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ARIZONA STATE ADVISORY COMMITTEE

OPEN MEETING

TRANSCRIPT OF PROCEEDINGS

May 14, 1971

Phoenix, Arizona

CCR
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Meet.
301.2

Bouley, Schlesinger, Profitt and DiCurti

OFFICIAL COURT REPORTERS

806 TRANSAMERICA BLDG.

TUCSON, ARIZONA

1 ARIZONA STATE ADVISORY COMMITTEE

2 OPEN MEETING

3 May 14, 1971

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5 APPEARANCES:

6 ACTING CO-CHAIRMAN
7 RITA MADRID

8 ACTING CO-CHAIRMAN
9 DR. MORRISON F. WARREN

10 MRS. FORREST C. BRADEN

11 MR. ARNOLD R. ELIAS

12 MR. WADE C. CARPENTER

13 MR. PHILIP MONTEZ

14 MR. PAUL ALEXANDER

15
16
17 The above entitled matter came on for
18 hearing before the Arizona State Advisory
19 Committee, in the City of Phoenix, State of
20 Arizona, on the 14th day of May, 1971, and the
21 following proceedings were had, to-wit:
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1 THE CHAIRMAN: Ladies and gentlemen, this
2 Open Meeting of the Arizona State Advisory
3 Committee will come to order.

4 I am Rita Madrid of Phoenix. I am
5 Acting Co-Chairman of the Arizona State Advisory
6 Committee to the United States Commission on
7 Civil Rights.

8 The other Acting Co-Chairman is Dr.
9 Morrison F. Warren of Phoenix.

10 The other members of this committee are,
11 on my right, Mrs. Forrest C. Braden of Yuma;
12 Mr. Arnold R. Elias of Tucson; and Mr. Wade
13 C. Carpenter of Nogales.

14 Other members of the committee who are
15 not present are Dr. Jose Burruel, Chairman
16 of Phoenix, who cannot be with us tonight due to
17 illness; and Miss Maria L. Urquiedes of Tucson.

18 Also appearing with us today are Paul
19 Alexander of the Commission's Washington office,
20 who will act as counsel to the committee, and
21 Charles Ericksen of the Commission's Western
22 Field office.

23 This open meeting is being held pursuant
24 to rules applicable to State Advisory Committees,
25 and other requirements promulgated by the
26 United States Commission on Civil Rights. The

1 Commission on Civil Rights is an independent
2 agency of the U. S. Government, established by
3 Congress in 1957 and authorized by the Civil
4 Rights Act of 1957, 1960 and 1964 to:

5 1. Investigate complaints alleging that
6 citizens are being deprived of the right to vote
7 by reason of their race, color, religion, or
8 national origin;

9 2. Study and collect information concern-
10 ing legal developments which constitute a denial
11 of equal protection of the laws under the
12 Constitution;

13 3. Appraise federal laws and policies
14 with respect to equal protection of the laws;

15 4. Serve as national clearing house
16 for civil rights information, and;

17 5. Investigate allegations of vote
18 fraud.

19 I would like to emphasize, at this time,
20 that this is an open meeting and not an adversary
21 type of proceeding. Individuals have been
22 invited to come and share with the Committee
23 information relating to the subject of today's
24 inquiry. Each person who will participate has
25 voluntarily agreed to meet with the Committee.

26 Every effort has been made to invite persons

1 who are knowledgeable about the problems and
2 progress in the areas to be dealt with here
3 today. Any individual may offer information
4 which points up differentials in the treatment
5 of minority group persons.

6 In an effort to get a well-balanced
7 picture of the situation in this community, we
8 have invited community representatives, indi-
9 viduals from the private sector, and officials
10 from federal, state and county governments.

11 Since this is an open meeting, the press,
12 radio, television stations, as well as indi-
13 viduals are welcome. Any person discussing a
14 matter with a committee, however, may speci-
15 fically request that he not be televised.

16 In this case, it will be necessary for
17 me to comply with his wishes. We are very
18 concerned that we get all of the information
19 relating to the matter under investigation;
20 we are, however, concerned that no individual
21 be the victim of slander or libelous statements.

22 As a precaution against such happening,
23 each person making a statement here today or
24 answering questions has been interviewed prior
25 to this meeting. However, in the unlikely
26 event that such a situation should develop, it

1 will be necessary for me to call this to the
2 attention of the person making the statement, and
3 request that he desist in his action.

4 If the testimony the person is offering,
5 however, is of sufficient importance, it may be
6 necessary for the Committee to hear the informa-
7 tion at a closed session. The person against
8 whom the allegations are being made will have
9 ample opportunity to make a statement in closed
10 session before the Committee, if he so desires.

11 In any event, prior to the time that the
12 Committee submits its report to the Commission,
13 every effort will be extended to get a complete
14 picture of the situation as it exists in this
15 community today.

16 This meeting will study the range of
17 housing choices available to minority residents,
18 and the relationship between housing, employment
19 and education. Our meeting is part of a nation-
20 wide study by the Commission and the State
21 committees of a pattern termed Suburban Access
22 to investigate the extent to which our society
23 is becoming racially and ethnically polarized.

24 Other meetings and hearings have been
25 conducted in St. Louis, Missouri; Baltimore,
26 Maryland; Washington, D.C.; and Boston,

1 Massachusetts.

2 At the conclusion of the scheduled
3 meeting, should anyone else wish to appear in
4 open session before the Committee, he should
5 notify Mr. Ericksen, the staff representative,
6 before the meeting adjourns.

7 Our first participant is Mr. J. Ford
8 Smith. Is Mr. Smith present?

9 MR. WARREN: Is anyone present from the
10 State Commission on Civil Rights?

11 MR. BENITEZ: Yes, I am.

12
13 JOE BENITEZ,
14 having been called as a witness, testified as
15 follows:

16
17
18 EXAMINATION

19 BY MR. WARREN:

20 Q Would you state your name and your position,
21 please?

22 A Joe Benitez; I'm Chairman of the Commis-
23 sion.

24 Q Would you explain the duties of the State
25 Commission in terms of what responsibilities you
26 have, and what powers of enforcement you may have?

1 A It's a good question. The Commission was
2 authorized and acted some years ago in order to
3 serve as the body which oversees the laws passed
4 by the State Legislature in discrimination in
5 housing, employment, and in other matters related
6 to the ethnic minorities. It is a conciliatory
7 commission more than a commission that has any
8 powers over these matters that can actually lead
9 to bringing people or organizations into the
10 courts.

11 In that respect, we investigate complaints
12 that are made to the Commission by individuals.
13 The Commission meets once a month, rules on
14 the cases as they are brought before them by a
15 staff of three members that we have, and
16 determines whether or not we feel that there has
17 in fact been an act of discrimination taken place.

18 If we feel there has been an act of
19 discrimination that has taken place, then we
20 bring the person who has made the act before
21 the Commission. We try to conciliate the
22 matter with him, to solve it in that manner.
23 If they refuse, we have a public hearing. If
24 that doesn't work, we attempt to bring them
25 before the courts of law.

26 So basically we are a conciliatory

1 commission.

2 Q What kind of staff do you have?

3 A Oh, let's see --

4 Q How many?

5 A I actually wasn't prepared to be here;
6 I just came in from Denver. We have two full-
7 time investigators, one of which is in the
8 audience today: Ralph Degarrio and Mr. Leon
9 Thompson, Jr. We have the Director, Mr. Gerard
10 Smith; we have two persons, an attorney and a
11 young lady that takes care of our affirmative
12 action programs for which we receive federal
13 funds.

14 And we have a secretarial staff of about
15 three, I believe is what we have. Basically,
16 that's it.

17 Q What's your total budget?

18 A I can't really remember.

19 Q Are there any other agencies of the
20 State of Arizona that play any role in promoting
21 civil rights, fair housing, employment, or are
22 you the sole agency?

23 A We are the sole agency.

24 Q And you have about five staff members?

25 A Well, you know, when you talk about staff,
26 two, really, investigators.

1 Q Two staffs?

2 A Right.

3 Q Do you have any particular programs in the
4 field of housing?

5 A Not really, we don't have any specific
6 programs in any one of the areas. As a matter
7 of fact, we have our hands full as it is with
8 the case load, coming in, trying to investigate
9 them before the Commission, and making a rule
10 on them.

11 Q What categories do these complaints fall
12 into?

13 A Mainly housing and employment. We have
14 some sex discrimination, the women are marching
15 a little more than before, so we have a number
16 of those that are coming in.

17 But basically, it's employment and housing.

18 Q If I lived in Maricopa County, in a place
19 that didn't -- and the State doesn't have a fair
20 housing law -- and most of Maricopa County
21 doesn't -- and I wanted to go someplace to get
22 some action, where could I go in the State?

23 A Well, the only other place besides ours
24 is to the U. S. or the E.E.O.C., which has an
25 office here in Phoenix. Equal Employment
26 Opportunity Commission, that would be the only

1 other place outside of ourselves.

2 I might just say, you're talking about
3 Maricopa County. If it were in Phoenix, you
4 might go to Mr. Cabirac in Tucson; there's a
5 Commission there.

6 Q Does your agency play any role in dis-
7 semination of information? Do you provide
8 information on what people's rights are in
9 terms of housing, make people aware of where
10 they can go?

11 A Well, we play a very minor role in that
12 respect. The legislature has not seen fit
13 to really give us an adequate budget to dissemi-
14 nate printed information or really take time
15 from our staff members to attempt many functions
16 in this respect. We try to expand our staff
17 out in the field; it's mostly attending meetings
18 and --

19 Q Do you play any role in providing techni-
20 cal assistance in local groups that might be
21 trying to develop housing under federal or state
22 programs?

23 A To date, we have not really concentrated
24 on doing anything like that. It comes basically
25 down to the time, we don't have the time, we
26 don't have the time. Our case load went from 85

1 cases a year to 85 cases a week, and with the
2 same kind of staff since it was initiated, since
3 1965, so we have not really --

4 Q Are you an independent agency, or are you
5 part of the executive arm of the government?

6 A We are right under the government.

7 MR. WARREN: I have no further questions at
8 this time.

9
10 EXAMINATION

11 BY MRS. BRADEN:

12 Q I'm just curious, coming from a small
13 community, do you go out of state and listen
14 to complaints from different parts, smaller
15 communities? You're the Arizona Civil Rights
16 Commission?

17 A Yes, ma'am, we try to use our time as
18 best as possible. We really concentrate in two
19 Arizona areas; Phoenix and Tucson are the major
20 areas. Right now we are trying to determine how
21 we are going to be able to use one of our staff
22 members to go into Tucson, because our staff
23 budget is so small that it really does not
24 allow us to go all over the state.

25 We have also been thinking of holding
26 our Commission meetings around the state, but the

1 staff budget only allows us to help them in
2 Phoenix. The budget really determines the extent
3 to which we go around the state.

4 So we concentrated in Phoenix and Tucson.
5 However, if a case does come up in Yuma, and we
6 feel it is a case we should handle, we should
7 send an investigator out, we do. We go to
8 Globe; we sent one up there several times, but
9 not extensively.

10 We don't have any money.

11 MR. WARREN: Madam Chairman, I have a question
12 of Mr. Benitez.

13

14 RE-EXAMINATION

15 BY MR. WARREN:

16 Q In view of your recent experience in the
17 housing development area, in fact internationally,
18 am I reading you correctly in saying that the
19 state commission that you're speaking on is
20 more symbolic than real --

21 A Yes, sir, I would think that's a fair
22 statement, Dr. Warren. I personally have been
23 approached by individuals, some individuals --
24 I don't have any statistics -- in the community
25 and the 235 program, for example, I'm beginning
26 to hear of numerous complaints where ethnic

1 minorities have been handled less courteous;
2 where their down payments and deposits have not
3 been returned; where they have been mistreated;
4 where they have lost their homes because they
5 don't know how to handle the situation; where
6 they have not been allowed to go into certain
7 areas of town.

8 In the case of the urban leagues, they
9 tried to put that one project up, but as for
10 the Commission making a major emphasis in trying
11 to review every one of these, we have not really
12 done that.

13 Q One other question: in keeping with your
14 broader view developed recently, if you could
15 design -- if it was within your franchise to
16 design the State Committee to do the job that
17 needs to be done, could you identify some
18 variables? You alluded to one, budget.

19 A Well, money isn't the whole thing, but
20 money helps; and with two staff members, two
21 investigators, about all we can handle, quite
22 frankly, is Phoenix and Tucson.

23 Q So it's safe to say you need a larger
24 staff?

25 A Yes, sir, with a staff -- let's be
26 conservative; let's go four. With four, we might

1 make another impact, if we could use two to
2 go into smaller communities -- although Yuma isn't
3 small, but smaller than Tucson and Phoenix --
4 but we can use those for the small areas, and the
5 others in Tucson and Phoenix.

6 But if you want to have an impact, the
7 nitty-gritty of it is, do you have the laws with
8 the teeth that allow you to bring some of these
9 cases before the courts.

10 For example, if we want to take testimony
11 even at our hearings, we have to hire a steno-
12 grapher. Well, we have enough money to have
13 three public hearings; that's it. We don't
14 have any money to hire a stenographer for over
15 three public hearings, much less expanding to the
16 areas of the courts. We just can't do it.

17 MR. WARREN: Thank you.

18
19 EXAMINATION

20 BY MR. ALEXANDER:

21 Q I have a question or two. Obviously
22 your greatest problem is operating a program
23 or attempting to operate a program which is
24 very unrealistic considering the staff. And
25 the question that Mrs. Braden asked, you don't
26 get to Yuma, which obviously you're not really

1 serving the needs of the minority communities
2 throughout the State of Arizona.

3 And understanding that most civil rights
4 agencies aren't overfunded, that's clear to us
5 sitting up here even in the federal level, but
6 who would be your advocate? Do you make recom-
7 mendations to the Governor for a larger budget
8 for a larger staff, or is it money, or is it the
9 political climate of Arizona that doesn't allow
10 you to really push aggressively a program which
11 will begin to meet the needs of minorities in
12 Arizona, or you know, deprived people? Could
13 you answer that, sir?

