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U.S COMMISSION ON CIVIL RIGHTS

RACIAL AND ETHNIC TENSIONS IN AMERICAN COMMUNITIES:  
POVERTY, INEQUALITY AND DISCRIMINATION

MIAMI HEARING

ORIGINAL

Hotel Inter-Continental  
Sandringham/Windsor Room  
100 Chopin Plaza  
Miami, Florida 33131  
September 14, 1995  
2:15 p.m. - 7:25 p.m.

VOLUME II: Pages 211 through 440

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1 CHAIRPERSON BERRY: Let me call the hearing  
2 to order. Counsel, could you please ask the  
3 witnesses to come forward?

4 MS. MOORE: We have a new reporter.

5 CHAIRPERSON BERRY: We have a new reporter,  
6 so I need to have the court report come forward to  
7 be sworn.

8 (Thereupon, the court reporter was  
9 duly sworn.)

10 CHAIRPERSON BERRY: Are there any newly  
11 arrived interpreters, or other any support staff,  
12 counsel, as far as you know?

13 MS. MOORE: As far as I know, no, Madam  
14 Chair.

15 CHAIRPERSON BERRY: So now we will  
16 reconvene the hearing. We only took a lunch break,  
17 and now it's over. I would like the sign language  
18 interpreter to announce and ask if anyone is in  
19 need for interpretation, please.

20 THE INTERPRETER: No. We also have a new  
21 interpreter coming.

22 CHAIRPERSON BERRY: Let me know when they  
23 come in.

24 THE INTERPRETER: Okay.

25 CHAIRPERSON BERRY: All right. Thank you

1 very much.

2 This session is our Language Policies in  
3 Government and Public Services. Could counsel  
4 please call the witnesses to come forward?

5 MS. MOORE: Thank you, Madam Chair. For  
6 this panel, I would like to call Arthur Teele,  
7 Diana Leland, and Osvaldo Soto to come forward,  
8 please.

9 Please, remain standing.

10 CHAIRPERSON BERRY: Could you, please --  
11 Oh, there's supposed to be --

12 MS. MOORE: Commissioner Teele.

13 MR. CANDELA: Good afternoon. I am Bill  
14 Candela, Assistant Dade County Attorney, and Mr.  
15 Teele is finishing a presentation in the other  
16 ballroom and will be here, and they will go get  
17 him.

18 MS. MOORE: Okay.

19 CHAIRPERSON BERRY: Okay. Would the two  
20 witnesses mind waiting just for a minute until  
21 Mr. Teele comes? Could you please just sit down  
22 then? You don't have to stand there waiting.

23 We will just recess very briefly again  
24 until Mr. Teele arrives.

25 (Thereupon, a brief recess was had.)

1 CHAIRPERSON BERRY: Mr. Soto and Ms.  
2 Leland, counsel advises me that in the interest of  
3 time I should go ahead and start with you. I hate  
4 to keep changing what I am doing, but please stand  
5 so I could swear you in, both of you.

6 (Thereupon, Diana Leland and Osvaldo Soto  
7 were duly sworn.)

8 CHAIRPERSON BERRY: Please be seated.

9 Ms. Leland is the budget coordinator of the  
10 Dade County Office of Management and Budget. The  
11 Office of Management and Budget reports directly to  
12 the County manager, and it is responsible for  
13 developing the operation and capital budgets for  
14 Metro-Dade County government; is that correct?

15 MS. LELAND: Yes.

16 CHAIRPERSON BERRY: Counsel, do you want  
17 to -- and Mr. Soto has been a member of the board  
18 of directors of the Spanish-American League Against  
19 Discrimination, SALAD, since 1979. Since 1986 he  
20 has served as chairperson of the board. And we are  
21 very pleased that you are able to respond to our  
22 request and to come.

23 Counsel, please proceed.

24 MS. MOORE: Thank you, Madam Chair. I  
25 would like to begin by welcoming you here this

1 afternoon and to ask both of you whether you have  
2 brought with you documents that were subpoenaed in  
3 connection with your appearance here.

4 Starting first with Ms. Leland, have you --

5 MS. LELAND: I brought those which were  
6 available and existed. Some of the documents that  
7 were requested do not exist.

8 MS. MOORE: Well, if they don't exist, you  
9 can't bring them.

10 CHAIRPERSON BERRY: Shame on you.

11 MS. MOORE: We won't hold that against  
12 you.

13 Mr. Soto, as well, have you brought with  
14 you today the documents requested?

15 MR. SOTO: To save time, I did exactly what  
16 she did.

17 MS. MOORE: Thank you both. With respect  
18 to the documents that have been submitted by Ms.  
19 Leland, Madam Chair, those documents should be  
20 marked as Exhibit Six.

21 CHAIRPERSON BERRY: Six?

22 MS. MOORE: Yes.

23 CHAIRPERSON BERRY: Okay. So the documents  
24 submitted by Diane Leland for Dade County Office of  
25 Management and Budget, and Osvaldo Soto on behalf

1 of --

2 MS. MOORE: Only Ms. Leland for Exhibit  
3 Six.

4 CHAIRPERSON BERRY: Exhibit Six, the one  
5 submitted by Ms. Leland for the Dade County Office  
6 of Management and Budget, will be marked as Exhibit  
7 Six and will be received into the record.

8 (Thereupon, Dade County Office of  
9 Management and Budget Exhibit No. 6 was  
10 marked for identification and admitted  
11 into the record.)

12 MS. MOORE: Madam Chair, for those  
13 documents submitted by Mr. Soto, those documents  
14 should be labeled as Exhibit Eight.

15 CHAIRPERSON BERRY: The documents submitted  
16 by Mr. Soto, on behalf of the Spanish-American  
17 League Against Discrimination, will be admitted  
18 into the record and will be marked accordingly, as  
19 counsel has indication. Thank you.

20 (Thereupon, Spanish-American League  
21 Against Discrimination Exhibit No. 8  
22 was marked for identification and admitted  
23 into the record.)

24 MS. MOORE: Thank you.

25 CHAIRPERSON BERRY: Now, we would like to

1 ask the panel if they would like to present some  
2 brief introductory remarks in any way.

3 Ms. Leland, starting with you, is there  
4 anything you would like to say by way of  
5 introduction?

6 MS. LELAND: No.

7 CHAIRPERSON BERRY: Nothing at all.

8 How about you, Mr. Soto?

9 MR. SOTO: Yes, I would like to.

10 CHAIRPERSON BERRY: Yes. Please proceed.

11 MR. SOTO: Yes. First, I would like to  
12 thank you for inviting the Spanish American League  
13 Against Discrimination to your forum.

14 It is always a priority within our  
15 organization to involve ourselves in the pursuit of  
16 equal protection of the laws under the Constitution  
17 for all races, colors, religions, sexes, handicaps,  
18 or national origin.

19 Since our inception as an organization, we  
20 have diligently fought against discrimination  
21 facing Hispanics and other minorities in the South  
22 Florida area. This year our primary focus will be  
23 to challenge the anti-immigrant sentiment that has  
24 been permeated our society.

25 Our mission statement for 1995 is the



6  
1 following: To condemn all forms of discrimination  
2 in our society, aggressively promote the cultural,  
3 economic, social and political interests of  
4 Hispanics, and create and maintain a data bank to  
5 educate the public regarding the contributions of  
6 Hispanic culture and Hispanic citizens to the  
7 community at large, to publicly denounce and seek  
8 to remedy any civil rights violation committed to  
9 Hispanics and any other minority groups in our  
10 society.

11 I believe today's hearing will further  
12 SALAD's mission and, therefore, aid South Florida  
13 citizens to a better understanding of its diverse  
14 community.

15 Thanks very much.

16 CHAIRPERSON BERRY: Thank you.

17 Counsel, would you please proceed with the  
18 questioning?

19 MS. MOORE: Yes, Madam Chair.

20 Beginning first with you, Ms. Leland, we  
21 have heard testimony earlier today about the need  
22 in private employment to provide training services  
23 for bilingual education, and we will hear later  
24 today about language education within the school  
25 system, and I wanted to inquire of you, in your

1 position, in your capacity, as to whether you can  
2 tell us what services are provided by Dade County,  
3 if any, as a result of the repeal of the  
4 anti-bilingualism ordinance here.

5 MS. LELAND: Since the repeal of the  
6 ordinance there has been more translation of -- I  
7 believe, to categorize it more, notices of  
8 meetings, informing the public of meetings,  
9 advertisements, that kind of thing. However, I  
10 couldn't tell you how much more. I know that, you  
11 know, there was a time when we were precluded from  
12 doing that, and we are doing it now, but I couldn't  
13 give any sense of scope.

14 MS. MOORE: If you know, were there  
15 services provided in different languages prior to  
16 1980 when the ordinance was set?

17 MS. LELAND: My understanding is that even  
18 when the ordinance was in effect there were certain  
19 areas that were allowed translation, such as  
20 tourism promotion, health and public safety. Those  
21 have always been translated.

22 MS. MOORE: And in your capacity of  
23 budgetary issues, do you have any estimate of the  
24 cost for those services?

25 MS. LELAND: No. Our financial system does

1 not allow for that detail.

2 MS. MOORE: I see. Does it not provide for  
3 that detail both prior to 1980 and after 1980 when  
4 the ordinance was repealed?

5 MS. LELAND: Right. It is the same, and it  
6 doesn't allow for that type of detail.

7 MS. MOORE: Does Dade County, to your  
8 knowledge, provide language services for -- Well,  
9 what services does it provide in different  
10 languages? Is it only the notices and  
11 advertisements, or are there services provided for  
12 like different language services in hospital, for  
13 example?

14 MS. LELAND: Well, hospitals have always --  
15 are public health trusts. You know, it's my  
16 understanding that they have always been able to  
17 translate information on immunization and such  
18 because it is something related to public health.  
19 So that has not changed from when the ordinance was  
20 in effect to now.

21 We provide bus schedules in languages other  
22 than English. On occasion, we will translate  
23 brochures that certain departments have about their  
24 programs. A lot of times that translation is tied  
25 to some federal grant money. So what I am saying

1 is that I cannot distinguish between when it's the  
2 County that is funding that translation or when  
3 it's funded through another source, or when it may  
4 need to be translated due to another requirement,  
5 such as, you know, our legal aid -- which is sort  
6 of affiliated with the County -- that provides  
7 support services to people in languages other than  
8 English, but that is probably under some federal  
9 guideline that, you know, is a fair trial, so  
10 that's not necessarily related to the ordinance.

11 MS. MOORE: Right. One final question  
12 then: Can you describe for me the documents that  
13 you were able to bring today? I mean, have you  
14 been able to give us some cost estimates?

15 MS. LELAND: Okay. Well, what I've brought  
16 you was some materials that were prepared a couple  
17 of years ago in response to a legal suit that the  
18 County had, and that was information -- three  
19 specifically, actually, March of 1980, 1981, 1982,  
20 and May of 1993, the cost incurred by various  
21 County departments for those specific months. That  
22 information was recreated, because as I said, our  
23 financial system doesn't allow for that detail, so  
24 we went back to the departments and asked them to  
25 provide us with that information. So the validity

1 of this, I mean, this information is only as good  
2 as the recollection, records and accounting of  
3 those departments, but I brought that because we  
4 did prepare that a few years ago.

5 I also brought you a transcript from a  
6 budget book of the year following the repeal of the  
7 ordinance when we began to fund additional -- one  
8 additional Spanish translator and some contractual  
9 services for the translation into Creole. That was  
10 probably our biggest step, you know, in any  
11 concrete way. We funded those additional services  
12 through our Communications Department.

13 Then I brought a document, which shows,  
14 from the Communications Department, what the  
15 translation cost was that they incurred in fiscal  
16 years '93 - '94, and '94 - '95. The Communications  
17 Department is sort of a focal point for  
18 translations; however, by no means would that be  
19 the only place where that would happen since we  
20 have some large departments that take care of their  
21 own advertising and prepare their own documents,  
22 but that was what was available.

23 MS. MOORE: There is one final question.  
24 Do you know, if you know, whether there are any  
25 plans in the future to chronicle those costs in

1 more detail?

2 MS. LELAND: I do not know.

3 MS. MOORE: Okay. Thank you. Madam Chair,  
4 I see that Commissioner Teele has arrived.

5 CHAIRPERSON BERRY: Right. I want to go  
6 back to Chairperson Arthur Teele of the  
7 Metropolitan Dade County Commission, who has  
8 arrived. Good to see you again. I would ask, if  
9 you wouldn't mind just standing so I could swear  
10 you in, please. Raise your right hand.

11 (Thereupon, Commissioner Arthur Teele  
12 was duly sworn.)

13 CHAIRPERSON BERRY: Thank you. Please be  
14 seated.

15 Mr. Teele was first elected to the County  
16 Commission in 1989 and first elected as chairperson  
17 in 1992. And he has been in a variety of other  
18 capacities, where I have run into him even before  
19 he was on the Dade County Commission. We very much  
20 appreciate your being here, and counsel first has  
21 some questions about the documents requested.

22 Counsel.

23 MS. MOORE: Yes. Commissioner Teele, you  
24 were served with a subpoena, as well as a subpoena  
25 duces tecum, in connection with your appearance

1 here today. Have you brought the documents in  
2 response to the subpoena duces tecum with you?

3 COMMISSIONER TEELE: We have.

4 MS. MOORE: Thank you.

5 COMMISSIONER TEELE: And those documents  
6 are with your staff.

7 Madam Attorney, Madam Chair, and Member of  
8 the Commission, for the record, I arrived promptly  
9 at 1:45. I was then requested to carry out my duty  
10 as the chairman of the board and present the keys  
11 to the city, in the room right next door, to  
12 someone well known to this Commission, the  
13 Honorable Laura Tucker (phonetic), who is speaking.

14 CHAIRPERSON BERRY: And I knew all of  
15 that. My problem was, I couldn't go over there.

16 COMMISSIONER TEELE: Well, she said she may  
17 come over here.

18 CHAIRPERSON BERRY: Then she probably will.

19 MS. MOORE: Madam Chair?

20 CHAIRPERSON BERRY: Yes.

21 MS. MOORE: The documents I have to  
22 complete here, the documents submitted by Chairman  
23 Teele, should be marked as Exhibit Five.

24 CHAIRPERSON BERRY: All right. The  
25 documents submitted by Arthur Teele, for the Dade

1 County Commission, will be admitted into the  
2 record, and will be marked as Exhibit Five, as  
3 requested by counsel.

4 (Thereupon, Dade County Commission  
5 Exhibit No. 5 was marked for  
6 identification and was admitted into  
7 the record.)

8 CHAIRPERSON BERRY: Now, we have asked for  
9 witnesses to make an opening statement, if they  
10 choose to do so, and we would very much be  
11 interested in any opening statement that you might  
12 like to make.

13 COMMISSIONER TEELE: I would like to, Madam  
14 Chair, and I could ask staff to please ensure that  
15 a copy of the statement is presented to the  
16 Commission.

17 Good afternoon, Madam Chair, and Members of  
18 the U.S. Civil Rights Commission. As you know, I  
19 am Arthur E. Teele, Junior, and I am serving as  
20 chairperson of the Board of County Commissioners of  
21 Dade County, Florida. The Commission last came to  
22 Miami back in 1980, right after the 1980 civil  
23 disturbance, and over the last fifteen years we  
24 have seen tremendous growth in our unique  
25 community. At the same time we have seen even



1 greater diversification. While our racial and  
2 ethnic problems are far from being completely  
3 resolved, we are very proud to report today that we  
4 have come a very long way in terms of understanding  
5 and accepting the differences between the many  
6 ethnic groups that comprise our society known as  
7 Greater Miami.

8           Through that learning experience, we have  
9 come to -- and I think one word, or one phrase that  
10 we would like for the Commission to take away from  
11 that community is, we have come to celebrate our  
12 diversity. We have come to celebrate our  
13 diversity. Our attempts to gain our strength from  
14 our multi-cultural communities have certainly  
15 turned our diversity into a valuable asset.

16           Dade County has developed a fast-growing  
17 international business sector with trade partners  
18 in the Caribbean, Latin America and Europe, and by  
19 attracting, in part, largely by our multi-cultural  
20 and quite frankly, our multilingual characteristics  
21 of our community. I would note that President  
22 Clinton, in announcing Miami as the venue for the  
23 Summit of the Americas, noted the diversity that we  
24 celebrate in Miami as the appropriate venue for the  
25 23-head, democratically-elected heads, when they

1 convened here just some six months ago for the  
2 historical meeting in early December of 1994.

3 Our population of almost two million  
4 residents now includes Hispanics from all over  
5 Latin America, the Caribbean and Spain.  
6 Approximately fifty percent of our residents are of  
7 Hispanic origin. The use of the Spanish language  
8 is widespread all over Dade County and is an  
9 important second language for local and  
10 international business transactions.

11 The Greater Miami population of the  
12 African-American population is approximately  
13 eighteen percent, and not the twenty-eight retained  
14 here, of our County residents, including nearly  
15 fifty thousand native residents of the Caribbean,  
16 and the Republic of Haiti. French and Creole  
17 languages are often used today in business and  
18 residential areas, where Haitians and other  
19 Caribbean immigrants have migrated.

20 However, some of the problems to be blamed  
21 for our past civil disturbances do still exist. We  
22 do have racial and ethnic tensions, but they are  
23 largely brought about, not by those issues, but  
24 underlying problems such as poverty, inequality and  
25 discrimination.

1           In May of 1993, Dade County held its first  
2 court mandated district elections, and I think  
3 that's important to note. I was elected in 1989,  
4 in an at large system of elections. In 1993, we  
5 held our first court mandated district elections.  
6 And for the first time in the history of Dade  
7 County a new board of county representatives of  
8 thirteen members -- which previously was nine  
9 members -- had a representation of five Hispanics  
10 and four African-Americans. Before the court  
11 mandated, it was one Hispanic and one  
12 African-American on the commission of nine.

13           Among the very first actions of the new  
14 board of commission was to repeal the English only  
15 ordinance that was in effect since 1980.  
16 Significantly, the repeal's ordinance that ended  
17 the English-only provision, known as anti-bilingual  
18 ordinance, was sponsored by Anglo-Americans,  
19 Hispanic- and African-Americans officials, and  
20 ultimately was voted upon unanimously by the  
21 commission.

22           The Miami Chapter of the N.A.A.C.P.  
23 supported the Spanish-American League Against  
24 Discrimination, as chaired by my colleague and  
25 panelist Mr. Soto; its efforts to have the Dade

1 County English only ordinance repealed. Its  
2 president also called Latin and Anglo businesses to  
3 eliminate the bilingual requirements for  
4 employment, which perhaps is one of the underlying  
5 problems for tension within the Black community,  
6 especially where Blacks tend not to be bilingual,  
7 and yet many businesses in the private sector do  
8 show a clear preference for bilingual employees.

9           When the anti-bilingual ordinance was  
10 passed in 1980, it fell short of addressing the  
11 unique situations particular to an emerging  
12 multi-ethnic Dade County. Now, I think your  
13 counsel was querying us on this particular issue.  
14 That ordinance ignored a large population of  
15 non-English speakers and created difficulty in the  
16 ordinance implementation and required several  
17 revisions. For example, in 1984 the County Code,  
18 again, was amended so that social, economic, health  
19 and safety and welfare issues could legally and  
20 properly be addressed in the languages other than  
21 English, predominantly Spanish and Creole.

22           The 1980 ordinance -- this should be  
23 noted -- was actually ordained by initiative and  
24 did not contain clear exceptions or provisions for  
25 this. These were carved out by court

1 interpretations and administrative  
2 interpretations. So until 1984, the code was  
3 operating -- we were operating on legal  
4 interpretations necessary for public health and  
5 good order to provide those translations.

6 In '84 we amended. Such actions were  
7 necessary toward the end of the 1980's because the  
8 majority-minority ratios had been reversed.

9 The English-only referendum of 1980, which  
10 hold voters at large, did not assess the views of  
11 the cross-section of the population's majority  
12 because of that one fatal flaw -- immigrants cannot  
13 vote. Most actions of government are determined by  
14 vote, and until immigrants are naturalized and  
15 registered to vote, there is not very much local  
16 government can do to respond to those needs in a  
17 legal way.

18 Incidentally, in recognition of the need the  
19 County passed a resolution to provide any kind of  
20 services and fee waivers from County departments to  
21 assist in the processing of citizenship  
22 applications for our Hispanic and Haitian legal  
23 residents of Dade County of five years or more.  
24 This program, which is widely being touted, is  
25 known as One Nation and has already processed

1 several thousand applications -- toward its goal of  
2 processing sixty thousand applications this year,  
3 that is, applications for citizenship, which is a  
4 necessary step hopefully before people vote.

5           A potential pool of over two hundred  
6 thousand Dade County residents, we estimate, are  
7 eligible for citizenship today. Nevertheless,  
8 throughout the life of the ordinance, until it was  
9 repealed in 1993, access to government was still  
10 available as a right to immigrants. The greatest  
11 assurance that immigrants would be granted the  
12 opportunity to participate in Metropolitan Dade  
13 County government process is laid out in the  
14 citizen's bill of rights, which is contained within  
15 our own home-rule charter, although not necessarily  
16 a citizen, every person under our charter has a  
17 right to transact business with the County and  
18 municipalities with a minimum of personal  
19 inconvenience. The limiting factor to the right,  
20 and the government's responsibility, is to provide  
21 for convenient access is one of budgetary  
22 constraints. Our citizen's bill of rights contains  
23 the precept that any interested person has a right  
24 to be heard before our decision-making legislative,  
25 administrative, or advisory bodies. And prior to

1 1993, its repeal to the anti-English ordinance,  
2 these voices could only be raised in English. The  
3 repeal lifted the restriction of using county funds  
4 for promotional-orientation material in conducting  
5 other county business in any language other than  
6 English.

7 Today, many county services in our  
8 community are advertised and printed in English,  
9 Spanish and Creole, and the Dade County media,  
10 which generally supports repeal of English only  
11 today, is responding with indignation when the use  
12 of a second language is restricted.

13 I would ask the committee to note that the  
14 Miami Herald recently labeled the actions of a  
15 Texas judge who accused a mother of child abuse for  
16 teaching her daughter Spanish as linguistic abuse.

17 Certainly, you will be hearing testimony  
18 today from our public school system, and it is  
19 important to note that at this time approximately  
20 fifteen percent of our school enrollment, some  
21 forty-seven thousand students, lack basic English  
22 skills.

23 Our system provides bilingual education  
24 programs that consist of 150 minutes per week in  
25 the native language at a cost of approximately

1 \$97.5 million dollars, according to the Dade County  
2 School Board figures. The good news, however, is  
3 that these Creole and Spanish speaking students  
4 will be fully integrated in the mainstream of the  
5 English speaking population with an average of 2.7  
6 years. Some members of our community feel that the  
7 single most divisive issue that divides our  
8 community is language. Noting again, and writing  
9 in favor of lifting the anti-bilingual ordinance,  
10 that is the 1993 ordinance that was repealed, the  
11 editor of the Miami Herald noted, quote, more than  
12 race, more than ethnicity and more than social or  
13 financial or educational or political status,  
14 language divides us, closed quotes. Repeal of the  
15 controversial ordinance has enabled us to ease one  
16 of our community's most divisive issues, and today  
17 a majority of immigrants have come to recognize  
18 that learning English is a part of what is  
19 necessary to become involved in our society.

20 The debate on bilingualism may have  
21 dissolved into less than mere aesthetics, but it's  
22 certainly not earned a place in the immigration  
23 bill of 1995. Although the bill will dramatically  
24 reduce legal and illegal immigrant arrivals, it  
25 does not address the policy of bilingualism



1 primarily because local governments are expected to  
2 engage in a dialogue with the public, in whatever  
3 is the most effective way, we believe. An  
4 intelligent policy discussion of multilevel,  
5 multilingualism in government operations is always  
6 welcomed.

7           But my question to this commission is, why  
8 talk about language policy reform now? Our  
9 community, and I believe most of our multi-cultural  
10 communities in America have matured significantly  
11 in regards to the use of other languages, and while  
12 English is and will continue to be the common  
13 denominator of our multilingual society, I think we  
14 must be careful that we don't further divide our  
15 community around this debate. More common issues,  
16 such as poverty, unemployment, equal opportunity  
17 and discrimination concern our community far beyond  
18 the language issue, at least here in the Dade  
19 County.

20           The language debate of the eighties today  
21 has become a non-issue, and we believe, in that  
22 regard, we are well ahead of rest of this country  
23 in confronting the challenge seizing an opportunity  
24 and actually celebrating on our diversity, and we  
25 respectfully encourage you, the Honorable Members

1 of the U.S. Civil Rights Commission, to focus on  
2 the more critical subject matters as well in your  
3 report.

4 Thank you, Madam Chair, and I appreciate  
5 the extended time, and I particularly would like to  
6 acknowledge my mentor and friend, who has come in,  
7 one of your fellow members, thank you, Mr.  
8 Fletcher.

9 CHAIRPERSON BERRY: All right. Thank you  
10 very much Mr. Teele. Counsel, let's see, we've  
11 already questioned Ms. Leland, right?

12 MS. MOORE: Yes.

13 CHAIRPERSON BERRY: Now, you want to be  
14 back to --

15 MS. MOORE: To Mr. Teele.

16 CHAIRPERSON BERRY: Start with Mr. Teele.  
17 Okay.

18 MS. MOORE: We can provide the framework, I  
19 believe, for some of the other questions that I  
20 have. But let me follow up directly from your last  
21 statement, Chairman. You indicated that language  
22 is not the problem but poverty, inequality and  
23 discrimination are the problems.

24 Now, during the course of our interviews  
25 and, certainly, in some of the testimony that we've

1 heard here today, these issue are not unrelated,  
2 that is, the language problem, or the language  
3 issue in the Miami, Dade County area, is perceived  
4 by some to foster inequality and discrimination and  
5 employment, which may indeed lead to exacerbating  
6 conditions of poverty in certain segments of the  
7 community, and I wondered if you could respond to  
8 that criticism of --

9 COMMISSIONER TEELE: I think language  
10 clearly is perceived to be a problem, particularly  
11 for those who are suffering from an economic and,  
12 perhaps, even a social dilemma, or ostracization,  
13 on both sides of the ledger. I believe that the  
14 clearest problem that we have in Dade County is no  
15 different from the clearest problem of other urban  
16 cities, such as Baltimore, or Washington, or New  
17 York, and that is joblessness and unemployment.

18 Once you recognize that there is a problem,  
19 which I firmly believe is unemployment in this  
20 county, then all these other factors become a part  
21 of the debate, but they are not really the debate.  
22 If there were enough jobs to go around, in my  
23 judgment, language would not be an issue at all.  
24 There is in fact a perception, and in fact perhaps  
25 a reality certainly of concern that is built into

1 my statement, that in the private marketplace, in a  
2 community like Miami, Dade County, an employer who  
3 insists upon bilingualism for employment is  
4 squeezing out or crowding out those non-bilingual  
5 persons, and that I think is the real issue, where  
6 people can't get a job because they don't speak  
7 Creole, or French, or Spanish, or the most  
8 important emerging market, Portuguese, in terms of  
9 business opportunities in this community. So it is  
10 in that context, of course, that language is a  
11 factor to the person on the street, but his problem  
12 is not language; his problem is a job, or her  
13 problem.

14 MS. MOORE: Let me ask you this: Has your  
15 commission conducted any studies, or surveys, or  
16 any type of impact studies that examine whether or  
17 not language policies in the employment market, in  
18 the labor market, is having an impact on job  
19 opportunities either due to monolingualism, or due  
20 to bilingualism?

21 COMMISSIONER TEELE: We have not. But our  
22 community is very much integrated of three basic  
23 areas: Agriculture, which most people don't think  
24 of when they think about Miami, which is one of the  
25 dominant industries in this community -- I think

1 the second largest. Tourism, which traditionally  
2 has been the largest, which quite frankly is  
3 slipping. And business and commerce, which is the  
4 fastest growing business. In all three areas, we  
5 know clearly from anecdotal information, and from  
6 observation, that language plays a factor.

7 First of all, if you go to the southern  
8 part of the County, where Hurricane Andrew hit, in  
9 the extreme southern part many of our workers or  
10 farmer, and migrate and seasonal farm workers, have  
11 tremendous advantages in their ability not because  
12 they are primarily Cuban-American, but they are  
13 primarily Mexican-American, in the Florida City,  
14 Homestead area. And, of course, farmers there tend  
15 to hire families; they tend to hire people that the  
16 farm labor market economies have filtered into our  
17 community primarily there. The area that is  
18 probably most known to us are the hotels, what we  
19 call the hotel-and-visitor industry. For example,  
20 Haitians tend to be trilingual, coming from the  
21 Island of Hispaniola, which shares a very small  
22 Island with the Dominican Republic, and the  
23 pressures over the last eight years of instability,  
24 moving through the Haitian border to the Dominican  
25 Republic, has become a more acceptable way to leave

1 the country than to fly to Port-au-Prince.  
2 Haitians tend, in large numbers, to speak Spanish,  
3 as well as either French or Creole, and in fact,  
4 most speak four languages, French and Creole being  
5 separate. What that has done, however,  
6 particularly in the Broward County and the northern  
7 part of Miami Beach, is that it has created a  
8 tremendous job opportunity for Haitians, where the  
9 hotel people are looking for people to cater to the  
10 Canadian market, French speaking who are coming  
11 here because there is a shortage of French-speaking  
12 operators and French-speaking hotel resource  
13 persons.

14           So this language thing cuts in a lot of  
15 ways other than the obvious way, where -- the  
16 problem that of course we deal with is the man on  
17 the street, who wants a job, a person who is from  
18 the area that I come from, Overtown, which has been  
19 the center of most of the civil unrest, who is  
20 being squeezed out of the market, who sees a  
21 Spanish-speaking person, probably in his mind or  
22 her mind, a Cuban who is getting the job from  
23 them. That is there, and that is clearly one of  
24 the most divisive kinds of underlying issues  
25 there. But it has many more facets than simply

1 that type of experience which would you hear about  
2 quite a bit.

