEMENT OF DOCTOR ROBERT MANNING

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1 DR. MANNING: Basically I just wanted to  
2 bring up three points that I think are essential to  
3 understanding the situation in Washington, D.C.

4 I want to preface my statements by saying  
5 that I've lived in Mexico, conducted field work in  
6 Haiti, as well as throughout the Yucatan Peninsula.  
7 I'm also a specialist in race and ethnic relations,  
8 especially the African American experience.

9 I'm not going to belabor my points in  
10 general, but I will refer you to a paper that I've  
11 recently completed entitled, "Multi-Cultural Change  
12 in Washington, D.C., The Contested Social Terrain of  
13 the Urban Odyssey."

14 The three points that I want to raise --  
15 number one, Washington, D.C. from an historical  
16 perspective is experiencing its most rapid and  
17 dramatic social change in its 200 year history,  
18 particularly with the social unrest among the African  
19 American populations that gave rise to a color blind  
20 immigration policy in 1965 which, culminating with  
21 American foreign policy in Central America and other  
22 Latin American countries, has given rise to an

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1       unprecedented degree of cultural pluralism that  
2       clearly both the political and social institutions of  
3       Washington, D.C. have not been able to adequately deal  
4       with.

5                 Two, I want to emphasize that the  
6       parallels of the experience in Mount Pleasant are  
7       quite similar to the earlier experience of African  
8       Americans in Washington, D.C.

9                 And, in particular, I just want to list  
10       three key sub-issues that need to be understood.

11                One is the diversity of the Latin origin  
12       population in Washington, D.C. Historically it had  
13       different social origins. It was middle class. It  
14       came from Latin countries, not Central American  
15       countries. Today we see a dramatic increase in  
16       Central American refugees, particularly from El  
17       Salvador and Guatemala, which contrasts sharply, not  
18       only in terms of the social origins and the  
19       occupations of these new immigrants but also their  
20       residential patterns. That is, the middle class Latin  
21       origin population tends to live outside the District.  
22       The working class community tends to concentrate in

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1 the barrios.

2           Second, I want to emphasize the context  
3 of the arrival and that is in the late 1970's and  
4 early 1980's it was boom time in D.C. The economy was  
5 growing and the need for manual and blue collar  
6 workers, as we all know, was increasing dramatically.  
7 Given the history of racial discrimination and housing  
8 segregation policies, there was an especially acute  
9 shortage of labor in suburbia and that explains some  
10 of the differentiated settlement patterns of the new  
11 Latin immigrants. They have moved to the suburbs to  
12 fill that labor demand as well as in the city. This  
13 is analogous to the migration of African Americans in  
14 the 1930's to 1960's.

15           What's important to understand is that the  
16 economic downturn has impacted disproportionately on  
17 the Latin American community. These are workers who  
18 now were being actively sought and recruited for these  
19 blue collar and low wage positions and now they have  
20 been discharged.

21           Next I want to emphasize that the  
22 concentration of the immigrant populations,

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1 particularly the Latinos in the barrios, has led to  
2 a process of redevelopment or gentrification which is  
3 also analogous to the African American experience of  
4 the 1960's and 1970's in which redevelopment  
5 fundamentally destroyed the social fabric of many  
6 black communities and led to substantial social  
7 unrest.

8 I don't have to point out to you the  
9 experience now of Adams Morgan and Mount Pleasant  
10 where gentrification is absorbing the limited scarcity  
11 [sic] of affordable housing.

12 Third and my final point is the experience  
13 of the new immigration in the United States in the  
14 context of earlier arrivals.

15 As we know, since 1965 the new immigrants  
16 have been completely different. Washington was not  
17 an immigrant city unlike other urban centers in the  
18 United States and we now have a variety of immigrants  
19 whether it be from the Caribbean, refugees from  
20 Africa, from Central America, Korea, Southeast Asia  
21 and now the new Eastern European immigrants.

22 But what's important to emphasize is many

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1 of these earlier immigrants had college education, had  
2 experience in terms of speaking in English, had  
3 professional skills and entrepreneurial experience  
4 that translated to some successful adaptation in the  
5 United States.

.6 Again, let me emphasize the economic  
7 recession in the D.C. area has hit the Latino working  
8 class especially hard.

9 And I want to conclude by emphasizing what  
10 happens in this situation and that is racism and  
11 discrimination primarily becomes exacerbated when  
12 members have to leave their communities. That is,  
13 they compete with other ethnic groups outside of their  
14 neighborhoods.