14 A Surely, I'll try. In my own opinion,
15 you mentioned that we are not a -- possibly we
16 are not serving the needs --

17 Q Obviously because of the staff.

18 A Well, we are not even serving them in
19 Phoenix, and this is where we are based. That's
20 the way it is.

21 Political climate? Since the Commission
22 was organized in '65 when the Civil Rights Bill
23 was passed in the state, it was really a --
24 what would I call it? It wasn't really a bill that
25 was concentrated on. It was just something
26 that happened to come up on the fringes, and it

1 was passed on, and I read the law quite thoroughly,
2 and I know the attorney who put it together.
3 It's -- we have just never been -- we are just
4 a little commission that is really not important
5 to the State.

6 Q I hope you understand the question. I'm
7 trying to get what is the basis of the inadequacy
8 of your commission. Is it because minority
9 people in Arizona don't think they have any
10 problems, they do not organize enough to put
11 on pressure at the State level for the kinds
12 of budget and the kinds of staff you need?
13 That's really --

14 A The legislature is plainly not interested,
15 period.

16 Q Are there any minority people on the
17 State Legislature?

18 A Very few, not enough to make an impact.

19 Q I have one other question: you mentioned
20 that you're using Federal funds for some of
21 your programs. How do you use that, and is
22 the Federal money that you're using making any
23 kind of an impact for the minority communities
24 in Arizona?

25 A Federal funds are used for the affirmative
26 action program that we have. Basically, this

1 program is to monitor, to take a look at five
2 major industries in the state like Motorola, for
3 example. We try and gather -- we are an
4 information-gathering agency. We gather informa-
5 tion that we feed back to the Federal government
6 and if there is any action that is taken by the
7 Federal Commission that takes the action, we are
8 merely gatherers of information.

9 However, Mr. Murray, the attorney who is
10 heading that particular department right now,
11 has taken that a step further, and we have been
12 able to -- in our investigations, where we
13 see that there is a gross negligence in the areas
14 of employment of minorities, we have been able
15 to talk to the companies and to convince them
16 to put together an affirmative action -- I
17 think it's fairly successful -- to get them to
18 at least begin to look in that regard and make
19 an attempt to bring in more minorities to these
20 firms.

21 But as far as making a real impact, there's
22 no impact, anyway.

23 Q Could the federal government play a
24 stronger role in the civil rights movement in
25 Arizona, do you think?

26 A I think they can certainly do that, certainly.

1 If they were to assist us in our budget, we might
2 be able to make a bigger impact, because --

3 Q Could you equally do that? I mean, under
4 the --

5 A We have a problem, I don't really know
6 exactly what the problem is. I think that we
7 could, but in Arizona the legislature limits us
8 to the amount of Federal funds you can have
9 in the proportion to the amount of state funds
10 you can have.

11 In the Commission, that proportion -- I
12 cannot remember what it is.

13 Q Aside from money, what kind of power would
14 you like to have?

15 A First of all, we tried to lobby, starting
16 a couple of years ago, to make a commission
17 complaint. In other words, I know of many cases
18 where people are so intimidated and afraid in
19 the firm they are working with that they will
20 not come in and make a complaint. And our rule
21 states that a person must come in in his person
22 and sign a complaint on the dotted line, and
23 people are just afraid to do that.

24 So the power I would like to have is to
25 be able to come in and say, "Okay, the Arizona
26 Civil Rights Commission versus "X" Company,"

1 and actually bring in a complaint under the name
2 of the Commission, or under the name of a
3 Commissioner. We are not allowed to do this
4 at this time, and I think if we could --

5 Q Has the State's attorney brought in any
6 case in the last year, represented by the
7 Commission?

8 A Yes, we've taken the telephone company
9 all the way to the district court in San Francisco
10 on a sex discrimination suit.

11 Q Sex discrimination suit?

12 A Right. Yeah, the Attorney General's
13 office actually has been really -- has been very
14 helpful to us, but they are limited by the
15 statute.

16 And the statute doesn't give us any power,
17 so there we are again. You know, just the work in
18 civil court, only. We are a conciliatory agency
19 and anytime you're that, you can talk and try
20 and convince, and that's it. You have no power.

21 THE CHAIRMAN: Any further questions?
22 Thank you, Mr. Benitez.

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25
26

1 HENRY CABIRAC, JR.,
2 having been first duly sworn to state the truth,
3 the whole truth and nothing but the truth, testi-
4 fied on his oath as follows:

5
6 EXAMINATION

7 BY MR. ALEXANDER:

8 Q Could you state your name and position,
9 please?

10 A Henry Cabirac, Jr.; Director of the
11 Phoenix Human Relations Department.

12 Q We've now heard about the powerless
13 state Commission; let's hear about Phoenix.
14 What sort of powers and authority does the
15 City Commission have?

16 A Are you asking for a brief history?

17 Q What kind of powers do you have? What
18 are your areas of responsibilities?

19 A The City Council passed a resolution in
20 1963 establishing the Phoenix Human Relations
21 Commission, whose purpose is to eliminate
22 discrimination because of race, religion and
23 national origin, having appointed 15 volunteers
24 to the Commission.

25 Since then, the Council, at our request,
26 has passed a Fair Housing, Fair Public Accommoda-

1 tions Clause.

2 Q Could we focus on your Fair Housing
3 Ordinance? What's the coverage; what are the
4 penalties; how many cases have been brought in the
5 past year?

6 A The coverage is just about complete
7 except for boarding houses. The penalties are
8 the same as many other misdemeanor criminal
9 sanctions, a maximum fine of \$300, 30 days in
10 jail. The number of complaints in the past
11 year -- let me see, I have that information here.

12 We've had 11 housing complaints so far
13 this fiscal year.

14 Q Do you think that's a realistic reflec-
15 tion of what's actually going on in the community
16 in terms of housing discrimination?

17 A In -- I'm just guessing, but in -- I don't
18 think it's realistic as far as apartments are
19 concerned, and it's our hope and intentions
20 and we have some money in our new fiscal year
21 budget to undertake a testing program in apart-
22 ments in the beginning of the new fiscal year.

23 Q You have not done so so far, though?

24 A The fiscal year began this July 1st.

25 Q Yes.

26 A So -- no, we have not done so.

1 Q Now, do you have a program to inform the
2 public about what their rights are under the
3 city ordinance, how to file a complaint and so
4 on?

5 A I think we do, in the sense that we make
6 a lot of appearances, have various agency meetings
7 and so forth. We have as much literature as
8 we need.

9 Q Is it bilingual literature?

10 A Printed both in Spanish and in English.

11 Q Could you tell me what staff the
12 Commission has?

13 A Yes. We have three other professionals
14 and two clerical people. Our three professionals,
15 Mr. Diaz, Mr. Booser (phonetic) and Mr. Beldon
16 (phonetic) are seated right over there.

17 Q As the State Commission, are you part of
18 the Mayor's office, or are you independent; or
19 what is your status in terms of the local
20 government?

21 A We are one of the 25 departments of the
22 City of Phoenix who are under the supervision
23 of the City Manager and, of course, also under
24 the supervision of the Human Relations Commission.

25 In a sense, we have two bosses.

26 Q From your vantage point, what would you

23
1 describe as the major minority community problems
2 that exist today in this city?

3 A Well, just as far as categorizing them,
4 we think they are broken down into employment,
5 schools, the administration of justice. And
6 when I say that, I mean courts, correctional
7 institutions, and law enforcement agencies, and
8 housing.

9 In other words, four major problem areas.

10 Q Do you think there's a public awareness
11 amongst the general community that there's any
12 problems in Phoenix in the minority communities?

13 A Certainly not. It is agreed, we think it
14 exists.

15 Q What type of programs are available, being
16 used, being developed to make the community
17 aware of what the actual situation is in Phoenix
18 on the south side?

19 A I would say that this would probably be
20 one area where our own department and commission
21 has not done as much as it should have done.

22 Q I'd like to ask you somewhat of a different
23 question.

24 When the staff talked to you earlier, you've
25 given us a paper that you had written called
26 "The Relation of Zones to Residential Segregation

and Its Effects," and in that paper you stated that Phoenix was somewhat similar yet somewhat different than other major metropolitan areas, in terms of growing polarization.

Would you explain in what ways Phoenix is similar, in what ways it's different to the other developing urban centers, developing ghetto?

A Well, this is only -- these are only opinions, but I think it's similar in the sense that minorities do experience difficulty in getting out of ghettos as they do in other cities. They have to live primarily inside the ghetto as contrasted to Anglos, who live in the rest of the community. I think it's different in several senses: one, Phoenix probably has the lowest density of population of any urban area in the nation. I think also that probably is because of that low density in population and perhaps the minorities are widely dispersed. Here the minority doesn't have quite the same difficulty in Phoenix in buying or renting individual units as he would in some other place.

In apartments, I'm almost convinced he has as much difficulty as he has in any other place.

1 THE CHAIRMAN: Any further questions from
2 anybody else?

3 MR.. WARREN: Yes, I have a question.
4

5 EXAMINATION

6 BY MR. WARREN:

7 Q In view of the developing isolation along
8 racial and ethnic lines, do you think the Human
9 Relations Commission probably more dynamically
10 could impress the community on the consequences of
11 such "X" years from now, or is an attempt being
12 made to try and apprise the community of the
13 realities of this isolation?

14 A Let's say we just -- I can clarify that.
15 What you're asking is, can we better inform the
16 majority of the community of the various
17 inequities that exist in the --

18 Q Right.

19 A Yes, I would think that could be done.

20 Q Now, are you curtailed by staff, or --

21 A To some extent. In that area, we would
22 be curtailed by staff.

23 Q Go ahead.

24 A We have -- let's say we have concentrated
25 most of our staff's efforts to find, to move and
26 decision makers rather than for the public in

1 large of the inequities. Naturally, if we had
2 more staff, we could be reaching more members of
3 the public.

4 MR. WARREN: Thank you.

5 THE CHAIRMAN: Any further questions?

6 MR. MONTEZ: I'd like to ask one.

7

8 EXAMINATION

9 BY MR. MONTEZ:

10 Q A question that I have, which is probably
11 similar to the one I asked Mr. Benítez: does
12 your staff in any way make recommendations for
13 reform within the Phoenix community to the
14 Commission; and if so, are you allowed to do
15 these recommendations for change when dealing
16 with the problems of minorities in the Phoenix
17 area?

18 A Yes, we do.

19 Q And are they then -- is it up to the
20 discretion of the Commission to carry them out,
21 or to implement them, whether it be money,
22 budgetary, whatever it may be?

23 A Sometimes it depends in what areas the
24 recommendations are made.

25 Q I can be more specific. I'm very much
26 interested in the fact, when you mentioned a

1 voluntary commission, you know, is there a
2 political climate, being as you're not an inde-
3 pendent agency, that would preclude you from
4 doing certain things that might upset the
5 establishment?

6 A I would say that we are probably like any
7 other municipal agency, that we -- you know,
8 there are probably some things that we could
9 do that would upset the establishment.

10 Q So if you do it, it has to be subtle?

11 A Yes, we have to be able to be able to
12 sell it sufficiently to, you know, to get it
13 passed.

14 Q Thank you.

15 A You're welcome.

16 MR. WARREN: I have one other question about
17 the present composition of the Commission.

18
19 RE-EXAMINATION

20 BY MR. WARREN:

21 Q Does it include all the --

22 A It includes --

23 Q -- points of view?

24 A It includes Indians, Blacks and Mexican-
25 Americans. In other words, about a third of the
26 Commission at present are minorities.

1 MR. ALEXANDER: These are appointed?

2 THE WITNESS: Appointed by the Major's Council.

3 Q (By Mr. Warren): Upon recommendation
4 of ethnic groups in the community, or --

5 A I'm not -- I've never quite been able to
6 establish that principle.

7 THE CHAIRMAN: Any further questions?

8
9 EXAMINATION

10 BY MRS. BRADEN:

11 Q Does your Commission, and you as the
12 Director, do you have power to impose these
13 penalties? If so, out of those 11,000 complaints,
14 how many penalties were imposed?

15 A The way we operate is whenever there is
16 a complaint registered with us, the staff
17 investigates, and if they are not able to resolve
18 it, the committee hearing, either a public
19 accommodation hearing employment or housing
20 committee meeting is called, at which time both
21 the complainant and the respondent are invited
22 to testify.

23 At that time, the committee, which is
24 composed of five commissioners, determines what
25 actions to take. In other words, they can find
26 that there's no reasonable cause; and if there is --

1 if they can't change the respondent, then they
2 can initiate the criminal action.

3 Q Well, did that happen very many times
4 out of those 11,000 complaints?

5 A Pardon me; there wasn't 11,000 complaints.
6 We had 11. I was asked how many housing
7 complaints we had in the year, and I said 11,
8 in housing.

9 However, they have done this three times
10 in public accommodations; 43 times since the
11 beginning of the Commission.

12 THE CHAIRMAN: Any further questions?

13
14 RE-EXAMINATION

15 BY MR. MONTEZ:

16 Q I'd like to ask -- maybe I should know
17 this, but are there no Indians within the City?
18 Are they all out farther? It would be a problem
19 of the Arizona Commission, and not the --

20 A The City has an Indian population -- the
21 City of Phoenix -- well, I guess the entire
22 urban area -- and I'm speaking of approximately
23 a million people -- live in the City of the
24 Phoenix-Scottsdale area. It has an Indian
25 population of about 1 or 2 percent.

26 In other words, it ranges anywhere from

30

1 4 to 12,000. It's probably in greater influx
2 than any other segment of the community, because
3 they come in out of the reservation. Many of
4 them are agricultural workers; of course, they
5 come in depending upon the season and also it's
6 a very -- I think more than any other group,
7 are more difficult to determine exactly how many
8 are in here at a particular time.

