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ORIGINAL

RE: UNITED STATES CIVIL RIGHTS
PUBLIC HEARING

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TRANSCRIPT OF PROCEEDINGS

OCTOBER 20, 1994

REPORTED BY:
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CSR NO. 8297

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Meet.
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1 UNITED STATES COMMISSION ON CIVIL
2 RIGHTS, CALIFORNIA ADVISORY COMMITTEE,
3 COMMITTEE FORUM ON EMPLOYMENT PRACTICES
4 IN THE LOS ANGELES TELEVISION NEWS
5 MEDIA, TAKEN AT 1:00 P.M., ON THURSDAY,
6 OCTOBER 20, 1994, AT THE PASADENA
7 CONVENTION CENTER, PASADENA, CALIFORNIA,
8 BEFORE GLORIA A. COLON, CSR #8297,
9 PURSUANT TO NOTICE.

10 A P P E A R A N C E S:

- 11 CALIFORNIA ADVISORY COMMITTEE:
- 12 PHILIP MONTEZ, REGIONAL DIRECTOR
 - 13 DANIEL ELICEO APODACA, ALTADENA
 - 14 LUZ BUITRAGO, BERKELEY
 - 15 TED S. COOPER, NOVATO
 - 16 EDWARD J. ERLER, CLAREMONT
 - 17 DEBORAH HESSE, SACRAMENTO
 - 18 CATHERINE JOYCE KELLY, VENTURA
 - 19 SHARON MARTINEZ, MONTEREY PARK
 - 20 FRANK ANTHONY MAYER, ALHAMBRA
 - 21 SOCORRO REYNAGA-OLSEN, ORANGE
 - 22 MITCHELL POMERANTZ, LOS ANGELES
 - 23 DENA SPANOS-HAWKEY, PASADENA

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25

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1 THURSDAY, OCTOBER 20, 1994, PASADENA, CALIFORNIA

2 MR. CARNEY: GOOD AFTERNOON, LADIES AND GENTLEMEN.

3 THIS MEETING OF THE CALIFORNIA ADVISORY COMMITTEE TO THE
4 U.S. COMMISSION ON CIVIL RIGHTS WILL NOW COME TO ORDER.

5 THE PURPOSE OF THIS MEETING IS TO OBTAIN INFORMATION AND
6 VIEWS RELATING TO CIVIL RIGHTS ISSUES IMPACTING THE MEDIA
7 INDUSTRY.

8 I AM MICHAEL CARNEY, CHAIRPERSON OF THE
9 CALIFORNIA ADVISORY COMMITTEE. THE ADVISORY COMMITTEE
10 RECEIVES INFORMATION AND MAKES ITS RECOMMENDATIONS TO THE
11 COMMISSIONS IN AREAS WHICH THE COMMITTEE OR ANY OF ITS
12 SUBCOMMITTEES ARE AUTHORIZED TO STUDY.

13 OTHER MEMBERS OF THE COMMITTEE IN ATTENDANCE,
14 OR WHO WILL BE IN ATTENDANCE DURING THIS MEETING WILL BE
15 DANIEL E. APODACA, LUZ BUITRAGO, TED S. COOPER, EDWARD J.
16 ERLER, DEBORAH HESSE, CATHERINE JOYCE KELLY, SHARON
17 MARTINEZ, FRANK MAYER, SOCORRO REYNEGA-OLSEN, ANDREA W.
18 PATTERSON, MITCHELL POMERANTZ, HERMAN SILLAS AND DENA
19 SPANOS-HAWKEY.

20 ALSO WITH US TODAY ARE MEMBERS OF THE WESTERN
21 REGIONAL STAFF, THE REGIONAL DIRECTOR, PHILIP MONTEZ,
22 STAFF MEMBER ^{John F. Dulles} ~~DON S. DOLLAS~~ AND GRACE HERNANDEZ, AND THAT'S
23 FROM THE WESTERN REGIONAL OFFICE IN LOS ANGELES.

24 THIS FACT FINDING MEETING IS BEING HELD
25 PURSUANT TO THE FEDERAL RULES APPLICABLE TO STATE ADVISORY

1 COMMITTEES AND REGULATIONS PROMULGATED BY THE UNITED
2 STATES COMMISSION ON CIVIL RIGHTS ALL SHOULD BE DIRECTED
3 TO THE CHAIR OR THE COMMISSION STAFF.