15 The recession is forcing and compelling  
16 Latino workers to compete for jobs now that before  
17 would not have led to competition with African  
18 Americans and other white workers. This has led to  
19 increasing discrimination and hostility to the Central  
20 American workers who are least likely to speak  
21 English, coupled with the fact that not only is  
22 Washington an expensive place to live but these

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1 families have to support not only their own relatives  
2 in the United States but in their homes in Central  
3 America, which means that the impact hits doubly.

4 I'd like to conclude on that statement.

5 Thank you.

6 CHAIRMAN BANKS: Thank you very much, Dr.  
7 Manning.

8 Yes?

9 CHAIRMAN FLETCHER: Excuse me, sir. Are  
10 you going to submit that written testimony to us?

11 DR. MANNING: If you wish.

12 CHAIRMAN FLETCHER: I'd appreciate it.  
13 It would be very helpful.

14 DR. MANNING: Certainly.

15 CHAIRMAN FLETCHER: One other request.

16 DR. MANNING: Yes sir.

17 CHAIRMAN FLETCHER: Again, it's kind of  
18 obvious that the Commission is going to have to hold  
19 a hearing. I would appreciate it if you would make  
20 yourself available to talk to our staff as we get  
21 ready to put together the process of doing an  
22 investigation. I think you could help us to make sure

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1 we structure our investigation so that we either  
2 validate what you said or determine where there are  
3 variances.

4 DR. MANNING: I'd be happy to offer my  
5 perspective and let me emphasize it's only a  
6 perspective on the issue.

7 CHAIRMAN FLETCHER: I appreciate that and  
8 I understand that, but I would like for that to  
9 happen. I think you have our number. If you don't,  
10 please make sure you get it so we can be in touch with  
11 you.

12 DR. MANNING: Thank you.

13 CHAIRMAN BANKS: Thank you very much,  
14 Doctor.

15 Ms., let's see, how much time do you have?  
16 Five minutes?

17 All right. Could you identify yourself  
18 for us, please?

19 STATEMENT OF SAMSON GIRMA

20 MR. GIRMA: Good morning, Chairman and  
21 Members of the Committee.

22 My name is Samson Girma. I'm from Belle

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1 Monte Cultural High School and I'm at a prison --  
2 school because we have sort of membership of all the  
3 students which we call "Ambassador Club," which  
4 represents all groups of the school's -- or ethnic  
5 groups of the school together. And as you have seen  
6 us, we are altogether in a group, trying to tell each  
7 of our differences in everything, what we think about  
8 this community and what should be done. But due to  
9 some time lap and some students have to go to their  
10 work, I am the only one who is left here to explain  
11 some things.

12 First of all, we want to talk about  
13 something about education. In this year and in the  
14 past year, all of the American people seem to  
15 emphasize more into educating America to become a  
16 great nation in -- countries and schools in other  
17 spots. But there are some things that this system  
18 lacks. That is, the testing system is very poor,  
19 first of all. Second -- second -- second thing is  
20 that when students study to -- they see some things  
21 accomplished, but what they accomplished, they found  
22 out is just for themselves. They are not able to use

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1 it as a practice.

2 While in other European countries, some  
3 they practice it, even if the poor countries of Africa  
4 or other places where they don't have much equipment  
5 to practice, they learn to -- very fine -- beside the  
6 call of the -- and the solution and how to deal with  
7 it.

8 For American students in general, or from  
9 what I've seen in my community, it's just let it pass  
10 by C, by having a grade so that I won't see next time  
11 who's the teacher, or next time, I don't want to study  
12 that subject. This must be turned by giving them an  
13 assurance that this thing will help them next year or  
14 in some part of their life.

15 The second thing is, after education,  
16 these students needs to go through looking for a job,  
17 and work in some part of the community. But this  
18 nation has also provided us that the school system,  
19 in order to practice work, in the government as well  
20 as in other parts. But in this process, there are  
21 road mines, or -- that keep separating one thing. For  
22 example, if one student have his father earning

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1 \$20,000; his mother earning about \$10,000 to \$15,000,  
2 they want to -- person, or the person who just looks  
3 at it and says, "oh, your mother and father have  
4 enough money to support you. You don't need the job."

5 But what does this -- student want to do?  
6 The next day, he's going to fall down just like an  
7 apple from the tree. And will he become another tree  
8 or will he become rotten and stay down on the ground?  
9 That's for him. If he doesn't start his job today or  
10 look inside the government and see what kinds of jobs  
11 they do, he won't be able to survive in the coming  
12 years, inside the community or outside.