9 Q Do you have no complaints from them?

10 A I'm trying to recall. We have had one
11 or two complaints in the area of administration
12 of justice from one of the Indians on our
13 Commission. These usually refer to something
14 that happened in the past that he decided to
15 report.

16 But we find them the least articulate
17 of the minorities.

18
19 RE-EXAMINATION

20 BY MR. WARREN:

21 Q What area of all the areas you deal with,
22 that is housing or whatever the complaints are,
23 what area is the most blatant?

24 A I think we probably get more employment
25 complaints than others. I'm not sure that that's
26 the most blatant. Probably the most blatant

1 discrimination is apartment discrimination.

2 Q Is what?

3 A Is in the area of apartments, you know, as
4 far as blatancy is concerned.

5 Q Do you get a lot of complaints in the
6 concern of police community relations?

7 A We get a number of them that we are
8 required to give to the community relations
9 branch of the police department to handle.

10 Q How do they deal with it?

11 A As far as I know, they use one of their
12 men to investigate and maybe I'm wrong now, I
13 don't know whether they refer the complaint to
14 the department -- the branch of the police
15 department in which it has occurred and then
16 inspect it when it's returned to them, or whether
17 they directly investigate it themselves.

18

19 RE-EXAMINATION

20 BY MR. WARREN:

21 Q I have one other question.

22 In view of the relative small numbers of
23 minorities in Phoenix, does the Human Relations
24 Commission assume one of its responsibilities
25 and advocacy roles in either obviously or in
26 the selection of staff to dig out the effects of

1 oppression in order that you become aware, or are
2 you more or less a receiving agency?

3 A In other words, I think what you're asking
4 is, do we just sit back and wait for complaints
5 or do we take an affirmative action.

6 Q Right.

7 A Well, if you would like, I'd be happy
8 to have our three staff people just briefly
9 describe what we do. But we do take an affirma-
10 tive action.

11 For instance -- for example, we have an
12 affirmative action employment program going on
13 for several years, and just recently we recom-
14 mended it to the City Council; and within the
15 last month and amended the fair employment so
16 that we can now -- we can require all employers
17 and unions of 25 or more to submit to us annually
18 a copy of the E.E.O.1 giving us a breakdown by
19 race, national origin, and occupation. We feel
20 that this is necessary, to have the information
21 in order to be able to take corrective steps.
22 This is just one example.

23 THE CHAIRMAN: Any further questions?

24 Do you have any documents that you would
25 like to submit for the record?

26 THE WITNESS: Yes, we do.

1 THE CHAIRMAN: That will be all. Thank you.

2
3 MRS. ANTONIA DIAZ, MR. MANUEL COTA,
4 RAYMOND FLORES,

5 having been first duly sworn to state the truth,
6 the whole truth and nothing but the truth, testi-
7 fied on their oaths as follows:

8
9 THE CHAIRMAN: Will each of you please state
10 your names and any organization you may be
11 with, starting with Mrs. Diaz?

12 MRS. DIAZ: My name is Antonia Diaz, and I
13 work with the Presbyterian Service Center.

14 MR. FLORES: I'm Raymond Flores; I'm filling
15 in for the Reverend who is out today.

16 MR. COTA: My name is Manuel Cota; I work
17 for L.E.A.P.

18
19 EXAMINATION

20 BY MR. ALEXANDER:

21 Q Mrs. Diaz, could you explain at the
22 Presbyterian Center, what your job is?

23 A Yes, I work for the Presbyterian Service
24 Center for the Senior Citizens. This is one
25 organization that has been working for the past
26 five years with old-age people, trying to help

1 them in their need and trying to provide
2 transportation for recreation, for hospitals,
3 doctors, even for small shopping tours to the
4 shopping centers.

5 Q Are many of your clients from the south
6 side of the city?

7 A Unfortunately, I have a boundary area,
8 and it is very difficult for me to get out of
9 my boundary area. And I happen to work not
10 only with one specific range, but my work
11 includes all races, including Indians, so we
12 do have them. You know, it's kind of difficult,
13 because my boundary area is from the river bottom
14 to South Mountain.

15 Q Right.

16 A And that does not give me enough time
17 to serve my community.

18 Q Well, what kind of services are provided
19 by the City of Phoenix for the population in
20 this area?

21 A Not enough.

22 Q Is there any housing for the elderly?

23 A No.

24 Q There are a substantial number of
25 Federal programs in this area?

26 A No.

1 Q There's talk about the other day that
2 many times people say that Chicanos tend to
3 have their elderly parents living with them, and
4 people prefer that. Do you think that's an
5 old wives' tale? Do elderly people in the
6 community want their own housing, and is there
7 a need for such housing?

8 A There is a great need for housing for
9 elderly people, because it is not so that they
10 prefer their own, because they think that they're
11 imposing, and they feel like they want to do
12 as they own please, and living with their own
13 kind is not enough.

14 Q There is a number of retirement com-
15 munities around here and provides a lot of
16 housing for the elderly. Do any of these
17 communities provide housing for people with
18 modern incomes?

19 A No, not enough. Their modern conveniences
20 that they provide is way beyond the reach of the
21 poor people.

22 Like for instance, there's a new bid up
23 we have, and \$14,000 is a lot of money that
24 people cannot pay.

25 Q What about other types of community
26 services on the south side? Are there medical

1 centers, are there many private or public doctors,
2 do you have to travel out of the community to
3 get social services?

4 A Yes, they do, they have to travel out of
5 the community, because we do not have any
6 doctors close by. There's no clinic, the closest
7 clinic is the one at County Hospital, which is
8 a long ways for people that do not have any
9 transportation.

10 Q What about the young people in the
11 community? What's provided for them? Any of
12 you can answer this, about the services.

13 A Not enough; they do not have any recrea-
14 tion. We need some for the youth, and we do
15 not have it. We have some, but full centers,
16 community centers that could be used for the
17 youths and also for the elderly and not only
18 for the elderly, but also for the smallest
19 children, but unfortunately they are not being
20 used.

21
22 (EXAMINATION OF MR. FLORES.)

23 Q Mr. Flores, could you tell us what types
24 of programs your organization generally deals
25 with?

26 A Well, I work for the high schools.

1 Q Yes.

2 A More specifically, at Phoenix Union High
3 School, which is the inter-city high school.
4 My zone of coverage is generally the south Phoenix
5 area. We have many students who come in as
6 far south as South Mountain High School, to give
7 you an idea; that's approximately 12 miles from
8 our location. We have somewhere around at this
9 point about 200 students who come in from the
10 area, which means they have problems of trans-
11 portation. Our school district doesn't have
12 funding, budgetary-type funding, to set up
13 busing for these students. We have set up
14 something called a student aid fund. We
15 receive monies, donations from some of the
16 city organizations represented here tonight,
17 from private contributions, things of that
18 nature.

19 On the other extremity, we have students
20 coming in from the southwest Phoenix area.
21 We have helped them, they have a transportation
22 problem.

23 Q Mr. Flores, you work with the Central
24 High School? Could you -- Phoenix Union, which
25 is in central Phoenix. Could you tell me, is
26 there any effort to make the community involved

1 with the high school to the official system?

2 Is there any import for the community advisory
3 panels? Is there any way that the community
4 has input on how the curriculum is developed,
5 what the focus is, any such programs?

6 A Most recently within the past three years,
7 there have been established separate high
8 schools as separate units, citizenry advisory
9 committee. At Phoenix Union, we had a very
10 strong, vocal citizenry committee last year,
11 because we had highly important issues. This
12 year there is less participation, but in also
13 the parent-teachers association, which is
14 more directly concerned with relationships on
15 campus.

16 The citizenry committee was set up to
17 develop plans as to the future of the entire
18 city high school, finally submitted to the
19 board. They were received by the administration,
20 answers were given, and at present the principal
21 at the inter-city high school has a planning
22 committee which has representations from the
23 staff, from the parents, from the students.
24 They've been developing some programs for the
25 coming year, and the future year.

26 The major problem, though, is that even

1 though they are developing programs, the
2 budget executes influence on what does go into
3 effect so that all the executed plans -- well,
4 planned plans may not be executed.

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(EXAMINATION OF MR. COTA.)

Q Mr. Cota, would you like to comment on
community involvement with the schools? I
understand you're interested in that subject.

A Well, in the last couple of years, there
have been quite a bit of community involvement
with the schools. There have been certain
problems at Phoenix Union, and this has sort
of had some kind of overtones.

Anyway, the people have responded; they
have held very many meetings for the purpose
of getting better education, better curriculum
at the schools. There have been meetings with
the school board, trying to solve some of the
problems, eliminating some of the fights they
have had at the schools.

Q What are some of the problems? What's
the rate of completion in high school for an
inter-city student?

A The rate of completion for inter-city
students is very, very low. One of the reasons,

1 I believe, is that people in the inter-city do
2 not have the means to send their kids. Once
3 they get out of the eighth grade, they do not
4 have the means to buy the books.

5 This is one of the main reasons, I believe.
6 They have to buy schoolbooks, furnish trans-
7 portation, lunch money, and their clothing.
8 In order to be at the same center as the other
9 kids, they have to dress decently, and this is
10 one of the big problems in the inter-city, is not
11 enough money.

12 MR. ALEXANDER: I have no further questions
13 at this time.

14 MR. FLORES: May I add to that, since my
15 own assignment is a school community worker,
16 we work to try to improve this situation.
17 And for next year, for example, we will have a
18 textbook plan whereby students will be given --
19 not given their textbooks, but rented a textbook
20 at a very reduced rate, based on the development
21 of agricultural income breakdown.

22 So that students who come from certain
23 categories of income will pay rated amounts
24 for the rental of a textbook. At the same time,
25 we are continuing the school lunch program, which
26 is subsidized by the federal government as well as

1 the student aid and welfare funds, which is
2 subsidized locally by contributions. I'm not
3 here to qualify what we're doing, but I would
4 like to comment on some of the things that I
5 feel that need change or improvement.

6 The junior colleges in this area have
7 developed several vacancies within the last
8 two years, because young people who are being
9 interviewed and even old people who are being
10 interviewed are asked the same old questions
11 of how many years of experience do you have in
12 junior college administration. Anyone can
13 see that since the doors have been closed for
14 minority peoples in these levels of administra-
15 tion, the answer is always no. This automatically
16 cuts off the applicant. He's no longer eligible
17 or qualified.

18 The universities who receive support
19 from all the people, including the minority
20 people, are in a very similar situation in that
21 the people they do hire from minorities are
22 usually deans of housing, deans of student
23 positions and we need to find more minority
24 people in the top position of deans of students,
25 executive dean -- I mean president of the
26 college or assistant to the president. People

1 themselves can organize and have confrontations
2 with the Board of Regents and the school boards,
3 et cetera. But they are still playing the old
4 game of tossing the bone to the two minorities
5 that are in competition so that we end up on
6 opposite poles, and very often fighting each
7 other for these bones that are cast out.

8 As far as the purpose of this type of
9 meeting, I'd like to voice that opinion that
10 if the directorate, or as we say here locally,
11 the constabulary, doesn't see need or find need
12 to change this pattern, we are going to have a
13 continuing series of bitterness and antagonism
14 and the more evil things that go along with
15 confrontation witnessed on our campuses.

16 Mrs. Diaz and I were at the meeting
17 three nights ago. I believe it was where the
18 young people at A.S.U. -- the Mexican-Americans
19 were voicing their observations as to what they
20 see happening on that campus.

21 As you know, S. U. has less than a two
22 percent representation of Mexican-American students
23 on their campus, in a state where we account
24 for somewhere of 17 percent of the population.
25 The young people are saying, "Why can't the
26 university do something for the Mexican-American

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1 students in the area by developing special
2 programs which will bring them into an area
3 of higher responsibility with the Anglo students?
4 It's because of the reading disability, or lack
5 of ability, that they have never really attained
6 a true competitive level.

7 So the university is failing in that
8 category.

9 The junior colleges are something else
10 at this point, because they are in an expanding
11 period, you know, they have all these problems
12 of growth. But these are opinions that I wanted
13 to express.

14 I don't know if Mr. Carrico had this
15 in mind; he works in the inter-city, he works
16 very closely with our high school. He conducts
17 some tutoring programs in his church, which is
18 in the Central Park area of Phoenix, as it's
19 called, which is South 1st Street, south of
20 Grant, or between Lincoln and Grant. He's
21 attempting through his church to do something
22 about the problems of the Mexican-American young
23 people, as far as needing added assistance.

24 As far as federal programs go, there is
25 need in this area for the support of existing
26 programs that do this particular type of tutoring

1 for the students as we are witnessing in the
2 Playa Del Sol Institute.

3 By their youth projects, they are working
4 frequently with the drop-outs; they are working
5 more directly with the young people who need
6 to be encouraged to return to school. These
7 are agencies that need support, support that
8 is beyond the local government because of the
9 restrictions on income, et cetera.

10
11 EXAMINATION

12 BY MR. WARREN:

13 Q May I ask, Mr. Flores, a question, and
14 in keeping with the function tonight, is it
15 the study concerning legal developments which
16 constitute the denial of equal protection of
17 the law that's under the Constitution and
18 policies with respect to equal protection of
19 laws? Mr. Flores, having worked as a teacher
20 at Harbor High School, having worked at
21 Camelback High School, and now working the
22 south side of Phoenix with parents, et cetera,
23 are you -- I would like it if you would speak
24 on two issues in comparing these -- one is to
25 relate to a subordinate goal of education that
26 may characterize the community, and the second

1 one that the allocation of resources or parent
2 power -- and I suppose my question to the effect,
3 are you optimistic about making changes in the
4 school without the development of this educa-
5 tional goal, and power on the part of the ethnic
6 communities?

7 A If I understand your question on the first
8 issue, as far as educational goals, you may be
9 referring to the fact that in the inter-city
10 high school, we have the largest vocational
11 center in the whole State of Arizona, and perhaps
12 the most highly developed. But we have the
13 usual 10 percent representation in the vocational
14 center.