4 THE COMMISSION OF CIVIL RIGHTS IS AN
5 INDEPENDENT AGENCY OF THE UNITED STATES GOVERNMENT, AND
6 ESTABLISHED BY CONGRESS IN 1967. AND DIRECTED TO, ONE,
7 INVESTIGATE COMPLAINTS ALLEGING THAT CITIZENS ARE BEING
8 DEPRIVED OF THEIR RIGHT TO VOTE BY REASON OF THEIR RACE
9 COLOR, RELIGION, SEX, AGE, HANDICAP OR NATIONAL ORIGIN OR
10 BY REASON OF FRAUDULENT PRACTICES.

11 TWO, STUDYING COLLECTING INFORMATION
12 CONCERNING LEGAL DEVELOPMENTS CONSTITUTING DISCRIMINATION
13 OR DENIAL OF EQUAL PROTECTION OF THE LAWS UNDER THE
14 CONSTITUTION BECAUSE OF RACE, COLOR, RELIGION SEX, AGE
15 HANDICAP OR NATIONAL ORIGIN OR IN THE ADMINISTRATION OF
16 JUSTICE.

17 THREE, APPRAISE FEDERAL LAWS AND POLICIES WITH
18 RESPECT TO DISCRIMINATION OR DENIAL OF EQUAL PROTECTION OF
19 THE LAW.

20 FOUR, SERVE AS A NATIONAL CLEARING HOUSE FOR
21 INFORMATION ABOUT DISCRIMINATION.

22 AND FIVE, SUBMIT REPORTS, FINDINGS AND
23 RECOMMENDATIONS TO THE PRESIDENT AND TO CONGRESS.

24 I WOULD LIKE TO EMPHASIZE THAT THIS IS A FACT
25 FINDING MEETING AND NOT AN ADVERSARIAL PROCEEDING.

1 INDIVIDUALS HAVE BEEN INVITED TO COME AND SHARE WITH THE
2 COMMITTEE INFORMATION RELEVANT TO THE SUBJECT OF TODAY'S
3 INQUIRY.

4 EACH PERSON WHO WILL PARTICIPATE HAS
5 VOLUNTARILY AGREED TO MEET WITH THIS COMMITTEE. EXCUSE
6 ME. SINCE THIS IS A PUBLIC MEETING, THE PRESS AND RADIO
7 AND TELEVISION STATIONS, AS WELL AS INDIVIDUALS ARE
8 WELCOMED. PERSONS MEETING WITH THE COMMITTEE, HOWEVER,
9 MAY SPECIFICALLY REQUEST THAT THEY NOT BE TELEVISED. IN
10 THIS CASE, WE WILL COMPLY WITH THEIR WISHES.

11 WE ARE CONCERNED THAT NO INFLAMMATORY
12 MATERIAL BE PRESENTED AT THIS MEETING. IN AN UNLIKELY
13 EVENT THAT THIS SITUATION SHOULD BE DEVELOPED, IT WILL BE
14 NECESSARY FOR ME TO CALL THIS TO THE ATTENTION OF THE
15 PERSONS MAKING THESE STATEMENTS AND REQUEST THAT THEY
16 RESIST IN THEIR ACTION. SUCH INFORMATION WILL BE STRICKEN
17 FROM THE RECORD IF IT IS NECESSARY.

18 EVERY EFFORT HAS BEEN MADE TO INVITE PERSONS
19 WHO ARE KNOWLEDGEABLE IN THE AREA TO BE DEALT WITH HERE
20 TODAY.

21 IN ADDITION WE HAVE ALLOCATED TIME BETWEEN
22 THE HOURS OF 4:00 P.M. AND 5:00 P.M. ON FRIDAY, OCTOBER 21
23 TO HEAR FROM ANYONE WHO WISHES TO SHARE INFORMATION WITH
24 THE COMMITTEE ABOUT THE SPECIFIC ISSUES UNDER
25 CONSIDERATION TODAY.

1 AT THAT TIME EACH PERSON OR ORGANIZATION WILL
2 BE AFFORDED A BRIEF OPPORTUNITY TO ADDRESS THIS COMMITTEE
3 AND MAY SUBMIT ADDITIONAL INFORMATION IN WRITING. THOSE
4 WISHING TO PARTICIPATE IN THE OPEN SESSION ON FRIDAY MUST
5 CONTACT COMMISSION STAFF AS SOON AS POSSIBLE IN ORDER TO
6 BE BRIEFED ON PROCEDURAL MATTERS.