13 As -- I forgot his name. The one person  
14 before me mentioned. The person before me mentioned  
15 saying that most of them seem to be blue-collar  
16 workers. What does this person -- what do -- what  
17 drags them to this position? Is it their education  
18 level or what? It's not the education level.  
19 Children -- people who are -- in general must learn  
20 to compute things and discover what is the end, what  
21 is the outcome. This only could be achieved in the  
22 school. And the school system should think about this

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1 and emphasize it more into the curriculum so that the  
2 student will know and achieve, and be ready to compete  
3 in life.

4           The second thing is immigration. Most of  
5 the students who come to this country, whether legally  
6 or illegally, they want to learn and be an educated  
7 person. Or they start to go to school to -- him, not  
8 just to sit around and be idle and become street  
9 gangster, develop a group, and start tearing the  
10 neighborhood, and get into drug dealing and other  
11 businesses. If a student is provided with an English  
12 and Visa status, for example, they have foreign visa  
13 for a student, he should be also able to work and he  
14 should also be able to get scholarship.

15           For example, a friend of mine, yesterday,  
16 went for an interview. He got 3.8 average -- GPA  
17 average, but when the bottom point, they found out  
18 that he's an F-1 visa, they told him that this is just  
19 for residents or you must be a United States citizen  
20 to receive this scholarship. And they say, "I'm  
21 sorry." What does this damage to him? Telling him  
22 that whatever you are going to do, if you don't have

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1 a proper paper, you won't be a person in this country.  
2 This will discourage the student. He won't compute  
3 into society. He'll think that he does not benefit  
4 the society, and he will turn -- end up in drugs and  
5 other kinds of problems, and this must be dealt with  
6 as one thing.

7 And as I -- gather up altogether,  
8 immigration for students, they must work or the  
9 immigration status must be open to the students so  
10 that they can get scholarships, work benefits, and  
11 some other kind of solution to help them in life.  
12 Because -- into the year 2000, which are now called  
13 Students in F-1 visa, there will be an adult people  
14 living in the United States, and then they're being  
15 charged. Maybe some of you will be living -- some of  
16 us will become like you, a Commissioner. Maybe some  
17 of us will become pilots. Maybe some of us will  
18 become as high as getting to Vice-Presidency or  
19 Presidency.

20 But the point is, if they don't start life  
21 right here with the proper doors opened to them, or  
22 a proper road leading to them to -- what they want,

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1 they will end up in another side which is -- which is  
2 what this is dealing right now. The drug problem,  
3 drunkenness, students leaving the classroom early just  
4 to want to beat around the bush "why do I have to go  
5 to school? That school doesn't give me anything. I  
6 can work out there and get \$21.00 per hour. What does  
7 school give me?" But if that opportunity is open to  
8 people to let them know that the school can help them,  
9 the school can give them a lot of pride to some point,  
10 it will be much better for the student. The student  
11 becomes better. The community will prosper. If the  
12 community prospers, the country will prosper. The  
13 whole chain holding from the point of -- into the  
14 whole world will be some better place than we think.  
15 And this must be emphasized in the school curriculum  
16 as well as in the immigrations and the testing  
17 systems.

18 For example, about two weeks ago, we had  
19 the CTVS tests. Those tests were -- student -- their  
20 tests, sitting down together, they said, "we didn't  
21 learn this. What does this test mean to me? Hey,  
22 what is our teacher teaching me? What is he teaching

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1 me? Is he teaching me about this or what?" And the  
2 tests that we found must be -- the limit of the  
3 students, or the teachers standard or the education  
4 standard must come up over to the test -- so that we  
5 will know that those students are really getting  
6 education.

7 In order to make those students to get up  
8 to the education or to say, "hey, I want to go to  
9 school," you must create the school to be an  
10 attractive environment. Like a magnet attracts the  
11 metals around it, the school must be a magnet just  
12 like that metal. It must find some points to attract  
13 the students.

14 And I believe those are the main points  
15 that we are about to discuss, but some of the students  
16 have left. And some even had about police brutalities  
17 with the police in the system and the government. But  
18 unfortunately, they are not able to stay and tell you  
19 more about it better than me. But I've tried to  
20 summarize what our group wants to let you know that  
21 in our school, we need some benefits. And the student  
22 must see some light in order to achieve what they

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1 want. And that light for us, now-a-days, is getting  
2 more clouded every day since the recession has hit the  
3 country in this particular Washington, DC. And  
4 particularly, the Hispanic and other foreigners which  
5 are in this country as well as Latin Americans. So,  
6 do something about it. Act on it, and please.