3 MS. MOORE: Right, and our goal here is to  
4 determine whether or not there is a **connection**  
5 between these issues.

6 And one further question with respect to  
7 that: Has the Commission, again, conducted any  
8 studies or received previous any complaints that  
9 would suggest that the use of language policies,  
10 either English only policies in private employment,  
11 or bilingualism policies in private employment are  
12 a mask for discrimination against targeted groups?

13 COMMISSIONER TEELE: We have not conducted  
14 any studies and we have received many informal  
15 complaints.

16 I would ask my staff to make available to  
17 you through the office that handles discrimination,  
18 the Independent Review Panel, which is a  
19 quasi-governmental agency that fields some of these  
20 kinds of requests, as well as the other civil  
21 rights officers. We will do a file search to  
22 determine that.

23 But the most common, of course, is going to  
24 be the fact that I can't get a job because I am not  
25 bilingual, and in some cases, quite candidly, from

1 a governmental point of view -- and, remember, we  
2 are not out here trying to regulate to some extent  
3 the private sector in our county government. But,  
4 to some extent, we would probably have complaints  
5 that would be where an employer or a department  
6 supervisor will not hire people who doesn't speak  
7 Spanish and will determine that -- I cannot tell  
8 you with any assurance that we have those formally,  
9 but I've certainly heard those types of complaints,  
10 as we have complaints from people who say a  
11 supervisor will only hire Blacks this particular  
12 department.

13 So those are the tensions of more  
14 underscoring, not the rate of the language issue,  
15 but the tensions, which again I want to come back  
16 to, which is, we are dealing with a very real  
17 problem, notwithstanding the Department of Labor  
18 Statistics of high joblessness, particularly among  
19 juveniles and young people, who are very much  
20 driven by the media crave of things like Reeboks  
21 and tennis shoes, and these types of things that I  
22 may view as not being serious, but it's creating a  
23 lot of pressure for jobs and employment.

24 MS. MOORE: I am going to back up and end  
25 where I had intended to start, and ask you to just



1 give the Commission a sense of what the Dade County  
2 governmental structure is, and included in your  
3 remarks, if you could tell us specifically what  
4 services, public services, Dade County government  
5 is responsible for.

6 COMMISSIONER TEELE: The Dade County  
7 government is the largest local government south of  
8 Philadelphia and west of Houston, Harris County.  
9 We are a government of approximately four billion  
10 dollars in total budget capital, as well as  
11 operating income in comparison to, say, the City of  
12 Miami, which has a budget of probably three hundred  
13 and twenty-five million, speaking off the top. We  
14 are a government of some -- I can never get a  
15 straight number on how many employees, believe it  
16 or not. We are approximately thirty-five thousand  
17 employees, if you include our public health trust,  
18 or our hospital, which we are very proud of,  
19 because it is one of the finest hospitals in the  
20 world, and is a county facility and unique joint  
21 affiliation with the University of Miami, where we  
22 have the highest quality of healthcare for the  
23 indigent and for the public at large, with our Dade  
24 County Public Health Trust, and our Jackson  
25 Hospital.

1           The hospital, to start with that appendage,  
2 is a subsidiary, if you will, of county  
3 government. It is created by county ordinance and  
4 operates with an advisory board, whose actions in  
5 virtually everything other than budget are  
6 routinely approved without discussion or comment by  
7 the Board of County Commission. That facility is  
8 approximately an \$800 million facility, contained  
9 within the \$4 billion budget.

10           Generally, we are a county-wide government  
11 that provides county-wide services to all two  
12 million residents. Our charter -- we are one of 67  
13 counties in the State of Florida, and we are the  
14 only charter government in the State of Florida.  
15 So, generally, in Tallahassee they refer to  
16 Florida, and then Dade County as well. For  
17 example, most constitutional officers,  
18 constitutional by the State of Florida, virtually  
19 all of about nine of them are elected in all 66  
20 counties. In Dade County, only one constitutional  
21 officer is elected, and that is the Clerk of the  
22 Board -- Clerk of the Court. So the Sheriff, for  
23 example, is not elected, is a department head, or  
24 head of the department of police, the tax  
25 collector, the tax assessor, all of whom are

1 constitutional officers and elected in all other 66  
2 counties are appointed. Through that type of  
3 illustration, I have tried to point out that Dade  
4 County is a very unique, a very large, and by  
5 municipal of governmental standards, an extremely,  
6 perhaps too powerful government in every sense of  
7 the word. The Board of County Commission, which is  
8 elected, is currently elected under a court  
9 mandated single member districting of 13 districts,  
10 all of which are relatively equal in population,  
11 although the size of the voting population is very  
12 much driven by the lack of citizenship in some  
13 areas, but it is basically mandated under the Baker  
14 versus Car (phonetic), and Fergus (phonetic)  
15 decisions that flow from that.

16           The commission elects a manager, and the  
17 manager is the executive, very much like in  
18 Maryland, where you have a County executive that is  
19 elected, and the manager theoretically has the  
20 executive role there except he is not elected. The  
21 manager has no independent power in the normal  
22 sense of government, but routinely has very much  
23 power because of the nature of government and the  
24 complexity of government in the matter of the way  
25 things are done, for example, in most actions, such

1 as awards of contracts, et cetera, virtually all  
2 those actions must be approved by the Board of  
3 County Commission.

4 The government itself is a two-tiered  
5 government, in which we provide all of the regional  
6 governmental services, and we provide the municipal  
7 services for half of the citizens of Dade County.  
8 That gets very complicated. We have 27 cities in  
9 what you call "Miami" and what we call "Dade  
10 County", the City of Miami being the largest,  
11 Hialeah, Miami Beach, being number two, and number  
12 three. Of those cities, we have cities that are  
13 predominantly Hispanic, like Hialeah and  
14 Sweetwater, which has a very large Nicaraguan  
15 population, and we have two cities that are  
16 predominantly African-American.

17 Coincidentally, the northernmost city, which  
18 is known as Opa-Locka, that has Mayor Robert  
19 Ingram, who is currently the chairman of the  
20 National Conference of Black Mayors, and the  
21 southernmost city, which was a city totally leveled  
22 and devastated by Hurricane Andrew, Florida City --  
23 that is the last city on your way to the Keys. In  
24 those 27 cities, there are one million people that  
25 live, and to them, those one million people, their

1 city hall of those 27 municipalities, the zoning,  
2 the kinds of police, the kinds of day-to-day  
3 activities are normally associated with municipal  
4 government.

5           Where we got in trouble, or where we are  
6 still in trouble quite frankly is that we are city  
7 hall to a million people, and it's kind of tough to  
8 be city hall for a million people that are as  
9 diverse as this community is. So obviously there  
10 is a raging controversy as it relates to -- We need  
11 more cities. We need to incorporate more cities,  
12 because of the zoning decisions of those.

13           Generally, however, the county government  
14 is far different from most of the large cities in  
15 that the large governmental enterprises, which  
16 would normally be headed by an autonomous board on  
17 authority, are headed by the county commission.  
18 And so the airport of Miami -- which by the way has  
19 nothing to do with Miami, it's owned by the County,  
20 but that's just a usual kind of oxymoron that we  
21 have here.

22           The Airport Board is the County Commission  
23 sitting as the Airport Board. The Seaport Board is  
24 the County Commission sitting as the Seaport  
25 Board. The Transit System is the County

1 Commission, believe it or not, sitting as the  
2 Transit System. We are the only major city in  
3 America, the only, that does not have independent  
4 and relatively autonomous transportation board  
5 anywhere in America.

6 So you can see when you combine all of  
7 those normally autonomous or quasi-autonomous  
8 functions under one governmental structure, the  
9 Board of County Commission is a very, very  
10 responsible and challenging resource and has the  
11 opportunity to serve the two million citizens that  
12 we have.

13 We have some twenty-five departments, and  
14 as I've said, we have one of the finest fire  
15 departments, which is widely recognized. We  
16 respond, for example, to earthquakes in Mexico  
17 City, or in Oklahoma City, and one of the finest  
18 police departments. Our crime laboratory, unlike  
19 one in the west coast that I won't mention, is  
20 highly regarded and is generally used by the  
21 governments of the Bahamas or Haiti, Jamaica as  
22 their, quote, FBI type laboratory. And we are very  
23 proud of the fact that we have worked hard at  
24 having excellent police, community relations --  
25 there is always room for improvement.

6  
1 CHAIRPERSON BERRY: Thank you, Mr. Teele.  
2 You have done a wonderful job in taking the  
3 opportunity to tell us those great things.

4 COMMISSIONER TEELE: Do you want the record  
5 to be complete, Madam?

6 MS. MOORE: I just have one final  
7 question.

8 COMMISSIONER TEELE: Keep rolling.

9 COMMISSIONER FLETCHER: We know where he  
10 learned that from.

11 CHAIRPERSON BERRY: Birds of a feather --

12 MS. MOORE: I have one final question for  
13 this Chairman. Mr. Teele, can you estimate for  
14 us? We are concerned about the cost that the  
15 county government absorbs both in terms of  
16 providing Proposition 187-type services, as well as  
17 language services to your large diversified and  
18 immigrant population. Do you have any estimate on  
19 the cost?

20 COMMISSIONER TEELE: I think staff is  
21 providing a cost within a very, very identifiable  
22 department, the Department of Communications, where  
23 these services are quantified in budget code in  
24 that way. Because of Metropolitan Dade County's  
25 unique composition, totally multi-cultural, over

1 fifty percent Hispanic, our costs are just a part  
2 of doing business. When we employ people, take the  
3 hospital, just in the normal lottery, we are going  
4 to pick up a lot of Haitians, a lot of people from  
5 Puerto Rico, a lot of people from Nicaragua, and  
6 quite frankly, a lot of people who are Cuba. The  
7 real issue is not cost in that type of sense.

8           The real issue is permission to use our  
9 employees to provide the services or information in  
10 a language that is comfortable or convenient for  
11 the citizen. And so if we were in Hot Springs,  
12 Arkansas, and we are trying to provide the kinds of  
13 services in Spanish, or in Creole, that would be an  
14 unidentifiable cost, but here in Miami, many of  
15 those costs are not really identifiable. Our  
16 printing, we clearly do printing. I would estimate  
17 it's clearly in the hundreds of thousands, but not  
18 really in the millions. But, again, if you were to  
19 take the services that we're providing and  
20 superimpose it in a town or a community that is not  
21 as multi-diverse, it would be in tens of millions  
22 of dollars.

23           CHAIRPERSON BERRY: Okay. Would you turn  
24 to Mr. Soto?

25           MS. MOORE: I realize that the Commissioner



1 is to leave.

2 Mr. Soto, let me start with you. With the  
3 question about your organization's knowledge of, or  
4 any studies it has conducted with respect to the  
5 Cuban-American communities' response to both the  
6 passage of anti-bilingualism ordinance and its  
7 subsequent repeal.

8 MR. SOTO: Would you rephrase the question,  
9 again?

10 MS. MOORE: Has SALAD received any  
11 complaints or concerns from its constituent members  
12 with respect to, I guess, since it formed, SALAD  
13 formed? When was it formed?

14 MR. SOTO: Spanish-American League Against  
15 Discrimination.

16 MS. MOORE: When was it formed, again?

17 MR. SOTO: 1973.

18 MS. MOORE: Okay. So it was around.

19 Both in response to the passage of the  
20 anti-bilingualism ordinance in 1980, and its repeal  
21 in 1993, what was the reaction in the  
22 Cuban-American community?

23 MR. SOTO: Yes. You know, I have been part  
24 of this change. And actually I came back to Miami  
25 in 1973, and from 1973 to this day it's the only

1 thing I have done really, so to speak, between not  
2 only trying to be a lawyer, which is difficult for  
3 me, but these ties to this community. When  
4 Chairman Teele was talking about the I.R.P., I was  
5 the chairman of the I.R.P. up to about three months  
6 ago. When he was speaking about Dade County so  
7 many years ago, I was the first person to raise the  
8 voice and investigated the Metro-Police Department,  
9 at which time there was only one officer,  
10 Afro-American officer, and one Hispanic officer out  
11 of around fifty. So, yes, I went back specifically  
12 to the question -- yes, I received -- and after the  
13 anti-bilingual ordinance, or the English only, as  
14 many call it, I received a lot the complaints. On  
15 the daily basis, there were problems. Nobody knew  
16 exactly, even in the county, what could be done,  
17 what could not be done.

18           Now, you would have people that would go in  
19 to pay the taxes to the different offices of the  
20 county, and they would not be able to speak English  
21 well, and they would use Spanish. Then you would  
22 have some Spanish-speaking employee of the County  
23 trying to communicate with that person who was  
24 coming to pay taxes, and answering in Spanish, and  
25 you might have at that point a supervisor or head

1 of whatever office it was, saying, "No. You cannot  
2 use Spanish, because we have the anti-bilingual  
3 ordinance." You would have police officers come  
4 to your home because you have called them, there  
5 was a robbery, and there was somebody who had  
6 suffered an attack, that was a battery, a  
7 matrimonial problem, and the officer would come and  
8 many officers would say, "No, I cannot," even  
9 though they were Hispanics, they would say, "No.  
10 We cannot use Spanish because of the anti-bilingual  
11 ordinance."

12 So there were days that the people that  
13 worked in my law office would say, "We are no  
14 longer a law office. We have become a complaint  
15 office for the Hispanic people of Dade County."  
16 And believe me, it was very difficult to practice  
17 law. So I took it up upon myself, with a group of  
18 people, and people who understood this, and knew  
19 that I wanted the best for this community, to try  
20 to repeal the anti-bilingual ordinance. And  
21 without money from anybody, SALAD does not get a  
22 penny either from the County, City of Miami, the  
23 Federal Government, or the State Government.

24 Every single member of SALAD puts their  
25 money and contributes with their money to the

1 survival of SALAD. And believe me, sometimes it  
2 has been very difficult. And if you ask my wife,  
3 she would protest and say that that money sometimes  
4 is needed at home and not at SALAD.

5           Anyway, the reality was that things  
6 were getting real bad, but even more important  
7 because -- and I wholeheartedly support and join in  
8 the statement made by Chairman Teele, one of the  
9 best friends that I have had a long time and one of  
10 the person who I supported, and I think I had a  
11 little bit to do with his running for county  
12 commissioner, because I think it was good for this  
13 community. I support his statement that the  
14 problems that we have had have to do, in a great  
15 deal, with the location of Miami. Because we have  
16 the County capital of the Americas -- and if you  
17 read SALAD's stationery you are going to see that  
18 we say, "Miami is capital of the Americas"- not  
19 now, since 1993 or 1974. The business that comes  
20 to this area, the trade that comes into this area,  
21 the banks that come into this area, they do come  
22 here because we are a trilingual community.

23           If my recollection is correct, four years  
24 ago, for example, City of Miami had as many edge  
25 banks, international banks, as the City of New

1 York. There was one -- New Orleans was the City of  
2 Trade for Latin America. That is no longer the  
3 case.

4 The City of International Trade, for Latin  
5 America, for this county -- and that was the reason  
6 that the President chose Miami as the location for  
7 the Summit of the Americas -- was because, as  
8 Chairman Teele said, we were blessed with the  
9 availability of the people of this area to speak  
10 three languages, which are the three most important  
11 languages spoken here on the hemisphere.

12 So the complaints were there everyday.  
13 After the repeal of the anti-bilingual ordinance,  
14 the complaints that I have received have been  
15 mostly from the private sector. As you know,  
16 Amendment 11 was passed in Florida. I think it was  
17 three, four, five years ago, and a lot of people in  
18 the private sector tried to use the passage of  
19 Amendment 11 as a denial to the people to be able  
20 to use the language, and more or less, what you  
21 heard that happened in Texas, in Amarillo, with the  
22 judge is what was happening in the private sector.

23 I was going to bring to you a memo that was  
24 written by a Board of Realtors, and I have that,  
25 and it was given to me as a present. I am -- got

1 involved in that case, where it said, more or less,  
2 the executive director of that office, "I want you  
3 to know that I can be very ugly. The official  
4 language of this office and the official language  
5 of the United States is English. I don't want  
6 people" -- more or less, I am trying remember the  
7 language -- "cannot use any other language,"  
8 meaning Spanish.

9 Now, the funny thing about that is the  
10 members of that Board of Realtors, more than fifty  
11 percent were Hispanics, and the employees that were  
12 Hispanic -- and what happened is that one of the  
13 Realtors that came in and spoke to one of the  
14 employees in Spanish, which is very normal, and she  
15 overheard from Lisa that Spanish was being used,  
16 and they took -- she took it upon herself to make  
17 English the official language of that office and  
18 the official language of the United States, which  
19 by now I don't think we really have English as the  
20 official language of the United States. I don't  
21 want to go into history. You know the history as  
22 well as I do, why the Founding Fathers did not see  
23 fit to have an official language in this country.

24 So I would say -- and this is important,  
25 and I think a great deal of what Chairman Teele was

1 trying to convey. We don't think, really, that in  
2 Dade County language is a real problem. Yes, there  
3 are people who complain. I think that  
4 unemployment, discrimination in other areas,  
5 sometimes bring out the problem of the language.  
6 But I firmly believe that this County, after the  
7 County Commission saw fit to repeal the  
8 anti-bilingual ordinance, is a much better County,  
9 no doubt, than what it was three or four years  
10 ago. And this County also, and I want to say  
11 this -- it is a much better County than since 1980,  
12 because we have been able to work together. From  
13 what I mean, "work together," I mean, the people of  
14 this community, and especially the minorities. I  
15 do work together very closely with the N.A.A.C.P.,  
16 and the president is a very close friend of mine,  
17 and I do call her, and she calls me, and we talk to  
18 each other as much as possible. We understand each  
19 other. We try to make this community an example to  
20 the world. And even though we have had problems,  
21 no doubt about it. There is no one city in this  
22 nation that doesn't have problems. I think that we  
23 have been able to overcome many of the these  
24 problems.

25 I mentioned to you -- and somebody asked me

1 the other day, because I was awarded by the Miami  
2 Herald what they call "The Spirit of Excellence"  
3 and I don't think I deserved it. I was one of the  
4 five persons who was awarded this Spirit of  
5 Excellence. Somebody asked me why did I become  
6 involved in these problems, and I was coming from  
7 Iowa -- and in Iowa you don't have these kinds of  
8 problems. You have a lot of corn. You have a lot  
9 of cows. You have a lot of cowboys. But I was a  
10 professor at Iowa City University, and I remember I  
11 came back in 1973, and I decided I wanted to be a  
12 lawyer again, not the kind of lawyer that my wife  
13 expected me to be, making money, but I wanted to be  
14 a lawyer again, and I went and I joined the program  
15 of the University of Florida -- even though I  
16 support the Miami Hurricanes. I joined the  
17 program, and I became a lawyer. And I remember one  
18 of the first places I went one day was the City of  
19 Miami Police Department, and right there, when you  
20 would walk into the City of Miami Police  
21 Department, you would see the high echelon of the  
22 police department, the chief, the mayors, the  
23 captains. At that time, the City of Miami was  
24 already fifty percent Hispanic, or close to fifty  
25 percent Hispanic, and twenty percent black, more or



1 less. You know, numbers would cheat a little bit.  
2 So we are seventy percent and there were on top  
3 some thirty officers, chiefs again, commanders,  
4 mayors, and there was only one Hispanic for over  
5 fifty percent and one Afro-American for twenty  
6 percent. That day I said to myself, I have to use  
7 a great deal of my time to correct what is  
8 inequality and what is discrimination. I didn't  
9 have any doubt. More or less, that was the same  
10 problem of Metro-Dade County. Since that moment --  
11 and I will give you an example of what I was  
12 saying, how much we have come, how much we have  
13 improved. Out of the last four chiefs of police,  
14 of the City of Miami, if my recollection is  
15 correct, three have been Afro-Americans. And  
16 somebody told me once, you know, Hispanic are the  
17 minorities. I said, No. We have to work together,  
18 and that is the most important thing we can do for  
19 this community. And, again, I believe today that  
20 those things have been improved a great deal  
21 because of the repeal of the anti-bilingual  
22 ordinance, and I think this town -- and I was part  
23 of the Summit of the Americas. The President  
24 honored me by appointing me to that committee. But  
25 I think we are much better placed today, and I

1 think we are becoming an example to this nation and  
2 to the world, and I hope we continue this way.

3 MS. MOORE: Thank you, Mr. Soto. That is  
4 all I have.

5 CHAIRPERSON BERRY: Does any Commissioner  
6 have any question at all for any of the panel?  
7 Does anyone have a question for Mr. Teele, or  
8 Ms. Leland, or Mr. Soto? If not, I have some.

9 COMMISSIONER TEELE: I was going to yield  
10 my time to him so he can keep rolling. I don't  
11 think he's got it all said.

12 CHAIRPERSON BERRY: Fletcher, could you  
13 take the microphone. I have some, but I will wait.

14 COMMISSIONER REYNOSO: Mr. Soto, there is  
15 an effort in this county, called "English Only"  
16 suggesting that English be made the official  
17 language of the County, and of each of the states,  
18 and that languages other than English are fine to  
19 be spoken in the home, but they ought not to be  
20 part of the marketplace or in public debate. And,  
21 one, what is your organization's reaction to that?  
22 And, two, from whence do you think that that sense  
23 come from many of those folk?

24 MR. SOTO: Well, it's really difficult to  
25 pinpoint why and how and when it started.

1 Yesterday, I think it was yesterday, or the day  
2 before yesterday, I was calling the attorneys of  
3 MALDEF, Marta Jimenez, who has been a good friend  
4 of mine for many years, attorney Marta Jimenez, and  
5 I was asking for this transcript of the Amarillo,  
6 Texas hearing, and they provided me with those  
7 things that, of course, could be provided. Do not  
8 forget, this was a very difficult case, where  
9 sexual harassment was involved and many of these  
10 things cannot be brought out.

11 I would say that a great deal of these  
12 problem have to do with lack of education, not  
13 understanding really what languages mean, or how  
14 important languages are.

15 While I was at Iowa State University, I  
16 taught in the summer, in Monterrey, Mexico, a  
17 University called "Instituto Tecnolodico de  
18 Monterrey," which is supposed to be the best  
19 private Latin-American university. And in the  
20 summers, while I taught there, the Japanese had,  
21 every year, between two hundred and five hundred  
22 students, engineers, architects, representatives of  
23 the Japanese companies coming down to Monterrey,  
24 and they were learning to be bilingual because they  
25 were penetrating the Latin-American market, and

1 they knew that in order to do that they would have  
2 to speak the language, and that is the reason that  
3 today you have Chili that trades as much with **Japan**  
4 as they trade with the United States of **America**.  
5 Ten years ago, or twenty years ago, for every ten  
6 dollars that they would trade with the United  
7 States, they would trade less than a dollar with  
8 Japan. And to me, when I hear the people that  
9 speak about the English-only, it's difficult for me  
10 to understand what they are trying to obtain or  
11 achieve with the idea of English-only. What we  
12 really need is a country that speaks several  
13 languages. I don't say that we have an official  
14 language that is not English. Whoever says that  
15 English is not the language of this country is out  
16 of his mind.

17 I am a lawyer and everything that I read,  
18 everything, whether municipal, or state, or  
19 federal, everything I do and write has to be in  
20 English. Sometimes I have used my daughter or my  
21 son, who are lawyers also, to correct my English  
22 because it is not perfect -- I don't have to tell  
23 you. But what I am trying to say, in spite of  
24 that, you know, the necessity of making this County  
25 a multilingual nation, where the idea of being able

1 to speak the language for all of us -- and I  
2 remember what my friend told me, the president of  
3 the N.A.A.C.P., the other day, "I want my daughter  
4 to be trilingual -- not bilingual. I want my  
5 daughter to be trilingual." I had the same  
6 question you had, and then one day my mind opened,  
7 and I developed the concept, based on something  
8 that had been told to me by somebody in the school  
9 board of "English plus" and I am happy to say that  
10 I was the first person who came with the idea, the  
11 answer to English only, with the idea of English  
12 plus. And if I have ever done anything good in my  
13 life, I hope it has been "English plus."

14 COMMISSIONER REYNOSO: There is the concept  
15 that there ought to be unified -- just as perhaps  
16 there should be a unified culture in the United  
17 States America there ought to be a unified  
18 language. Is that what you mean by "English  
19 plus"?

20 MR. SOTO: Yes. I mean, no. We cannot  
21 promote that. No human being can be happy if they  
22 don't know where they come from, whom they are, and  
23 where they are going to. In other words, you  
24 cannot ask a Mexican-American to feel really  
25 happy -- and I heard this from Henry Seznedo

1 (phonetic), the secretary of HUD, whom I consider a  
2 very good friend of mine -- when he said one day,  
3 "That in order for the Mexican-Americans to be  
4 truly happy in this County, they would really need  
5 to know what their ancestors were and to be proud  
6 of being Mexican-Americans." And in my  
7 conversations with my friends and leaders of the  
8 Afro-American communities, I have said many times  
9 that it is important that children in the schools  
10 learn what this nation is all about. When somebody  
11 asks me, and they say I am going to be leader of  
12 the movement against the 187 here in Florida -- and  
13 I really don't know if I am going to be or not. I  
14 have my financial problems, and this is going to  
15 take a lot of time -- and I suppose many of you  
16 know who Gloria Molina is. But I was telling  
17 Gloria Molina that if we are going to use something  
18 to educate the people of Florida of the real  
19 meaning of 187, we have to teach two things -- the  
20 American flag, and the Statue of Liberty. I think  
21 the American flag and the history and the Statue of  
22 Liberty speaks for what this country really is, not  
23 speak for the people, who say that so and so is  
24 Black, so and so is Hispanic, so and so has a  
25 different culture. I think the country that I have

1 admired and I love this country -- and may I say  
2 that my three boys have served in the armed forces  
3 of the United States, because this is the country  
4 that opened its arms to us. When we didn't have a  
5 free Cuba, we had to come here, and if it had not  
6 been for what this country is, we wouldn't able to  
7 do -- to be what we are today. So I said to my  
8 children, "You have an obligation to this country,"  
9 and I am proud of that. So multi-cultural is a  
10 step over the hurdle. I think it helps this  
11 county.

12 COMMISSIONER REYNOSO: We need to explore,  
13 it seems to me, what we think would make for an  
14 ideal country, and I guess I am sort of thinking  
15 out loud with you now, that maybe some of the  
16 concerns of the English only folk would be met if  
17 they understood that most people who speak a  
18 language, who learned a language on their mother's  
19 knee other than English, also embraced the notion  
20 that in this country they and their children want  
21 to be fluent in the English language, and that the  
22 concept -- and I thought that maybe that was what  
23 you were speaking to when you said, "English plus,"  
24 that many have expressed, is not at all an  
25 antagonism to English, which is a wonderful,

1 vibrant language, but a hope that not only English,  
2 which would be the, in some ways, universal  
3 language of this country, but that the language  
4 that they have learned on their mother's knee, too,  
5 would be respected, but that may be the folk that  
6 have emphasized English only, might put their  
7 resources, and money, and political power to  
8 encouraging government to support the programs for  
9 folks who immigrate to this country and learn  
10 English.

11           In California, we have literally lists of  
12 tens of thousands of immigrants who have signed up  
13 to learn English at our night schools, and they  
14 can't be enrolled because we don't have the  
15 classrooms. And, ironically, when we had the  
16 Immigration Reform Act, Congress did provide moneys  
17 for English training, and in California, the  
18 governor appropriated that money for other purposes  
19 quite illegally and didn't use it for training the  
20 English language.

21           So it seems to me that if the folk that are  
22 interested in having English be the unifying  
23 factor, some of their efforts would go to  
24 encouraging these types of resources. As we read  
25 the studies, immigrants are anxious to learn



1 English and to participate.

2 MR. SOTO: I, wholeheartedly, agree with  
3 you. And let me say what Chairman Teele said here  
4 today. We had 16,000 new citizens. We expect that  
5 by next year we are going to have, if we get  
6 resources, which we don't have at this point, we  
7 are probably going to have another hundred and  
8 twenty thousand -- altogether, another one thousand  
9 citizens, and these citizens would like to be able  
10 to speak English, and we don't have the resources.  
11 I have told these people and I have been with them,  
12 debated, I laugh with them, and sometimes they  
13 don't like what I say, but I have told them that if  
14 we could use that money to teach people to learn  
15 English, okay -- those, you can -- you cannot  
16 expect a 60- or 70-year-old person -- you know, I  
17 can tell that to you as a language teacher, because  
18 the ability is not the same. But we could use a  
19 lot of this money to teach these people and if we  
20 tried to integrate and tried to work together, this  
21 would be a very much -- nation.

22 I don't think language -- to have only one  
23 language solves the problem. Go look at the  
24 problem in Ireland. You have people killing each  
25 other every day. Unfortunately, they speak only

1 one language, English. Then you have other  
2 problems, where you the difference of language that  
3 creates problems, which is Canada.

4 So it tells you that in one place you have  
5 one answer and in the other place you have the  
6 other answer. That is not the answer. The real  
7 answer is education, and understanding, and trying  
8 to work together.

9 COMMISSIONER REYNOSO: Thank you, Madam  
10 Chair.

11 CHAIRPERSON BERRY: In listening to this  
12 discussion about language -- and I have some  
13 questions for Chairman Teele, in a minute, about  
14 something else -- Well, it's related. But, in  
15 listening to this discussion about language, it  
16 seems to me that most of the argument is not about  
17 learning another language, if you already speak  
18 English, so you could use it in your job, or to get  
19 involved in international trade activities, or all  
20 the pluses of learning another language if you are  
21 already an English speaker, that that doesn't seem  
22 to be as controversial, or at least most people  
23 seem to accept it, as the idea that people's whose  
24 native language is other than English, continuing  
25 either to use it, or to use it and to require that

1 other people are bilingual before they could have  
2 access to whatever it is the non-English speaker  
3 has, that seems to me, by listening to it, the area  
4 of controversy. And I wonder if it is similar, to  
5 some extent, to the argument that took place, the  
6 debate about ten, fifteen years. We used to argue  
7 all the time about Black English. Was there such a  
8 thing? And how people shouldn't use it. And why  
9 did they want to use Black English?