7 IN ADDITION, THE RECORD OF THIS MEETING WILL
8 REMAIN OPEN FOR TEN DAYS FOLLOWING IT'S CONCLUSION. THE
9 COMMITTEE WELCOMES ADDITIONAL WRITTEN STATEMENTS AND
10 EXHIBITS FOR INCLUSION IN THE RECORD. THESE SHOULD BE
11 SUBMITTED TO THE WESTERN REGIONAL OFFICE, UNITED STATES
12 COMMISSION ON CIVIL RIGHTS, 3660 WILSHIRE BOULEVARD, SUITE
13 810, LOS ANGELES, CALIFORNIA 90010. WE WILL NOW BEGIN.

14 THE FIRST SPEAKER TO ADDRESS THIS COMMITTEE IS
15 THE HONORABLE RICHARD ALATORRE, EXCUSE ME, A MEMBER OF THE
16 LOS ANGELES CITY COUNCIL AND HE IS PRESENT HERE TODAY.
17 AND HE WILL BEGIN.

18 MR. ALATORRE: THANK YOU VERY MUCH, MR. CHAIRMAN.
19 MR. CARNEY, MEMBERS OF THE ADVISORY COMMITTEE, LET ME JUST
20 FIRST OF ALL BEGIN BY THANKING YOU FOR BEING HERE TODAY.
21 EVEN THOUGH YOU ARE NOT THE CITY OF LOS ANGELES, NOW I
22 KNOW WHY YOU CHOSE THE GREAT CITY OF PASADENA LOOKING AT
23 NOT ONLY MR. MARTINEZ, BUT ALSO MR. CARNEY, I'D LIKE TO
24 THANK YOU FOR COMING HERE TODAY.

25 MR. CHAIRMAN AND MEMBERS, I AM COUNCILMAN

1 RICHARD ALATORRE, REPRESENTING THE 14TH DISTRICT OF THE
2 CITY OF LOS ANGELES. ON BEHALF OF THE CITY OF LOS
3 ANGELES, I WANT TO THANK YOU FOR INVITING ME TO DISCUSS
4 WITH YOU THE CONCERNS WHICH PROMPTED ME TO OFFICIALLY FILE
5 A COMPLAINT WITH THE U.S. COMMISSION ON CIVIL RIGHTS LAST
6 MARCH THE 15TH, AT WHICH TIME I ASKED THAT AN
7 INVESTIGATION BE CONDUCTED IN REFERENCE TO THE SERIOUS
8 ALLEGATIONS OF RACE AND SEX DISCRIMINATION IN THE
9 TELEVISION INDUSTRY. YOU WILL HAVE TO EXCUSE ME, BUT I
10 HAVE THE FLU, AND I'M TRYING TO GET OVER IT, AND I DON'T
11 THINK I'M GOING TO DO THAT VERY WELL.

12 SINCCE I FILED THE COMPLAINT AND THE NEWS
13 STORY BROKE, THE ISSUE HAS GROWN IN MAGNITUDE. RACE AND
14 SEX DISCRIMINATION IN LOS ANGELES TELEVISION MARKET IS AN
15 ALL ENCOMPASSING AND SERIOUS PROBLEM. IT IS DISTURBING
16 AND CRITICAL BOTH FOR THE MINORITY MEDIA PROFESSIONALS
17 WORKING IN THE INDUSTRY, AS WELL AS IN THE COMMUNITY AT
18 LARGE.

19 AS I TESTIFY BEFORE YOU, I KNOW THAT THIS IS
20 NOT SOMETHING WHICH YOU HAVE NOT HEARD BEFORE. IN FACT, I
21 HAVE BEEN AWARE OF HOW LATINOS, OTHER ETHNIC MINORITIES
22 AND WOMEN HAVE BEEN EXCLUDED BY THE MEDIA. AS AN ELECTED
23 OFFICIAL WHO IS CONCERNED ABOUT THE FUTURE OF LOS ANGELES,
24 A MULTICULTURAL, DIVERSE LOS ANGELES, I FEEL I MUST COMMIT
25 TO INSURING THAT SYSTEMATIC DISCRIMINATION AND RACISM IN

1 THE TELEVISION STOP.

2 I HAVE BEEN WATCHING AND STUDYING THE WAY OUR
3 LOCAL COVERAGE, THE COVERAGE OF OUR COMMUNITIES,
4 PARTICULARLY AFTER THE 1992 CIVIL UNREST. I, LIKE MANY OF
5 MY CONSTITUENTS, WAS DISTURBED AND ANGERED BY THE
6 IRRESPONSIBLE, INSENSITIVE AND SENSATIONALIST MANNER IN
7 WHICH THE MEDIA HANDLED THE SOCIAL CONFLICT. AS I BEGAN
8 TO GATHER INFORMATION, AS I ASKED QUESTIONS OF REPORTERS
9 WHO HAD COVERED THE STORIES, IT BECAME CLEAR TO ME THAT
10 THE NEWS COVERAGE WAS DISTORTED, BIASED AND
11 INSTITUTIONALIZED RACISM.