15 When I say the ten percent, there's an
16 average in there of 10 to 15 percent of students
17 coming in from outlying districts. The goal
18 that the inter-city high school, in comparison
19 to the schools that you mentioned, Carver, in
20 the old days, and Camelback, today; at Carver,
21 the goal was to -- it seemed to motivate the
22 students to aspire to become part of the
23 society at whatever category or level.

24 At Camelback, there is a great push on
25 college-bound, college training, university-bound,
26 you know, that type.

??

1 At Phoenix Union, they promote the college-
2 bound type of training; but the big problem there
3 is that the majority of the students that we
4 get at Phoenix Union come in with a fifth grade
5 reading level. I'm not condemning the elementary
6 schools for not having done their job. It is
7 the problem of bilingualism; as we call it, there
8 are economic problems that are the children's
9 exposure to the usual magazines in the home,
10 et cetera.

11 Our immediate goal at Phoenix Union is
12 to retain the students long enough to give him
13 motivation so that he will complete school. We
14 are not too concerned with the vocational aspect.

15 The community most recently seemed to
16 be opposed to the idea of promoting vocational
17 training for minority people. This is my own
18 opinion, now; I feel that the community has been
19 oversold on the idea that everyone should go to
20 college.

21 The young people at A.S.U. that we witnessed
22 and heard the other night, are the product
23 of this type of community feeling that everyone
24 should go to college, and they are going there.
25 But they are becoming even more frustrated when
26 they witness the lack of hiring -- lack of

1 employment opportunities. They run into the
2 same obstacles that for generations we have
3 run into.

4 Now, getting off into parent power for the
5 first time in this community, for the first
6 time, the school as an establishment has felt
7 the influence of parent power. Unfortunately,
8 our community, the total Phoenix community,
9 was not committed to the concept of democratic
10 representation on the school board in the sense
11 that backing a minority group of persons to the
12 school board election was held most recently.

13 This again is an opinion. I feel that
14 the Anglo majority, when they went into the
15 ballot booth, went back to the old traditional
16 fears and voting for the Anglo person. Not so
17 much on the basis of ability, but more on the
18 basis of he is an Anglo, and he represents our
19 interests, he should be there. That was an
20 opportunity for the community of Phoenix at this
21 last election to elect a minority person.

22 Unfortunately, the two minorities, the
23 predominant minorities, found themselves on
24 the opposing poles. The black community, not
25 supporting the Mexican candidate; and the Mexican
26 community not supporting the black candidate.

This seems to be the end product of all our encounters, or all our relationships. I can see that for the near future in the Phoenix elections, that there should be again nominations and candidates from the minority groups because the school board, if I read their reaction to the last one, would -- well, -- should be ready to work with minority group representation on the school board.

The advisory committees that have been formed are in lieu of representation of the school board of minority group persons. They do not -- they have no legal tie-in with the school board, but their advice is heard. Very often it seems it is rejected; nevertheless, it is heard and considered.

I hope I've answered the points.

THE CHAIRMAN: Any further questions?

MRS. BRADEN: I have a question here.

EXAMINATION

BY MRS. BRADEN:

Q Mr. Flores, what is going to be the solution? There is Phoenix Union with a vocational school that will house something like 1500, and they can only get about 7 or 800 in

1 their vocational classes. Even then, by going
2 to the Chandler and Scottsdale and so on, do you
3 think that the idea that vocational studies
4 are demeaning and evidently the area around
5 Phoenix Union are not in favor of pushing the
6 vocational programs, because they say it's
7 unfair to the minorities?

8 But what is the solution to that? We
9 know that some of the schools that you have told
10 us about push for vocational training, and we
11 are having meetings all over the state to see
12 if we can't double or triple our vocational
13 programs on all levels. And I can't help but
14 think about your situation here, where you have
15 the facilities, and you're not getting enough
16 students in those facilities.

17 Do you favor the vocational program, then,
18 for possibly a majority of the students regard-
19 less of economic conditions?

20 A Well, there are two or three alternatives
21 here. The first one is this: the area is a
22 choice area as a central location for a
23 vocational training center. The possibility of
24 moving the academic training away from that
25 campus has been considered, and in fact, the
26 citizens advisory committee came up with one

1 recommendation that the academic center be
2 moved -- not moved away from but adjacent to
3 the present vocational center with some separation
4 so that it would give integrity to the vocational
5 center. The Maricopa County Junior College System
6 has considered purchasing the campus to develop
7 their own vocational center on that campus.

8 The solution I would frame in this way: we have
9 here a complex structure where the labor unions,
10 the contractors -- that is, the builders, the
11 communities need to consider the minority groups
12 or youngsters, are just as capable of fulfilling
13 a task or a vocation and should consider these
14 youngsters and show this degree of commitment
15 by giving them opportunities in employment.

16 The -- I don't have any facts or figures
17 but had I known that this question was going to
18 arise, these facts and figures are available
19 as to how many minority youngsters are in
20 apprenticeship training programs, how many are
21 hired that graduate from the vocational centers.
22 This would give us something to -- something
23 concrete to work with.

24 Having been in the construction business
25 myself once, I recognize builders very often
26 hire the cheapest labor they can find available.

1 The union naturally wants to promote their
2 degree of hiring skilled labor. Contractors
3 are more concerned to making profits, so they
4 have to negotiate between the union and the
5 non-union people.

6 Unfortunately, the minority people,
7 because of economic pressure, have hired out as
8 non-union labor, and this has reduced their
9 marketable value in that they can be hired for
10 less. And until the union gets up to the
11 contractor, we need commitments from the con-
12 tractors, labor unions, other organizations
13 in the acceptance of minority group youngsters,
14 and the recognition that they, too, are part
15 of the scheme, and they too belong in the areas
16 of the skilled crafts.

17 The youngsters who come into my office,
18 who have had experience in the vocational center
19 have often come in with complaints regarding the
20 attitude that exists on the part of the instruc-
21 tore. There, too, is need for commitment.

22 We need from our own instructional --
23 vocational center a commitment that they will
24 treat the youngsters on the basis of ability
25 and not so much on a basis of the background
26 of being a minority. There is no quick solution;

1 this has to be an evolutionary involvement.

2 My own recommendation was we separate
3 the academic from vocational so that those
4 youngsters who are seeking an academic background
5 in order to qualify for college would seek it
6 somewhere else, near the vocational center,
7 because the confusion in their minds is such
8 that they, too, do not know which way to go.

9 On one side, they are pushed into the
10 vocation by traditional patterns, or at the
11 vocational centers, they are rejected.

12 On the other hand, the community is
13 saying everybody should go to college, and it's
14 not surprising that the young people are in a
15 state of revolution constantly.

16
17 EXAMINATION

18 BY MR. WARREN:

19 Q I have one other question. What is your
20 role as a community worker in the high school
21 district, Mr. Flores?

22 A It's an interesting question, because it
23 seems to be a daily question. The job that I was
24 hired to do as a school community worker has not
25 been defined except for the social worker aspect,
26 where we visit the home to give counsel to the

1 parents and to the youngsters, to get them to
2 return to school, or continue with their school-
3 ing.

4 We also set up these funds, or aid pro-
5 grams, to assist them if they have need for
6 clothing in order to continue or need for books,
7 or need for food.

8 The job, or the position, entails being
9 a man in the school and community concept that
10 we meet with groups or individuals that have
11 complaints against the institution, and try to
12 arrive at some working solution.

13 Q Would you construe yourself to be an
14 ethnic model to the community?

15 A Would I consider myself? I've never
16 given that too much thought, except that perhaps
17 I am a type of model in the sense that in 1950
18 when I went to work for the Phoenix High School
19 District, I was the first Mexican-American --
20 admitted Mexican-American employed by the
21 district. There were two or three employees
22 in the system who were considered, you know,
23 French-Canadian or something, hard to identify
24 a group; but as such, I represent the type or
25 a model.

26 The community I came from had never sent

1 any -- had never had any -- had never been any
2 Mexican-Americans never left the area to go to
3 college. I left the area and went to college,
4 and so as such, I was a model.

5 Q So do you relate intensively to adults
6 in the school community? Do you deal primarily
7 with younger people, or both?

8 A I deal with them directly, so I relate
9 in the sense that I came from the community, too.
10 I lived in South Phoenix; I lived in the Golden
11 Gate area. I lived in the Lowell School area.
12 There's a tendency on the part of a community,
13 I feel, to feel that I don't belong in the sense
14 that they don't identify me from being from the
15 immediate area, because they are not aware that
16 I have lived in the area.

17 Q Now, would you consider one of your goals,
18 also, as helping to develop the subordinate
19 goal I related to education and its importance?

20 A Very definitely, I -- the administration
21 has, on many occasions, has called on me for
22 counseling on which way to go.

23 Q And this leads to my last question, one
24 that interests me. Would you also consider one
25 of your prime responsibilities the development
26 of group force among ethnic constituencies?

1 A I think the best answer I can give to that
2 is when they interviewed me for the position,
3 they asked me if I would go counter the policy
4 of the superintendent if I felt the superintendent
5 was wrong in some decision that he had made.
6 And my answer was that yes, I would go counter
7 in -- on the basis that I was hired to represent
8 a group, and therefore, my points -- argument that
9 representing the group could be counter with
10 what the superintendent had decided.

11 Q Now, would you agree to a parental group
12 force in the Camelback School area?

13 A Very strongly.

14 Q Now, is there a parental group force
15 in the Phoenix Union High School area?

16 A Again, this is an opinion, and I'll attempt
17 to be as honest as possible.

18 I feel there is minimal parental power.

19 Q So you think there is a variable in the
20 development of effective programs to meet the
21 immediate needs of a community that parents
22 have to have significant input?

23 A Very definitely.

24 Q And apparently, you're saying in the
25 inter-city, this is not an active variable?

26 A The attempts have been made, but for some

1 reason, and I think I know what the reason is,
2 the conditions we find ourselves in as members
3 of minorities and as parents identify them as
4 minorities in that there is a loss of faith
5 in what the institution called the public school
6 will do or will not do for the minority child.

7 The parents soon lose interest because they
8 are not familiar with the academies, the language
9 used. They lose interest because they don't
10 see immediate change; they don't experience
11 immediate change in the lives of their children,
12 and their own lives. So there is a loss of
13 interest, and continuing to be a power for parent
14 force.

15 MR. WARREN: I have no further questions.

16
17 EXAMINATION

18 BY MR. MONTEZ:

19 Q I just have one. Does Phoenix High
20 School District, or the school itself, receive
21 at this time the monies from the federal govern-
22 ment, the secondary and elementary active
23 education?

24 A To my knowledge, they do. They have a
25 committee.

26 Q What kind of program -- what do they spend

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the money on?

A At Phoenix Union, it is -- which is inter-city high school, there are several programs in effect, such as a bilingual program, the freshman images program, which concentrated on bringing the child's ability to read to a competitive level.

Also they concentrate on exposing the child to those things on the American scene, and we say quote-unquote "American", such as knowledge of the existence of such places as the Grand Canyon and the local museums, and museums in Tucson, et cetera. These funds are used to give the youngsters exposure to everything around them to which they missed out on.

Q It seems to me when you talk about people paying for textbooks and so forth, that the priorities for Federal monies should be shifted, especially. And my point is that kids can't learn to read if they can't afford to buy the books that they are supposed to read from.

It would seem to me that we have seen a lot throughout the country, probably more misuse of the Title One monies, and I'm not that familiar with the Phoenix school districts, but I'm sure that they are. We are beginning to see

1 an awful lot of Federal money being used for
2 superficial programs, when kids that you're
3 trying to teach to read should probably be
4 shifted to help them buy the books. That seems
5 to me to be the other -- the other point that
6 you made, that minorities have been sold somewhat
7 of a bill of goods of going to college, and when
8 we look at the kinds of vocational education
9 being offered along with the kinds of problems
10 that minorities face after they pass through
11 a vocational program, of trying to graduate and
12 trying to break into a union, as an apprenticeship,
13 because we know the discrimination that goes
14 on in unions.

15 It seems to me that if we could con kids
16 into staying in college, that's where the payoff
17 really is; because I'm sure you're aware of the
18 fact that for many years, minority communities,
19 blacks and Chicanos, have felt that the vocational
20 background has become kind of a dumping ground.

21 Does this --

22
23 EXAMINATION OF MRS. DIAZ

24 BY MR. ALEXANDER:

25 Q Mrs. Diaz, can you comment on that?

26 A Yes, I sure do. This is what we have been

1 feeling, that the vocational is especially for the
2 blacks and the Chicanos. But this is all that's
3 hoped for, but it's not so, because if we have
4 a lot of our students that they have ability to
5 go on to college and becoming, maybe a doctor,
6 a lawyer, or a judge or a teacher, why not?

7 And this is one of the things that we
8 have been fighting for, not only for so that
9 they can go to vocational. They get machine shop
10 in elementary schools; those that who elect it,
11 they can pursue that after they get to high
12 school.

13
14 EXAMINATION

15 BY MR. WARREN:

16 Q Machines are becoming sort of outmoded
17 in this modern highly technological society,
18 and I have a feeling that minority people couldn't
19 get jobs if they had all the training in the
20 world.

21 A No, they wouldn't. There is a lot of
22 them that has been graduated, that they are
23 mechanics, and they cannot get to be --get a
24 good job.

25 Q Can you comment on that, Mr. Cota?

26 MR. COTA: Thank you. I'd like to say that

1 there are many things disturbing to the lack of
2 education to getting a proper education for our
3 people, and this has to do with the whole
4 environment. This has to do with poor housing,
5 poor jobs for the parents of these kids that go
6 to school. All of this, together with not being
7 able to have a textbook, the problem of vocational
8 education -- perhaps it's a good thing, but we
9 have to look at this.

10 There is not enough in this district for
11 the labor force, and there is constantly people
12 coming from out of state and these people, some,
13 a lot of them are trained, they have their --
14 they are trained people, and these people get
15 the preference over anybody else. If they are
16 able to do the job, they'll get the job before
17 anybody else does.