7 I'd like to thank you for giving me this  
8 opportunity to talk to you. Thank you.

9 CHAIRMAN BANKS: Thank you very much for  
10 coming.

11 Any questions?

12 Thank you very much.

13 STATEMENT OF RAYMOND GAVETTI

14 MR. GAVETTI: My name is Raymond Gavetti.  
15 I'm the Chairman of the Department of English as a  
16 Second Language, at Bell.

17 And I've just come to ask you for one  
18 clear, direct thing. Please get behind initiatives  
19 to get the parents of children the right to vote in  
20 school board elections, without the franchising the  
21 parents of students who are educated in the DC public  
22 schools. They are not their schools.

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1                   Please give those parents a voice in their  
2                   own schools by giving the right to vote in school  
3                   board matters.

4                   CHAIRMAN BANKS: They don't have the right  
5                   now? I don't understand that.

6                   WOMAN: I don't understand why they don't  
7                   have the right to vote.

8                   MR. GAVETTI: Parents of -- parents who  
9                   are not documented citizens of children who are  
10                  attending public schools can not vote. Parents --

11                  CHAIRMAN BANKS: You want us to get -- you  
12                  don't want us, but you want us to recommend that  
13                  undocumented --

14                  MR. GAVETTI: We would like you to  
15                  recommend that all parents of all children, educated  
16                  in public school systems, be given the right to vote  
17                  in school board issues. Without that right, that  
18                  makes it fundamentally right to participate on  
19                  decision making matters related to school that is not  
20                  their school. They don't belong.

21                  Please find innovative ways to get parents  
22                  the right to vote on school board issues.

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1 MS. GALIBER: I'm concerned because all  
2 children, be it whether their parents are documented,  
3 undocumented or not, have a right to go into the  
4 schools and the parents do have a right to vote. I'm  
5 not sure --

6 CHAIRMAN BANKS: He means vote in the  
7 election for the school board members.

8 MS. GALIBER: Oh, for the -- okay, I see.  
9 I thought you meant at the meetings of the board.  
10 Okay, thank you. I understand.

11 MR. GAVETTI: No, no. The school board--

12 CHAIRMAN BANKS: They're entitled to  
13 belong to the PTAs and vote in the PTAs.

14 MS. GALIBER: I see. I see.

15 CHAIRMAN BANKS: Okay. Thank you very  
16 much. Any questions?

17 I'm going to call Officer Bonnie O'Neil,  
18 who is a former Metropolitan Police Officer and now  
19 with Security Service.

20 I'm sorry you've had to wait so long.

21 OFFICER BONNIE O'NEIL

22 OFFICER O'NEIL: I'm pleased to meet you

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1 all and have the chance to speak with some of you,  
2 even privately today.

3 I was asked to come down here as having  
4 a frame of reference of some 20 years of service to  
5 the community of Washington, and more intensely, the  
6 last five years in the Mount Pleasant community. And  
7 I consider myself related, let's say, to a lot of the  
8 people in the city of Washington and Mount Pleasant.

9 MS. RAMIREZ: Can you try the microphone  
10 a little bit closer?

11 OFFICER O'NEIL: Closer this way? Is that  
12 better?

13 I shared a lot of their pain and a lot of  
14 their joy in Mount Pleasant. And those people come  
15 in all colors and all sizes and all backgrounds, but  
16 they all hurt the same and they all basically want the  
17 same thing from their government, and that's a fair  
18 shake,  
19 "and just listen to me when I'm crying and need your  
20 help." And sometimes the government doesn't do that.  
21 It gets people angry and gets them scared because then  
22 they think their governments are abandoning them and

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1 nobody cares.

2 That's on top of the other things that  
3 we're all dealing with, having gone through a war like  
4 a roller coaster ride for the last 12 months, and a  
5 banking system falling apart, including their own bank  
6 over at -- Road that fell flat. A lot of these people  
7 had families involved in, you know, a lot of those  
8 things.

9 I don't honestly know if there is a  
10 textbook "Civil Rights" or a pattern of textbooks,  
11 "Civil Rights Violations." I'm not real clear on  
12 exactly what that definition is. I suspect it's  
13 varying degrees of behavior of Government agency or  
14 Government authority against a person's right to  
15 freedom that's given to everybody by the Constitution.  
16 Of course, the right to speak freely and so on; cruel  
17 and unusual punishment, that type of thing.