12 EVENTS WHICH OCCURRED AT THE BEGINNING OF
13 THIS YEAR, MARKED WHAT I BELIEVE HAS BEEN A BLATANT
14 DISREGARD OF LATINOS IN THE INDUSTRY. IN JANUARY OF THIS
15 YEAR, I WAS DISHEARTENED TO READ ABOUT THE LATINO MASS
16 EXODUS AT KNBC CHANNEL 4. ACCORDING TO THE LOS ANGELES
17 TIMES, "JOURNALIST THERE CHARGED DISCRIMINATION BY
18 MANAGEMENT PLAYED A KEY ROLE IN THE EXIT OF FIVE LATINO
19 REPORTERS AND ANCHORS IN LESS THAN FIVE MONTHS."
20 JOURNALISTS SAID THAT THEY WERE CONSISTENTLY TREATED WITH
21 DISRESPECT AND PUSHED INTO THE BACKGROUND AT THE SAME TIME
22 WHITE MALE REPORTERS RECEIVED PREFERENTIAL TREATMENT.

23 AS REPORTED IN THE LOS ANGELES TIMES, ONE
24 KNBC REPORTER WROTE IN HER RESIGNATION LETTER, "I AM
25 RESIGNING DUE TO THE CONTINUAL OPPRESSIVE DISCRIMINATORY

1 TREATMENT THAT I AM EXPERIENCING IN THE CHANNEL 4
2 NEWSROOM. "

3 ALMOST SIMULTANEOUSLY SIMILAR CONDITIONS WERE
4 REPORTED AT KCBS CHANNEL 2. EMPLOYEES AT BOTH STATIONS
5 REPORTED THAT WHILE MALE REPORTERS GOT THE CHOICE STORIES,
6 BETTER WORK SCHEDULES AND MORE CAREER INCENTIVES, WHILE
7 LATINOS WERE CONSTANTLY OVERLOOKED, RELEGATED TO LESS
8 IMPORTANT STORIES AND ASSIGNED TO GRAVEYARD, MORNING AND
9 WEEKEND SHIFTS.

10 OF THE MANY WHO HAVE DEPARTED, MOST HAVE DONE
11 SO UNDER OPPRESSIVE AND HOSTILE CONDITIONS. ONE KCBS
12 EMPLOYEE WROTE IN HER RESIGNATION LETTER. "AS A
13 PROFESSIONAL I HAVE ALWAYS TRIED TO MAINTAIN A BALANCE
14 BETWEEN COVERING THE BREAKING STORIES OF THE DAY AND,
15 KEEPING IN MIND THE DIVERSITY OF THE COMMUNITIES WE SERVE.
16 WITHIN THE LAST FEW MONTHS, KCBS HAS GONE FROM A
17 PRODUCTIVE, TALENTED NEWS OPERATION TO A DEMORALIZING
18 HOSTILE ENVIRONMENT OF ABUSIVE HARASSMENT AND
19 INTIMIDATION. I CAN NO LONGER DO MY JOB UNDER THESE
20 CONDITIONS," END QUOTE.

21 IN DEFENSE, TOP MANAGERS CATEGORICALLY DENIED
22 THAT DISCRIMINATION EXISTS AT THEIR STATIONS. MOST CLAIM
23 THAT IF THE CONDITIONS EXISTED AS DESCRIBED, "IT WAS
24 WITHOUT THEIR KNOWLEDGE." SOME STATED THAT THE
25 ALLEGATIONS WERE NOT TRUE AND SIMPLY MADE BY DISGRUNTLED

1 EMPLOYEES. HOWEVER, MOST OF THE LATINOS, OTHER ETHNIC
2 MINORITIES AND WOMEN WHO RESIGNED, OR WHO WERE TERMINATED,
3 HAVE BEEN LOYAL EMPLOYEES WITH YEARS AND YEARS OF
4 EXPERIENCE IN THEIR CHOSEN PROFESSION.