18 So another thing, even if a kid goes to
19 a vocational school, if he doesn't get a high
20 school diploma, or later on get a G.E.D., he
21 can never get into a labor force in the unions.

22 In order to become an apprentice in any
23 union, you have to be a high school graduate, or
24 have a G.E.D. certificate, or -- so there are
25 many things that contribute.

26 THE CHAIRMAN: Any further questions? That will

1 be all.

2
3 SALLY KNACK,

4 having been first duly sworn to state the truth,
5 the whole truth and nothing but the truth, testified
6 as follows:

7
8 THE CHAIRMAN: Would you state your name and
9 position, please?

10 THE WITNESS: My name is Sally Knack, I work
11 for the Commission in Washington.

12 THE CHAIRMAN: I understand you've been doing
13 some field work in Phoenix, and as part of a
14 report on a southwest area of the country on the
15 education of Mexican-American students. Would
16 you like to tell us what you've found in Phoenix?

17 THE WITNESS: This statement will describe
18 the nature and extent of segregation of Mexican-
19 Americans in Phoenix. In addition, it will
20 examine some aspects of student performance and
21 the educational environment in an ethnically
22 isolated school.

23 At the elementary school level, there is
24 extensive ethnic isolation by district in the
25 Phoenix area. Here, as well as almost everywhere
26 else in Arizona, separate school districts provide

1 education to the eighth grade, and from the 9th
2 to the 12th grade. Most of the city is served
3 by 13 elementary school districts and one high
4 school district, which serves the same area as
5 these elementary school districts, combined.

6 The bulk of Mexican-American elementary
7 school students are in Phoenix Elementary School
8 District Number One, which lies in the heart of
9 the city, and has an enrollment that is about
10 40 percent Mexican-American. Large concentrations
11 of Mexican-American children are also found in
12 Murphy, Isaac, Roosevelt and Wilson Elementary
13 School Districts, all of which border on Phoenix
14 School District to the east, west and south.

15 In contrast, the enrollment in elementary
16 districts located in the northern part of the city,
17 such as Alhambra, Creighton, Madison and Osborn,
18 are almost exclusively Anglo.

19 School districts serving the neighboring
20 communities of Scottsdale, Mesa, Tempe and Avondale
21 are also primarily Anglo.

22 There is also ethnic separation among
23 schools within each district. In Phoenix
24 elementary school district, almost 40 percent of
25 the Mexican-American students attend schools that
26 are 80 percent or more Mexican-American. At the

1 secondary school level, about one-third of the
2 Mexican-Americans attending Phoenix Union High
3 School, whose enrollment is about half Mexican-
4 American. In contrast, high schools in the
5 northern part of the city, such as Camelback and
6 Central, have enrollments that are only about
7 one percent Mexican-American.

8 There is evidence that Phoenix Union
9 High School has increasingly become a school
10 for minority students in the past four years.
11 Mexican-Americans comprise about eight percent
12 more of the enrollment this year than they did
13 in the 1967-68 school year. Black enrollment
14 has increased from 20 to 29 percent.

15 Anglo enrollment has declined from 35
16 to 17 percent.

17 The most dramatic change in the school
18 ethnic composition occurred in the year 1968,
19 the year the vocational education center was
20 opened on campus. The minority enrollment
21 increased from 65 to almost 80 percent. Perhaps
22 part of the reason for this considerable change
23 in enrollment can be attributed to the controversy
24 which arose over the opening of the vocational
25 education center.

26 Several members of the Chicano community

1 felt that the school district was trying to
2 convert Phoenix Union High School into a trade
3 school, and believed this to be a manifestation
4 of the lingering stereotype that Mexican-Americans
5 are best suited for manual labor.

6 Phoenix Union High is a troubled school.
7 Although the bilingual education program has
8 evidently had substantial success in raising the
9 achievement level of student participants, the
10 school is still far from solving its many problems.
11 Accompanying the realities that attendance is
12 very poor, that 25 percent of the students drop
13 out, and that 60 percent of the Mexican-Americans
14 who make it to the 12th grade are reading
15 three years or more below grade level, the attitude
16 of some of the school staff is insensitive if
17 not negative toward the students.

18 In an interview with a Commission staff
19 member, one counselor continually referred to
20 black male students as colored boys. He corrected
21 himself once, saying that he realized they
22 preferred to be called black men. However, he
23 felt that it was all the same to him, and he
24 continued to use his preferred terminology.

25 This same counselor repeatedly referred
26 to speaking Spanish as "speaking Yaqui" or

1 "speaking the Spic."

2 One teacher complained that if you could
3 teach at Phoenix Union, you could teach anywhere.
4 He stated he could even teach headhunters,
5 since he felt that those who graduate from
6 Phoenix Union are no more capable of learning
7 than headhunters.

8 Teachers are, perhaps, the most important
9 part of the school staff. Most educators agree
10 that whatever programs schools offer, often the
11 teacher's success or failure is the performance
12 of the teacher in the classroom.

13 The manner in which teachers project
14 themselves can influence how students will
15 respond to what is being taught.

16 To demonstrate how teachers may treat
17 Mexican-Americans differently, I would like to
18 show a film. The film shows not only differences
19 in the behavior of two teachers, but also how
20 their attitudes toward Mexican-Americans may
21 influence their behavior.

22 This film was not produced under the
23 auspices of the Civil Rights Commission; it was
24 shot in an East Los Angeles school over a period
25 of a couple of weeks, in order that both teachers
26 and students become accustomed to the presence of

1 cameras and cameramen in the classroom, and
2 begin to act more naturally. The teachers
3 followed no script; this film is not staged.
4 The differential treatment of students depicted
5 in this film is not unfamiliar to Commission
6 staff members. Such stark differences in
7 teacher behavior have been observed in visits
8 to about 500 classrooms in the southwest, including
9 some at Phoenix Union High School.

10 (Film shown.)

11 THE WITNESS: In the film, the history teacher
12 was openly critical of Enrique for his tardiness
13 that day and his absence the day before. The
14 other teacher was more interested in finding
15 out why Enrique was absent. She attempted to
16 get him to express his feelings, and encouraged
17 him to come to school every day.

18 In the history class, the teacher did
19 not interact with individual pupils; he lectured
20 to the class as a whole. When he asked a
21 question, there was either no response, or it
22 was understood that the question did not require
23 a response from the students, for the teacher
24 immediately answered his own question.

25 The other teacher lectured less and
26 interacted more with individual students through

1 questions and answers.

2 Students were eager to participate, because
3 she was accepting of their ideas, and encouraged
4 them to express themselves. Commission staff
5 recently visited a sample of the English classes
6 at Phoenix Union High to observe pupil-teacher
7 interaction. On only one occasion was a teacher
8 observed making a pupil-supportive statement,
9 which accepted a student's ideas or feelings, or
10 which praised or encouraged him.

11 During the observations, no teacher
12 criticized a student. This may have resulted
13 from the fact that the school administration
14 advised the teachers that a civil rights employee
15 would be visiting the classrooms.

16 In light of this fact, one might have
17 expected teachers to have made more pupil-suppor-
18 tive statements. There were some significant
19 differences in teacher behavior in classes of
20 75 percent or more Mexican-Americans, and those
21 with smaller Chicano enrollment.

22 In classes of 75 percent or more Mexican-
23 Americans, teachers spent more time lecturing
24 to the class, and substantially less time in any
25 sort of verbal interaction with individual pupils.

26 In classes with an enrollment less than

1 75 percent Mexican-American, more of the teacher
2 interaction with individual pupils was in
3 question-answer sessions, while in classes over
4 75 percent Mexican-American, teachers spent
5 more time lecturing or giving information during
6 the brief moments they interacted with individual
7 students.

8 What do these findings mean in terms
9 of how well a student achieves in school?
10 In other research that has used the same methods
11 of observation of teacher behavior as the
12 Commission has, a strong relationship has been
13 found between teacher behavior and student
14 achievement. The more time a teacher spends
15 with individual pupils, accepting their ideas
16 and feelings, praising or discouraging them,
17 and asking questions to draw them into class
18 discussion, the more likely students are to
19 achieve well.

20 The more the teacher spends time in
21 lecturing or giving directions to the class as
22 a whole, or the more she is critical of students
23 or justifies her authority, the less likely
24 students are to achieve well.

25 To sum up, Chicano students are ethnically
26 isolated at the inter-city of Phoenix from

1 Anglos, most of whom attend school in the suburbs.

2 At Phoenix Union High, which is becoming
3 more and more identified as a minority school,
4 the attitude and behavior of some teachers is
5 insensitive, if not negative, toward Mexican-
6 American and black students. Such behavior,
7 if manifested frequently in the classroom,
8 discourages one student's desire to learn.

9 THE CHAIRMAN: Thank you. We'll not have a
10 10-minute break.

11 (Short recess was taken.)

12 THE CHAIRMAN: We'll resume the meeting,
13 please. Let's continue the meeting, please.

14 Mr. Henry Arrendondo will be the next
15 speaker.

16
17 HENRY ARRENDONDO,
18 having been first duly sworn to state the truth,
19 the whole truth and nothing but the truth, testi-
20 fied as follows:

21
22 EXAMINATION

23 BY MR. ALEXANDER:

24 Q Would you state your name and position,
25 please?

26 A I'm Hank Arrendondo, State Director of

1 Equal Education Opportunity Division.

2 Q Could you briefly summarize that statement
3 and submit it for the record?

4 A I'd rather not submit it to the record;
5 I would rather read the statement and ad lib
6 as I go along.

7 Q Okay.

8 A I think whenever things that we should
9 identify in this meeting today, first the problem
10 with the Mexican-American child.

11 In regards to education, I'd like to point
12 out seven areas that I think this Commission
13 should be aware of, and I'll make it as brief
14 as possible.

15 At least one-half, in some areas of the
16 State of Arizona, as much as 68 percent of the
17 Mexican-American children entering the first grade
18 do not graduate from high school. In school
19 enrollment of both males and females between
20 the ages of 7 and 13 years of age, Mexican-
21 Americans compare favorable with Anglos, for
22 whatever reasons; however, the school retains
23 fewer Mexican-American youths beyond the age
24 of 13.

25 Enrollment of Mexican-Americans in compari-
26 son with that of others declines beyond the

1 elementary and junior high levels. This is true
2 throughout the entire State of Arizona. Less
3 than one percent of Mexican-American children
4 entering the first grade go on to receive a
5 college degree; only 6 percent of the Mexican-
6 Americans have completed at least one year of
7 college. This was in 1960, compared with 22
8 percent Anglos, 12 percent blacks.

9 Of the Mexican-Americans that graduated
10 from college, most have made their education --
11 and I think a point here is welltaken, out of
12 a family of eight boys, six of us are teachers
13 in education -- are in education. There's a
14 falacy here that all Mexicans make good Spanish
15 teachers. We need more doctors, lawyers and
16 architects.

17 In 1960, the education of Mexican-Americans
18 is lagging behind that of the rest of the
19 population, it stood at 7.1 years of school
20 completed by both men and women 25 years of age
21 and over, compared with 12.1 school years completed
22 by Anglos; 9.0, black, and members of other
23 races. For Mexican-American young men and
24 women, ages 14 to 24, the average age measurement
25 was 9.1. Although there is no formal research
26 information available in this area, a reasonably

1 educated guess is that approximately one-fifth
2 of the Mexican-American children currently
3 attending the Arizona Public Schools, are
4 mental dropouts. While these children attend
5 schools physically, they do not achieve, nor
6 are they achieving a quality of education.
7 This apparently begins to appear at the elementary
8 level, and increases throughout high school.

9 Studies indicate that by the sixth
10 grade, Mexican-American students are generally
11 a year and a half to three years behind in the
12 reading achievement. The reading test that's
13 going to be put out by the State Board of
14 Education will verify this, it will be published
15 within the next 30 days.

16 By the time the marginal student has
17 reached this school, they have become apathetic,
18 unresponsive to school. Confronted by the
19 typical inhibited and polite manners, the teacher
20 often, for reasons of pushing them on, gives them
21 a social promotion. We have many social promo-
22 tions in this state regarding Mexican-Americans
23 and other minorities.

24 As with other students, the Mexican-
25 American child is totally of experiences under-
26 gone in the home, at the movies, explained here

1 and in the immediate environment. All these
2 experiences are part of him, and should be
3 brought into the classroom, which is not being
4 done in this state.

5 The 1960 census indicates there were
6 approximately 100,000 Mexican-Americans in Arizona,
7 making up 15 percent of the total population
8 with the heaviest concentration in Phoenix.

9 The 1965 census projects estimates that
10 Mexican-Americans constituted 17 percent of the
11 Arizona population. It is interesting to know
12 that the rate of increase of Mexican-American
13 population from 1950 to 1960, 51 percent, by
14 far surpasses that of the rest of the population,
15 39 percent.

16 I think I would give -- these points I
17 would like to point out, that are throughout
18 the entire state, and I think we should make
19 some corrections, and I hope that this Commission,
20 although I'm not certain of what is the purpose
21 of this Commission and what is the purpose of
22 bringing someone in from Washington, D.C. to
23 tell us about problems of the Mexican-American,
24 when we were born and raised here -- but I feel
25 that the school system, school superintendents,
26 have failed to instruct and train this service, or

1 whatever you want to call it -- I heard a new
2 term coming out of California, now, but I forget
3 that; but there is a failure to understand the
4 cultural differences of Mexican-Americans and the
5 blacks.

6 For an example of this, that there is
7 not a black culture, and this has been done.
8 Teachers are not given the opportunity to under-
9 stand various cultures. There is a failure by
10 teachers, superintendents and school boards to
11 understand the language-learning patterns of
12 the Mexican-American and the black. These,
13 in essence, is my prepared statement.

14 I also feel, though, whatever this
15 Commission does, that it should put pressure on
16 those powers, whoever they may be, to actually
17 recruit and encourage for professional growth
18 with the minorities in regards to educators,
19 superintendents, and school board members.