10 I used to go to meetings where there would  
11 be discussions about, did it show that people  
12 didn't have a sense of common purpose and civic  
13 virtue if they kept on using something called  
14 "Black English" and whether there was any such  
15 thing. And it came down to, there is no advantage  
16 to you using, at least in public, or the  
17 workplace -- because it's not going to help you get  
18 a job -- it may deter you from getting one -- and  
19 if there is any such thing, you ought to just use  
20 it at home, or use it when you talk amongst  
21 yourselves, so that most of us became -- Many  
22 people in the African-American community are  
23 bilingual even if they don't know French, Spanish,  
24 and whatever I am. I could start talking to you  
25 now in a language, and you wouldn't even know what

1 I was saying, but I would know what I am saying,  
2 and other people, who are African-Americans, many  
3 of them would know what I was saying. But in any  
4 case, let me just say that it sounds to me very  
5 much like that particular aspect of the question is  
6 some people question whether if one keeps holding  
7 on to a language as one had before as a native  
8 speaker and then insisting that that is part of  
9 one's culture and then making arguments for it,  
10 there is some questions about the acceptance of the  
11 commonalty of a language. That is not really the  
12 question. I was just expressing unless you want to  
13 comment on it. But it seems to me that much of  
14 the debate was very similar to the whole Black  
15 English -- Can-you-speak-standard-English kind of  
16 thing, and we know that we have to speak standard  
17 English to get ahead.

18 The question I had, unless you want to  
19 comment, is to Mr. Teele. You were talking about  
20 discrimination on the basis of not being bilingual  
21 in employment, and you said something about, this  
22 might happen in the private sector, or something,  
23 and then you switched to the public employer and  
24 workplace there, but you didn't really illuminate,  
25 at least for me, what you meant. How much of a

1 problem is discrimination on the basis of not being  
2 bilingual in the public employment of Dade County?  
3 Does anyone complain about that? Or are there  
4 complaints, or are there issue related to that?  
5 Not the private sector. I am talking about you, as  
6 an employer.

7 COMMISSIONER TEELE: It's less than a  
8 problem today in light of the budget constraints  
9 and the hiring freeze than it's ever been before.  
10 We literally are not hiring consistent with -- I  
11 think what is happening, except in very, very  
12 unique careers where there is a shortage.

13 We have absolute prohibition against that  
14 type of conduct and that type behavior. Hiring is  
15 general, in Dade County, in a centralized personnel  
16 process, and there just really would be no place  
17 for that, as a formal process. Some of the  
18 concerns, of course, that we have, that I have  
19 raised in looking at our annual E.E.O. profile  
20 would be how can a department have so many persons  
21 with a Hispanic surname or Blacks? For example, we  
22 have a Corrections Department that traditionally is  
23 disproportionately African-American.

24 I have worked to try to ensure that as we  
25 hire people that we look more toward multi-cultural

1 and diversity in our work force, something that we  
2 think is very, very important, as well as women,  
3 which we put a very big premium on in our fire,  
4 police and corrections department. What also  
5 becomes very troublesome when we look at these  
6 statistics on an annual basis would be, "How could  
7 a department, relatively new department, say, such  
8 as DERM, or the Department of Environmental  
9 Resources, why there was such an absence of  
10 African-Americans, or some other group?" But I can  
11 categorically state that the policies, the process  
12 and the safeguards from an affirmative action  
13 officer to an equal employment office, including an  
14 independent review panel, which Mr. Soto has shared  
15 with you, which is chaired by an outside non-county  
16 employee, which reviews these types, would prohibit  
17 and safeguard against hiring people with a language  
18 bias in the public sector.

19 CHAIRPERSON BERRY: Do you keep records on  
20 the language capacities of any group of employees?  
21 I mean, do you know how many folks are bilingual?  
22 And, say, you work at the hospital, or how many  
23 people in the police department are trilingual,  
24 bilingual?

25 COMMISSIONER TEELE: Routinely we do not.

1 For special purposes we do make those searches.  
2 For example, as President Aristide was about to be  
3 reinstated as president, we worked very closely  
4 with the State Department and the A.I.D. to  
5 determine, and to survey, and inventory the numbers  
6 of French- or Creole-speaking persons. And I can  
7 tell you that there was no database that we could  
8 plug in and punch out those numbers in that basis.  
9 But through an array of efforts on a decentralized  
10 basis, that those records may be available, but  
11 when we asked the police department, we got one  
12 number, and then when we started asking the various  
13 sections within the police department, we came up  
14 with other numbers of people that may be able to go  
15 to Haiti to assist our government.

16 CHAIRPERSON BERRY: But if you don't  
17 know the answer to questions like that -- and  
18 I am not saying you should know personally or  
19 institutionally -- how do you know whether you  
20 have -- commensurate with a number of the people  
21 who speak a certain language, and who may have  
22 encounters with the police department, or the  
23 hospitals, or whatever, how do you know you have  
24 available employees who could serve them, or is  
25 that a insignificant consideration?

1           COMMISSIONER TEELE: Well, I hope that I  
2 have not testified today to say that we are fully  
3 addressing the multilingual needs. I happen to  
4 believe that we are grossly under represented,  
5 particularly as it relates to Brazil, Brazilians,  
6 Brazilian-Americans, as well as Haitian-Americans.

7           One of the biggest challenges that we have  
8 are continuing to find people speak -- that are  
9 speaking Portuguese with great fluency. It is the  
10 most dynamic economy in this hemisphere today, and  
11 it is exploding -- all the flights, or 98 percent.  
12 And it is a tremendous opportunity for us here, and  
13 I am sure we are not addressing that fully.

14           One of the things that we deal with, of  
15 course, is we get back to these other  
16 municipalities, for example, is that we have -- our  
17 requirements in terms of serving the citizenry are  
18 less fluent than, say, the City of Miami, or where  
19 little Haiti is, and Little Havana is -- quite  
20 frankly, within the city limits. And the police  
21 and the central services for those persons would be  
22 provided there, by the city. But at the same  
23 time -- and a direct answer to your question, what  
24 I attempted to answer was the question that we do  
25 have in place significant and substantial



1 safeguards to ensure that language is not the  
2 criteria, either -- a second language is not the  
3 criteria for employment in the public sector in  
4 Dade County.

5 CHAIRPERSON BERRY: Now, you mentioned  
6 Portuguese and the Brazilians twice, just in  
7 passing, and we didn't ask you about them. Are you  
8 saying that there is an increasing Brazilian  
9 population and a need to have Portuguese speakers?

10 COMMISSIONER TEELE: Absolutely. The  
11 Brazilian economic impact in this community is what  
12 is sustaining this community in the tourism and  
13 visitor industry today from aftermath of a  
14 tremendous economic downturn that resulted -- that  
15 is a by-product of some unfortunate and tragic  
16 tourist death that related to Europeans, both  
17 British and German. But for the Brazilian influx  
18 of tourists and visitors, this community would be  
19 in a substantial economic downturn in the context  
20 of our hotel and visitor industry.

21 CHAIRPERSON BERRY: It's very interesting  
22 that one might imagine, as I did some years ago,  
23 that if you knew Spanish, you could know  
24 Portuguese, but they are not the same. As a matter  
25 of fact, Spanish is more like Italian in many ways

1 than it is Portuguese. Having tried to learn  
2 Portuguese, I quickly discovered that they were not  
3 exactly the same. So that is very interesting. I  
4 hadn't even thought about the increase of  
5 Portuguese, and we should look at that as another  
6 element.

7           COMMISSIONER TEELE: It's really not an  
8 issue, as it relates to residents and citizens, as  
9 much as it relates to visitors and the industry  
10 that keeps people employed. And again  
11 employment -- you know, I can assure you that if  
12 someone comes out of either Little Haiti, or Little  
13 Havana, or Overtown, that speaks Portuguese that  
14 they will get a job -- and again it goes back to my  
15 basic  
16 premise -- is that the tension in this community,  
17 while there are a number of factors, and there are  
18 a number of issues associated with that, the core  
19 of it is, the economic conditions, a condition of a  
20 high rate of unemployment, of even a higher rate of  
21 underemployment -- We are, I think, regarded as the  
22 second poorest, City of Miami, without a  
23 manufacturing, or very substantial base in our  
24 industry.

25           Our business is tourism. We are very

1 dependent on how many hotel rooms we can fill in  
2 terms of the job and the service industry that we  
3 have, and that becomes very, very important to our  
4 community. And again, in the private marketplace,  
5 notwithstanding everything that I have said about  
6 language -- language is a factor in my judgment.

7 In the private sector, it is one very much  
8 associated with one of the exemptions or exceptions  
9 that was created in 1984, when we had the  
10 English-only ordinance, and that is to provide  
11 information to visitors and tourists. A person who  
12 speaks Portuguese can get a job on a switchboard,  
13 can get a job in a hotel, because that is a very  
14 strong market right now.

15 - CHAIRPERSON BERRY: And the last line of  
16 questioning that I have has to do with the costs.  
17 I find the discussion on this part of the issue  
18 very unsatisfactory. In terms of educating the  
19 public and educating us, or at least me, arguments  
20 are made about how much it costs to have bilingual  
21 policies. Arguments are made on Proposition 187  
22 type initiatives about the cost of services, and  
23 there was an earlier question to you -- I have  
24 forgotten it I think counsel asked it -- concerning  
25 the costs, and earlier we had a list of items,

1 which Commissioner Horner read, which I don't have,  
2 that she asked one of the witnesses about the costs  
3 of certain programs and whether immigrants got the  
4 services -- the list you were reading earlier --  
5 and I think it was like on the immigrant women and  
6 children program, whether on A.F.D.C. the children  
7 of immigrants got A.F.D.C., and there were some  
8 other -- hospital emergency assistance.

9           And it seems to me, with Dade County, with  
10 the massive structure you've described here for us,  
11 you've got everything going to the hospital, and  
12 you name it, that there must be some cost that one  
13 can attribute to serving immigrants, either  
14 illegal, the children of them, or something, so  
15 that people who make these arguments, you could  
16 give them some data, or some kind of response, or  
17 explain to them how much it is, and cost doesn't  
18 have to be the only factor, but at least we would  
19 have some basis for the discussion. So how much  
20 does it cost, in terms of public funds going to  
21 people who are either illegal, or the children of  
22 illegal in the case of the infants, public  
23 education and issues like that?

24           COMMISSIONER TEELE: Chairperson Perry, I  
25 understand your concern, and as always, I

1 appreciate your forthrightness in expressing your  
2 disappointment with the panel, or at least with my  
3 office, in not being able to provide that.

4 I think staff has testified that the  
5 quantifiable costs, where we keep records, are  
6 contained in our Department of Communications,  
7 where we have translators, interpreters, and  
8 publications. In fact much of the publications of  
9 this go through our office of communications. The  
10 only other department that would segregate or  
11 maintain those costs would be our Elections  
12 Department, where we would also have an  
13 identifiable cost that is quantifiable and  
14 available to you. The estimated cost would be  
15 approximately five hundred thousand dollars in Dade  
16 County, in those terms. However, that number is  
17 totally deceptive and misleading to this  
18 Commission. In the context of taking those numbers  
19 and superimposing them upon any other municipal  
20 community, because our community -- the fabric of  
21 our society is so interwovenly multi-cultural, and  
22 multilingual, that the costs there would be  
23 associated even with Broward County, which is a  
24 County next to us, Fort Lauderdale, or clearly the  
25 county next to it, Palm Beach County, would be

1 much, much higher than here, because these costs,  
2 which are largely personnel, and in some cases  
3 printing, are available and delivered without the  
4 additional segment cost over and above what it  
5 costs us to hire an employee. For example, we have  
6 thirteen commissioners. We have an official  
7 translator, who is 50 percent with the Department  
8 of Communications and 50 percent with the Elections  
9 Office. I think it's actually Argentine  
10 (phonetic), by the way, but he is not there most  
11 days when we have a commission meeting. Someone  
12 comes up about a zoning issue, they want to explain  
13 something, it's five commissioners up there, and I  
14 will point to one of them and say, "Translate."  
15 That couldn't happen in Broward County. That  
16 couldn't happen in Palm Beach County. They would  
17 have to stop the proceedings, slow the proceedings,  
18 or have that cost there associated with a  
19 translator to be available to do that, given the  
20 makeup.

21           So I would just, again, offer you that mine  
22 is unique, it's special, it's different. Our  
23 diversity is real, and we try very hard to  
24 celebrate that diversity by making it convenient to  
25 people by not stopping the proceedings, and waiting

1 for a translator, but someone is extremely  
2 proficient in English and Spanish doing that  
3 translation.

4 But, again, we will research those files.  
5 We have provided that information, I think, for the  
6 record, and we will make another search to see if  
7 we could refine those numbers even more.

8 CHAIRPERSON BERRY: All right. We will  
9 very much appreciate this.

10 Does any other commissioner have any  
11 questions?

12 Commissioner Fletcher.

13 COMMISSIONER FLETCHER: Commissioner Teele,  
14 would you just for a minute get on the record as to  
15 the role that community development corporations  
16 have played and are playing in bringing economic  
17 development to the depressed neighborhoods in your  
18 county, if you have such experience? And what do  
19 you foresee in terms of the future of the roles of  
20 community development corporations?

21 COMMISSIONER TEELE: I would be happy to,  
22 Commissioner Fletcher.

23 The State of Florida, in aftermath of the  
24 civil disturbance in 1980 passed special  
25 legislation. In fact, Senator Jack Gordon, who

1 represented Miami Beach, and the rest of the County  
2 in a very distinguished manner, was the author  
3 along with Congresswoman Carrie Meek, of much of  
4 that legislation, which basically created a very  
5 special or unique role for C.D.C., or Community  
6 Development Corporations. In fact, there was a  
7 special funding account set up in the state budget  
8 to fund C.D.C., primarily in Dade County,  
9 essentially, of course, it went to several other  
10 counties as an account. In addition, the Board of  
11 County Commission has adopted and has supported the  
12 utilization of C.D.C.'s, as well the support  
13 organizations such as LISP (phonetic), a  
14 Rockefeller Foundation that have come in and  
15 provided technical support. We have had -- and I  
16 would invite the commission to go to 62nd Street  
17 and 7th Avenue, Martin Luther King, the heart of  
18 Liberty City, where an entire three-block corridor  
19 has been redeveloped with very adequate and upscale  
20 housing for senior citizens and working people by  
21 Trocolly (phonetic), C.D.C., which is widely  
22 regarded as one of the best C.D.C.'s in the  
23 country. At the same time, in Little Havana, we  
24 have any number of C.D.C.'s that are working also  
25 with us. Those C.D.C.'s are funded primarily for



1 the administrative costs, as well as their soft  
2 costs associated with development and their land  
3 costs primarily through the federal government's  
4 Community Block Right Development Program. And I  
5 can assure this commission that both in Little  
6 Havana, in Liberty City, in Overtown, and quite  
7 frankly, in Opa-Locka, where we have State  
8 Representative Willie Logan, who heads the C.D.C.  
9 there, and in South Florida, Homestead, and Florida  
10 City, where we have C.D.C.'s and the Urban League  
11 working very pro-actively with C.D.C.'s, that we  
12 would not have the -- particularly, in the area of  
13 housing, the creation of housing, and jobs or  
14 business development in some areas. We have done  
15 much better with housing than with business  
16 development, the success that we've had. The  
17 pending discretionary cuts of federal funding will  
18 no doubt eliminate and will place many of these  
19 C.D.C.'s and will minimize the effectiveness of  
20 C.D.C.'s generally in Dade county, primarily  
21 because as the impending congressional foots on the  
22 Department of HUD, community development will have  
23 an even greater effect in the terms of the amount  
24 of dollars that will be available to communities,  
25 which is the principal funding source of the county

1 and cities for these C.D.C.'s. So we are very much  
2 enthusiastic. We do not have 100 percent success  
3 rate with them. They literally take seven to ten  
4 years to mature and develop. We have found, where<sup>8</sup><sub>1</sub>  
5 we have been able to have high rates of success,  
6 there have been a lot of C.D.C.'s that were started  
7 and didn't make it along the way. But in those  
8 areas, where they have the technical support -- and  
9 I would commend the Rockefeller Foundation, and the  
10 LISP, as well as an organization known as Greater  
11 Miami Neighborhoods, and other organizations that  
12 provide the assistance, primarily technical  
13 assistance, primarily through foundation, coupled  
14 with the federal funding, passed through funding  
15 that have provided -- we have had tremendous  
16 success, particularly in redeveloping, physically  
17 redeveloping neighborhoods, and one that has been  
18 the subject of a Time Magazine article and numerous  
19 other articles. In fact, Mr. Otis Pitt, who  
20 headed that for some ten years was named by Mr.  
21 Sesinaro's -- Secretary Sesinaro's deputy assistant  
22 secretary as a special project officer here for the  
23 hurricane, and recently is known with the private  
24 sector. But he single-handedly and with a lot of  
25 support has been recognized as one of the so-called

1 geniuses of the McArthur Foundation for his efforts  
2 in redeveloping the area. The interesting thing is  
3 right across the street. Nothing happened.  
4 Nothing happened. And it shows the continuing  
5 need, particularly with the well-established  
6 probable banks red-lining in activities in the  
7 marketplace that discriminate against, or clearly  
8 did not provide the opportunity for the  
9 redevelopment of these neighborhoods.

10 COMMISSIONER FLETCHER: If an emphasis was  
11 put on more business development, could there be an  
12 engine for creating jobs?

13 COMMISSIONER TEELE: I have a mixed view  
14 about that. I think they can be. Absolutely. But  
15 I think there is an absolute lack of training of  
16 C.D.C. professionals in business development. If  
17 you look at the -- and I don't want to be sweeping  
18 and make generalization. But my experience has  
19 been, a large number of the persons that have been  
20 associated with C.D.C.'s came in the eighties, were  
21 previously involved with model cities, were  
22 previously involved in other programs, and as these  
23 development programs change, creating a job,  
24 business, while it's very much similar, it's  
25 totally different from redeveloping a

1 neighborhood. And that's why I think we have had  
2 so much success in housing, in neighborhood  
3 redevelopment, but really we have had very limited  
4 success with our C.D.C.'s. But with business  
5 success -- but I do not think that is a structural  
6 problem. I think businesses, and particularly in  
7 the minority communities, succeed where there is a  
8 history and a tradition.

9           When you look at the top one hundred  
10 businesses in America, outside of those in  
11 automobiles, or the French has with the traditional  
12 businesses, in most cases, their fathers or mothers  
13 were in business -- the same way in the rest of  
14 America. And without a business tradition, a  
15 tradition in business, it is very, very difficult,  
16 extremely difficult for people to sort of evolve  
17 into this or learn this. You really need a  
18 tradition, and that's why, in my judgement,  
19 C.D.C.'s don't have that tradition, and the  
20 infrastructure of C.D.C.'s don't have that  
21 tradition. That's not at all to say that an  
22 entrepreneur isn't born every day, or created every  
23 day, but the fact of the matter is, most of them  
24 are going to a C.D.C.

25           COMMISSIONER FLETCHER: Thank you.

1 CHAIRPERSON BERRY: All right. Vice Chair.

2 COMMISSIONER REYNOSO: I want to follow-up  
3 on the discussion pertaining to bilingual employees  
4 with the county.

5 In California, many cities of the counties  
6 have identified two types of public employees.  
7 One, an employee where the utilization of another  
8 language is very important, and sometimes when a  
9 person qualifies as such an employee, they may  
10 even, in some cities or counties, get extra pay,  
11 for example, policemen. It's good to have  
12 policemen that speak many different languages, but  
13 I am not sure that they said that we need so many  
14 policemen that speak French, or German, or  
15 Spanish. But as I understand it, the police who do  
16 speak another language can qualify as a policeman  
17 that speaks a second language, and sometimes in  
18 some cities or counties, they will even be entitled  
19 to more pay.

20 The second type is a public employee that  
21 needs to speak another language. You were speaking  
22 of the hospital, and it may be a receptionist at  
23 the emergency hospital, if in that community 60  
24 percent of those who come are Spanish speaking,  
25 many of them monolingual Spanish speaking, there

1 might be a job requirement that the person speak  
2 both languages. From your testimony, I took it  
3 that you haven't found it necessary to identify  
4 those types of needs in the county, because you  
5 have a great many employees that speak many  
6 languages, and I just wanted clarification on that,  
7 if you don't mind.

8           COMMISSIONER TEELE: I think my testimony  
9 is as you understood it. Those cities that would  
10 have the need to pay someone would be operating  
11 based upon a marketplace principle, where there is  
12 a shortage and you pay people. There is no such  
13 marketplace shortage here. And, secondly, our  
14 community, as diverse as it has become, there would  
15 be absolutely no reason to go out and create those  
16 job descriptions that way. Obviously, in  
17 promotions, or in filling of unique job slots,  
18 there may be a subjective bias that is there, such  
19 as an emergency operator on 911. We couldn't get  
20 away with not having them French and Creole  
21 speaking. But, generally, those types of skills  
22 are handled just through the marketplace, and the  
23 pool of applicants being so diverse that you don't  
24 have to identify that.

25           I will check with the public health trust,

1 as well as the police and fire to determine that we  
2 don't and will amend my testimony in writing if we  
3 do. But generally the experience in the testimony  
4 that we have received is that the diversity of the  
5 marketplace and the pool of applicants, or the pool  
6 of employees is so great that there is not a need.

7           Again, I don't want to mislead you and say  
8 that we are addressing the marketplace needs or the  
9 service needs of our community fully inadequately.  
10 I continue to believe in the visitor industry, as  
11 I've stated, regarding the Portuguese, and in the  
12 emergency services. I think there is also -- I  
13 don't have any data to support a shortage of  
14 Haitian and Creole speaking just based upon the  
15 pole that we did for Haitian and Creole speaking  
16 persons to respond to the Assistant Secretary of  
17 State for security that was doing that. But,  
18 again, the City of Miami, which has a totally  
19 different population mix would probably be able to  
20 address most of those shortfalls.

21           CHAIRPERSON BERRY: All right. She has to  
22 change the paper. We will wait.

23           Mr. Soto.

24           MR. SOTO: Yes. I was going to follow-up  
25 with the statement of Chairman Teele. The only

1 place where we had that problem was in the City of  
2 Miami Beach. Around five years ago, or three years  
3 ago, the City of Miami Beach was already sixty  
4 percent Hispanic, or close to sixty percent  
5 Hispanic, and less than fifteen percent of the  
6 members of the police department were Hispanic.  
7 What happened is that every Hispanic officer would  
8 be called three times as much as the rest of the  
9 police department, so the Hispanic officers came to  
10 visit with me, and they told me that they wanted to  
11 be paid an extra salary because, you know,  
12 rightfully, they were working three times as much  
13 as the other people. So I was able to convince  
14 them to forget -- and I don't know if I was -- if I  
15 really convinced them, but they accepted it -- that  
16 it would be disservice to the Hispanic community to  
17 try to create that problem within Dade County. So  
18 nobody gets extra pay here, get an extra payment  
19 for the fact that they have to work twice or three  
20 times as much because they were bilingual.

21 CHAIRPERSON BERRY: And that is fair,  
22 right?

23 MR. SOTO: Well, yeah. By the way, Madam  
24 Chair, I don't want to say that -- when you hear  
25 people saying that the Hispanic population likes to



1 speak Spanish, I think that is a matter of  
2 education and courtesy. I do not use the Spanish  
3 language when I am talking to somebody who is next  
4 to me and who would not understand it.

5 CHAIRPERSON BERRY: No, no, Mr. Soto. I  
6 meant, is it fair to have people just because they  
7 happen to be bilingual --

8 MR. SOTO: Yeah.

9 CHAIRPERSON BERRY: -- have to provide  
10 services to other people for nothing as an  
11 overload, so that you can then say that we don't  
12 have to spend any money on this because we will  
13 just get Joe, who speaks the language and as part  
14 of the other work he does -- it's like being an  
15 African-American professor at a university,  
16 where in addition to doing research, and writing,  
17 and going to class, and going to meetings, you have  
18 to give extra services to the African-American  
19 community because you are there, and because they  
20 are needed and I was only -- it was only partly  
21 tongue in cheek, so I didn't mean that people  
22 shouldn't speak the --

23 MR. SOTO: I just want to say that the  
24 majority of the people I think would do exactly as  
25 I do.

1 CHAIRPERSON BERRY: I understand.

2 MR. SOTO: For example, my three-year-old  
3 granddaughter, if you talk to her, she is going to  
4 answer to you half of the time in English and half  
5 of the time in Spanish.

6 CHAIRPERSON BERRY: Sure.

7 MR. SOTO: Because whether we want it or  
8 not, she is going to learn English. She is going  
9 to be watching TV, she is going to go to school.  
10 Even if she participates in a bilingual educational  
11 program, her language is going to be English. And  
12 my children, the lawyers and the non-lawyers, they  
13 speak English perfect, and their Spanish -- you  
14 know, it has some things that are kind of weak, but  
15 that is part of the system.

16 CHAIRPERSON BERRY: Understood.

17 Understood. We want to thank the panel very much  
18 for being here with us today, and you are not  
19 excused, and someone from staff will escort you  
20 through the sign-out procedures, and we appreciate  
21 your being here with us.

22 For the commissioner then, we can have a  
23 seven-minute break before we begin with the next  
24 panel.

25 (Thereupon, a brief recess was had.)

1 CHAIRPERSON BERRY: Okay. We are ready to  
2 reconvene the hearing. This is The Impact of  
3 Language Education on Racial and Ethnic Tensions in  
4 Miami. If someone could turn off their  
5 cell-phone. And, counsel, would you please call  
6 the witnesses, who are already up?

7 Could the witnesses please -- I will do  
8 it. Could the witnesses please stand so that I may  
9 swear you in?

10 (Thereupon, Eduardo J. Padron,  
11 Daniel Bradfield, Edwina Hoffman  
12 and Liza McFadden were duly sworn.)

13 CHAIRPERSON BERRY: Please be seated.  
14 Thank you.

15 Our first witness is Dr. Eduardo Padron,  
16 who is, of course, the chief and academic officer  
17 of the Wolfson Campus in Downtown Miami, and he has  
18 about -- How many students? This number doesn't  
19 seem right.

20 DR. PADRON: We enrolled, totally head  
21 count, about twenty-four thousand students.

22 CHAIRPERSON BERRY: That's what I figured,  
23 about twenty-four thousand students, right. About  
24 fifty-eight percent Hispanic and twenty percent  
25 African-American; is that --

1 DR. PADRON: That is correct.

2 CHAIRPERSON BERRY: And he is a wonderful  
3 leading educator here in the States and in the  
4 nation, among other things. And, counsel, I think  
5 you have had some authentication, did you not?

6 MS. MOORE: Yes.

7 CHAIRPERSON BERRY: Do you want to proceed  
8 with those?

9 MS. MOORE: Yes. Dr. Padron, in connection  
10 with your appearance here, you were served with a  
11 subpoena duces tecum. Have you brought with you  
12 today the document responsive to that subpoena?

13 DR. PADRON: Yes, ma'am, I have.

14 MS. MOORE: Madam Chair, if you would  
15 except those documents and have them marked as  
16 Exhibit Nine for the record.

17 CHAIRPERSON BERRY: The documents submitted  
18 by Dr. Padron will be admitted into the record and  
19 marked as Exhibit Nine, as requested by counsel.

20 (Thereupon, Miami-Dade  
21 Community College Exhibit No. 9  
22 was marked for identification and  
23 was admitted into the record.)

24 CHAIRPERSON BERRY: Are there any other  
25 documentations?

1 MS. MOORE: Yes, Madam Chair. Dr. Hoffman,  
2 Edwina Hoffman.

3 CHAIRPERSON BERRY: Dr. Hoffman, yes. Go  
4 right ahead, counsel.

5 MS. MOORE: Dr. Hoffman, would you like to  
6 state your name and position for the record,  
7 please?

8 DR. HOFFMAN: Edwina Hoffman, Educational  
9 Specialist with the Dade County Public Schools.

10 MS. MOORE: Now, in addition, you were also  
11 served with a subpoena duces tecum in connection  
12 with your appearance here. Have you brought  
13 documents responsive to that subpoena here with you  
14 today?

15 DR. HOFFMAN: Yes, I have.

16 MS. MOORE: Madam Chair, if you would,  
17 please accept the exhibits and have them marked as  
18 Exhibit 10.

19 CHAIRPERSON BERRY: The documents submitted  
20 by Dr. Hoffman will be accepted into the record and  
21 marked as Exhibit 10, as requested by counsel.

22 (Thereupon, Dade County  
23 Public Schools Exhibit No. 10 was  
24 marked for identification and was  
25 admitted into the record.)

1 MS. MOORE: I believe that concludes the  
2 document request for this panel.

3 CHAIRPERSON BERRY: That is the document  
4 request. We will give an opportunity to the  
5 witnesses to make an opening statement if they  
6 should choose to do so. And first on the list, we  
7 would invite you, Dr. Padron, to make an opening  
8 statement.

9 DR. PADRON: Madam Chair, thank you so much  
10 for the opportunity. My statement is included in  
11 the documents that I have submitted, and in all  
12 honesty, I would rather allow as much time as  
13 possible for questions than to present a statement  
14 at this point.

15 CHAIRPERSON BERRY: All right. Thank you  
16 very much. Then next on the list, in the order of  
17 how we have set this up, is Mr. Daniel Bradfield,  
18 who is the Director of Political Field Operations  
19 of U.S. English. U.S. English was founded in 1983  
20 as a nonpartisan, nonprofit citizens group by  
21 Senator S.I. Hayakawa of California and has a  
22 nationwide membership of 630,000. Why don't we say  
23 in excess of 630,000?

24 MR. BRADFIELD: Surely.

25 CHAIRPERSON BERRY: Florida membership is

1 around forty-three thousand, more or less, or  
2 forty-six.

3 MR. BRADFIELD: Forty-six thousand as of  
4 last Friday.

5 CHAIRPERSON BERRY: Forty-six thousand  
6 strong. And Mr. Bradfield, we welcome you to the  
7 hearing and invite you to make an opening  
8 statement, if you would wish.