18 I've seen force out here from the Police  
19 Department that I consider excessive. And as a  
20 trained officer for 15 years, I've had the opportunity  
21 to stop some of it. But I know it exists. I think  
22 probably the one complaint that I get from all

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1 segments of the community is that there's a tremendous  
2 degree of apathy, rudeness, unprofessionalism, and  
3 just simply bad manners on the part of the police when  
4 it comes to interacting with all the people in the  
5 community.

6 That's not every cop now. You've got some  
7 good people out here who do care. But by the number  
8 of complaints that I've received over the past five  
9 years, and particularly the last year at the rate of  
10 five or ten a day from almost any different kind of  
11 person you can imagine. From one person who might own  
12 a six-figure townhouse to a homeless person, they all  
13 feel like they've been treated poorly. And it may  
14 just be bad manners. People sometimes feel like it  
15 is aimed at them because they're a particular color  
16 or come from a particular background.

17 When I was in a position managing this  
18 policing program last year, I was kind of like a  
19 collection point for a lot of information and it came  
20 from all different areas. The same poor service was  
21 being received by everybody. So I think there may be  
22 a training issue that needs to be looked at. Perhaps

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1 followed up by a managerial discipline issue that  
2 needs to be looked at. I'm not sure that it's a civil  
3 rights issue, although I am aware that there are  
4 tensions intra-culturally and interracially in Mount  
5 Pleasant, and I have been there for years.

6 I have been affiliated with the Latin  
7 American Youth Center in the policing program in  
8 outreaching to the community, in trying to identify  
9 and begin to find solutions for some of those intra-  
10 cultural tensions in the community with peer  
11 counselors, and developing programs of peer counseling  
12 and alternative ways of solving frustrations, or  
13 ventilating frustration, short of picking up a bottle  
14 and hitting somebody over the head with it.

15 I have documentation that this pattern of  
16 bad manners on the part of the police is something  
17 that has been reported to the police department as  
18 part of the program procedure, in memorandums, in  
19 weekly reports, for 48 weeks. It's still happening.  
20 It's one of those things that being near the bottom  
21 of the totem pole in terms of influence, within that  
22 type of bureaucracy, all you can do is tell people

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1 about it. You have no authority to make them do it  
2 or to train them. You can only try and influence  
3 them, if they'll listen. Some of them will listen;  
4 some of them didn't listen. They have their own  
5 agenda, I presume.

6 CHAIRMAN BANKS: We're going to have leave  
7 this forum at 5:00 so --

8 MS. O'NEIL: Are there any specific  
9 questions that you would like to ask me --

10 CHAIRMAN BANKS: Are there any questions  
11 you'd like to ask?

12 Thank you very much for coming.

13 MS. O'NEIL: You're welcome.

14 STATEMENT OF JIM EATHERLY

15 MR. EATHERLY: My name is Jim Eatherly and  
16 I'm here as a private citizen, and I'd like to present  
17 things from the perspective of someone who lived in  
18 Mount Pleasant for 25 years of the 31 years I've been  
19 in Washington. I've not lived there for the last six  
20 years, but I'm up here quite a bit to do different  
21 things.

22 I also have had Hispanics living with me

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1 for the last ten years in my house. I have three  
2 Hispanics who live with me. And I've also observed  
3 a lot of the things that you would like to know about  
4 that have created these tensions and frustrations in  
5 the community. And these are some of the things I'd  
6 like to talk about.

7 CHAIRMAN BANKS: All right, could -- if  
8 you can keep it to about five minutes --

9 MR. EATHERLY: Well, I'll try to, sir, but  
10 I may be your most important witness because I'm an  
11 observer. I'm not here to talk about primary and  
12 secondary groups, or any other sociological thing, but  
13 things that I've observed.

14 Mount Pleasant, of course, is a very  
15 diverse community and this diversity has presented  
16 some of the problem. Diversity -- I'm not talking  
17 about the diversity of Latino, Black/White, etc. I'm  
18 talking about the diversity of the haves and have  
19 nots.

20 And we have the haves over here that have  
21 nice townhouses and everything, and they walk by daily  
22 and say to have nots who sit out there drinking,

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1 urinating in the streets, and doing other unpleasant  
2 things. And these people are in a position to apply  
3 certain pressures on the police department. And the  
4 ones that came along and drive away all the people  
5 drinking, etc., and there was a lot of interaction  
6 between these people and the police department. And  
7 some of that interaction, of course, mad things have  
8 happened and these leave memories in these people's  
9 minds.