20 I'd like to add a couple of comments.
21 As I watched the proceedings today, something
22 was said about the unions, and in this state
23 it is easier to get into college than it is
24 to get into the unions, if you're a member of
25 a minority.

26 Let me address myself to another point at

1 the university level. Brown studies, black
2 studies, whatever they are, recently in a book
3 that I read, and I forget the author because I
4 can't pronounce his name, but this point sounds,
5 if we don't change the power structure, the
6 universities, Arizona State, University of
7 Arizona, and N.A.U., the power structure has
8 to be changed.

9 If I may add to Mr. Flores's comments,
10 we need academic people. It seems that the
11 academic professional professors do not recognize
12 the brown studies programs as being power to
13 them.

14 One other thing we were involved with
15 is Title One, and I remember Mr. Montez, I
16 believe, was asking questions with regards to
17 Title One. Again, here this is a Federal
18 conflict. Title One says, target your schools.
19 You have Phoenix Union, Carl Hayden, South
20 Mountain and Phoenix Union, and what does that
21 do for guys for equal opportunity, because they
22 are tied into a target school.

23 That brings my comments to an end, at this
24 time.

25 Q Could you tell us what the purpose of the
26 Equal Educational Opportunities Division of the

1 State Education Department is, and what it
2 does? You've just painted a rather horrendous
3 picture for Mexican-Americans in Arizona.
4 What is the statute responsibility and what
5 are its programs in this area?

6 A This division that I represent has been
7 in effect since July 16th, 1970. It was brought
8 about by Dr. Stall, Chief State School Officer.
9 The purpose of this division is: one, to
10 desegregate schools in this state.

11 Q What powers does it have to do that with?

12 A It has very little powers in regards to
13 the powers that you would see in the California
14 Code, or California policies. It has no powers
15 whatsoever. We operate upon request of the
16 school superintendent.

17 Q What size staff did the State provide
18 you with?

19 A The State did not provide me with a staff.
20 All the money is federal. The budget is \$69,000,
21 and I understand now that they want to cut that
22 back to around 49 to \$50,000.

23 One of the things we've done, and I think
24 Phil is familiar with it, Armando started it in
25 the State of California, that is the first racial
26 survey done in the State of California. It took

1 three years to do it, and this is one thing.

2 The other thing is, we are promoting and
3 doing public relations work, to be truthful,
4 letting school districts, school superintendents
5 know that we have the technical capabilities
6 to develop plans to desegregate their schools.

7 One of the superintendents we have given
8 technical assistance to is Mr. Jordan Barr.
9 This is what the people really want in this
10 state.

11 Mr. Barr has developed a plan, presented
12 it to the public, and low and behold, four members
13 of this board get recalled. And this is a
14 tragedy.

15 The sadness of this thing is when people
16 don't feel it's a moral obligation that children
17 should learn with black, red, yellow, and all
18 types of children.

19 MR. ALEXANDER: I have no further questions.

20
21 EXAMINATION

22 BY MR. MONTEZ:

23 Q Does the -- does the federal government,
24 the Department of Justice, attempt to bring any
25 kind of litigation in the courts to assist you
26 in the kinds of work that you're doing? That is,

1 have you requested -- obviously your funding is
2 under H.E.W., who has a civil rights branch,
3 which is also the action-oriented agency of
4 the federal government, and at their request,
5 the Department of Justice. Has there ever
6 been a suit in Arizona relative to desegregating
7 schools?

8 A Not to my knowledge. I think Dr. Warren --
9 has there been one? There's been talk of
10 Mexican Legal Defense Fund, doing something
11 about the A.D.L.

12 MR. WARREN: There was a case in Glendale
13 where a Mexican-American attorney from Dallas --

14 Q (By Mr. Alexander): Well, is it possible
15 to desegregate schools in this area unless you
16 change the geographical boundaries? You've got
17 13 separate, individual elementary school
18 districts.

19 A I think it's -- I know Mr. Barr here
20 represents one of those 13 districts that is
21 moving in that direction. I think it's possible
22 I can see consolidation, which people say I'm
23 crazy. But consolidation of 13 districts --
24 maybe even a voucher system, but there is a
25 possibility, there's all types of plans.

26 One of the biggest problems here is that

1 people say, right away, jump on buses. Well, let
2 me say this: when Mr. Barr started driving a
3 bus in his district, and at the same time he's
4 been bussing ever since, but the John Birch
5 element says that this is bussing, bussing is
6 bad.

7 But bussing is going on in Yuma, in Tempe,
8 Creighton, all the school districts. It's going
9 on now.

10 Q In your work, do you see the discrimination
11 of minority teachers? For example, would you
12 say that most Mexican-American teachers and
13 black teachers are in predominantly Mexican
14 and black schools?

15 A Yes. I think if I may add to this:
16 this happens every time I go to California;
17 I get a personnel director comes up to me and
18 says he wants me to recruit Mexicans for me.
19 And I told him, give me the power to hire
20 them, and I'll recruit them; otherwise, go to
21 Hell.

22 THE CHAIRMAN: Any further questions? Thank
23 you.

24 Mr. Warner Leipprandt.
25
26

1 WARREN LEIPPRANDT,
2 having been first duly sworn to state the truth,
3 the whole truth and nothing but the truth, testi-
4 fied as follows:

5
6 EXAMINATION

7 BY MR. ALEXANDER:

8 Q Would you state your name and position,
9 please?

10 A My name is Warren Leipprandt; I'm
11 principal planner for long-range planning, or
12 the Long-Range Planning Division of the City
13 of Phoenix Planning Department.

14 Q We understand that there is a plan, or a
15 proposed master plan known as the 1990 plan.
16 Can you tell us how this plan was developed, and
17 what the factors are that went into it?

18 A Yes, not knowing just exactly what you
19 might be looking for in this regard this evening,
20 I did put together perhaps a page and a half
21 statement on the general plan, the nature of it,
22 the background, which I'm prepared to read to
23 you, if you would like. And then if there's
24 any question --

25 Q Okay.

26 A The proposed Phoenix comprehensive plan,

1 1990, is a public document to be used as a guide
2 for the City Council and Planning Commission
3 for decisions with the physical development of
4 all of Phoenix. It is not to be confused with
5 our zoning ordinance, which by contrast is
6 very specific.

7 The plan indicates in a general way how
8 the community should develop over the next 20
9 years. It defines the amount and location of
10 land needed for several things, the private
11 use of land for homes, for businesses, for
12 industrial activities, for public facilities
13 to serve them, and also a transportation system
14 to tie them together.

15 Finally it sets forth recommendations and
16 implementive measures to achieve the plan.
17 The comprehensive plan has been developed over
18 a period of about four years, although it
19 has principally been developed by the planning
20 development staff. Many people have been
21 involved in its development at various stages.

22 For example, the Planning Commission has
23 provided continuous guidance and served as a
24 sounding board for ideas as they were developed,
25 a Phoenix task force group of some 800 citizens
26 participated in a physical, social and economic

1 growth formulation plan to guide Phoenix into
2 the future, and this program was brought to bear
3 to the extent that time permitted into the
4 common plan during the early stages of its
5 development.

6 The leadership in the education for
7 Phoenix neighborhood councils were also contacted
8 for thoughts on land use and zoning problems
9 within specific areas of the inter-city itself.

10 Now, some of the more perhaps important
11 steps to the plan have been over several years,
12 and this started back even in January, 1965,
13 to indicate the city's concern to move forward
14 in doing the common plan for this and is the
15 fact beginnings for the first actual common
16 plan for the City of Phoenix.

17 In January, 1965, a report was prepared
18 by the American Society of Planning Officials,
19 recommending to the City Council at that time
20 that common planning in earnest begin in July
21 that same year. The City Council created a
22 new position in the planning department, as a
23 matter of fact, and that's when it really
24 began.

25 February, 1966, a planning department staff
26 completed the common work program identifying

1 major pieces of work and at this point, I might
2 say this, preliminary land use plan, 1970, is
3 really one segment of this total work program,
4 because many major alternative work studies
5 need to go on as a continued effort in common
6 plan.

7 In May 1966, first issues reports explain the
8 common plan program were printed. A report
9 entitled "Second Century City" informed the
10 citizens of the program, and what it was to
11 accomplish over the next few years. In October,
12 1967, the first research report for that plan
13 was completed, was entitled, "Population, Past,
14 Present and Future," and outlined present
15 trends and future population projections for
16 various areas.

17 This also looked into the characteristics,
18 the ethnic opposition, et cetera. In March, 1968,
19 to December, '68, the planning department began
20 a whole series of meetings with the Planning
21 Commission to explain elements of the plan, and
22 to use them as a sounding board for ideas that
23 were being developed for the plan. During May
24 of 1968, two reports were put out on what we
25 call qualitative and land issues. These reports
26 outlined current assets and liabilities of the

1 communities, and suggested future growth objec-
2 tives.

3 And of course, these then became the format
4 for the goals committee to resolve and to detail
5 long-range community planners.

6 In December, 1968, the first draft of the
7 plan was finished, growth factors, population
8 and various elements, and the land use plan were
9 completed in June of 1969. A second element
10 report completed. This was the parks and recrea-
11 tion plan, which outlined open space recreation
12 needs through this same planning period.

13 In August, '69, a summary addition of the
14 plan was printed, and then in November, '69,
15 a complete common plan was published.

16 In November of 1970, this past year, the
17 first public hearings were begun by the Planning
18 Commission. The Planning Commissioner has since
19 then held four public hearings, official public
20 hearings.

21 The staff has conducted five special
22 meetings in the inter-city area, and two more
23 public hearings are scheduled within the next
24 two months by the Planning Commission. These
25 public hearings have been conducted to give
26 citizens as much opportunity as possible to comment

1 on the plan. These comments will form the
2 basis for most modifications.

3 When the Planning Commission is satisfied
4 that all have had an opportunity to comment on
5 the plan, it will be modified as necessary and
6 adapted. It will then be transmitted to the
7 City Council for their review and comments
8 and after at least one public hearing on their
9 part, we hope it will be adopted, at least as
10 an interim guide for future physical development.

11 And that's the end of the prepared state-
12 ments, and I would go on and ad lib to the extent
13 that I would hope also that the -- I know that
14 the planning commission, but I hope that the
15 City Council sees the need to look into major
16 alternatives to this plan that's proposed now.

17 Q What role and social impact does zoning
18 have in determining how to plan? With your
19 criteria, why were there economical criteria?

20 A Well, if your definition of social plan-
21 ning and mine are the same, I think I would have
22 to say a good deal. We were very concerned about
23 the economic impact of zoning, as it exists
24 today, and as it existed five years ago, parti-
25 cularly in the inter-city area where land use
26 is changing, where there is beginning to be more

1 and more mixture of residential and very encompass-
2 able industrial activities. The plan recognized
3 these problems, and I think the plan suggests
4 an interim solution in attempting to preserve the
5 identity of the residential neighborhoods that
6 we have, at least today.

7 Q When you developed such a plan, is there
8 any method or means whereby the community could
9 have input before there is a document out?
10 Is there an advisory committee to these planning
11 commissions, as appointed by the Mayor or some
12 such group?

13 Q Well, I think, yes, there could very well
14 be, and I think I would have to say that we
15 wished that the timing in terms of citizens'
16 goals committee, had been variable a little bit
17 better. In terms of the goals committee, I think
18 actually it got started about two years after
19 the general plan began.

20 Now, there has been a great deal of review
21 of the final product of that citizens' goals
22 committee, with this general plan, and there is
23 a great deal of similarity.

24 Now, whether this particular go-around
25 plan would significantly differ, I don't think
26 I'm in a position to say one way or another. I

1 think this is a matter of conjecture.

2 Q If the 1990 plan was followed out, would
3 it in any way alleviate substantial disparities
4 that exist between the existing neighborhoods
5 in Phoenix?

6 A What do you mean by disparity?

7 Q Disparities in housing, types and economic
8 base for tax structure, for the school districts,
9 and so on, that's the disparities.

10 A Well, I think, of course, that's a pretty
11 big subject, pretty broad subject to answer.
12 If you want to look at it in terms of a tax
13 basis, I think that one could pick very quickly
14 at the plan and say that there wasn't equity
15 in the tax base, quote-unquote, within each
16 school district within this general plan.

17 On the other hand, the plan recognizes
18 that problem and went further, although did
19 not suggest specific ways of altering -- there
20 are a number of ways which we have suggested.
21 It was spoken of this evening as, certainly,
22 consolidation in order to spread the tax load,
23 as an obvious way.

24 Certainly just distributing the tax
25 base at a higher level could do this, so I
26 think that kind of equity can be brought in; but

1 I think from the physical standpoint, though,
2 this is something we tried to point out strongly.
3 You can't just zone a piece of land anywhere
4 in the city for industry, and expect industry
5 to move there. This is not a logical assumption;
6 it's not an economic fact of life.

7 Besides, there are many people in this
8 community who don't want industry in the areas
9 they live in, anyway, so you have these human
10 factors, certainly, to contend with, and these
11 physical land use relationships to contend with.

12 The idea is to relate these as compatibly
13 as possible within the framework of what the
14 city has to work with today, and what it can
15 do in the future.

16 Q It will be alleged a number of times, I
17 understand, that the 1990 plan essentially locks
18 in some of the existing minority community areas,
19 particularly Mexican-American areas with commer-
20 cial zoning, and doesn't allow for growth and
21 expansion. Do you want to comment on that?

22 A Well, I'm not -- I can't really agree with
23 this, unless someone were to point to a specific
24 spot on the map and say that there are several
25 neighborhoods, or what we would call some neighbor-
26 hoods between, say, Washington Jefferson down to

1 the Maricopa Freeway, in between 24th Street
2 and 19th Avenue, which I would have to agree
3 are locked in.

4 They are surrounded by the Freeway, the
5 river, the airport, industry on the north side,
6 industry on the west. But that has been so
7 for many, many years.