9 MR. BRADFIELD: Thank you, Dr. Berry.  
10 Actually my statement is also included in the  
11 record of the documents I put forward, and I would  
12 be happy to forego that, if that makes everybody  
13 happy.

14 CHAIRPERSON BERRY: No. I would like to  
15 hear it, if you don't mind.

16 MR. BRADFIELD: I would be happy to.

17 Dr. Berry and distinguished Members of the  
18 Commission, on behalf of the 640,000 nationwide  
19 members of U.S. English, I want to thank you for  
20 this opportunity to participate in this discussion  
21 on racial and ethnic tensions in American  
22 communities. Additionally, let me extend my  
23 apologies from our chairman of the board for his  
24 absence, but unfortunately, due to prior  
25 commitments overseas, he is unable to be with us.

1 U.S. English is a nonprofit, nonpartisan  
2 citizens action group, serving as a national center  
3 for consultation and cooperation on ways to promote  
4 and implement official English legislation at all  
5 levels of government. Founded by the late Senator  
6 S.I. Hayakawa, in 1983, U.S. English has two  
7 primary objectives: One, to make English the  
8 official language of government at the federal,  
9 state, and local levels. And, two, to guarantee  
10 all people of the United States the opportunity to  
11 learn English.

12 Some of you might be asking yourselves why  
13 such a movement or such legislation is needed.  
14 Allow me to provide an answer.

15 Language is a very powerful factor in human  
16 society. Just as it has the power to unite, it has  
17 the power to divide. The job of government, at all  
18 levels, is to foster and advance the common good.  
19 The one absolutely certain way of bringing a nation  
20 or state to ruin, or preventing all possibility of  
21 its continuing to grow, would be to permit it to  
22 become a tangle of squabbling nationalities. A  
23 state with an official policy of advancing our  
24 common language, English, is preferable to a state  
25 divided by linguistic factions.



1 Government should operate and conduct its  
2 formal business in the English language.  
3 Government by consent is only achieved by the  
4 sharing of ideas, debate, discourse and discussion.  
5 Such interaction is facilitated by a common  
6 language. A common language allows persons,  
7 regardless of their individual native language, to  
8 participate on an equal basis with all others in  
9 society. Particularly, over the long term a  
10 common language is imperative to sustaining a  
11 unified yet diverse society. It is impractical,  
12 divisive and costly for government business to be  
13 conducted in more than one language. It is much  
14 more reasonable to agree to a broad principle, that  
15 government will function primarily in English and  
16 then recognize any need for exceptions, like in  
17 some cases for non-English-speaking students in the  
18 public schools, and the dispensing of emergency and  
19 safety services.

20 We can all agree that there are language  
21 barriers that must be overcome by non-English  
22 speakers, and that during the transition period  
23 from non-English proficient to English proficiency  
24 that the government must be there to offer certain  
25 services in languages other than English. However,

1 this must be done very carefully, as the government  
2 must not create additional language barriers.

3 Government mandated multilingualism simply  
4 does not work. While such policies might be  
5 designed to be inclusive, in reality they are  
6 separatist in nature. They create two neighboring  
7 separate but equal cultures and tear at the fabric  
8 of society. America can be compared to a band or  
9 orchestra, where each instrument contributes  
10 something distinct to enhance the whole. Yet they  
11 are tuned together. The goal of a common language  
12 is unity, which is essential and beneficial -- not  
13 uniformity, which is detrimental.

14 It is U.S. English's goal to have every  
15 government body in America to address this issue in  
16 a proactive, rational, and fair manner. More than  
17 any other form of government, democracies require  
18 interaction between the people and the governing  
19 bodies, constant interaction that provides a  
20 barometer for the governing to use in determining  
21 the impact of their decisions upon the governed. A  
22 shared method of communication, a common language,  
23 is the essential for this dynamic.

24 Make no mistake, I am not suggesting that  
25 individuals give up their native language or

1 culture. I am talking solely about the government.  
2 The government must formulate a policy on this  
3 critical issue and avert the social strife that is  
4 increasing as a result of the escalating  
5 anti-immigrant sentiment sweeping the country.

6 Further, the government must make an  
7 affirmative obligation to promote and teach the  
8 English language to its limited-English proficient  
9 citizens. U.S. English has a very pragmatic stance  
10 on the issue of bilingual education. Those  
11 programs that demonstrably help the student learn  
12 English should be duplicated. Those that do not,  
13 should be eliminated. Further, there should be no  
14 mandate in federal law for bilingual instruction.  
15 To be avoided are those programs that lead to  
16 language apartheid or a sort of de facto  
17 segregation of students with limited English  
18 proficiency, as such that programs have been proven  
19 to delay students joining the American mainstream.  
20 U.S. English does favor special assistance to  
21 children with limited English proficiency; however,  
22 assistance should be short-term and transitional,  
23 serving as a bridge to English proficiency. The  
24 choice of a teaching method should be left up to  
25 the local school system.

1           Let me reiterate that we are advocating a  
2 rule of reason. The legislation we support is  
3 purposely directed at the government and not to the  
4 private citizen. To codify an official language  
5 policy would not, threaten the venerable American  
6 tradition of multi-culturalism. Ironically, only a  
7 common tongue can preserve that tradition. Only a  
8 common language can bind together a nation or state  
9 comprised of so many language groups.

10           Clearly, proficiency in English is  
11 essential to education, professional and social  
12 opportunities for America's immigrants. It is,  
13 therefore, vital that we put to an end the  
14 shortsighted, government sponsored programs which  
15 discourage proficiency in English and which  
16 tragically serve to keep many of our nation's  
17 linguistic minorities on the fringe of America's  
18 English speaking mainstream. Such policies, U.S.  
19 English believes, only serve to contribute to the  
20 racial and ethnic tensions currently plaguing our  
21 communities. We must stop focusing on our  
22 differences, and to begin focusing our attention on  
23 our commonalities.

24           In closing, I would like to once again  
25 thank you, Dr. Berry, and your distinguished

1 colleagues on the commission. Thank you.

2 CHAIRPERSON BERRY: Thank you very much.

3 Dr. Hoffman, would you care to make any opening  
4 remark?

5 DR. HOFFMAN: Yes, I would.

6 CHAIRPERSON BERRY: Please proceed.

7 DR. HOFFMAN: Thank you for the  
8 opportunity. The Office of Applied Technology,  
9 Adult, Career, and Community Education provides  
10 second-language instruction under its vocational,  
11 career, community and adult education programs.  
12 With a total of 189,631 adults enrolled in OATACCE  
13 programs, in '94-'95, Dade County Public Schools is  
14 a significant educational agent in the South  
15 Florida community. Of the 189,631 adults served  
16 during '94-'95, 121,577 of these students were  
17 foreign-born.

18 CHAIRPERSON BERRY: How many?

19 DR. HOFFMAN: 121,577. That's nearly  
20 two-thirds of the figure. Hence, approximately  
21 two-thirds of the all adult education students  
22 served by DCPS were born overseas. This makes  
23 OATACCE a major agent in immigrant education. It  
24 provides mediation or transition of foreign-born  
25 residents in the Miami area into the culture and

1 language of the United States. Currently, the  
2 news, just a night or two ago, mentioned 1,500  
3 Cubans, primarily adult males, will be entering the  
4 community from Guantanamo each week. It's been  
5 over the last month that we have had this enormous  
6 increase in our figures for the OATACCE programs.

7           Of the 189,631 adults served during '94  
8 and '95, fully 70,149 persons enrolled in English  
9 for Speakers of Other Languages. This is an  
10 unduplicated count. Under the auspices of OATACCE,  
11 the adult general education program for DCPS offers  
12 an open entry/open exit, equal access program.  
13 Limited English proficient learners enroll in Dade  
14 County adult general education or vocational  
15 programs. Guidance staff are available to counsel  
16 learners before and after they enter. Bilingual  
17 counselors are available to advise Limited English  
18 Proficient Students. Principals, assistant  
19 principals, and guidance staff are reminded  
20 periodically through district-level memos and  
21 district-wide meetings of federal and state  
22 statutes which assure all learners equal access to  
23 Dade County Public School programs. District and  
24 local school staffs examine program entrance  
25 requirements to assure that requirements comply

6  
1 with federal and state statutes including those  
2 specifically outlined in the LULAC et al. versus  
3 State Board of Education Consent Decree. This is  
4 locally known as the META (phonetic) Consent  
5 Decree, and that's how most people recognize it.

6 CHAIRPERSON BERRY: What is it?

7 DR. HOFFMAN: The META Consent Decree --

8 CHAIRPERSON BERRY: Yes.

9 DR. HOFFMAN: -- it's frequently known as  
10 that locally.

11 Training is provided to adult full-time and  
12 part-time ESOL teachers through the Adult ESOL  
13 Guide and Instructional Syllabus, AEGIS was  
14 developed to provide adult and vocational centers  
15 with ESOL training materials and to support  
16 training teachers at school sites on key topics  
17 related to adult English Speakers of Other  
18 Languages instruction.

19 The Dade County Adult Assessment System for  
20 ESOL was created to provide Limited English  
21 Proficient adult learners throughout the county  
22 with competency-based life skills program. A  
23 comprehensive ESOL guide, complete with lesson  
24 suggestions for meeting each of the seven  
25 ESOL-level objectives, is provided. Materials are

1 reviewed by district staff and the DCAASE council  
2 and recommendations are submitted in support of the  
3 DCAASE curricula.

4 The DCASSE council was created in 1987 with  
5 representatives from each of the adult centers  
6 providing ESOL instruction to LEP adult learners.  
7 The council planned and implemented the DCAASE  
8 basic life skills ESOL curriculum guide. The  
9 council meets monthly to address issues related to  
10 serving adult Limited English Proficient learners.  
11 And I will editorialize that in a previous life I  
12 was a teacher-trainer throughout the Southeastern  
13 part of the United States, and I know of no other  
14 district that has a council similar to this  
15 functioning.

16 The collaboration between the DCAASE council  
17 representatives from each of the adult centers and  
18 the district office enhances effective instruction  
19 to Limited English Proficient adult learners in  
20 Dade County Public Schools.

21 During the '94-'95 school year, OATACCE  
22 provided foreign language instruction in four  
23 languages. A total of 3,337 students enrolled in  
24 these foreign language classes provided by OATACCE.  
25 A breakdown is provided among the data I submitted



1 earlier. If numbers enrolled are used as a  
2 criteria for popularity, the most popular foreign  
3 language study is Spanish. Haitian-Creole is  
4 offered under the state French code. However,  
5 student interest has not been as high in foreign  
6 languages as it has been in ESOL. If you notice  
7 the comparison, 3,337 versus 70,000 for ESOL.

8 Enrollees in OATACCE programs who score  
9 below 8.9 grade level on the Test of Adult Basic  
10 Education pay no fees for their basic education and  
11 general education classes. However, fees can be  
12 waived for economically-disadvantaged citizens to  
13 take Spanish or Haitian-Creole.

14 The OATACCE offices have reviewed  
15 eligibility and entry criteria for vocational  
16 courses. Programs using language proficiency as  
17 an entry standard have been required to change.  
18 Level of language proficiency is not a requirement  
19 for admission to any vocational course. The Dade  
20 County Public Schools' director for Equal  
21 Educational Opportunity has worked closely with  
22 OATACCE to assure that any revised eligibility and  
23 entry requirements meet state and national  
24 standards for equal access.

25 Dade County Public School provides also

1 instructional support to Limited English  
2 Proficiency students entering vocational programs  
3 through a Bilingual Vocational Training model and  
4 Vocational English to Speakers of Other Languages,  
5 VESOL models. DCPS has Bilingual Vocational  
6 Instructional Programs in one elementary school,  
7 two middle schools, four high schools, and three  
8 adult centers. Vocational classes are provided in  
9 English, Spanish, and Haitian-Creole. VESOL is  
10 provided through the BVIP program at all these  
11 sites as well. Teacher-training is to implement  
12 BVIP goals and objectives is ongoing.

13 VESOL, Vocational English to Speakers of  
14 Other Languages, bridges regular ESOL studies and  
15 entries into vocational programs. In addition, we  
16 provide VESOL cluster classes related to Health  
17 Occupations, Business Technology Education, and  
18 Industrial Education at our adult technical  
19 educational centers. Cluster VESOL is a curricular  
20 adaptation designed to support successful  
21 performances of LEP learners in vocational  
22 programs. Cluster VESOL curricula address  
23 vocabulary, grammar, study skills, critical  
24 thinking skills, and the culture related to  
25 specific vocational areas.

1           Where BVT and VESOL programs are not  
2 available, vocational staff have been trained to  
3 meet the instructional needs for LEP students. The  
4 OATACCE offices have conducted aggressive training  
5 courses to comply with the consent decree, and  
6 federal and state statute. Vocational teachers  
7 have been trained in ESOL methods. With these ESOL  
8 strategies, vocational teachers mediate vocational  
9 content for Limited English Proficient students.

10           Both vocational and academic teachers are  
11 trained to integrate academic and vocational  
12 objectives for LEP vocational students. A training  
13 manual Strategies for Teaching Academic and  
14 Vocational English Skills developed by Dade County  
15 Public Schools is used in this training. A second  
16 manual and video, Vocational Instructors' Skills  
17 and Activities, VISA, focuses on training  
18 vocational teachers. Emphasis is placed on the  
19 strategies vocational teachers can use with Limited  
20 English Proficient vocational learners.

21           Adult programs for the disabled Limited  
22 English Proficient are available for persons with  
23 all types of disabilities varying from mildly to  
24 profoundly handicapped. Agencies cooperating with  
25 Dade County Public Schools for educational services

1 through affiliated agreements employ bilingual  
2 instructors to deliver services. A manual,  
3 Education for Adult Students with Disabilities,  
4 addresses strategies in Section V, for working with  
5 Limited English Proficient adults. Training based  
6 on the manual is ongoing. A program of ESOL for  
7 Deaf and Hearing Impaired is offered at selected  
8 locations contingent upon need.

9 Dade County Public Schools serves students  
10 from 125 countries. That's a figure from June of  
11 1995. Consequently, multilingual translation of  
12 documents is necessary. In addition, an effort is  
13 made to provide bilingual or multilingual  
14 counselors, registration staff, administrators, and  
15 faculty. And where we cannot afford these people  
16 for financial reasons, we have a wonderful  
17 community which provide volunteers who are  
18 bilingual to help out.

19 Each adult/skills/technical education  
20 center prepares literature on its course offerings.  
21 Information is advertised or mailed out in English,  
22 Spanish, or Haitian-Creole as is appropriate to the  
23 community served. Spanish language and  
24 Haitian-Creole radio and television make the  
25 community aware of adult and vocational programs.

1 Infomacion Escolar is a Spanish language radio  
2 program provided to the Hispanic community. Chita  
3 Tande and Radyo Lekol transmit news and information  
4 in Haitian-Creole related to DCPS. OATACCE courses  
5 are also advertised in local native newspapers.

6 In-service training is offered to  
7 administrators, instructors, and clerical staff on  
8 topics related to serving multi-cultural  
9 populations. Workshop topics have included but are  
10 not limited to cross-cultural issues, vocational  
11 issues, Vocational English to Speakers of Other  
12 Languages, bilingual vocational training,  
13 assessment, record-keeping, materials selection,  
14 ESOL strategies, and second language acquisition.

15 In-service training has provided a critical  
16 support to staff and students experiencing rapid  
17 demographic changes in this community. OATACCE has  
18 accessed state in-service resources, such as the  
19 Institute for Citizenship Education at Miami-Dade  
20 Community College North, ACE of Florida, the  
21 state-funded Teacher Education Center and the  
22 Management Academy.

23 OATACCE has responsibility of monitoring  
24 and assuring compliance with all statutes related  
25 to access of Limited English Proficient students to

1 OATACCE programs.

2 The district plan that is submitted to the  
3 State Department of Education for Florida and meets  
4 these rigid guidelines for equal access was begun  
5 under LULAC et al. versus the State of Florida  
6 Consent Decree. The adult education program is  
7 governed by State Board rules which are governed by  
8 federal statute. Local Board rules also provide  
9 additional authority for adult education  
10 programming.

11 Of concern to the district is funding for  
12 existing and future programs. As a result of  
13 Hurricane Andrew, the adult student population  
14 dropped significantly the year after the hurricane.  
15 The Legislature distributed funds that year  
16 earmarked for OATACCE around the state, and these  
17 funds have not been restored as a result of caps  
18 that were set in '91-'92. Since the '91-'92 school  
19 year, OATACCE has experienced a growth of 3,247  
20 full-time equivalent students, which are unfunded,  
21 or we serve without any cost reimbursement.  
22 Immigration, including the Guantanamo Cubans,  
23 account for much of the growth recently. Lack of  
24 state and federal support has hindered delivery of  
25 optimal language services to OATACCE's clients.

1 The Rescission Act, coupled with block grants, are  
2 a serious concern with reference to OATACCE's  
3 ability to meet the current and future needs of  
4 Limited English Proficient adult students in the  
5 community.

6 What should be evident by this point,  
7 however, is that the Office of Applied Technology,  
8 Adult, Career, and Community Education in the Dade  
9 County Public Schools has been a major factor in  
10 mediating the tensions and stress created by the  
11 interaction of an increasingly multiracial,  
12 multi-ethnic, multilingual, diverse local  
13 population.

14 CHAIRPERSON BERRY: Thank you very much,  
15 Dr. Hoffman.

16 Ms. Lisa McFadden is from the State  
17 Education Department. Dr. Hoffman is from the Dade  
18 County Education Department. And Ms. McFadden is  
19 the Program Director of the Adult and Community  
20 Education Program, at the Florida State Department  
21 of Education.

22 Welcome. Would you like to make an opening  
23 statement?

24 MS. MCFADDEN: I would like to start by  
25 telling you about our program. Adult Education in

1 Florida offers adult basic education, English as a  
2 second language, adult secondary education,  
3 including G.E.D, and adult high school programs.  
4 These programs are offered through school  
5 districts, community colleges, and community-based  
6 organizations.

7           Also, I would like to tell you about our  
8 students. Our student characteristic profile: 64  
9 to 70 percent unemployed, 29 percent married, 31  
10 percent parents, and 9 percent -- and this is  
11 self-reported -- are in H.R.S. programs.

12           The need for emphasis on literacy skills  
13 for adults in various racial and ethnic groups are  
14 high-lighted in the findings of the National Adult  
15 Literacy Survey. The survey found that while White  
16 students were less likely than African-Americans or  
17 Hispanic adults to demonstrate Limited English  
18 Proficiency, the study found that only 12 to 14  
19 percent of White respondents were likely to perform  
20 in the lowest literacy level, 48 to 53 percent of  
21 African-Americans performed in the lowest level and  
22 45 to 48 percent of Latino adults performed in  
23 Level I.

24           Florida's Adult Education program offers  
25 service to the minority community on a large scale.



1 The United States Department of Education reported  
2 that Florida served the greatest number of  
3 participants, who were Black and not of Hispanic  
4 origin, as well as those of white, in 1993. And  
5 yet for Florida, the minority is the majority --  
6 37 of our students are White, 31 Hispanic, 29  
7 percent Black, 2.7 Asian-Pacific, and .37 other.  
8 In other words, 63 percent of our students are  
9 minority adults. Florida Adult Education program  
10 is a vital part of the training available to assist  
11 adults with Limited English Proficiency skills to  
12 better function in our society. In FY 1994,  
13 121,849 students were roughly twenty-seven of those  
14 that we served through our adult English as a  
15 Second Language program. This is out of a total of  
16 about a half a million-- 448,543 students that were  
17 served. To demonstrate the importance of the  
18 English as a Second Language courses consider the  
19 findings of the results of Florida's program  
20 evaluation. The most important reason noted by  
21 students for being in adult education was, quote,  
22 to earn a high school diploma or GED. Thirty-two  
23 percent, the second most cited reason was, to learn  
24 English. One of the most interesting findings was  
25 that we were one of 14 states to do a state adult

1 literacy survey last year. As we waded to persons  
2 with Limited English Proficiency, of the 37 percent  
3 of the individuals who learned a language other  
4 than English before starting school, said they had  
5 at some time enrolled in a course to learn to read  
6 and write English as a second language.  
7 Demonstrating the impact of our program, adults who  
8 stated they had completed our program, 57 percent  
9 of these respondents scored significantly higher  
10 than those who had not -- approximately seventy  
11 points.

12           According to State Adult Literacy Survey  
13 report, Florida residents that were born in the  
14 United States performed far better on the  
15 assessment on average than foreign-born  
16 individuals. Across the literacy scale is about  
17 half -- 44 to 51 percent of the foreign-born adults  
18 within the State performed in Level I compared to  
19 16 to 19 percent of native-born adults. The report  
20 details that Florida residents born in another  
21 country had completed fewer years of schooling in  
22 this country on average, 11 years, than residents  
23 who were born in the United States-- 12.5 years.  
24 Interestingly, however, Florida's foreign-born  
25 adults have completed significantly more years of

1 schooling, 11 years, than their counterparts in  
2 the South, 9.4 years, and the nation as a whole,  
3 8.7 years. Through its K-12 public schooling adult  
4 education opportunities and an influx of immigrants  
5 with possibly higher literacy skills upon arrival  
6 to the state than to others, Florida is working to  
7 develop a work force that will be better able to  
8 compete in the global economy, which is demanding  
9 higher literacy skills. Additionally, the Bureau  
10 of Adult Community Education works in cooperation  
11 with the Adult Migrant Education Program to reach  
12 migrant adults and offer training and educational  
13 services. For the past two years, the bureau has  
14 been the recipient of a national Migrant Adult  
15 Education Even-Start Grant designed to offer  
16 special education opportunities to migrant families  
17 through family literacy framework.

18 I would also like to address one of the  
19 issues addressed by Dr. Hoffman, and that is that  
20 state levels of funding in Florida for our state  
21 programs is considerably higher than what the  
22 federal levels are. In federal dollars, we receive  
23 approximately 13 million compared to a figure --  
24 and I have to give you something that is a  
25 guesstimate because I'm looking at the upcoming

1 fiscal year -- \$241 million.

2 In closing, I would like to just give you  
3 one statistic that often startles people about  
4 Florida's adult education program. Last year, 29  
5 percent of all diplomas given in Florida were done  
6 through the GED or Adult High School Programs. We  
7 have a huge adult education program. We focus on  
8 English as a Second Language programs. They and  
9 literacy are the fastest growing programs. We are  
10 very proud of those. We also fund community-based  
11 organizations. And if you have questions regarding  
12 those, we have to answer those later.

13 CHAIRPERSON BERRY: Thank you very much,  
14 Ms. McFadden.

15 Counsel, you want to begin the questions  
16 with Dr. Padron, please?

17 MS. MOORE: Yes. Thank you, Madam Chair.

18 CHAIRPERSON BERRY: Just a second. I still  
19 want to make sure. You don't want to make a  
20 statement?

21 DR. PADRON: No. No. No. I am sure.

22 CHAIRPERSON BERRY: Okay. "Muy bien,  
23 gracias," and all of that.

24 MS. MOORE: Well, Dr. Padron, let me draw  
25 from your interview that you had with an officer of

1 General Counsel Staff, and ask you, during that  
2 interview, you discussed a role that language has  
3 played in the economy within the Miami, Dade County  
4 area, both positive and negative effects. Could  
5 you summarize those effects for us, for the  
6 record?

7 DR. PADRON: Well, the point that I was  
8 trying to make is that the issue of language in  
9 Dade County is not an ethnic issue. It's not an  
10 immigrant issue. It's an economic issue. Because  
11 precisely of language, Miami, Dade County has  
12 positioned itself extremely well within the new  
13 global economy that we all seem to be part of. And  
14 I am trying to say, if you look at the economic  
15 structure of this community, if you look at the  
16 economic activity of this community, and compare  
17 that to 25, 30 years ago, it has totally and  
18 drastically changed. Most of the economic activity  
19 in the South Florida area is very much dependent  
20 today on international trade commerce and finance.  
21 That was not the case back in 1960, for example,  
22 where tourism was the main economic activity of the  
23 (inaudible), but it was mostly tourism from up  
24 north, internal tourism as opposed to international  
25 tourism, which is what predominates today in the

1 area. And what I am trying to say is that language  
2 has played a major role in that because of -- every  
3 study, every research that has been conducted has  
4 proved that the facility language for business has  
5 allowed the business communities of South Florida  
6 to become more competitive, vis-a-vis other parts  
7 of the states or southern states and, therefore,  
8 has attracted a lot of the businesses that  
9 otherwise would not be coming into the city, and  
10 it's increasingly becoming so. And the reason why  
11 I said that it has its pros and cons is because,  
12 with that realization, it seems to me that a lot of  
13 citizens in this community realize that just  
14 amongst the economic point of view, becoming  
15 multilingual is a necessity. It's definitely an  
16 economic necessity. People who speak only one  
17 language in this community today are at a true  
18 disadvantage in competing for better jobs. And,  
19 therefore, the schools are doing, I think, a  
20 fantastic job, as well as the colleges and  
21 universities in providing the curriculum that is  
22 training youngsters and adults as well in languages  
23 to be able to have an economic advantage. And so  
24 from my point of view, while language before was an  
25 issue of basic concern for different reasons, today

1 it's more because of an economic reason. / And if  
2 you listen carefully to the previews presented by  
3 Mike or Liza, in terms of the number of people  
4 enrolled in these programs, as well as my own  
5 college, I think it's a tribute to the immigrant  
6 community, in terms of the understanding of a need  
7 to learn English and not just their own native  
8 language, if they really want to be successful and  
9 do well, and figures speak for themselves. So that  
10 is what I meant during my conversation.

11 MS. MOORE: Okay. I want to pursue the  
12 figures at your own college. But, first, may I ask  
13 you if you know of any studies? You just indicated  
14 that there were studies that have been done  
15 specifically in this area. If you know of any of  
16 those studies, would you direct those to us?

17 DR. PADRON: I would be more than happy to  
18 do that. There are some private companies that  
19 have conducted those. Of course the Beacon  
20 (phonetic) Council, as well as the Greater Miami  
21 Chamber of Commerce, and Florida International  
22 University, specifically, have conducted studies  
23 that very much conclude the same thing. And  
24 frankly, if you talk to the leadership of this  
25 community, especially in the corporate community,

1 as well as the civic leadership -- and I can tell  
2 you because I am very much involved at both levels,  
3 both in the corporate community, as well as the  
4 civic leadership, and not just in the Hispanic  
5 community, but I am very much involved with  
6 organizations such as the N.A.A.C.P., in which I am  
7 the vice president, and others, and basically, we  
8 all have the same understanding, that language in  
9 Miami today, in Dade County, is an economic issue  
10 and is one that has position, as well, for the  
11 future.

12 And as a matter of fact, there are a lot of  
13 articles from Time Magazine, News Week, and others,  
14 that basically have made that the central point of  
15 the discussion in these articles, and where many  
16 times have pointed to Miami as "The City of the  
17 Future in America" especially if you consider the  
18 way the world is going and the way economics are  
19 being structured nowadays.

20 COUNSEL MOORE: Right. On your campus, at  
21 the Miami-Dade Community College, can you tell us  
22 about the courses that are provided there in  
23 language instruction, be it English, or Spanish, or  
24 Creole?

25 DR. PADRON: Of course. We teach all kinds



1 of languages, and not just as an academic exercise,  
2 but as a real exercise skill for people who need  
3 it, because we teach -- you name it -- from  
4 Japanese, and Russian, and German, and Portuguese,  
5 and Haitian-Creole, and Spanish courses are very  
6 popular, but our largest enrollment of all these  
7 things, including chemistry, engineering,  
8 accounting -- you name it -- our largest enrollment  
9 is English as a Second Language, because we find  
10 many students who come to us, and we also enroll  
11 students from 123 different countries, and over  
12 seventy-four different languages are spoken on  
13 campus, which makes it a real education, by the  
14 way, and a real challenge. And when you find  
15 that -- many of the students who come to us,  
16 especially recent immigrants, et cetera, you find  
17 that they do not have all the language skills that  
18 are necessary to join the mainstream of academic  
19 life in the college. So once they test, we find it  
20 necessary to put them in different degrees of  
21 E.S.L. teaching, maybe one course or two, maybe two  
22 semesters a year, or maybe even a year and a half,  
23 depending on the degree of needs of the students.  
24 And the fact of the matter is, as well documented,  
25 many of our students who graduate and are completed

1 today as professionals in all fields, and go to the  
2 universities, many of them started in what we call  
3 E.S.L. programs. So there is something to be  
4 learned from that.

5           Also, you find that we have tried different  
6 things. We have a program that is a bilingual  
7 instructional program, which enrolls about four  
8 thousand students, and these programs allow the  
9 students to do their first and second year of  
10 college in a total bilingual mode, in two  
11 languages, and we would like to do it in more than  
12 that, because right now the program is limited to  
13 English and Spanish.

14           But in order to get into that program, you  
15 need to be fluent and have a minimum degree of  
16 fluency in both languages, and you find that  
17 immigrants, as well as native students, take that  
18 program because when they finish, not only do they  
19 have the content knowledge, where their major is in  
20 engineering, or accounting, or psychology, but they  
21 also have a fluency in two languages, especially  
22 technical knowledge, which is very useful for them  
23 as they finish. Because, again -- and this must be  
24 understood very clearly -- in Miami today, if you  
25 are not bilingual or multilingual, you limit

1 severely your chances for getting the best possible  
2 job, and people understand that, and they are  
3 coming to the realization understanding that that  
4 is necessary.

5 COUNSEL MOORE: But it sounds --

6 DR. PADRON: The other thing I want to  
7 mention is that the average age of a student body  
8 is not 18 or 19. People get the idea that our  
9 colleges and universities -- and it's true in the  
10 rest of America -- something very special here --  
11 are the 18- and 19-year-olds right out of high  
12 school. The average age at Miami-Dade Community  
13 College is 29, which tells you that the bulk of our  
14 students are people who realize that they need to  
15 come back to school and get an education at a  
16 skill, or two, whatever. And many times they come  
17 because they want to learn, you know, a language  
18 and they want to do other things to make themselves  
19 more, you know, more sellable.