10 There's also other situations of where  
11 police have abused their whole thing. They've been  
12 coming around. There, of course, is a drug problem  
13 around. Police have come up, a lot of young Hispanics  
14 come home from work. They've got a bag on their  
15 shoulders, carrying their work clothes in them.  
16 Police come up to them, take them looking for  
17 contraband. Take them, dump them out on the ground  
18 and find nothing. These leave impressions. It might  
19 not have happened to every young Hispanic, but it has  
20 happened.

21 When other things happened and people  
22 complained, nothing was done about it. These type of

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1 things I complained about to the Fourth District  
2 Police. I complained to Chief Fulwood's office when  
3 he was Assistant Chief. Nothing was ever done.  
4 Nobody cared. It wasn't important to them. Well,  
5 that lack of importance has cost the District now,  
6 millions of dollars because nobody cared.

7 I've had individual situations that I know  
8 about of where young Hispanics have been abused by  
9 police. I could sit here for the next half hour and  
10 talk about it. Because of the nature of things now,  
11 I'm not able to extend my remarks to them. I'm  
12 talking about people who have appeared as witnesses.  
13 I talk about -- case. I know Mr. Chekus. I know  
14 Bonnie O'Neil here.

15 Mr. Chekus, I had a complaint with the  
16 Civilian Complaint Review Board in which a young  
17 Hispanic was a witness. And after he appeared at the  
18 Civilian Complaint Review Board, why police  
19 approached him on the street up here in Mount Pleasant  
20 and told him if they ever saw him talking to me again,  
21 they would physically grab him and take him to  
22 immigration and have him deported. I didn't find that

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1 out for about a year because he didn't talk to me.  
2 After a year, he walked up to me and he said, "You  
3 know, I haven't talked to you in about a year because  
4 I was afraid to. But I have my green card now and I'm  
5 not afraid any longer."

6 And you know, I reported this to the  
7 Civilian Complaint Review Board, the U.S. Attorney's  
8 Office, the Mayor's Office. No one cares. No one  
9 cares if witnesses are intimidated. It's not  
10 important enough. This is the type of thing. No one  
11 listens to complaints. The police department doesn't  
12 care. Chief Fulwood doesn't care. He might present  
13 a nice image out here with his gray hair contrasting  
14 against his nice dark uniform, but he's a person who  
15 lied to me, to my face. So that person -- character  
16 that -- is not going to solve the problems of this  
17 community.

18 I'm not even sure this Commission will  
19 solve any problems. I'm not even sure that you all  
20 being here today will solve problems. But there will  
21 be a report that comes out of here that can just be  
22 filed on top of other reports, all the way to the

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1 ceiling and fill this entire room. And a lot of those  
2 reports say the same thing, over and over and over  
3 again. But nothing is done and it's a shame.

4 I wouldn't necessarily even ask people to  
5 file complaints. I filed a civil rights complaint.  
6 The FBI did nothing. They are supposed to by law,  
7 according to Judge Sessions. I listened to Judge  
8 Sessions up in front of a Judiciary Committee and on  
9 a television show. He said, "civil rights complaints  
10 have to be handled within 30 days and turned over to  
11 the Justice Department." The FBI didn't do anything  
12 for three years in mine and it was a civil rights  
13 complaint.

14 I filed three times with them. They did  
15 absolutely nothing. Finally, they turned over some  
16 report to the Justice Department and the Justice  
17 Department looked at it, "well, there's nothing here.  
18 There's no case." And that was that. Nobody cared.  
19 No witnesses were interviewed. Nothing happened. And  
20 it's a shame. I would hope that, you know, that  
21 people who do file complaints, especially civil rights  
22 complaints, that something be done.

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1           You know, I saw somebody testifying  
2 recently before a committee where they said something  
3 in the period of the last couple of years was  
4 something like 14,000 complaints of which 40 were  
5 prosecuted. Some figures along that -- well, I can  
6 imagine only 40 were prosecuted if any of the other  
7 cases were investigated like the FBI investigated my  
8 case. And I'm not here to, you know, beat my drum.  
9 I'm here to try to present some of these things to  
10 you.