8 Q Does the 1990 Plan expand any industrial
9 or commercial zoning in that area?

10 A I think the Plan suggests a greater
11 consolidation at both, and hopes to strike a
12 happy medium between residential and industrial
13 and attempts to establish some boundaries so
14 we won't see the continual future erosion of
15 residential areas in this city, and that's what
16 happened over the years. This has happened on a
17 day-to-day basis, as zoning changes have been
18 made. This is caused by the property owners,
19 certainly, in the inter-city who have asked
20 for a zoning change from industrial to commercial.

21 The --

22 Q Can master planning allow for provision
23 of -- or the availability of lower modern income
24 housing in a wider variety of geographic loca-
25 tions in the city? And if it can, does this
26 plan do that?

A Yes, very, very definitely it can, and I think very definitely it does. Although it isn't spoken of that way, specifically --

Q Most of your northern densities, I gather, are much larger --

A You mean higher, or lower?

Q Lower.

A No, that's not necessarily so. As a matter of fact, there are many areas in the northern part of Phoenix that are of higher density than the southern part of Phoenix.

Again, the density does not relate to the cost value of land, either, so you have to bring in this second dimension. It isn't just a fact that if you increase the density, you lower the value of the land at all.

Similarly, if you increase it, it goes down.

MR. ALEXANDER: I have no further questions.

EXAMINATION

BY MR. WARREN:

Q I'd like to open up the question of Mr. Alexander, relating to the plan's consideration for distributive low-income housing over the whole community. Wasn't that a variable? You

1 didn't clarify that.

2 A The plan doesn't specifically say that
3 low-income housing should go here or there or
4 somewhere, but as a major goal, it's very clear
5 as one of the goals of the housing section of
6 the plan. But equal opportunity should be
7 afforded in all areas of the community for
8 anyone in all income levels to move into areas
9 as an objective.

10 And it's stated very clearly, but again,
11 this doesn't necessarily -- there is not going
12 to be an overnight change in terms of property
13 values. The plan can't, in fact, do this.
14 This can be, certainly, an objective of housing
15 for the community.

16 Q Now, are you saying --

17 A It has to be worked out by people;
18 a document doesn't do anything for us.

19 Q Are you saying at this time, then, the
20 highest priority as a criteria in developing the
21 plan was economics?

22 A No, I didn't say that at all.

23 Q You say that everyone ought to have an
24 equal opportunity to move, in the assumption that
25 land values, then, are going to be high in certain
26 areas and low in other areas?

1 A Well, I think it all depends on where we
2 are talking about in the community. We find,
3 just as a matter of fact, some of our lower-cost
4 housing and the lower land values to be on the
5 very peripheral or fringe of our developing areas,
6 because land costs haven't been going up like
7 they have, let's say, in the central Phoenix
8 area, or in Maryvale, or East Phoenix area, or
9 even in the west town area, where land values
10 have gone up substantially.

11 Still, you can still go into the far
12 reaches of Paradise Valley and in South Phoenix
13 land values, although have started to go up,
14 haven't been really, really impacted by the
15 higher value.

16 Q Presumably it can be easier to build
17 moderate priced housing in those areas?

18 A That's right. Trying to carry that
19 concept out to this goal, the City's in the pro-
20 cess now, as you may know on this, going around
21 on lease housing. All these the cities are
22 looking at, are all outside of the inter-city,
23 and this was all done deliberately to achieve
24 that goal, to give the people in the lower income
25 bracket an opportunity to move out into these
26 more quality neighborhoods, literally; and this

1 was a stated goal of the housing sub-committee,
2 the Phoenix -- I think this attempt tries to
3 clarify this out.

4 THE CHAIRMAN: Any other questions?

5
6 EXAMINATION

7 BY MR. MONTEZ:

8 Q You mentioned a citizens committee. Was
9 the minority community represented on that com-
10 mittee, blacks and Chicanos?

11 A Well, I would have to look at that list
12 submitted under that.

13 Q There were that many?

14 A Oh, yes, I'm sure there were some. I don't
15 have the list here. This question was asked
16 several times.

17 Q The other question I have, do you have
18 any idea of the feelings of the Chicano and
19 black communities toward the Plan?

20 A Yes, I think I do.

21 Q What kind of feelings are they?

22 A I think there is some concern about the
23 plan, suggesting that the Chicano communities
24 are going to be completely overrun by industry;
25 that there isn't the protection and the control
26 suggested in the plan that the Chicano feels is

1 necessary, and this may well be true.

2 And again, the Staff of the Commission --
3 that's the purpose of the public hearings, to
4 find out what these are. There have been five,
5 six discussions, meetings around inter-city
6 already, just recently, and has several years
7 to go back to begin to feel out the ideas and
8 the problems of the people.

9 Q Is there any talk of bringing suit against
10 the City for an injunction against the plan or
11 anything at this time?

12 A I don't know that this is happening.
13 The plan is an idea at this point.

14 Q Yeah, yeah, I mean after the adoption,
15 if there were still objection on the parts of
16 the minorities, they would have recourse to ask
17 for an injunction if they felt it was an unfair
18 kind of plan?

19 A I think anyone has this recourse, but
20 again, the plan is not necessarily -- it's not
21 a legal document; it's a guide, it's a very
22 general thing. It establishes goals and objec-
23 tives of the community.

24 Q But if it's not a legal plan, it gives
25 the powers that be more reason to move ahead with
26 it, it seems the minority community would be

1 protected much more if it was a legal document.

2 A I have to agree, and as a planner, that's
3 where we are moving to get this adopted as an
4 official job.

5 In theory, that's what it should be, but
6 the plan doesn't carry out its objectives.
7 Implementation type of things, such as zoning,
8 such as subdivision control, such as capital
9 improvements, such as housing, a code enforcement,
10 all become really the legal tools to carry this
11 plan out. And I would think that's where
12 citizens' recourse would be.

13 MR. MONTEZ: Thank you. I have no further
14 questions.

15 THE CHAIRMAN: Any further questions?

16
17 ALFREDO GUTIERREZ,
18 having been first duly sworn to state the truth,
19 the whole truth and nothing but the truth, testi-
20 fied as follows:

21
22 EXAMINATION

23 BY MR. ALEXANDER:

24 Q Would you state your name?

25 A Alfredo Gutierrez. A more important
26 question was how many inter-city residents, how

1 many residents of the areas that will be cut up
2 and placed into -- you know, surrounded by
3 basically industrial and very dirty industry
4 areas were on this committee. How many inter-
5 city residents of those residents that will
6 remain in those areas were appointed by the
7 Mayor, by the Committee, to that committee.
8 Basically, that's one.

9 Now, the gentleman said it was over 800
10 persons in that committee.

11 Q We'd like to know a percentage of the 800.
12 first of all; secondly, there is, I understand a
13 zoning and planning commission in the city.
14 How many inter-city residents, how many residents
15 of that area that will be surrounded by the
16 industry, how many residents are on that committee?
17 And I understand that committee is fairly small,
18 perhaps 15 or 20.

19 A I'm not sure; I don't know what he means.

20 MR. MONTEZ: The Planning Commission.

21 THE WITNESS: Seven members.

22 Q (By Mr. Alexander): How many of those
23 residents of the area which were to be surrounded
24 by ugly and dirty industry? So we have two
25 questions, now. Could you answer, sir?

26 A At the moment, I don't know what the

1 physical -- as being dirty residential, being
2 surrounded by dirty residential industry --

3 Q Do you have a map here?

4 A At the moment --

5 MR. ENRIQUEZ: We can clarify the game being
6 played here, and the name is called -- at the
7 moment, I don't know the answer, but we have
8 a number of maps here that will clarify the
9 upper boundaries for this gentleman, and get
10 down to the truth of this matter.

11 And the maps are right there --

12 MR. ALEXANDER: Perhaps what we could do
13 is ask Mr. Enriquez to join you on the panel,
14 and give his view of the 1990 Plan. Is that
15 agreeable?

16 Also, part of our staff work is to now
17 gather from the record that we are gathering here,
18 is to take a look at the 800 names, you know,
19 before we issue a document, and so forth.
20 There will be part of our staff --

21 THE WITNESS: I could make that document
22 available for the Commission, if you'd like.

23 MR. ALEXANDER: We'd like it for the record.

24 Before we start, Mr. Enriquez, could you
25 identify yourself for the record and state what
26 your background is in terms of these planners?

1 MR. ENRIQUEZ: My name is Michael Enriquez;
2 I'm an architectural student at A.S.U., and this
3 is my fifth year in architecture. I did a study
4 of the inter-city and Mexican-American community,
5 and proposed a master plan for the area, and came
6 up with a recommendation that we made as far as
7 the future plans of the area, and how the 1990
8 Plan will affect the inter-city and the City of
9 Phoenix as a whole.

10
11 MICHAEL ENRIQUEZ,
12 having been called as a witness, testified as
13 follows:
14

15 EXAMINATION

16 BY MR. ALEXANDER:

17 Q Can you tell us if the 1990 Plan would
18 affect the minority community?

19 A I feel that the 1990 Plan, if carried out
20 as it is today, would further polarize the
21 ethnic groups within the City of Phoenix.

22 Q Would you want to demonstrate this with
23 your maps, and show us exactly what you mean?

24 A As you can see, this 1990 Plan proposed
25 that the major deterioration will occur, and
26 the physical containment of the ethnic groups

1 will occur within the inter-city area and within
2 the riverbed in the South Phoenix area, whereas
3 the major development of the City will be toward
4 the Anglo and white neighborhoods, north of the
5 railroad tracks.

6 Q The red parts are the commercial develop-
7 ment areas?

8 A Right, this is the commercial corridor.

9 Q That's the Central Avenue corridor running
10 north?

11 A Right, and the government mall runs east
12 and west. You can see that there is a very
13 distinct geographic line parallel to the railroad
14 tracks that sets the character for the land use
15 in the year 1990, which means that primarily
16 the land below the railroad tracks will receive
17 all those facilities that are repugnant to the
18 Anglo community to the north, and there can be
19 allocated to this area where additionally the
20 people in this area haven't paid much attention
21 to the planning until now.

22 And that hopefully that they won't have
23 the responsibility to living next to the junk
24 yards and scrap metal yards, and paper mills.
25 And the junk of the city will be in the Mexican-
26 American and black community.

1 Q Are these going to provide any decent-
2 paying jobs to the community, though?

3 A I don't think so.

4 Now, if -- my study in talking to people
5 is that there's very little employment provided
6 by the facilities that are located in the inter-
7 city and the Mexican-American community. They
8 are primarily operated by whites who live in
9 the north Phoenix area, and don't have those
10 facilities in their neighborhood.

11 Q What would you do if you had the power
12 to recommend changes in the 1990 Plan? Speci-
13 fically, what would you recommend, what type
14 of plan would you like to see?

15 A First of all, I would like to see the
16 eradication of this arbitrary line as to where
17 the blacks and Mexican-Americans live in Phoenix,
18 and begin thinking of the city as a whole, and
19 start uniting the city ethnically, and start
20 distributing the responsibility of the city
21 equally, and the benefits of the City, such as
22 musically, for example, in the Phoenix Union
23 High School area, a new park using the government
24 mall as a growth southward to help the Mexican-
25 American communities; the Central corridor
26 extended south to rejuvenate the south central area,

1 which is primarily inhabited by the Mexican-
2 American, making much better use for a new resi-
3 dential area, new recreation areas, of the river
4 bed, which is a large area of open land now that
5 is proposed to be used for industry in the future.

6 Q You think if the 1990 plan is followed as
7 recommended that we'll have, let's say, in 1990,
8 similar situations that the cities now have, very
9 substantially segregated communities?

10 A I think so because the people who have the
11 ability to move in America today are the white
12 middle class, lower middle class; and why, by
13 constantly putting those facilities that are not
14 attractive to the city within the Mexican-American
15 and black areas. That only these people that
16 can't move out of the area will have to tolerate
17 the city; that's part of the city. If they don't
18 have the middle income to move out, well, they'll
19 have to stay there and there will be nothing to
20 improve their quality of life because already all
21 the junk is there so that in the future, 1990,
22 we'll just have a higher density and intensity
23 ghetto.

24 Q You'll just force the ghetto to grow more
25 dense?

26 A Yes.

1 WARREN LEIPPRANDT,
2 having been previously called as a witness,
3 continued to testify as follows:

4
5 RE-EXAMINATION

6 BY MR. ALEXANDER:

7 Q Would you like to comment?

8 A What would you like me to say first?

9 Q Whatever you wish.

10 A Well, let me comment on the industrial
11 area, first, that Mike commented on. I think
12 in terms of that industrial area that surrounds
13 the inter-city today, this is pretty much as it
14 is shown on that map.

15 Q But the 1990 plan is not necessarily a
16 codification of the existing uses?

17 A I agree. This is what we call the
18 economic facts of life that begin to play on a
19 complan, the city as you or we all make it. The
20 city can't afford to buy all this industry and
21 move it out. At least this is the -- this is
22 the understanding.

23 Q Doesn't some industry move out by itself,
24 anyway?

25 A Some of it does, but we've found the
26 inter-city to be somewhat an incubator type of

1 location for new forming compounding industries.
2 Industries are moving out of the inter-city;
3 these are mainly the more substitute industries
4 as they grow and prosper --

5 Q Are these generally the better paying
6 industries?

7 A I haven't made a study of this so I'm not
8 sure.

9 Q I believe in your 1990 plan it indicates
10 their industries require more skilled employees?

11 A I --

12 Q Let's move on to something else.

13 A So from that standpoint, the plan and the
14 people who developed this felt that these areas
15 are well-established as far as industrial prob-
16 ably should remain as they are shown on this --
17 on the plan. Now, I think we have to also
18 recognize the fact that the railroad tracks --
19 the railroad does go through this area.