20 COUNSEL MOORE: Well, it sounds both from  
21 the statistics that you have just cited, as well as  
22 those that Dr. Hoffman referred to in her opening  
23 remarks, if I am hearing it right, that perhaps  
24 Mr. Bradfield, I think those statistics would make  
25 his organization proud to see that so many

1 immigrants are seeking to learn English.

2 But, in this area, isn't the concern for  
3 bilingualism more -- Don't we need more people  
4 learning to speak Spanish? And what is the  
5 statistics there?

6 DR. PADRON: Absolutely. One of the things  
7 that I do, as a volunteer and someone concerned  
8 with the community, is spend a lot of time working  
9 with specifically African-American organizations,  
10 to bring an understanding for the need to encourage  
11 the youngsters that are growing up in this  
12 community to learn Spanish, because that would give  
13 them more skills, and that would make them more  
14 ready, you know, for the market that they are  
15 growing in. And that, I think, is something that  
16 is a reality that people know. The fact of the  
17 matter is that you find a lot of interesting  
18 languages in this area, because people understand  
19 that. That is why it's difficult for me to  
20 understand sometimes the position that is taken by  
21 groups, such as English-only, et cetera, because if  
22 I understand it, their main concern is how  
23 government conducts business, and I am still yet to  
24 go to any government meeting, whether city, county,  
25 or state in this community here, or anyplace, where

6  
1 they are conducted in a language other than  
2 English. We all understand English is the main  
3 language, and that is the language that is used for  
4 the conduct of business here.

5 But as far as the school is concerned, I  
6 think in this community one thing is that we have  
7 more people wanting to learn the languages, and  
8 along with this process, we sometimes -- and I am  
9 sure you would agree -- we have the resources to  
10 provide that kind of an education, and I think that  
11 speaks very well for this community, and I think it  
12 puts us on our way to a greater future.

13 COUNSEL MOORE: I guess I want to follow-up  
14 on that with just one question. The Commission was  
15 here, I guess, in the late -- early eighties and  
16 issued a report on confronting racial isolation in  
17 Miami, and one of the observations that was made in  
18 that report was precisely what you've just  
19 indicated, that particularly for the  
20 African-American community here in the Miami, Dade  
21 County area that increased language instruction in  
22 Spanish was almost a necessity. And I wonder  
23 whether, from that time forward, at your school, if  
24 you've noticed any increases in the  
25 African-American community attempting to learn

1 Spanish, and I guess the final part of this  
2 question, whether you know from your experiences at  
3 Miami-Dade Community College whether employment  
4 opportunities have been enhanced as a result.

5 DR. PADRON: I personally feel that -- yes,  
6 I see that. And I even see -- I have gone to visit  
7 some of the classes, and I see -- and if you  
8 understand the nature of what we call the "Black  
9 Community" instead of African, the Black community  
10 in this area is a real mix also, and there are a  
11 lot of immigrants from the islands, all the  
12 islands, Jamaica -- I could go on and on and on,  
13 and of course Haiti. And you find a lot of these  
14 individuals understanding the realities of the area  
15 and taking advantage of those opportunities. I  
16 find that many -- which is a very pleasant thing --  
17 many of my staff, and especially faculty, who have  
18 come to us, who we have hired, are multilingual  
19 people. And, you know, there is a role model thing  
20 that is going on, which I think is -- gives me  
21 reasons to be very optimistic. And, in fact, if  
22 you look to the future, not just Miami, but this  
23 nation, and this world, you know, it's very easy  
24 for me to see that, in fact, that's a train that is  
25 not going to stop here. That is something that I

1 see developing everywhere. And it is something  
2 that has not been uncommon to many other nations  
3 throughout history. We have just been awakened to  
4 the reality that in this country, you know, the pie  
5 continues to be big, but we are not controlling it,  
6 and that we need to become more competitive and  
7 that language is one of the ways in which we could  
8 become more competitive.

9 COUNSEL MOORE: But, Dr. Padron, if you  
10 have any statistics or data that would indicate the  
11 enrollment at Miami-Dade Community College in the  
12 language courses, both English, as well as Spanish,  
13 we would appreciate receiving that, as well as the  
14 ethnic breakdown.

15 DR. PADRON: You have all those volumes in  
16 all those boxes.

17 COUNSEL MOORE: I see. They are here.

18 DR. PADRON: You made us work, let me tell  
19 you.

20 COUNSEL MOORE: Well, we appreciate you  
21 assisting us.

22 DR. PADRON: We liked to do it by the way.

23 COUNSEL MOORE: That is all I have for Dr.  
24 Padron, Madam Chair.

25 THE COURT: All right. Since Dr. Padron

1 urgently needs to be someplace else, if we could  
2 indulge him for a moment and see if any  
3 Commissioner would like to ask him any questions  
4 specifically, so that if the time passes, and he  
5 has to leave, he can. Could we please try to do  
6 that?

7 DR. PADRON: I would appreciate that.  
8 Sure.

9 CHAIRPERSON BERRY: Commissioner Horner.

10 COMMISSIONER HORNER: Dr. Padron, the  
11 students you receive are students who have  
12 graduated from the Dade County public high school  
13 by and large, or have immigrated to the United  
14 States since becoming adults; is that correct?

15 DR. PADRON: That's correct.

16 COMMISSIONER HORNER: Do you get a  
17 substantial number of students who have graduated  
18 from the Dade County Public School system?

19 DR. PADRON: We enrolled, over the course  
20 of four years after graduation, about seventy-five  
21 percent -- of all the students who have graduated  
22 from Dade County Public Schools, which is a large  
23 number. Probably that is the best record in the  
24 country, in terms of admitting local high school  
25 graduates.



6  
1           COMMISSIONER HORNER:  It's my impression,  
2  although I am not an expert in this, that the  
3  younger in the language studies are more  
4  successful, in terms of mastering the accents, the  
5  colloquial vocabulary, and so on.  Do you find that  
6  you have students who come to the community college  
7  and then realize that they need a foreign language,  
8  but who have not been persuaded or required to take  
9  a foreign language as a high school student?

10           DR. PADRON:  Oh, yes, many of them.

11           COMMISSIONER HORNER:  It strikes me as bad  
12  public policy -- and I hear this all around the  
13  country -- for people to complain that there is  
14  insufficient funding for language study for adults,  
15  or especially young adults, when any student  
16  enrolled in a public high school system, in the  
17  country, expect in rare cases, I imagine have  
18  access to free, fully available, five days a week  
19  language instruction in a foreign language of his  
20  or her choice, presumably sufficient homework  
21  available to, at least, get a good start on  
22  mastering a foreign language.  My question to you  
23  is:  Why don't public policy advocates, of all  
24  kinds on this issue, land on the parents of these  
25  kids and the guidance counselors of these kids in

1 the high schools to get them to require the  
2 children to learn a foreign language? Why don't  
3 they?

4 DR. PADRON: I am very glad you asked that  
5 question, because that was a very controversial  
6 issue in this community a few years back when there  
7 were people who felt that, especially in Miami,  
8 when it comes to Spanish, it should be mandatory  
9 for all students to take Spanish because --

10 COMMISSIONER HORNER: Well, that is a  
11 different --

12 DR. PADRON: I know. But the point I am  
13 trying to get at -- because they felt that, you  
14 know, you are trying to train the students to  
15 prepare them for life in the community, and that  
16 having Spanish was a real asset, economically, et  
17 cetera, et cetera, and that was an extremely  
18 controversial issue. But the point -- and I don't  
19 want to sound simplistic, but that is no different  
20 from anything in our democratic system. You know,  
21 it's very difficult to legislate what parents  
22 should do or want, or what a student should do, or  
23 want in terms of what is best for them for their  
24 education, and the best that we can hope is that,  
25 through leadership, political leadership, as well

1 as civic leadership, you can encourage as many  
2 people as possible to take advantage of these  
3 opportunities.

4 My own case, I came here as a young  
5 teenager, went into the last year of high school.  
6 When I finished high school, I had a very good  
7 background in the academic courses, but I did not  
8 know any English, so in that year in high school,  
9 when I finished, I really did not have the level of  
10 English that was necessary to be successful in  
11 college courses. And I was admitted to -- I am  
12 proud to say that -- and Miami-Dade Community  
13 College was about the only college that would take  
14 me because they had an open-door policy. If  
15 Miami-Dade would not have been there, I would not  
16 have had the opportunity to get a college career.  
17 And, basically, it was a swim or sink kind of  
18 situation for me -- was very difficult, but of  
19 course, the rest is self-evident.

20 And the point is, for me it was a matter  
21 of -- yes, you're right that there are offerings  
22 and there are courses, but it's not necessarily --  
23 and I cannot comment. I am not as qualified as the  
24 people who represent the public school system to  
25 comment on this, but sometimes it's not the way

1 that perhaps you think in terms of students having  
2 availability of the courses to take whatever they  
3 want. In many cases, it's my understanding that  
4 these courses are not really available, and  
5 students would not have that choice. But, again, I  
6 am not the expert on that.

7           If you ask me, isn't that what we should  
8 all be encouraging people to do? Absolutely. I  
9 totally agree with you, and that is in the ideal  
10 world, but we don't live in an ideal world  
11 unfortunately.

12           COMMISSIONER HORNER: One other quick  
13 ideal-world kind of question. I have a close  
14 relative, who was deemed insufficiently intelligent  
15 when a high school student to learn a foreign  
16 language, and subsequently within the next four or  
17 five years after graduating from high school, he  
18 had occasion to be totally immersed in a foreign  
19 language for approximately six weeks, and he  
20 learned it, and was magnificently fluent on a very  
21 sophisticated level in it. It strikes me that  
22 pedagogically there are some people who require an  
23 immersion in order to become proficient, indeed  
24 many people. I am puzzled as to why we string  
25 language education, English language education, out

1 over years and years rather than devoting the first  
2 year of a foreign student's life, or the first four  
3 weeks, or six months, or whatever it takes, to  
4 total immersion on the assumption that the academic  
5 work can be subsequently made up in rather short  
6 order, as we all know it can once that command is  
7 achieved. Is there some reason some people want to  
8 string it out?

9 DR. PADRON: Well, my experience at my  
10 college, which is what I know well, is that  
11 precisely that is the thing. When they come in we  
12 test them. If they don't know the English, they go  
13 into -- I wouldn't call it an immersion program,  
14 because I feel by immersion you spend 24 hours in a  
15 program, and there is no way of funding that. But,  
16 definitely, all the classes that they take are  
17 E.S.L., and they are in that program until they are  
18 able to pass the test that show that they are  
19 proficient in the language to move into the main  
20 courses. So we have that program, and that as I  
21 said, is our largest enrollment program. And they  
22 successfully pass that in the great majority, and  
23 go on as number one. So at least I can say for the  
24 institution that I represent is that we have that  
25 program, and it's not a question of choice. When

1 the students come in, we test them. If they don't  
2 know the language, they are not allowed to go into  
3 the regular courses.

4 COMMISSIONER HORNER: Thank you.

5 CHAIRPERSON BERRY: How long does that  
6 program last?

7 DR. PADRON: It depends. Because the  
8 testing shows -- it's totally structured in levels,  
9 with all the proficiency in both reading and  
10 writing, et cetera. And depending on the test  
11 scores, you may be there for two courses; you may  
12 be there for one semester, two semesters, a year, a  
13 year and a half, depending on where you are.

14 CHAIRPERSON BERRY: Does anyone else care  
15 to ask Dr. Padron a question?

16 In that case, thank you very much.

17 DR. PADRON: Thank you very much. Allow me  
18 to say this, I continue to admire you and respect  
19 your work. You are one of my heroes, or I should  
20 say "sheroes" and I am very happy that you are  
21 here, and the rest of you are here, because you are  
22 dealing with a very important topic for this  
23 community, and for this nation. Thank you for the  
24 opportunity.

25 CHAIRPERSON BERRY: Thank you very much.

1 "Adios."

2 DR. PADRON: "Adios."

3 CHAIRPERSON BERRY: "Hasta luego."

4 Do you want to continue with the questions,  
5 counsel? Mr. Bradfield is next.

6 MS. MOORE: Mr. Bradfield, I would like to  
7 first get your reaction to the testimony that you  
8 have heard today. I realize that U.S. English is a  
9 national organization, and I would like to know if  
10 you have any reaction to what has been taking place  
11 in the Florida, in the Miami, Dade County area,  
12 given its high immigrant population.

13 MR. BRADFIELD: Sure. Firstly -- actually,  
14 before I get started, you were referring -- there  
15 is actually two studies that were done by National  
16 Council of State Legislatures. I don't know if you  
17 have seen them or not. These are the only copies,  
18 actually, that I have.

19 MS. MOORE: We have a Xerox machine  
20 available.

21 MR. BRADFIELD: It discusses the economics.

22 CHAIRPERSON BERRY: Could someone from the  
23 staff take these and Xerox them, and give them back  
24 to --

25 MR. BRADFIELD: There is very little

1 actually that I've heard here that I disagree  
2 with. As you may or may not know, we didn't really  
3 discuss and interview in specific details, but U.S.  
4 English is really two different organizations.  
5 There is 501C3 and there is a 501C4, and there is a  
6 foundation. The U.S. Foundation is very similar,  
7 or supports very much what these two ladies have  
8 spoken about, and I am sure a lot of the programs,  
9 in which the doctor had spoke of as well. It  
10 varies in manners and forms.

11 The foundation has a volunteer  
12 clearinghouse database of literacy programs  
13 throughout the country. There are 3,400 in it  
14 currently that I know we recommend, so that such as  
15 when a Walter Hanenburg Foundation, or a Ford  
16 Foundation or some other foundation, is looking for  
17 literacy programs to make grants to, as well as to  
18 make direct grants, this database is something for  
19 them to utilize and we make recommendations based  
20 on the efficiency of specific program.

21 In Florida there are 56. I believe in  
22 Miami there are currently four, and I am not sure  
23 if that university is included in the database or  
24 not.

25 Specifically, I would have to agree that I



1 believe that Dade County, specifically from the  
2 knowledge that I have, that there is very much in  
3 economic tie to the language question that the  
4 common language -- it's interesting that I am on  
5 this panel and not the panel previous, because that  
6 is actually more of where I come from, or at least  
7 what I do on a daily basis. There are educational  
8 experts on our staff who would probably be more up  
9 to date on the issues of, particularly, language  
10 education.

11 CHAIRPERSON BERRY: You can talk about what  
12 was on the last panel, too, if you'd like that.

13 MR. BRADFIELD: There is -- specifically  
14 our efforts are solely to public policy of  
15 government, from government, and of services of  
16 government. Very specifically, there are also  
17 exemptions in which we clearly note emergency,  
18 public health, foreign language instruction, E.S.L.  
19 instruction, international trade and commerce. We  
20 certainly understand that.

21 Additionally, we also, as an organization,  
22 certainly acknowledge the fact that any individual  
23 who is bilingual, multilingual, that is a talent  
24 and that is only a benefit to them as an  
25 individual, and to their community as a whole.

1 MS. MOORE: Do you support government  
2 expenditures for that purpose?

3 MR. BRADFIELD: For which expenditures? I  
4 mean, this gets very, very specific.

5 MS. MOORE: As I have interpreted the  
6 testimony from this panel, and as I have heard  
7 others, certainly not all, but others earlier  
8 today, it is agreed, or at least there is a  
9 sentiment in Dade County, Miami area, that  
10 bilingual education is something that is needed.  
11 And I am asking whether U.S. English supports  
12 governmental expenditure for the purposes of  
13 providing bilingual education.

14 MR. BRADFIELD: As I stated in my opening  
15 remarks, yes. The question (sic) to that is yes.  
16 Most, specifically, in specific teaching methods,  
17 E.S.L. is one of those. E.S.L. tends to work.  
18 Long-term -- the traditional long-term native-based  
19 instruction, we believe, does not work. There are  
20 studies, most recent studies, for instance, just a  
21 couple of months ago, the City of New York, Board  
22 of Education Study that was released, very much  
23 shows that students who are spending eight, six,  
24 eight, ten, twelve years in school are coming out  
25 illiterate -- Pure and simple.

1 MS. MOORE: Let me be more specific with my  
2 question. Does U.S. English support bilingual  
3 education in languages other than English? And,  
4 for example, in Dade County, would it support  
5 governmental expenditures to provide Spanish  
6 instruction?

7 MR. BRADFIELD: Certainly. That is  
8 bilingual education if it's taught as English as a  
9 Second Language. Again, it depends on a specific  
10 method. E.S.L. is a teaching method of bilingual  
11 education.

12 MS. MOORE: Okay. Let me --

13 MR. BRADFIELD: Is that not your  
14 understanding of it?

15 MS. MOORE: Let me ask you this, in your  
16 interview, you indicated that U.S. English did not  
17 support bilingual education programs that taught  
18 core subjects in their native language.

19 MR. BRADFIELD: Native-based instruction is  
20 another teaching method of which we do not support.

21 MS. MOORE: Can you explain your position  
22 on that? Why does U.S. English not support it?

23 MR. BRADFIELD: It doesn't work.

24 MS. MOORE: Okay. And why doesn't it work?  
25 You would support the more emerging-based programs

1 that --

2 MR. BRADFIELD: Two, three years, four  
3 years maximum --

4 CHAIRPERSON BERRY: Could we ask the  
5 witness to explain? I hear a Commissioner muffling  
6 about what the difference is. So could you tell us  
7 what you perceive to be the difference between the  
8 native-based and E.S.L.?

9 MR. BRADFIELD: Traditionally, E.S.L. is a  
10 fairly short-term emerging, quick emerging program,  
11 English as a Second Language. Native-base  
12 traditionally is a long-term -- in most  
13 circumstances the student is six out of seven  
14 classes in their native-base home, and over a  
15 period of time, that is switched to two courses  
16 a day, possibly three, rarely more than three  
17 hours -- seven courses over a long period, six,  
18 eight, ten years. You also start by, quite  
19 frankly -- Under those six circumstances, you also  
20 start getting into problems, bureaucratic type of  
21 nightmare situations, and I will be fairly  
22 specific. Under federal guidelines and under many  
23 state guidelines, there would have to be required  
24 class sizes, and individuals are put into these  
25 programs specifically in order to maintain those

1 class sizes. Otherwise those classes go.

2 We don't believe that that's right, and we  
3 most specifically also believe that is a parent's  
4 choice to determine where that child is placed,  
5 whether it be in a native -- some school systems  
6 don't have several different -- most of them only  
7 have, at most, one or two different teaching  
8 methods.

9 MS. MOORE: If you would just sum up,  
10 again, your support for E.S.L. as opposed to  
11 bilingual education through the native method is  
12 due to --

13 MR. BRADFIELD: It works. It's quick.  
14 It's fast. It's effective.

15 MS. MOORE: Let me ask you this,  
16 Mr. Bradfield, I understand that U.S. English  
17 supports HR 123, which is known as the Language of  
18 Government Act of 1995. It's one of the federal  
19 bills currently pending in Congress, one of four, I  
20 think. There is one in the House.

21 MR. BRADFIELD: Right.

22 MS. MOORE: I am sorry. Now --

23 MR. BRADFIELD: Which is the companion bill  
24 to 123. It's our companion bill, 356.

25 MS. MOORE: You support that as well?

1 MR. BRADFIELD: Yes.

2 MS. MOORE: How do you construe the  
3 provisions of that proposed legislations that would  
4 make English the official language of the federal  
5 government? What would that accomplish? What does  
6 that mean?

7 MR. BRADFIELD: It means government will  
8 solely and actively operate in one language and one  
9 language only except in the specified exceptions.

10 MS. MOORE: Could you enumerate those  
11 exceptions for us?

12 MR. BRADFIELD: Sure. Could you share a  
13 copy of the bill with me? I don't have a copy.

14 MS. MOORE: No. I don't have it with me.

15 CHAIRPERSON BERRY: Do you have it in your  
16 folder?

17 MR. REYNOSO: 123?

18 MR. BRADFIELD: Yes.

19 MR. REYNOSO: Yes.

20 CHAIRPERSON BERRY: Someone from staff --

21 MR. BRADFIELD: Something also that you may  
22 not have on record but is included in the folder is  
23 a side-by-side comparison, which goes over --  
24 compares the three bills.

25 MS. MOORE: For the record and the benefit

1 of the audience --

2 MR. BRADFIELD: Sure. Exceptions in the  
3 usage of languages other than English for public  
4 health and safety, foreign language instruction,  
5 judicial proceedings and tourist. It's that  
6 simple. I don't mean to be short in my -- but  
7 actually this truly is not as big of an issue as --  
8 from the perspective -- it's fairly a simple issue  
9 and quite honestly, a lot of us have  
10 philosophically either agreed with it or we  
11 philosophically don't agree with. And it really --  
12 it doesn't take a rocket scientist to really  
13 understand.

14 MS. MOORE: Has your organization conducted  
15 any studies on what impact the official English  
16 legislation would have on immigrants?

17 MR. BRADFIELD: No. As an economic?

18 MS. MOORE: I am sorry?

19 MR. BRADFIELD: What type of impact?

20 MS. MOORE: Economic --

21 MR. BRADFIELD: I mean, maybe I could find  
22 something somewhere that's been done.

23 MS. MOORE: Economic, or non-economic?

24 MR. BRADFIELD: No. As a matter of fact, I  
25 do know that the current sponsor of HR 123,

1 Congressman Emerson, has requested a study from  
2 C.S.G., I believe, on that question.

3 MS. MOORE: I mean --

4 MR. BRADFIELD: Traditionally, we don't get  
5 involved in immigration issues. So it's better  
6 for -- if we understand the reason behind it, but  
7 that is something he is really more concerned with  
8 than we are as an organization.

9 MS. MOORE: We have heard concerns from  
10 both sides of the issue, some suggesting that legal  
11 immigrants, who are otherwise subject to receive  
12 some services would be harmed if those services  
13 could no longer be provided. And if this is what  
14 the impact of the bill would be, could it be  
15 provided in their language? We've also heard some  
16 concerns that --

17 MR. BRADFIELD: Are you asking me --

18 MS. MOORE: Please let me finish, Mr.  
19 Bradfield. We have also heard some concerns that  
20 simply anti-immigrant sentiment would result in  
21 those whether they were legal or not, citizens or  
22 not, would be swept into this anti-immigrant  
23 sentiment. So I was just trying to see if U.S.  
24 English has conducted any studies with respect to  
25 that.



1 MR. BRADFIELD: No. We have not conducted  
2 any studies. If you are asking me, do I believe  
3 personally, or as representative of U.S. English  
4 that HR 123 will act in some form of the Prop. 187  
5 and that the rights and civil liberties of  
6 individuals of legal, whether legal or illegal,  
7 immigrants will be affected? No, I do not.

8 MS. MOORE: Well, I thank you for  
9 volunteering your beliefs. I was looking more for  
10 data. Has there been any studies by U.S. English  
11 with respect to this bill as to whether or not it  
12 would create any kinds of racial tensions?

13 MR. BRADFIELD: No.

14 MS. MOORE: That is all I have.

15 CHAIRPERSON BERRY: Okay. Let's go to the  
16 next person.

17 MS. MOORE: Dr. Hoffman.

18 CHAIRPERSON BERRY: Dr. Hoffman.

19 MS. MOORE: Dr. Hoffman, I am particularly  
20 interested in getting information from you. During  
21 the course of your interview with staff, you talked  
22 quite extensively about the funding caps that have  
23 affected the provision of language services to the  
24 people who desire them. Could you tell me  
25 something about the caps, and why they are in

1 place?

2 DR. HOFFMAN: Well, my understanding of  
3 it -- this is not my area of expertise. I am  
4 compiling reports from other people. My  
5 understanding is that due to the hurricane, we had  
6 a lower enrollment the year after Andrew and when  
7 the state, the following year, capped the growth  
8 for any given county, we were capped at a figure  
9 much lower than realities of the people who come to  
10 us.

11 In addition to that, we've had an unusual  
12 birth of enrollment in terms of Guantanamo Cubans,  
13 and as a result, we are trying to do more with less  
14 money than we had prior to Hurricane Andrew. We  
15 had more money prior to Hurricane Andrew, so it's  
16 been a problem. It certainly isn't something that  
17 the state is not aware of, and the district hasn't  
18 spoken on this issue before. We are very concerned  
19 about it. But to the credit of the many people in  
20 Dade County Public Schools, who make our program  
21 work, we do not turn away people when they come to  
22 us. We try to take them in and accommodate them.

23 MS. MOORE: Now, there is a policy, is  
24 there not, that permits those students who have --  
25 I am sorry -- not permits -- but requires students

1 who have high school diplomas must pay for the  
2 courses that they seek to take; is that right?

3 DR. HOFFMAN: Only if they are able to. We  
4 have funds available to accommodate them. They can  
5 take classes.

6 MS. MCFADDEN: Unless they test below the  
7 eighth grade level.

8 DR. HOFFMAN: "Unless they test below the  
9 eighth grade," Liza said.

10 MS. MCFADDEN: If they test below the  
11 eighth grade level, the fee is waived.

12 MS. MOORE: If they test below the eighth  
13 grade.

14 MS. MCFADDEN: If they have the diploma,  
15 but they are given the test in adult basic  
16 education, and they test below the eighth grade  
17 level, the remediation is given to them free of  
18 charge.

19 MS. MOORE: That doesn't say much for our  
20 education system. These graduates who are testing  
21 below the eighth grade level; that is what you are  
22 saying, right?

23 MS. MCFADDEN: Yes.

24 CHAIRPERSON BERRY: Excuse me for  
25 interrupting. But is this a result of the case

1 called Debra Peed (phonetic) some years ago?

2 MS. MCFADDEN: No.

3 CHAIRPERSON BERRY: Or is this a  
4 legislative rule? Or what is it?

5 MS. MCFADDEN: This is a legislative  
6 statute.

7 CHAIRPERSON BERRY: How old is it, do you  
8 know?

9 MS. MCFADDEN: I don't know.

10 CHAIRPERSON BERRY: Is it recent?

11 MS. MCFADDEN: No.

12 CHAIRPERSON BERRY: So if you graduate from  
13 high school and you test below the eighth grade  
14 level, you go to the adult ed. for free; is that  
15 what you said?

16 MS. MCFADDEN: Yes.

17 CHAIRPERSON BERRY: Go right ahead.

18 MS. MOORE: On the other hand, the students  
19 seeking -- foreign-born students seeking to get  
20 English instruction are provided that instruction  
21 free of charge; is that correct?

22 DR. HOFFMAN: Not at all levels.

23 If they test out above the eighth grade  
24 level, they are expected to pay and normally that  
25 is because -- the test of basic skills is given in

1 English, usually by the time they have reach level  
2 fours and fives or sixes of proficiency, they are  
3 able to test higher, and at that point, if they are  
4 a college graduate, or a high school graduate in  
5 their country, it's reflected on this exam. To the  
6 credit of the State of Florida, they now accept the  
7 SABE (phonetic), which the Spanish portion of this  
8 basic skills test, and it's possible for us to  
9 identify these people using the test in Spanish.  
10 But the fees are structured based on performance of  
11 this test, as well as high school.

12 MS. MOORE: Okay. I had understood that  
13 there was some evidence of racial tensions or  
14 misunderstanding in the public school system about  
15 the procedures that were applicable to each groups  
16 of students, and that that was a matter of concern  
17 that some native-born students seeking foreign  
18 language instruction felt disadvantaged because  
19 they generally had to pay more, or pay more often  
20 than the students coming from immigrant  
21 populations, who were provided those services free  
22 of charge.

23 DR. HOFFMAN: Again, it has more to do with  
24 the bar, which is, you know, if you score below  
25 eighth grade on an English language test, which

1 naturally makes it very favorable to Limited  
2 English Proficient students to score poorly, and of  
3 course, they are then going to be able to get the  
4 class for free.

5 I think it's more a lack of understanding  
6 on what the criteria are, and unfortunately, they  
7 were set using English as a standard, and  
8 obviously, a native speaker of English is going to  
9 do much better on these tests and show that they  
10 should be paying a fee.

11 What I think shouldn't be lost is the fact  
12 that the county has provisions for anyone to take  
13 these classes if they are economically  
14 disadvantaged, so money is not a reason for why  
15 they cannot be part of these programs.

16 MS. MOORE: Well, that clears up a major  
17 concern I had, that I wanted to ask you about. Did  
18 you want to add something?

19 DR. HOFFMAN: No. It was in the reference  
20 to the previous testimony. Is it appropriate for  
21 me to say?

22 MS. MOORE: Please.

23 DR. HOFFMAN: I think you should be aware  
24 that with K-through-12 students, there have been  
25 three studies done in reference to language

1 acquisition. One was done by Jim Cummins' in  
2 Canada. The other one was done by Lilly  
3 Long-Filmore, in California. The National  
4 Clearinghouse for Bilingual Ed. in Washington will  
5 provide you with these studies. And the other was  
6 done with David Ramirez, using school districts all  
7 around the country.

8           Every one of these studies confirmed that  
9 it takes only one and a half to two years to learn  
10 conversational forms of English, which Cummins  
11 called, "Basic Interpersonal Communication  
12 Skills."

13           However, to learn academic forms of  
14 English, it took five to seven years in one study,  
15 or six to eight years; and in the Long-Filmore  
16 study, she found some students never learned  
17 academic English. And I smiled in the audience  
18 when she reported that, because I know native  
19 speakers of English who haven't learned academic  
20 English. The point being that if it takes six to  
21 eight years to learn academic forms of English --  
22 and this may address your concern, Ms. Horner -- it  
23 is hard to put them in a waiting pen, so to speak,  
24 for a few months and then immerse them, because  
25 it's more of a program adaptation that needs to

1 occur, and a training issue, and a curricular  
2 adaptation issue than just a quick fix. This is  
3 really a major undertaking to attempt to do  
4 academic work in another language. And it's an  
5 area of tremendous concern for us in adult  
6 education because our students don't have the  
7 luxury of twelve years to learn a language and then  
8 enroll in a vocational program, which is access,  
9 which is an economic opportunity for them, and that  
10 has a finite number of hours of delivery, which  
11 doesn't necessarily accommodate the amount of hours  
12 it takes to learn technical English. And if you  
13 ever want to see a challenge, read some of our  
14 vocational textbooks; they are as challenging as  
15 anything you would read in chemistry or physics, or  
16 trig, because of the jargon of the vocational  
17 area. So language acquisition is probably a bigger  
18 issue in why we don't do things faster. The  
19 studies indicated that it takes longer than we had  
20 originally anticipated. And to my knowledge, no  
21 comparable studies have been done with adults.  
22 These are all done for children.