11           The basic thing is that people build up  
12 animosities and frustrations because they get out, and  
13 the police deal with them, at least up here, where  
14 people are drinking in public. Not coming up and  
15 pouring out their alcohol, not coming up and arresting  
16 them. Whatever procedure is right, there are many  
17 different ways of approaching a problem. And coming  
18 up and just kicking them and beating them -- these  
19 leave impressions.

20           Another thing though that I have observed  
21 -- and this is something derogatory to Hispanics in  
22 this community -- they ask for a lot but they don't

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1 present a lot sometimes. For instance, with the  
2 problems that I've seen with Hispanics up here in this  
3 neighborhood, I haven't seen Hispanics out here trying  
4 to deal with them directly. There have been a lot of  
5 -- there are certain Latino groups up here that try  
6 to have some effect in the community and I'm proud of  
7 them. But I haven't seen some of these -- when I see  
8 these alienated youth out here, some of them --

9 I was up there the first day of the  
10 problem. I was there when the ambulance was taking  
11 somebody away and the reporter was there from the T.V.  
12 station and I said, "you're going to have a big  
13 problem here. There's going to be a riot here. I can  
14 see that right now." I saw that coming. And there  
15 was one. Because all I saw there -- they seemed to  
16 be fine policemen, but they were all fine, young white  
17 and Black police officers, and one Latino trying to  
18 cool the crowd. -- one Puerto Rican officer trying  
19 to cool it. There were all -- there were not enough  
20 officers there of the right type.

21 Some of the things I would recommend would  
22 be one, the police officers be required to learn a

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1 second language and in this area, I think this second  
2 language, obviously, should be Spanish. So that more  
3 police officers could deal with the problem without  
4 having to have Hispanic officers come into the area.  
5 Another thing too is, we have the cultural differences  
6 between White, Black, Hispanic, whatever. Maybe some  
7 of these officers, these other officers who are not  
8 familiar with the problems of the Hispanic community,  
9 maybe they should get a little more familiar. Maybe  
10 they should be receiving some type of program where  
11 officers are adopted by a family of a different  
12 culture. Where they can go in their homes and learn  
13 a little bit more about that culture and then get to  
14 know people. Because the biggest problem the people  
15 have is not knowing each other, being suspicious of  
16 each other, of fearing each other. I mean, these are  
17 the problems.

18 I could expand on a lot of these things  
19 I'm saying. I have a whole lot more to say. I do not  
20 have a prepared statement. I didn't even know that  
21 you all were meeting today. I just found out -- I  
22 just happened to watch the T.V. news at noon and I

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1 found out where you were and I came here. And I would  
2 like to say a lot more, but I'll -- you know, I know  
3 that the time is getting late here. But I would like  
4 to just --

5 CHAIRMAN BANKS: If you could --

6 MR. EATHERLY: -- if you look at all the  
7 empty seats, you obviously have not reached some of  
8 the people that you need to reach.

9 CHAIRMAN BANKS: If you'd like to, we will  
10 -- the record will be open for 30 days and they --  
11 staff would be glad to tell you where to send written  
12 testimony if you want to expand on what you've said  
13 to us here.

14 MR. EATHERLY: Well, I could try to do  
15 that. I don't like to really sit down and write a  
16 lot.

17 CHAIRMAN BANKS: Okay.

18 MR. EATHERLY: I like to articulate  
19 sometimes, but I don't like to write.

20 One of the problems, the other problems  
21 I've seen -- you know, obviously, on the second and  
22 third day of the problem they had here in Mount

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1 Pleasant, a lot of the people that were causing the  
2 problem were not people with so many frustrations,  
3 although some of them were frustrated. But there were  
4 a lot of alienated youth and these are the people that  
5 are not being reached. They're not the people in the  
6 Hispanic community out there trying to reach them.

7 I give a lot of credit to the Latin  
8 American Youth Center for trying to reach some of  
9 these people and they have had some success. If they  
10 hadn't the success, we would have a much larger  
11 problem. I give a lot of credit to the -- Bonnie  
12 O'Neil who was just here, who is one of the few non-  
13 Hispanic officers that I know, that took the time to  
14 learn Spanish. She learned it just a couple of years  
15 ago, but she learned Spanish well enough that she  
16 could communicate with the Hispanics in this  
17 neighborhood. And maybe -- you know, there are other  
18 officers -- that should be required, I really think,  
19 that they learn Spanish, especially if they're going  
20 to work in this neighborhood.

21 CHAIRMAN BANKS: Well, we certainly thank  
22 you for coming.

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1 Any questions?