20 Q And the airport?

21 A Serves a tremendous potential to new
22 industry, new forming industry, and this is -- I
23 think we must admit it's a hard and fast boundary.
24 As difficult as it might be, it does reflect
25 this. I'm not sure that this can completely be
26 removed.

1 Q So are we faced with what Mr. Enriquez
2 says that in 1990, essentially, you're going to
3 have a more dense bodial unless housing is dis-
4 bursed to follow industry?

5 A Let me say one more thing about industry
6 before we touch on the residential.

7 Q Okay.

8 A There is no reason at all why this
9 industry over a period of time, contracted or
10 extended, can't be cleaned up, can't be forced
11 by the city through the courts and ordinances to
12 become more compatible.

13 Q Is this part of the recommendations?

14 A This is certainly an objective and goal
15 of the plan. I think there was some concern
16 suggested about junk yards. The junk yards get
17 started by shade-tree type mechanic operations.
18 These are all over the area. They are a very
19 difficult thing to arrest when they begin, and
20 many of these get started this way. But I think
21 there is a need to clean up and improve that
22 environment in terms of the industrial so as to
23 be more compatible neighbors with those residen-
24 tial areas. Now, about the residential you
25 raised. I won't deny that the inter-city that
26 we've pointed to here on the map couldn't, in

1 1990, be more dense than it is today; it's very
2 possible. But then, in 1950, 20 years ago, we
3 could have said exactly the same thing because
4 the zoning for higher density residential was
5 there at that point or there has been some coming
6 since 1950. But the residential zones were
7 multiple-family zones caused by the people who
8 lived in the area and owned that land.

9 Q Is that the same thing, the people that
10 live in the area and --

11 A In some cases, yes. In perhaps many more
12 cases, no. I don't have the facts; it would take
13 a very exhaustive study to know that. Obviously,
14 there are a lot of absentee landlords in this
15 area.

16 Q Yes.

17 A I don't know what that amount is. Now,
18 the fact is that there --I'd better not say that.
19 I was going to say there is less population in
20 this inter-city area now than there was 20 years
21 ago, and I think it is true. This is where I
22 want to state the economic facts of life are
23 taking hold, which I think will continue to pre-
24 vail regardless of whether we plan or not.
25 Whether this area will become more dense in the
26 next 20 years or next 15 years is perhaps as

1 conjecture as whether it would have in the last
2 20 years. Now, as I say, the zoning is still
3 there; that it would be multiple-family instead
4 of predominantly single-family as it is today.
5 The plan represents that these areas remain low-
6 density, single-family residential. And if we
7 are to carry out this plan, those areas that are
8 zoned multiple should, in fact, be rezoned back
9 to single-family in order to preserve that low
10 density. If this takes place -- and it needs
11 citizens' support, and I mean local citizens'
12 support from the inter-city -- if that comes,
13 and it certainly can come, then there's no reason
14 why the plan can't be carried out and what Mike
15 is indicating can be avoided.

16 Q But Phoenix in a real sense, then, is at
17 a turning point in its point of development in
18 terms of adopting mass planning, and the steps
19 it sees now will determine whether it seals the
20 fate of other cities; is that not a true state-
21 ment? Or is this a very poor time in the planning
22 for the city?

23 A Well, I think technically it's always
24 appropriate to plan. I don't think you could
25 have started 30 years ago and certainly improved
26 on the environment given the will of the people

1 and the desire of the city council and planning
2 commission. I'm not sure I answered that question.
3 I'm not sure I understood the question.

4
5 MICHAEL ENRIQUEZ,
6 having been previously called as a witness,
7 continued to testify as follows:

8
9 RE-EXAMINATION

10 BY MR. ALEXANDER:

11 Q Mr. Enriquez, do you have anything you
12 want to add?

13 A One thing I'd like to say, though, even
14 though this plan has recommended certain land
15 uses, it already is becoming a document because
16 members of the city council are saying it's our
17 Bible. And speaking with an official from FHA,
18 they are saying that the city of Phoenix doesn't
19 want any new housing in the inter-city; so,
20 therefore, we are not providing any funding for
21 the inter-city. It is true that this past five
22 years or so the population has gone down because
23 the city has ignored the Mexican-American and the
24 black and ignored the planning for growth in their
25 area. When I was here in high school, we had a
26 Phoenix Union of about 5,000 students; that was

1 in 1960. Today there is about 2500; it's an
2 exodus. The city of Phoenix has never taken into
3 consideration as to how they can use their plan-
4 ning to better improve the areas for the minor-
5 ities. So therefore, when the minorities get
6 some economic mobility, he does move. But then
7 there are those that can't move, are left behind.
8 My real concern is that the city can't just purely
9 ignore where the minorities say this is the
10 inter-city. We must disperse everybody out of
11 there but use all its resources, plan the area
12 where the minorities will live in the future, not
13 just ignore them.

14 MR. ALEXANDER: I have nothing further.

15 MR. ENRIQUES: This bottom map shows what is
16 happening. This is the distance plan and the
17 orange shows the large amount of industrial
18 zoning; and today, in the blue, is what is zoned
19 commercial. All this orange coming into the
20 magenta area and rapidly carrying all the barrio,
21 this is complete four. The people can't get loans
22 for their homes because the zoning is against them,
23 so those houses will completely deteriorate. In
24 relation to the 1990 plan and in relation to the
25 present zoning, this area is not possible.

26 THE CHAIRMAN: Any further questions?

??

1 MR. LEIPPRANDT: May I make one statement?

2 I have to agree with his comments there that the
3 zoning certainly does have a definite detriment
4 as far as FHA funding when you have these indus-
5 trial areas. Again, I think we have to go back
6 to look at the history as to how that zoning
7 arrived, and I don't think the city is apologizing
8 for what it's done. It did it with concise -- it
9 thought it had economic potential to see those --
10 the people who had the land at that point in time,
11 presumably local residents, could benefit from
12 that increased land value. However, again,
13 unfortunately they've not all been able to sell
14 their property. Also, that all of those purple
15 areas, much of them are what we show on the land
16 use plan, 1990, all are multi-family zoning
17 districts permitting as high as 14 units to the
18 acre, 14 and -- well, I even see some which permit
19 as high as 28 units. The average density is about
20 four or five; that's the kind of transition you
21 could legally have if you had the economic factions
22 to support it.

23
24 MICHAEL ENRIQUEZ,
25 having been previously called as a witness,
26 continued to testify as follows:

EXAMINATION

1
2 BY MR. WARREN:

3 Q What does the orange indicate?

4 A The orange indicates the industrial zoning.

5 Q Can you pinpoint it on the map?

6 A This is Buckeye and this is Tenth. Here
7 we are about right here. So you can see the
8 whole area around this is industrial.

9 Q And north?

10 A Here's the downtown area; this is the
11 river bed. One point I would like to make is
12 that the part of the Federal responsibility is
13 to what is happening to the minority environment.
14 I haven't looked at the figures yet, but I assume
15 that a large portion of the freeways in Arizona
16 are Federally funded; and one great contribution
17 that the Commission could make is maybe -- is
18 that somehow recommend that before any funding
19 occurs in any state where there's a minority, to
20 investigate how the freeway will affect the
21 minority because today these pictures show the
22 freeway as they cut through the minority part of
23 town; they are completely ignored by the city.
24 When the freeway is placed within the Anglo
25 community, a large concern is to what will occur;
26 and maybe through some effort of the Federal

1 agencies, to the control of financing, that there
2 might be more stress put on this as to how the
3 freeways of the future are going to affect the
4 minorities because their properties are going to
5 be the first to go because they lack the economic
6 and political force to reroute the freeway. Thank
7 you.

8 THE CHAIRMAN: The Valle Del Sol Task Force;
9 are they here? Is there anyone here for the
10 Task Force?

11 MR. TRUJILLO: My name is Augustine M.
12 Trujillo. I'm employed at this time in Phoenix.
13 I'm also a member of the Task Force as a repre-
14 sentative of 284 of Central Phoenix. And as such,
15 I sat as a representative of the Coalition; and
16 in turn, I'm also a member of the same committee
17 that Mr. Enriquez is chairman of, this particular
18 task force. And what I wanted to merely elaborate
19 on was the fact that some of the housing acts,
20 particularly the '68, '69, and '70 housing acts,
21 certainly provide for the building of the inter-
22 city areas throughout the country because these
23 are definitely the deteriorating areas, and they
24 are in many cities in many areas being completely
25 ignored by the power structure. And it is quite
26 understandable that there are many, many reasons

1 why this is so. I myself have been a strict
2 advocate for the building up of the inter-city
3 rather than bring about an exodus by people of
4 low income, principally because of the areas of
5 the reasons that have already been stated by Mr.
6 Enriquez. I have felt all along that this is
7 something a well-planned, well-meaning planning
8 development along with the city manager, the
9 city council, and definitely the mayor, that they
10 should take a second look as to what could be done
11 to cheer up a number of vacant lots that exist
12 within the inter-city at the present time that
13 could provide housing, housing areas for people
14 of low income. Why, in other words, shuffle them
15 out of the inter-city where they have, through
16 the years, have set their roots; and these roots
17 are deep. We have, at the present time, people
18 who have grown up within the inner city who as
19 children attended, let's say for instance, the
20 Immaculate Church; and although they are now
21 living in areas remote from the church, on
22 Sundays you still see them coming in and attending
23 church there. And I could name you a number of
24 others within the black community that even
25 though they themselves have moved out of the
26 inner city, are still attending the churches they

1 attended as children or as teenagers. And this,
2 I feel, is a great wrong to our people who are
3 gradually and forcibly being put out; and it
4 would be so nice to have these inner cities built
5 up again, the areas within the inner cities built
6 up again with good centers and substantial hous-
7 ing that everybody would be proud of. At the
8 present time, a visitor to our city once they
9 leave the airport is met by junk yards, vacant
10 lots; they are not pretty. Part of our work is
11 to see to it that the property owners do clean
12 up these lots; but wouldn't it be wonderful if
13 a visitor coming to our city would be delighted
14 by new housing instead of just the views of
15 barren ground, trees that are dying; if there
16 are any trees on these vacant lots. In many of
17 these vacant lots there are huge slabs of concrete
18 where they used to be houses, but the houses are
19 gone. And if the power structure was really
20 sincere in doing something for the community, I
21 feel that this is certainly an area that could
22 be improved now -- not tomorrow, five years from
23 now, ten years from now -- the action could be
24 started now. We are too late in doing it; it
25 should have never have come about in the first
26 place. That's all I have.

1 THE CHAIRMAN: Thank you. Is there anybody
2 else that would like to say something pertinent
3 to what was discussed here tonight?

4 MR. SMITH: My name is J. Ford Smith. I'm
5 the executive director of the Civil Rights
6 Commission -- Arizona Civil Rights Commission.
7 And I think one of the things that should be
8 brought up here tonight is the finalization of
9 our meeting. I hope it will be better publicized
10 and better attended tomorrow. However, I will
11 not be able to be there nor will my able chairmen.
12 I knew nothing about the meeting or the fact that
13 I was invited. I received a call from Mr.
14 Schaffers from Los Angeles saying would I attend,
15 and I said yes. So much for that little speech.

16 But I would like to ask you as Commission
17 members what can you do -- I mean, everybody
18 looks down on the City of Phoenix Commission,
19 the Arizona State Civil Rights Commission, because
20 we have such limited powers. Now, you are the
21 people of the Federal Government. What do you
22 plan to do about this? I talked with officers
23 who are supposed to carry the big stick; and so
24 we get cases against them, we refer them to them
25 and what happens? Maybe a good brother, Anglo
26 brother on our side gets it sent to Goldwater or

1 John Roach. So they come in -- we have basic
2 industries located in barrios and ghettos who are
3 blatantly discriminating against minorities; yet
4 these compliance officers do not want to take
5 force on these people. Next thing -- I don't know
6 if you're aware of it or not -- but I was told we
7 couldn't file suit against the Bar Examiners of
8 Arizona. We are hoping to remedy the situation
9 because among our professional boards, this is
10 where we are facing very blatant discrimination.
11 If a man with a mental attitude to pass four
12 years, three years of law exams or law school or
13 going into architectural school, then he comes
14 out to take an examination, he must have five
15 years of him being in school and years of exper-
16 ience. Tell me, how does this happen? I just
17 don't follow these things; I'm brand new in the
18 field of civil rights, but that's going to get
19 adjusted. I'm going to use every measure; I'm
20 going to play the game everybody else plays. I
21 mean if you can pull strings, I'm going to pull
22 strings. And this I hope to do as the chairman
23 of the executive director. But one of the things
24 that we've talked -- some of the things we've
25 talked about here tonight have been educational;
26 and, ladies and gentlemen, you can't get either

1 one of them without a job. And out of some 142
2 cases as of today filed with the Civil Rights,
3 113 of them fell in the realm of employment. Of
4 those 113 in employment, about five filed were
5 black and 38 by Mexican-Americans. And for some
6 reason, we cannot get the Indians to come in and
7 talk to us about job discrimination; it's a lack
8 of communication. What's going to happen in this
9 country -- and you'd better do it fast -- when
10 these people get back from Viet Nam? They are
11 not going to take it like the boys in World
12 War II. This is another threat. So to me, your
13 number one problems in these days -- if you can
14 resolve the matter of employment, I think you've
15 done a major job. Thank you.

16 THE CHAIRMAN: I believe we'll adjourn now.

17 (Whereupon the proceedings were concluded)

18 * * *

1 STATE OF ARIZONA }
2 COUNTY OF PIMA } ss:
3

4 I, Albert Aguilar, do hereby certify that
5 I am an Official Shorthand Reporter; that I was
6 present at the hearing of the foregoing matter;
7 that I took down in shorthand all proceedings
8 had and testimony adduced at said hearing; that
9 the same was thereafter transcribed under my
10 supervision, and the foregoing 116 pages represent
11 a complete and accurate transcription of my
12 shorthand notes so taken.

13 WITNESS MY HAND this 20th day of June,
14 1971.
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18 Official Shorthand Reporter
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