23 MS. MOORE: I assume you find the same  
24 results apply to the Dade County Public School  
25 System. These studies weren't done specifically



1 on --

2 DR. HOFFMAN: Yes. The Ramirez study was  
3 done in -- Miami was one of the cities that Ramirez  
4 did his study in. In fact, tomorrow, when Mercedes  
5 Tournal is here in the afternoon, she is the  
6 director for the Bilingual and Foreign Language  
7 Programs for our schools and she may want to share  
8 it with you. She is very good.

9 MS. MOORE: That is all I have for Ms.  
10 Hoffman.

11 CHAIRPERSON BERRY: Go on with Ms.  
12 McFadden.

13 MS. MOORE: Ms. McFadden, if you would, you  
14 have already addressed briefly -- well, actually  
15 extensively in your opening comments. But so that  
16 the statistics aren't lost, could you describe the  
17 role of the adult education program at the Florida  
18 State Department of Education for us?

19 MS. MCFADDEN: Yes. Again, we serve  
20 approximately half a million students. About four  
21 hundred and forty-eight thousand were served in  
22 FY '94-'95. Those are in adult basic education.  
23 By that, we mean literacy courses, and English as a  
24 Second Language literacy courses, G.E.D., adult  
25 secondary education. We are considered, if you

1 take our state, California, Michigan, and New York,  
2 I believe, those four states make up almost ninety  
3 percent of all the adult ed. done in the United  
4 States. That is off the top of my head, and I  
5 heard that from the director of Michigan, so I  
6 would like to go back and check that. But,  
7 nonetheless, what I am trying to say is, what you  
8 are hearing today on adult education and our  
9 services that we provide to students in the English  
10 as a Second Language, are atypical.

11 MS. MOORE: What was the community  
12 education office of the department head?

13 MS. MCFADDEN: The Bureau of Adult  
14 Community Education. My section is the Adult  
15 Community Education section. Two and a half years  
16 ago the legislature stopped the funding for  
17 community education, and it still exists in that it  
18 is an opportunity for any school district to offer  
19 classes in the areas of growth after-school child  
20 care; it's a three-market enterprise in a sense.  
21 And in order to offer the classes, students  
22 normally pay a fee, and the fee needs to be --  
23 cover enough overhead for a teacher. There are  
24 some grants that go to schools, especially in the  
25 area of after-school child care, middle school

1 programs, et cetera, that help fund some of the  
2 programming. But the community at large usually  
3 decides what those programs will be, and then our  
4 night programs and they are usually at night, but  
5 not always -- try to offer them to them.

6 MS. MOORE: You said, in your opening  
7 statement -- and I am not sure if I have the  
8 statistics right. But you indicated that the state  
9 level funding was far in excess of the federal,  
10 right?

11 MS. MCFADDEN: That's correct.

12 MS. MOORE: Are there any federal  
13 responsive programs that the state is --

14 MS. MCFADDEN: That our office oversees?

15 MS. MOORE: Yes.

16 MS. MCFADDEN: There are two. We oversee  
17 the 322 Federal Adult Education Act funds, and  
18 those are given out on both discretionary basis --  
19 discretionary. Those are given out to counties  
20 based on a formula funding, based on the number of  
21 the students that lack a high school diploma, as  
22 well as a lot of other variables that get tossed  
23 into the formula. And we also have some  
24 discretionary funding under 322 that goes to the  
25 community-based organizations to provide literacy

1 in English as a Second Language in G.E.D.  
2 Preparation courses. We also oversee the 353  
3 Federal Adult Education Act funding, and that is  
4 for adult education training of teachers and  
5 exemplary product development for training adult  
6 education. Most of it goes to training -- not all  
7 of it. Some of it goes into Program and  
8 Enhancement Development. We also oversee, within  
9 the bureau -- we have a Migrant Even-Start Grant,  
10 which you are probably familiar with, from the  
11 federal level that offers family literacy training  
12 to migrant families.

13 MS. MOORE: Was the \$240 million figure you  
14 cited related --

15 MS. MCFADDEN: State. That's only state  
16 funding.

17 MS. MOORE: Okay. That answers my  
18 question.

19 That's all I have.

20 CHAIRPERSON BERRY: All right. Does any  
21 Commissioner have any questions? Commissioner  
22 Horner, you have to wait for Commissioner Anderson  
23 this time.

24 COMMISSIONER ANDERSON: I have several  
25 questions for Mr. Bradfield.

1           In the facts sheet you've provided us, it  
2 states that private business is not affected by  
3 official English legislation. So I take it then,  
4 in the cases we were discussing earlier today, for  
5 example, the bank that gives the preference to  
6 applicants who speak two languages because they  
7 need bilingual tellers, that kind of situation is  
8 not affected by this legislation or --

9           MR. BRADFIELD: Correct, sir.

10           COMMISSIONER ANDERSON: It is not  
11 affected.

12           MR. BRADFIELD: No, it is not.

13           COMMISSIONER ANDERSON: On your other facts  
14 sheet about bilingual education, you indicated, or  
15 at least none the facts sheet indicates, that  
16 long-term native instruction is not effective in  
17 teaching and is not effective in assisting students  
18 to integrate fully into a municipal community and  
19 society at large. Now, do you have any research to  
20 support that?

21           MR. BRADFIELD: Yes. Actually, I can  
22 provide that for you.

23           COMMISSIONER ANDERSON: Would you?

24           MR. BRADFIELD: I don't have that with me,  
25 and I actually, in the interview process, suggested

1 that the commission of counsel for expert witness,  
2 or for whatever service, refer to Dr. Rosalee  
3 Porter of the University of Massachusetts, and she  
4 most specifically -- actually, she is very well  
5 aware of the coming studies and some of the other  
6 studies, particularly some of the other studies  
7 done here in Dade County and is well aware of some  
8 of the countering studies that have been done.

9 COMMISSIONER ANDERSON: All right. Would  
10 it just be possible for you to submit some of these  
11 studies to us?

12 MR. BRADFIELD: Absolutely.

13 COMMISSIONER ANDERSON: Thank you. You  
14 also submitted a list of states that had state  
15 official, English language laws, and there are  
16 citations and the dates, I suppose, of enactment.  
17 There are 22 states here including California, and  
18 Colorado, and Florida, and Louisiana.

19 Are you aware of any studies showing  
20 increased racial tensions, or violence, or  
21 increased discrimination as a result of any of  
22 these statutes? Have there been any studies done  
23 within these states to show that these statutes are  
24 causing some type of racial problem?

25 MR. BRADFIELD: To my knowledge, sir, no.

1 No studies done. And to be quite honest with the  
2 Commission, I can honestly say, since I have been  
3 with U.S. English, I have been in 32 states, state  
4 capitals myself, I have been in front of many  
5 conferences, I have debated the issue in front of  
6 many groups, and I have never once -- bottom  
7 line -- been in any state where this has become  
8 law, where there have ever been any instances of  
9 discrimination, nor has there been a legal case.  
10 Now, some will argue about Arizona. That may be  
11 contradiction, but that is still appending.

12 COMMISSIONER ANDERSON: In any case, in  
13 your experience of testifying and debating this  
14 issue, none of your opponents --

15 MR. BRADFIELD: I've never heard of one  
16 instance. Exactly.

17 COMMISSIONER ANDERSON: -- waived a study  
18 in your face and said --

19 MR. BRADFIELD: See, look what this costs?

20 COMMISSIONER BRADFIELD: Yes.

21 MR. BRADFIELD: No.

22 COMMISSIONER ANDERSON: Regarding HR 123,  
23 the exception clauses to the official business  
24 definition, which is on page six of the bill, for  
25 example, provides an exception in sub-paragraph

1 (d), actions or documents that protect the public  
2 health, would it be your understanding of that  
3 clause that that prohibits bilingual services that,  
4 say, a public hospital emergency room, where a  
5 patient comes in who can only speak Spanish, or can  
6 only speak French, they would be prohibited from  
7 having a bilingual personnel there?

8 MR. BRADFIELD: No. Actually, on contrary,  
9 that is the reason for its -- that's its sole  
10 purpose.

11 COMMISSIONER ANDERSON: And sub-paragraph  
12 (e), where it talks about action that protect the  
13 rights of victims of crimes or criminal defendants,  
14 for example, a 911 telephone line, that they could  
15 still be multilingual?

16 MR. BRADFIELD: Yes, sir.

17 COMMISSIONER ANDERSON: Assistance could be  
18 provided to criminal defendants in the language in  
19 which they spoke if they only spoke a language  
20 other than English.

21 MR. BRADFIELD: Yes.

22 COMMISSIONER ANDERSON: That wouldn't be  
23 prohibited.

24 MR. BRADFIELD: As addressed to the federal  
25 courts, the federal piece of legislation, yes, sir.



1           COMMISSIONER ANDERSON: I would like to ask  
2 you two other questions: One, having known S.I.  
3 Hayakawa and having respected him as a great  
4 Californian and a great academician, and someone  
5 who himself has done quite a bit of discrimination  
6 in his lifetime, the thought occurred to me  
7 listening to you talk about the fact that the issue  
8 is conceptually very clear on this and its  
9 difference in philosophy, I wonder if you wouldn't  
10 mind -- there must be some statements by Hayakawa,  
11 as he founded this organization, which discussed  
12 the philosophy, maybe discussed his insights on  
13 it. I'd appreciate it if you can furnish that to  
14 the Commission as well, the more conceptual  
15 pieces. I am not talking about empirical data. I  
16 am talking about conceptual and philosophical  
17 pieces.

18           MR. BRADFIELD: I did not bring them with  
19 me. But, actually, Senator Hayakawa, as I am sure  
20 you are aware, was the author of several very  
21 intuitive pieces of academic work and put together  
22 some -- I think some wonderful writing and  
23 reading. And if it would be the Commission's wish,  
24 I would be happy to provide copies of those.

25           COMMISSIONER ANDERSON: I would appreciate

1 that.

2 MR. BRADFIELD: They are fairly short, so  
3 it won't take too much of everybody's time. There  
4 are about one hundred pages a piece, and they are  
5 very insightful, and I think they will answer your  
6 question.

7 COMMISSIONER ANDERSON: I have another  
8 question that I want to ask you. We don't usually  
9 ask this kind of question to our representatives of  
10 organizations. But, your position as director of  
11 Political Affairs and Field Operations, you must,  
12 what, report to an executive director of the  
13 organization?

14 MR. BRADFIELD: Yes, sir. I currently  
15 report to the chairman of the board.

16 COMMISSIONER ANDERSON: So you are familiar  
17 with the chairman of the board, and you're familiar  
18 with the board members of the organization.

19 MR. BRADFIELD: Very familiar with the  
20 chairman of the board and the board members. The  
21 chairman of the board is Moro Icala (phonetic), who  
22 is a Chilean immigrant himself, an international  
23 businessman, an architect, fluent in six  
24 languages.

25 COMMISSIONER ANDERSON: All right.

1 Obviously, from some of the earlier questioning, I  
2 mean, it's clear to you that there is a broad  
3 concern regarding the effect of this on immigration  
4 and the effect of it on race relations, and  
5 particularly, I suppose, the underlying concern is  
6 that it can be a tool of racist for  
7 anti-immigration and other kinds of actions. But  
8 based on your knowledge of the people who are  
9 directing your organization, do you have any -- I  
10 remind you that you are under oath. Do you have  
11 any experience that that kind of motivation may be  
12 behind their actions in this organization?

13 MR. BRADFIELD: Absolutely. If I may be so  
14 bold as to say that that is one of the most  
15 ludicrous assumptions that I see a little too  
16 often. And, unfortunately, it is traditionally  
17 brought forward for the pure reason -- quite  
18 frankly, most individuals who bring that forward  
19 have proprietary self-interests in doing so, and  
20 this is a political game, and that's a very sad  
21 situation, but that's a reality, and that is  
22 something that we face as an organization, but it's  
23 something, I think, we are overcoming and something  
24 certainly that is an issue that has 87 percent of  
25 the nation's support.

1           COMMISSIONER ANDERSON:  When you're in the  
2 field, do the grass roots level, or testifying in  
3 front of legislators?  I mean, do you get that kind  
4 of experience that there is racial motivated  
5 support for your initiative?  Or if you do, what is  
6 the reaction to that?

7           MR. BRADFIELD:  Fortunately, not often.  On  
8 occasion, there would be specific -- quite frankly,  
9 special interest political groups that use the  
10 issue to benefit their own existence and their own  
11 organization.  But other than that, I have not been  
12 able to sit down with any group or organization and  
13 talk through the issue, A through Z, and they have  
14 come out of it not understanding, if not  
15 necessarily agreeing, but understanding exactly, I  
16 think, where we are coming from a little more  
17 specifically, and they certainly understand that  
18 there are no racial or negative ethic or cultural  
19 undertones at all.

20           COMMISSIONER ANDERSON:  Thank you very  
21 much.

22           CHAIRPERSON BERRY:  Commissioner Horner,  
23 and then Commissioner Wong, but we have to change  
24 the paper.

25           COMMISSIONER HORNER:  Mr. Bradfield, I

1 would like to ask you a couple of questions.

2 Is your organization static in size, or is  
3 it growing, or is it diminishing?

4 MR. BRADFIELD: It is growing  
5 approximately -- well, in the past six months, we  
6 have been growing at a rate of about eight to ten  
7 percent per month.

8 COMMISSIONER HORNER: The reason I am  
9 asking that question is to follow-up on  
10 Commissioner Anderson's question about what people  
11 think about English as an official language. I  
12 notice in your survey results, from August of this  
13 year, that asked the question, do you think English  
14 should be made the official language of the United  
15 States, not only did 86 percent say yes, but also  
16 81 percent of the first-generation immigrants  
17 support that proposition, and 83 percent of  
18 second-generation immigrants, and 87 percent of  
19 third-generation immigrants, 80 percent of liberals  
20 support that proposition and 91 percent of  
21 conservatives. And all of this rather overwhelming  
22 support leads me to ask the question, what is it  
23 that is causing people to want English as an  
24 official language? What problem are you addressing  
25 with this proposal? Or what set of problems? You

1 have spoken to the issue of bilingualism and its  
2 failures. Are there any other issues of that sort  
3 that is causing your organization to support  
4 English as an official language, and perhaps  
5 causing these high levels of public support?

6 MR. BRADFIELD: Sure. Conceptually English  
7 as an official language, it is not only an  
8 inefficient question, which I could give you a very  
9 good example of here in a moment -- but more  
10 specifically, as the nation grows both better in  
11 larger quantities, but also more diverse  
12 communities, it is becoming increasingly more and  
13 more a necessity that we all communicate by the  
14 same language. It's really that simple.

15 And more and more, we are finding that  
16 various political interests that lay out in various  
17 communities feel that they are far greater, more  
18 politically empowered by controlling their  
19 respective communities in an separatist and  
20 segregationist format than ever before. So now  
21 more than ever, it's becoming more and more  
22 necessary for particularly in most -- only in  
23 government to operate under one language. So we  
24 are unified, one common bond, one common arena for  
25 disagreement.

1           If I may, as an empirical issue, or on a  
2 daily efficiency level, California currently issues  
3 driver licenses. Actually, the exam, gives the  
4 exams for driver license in 37 different  
5 languages -- 37. Not only -- I won't even begin to  
6 discuss costs. But more importantly, from my  
7 personal -- there is a public safety issue at hand,  
8 and certainly the fraternal order of police, and  
9 that state and other states are very concerned  
10 about when you have drivers of a vehicle, who are  
11 speaking a foreign language, who are tested in that  
12 respective foreign language, but are operating  
13 under the auspices of one language, a language they  
14 don't necessarily understand or speak, that would  
15 lead us to believe -- basically leave a proof that,  
16 if you are going to provide language for whoever  
17 comes forward and asks for a specific license, do  
18 they not have a right -- you offer it in 37 other  
19 languages, why do you not offer it in mine? Is  
20 there not a right then that individual should be  
21 given that test in that language? Well, quite  
22 possibly, yes.

23           There are currently, according to the  
24 National Census Bureau, 327 languages in this  
25 country. Are we going to have drivers licenses,

1 issue examination of drivers license in 327  
2 languages? That would be pretty ludicrous. But is  
3 there not a defined right of giving more than one,  
4 should you not give it to all? Not to mention the  
5 question of the cost, which is in the millions of  
6 dollars. And that is just one example.

7 Florida, for instance -- and this is, Dr.  
8 Berry -- falls back to something that actually you  
9 said. Florida only has two -- Spanish and English  
10 -- offers drivers licenses. We have been trying  
11 to find out for, I guess, close to a year now, the  
12 costs of that. Unfortunately, the current  
13 administration has not released that information  
14 here. Perhaps that's a question you may have for  
15 the governor's representative tomorrow.

16 It seems that most organizations, or  
17 bureaucratic agencies, either do not have the  
18 ability to gain that information because of  
19 accounting procedures and the way that budgeting is  
20 done because it's not line-item'ed, or it's lost  
21 somewhere; hence, we have no idea what is being  
22 spent. And if they do have an idea what's being  
23 spent, traditionally they are very unwilling to  
24 forward that to any group, organization,  
25 commission, or whatever the case is that there may



1 be studies for whatever reason.

2 COMMISSIONER HORNER: Is it your impression  
3 that these are the kind of issues that are causing  
4 your organization to grow, or causing this high  
5 level of support?

6 MR. BRADFIELD: I think that one issue  
7 alone is a -- picking a quantifiable number, I  
8 can't say. But just the drivers license in  
9 California, I mean, there is over eighty thousand  
10 members of U.S. English in California, and I can  
11 assure you I am an individual, who is on the road a  
12 lot, but I am in the field a lot, but if I am not  
13 in the field area, I am back at the office, and not  
14 necessarily California, but I'll tell you what, I  
15 get literally a half a dozen calls a week from  
16 individual, average citizens who happen to go into  
17 the Motor Vehicle Administration in Texas, and see  
18 what they are going through. Maybe the fact that  
19 they are waiting in line for two and a half hours.  
20 But aside from that point there, they are  
21 frustrated and they don't quite understand and a  
22 lot of times these are individuals who have seen,  
23 whether it's their mother, or grandmother, or their  
24 great grandmother, or grandfather immigrate to this  
25 county, or themselves who have immigrated to this

1 country and have taken the opportunities that are  
2 out there to learn the language. Certainly, I  
3 think these ladies might agree that there might not  
4 be enough opportunity out there, and we need to  
5 expand on that, but I don't think that is really  
6 where, you know -- the problem is symbolic.

7 COMMISSIONER HORNER: Thank you.

8 CHAIRPERSON BERRY: Commissioner Wong.

9 COMMISSIONER WONG: I will try to be as  
10 swift as possible.

11 CHAIRPERSON BERRY: Thank you.

12 CHAIRPERSON WONG: Mr. Bradfield, you talk  
13 about the traffic in California. Will you agree  
14 with me the number that -- we have more people  
15 killed on our highways in the whole world than in  
16 Vietnam of U.S. Soldiers killed?

17 MR. BRADFIELD: I don't know the  
18 statistics. But, yes, I believe so.

19 COMMISSIONER WONG: So we have more people  
20 killed on our highways. So if we have more  
21 languages provided to help save the lives, would  
22 that be a good thing rather than to have more  
23 accidents by those people, who cannot read the  
24 signs, who cannot really follow directions?

25 MR. BRADFIELD: I would rather see the

1 money spent teaching them English as opposed to  
2 putting up additional signage. But I think that is  
3 a far greater priority in the big scheme of things.

4 COMMISSIONER WONG: Until they learn the  
5 English, in the time that they are here, and they  
6 have to drive and move, you would like to see them  
7 actually get into an accident? I don't think so,  
8 right?

9 MR. BRADFIELD: No, I do not.

10 COMMISSIONER WONG: On that basis, the sign  
11 should not be -- the multilingual vehicle kind of  
12 licensing is a way to, again, promote safety and  
13 save lives. Would you agree with that?

14 MR. BRADFIELD: No. I would not agree.

15 COMMISSIONER WONG: The second question.  
16 Would you want Paboratti to sing in English rather  
17 than in Italian?

18 MR. BRADFIELD: I am a great Paboratti --

19 COMMISSIONER WONG: Would that --

20 MR. BRADFIELD: But, no, I would not want  
21 him to sing in English.

22 COMMISSIONER WONG: On that basis --  
23 probably you weren't here earlier when Professor  
24 Perea was talking about the history of the United  
25 States, as when we were founded, that German and

1 French -- at that time earlier was very  
2 predominant, spoke by many, many people. Would you  
3 agree that we have always been a bilingual or  
4 trilingual community, or multilingual nation?

5 MR. BRADFIELD: That is stretching it, I  
6 think. I will agree with the point that it's  
7 always been an issue. John Adams and Benjamin  
8 Franklin brought it forward in the Continental  
9 Congress. Benjamin Franklin, in 1753, wrote in  
10 Philadelphia a very wonderful article on why  
11 English should be the national language.  
12 Unfortunately, on the respective day that the  
13 Continental Congress was going to take it up, there  
14 was a rock thrown through the window, and that  
15 broke up the session for the day, and the agenda  
16 moved on to more important items -- basically,  
17 Lexington and Concord, or something of that nature.

18 The point being, the issue has always been  
19 here, sir, and I agree with you. I think the time  
20 has come -- and our nation, and our government is a  
21 far more complex place than it ever was before, and  
22 now more than ever, that proves a reason for us all  
23 to have a common bond.

24 COMMISSIONER ANDERSON: Great. I think we  
25 need to have a common bond. But if we take an

1 example of a couple of the European countries, they  
2 have bilingual or trilingual system going at the  
3 same time, and they are a stronger nation, with a  
4 stronger economy, and they have a common bond, and  
5 they are not divided. So what led you to say if we  
6 are multilingual kind of a system that that would  
7 definitely be a divisor rather than unification? I  
8 mean, Sweden is a very, very good example.

9 MR. BRADFIELD: First of all, I take issue  
10 that any of the European nations are stronger or  
11 greater economically and more viable of a country  
12 than the United States, so I think we are doing  
13 something correct here. Secondly, on the issue of  
14 multilingualism, I have never suggested, nor would  
15 U.S. English suggest that an individual should not  
16 be multilingual. We are suggesting and promoting  
17 that English should be the common bond and the  
18 official language. It's that simple.

19 COMMISSIONER WONG: So by promoting, as you  
20 said, the national language to be English, are you  
21 in a sense putting, say, the French and Germans and  
22 all those who speak German and French as a  
23 second-class citizen, they may not master the  
24 English so that they in a sense have advantages.

25 MR. BRADFIELD: Absolutely not. The

1 official language in France is French. The  
2 official language in Mexico is Spanish. When I go  
3 even to Puerto Rico, and I discuss the issue with  
4 the mayor of San Juan -- and I quote -- I think  
5 it's ludicrous that English isn't the official  
6 language of the United States. I think most  
7 individuals, particularly regardless of what nation  
8 they come to, when they leave a nation and come to  
9 this nation, they very much understand that the  
10 language of opportunity and the language of  
11 commonality is English, and that it should not only  
12 remain so, but it should be made so officially and  
13 statutorily.

14 COMMISSIONER WONG: Where do you put the  
15 Native Americans in that context, before all of the  
16 immigrants came from England, from France, from  
17 Germany? We have the Native Americans. They are  
18 the original people here. We are all immigrants  
19 coming from any and all parts of the world. So  
20 should Native American language be the national  
21 language of the United States?

22 MR. BRADFIELD: It would depend on which  
23 Native American language, I guess, you are speaking  
24 of. That would be the first question. And if you  
25 are following the premise, are we going to choose

1 the language that was here first, of which I don't  
2 think we are. What we are basing the premise on is  
3 that 98 percent of Americans speak English, operate  
4 in the English, and live on a day-to-day basis in  
5 English, and that the government thereof, that  
6 represents them, should operate solely in that  
7 language except for instances when you are dealing  
8 with individuals outside of the country, such  
9 international diplomacy or trade. It's fairly  
10 simple.

11 COMMISSIONER ANDERSON: If I could ask you  
12 this question: Out of your 640,000 members, how  
13 many are minority members besides Dr. Icala?

14 The last demographic study of the  
15 organization that I know of was a few years old,  
16 but it was in proportion -- actually, the minority  
17 community --

18 COMMISSIONER WONG: You indicated in  
19 your --

20 MR. BRADFIELD: It was actually higher than  
21 a nationally averaged event. I mean -- and a  
22 perfect explanation for that is, if you find that  
23 hard to believe, is that traditionally also a lot  
24 of our members are first generation or second  
25 generation immigrants themselves, and as such, they

1 find this a very binding issue emotionally, for  
2 something they have lived or something they  
3 understand, something they comprehend.

4 COMMISSIONER ANDERSON: Could you submit as  
5 part of the record -- we don't have your list. I  
6 would like to see a breakdown.

7 MR. BRADFIELD: I don't think you want to  
8 see a list of 700,000 names.

9 COMMISSIONER ANDERSON: I will see the  
10 composition of six hundred plus.

11 CHAIRPERSON BERRY: If I may interrupt, we  
12 are not interested in your membership, or the  
13 statistics of your membership, or the demographics  
14 of membership, or anything at all about your  
15 membership, except the numbers that you have  
16 volunteered to give us. One might interpret the  
17 statute differently, but that is the way I  
18 interpret it unless someone overrules me. So don't  
19 submit us anything. You could ignore the line of  
20 questioning.

21 COMMISSIONER WONG: I take it back.

22 CHAIRPERSON BERRY: That is all right.

23 CHAIRPERSON BERRY: Are you finished,  
24 Commissioner?

25 COMMISSIONER WONG: Yes.



1           CHAIRPERSON BERRY: Commissioner Fletcher.

2           COMMISSIONER FLETCHER: I just have two  
3 questions. You made reference to the fact that the  
4 law enforcement people were concerned about all  
5 this language signage. Are there studies anywhere  
6 to demonstrate the danger they are heading in with  
7 reference to accidents with people with these  
8 different languages with drivers license who can't  
9 read the language? I would think that the  
10 insurance company, or somebody, would have some  
11 facts on that.

12           MR. BRADFIELD: It's interesting that you  
13 say that. The answer to your question is yes. Do  
14 I have them easily accessible? No. Could I try to  
15 get them for you? Yes. And as for the insurance,  
16 between you and I, and I guess the entire American  
17 public, let's be honest, the insurance companies  
18 walk a very fine line when they determine their  
19 demographics and their rating procedures. I have  
20 tried to get this before, and I have had doors  
21 literally slammed in my face; because if they issue  
22 something that may look a certain way, it's called  
23 red-lining, and that is against the law, as it  
24 should be. But getting ahold of some of that stuff  
25 is tough. It's nothing that we've ever

1 commissioned, but I will certainly make the attempt  
2 to see whatever I could get.

3 COMMISSIONER FLETCHER: I would assume the  
4 Public Safety Department might have it, just might  
5 have it.

6 MR. BRADFIELD: Possibly. Georgia was  
7 thinking of doing one, but I don't know if they  
8 have done one yet. There may be a couple out  
9 there. We will take a look and see what we could  
10 find for you.

11 COMMISSIONER FLETCHER: Thank you.

12 CHAIRPERSON BERRY: Commissioner Reynoso.

13 COMMISSIONER REYNOSO: Thank you very much.

14 I just wondered whether you have thought  
15 about what are call unintended facts of some of  
16 these policies. I read the District Court Opinion  
17 declaring the U.S. English initiative in Arizona  
18 unconstitutional. That was not surprising. But  
19 part of the opinion spoke of the plaintiff being a  
20 legislator who complained that he could not  
21 communicate under that initiative with his own  
22 constituents, some of whom were citizens and were  
23 monolingual, Spanish speaking particularly. Would  
24 that bother you that that would be the effect, that  
25 a citizen could not discuss matters of public

1 policy with their own legislature?

2 MR. BRADFIELD: Yes. Absolutely, it  
3 would. There would be in our motto legislation  
4 that we put forward to states and state  
5 legislators. That is not a problem. That is  
6 clearly defined.

7 COMMISSIONER REYNOSO: I just went over the  
8 statute you are supporting in Congress, and I --

9 MR. BRADFIELD: No. No.

10 COMMISSIONER REYNOSO: -- and I don't see  
11 that would not be a problem.

12 CHAIRPERSON BERRY: You mean, HR 123?

13 MR. BRADFIELD: HR 123.

14 COMMISSIONER REYNOSO: Yes. If all  
15 officials --

16 MR. BRADFIELD: Where exactly do you see  
17 that?

18 COMMISSIONER REYNOSO: There was some  
19 language that all official communications by the  
20 government will be --

21 MR. BRADFIELD: All official business,  
22 quote-unquote.

23 COMMISSIONER REYNOSO: Yes, will be in the  
24 English language. And presumably a legislator  
25 dealing with proposed legislation with a citizen

1 would be official. He is doing it because he is a  
2 legislator. Or if it were a federal legislator, a  
3 federal legislator.

4 MR. BRADFIELD: No democratic legal counsel  
5 or member of the U.S. Department of Justice thus  
6 far has come forward and suggested that official  
7 business would limit any of that type of  
8 discussion. By official business, it is defined  
9 fairly clearly that English would be the sole  
10 language used to declare policies, write laws,  
11 regulations and make and enforce official acts.