2 CHAIRMAN FLETCHER: No. I have an  
3 observation I would like to make.

4 I can understand reluctance or time  
5 constraints, or whatever it is with respect to  
6 writing. But do you have a tape recorder?

7 MR. EATHERLY: Sir?

8 CHAIRMAN FLETCHER: Do you have a tape  
9 recorder?

10 MR. EATHERLY: Do I have a tape recorder?

11 CHAIRMAN FLETCHER: Well, have a taping  
12 good time and tape your comments. Talk slowly as you  
13 did here, and we'll see if we can't get those  
14 transcribed so that you still get in the record if you  
15 desire to do so.

16 MR. EATHERLY: Okay. I'll -- I'll  
17 consider that, sir.

18 CHAIRMAN FLETCHER: Okay, and I'd  
19 appreciate it --

20 MR. EATHERLY: I'll do that because I --

21 CHAIRMAN FLETCHER: I would appreciate it  
22 in the process, that it's not too hard to get

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1 legislation legislated. It's not impossible to get  
2 a regulation written, or the guidelines or the rule-  
3 making which is all a part of the process.

4 But the Government doesn't really feel  
5 that program implementation is their responsibility.  
6 They do all this enabling thing, and then they turn  
7 it over to the public at large, and the people in the  
8 neighborhood and say, "you implement it." What's  
9 missing is an implementation strategy. If you have  
10 thoughts about the nature of that strategy, how do  
11 people go about implementing strategies so that the  
12 Government can know that its mandates aren't being  
13 carried out, we'd like to hear about it.

14 MR. EATHERLY: Well, it's going to take  
15 individual effort. I don't think it's so much --

16 CHAIRMAN FLETCHER: I understand that.

17 MR. EATHERLY: I don't think it's so much  
18 as far as programs and things like that. They've had  
19 programs and they get replaced by programs, and  
20 programs are expanded and dropped. It's all politics.

21 CHAIRMAN FLETCHER: That's not what I'm  
22 saying. I'm simply saying the best program in the

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1 world is finally implemented by the people who are  
2 supposed to benefit from it.

3 MR. EATHERLY: Yes, that's exactly what  
4 I'm saying, okay.

5 CHAIRMAN FLETCHER: The government doesn't  
6 feel that's their responsibility. They're saying,  
7 "that's the people's responsibility."

8 MR. EATHERLY: Well, it doesn't take  
9 Government funds for somebody to try to adopt a young  
10 youth to come out and see him, and to try to -- you  
11 know, relate to him, relate to what he's doing and  
12 saying and to his problems.

13 CHAIRMAN FLETCHER: I hear you.

14 MR. EATHERLY: It doesn't take that much.  
15 That's just a volunteer effort -- volunteerism in that  
16 respect.

17 CHAIRMAN FLETCHER: I hear you. We aren't  
18 talking at differences. I'm not a full-time  
19 Government employee. I'm a part-time Government  
20 employee, okay? So I'm not carrying a brief for the  
21 Government.

22 What I am trying to say is that after all

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1 the legislation is passed and all the money is  
2 appropriated to pay the people who are on the  
3 Government's Staff, nothing happens until the people,  
4 who are supposed to benefit, make it happen. What is  
5 missing?

6 What is missing is strategies from those  
7 people to set the programs in motion. If you have  
8 ideas with respect to that aspect of it, when you tape  
9 your message, please mention it, please?

10 MR. EATHERLY: Okay, sir, I will.

11 CHAIRMAN FLETCHER: Thank you.

12 MR. EATHERLY: The only two ideas I've  
13 presented are the ones --

14 CHAIRMAN BANKS: Any other questions?

15 MR. EATHERLY: Thank you very much for  
16 your time, sir.

17 CHAIRMAN BANKS: Thank you very much.

18 Anybody else who wants to give testimony  
19 here? (No response)

20 CHAIRMAN BANKS: If not, the meeting --  
21 the meeting is adjourned.

22 (Whereupon, the meeting was adjourned at 4:40 p.m.)

NEAL R. GROSS

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C E R T I F I C A T E

This is to certify that the foregoing transcript  
in the matter of: DISTRICT OF COLUMBIA ADVISORY COMMITTEE

Before: JAMES G. BANKS, CHAIRMAN

Date: MAY 15, 1991

Place: WASHINGTON, D.C.

represents the full and complete proceedings of the  
aforementioned matter, as reported and reduced to type-  
writing.

Richard Bertone

NEAL R. GROSS  
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