12 COMMISSIONER REYNOSO: In writing, you  
13 mean? Those matters issued in writing?

14 MR. BRADFIELD: Yes, sir.

15 COMMISSIONER REYNOSO: I haven't followed  
16 that case carefully. But I was just interested --  
17 the judge mentioned anomaly, at least the judge  
18 interpreted the English only initiative in  
19 Arizona. Let me --

20 MR. BRADFIELD: I am sure you are aware  
21 that that it is being reconsidered by the Ninth  
22 Circuit.

23 COMMISSIONER REYNOSO: Right. Let me ask  
24 you about this: I believe someplace in the  
25 material it says that all proceedings should be in

1 English including court proceedings. Did I  
2 understand that correctly?

3 MR. BRADFIELD: I don't think so. I don't  
4 know where you are seeing that. If you could  
5 direct me that.

6 COMMISSIONER REYNOSO: Somewhere in your  
7 material I was reading that for all court  
8 proceedings you could have interpreters, but  
9 proceedings should would be in English. True, or  
10 not true?

11 MR. BRADFIELD: I would like to see the  
12 reference.

13 COMMISSIONER REYNOSO: Declaring English as  
14 the official language -- I am looking at all --  
15 what is official English? Declaring English as the  
16 official language means the official government of  
17 business, at all levels, must be conducted solely  
18 in English. It seems to cover the legislator  
19 issue. But this includes all public documents --  
20 and that's what you are talking about -- records,  
21 legislation --

22 MR. BRADFIELD: All written documents.

23 COMMISSIONER REYNOSO: Yes, as well as  
24 hearings, official ceremonies, and public  
25 meetings. And in someplace I read in your material

1 that it included the court system. Not true?

2 MR. BRADFIELD: I don't know. I don't know  
3 where you are reading that from.

4 COMMISSIONER REYNOSO: I am just -- well,  
5 here it is. It goes on to say --

6 MR. BRADFIELD: Which page?

7 COMMISSIONER REYNOSO: I am at, What is  
8 official language? That was in your booklet, facts  
9 and issues. Official English legislation declares  
10 English as the primary language of government but  
11 not the exclusive language. The law allows for  
12 common sense exceptions permitting the use of  
13 languages other than English, for public health and  
14 safety services, judicial proceedings, although  
15 actual trials will be conducted English. So I  
16 assume by that you mean that you can have  
17 interpreters, which under the Constitution, you  
18 have to. But foreign language instruction is  
19 permitted in tourism. In exploring unintended  
20 affects -- and maybe this comes under your  
21 exception. In California, all superior courts,  
22 courts of record, are required to be in English.  
23 Not municipal court. I remember when I was a young  
24 lawyer, we happened to have a judge who was Spanish  
25 speaking, and all the parties and all the lawyers

1 were Spanish speaking, so we simply stipulated that  
2 the trial could take place in Spanish, and it did,  
3 and the matter was resolved. Would that violate  
4 the U.S. English proposals?

5 MR. BRADFIELD: We would disagree with  
6 that. Yes.

7 COMMISSIONER REYNOSO: And yet we were  
8 saving a lot time by not having all those  
9 interpreters and a lot of money for the county. So  
10 there --

11 MR. BRADFIELD: The public record, as a  
12 whole, would not be able to be read.

13 COMMISSIONER REYNOSO: No. That is not a  
14 judicial proceeding, wherein that type of  
15 circumstance you needed a public record for  
16 appeal. I think that is why, in superior court,  
17 the proceedings must be in English, at least that  
18 is what the statute says. If you are going to  
19 appeal it or do something else with it, I agree  
20 with you, and we would have never stipulated that  
21 it would be in Spanish. If it were for purposes of  
22 an appeal, you could believe that as a matter of  
23 public policy, that that would not be a good thing;  
24 it would be violative to U.S. English.

25 MR. BRADFIELD: Most likely, yes.

1           COMMISSIONER REYNOSO: Bilingual ballots:  
2 In California, we used to have a provision in the  
3 Constitution that a U.S. Citizen to vote was to be  
4 able to read and write in the English language.  
5 Would your organization support that type of  
6 provision?

7           MR. BRADFIELD: Honestly, doubtful. But I  
8 don't make policies.

9           COMMISSIONER REYNOSO: It happened to be  
10 declared unconstitutional by the California Supreme  
11 Court, pointing out that many citizens who are  
12 monolingual, and yet they're able to educate  
13 themselves. But that brings me to the bilingual  
14 ballots. We have citizen who are monolingual,  
15 Spanish speaking, or in other languages. Is it bad  
16 public policy, in your view, to have those citizens  
17 have ballots in their languages?

18          MR. BRADFIELD: First of all to answer your  
19 question, it's bad public policy not to assist the  
20 individuals in knowing the English language.

21          COMMISSIONER REYNOSO: I understand that,  
22 and I will come back to that.

23          MR. BRADFIELD: Secondly, there is no  
24 official policy of U.S. English on ballots. I will  
25 tell you, off the record -- or the unofficial



1 response is that the ballots should be solely in  
2 English; however, sample ballots, or ballots --  
3 educational materials could be allowed in various  
4 other forms depending upon the population, the  
5 percentage, the same type of ratios we use for  
6 other things.

7           COMMISSIONER REYNOSO: But I assume that  
8 your organization would not be surprised if some of  
9 the folk who are citizens, monolingual in another  
10 language, might not agree with you and take  
11 exception to your position.

12           MR. BRADFIELD: I have yet -- I would  
13 believe so. But I would also find it hard to  
14 believe that most monolingual citizens really  
15 exercise their right to vote, and that's a damn  
16 shame.

17           COMMISSIONER REYNOSO: That's an assumption  
18 on your part?

19           MR. BRADFIELD: That's an assumption on my  
20 part.

21           MS. MCFADDEN: I would like to address the  
22 literacy survey of our state. People with lower  
23 literacy levels do, in fact, have a much lower  
24 voting record.

25           COMMISSIONER REYNOSO: That's what the

1 articles that I have read indicate. In California,  
2 also but --

3 CHAIRPERSON BERRY: Did you say lower  
4 literacy, or lower English language skills?

5 MS. MCFADDEN: I said lower literacy.

6 CHAIRPERSON BERRY: Is that what --

7 MR. BRADFIELD: Lower literacy.

8 CHAIRPERSON BERRY: Literacy.

9 MR. BRADFIELD: And it's a shame. I mean,  
10 that is wrong.

11 CHAIRPERSON BERRY: How about Americans who  
12 are perfectly literate? What is the rate of people  
13 voting? I thought it was going down.

14 MR. BRADFIELD: And that's a damn shame,  
15 too.

16 COMMISSIONER BERRY: You have another  
17 publication called Facts and Issues. That is where  
18 you mention the Department of Motor Vehicles, and I  
19 will come back to that in a minute.

20 First, you mention and, apparently, take  
21 offense to the fact that the I.N.S. conducted a  
22 citizenship swearing-in ceremony almost entirely in  
23 Spanish. Would you consider that bad public  
24 policy.

25 MR. BRADFIELD: Yes.

1 COMMISSIONER REYNOSO: What if it happened  
2 that most of those new citizens were indeed Spanish  
3 speaking?

4 MR. BRADFIELD: Bad public policy

5 COMMISSIONER REYNOSO: So it would good  
6 policy to have all these older citizens becoming  
7 citizens, they speak only Spanish, and you have a  
8 ceremony they don't understand about the duties of  
9 citizenship.

10 MR. BRADFIELD: Correct, sir.

11 COMMISSIONER REYNOSO: D.M.V. -- I guess  
12 this is a little bit personal. My father took  
13 exams in Spanish. Have you looked at those exams?  
14 I really get the sense that we are speaking of out  
15 some ignorance here, I confess. Have you seen the  
16 exams, in going through these exams that the folk  
17 in a language other than English at the Department  
18 of Motor Vehicles, in California?

19 MR. BRADFIELD: I don't think I have seen  
20 the California one.

21 COMMISSIONER REYNOSO: Well, let me just  
22 tell you that even though it's given in Spanish,  
23 they are shown all of the principle signs, which of  
24 course are in English -- S-T-O-P means "Stop" and  
25 they have to recognize, and identify, and answer

1 questions based on a lot of those signs that are in  
2 fact in English.

3 MR. BRADFIELD: It kind of makes you wonder  
4 why they do it in the first place.

5 COMMISSIONER REYNOSO: Pardon?

6 MR. BRADFIELD: It kind of makes you wonder  
7 why they do it in the first place.

8 COMMISSIONER REYNOSO: Well, they do it  
9 because the questions they ask, if they were to be  
10 asked to take the exam in English, where the  
11 questions are asked in English, none of those folk  
12 would pass. They are asked in Spanish -- What  
13 would you do if you see this sign? What does this  
14 sign mean? And then they give the answer in  
15 Spanish. But they have to understand what those  
16 signs means. I am not here to testify, but I  
17 should tell you that my Dad, I think, never got a  
18 traffic -- never had an accident that he was  
19 responsible for in his 56 years of driving. But  
20 what are the alternatives? My dad was farm worker,  
21 you know, got up at 4:00 in the morning, worked all  
22 day, didn't know English, yet he had to drive. If  
23 he couldn't get that license, he probably would  
24 have driven without a license.

25 MR. BRADFIELD: How about a period of

1 transition?

2 COMMISSIONER REYNOSO: Beg pardon.

3 MR. BRADFIELD: How about a period of  
4 transition, perhaps a two-year license provisional  
5 upon re-examination under the English language?

6 COMMISSIONER REYNOSO: Perhaps. But is  
7 there any showing that there is a danger to the  
8 driving public because of the procedures in  
9 California? Are there any studies that show that?

10 MR. BRADFIELD: You would have to ask the  
11 Department of Transportation.

12 COMMISSIONER REYNOSO: Beg pardon.

13 MR. BRADFIELD: You would have to ask the  
14 Department of Transportation.

15 COMMISSIONER REYNOSO: Well, it just seems  
16 to me that the unintended fact might be to have  
17 people end up in jail, for driving without  
18 licenses.

19 MR. BRADFIELD: They may have done a study,  
20 sir. I don't know. I am sure the governor would  
21 assist in doing that.

22 COMMISSIONER REYNOSO: You have, again, a  
23 concern with respect to Texas Public Utility  
24 Commission proposing to require that certain  
25 services be provided in Spanish. And, again, I

1 just wonder what the unintended affect of that  
2 would be. If you have people paying taxes, and  
3 paying for services that are telephonic, shouldn't  
4 they also be able to get some benefit from it? It  
5 just seems, frankly --

6 MR. BRADFIELD: Public utility upon what  
7 they are paying for.

8 COMMISSIONER REYNOSO: Beg pardon.

9 MR. BRADFIELD: They are the public utility  
10 upon which for they paying.

11 COMMISSIONER REYNOSO: Right.

12 MR. BRADFIELD: Now, my question to you,  
13 sir: Why should a government agency regulate a  
14 private sector industry to put in additional  
15 language at exorbitant costs, additional billing  
16 process? Which is exactly what they are doing.

17 COMMISSIONER REYNOSO: The concept has  
18 been -- and the public utility has everybody and  
19 everybody happens to include people who do not  
20 speak English. That's the basic concept to that,  
21 and I take it that your organization takes  
22 exception to that.

23 MR. BRADFIELD: Yes.

24 COMMISSIONER REYNOSO: The next question:  
25 Dr. John Tenton (phonetic)? Does that mean

1 anything to you?

2 MR. BRADFIELD: I have heard the name  
3 before.

4 COMMISSIONER REYNOSO: Was he a founder of  
5 your organization?

6 MR. BRADFIELD: No, sir.

7 COMMISSIONER REYNOSO: Was he involved in  
8 your organization?

9 MR. BRADFIELD: Yes, sir.

10 COMMISSIONER REYNOSO: Was he the founder  
11 of the organization FARE (phonetic)?

12 MR. BRADFIELD: I have heard the name, but  
13 I don't know his operational status, or whatever he  
14 did with it.

15 COMMISSIONER REYNOSO: Have you heard of  
16 the organization FARE?

17 MR. BRADFIELD: I have heard of FARE?

18 COMMISSIONER REYNOSO: And do you know what  
19 its principal and purpose is?

20 MR. BRADFIELD: No. I have never read any  
21 of their literature.

22 COMMISSIONER REYNOSO: Basically, they are  
23 an anti-immigration group. They want to control  
24 immigration, and Dr. Tenton has been very, very  
25 active within the organization.

1           There has been -- your papers properly  
2 identify a concern about many folk, that though  
3 perhaps the well-intention in terms of the purpose  
4 of your organization, it is really viewed by many  
5 as a phobic, as you know, and you reject that, of  
6 course. But there have been folk by Dr. Tenton who  
7 are setaphobic associated with your organization.  
8 I confess that I went to an organization where I  
9 heard one of your representatives -- I forget his  
10 name -- speak with quite vigor about the dangers of  
11 immigration.

12           MR. BRADFIELD: How long was that?

13           CHAIRPERSON BERRY: Be very careful, Vice  
14 Chairman, we don't want to --

15           COMMISSIONER REYNOSO: I don't even  
16 remember who it is, so I can't do it. Even if I  
17 want to, I can't.

18           MR. BRADFIELD: I will tell you this: In  
19 the past two years, there is -- actually let me  
20 broaden that. In five years there is no one  
21 associated with U.S. English on staff, on the board  
22 of directors, or on the advisory board who were  
23 there five years ago. It is a totally and  
24 completely refurbished organization. We take great  
25 pride in that.



1           COMMISSIONER REYNOSO:  So if there were  
2 such folk, at least you certainly haven't seen them  
3 there in the last five years.

4           MR. BRADFIELD:  No.  I have only been there  
5 a year and a half.  But no, not in the year and a  
6 half that I have been there.

7           COMMISSIONER REYNOSO:  I must say  
8 incidently that the packet that we have got -- I  
9 have not read it until this morning -- is far more  
10 moderate in the approach than it is my impression  
11 your organization has taken in time passed.  So  
12 maybe we are seeing some progress there.

13           MR. BRADFIELD:  I think it is realistic.  I  
14 think it is pragmatic.  I think it represents  
15 what -- and I say this proudly only because a lot  
16 of it, I helped put together -- needs to be done.  
17 It represents what the issue, the true whatever,  
18 and however you look at it, from whatever  
19 direction, whatever it was in the past, and  
20 whatever it may be in the future.

21           COMMISSIONER REYNOSO:  Many of us agree  
22 that indeed a common language has traditionally  
23 been -- the most common language has been English,  
24 and that it would be a good policy for all  
25 Americans to indeed learn English so they can

1 communicate better, so they can advance  
2 economically and so on, but some folk feel that to  
3 use coercive efforts to get basic constitutional  
4 rights, as to how people talk and the language they  
5 speak, it's offensive to the American sense of  
6 liberty.

7 I take it that your organization doesn't  
8 agree with that. Otherwise, you wouldn't be at the  
9 vistas that you are at.

10 MR. BRADFIELD: I understand your  
11 interpretation and your ideology. Yes, sir.

12 CHAIRPERSON BERRY: The counsel needs to  
13 ask just one brief question of you, Mr. Bradfield,  
14 and then I have three fast questions.

15 Counsel, please ask your question.

16 MS. MOORE: Very brief. Mr. Bradfield, I  
17 realize you don't set policy. I am not sure  
18 whether you are a lawyer or not, so if you are  
19 unable to answer the question, just let me know.

20 In response to a question that was made by  
21 Commissioner Anderson, I believe the question was  
22 whether you were aware of any racial and ethnic  
23 tensions, or any kind of race problems that  
24 resulted from the official English language  
25 policies in the 22 states that you have included in

1 your packet, and I wondered if your organization  
2 has examined the particular provisions of each of  
3 these states? I am assuming they are not uniform  
4 and I --

5 MR. BRADFIELD: No. They are not uniform.  
6 Actually, I am sorry to say that I didn't  
7 include -- we do have a sheet that has all the  
8 specific statutory language on it. It is actually  
9 just two pages and very small print, but two pages  
10 of all the exact language of all the statutory  
11 language, if you would like me to forward them.

12 MS. MOORE: That would be great. And it's  
13 not uniform, right? The language is not the same  
14 in each --

15 MR. BRADFIELD: No. No. Similar in a lot,  
16 but not.

17 MS. MOORE: So it may very well vary in  
18 terms of whether there are racial and ethnic  
19 tensions in a particular state or community as a  
20 result of their English-only policies, which may be  
21 very different from state to state.

22 MR. BRADFIELD: I would not say so, but I  
23 think the wording is fairly similar. I mean -- we  
24 are not talking about six pages of legislation  
25 here. The majority of those are fairly short,

1 fairly to point, fairly direct. When they specify  
2 what they do, they specify -- and I don't think  
3 they address --

4 MS. MOORE: Again, I have been admonished  
5 not to belabor the issue. But I assume they have  
6 been subject to interpretation in their respective  
7 states as well. So I will leave it at that, and I  
8 appreciate your --

9 MR. BRADFIELD: By Attorney General?

10 MS. MOORE: I am sorry?

11 MR. BRADFIELD: By Attorney General, or by  
12 courts, or by whom?

13 MS. MOORE: I would assume if they have  
14 been challenged by the courts, if not, by the  
15 legislative history.

16 MR. BRADFIELD: There is only one state.

17 MS. MOORE: I am sorry?

18 MR. BRADFIELD: Arizona.

19 MS. MOORE: Well, I guess to answer my  
20 question, you are not a lawyer. There was a  
21 provision here in Florida, the anti-bilingualism  
22 ordinance, that was challenged on the grounds that  
23 its repeal violated the official English amendment  
24 in Florida, and the court, without any explanation  
25 of what that provision -- what the constitutional

1 amendment means, upheld the repeal as not violative  
2 of that provision. So there are other ways that  
3 those provisions have been interpreted.

4 MR. BRADFIELD: Now, I see your question.  
5 Sure.

6 CHAIRPERSON BERRY: Any information you  
7 have on your organization's position, on what the  
8 law means in each one of the states. And then we  
9 will try to see what we can figure out in the terms  
10 of the impact on each one of the states.

11 MR. BRADFIELD: They are not  
12 interpretations. They are just specific language,  
13 statutory language.

14 CHAIRPERSON BERRY: Right. My question for  
15 you is, listening to the conversation, as I  
16 understand it, some of the questions were, in terms  
17 of your response, irrelevant because the position  
18 of your organization is not based on how much it  
19 would cost, or how many accidents, or how much  
20 eventualities of one kind or another occurring  
21 because of having official English. It's primarily  
22 because you believe philosophically that this is  
23 what we ought to have, official English.

24 In case I don't understand you, let me ask  
25 this, if it were shown that taxpayers in

1 California, Latino taxpayers who didn't speak  
2 English, whatever group that is, paid enough in  
3 taxes to pay for the cost of the Bureau of Motor  
4 Vehicles having bilingual license procedures, would  
5 your position then be that that is okay, because  
6 they pay enough in taxes to pay for it? So is that  
7 really the issue?

8 MR. BRADFIELD: There are some  
9 philosophical issues.

10 CHAIRPERSON BERRY: That's what I thought,  
11 listening to the response.

12 MR. BRADFIELD: Absolutely first and  
13 foremost.

14 CHAIRPERSON BERRY: So we really need to  
15 find out how much things cost, but that's not  
16 really outcome dispositive --

17 MR. BRADFIELD: Correct.

18 CHAIRPERSON BERRY: -- for other matters.  
19 The other questions that I had -- I am very  
20 confused about the testimony of Dr. Hoffman and Ms.  
21 McFadden. I don't understand relationship between  
22 you two. One of you, as a county. The other one,  
23 as a state, and they are --

24 DR. HOFFMAN: Right.

25 CHAIRPERSON BERRY: What are your

1 program -- how do they fit together?

2 MS. MCFADDEN: Our program monitors all  
3 counties within the state, and Dade County is one  
4 of the programs that we monitor and provide  
5 technical assistance to. So I spoke on issues from  
6 a statewide perspective, and she spoke on the issue  
7 from a local, Miami, Dade County perspective.

8 CHAIRPERSON BERRY: But you are informed  
9 about her program.

10 MS. MCFADDEN: Absolutely. We talk weekly.

11 CHAIRPERSON BERRY: And the only  
12 substantive question I have for you is -- I was  
13 somewhat puzzled. If you pass at an eighth grade  
14 proficiency, if you read at the eighth grade level,  
15 or something, you can --

16 MS. MCFADDEN: If you test below the eighth  
17 grade level then -- let me backup a little bit.  
18 Florida provides literacy services to anyone  
19 without a high school diploma free of charge.  
20 There are approximately seven, and one of them --  
21 and the one that is most often used to waive a  
22 fee -- there are seven -- I am going to the call  
23 them "waivers" and it's not technically the correct  
24 term, but it's the most understandable term. And  
25 one of those is that if someone has a high school

1 diploma but tests below the eighth grade that we  
2 will provide academic G.E.D. service, or what have  
3 you, whatever they are going to be put into, 401  
4 programming, adult basic education free of charge.

5 CHAIRPERSON BERRY: And so it might be a  
6 source of tension if people know that immigrants by  
7 virtue of the fact, not that they are immigrants,  
8 but because that they will more likely test below  
9 level and can end up getting free services, whereas  
10 that might have to pay more, leaving aside the  
11 point of why anybody would be at the eighth grade  
12 level graduating from high school, which is  
13 another --

14 MS. MCFADDEN: That is actually a minor  
15 group, and I don't think that should be the focus  
16 of what you focus on. It's a very minor number of  
17 students that we service. The focus of the issue  
18 is that -- and I can give you a break-out. I think  
19 I mentioned previously 27 percent of the adults  
20 statewide in our programs are in English as a  
21 Second Language.

22 CHAIRPERSON BERRY: Well, I was only asking  
23 Ms. McFadden, my major interest, just so you are  
24 clear about it, even though I am really interested  
25 in why they are reading on the eighth grade level.



1 By my major interest, for the purpose of this  
2 hearing is, could it, in fact, be a source of  
3 racial tension or ethnic tension as it has been  
4 reported that some people say, well, why should  
5 they get free education, when I can't, and I am a  
6 U.S. Citizen?

7 MS. MCFADDEN: Well, they would get it free  
8 if they didn't have a high school diploma. Anyone  
9 who does not have a high school diploma receives  
10 the adult training free of charge.

11 CHAIRPERSON BERRY: I would ask staff maybe  
12 to follow-up and clarify that, and I won't belabor  
13 the point here. I understand that the commission  
14 on immigration that Barbara Jordan chairs came out  
15 in support of, quote, Americanization, which  
16 includes encouraging instruction for immigrants  
17 with prompt assimilation by learning English and is  
18 done by private and government sources. Should I  
19 assume that you would all support that?

20 MR. BRADFIELD: I think that is a wonderful  
21 statement.

22 CHAIRPERSON BERRY: Unless I just made it  
23 up, or something.

24 MS. MCFADDEN: Could you repeat the  
25 statement?

1                   CHAIRPERSON BERRY: It's called  
2 Americanization. In the early history of the  
3 country, in the 19th century, we called it  
4 Americanization schools, so people could become  
5 Americanized and could learn English, and so on.  
6 And my understanding is that that commission  
7 supported the ideas of Americanization, which  
8 includes encouraging instruction for immigrants to  
9 promptly assimilate by learning English, and that  
10 it will be funded by private and government  
11 sources, and I was wondering if you thought that  
12 was a good idea.

13                   MR. BRADFIELD: More or less, I would like  
14 to -- I mean, I haven't seen -- I am aware that  
15 that came out, but I haven't seen what they've come  
16 out with, and before I would agree to it, I would  
17 kind of like to see what we are talking about.

18                   CHAIRPERSON BERRY: Sure. But conceptually  
19 the idea --

20                   MR. BRADFIELD: Conceptually, I think it  
21 might be appropriate.

22                   MS. MCFADDEN: I wouldn't want to speak on  
23 behalf of the department on that issue.

24                   MS. HOFFMAN: If I could speak as a former  
25 graduate student, I did my studies in cultural

1 studies, and my concern would be that this would  
2 regenerate the melting pot philosophy, which  
3 affectivity has done a lot of damage for people  
4 becoming more self-conscious, more ashamed of their  
5 backgrounds, and I think this has been a problem of  
6 racial and ethnic groups. We cannot melt together  
7 and that the Americanization word connotes that  
8 melting pot philosophy. I think we should have  
9 transitional programs. I think we should certainly  
10 consider it an entitlement even for heavily  
11 impacted districts and locations, that if you have  
12 huge numbers of immigrants, you are provided the  
13 resources to provide these transitional programs.  
14 But what is America? You mentioned American  
15 Indians earlier. I worked for six and a half years  
16 with the Miccosukee Indians out in the Everglades.  
17 This is their Florida, and I don't think we can  
18 define American that easily. I think it's  
19 difficult to identify what is American culture  
20 other than using the television or the media as a  
21 vehicle for defining American culture and  
22 appropriate behavior. But I do believe that we do  
23 need transitional programs. And long before we got  
24 into this E.S.L. discussion, a fellow named Edward  
25 T. Hall in the fifties promoted very heavily the

1 fact that there was no distinction between language  
2 and culture. When you teach a language, you teach  
3 a culture. And as a result, we should be talking  
4 about multi-culturalizing our populations, and when  
5 we the E.S.O.L., teaching the transitional kinds of  
6 programs that perhaps Mrs. Jordan is referring to.  
7 But we are not approaching the issue of  
8 transitioning the immigrants in a holistic way. We  
9 need more comprehensive programming for this. It  
10 is not just giving more E.S.L. It is not just  
11 washing away bilingual education, and it certainly  
12 is not declaring English as the official language  
13 of the United States.

14 CHAIRPERSON BERRY: Boy, I didn't know what  
15 I was asking for when --

16 COMMISSIONER HORNER: Madam Chair, not to  
17 respond at length, but I think we just heard a  
18 manifestation of a point of view which has created  
19 a situation in which the transition to fluency in  
20 English language has been made into an unduly  
21 protracted, in my view, an duly protracted affair  
22 affair, because it has been joined with a  
23 conflicting motive on the part of people who in  
24 positions of responsibility for transition to  
25 English, to wit: The preservation of the original

6  
1 language. And as long as people in positions like  
2 that hold to the attitude that we have just heard  
3 expressed, we are going to have great difficulty  
4 with what ought to be a rather simple process of  
5 the mastery of English.

6 And I think, Ms. Hoffman, you have just  
7 given us evidence of why so many people are  
8 supporting an official language in order to  
9 overcome the point of view that you have just  
10 expressed.

11 DR. HOFFMAN: Well, I would not say that we  
12 should not all learn English. I think if you've  
13 understood that from my comment, you've  
14 misunderstood me.

15 COMMISSIONER HORNER: No. I understood we  
16 should all learn English, but there is a tension  
17 there between keeping the original language and  
18 learning English, and when interference occurs, it  
19 is an equivalent priority to retain -- in your  
20 view, to retain the original language in order to  
21 retain in original culture.

22 DR. HOFFMAN: I think you've read a lot  
23 into my statement.

24 COMMISSIONER HORNER: Good.

25 DR. HOFFMAN: As a person, who is first

1 generation American, my mother Cuban-American and  
2 my father was Polish-American, I certainly grew up  
3 in a very multi-ethnic community, in New York, and  
4 I see a certain value in the private cultural  
5 maintenance of whoever's culture and whatever they  
6 want to do in their private home. I would agree  
7 with that. I do think there is a public self that  
8 needs to use English and learn English. Our  
9 immigrants need that, and they want that, and they  
10 were behind the English-only vote in California.  
11 An extraordinary percentage of them voted for it.  
12 But what I think you have to be very careful, when  
13 we promote these policies, that it doesn't destroy  
14 something very precious, which is our resources in  
15 many languages that come to us. This story was  
16 told earlier about the school in Mexico where 900  
17 or some 600 Japanese go to learn Spanish. We need  
18 these people. We need to sustain these resources,  
19 and that is what I think I was trying to say. I  
20 wasn't, you know, implying that we were creating a  
21 mishmash here.

22 CHAIRPERSON BERRY: If it's all right, we  
23 will sort of leave it at that.

24 I see another finger being waived here.

25 COMMISSIONER FLETCHER: Mine is very

6  
1 simple, and it goes back to something else. My  
2 learnedness colleagues up here understand it, but I  
3 don't. I want to ask a very simple question. This  
4 is for the record. You used the term  
5 "conversational" and "academic." Explain the  
6 difference between the two for me, would you  
7 please?

8 DR. HOFFMAN: When we speak, we may use  
9 reductions in language, and we may use gesture, and  
10 we may use references to things that we point to,  
11 which allows to us to communicate much more  
12 briefly. My example, when I train teachers are  
13 real -- except in speech, when we are talking, we  
14 are going to say, "We are gonna finish soon."  
15 "Gonna." "Did ja do such a thing?" "Aren't ja."  
16 And we will accept reductions. We will accept  
17 contractions, most people say. And also funding of  
18 the pronunciation, whereas academic English is very  
19 unforgiving. The average sentence in a book might  
20 be sixty to twenty-five words long. That's a lot  
21 longer than --

22 COMMISSIONER FLETCHER: Those are legal  
23 briefs.

24 DR. HOFFMAN: Excuse me?

25 COMMISSIONER FLETCHER: Those are legal

1 briefs that you have described.

2 DR. HOFFMAN: But fortunately that's the  
3 currency of success in some academic environments.  
4 What you score on a SAT is basically how well you  
5 control academic English, and when you are tested  
6 in universities essay questions are a test of how  
7 well you control academic English.

8 COMMISSIONER FLETCHER: Thank you.

9 CHAIRPERSON BERRY: We want to thank the  
10 panel for coming, and you are now dismissed,  
11 excused, and the staff will engage in sign-out  
12 procedures with you. Thank you very much for  
13 coming.

14 DR. HOFFMAN: Thank you.

15 CHAIRPERSON BERRY: Without a break, we are  
16 going to go into the open session. Would the  
17 witnesses please come forward? Or have them come  
18 one at a time? Or how do you want to do this?

19 MS. MOORE: We will have them one at a  
20 time.

21 CHAIRPERSON BERRY: One at a time. Okay.

22 MS. MOORE: I will call all the names of  
23 the witnesses for the session, and they will come  
24 one at a time.

25 You should come in this order: Mr. Bradford



6  
1 Brown, Sherwood G. Dibose, Stephen Malagodi,  
2 Anthony F. Klobuchar, Jafrika Alston, Dr. Loretta  
3 Zhou Tong, June Pitman, Patricia Stripling.

4 CHAIRPERSON BERRY: And you are coming one  
5 at a time and within that order.

6 We are going to begin with Bradford Brown,  
7 who is the past chair of the Florida State Advisory  
8 Committee and longtime member of the State Advisory  
9 Committee, and we want to welcome to come to speak  
10 to us please.

6  
11 I know that many people have waited out  
12 there a long time to have a chance to voice their  
13 concerns, and we thank you for your patience. I  
14 know that this open session will be orderly and  
15 informative. And if there is anyone who doesn't  
16 have an opportunity to address us, or who comes in  
17 and doesn't address us, then there is the  
18 availability of written statements that can be  
19 submitted. If there are people who have  
20 individuals complaints, they can then call the  
21 Commission's toll-free number, which the staff  
22 members would be happy to give.

23 Bradford Brown, would you please stand so I  
24 could swear you in?

25 (Thereupon, Bradford Brown was duly sworn.)

1 MS. MOORE: Madam Chair, if I may, for the  
2 open session each witness has been advised  
3 that they will have a maximum of five minutes to  
4 present their views, and if you would direct your  
5 attention to the light, just directly in front of  
6 the chair, which will light up green for five  
7 minutes, yellow after three minutes, I believe it  
8 is, and red at the conclusion of your remarks.  
9 Thank you.

10 CHAIRPERSON BERRY: Mr. Brown, please  
11 proceed.

12 MR. BROWN: Thank you. Chair Berry,  
13 Members of the Commission, Staff Director, General  
14 Counsel, my name is Brad Brown, and as you said, I  
15 am a present member and former chair of Florida  
16 SAC, a former chair of the Massachusetts SAC, and  
17 former member of the Oklahoma SAC. I serve as a  
18 vice president of the Miami-Dade N.A.A.C.P. I am  
19 past chair of the Dade County Community Relations  
20 Board. I have served as a member of the Board of  
21 the Haitian Refugee Center, and as a member of the  
22 Board of Metro-Miami Action Plan Trust, which held  
23 its annual meeting here today with about 1,500  
24 attendees. MAP is a child of one of the  
25 Commission's 1980 hearing recommendations for

1 public-private efforts to address disparities.  
2 Unfortunately, the private sector component today  
3 is still far too limited. While much remains to be  
4 done to fully implement the recommendations of the  
5 earlier report, there has been valuable resources  
6 for efforts to improve Dade County.

7 I would like to specifically address  
8 several issues where the results of immigration  
9 have impacted racial and ethnic tensions. The  
10 Miami Herald has quoted a study stating the City of  
11 Miami is the poorest African-American community in  
12 the country. The African-American community in  
13 Dade County has been overly represented and  
14 dependent upon the public employment sector,  
15 although the concentrations have been primarily at  
16 the lower levels --

17 MS. MOORE: I am sorry I have to interrupt  
18 you. Although we have given you a time limit, the  
19 court reporter tells us you need to slow down in  
20 your remarks. We will indulge you on the time.

21 MR. BROWN: Thank you. Not only are  
22 governments of Dade County down-sizing, and in some  
23 cases it's down-sizing its impacting directly, the  
24 Equal Opportunity and the Affirmative Action  
25 offices, but immigrant populations are rightfully

1 demanding more proportional representation. Yet  
2 there is not a corresponding increase of  
3 opportunity of African-Americans in the private  
4 sector, especially in the growing business sector  
5 run by immigrants. Language questions enter into  
6 this -- When is Spanish needed? How perfect does  
7 the Spanish have to be? And when is the  
8 requirement for more fluent Spanish a legitimate  
9 job requirement? And when is it an excuse to  
10 discriminate?

11           The 1964 Civil Rights Acts removed the  
12 ability of employers to not hire Blacks solely  
13 because the businesses believe its customers  
14 preferred White employees. The same holds true for  
15 Hispanic-owned businesses, or businesses owned by  
16 others serving in Hispanic communities. The lack  
17 of private sector affirmative action, coupled with  
18 use of language requirements, in some cases to  
19 discriminate, along with changes in the public  
20 sector, exacerbate racial tensions.

21           Most of the hurricane impacts were covered  
22 by Rabbi Akin. But recently F.I.U. has identified  
23 insurance settlement inequities, and I would  
24 suggest the Commission might look into this,  
25 because this may well be country-wide problem in

1 disaster relief. Black neighborhoods, including  
2 those neighborhoods that have changed in  
3 composition since Hurricane Andrew, still today  
4 have a lot of rebuilding to do, and this lack of  
5 rebuilding continues the exacerbate racial  
6 tensions.

7 Police stations are still with us. The  
8 issue in Coconut Grove of the recent police  
9 shooting, City of Miami of an African-American  
10 teenager was mentioned by Tommy Battles earlier  
11 today. The area of continued police shootings, and  
12 City of Miami, and destruction following is an area  
13 that needs to be thoroughly continued to be looked  
14 into.

15 And yet the Independent Review Panel, the  
16 Equivalent Agency in the City of Miami, the Dade  
17 County Community Relations Board have all been cut  
18 back. Today I learned that Congress is trying to  
19 do away with the Community Relations Service as  
20 well.

21 Rabbi Akin also mentioned the previous  
22 tension that existed because of the policy  
23 treatment of Haitians, in Immigration. We are now  
24 hearing stories and allegations that it is taking  
25 longer for Haitians than others to get their

1 citizenships processed, and this needs to be  
2 cleared up, because it is this type allegation that  
3 continues, again, to exacerbate racial and ethnic  
4 tensions.

5 I won't go on, but it will be easy to do,  
6 for example, to describe some of the problems in  
7 schools of disruption during Black History Month  
8 events. But suffice it to say that my views from a  
9 community level, with regard to ethnic and racial  
10 tensions, is not quite as rosy as some of the  
11 speakers made it seem earlier today.

12 I believe that for the County to move  
13 forward in efforts to decrease racial and ethnic  
14 tensions the issue, in fact, must be called out  
15 into the open, and not swept under the rug. I  
16 thank the Commission for focusing on racial and  
17 ethnic tensions and the underlying causes such as  
18 racism and urge you to continue to press on this  
19 issue.

20 And with regard to your specific your Miami  
21 findings and recommendations, I urge you to work  
22 with the Florida SAC to follow-up on their  
23 implementations. I thank you.

24 CHAIRPERSON BERRY: Thank you very much.

25 The next witness is Mr. Sherwood --

1 MS. MOORE: The next witness is Harold  
2 Long, Jr., from the Metro Miami Action Plan Trust.

3 CHAIRPERSON BERRY: They are the people  
4 that had the big meeting down the hall.

5 MR. LONG: Right.

6 CHAIRPERSON BERRY: Please let me swear you  
7 in.

8 (Thereupon, Harold Long, Jr., Esq.  
9 was duly sworn.)

10 CHAIRPERSON BERRY: Thank you. Please be  
11 seated. Go right ahead.

12 MR. LONG: Thank you. To the Chairperson  
13 and Members of this Commission, it is indeed a  
14 pleasure for me to have this opportunity to appear  
15 before you. My name is Harold Long. I am a  
16 chairperson of the Metro Miami Action Plan. As was  
17 previously indicated by a speaker, we were actually  
18 born -- the commission recommendations before --  
19 and I had pleasure, I believe, at that time of  
20 testifying. And so I come with a real true sense  
21 of optimism, in a knowledge that, you know, good  
22 things can come from what happens, because we feel  
23 that what is being accomplished by Metro Miami  
24 Action Plan in Dade County is a good thing.

25 We feel that the current immigration

1 policies have had a extremely profound effect in  
2 all areas relating to the quality of life in Dade  
3 County for African-American citizens. We think  
4 that the initial policies created quite a bit of  
5 alienation within an already-tense community. We  
6 think that what was perceived as a very obvious  
7 disparity in the treatment of Haitian immigrants as  
8 opposed to treatment of Cuban immigrants certainly  
9 polarize the community further. And, certainly,  
10 with the eliminations of the disparities in  
11 treatment, we feel that will give some assistance.

12 It does not, however, affect the impact,  
13 the very substantial impact, of the large number of  
14 immigrants that have, in fact, come to reside here  
15 in Dade County. The numbers, I don't have  
16 specifics on. The affects are obvious, however.  
17 In the area, we think -- first of all, employment.  
18 Certainly this influx has created more persons  
19 competing for the lower-level jobs, notwithstanding  
20 anything that you may have hear to the contrary.

21 Unfortunately, there has not been a  
22 substantial difference in terms of the employments  
23 of African-Americans between 1974 and 1994. I  
24 bring with me, which I would like to have copied  
25 and made a part of the record -- and I am not going



6  
1 to read it into the record -- a survey from the  
2 Metro-Dade County Equal Employment Opportunity,  
3 ranking the employment of African-Americans and  
4 other minorities between 1974 had an 1994 over the  
5 20-year period, and I think the similarities may be  
6 somewhat stunning in the face of a general  
7 consensus and belief that there has been true  
8 advancement in the employment area among African  
9 Americans.

10 CHAIRPERSON BERRY: Could we have a copy be  
11 put in the record?

12 MR. LONG: Thank you very much.

13 African-Americans own less than five  
14 percent currently of the businesses in Dade  
15 County. There have been, as a result of the  
16 influx, a number of bilingual requirements for  
17 employment. These requirements have, I believe,  
18 hindered many African-Americans in seeking jobs in  
19 the open market. We recognize that it's a  
20 bilingual community, but we must also recognize the  
21 impact that this type of qualification does bring  
22 for jobs that previously did not impose such  
23 requirements.

24 We feel that in the area of education the  
25 impact has, likewise, been profound. At one point,

1 our educational system reached almost crisis  
2 proportions. The highest dropout rate for  
3 African-American students exist here, the highest  
4 crime rate, and all of these things, of course,  
5 stem from dropping out of school, and what used to  
6 be said, an idle mind is a devil's workshop, so to  
7 speak. So all types of problems result when there  
8 is a problem with education and when there is a  
9 problem with employment.

10 We are certainly grateful that you have  
11 taken the opportunity to come to Miami to look into  
12 this. We urge you to continue to do the good work  
13 that you have done, and be strong in the  
14 recommendations, and oversee what is actually  
15 occurring here.

16 We are certain that you, as MAP, would like  
17 to eliminate any of the disparities that exist  
18 between the respective communities, and we join  
19 with you in that area, and we thank you for your  
20 consideration.

21 CHAIRPERSON BERRY: I thank you for your  
22 testimony, but I am going to ask you one question,  
23 because I think it's important in terms of what we  
24 heard earlier. Is it the case that  
25 African-Americans do not want to take low level

1 jobs, and that if you flew a helicopter over the  
2 Black community and drop jobs down there would  
3 still be all these people unemployed, even though  
4 you dropped jobs all over the place? And if so,  
5 what is the problem?

6 MR. LONG: I don't think that to be the  
7 case. I think that one of the problem is, when  
8 there is a general sense of frustration, when all  
9 of the job opportunities that may have been  
10 previously presented are dead-end positions, when  
11 you are locked into a certain salary structure that  
12 you can never surpass, and you are hooked up with  
13 living conditions that require expenditures far  
14 beyond your needs, all types of problems develop.  
15 What I think we have found is that when you have  
16 good job training programs and can alleviate some  
17 of the other problems that incidental to the  
18 employment problem, with many of the unemployed  
19 African-American mothers -- child care is a very  
20 problem -- when you can provide something to take  
21 care of child care and provide job training  
22 opportunities, with knowledge of the fact that  
23 there can be advancement and you can move on, I  
24 don't think that that would be a problem at all. I  
25 think that perhaps the problem is a sense of

1 frustration, and you know, the alienation that is  
2 presently subsiding but still exists as it relates  
3 to these employment practices, and a defective  
4 welfare system, I mean all of these things are <sup>so</sup> <sub>so</sub>  
5 intertwined that it's kind of difficult to speak of  
6 them individually. But I am certain that with  
7 proper job training programs and opportunities for  
8 advancement in employment, that that would not be a  
9 problem.

10 CHAIRPERSON BERRY: And the last thing I  
11 will ask you -- it's because of what we heard  
12 earlier. Do you accept the notion that bilingual  
13 education -- bilingual requirements in certain jobs  
14 are necessary because Miami has become an  
15 international trade center, with people coming and  
16 going, and the demographic shifts, and that what  
17 people really ought to do is learn another language  
18 other than English, and that that is a solution to  
19 the problem?

20 MR. LONG: Well, I don't think learning  
21 another language is the solution to the problem.  
22 No. I think American citizens ought to speak  
23 American language, which is English. I do  
24 appreciate the fact that there could be a need for  
25 bilingual persons to occupy certain positions, but

1 these are not positions that ought to displace  
2 positions that already existed. And I think that  
3 is when you have the problem. For example, if  
4 there is a group of immigrants that come and they  
5 are able to put together a shopping center, okay,  
6 and they serve basically a Hispanic community,  
7 certainly there is a need there for a bilingual  
8 person to operate under those circumstances. But  
9 this is a job that has been created by that  
10 community, that has been created by that need.  
11 But, on the other hand, to buy into an existing  
12 business, in an African-American community, or  
13 mixed community, and then impose a bilingual  
14 requirement for holding that position, I think is  
15 problematic.

16 CHAIRPERSON BERRY: Well, thank you very  
17 much for your testimony, and we are glad that we  
18 were able to hear from you, and keep up the good  
19 work.

20 MR. LONG: Thank you very much.

21 CHAIRPERSON BERRY: The next witness is  
22 Stephen Malagodi from AFSCME 1184, American  
23 Federation of State-County Municipal Employees,  
24 Local 1184; is that right?

25

1 MR. MALAGODI: Yes.

2 CHAIRPERSON BERRY: Please, let me swear  
3 you in.

4 (Thereupon, Stephen Malagodi was  
5 duly sworn.)

6 CHAIRPERSON BERRY: Please be seated.

7 MR. MALAGODI: Thank you. I want to thank  
8 your counsel for getting my name absolutely  
9 perfect.

10 Good afternoon, Members of the Commission.  
11 My name is Steve Malagodi. I am here today  
12 representing AFSCME 1184. We represent  
13 approximately eight thousand non-teaching employees  
14 of the Dade County Public School system. Our  
15 members are primarily school bus drivers, mechanics  
16 food services workers, general maintenance,  
17 workers, and security guards. Our Local 1184  
18 stands together with our international leadership  
19 our international union led by Joe Macintein  
20 (phonetic), secretary-treasurer Bill Lucy  
21 (phonetic) in opposing, in particular, Florida  
22 Proposition 187 and its relative initiatives, the  
23 English-only initiative, and the anti-affirmative  
24 action initiative that are currently be circulated  
25 in Florida, with hopes of these initiative be on

1 the '96 ballot.

2           Specifically on 187, we believe that both  
3 the campaign for 187 and 187 itself, should it  
4 pass, will be extremely divisive in our state. We  
5 feel that it will hit Northern Florida against  
6 Southern, that it will hit urban dwellers against  
7 rural agricultural workers, that it will create a  
8 climate of antagonism and violence.

9           We believe that it will exacerbate tensions  
10 among parents and students on the local level.  
11 Everybody knows, including our members, that  
12 discipline is a problem, not only in the classroom,  
13 but on the busses on the way to the classroom. And  
14 if we create, here in Florida, a climate where  
15 groups of people are stigmatized, and we create an  
16 atmosphere of alienation and hostility, that this  
17 is going to play itself out among our students  
18 also.

19           We think that passage of Prop. 187 would be  
20 an undue burden on our members as State employees  
21 because the intergovernmental provisions of Prop.  
22 187 require State employees report to the I.N.S.  
23 people that they suspect to be undocumented  
24 workers. We think this would be the disaster,  
25 particularly here in the South Florida.

1

2           So just to be brief -- oh, one more thing.  
3 I almost forgot to say it because it's seems so  
4 **obvious**, ~~that~~ our members believe that it's much  
5 better for children, regardless of their legal  
6 status, to be in school. Proposition 187, should  
7 it pass here in Florida, would deny basic education  
8 to approximately fifty thousand children of  
9 undocumented workers here in Florida. I think that  
10 number comes from the State Department of  
11 Education.

12           So we think it would be unmitigated  
13 disaster, not only for our membership, for our  
14 people in or local, but for our communities in our  
15 state as a whole. So we thank you for coming, and  
16 we wanted go on record as showing in, at least, our  
17 statement that we are opposed to 187.

18           CHAIRPERSON BERRY: Thank you very much for  
19 coming, Mr. Malagodi.

20           Our next witness is Anthony F. Klobuchar,  
21 on the Florida 187 Committee.

22           Let me swear you in.

23           (Thereupon, Anthony F. Klobuchar  
24 was duly sworn.)

25           CHAIRPERSON BERRY: Please be seated.



6  
1 MR. KLOBUCHAR: I will be brief. I would  
2  
3 just like to explain that I came here as an  
4 individual and not as a spokesman for Florida 187  
5 Committee, so any opinion or judgments that I pass  
6 on are not meant of the committee. Okay? I came  
7 as an individuals.

8 CHAIRPERSON BERRY: Okay.

9 MR. KLOBUCHAR: There has been immigration  
10 related racial and ethnic in the past in this  
11 community. There is no doubt about it. And there  
12 are different views as to creating that. I came  
13 here to bring up a couple of instances.

6  
14 My opinion, I feel in past that certain  
15 immigration attorneys, active as immigration  
16 attorneys, all along with their ethnically-based  
17 refugee advocacy organizations have created some  
18 discord in the community through their  
19 overreactions. It's quite simple. And when they  
20 don't get their way, okay, they conduct  
21 demonstrations, some legally, but others  
22 illegally.

23 A couple instances that I would like to  
24 bring up: In February of 1994 -- I think we all  
25 know there was a major controversy going on in this

1 area about a mass-migration from Haiti. Certain  
2 activists in the area were pushing this very hard  
3 from the local scene, as well as the national  
4 scene, Randall Robinson hunger strike.

5 Now, in February of '94, certain Haitian  
6 groups did block Interstate 95. They were going up  
7 to a rally up into the Delray Beach area. They  
8 drove their cars ten miles an hour. They are  
9 waving Haitian flags, yelling and screaming, and  
10 displaying large photographs of Aristide. They  
11 blocked up I-95 for 25 mile.

12 Now, I don't think that is right, and that  
13 in itself, you know, getting to work on time, not  
14 having to put with that type of hassle, that is a  
15 civil right. It's a free country. You want to  
16 demonstrate, fine, but don't block major interstate  
17 highways. That creates a lot of bad feeling  
18 amongst all groups.

19 And I think we are well aware that this  
20 year when the Cuban policy was changed over, you  
21 know, the fact that they were now going to be  
22 repatriated, that they had to apply for visa, and  
23 they were going set a 25,000 quota on entrance from  
24 Cuba, and that you could no longer float in, I  
25 think we know what happened in this community. The

1 toll gates on Interstate 836 were blocked. That  
2 highway was blocked up for the number of miles.  
3 Cuban flags were displayed, okay, for a number of  
4 days in this area. And by the way, I don't live in  
5 this specific area. I live further north. We saw  
6 this on TV. Streets were being blocked  
7 constantly. Cuban flags were all over the place.  
8 Now that pits all groups against all groups.  
9 Hispanic against Hispanic, Black against Hispanic.  
10 I mean, actions like that don't accomplish  
11 anything, and I just really think that that needed  
12 to be said, that some of the refugee advocacy  
13 groups in this area, when they don't get their way,  
14 some of the actions of the members, they spin out  
15 of control. You have to live in a civil society  
16 where people can drive the highways. I guess that  
17 is just about all I had to say.

18 CHAIRPERSON BERRY: Thank you very much,  
19 Mr. Klobuchar, for coming and giving us your  
20 views.

21 CHAIRPERSON BERRY: The next witness is  
22 Jafrika Alston. Please come forward.

23 (Thereupon, Jafrika Alston was duly sworn.)

24 MS. ALSTON: Hi, Commissioners. Thank you  
25 for coming to Miami. I am a 41-year-old, single

6  
1 parent and mother of two boys. I speak as a  
2 guidance counselor in the Dade County school  
3 system. I speak as a concerned citizen. I have  
4 lived in Miami for four and a half years, formally  
5 from Brooklyn, New York.

6 I never experienced blatant, overt racism  
7 until I arrived here, where racism is a 24-hour a  
8 day, 7-day a week ordeal. Because of the  
9 statistics of every two blacks, fifty percent of  
10 the population living below the poverty line,  
11 leaves me with the assumption that if you are  
12 African descent you are poor.

13 My experience has been, whenever I go into  
14 a retail store, I am followed around from aisle to  
15 aisle always suspected of being thief me.

16 And my sons and I were physically attached<sup>K</sup>  
17 in a Hialeah Publix. I was detained by a police  
18 officer in my car for 45 minutes because I was lost  
19 somewhere in Kendall. And I didn't know where I  
20 was, I couldn't find that place again if I wanted  
21 to.

22 I am concerned about immigration. When we  
23 had the crisis of the influx of Cuban rafters,  
24 there was no concern to the health of the people  
25 who lived in Miami or American citizens.

1 I am very concern that chickens, dogs,  
2 cats, and all kind of things were brought into this  
3 country. If I go to the Bahamas, I can't come back  
4 with an orange. I don't understand who that  
5 occurred and how that was allowed to happen.

6 And the school where I work, there was a  
7 child, who -- I am not health practitioner, but I  
8 didn't know this -- lesions all over a child, a  
9 rafter child's body, and he reported himself, even  
10 though he couldn't speak English, that he had  
11 Herpes. I wondered how a person who has that  
12 disease could have come into a Dade County school,  
13 in a very, very contagious condition.

14 A school secretary's sister came to this  
15 county on Thursday from Cuba, and by the next  
16 Friday, she was a Dade County school's employee.  
17 Even though she couldn't speak English she was a  
18 paraprofessional.

19 When I came to Miami, I was here for seven  
20 months without employment. I wonder how that can  
21 happen.

22 I am concerned about the media here in  
23 Miami that people of African descent are portrayed  
24 as menaces to society, they never miss an  
25 opportunity, whether a new print or in the media,

1 to show a person of African descent in handcuffs,  
2 or before a judge. And when a crime is committed,  
3 if it's committed the by a person of African  
4 descent, they mention the race. If the person is  
5 not of African descent, they forget about  
6 mentioning that. That really concerns me.

7 I feel there is preferential treatment for  
8 the hiring of Cubans here in Miami, and I feel it's  
9 very unfair. I am very concerned about disparity  
10 between the Cubans coming to this country as  
11 envisioned in them coming to freedom, and the  
12 Haitians coming with a need to be repatriated.

13 I am glad that you came to Miami, and I  
14 hope that with your assistance, we will be able to  
15 have a happier healthier area community for all  
16 people in Miami.

17 CHAIRPERSON BERRY: Thank you very much for  
18 your testimony. We will appreciate you coming  
19 forward.

20 Our next witness is Dr. Tong, from the  
21 Asian American Federation of Florida.

22 (Thereupon, Dr. Loretta Zhou Tong  
23 was duly sworn.)

24 CHAIRPERSON BERRY: Please proceed.

25 DR. TONG: Well, first of all, I am very

6  
1 pleased to have the opportunity to address all of  
2 you. As Asian there are a number of issues that  
3 affect us. I represent the Asian American  
4 Federation of Florida.

5 This is a composition group composed of 18  
6 Asian minority groups who are represented here in  
7 the South, and this is rather unusual to have this  
8 coalition of people.

9 We are small minority. We only represent  
10 only 2.6 percent of the population of South  
11 Florida. And even though the population of Dade  
12 County is at two million, it's still a small  
13 minority, but we are growing.

6  
14 Between 1980 and 1990 our population  
15 percentage doubled. We anticipate that percentage  
16 to double again in the year of 2000 because of  
17 unrest in Southeast Asia and the problems of Hong  
18 Kong, and Mainland China is looking at Taiwan --  
19 and to assimilate would be a nice word. And we  
20 anticipate more influx there.

21 We are concerned about Proposition 187,  
22 because Chinese and Asians have been excluded from  
23 immigrating to the United States for 100 years.  
24 Until 1952, immigration was nonexistent or limited  
25 105 a year. We are finally beginning to have an

6  
1 Asian influx and perhaps even a fair share of the  
2 immigrants to this country.

3 Our local politicians know that we are a  
4 small minority and one local politician has even  
5 stated that you are such a small minority that you  
6 don't count. But we do count.

7 We help make South Florida a beautiful  
8 salad, in which each our Asian groups as a member  
9 of the salad and retain its identity.

10 We do count. We participate in the  
11 economic basis of the community and encourage trade  
12 between pacific-rim countries and the United States  
13 and South America.

6  
14 We are even hosting a conference next week  
15 to encourage people to trade with pacific-rim  
16 countries, because we want to bring the economic  
17 development of this type of business to South  
18 Florida.

19 We participate and make substantial  
20 contributions to the cultural life of South  
21 Florida, including an Asian Film Festival, Asian  
22 Arts Festivals, and scholarships we which offer to  
23 all graduating seniors of South Florida schools, no  
24 matter the race, or religion, or ethnic  
25 background.



6  
1           Unfortunately, local government also feels  
2   that we don't count. We are rarely ever thought of  
3   where minorities are concerned. There are, to the  
4   best my knowledge, no Asians serving on any of the  
5   committees or board involved in county government.  
6   This is true even in committees and boards  
7   especially formed to deal with cultural and ethnic  
8   changes and individuals. And even the boards and  
9   committees that are trying to unite the people of  
10  this county do not include Asian representation.

6  
11           There has not been an effort on the part of  
12  government to reach into our Asian community to  
13  evolve us into the eternal structure of  
14  government. Nor has there been an attempt to reach  
15  Asians, assist them to understand their rights, or  
16  their services, and program of the County.

17           We are indeed the excluded minority, and  
18  because of the exclusion, we remain the silent  
19  minority. Thank you.

20           CHAIRPERSON BERRY: Thank you very much,  
21  Dr. Tong. We appreciate your coming.

22           DR. TONG: Thank you.

23           CHAIRPERSON BERRY: The next witness is  
24  Patricia Stripling.

25           Would you please come forward?

1 (Thereupon, Patricia Stripling was  
2 duly sworn.)  
3  
4

5 MS. STRIPLING: Good evening. I am very  
6 happy to be able to come here and speak with this  
7 commission. I am here as a mother, a grandmother,  
8 and a citizen, and I speak for myself, and other  
9 African-Americans.

10 In 1991, I was living in Hialeah. I went  
11 to an elementary school in Hialeah, and I  
12 registered to become an interior decorator. A week  
13 later, when I went to the school for my first  
14 class, it was myself and two Caucasian women in the  
15 classroom.

16 We sat there for about thirty minutes, not  
17 knowing what was going on. Then finally the  
18 instructor walked in, and he told us that the class  
19 was only going to be taught in Spanish. I asked,  
20 "Well, can't you translate it into English?" He  
21 said, no, he could not, because it would take up  
22 too much time.

23 So I went and talked with the night  
24 principal, and I talked to him about it, and he  
25 told me the same thing, so I had forgotten all --

1 he gave me my check back, and I went home.

2 Then about two and a half years later I  
3 decided to go to be a C.N.A., Certified Nursing  
4 Assistant, because I wanted to do private duty. I  
5 went and I finished. After I finished my class, my  
6 course, I went to a couple registers, you know, and  
7 by word of mouth to get a job in private duty --  
8 and I was told by many that that was a hot field to  
9 go into, as a Black American, because the  
10 immigrants had taken over, and they are working for  
11 lower pay. And that has been three years ago, and  
12 as of today, I have not been able to find a job as  
13 a private duty nurse, and that's what I wanted to  
14 do.

15 But my dream was to become, later on, after  
16 I had my children, to go into interior design, and  
17 that really hurt me. I called several places, and  
18 the class was not given anywhere in Miami, nowhere  
19 but there, and I am still hurt by that today.

20 And as for Proposition 187, I feel that we  
21 need it, because the federal moneys that are being  
22 spend for immigrants can go for American kids to be  
23 enrolled in Head Start or Pre-K, because they only  
24 allow 20 kids in the whole school. And I have seen  
25 this, mothers who have to pay and cannot afford for

6  
1 a baby-sitter or day-care because their child  
2 cannot get in because there is not enough funds.

3 These are the issue that I wanted to bring  
4 forward, and I thank you very much.

5 CHAIRPERSON BERRY: Your testimony, part of  
6 what you said, was an individual complaint about  
7 your situation with the school, so I would hope  
8 that staff would take down the information, or tell  
9 you where to file your individual complaint, so  
10 that we could follow up.

11 The rest of it was generalized, but you did  
12 give some specifics about some things that happened  
13 to you.

14 So I am asking, as you leave, for staff to  
15 follow up with so we can get the complaint filled  
16 out so that somebody can, at least, initiate some  
17 kind of investigation as to that part of it.

18 MS. STRIPLING: Thank you.

19 CHAIRPERSON BERRY: Thank you very much for  
20 coming.

21 MS. STRIPLING: You're welcome.

22 CHAIRPERSON BERRY: That concludes the open  
23 session. We will begin, again, tomorrow at  
24 sometime at 8:30 in the morning, at the same  
25 place. This hearing is in recess until tomorrow

1 morning. Thank you very much.

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(The hearing recessed at 7:25 p.m.)

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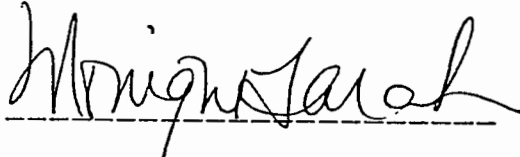
STATE OF FLORIDA:

: SS.

COUNTY OF DADE:

I, Monique B. Farah, Shorthand Reporter,  
certify that I was authorized to and did  
stenographically report the foregoing proceedings  
and that the transcript is a true record.

Dated this 18th day of September, 1995.



Monique B. Farah

Notary Public