5 KNBC AND KCBS HAVE BEEN AT THE CENTER OF THE
6 CONTROVERSY BECAUSE SEVERAL INDIVIDUALS HAVE DECIDED TO
7 MAKE THIS ISSUE PUBLIC. FOR THOSE INVOLVED, THIS HAS BEEN
8 A VERY DIFFICULT DECISION TO MAKE. THE TELEVISION
9 INDUSTRY IS ONE WHICH IS WELL PROTECTED, AND THOSE WHO
10 COME FORTH AND EXPOSE THEIR NEGATIVE EXPERIENCES RISK
11 BEING BLACKLISTED IN THE INDUSTRY. THIS MAKES OUR JOB
12 MORE DIFFICULT AND DELICATE, FOR WE MUST PROTECT AND HONOR
13 THE CONFIDENTIALITY OF INDIVIDUALS INVOLVED.

14 RECENTLY, TWO INDIVIDUALS WHO WERE EMPLOYED
15 BY KCBS CHANNEL 2, A LATINA AND LATINO FILED SEX, RACE AND
16 UNJUST TERMINATION LAWSUITS AGAINST THAT STATION. THIS
17 WILL BE AN IMPORTANT CASE, ONE WE SHOULD CAREFULLY FOLLOW,
18 FOR IT CALLS ATTENTION TO WHAT LATINOS AND OTHER ETHNIC
19 MINORITIES AND WOMEN EXPERIENCE IN THIS INDUSTRY.

20 THE U.S. COMMISSION ON CIVIL RIGHTS HAS TAKEN
21 THE POSITION THAT "EQUAL EMPLOYMENT OPPORTUNITY IN
22 BROADCASTING IS A PUBLIC INTEREST ISSUE ABOVE AND BEYOND
23 THAT IMPLIED BY THE VARIOUS EQUAL EMPLOYMENT OPPORTUNITY
24 LAWS AND EXECUTIVE ORDERS CURRENTLY IN FORCE. LICENSEES
25 ARE REQUIRED TO BROADCAST IN THE PUBLIC INTEREST, AND IT

1 IS THEIR DUTY AS TRUSTEES OF THE PUBLIC AIRWAVES TO
2 SERVICE US ALL."

3 OUR LOCAL STATIONS NEED TO UNDERSTAND THAT
4 FAILURE TO EMPLOY MINORITIES AND WOMEN, PARTICULARLY IN
5 DECISION-MAKING CAPACITIES, IS TO EXCLUDE THEIR POTENTIAL
6 AND THEIR INFLUENCE. EXCLUDING THEM, THEIR IDEAS,
7 PERCEPTIONS AND KNOWLEDGE, NEGATIVELY IMPACTS AND
8 DIMINISHES THE BROADCASTER'S ABILITY TO SERVE THE PUBLIC
9 INTEREST.

10 IN 1977 THE COMMISSION ON CIVIL RIGHTS
11 PUBLISHED THEIR FINDINGS ON MINORITY AND FEMALE EMPLOYMENT
12 IN TELEVISION. FOR HISTORICAL PURPOSES, IT MUST BE NOTED
13 THAT IN 1969 THE FEDERAL COMMUNICATION COMMISSION ADOPTED
14 EQUAL EMPLOYMENT OPPORTUNITY GUIDELINES PROHIBITING JOB
15 DISCRIMINATION BY BROADCAST LICENSEES. THE IMPLIED
16 PENALTY WAS THE LOSS OF THEIR BROADCASTING LICENSE.

17 AMONG SIGNIFICANT CONCLUSIONS DRAWN BY THE
18 COMMISSION ON CIVIL RIGHTS REGARDING EMPLOYMENT OF
19 MINORITIES IN TELEVISION WERE THE FOLLOWING: TELEVISION
20 EXECUTIVES USED AN UNDERLYING ASSUMPTION THAT REALISTIC
21 REPRESENTATION OF MINORITIES WOULD DIMINISH THE MEDIA'S
22 ABILITY TO ATTRACT THE LARGEST POSSIBLE AUDIENCES. I WANT
23 TO UNDERScore THAT ONE AGAIN. TELEVISION EXECUTIVES USED
24 THE UNDERLYING ASSUMPTION THAT REALISTIC REPRESENTATION OF
25 MINORITIES WOULD DIMINISH THE MEDIA'S ABILITY TO ATTRACT

1 THE LARGEST POSSIBLE AUDIENCES. EXCUSE ME.
2 BROADCASTERS MISREPRESENTED TO THE FCC THE ACTUAL
3 EMPLOYMENT STATUS OF MINORITIES AND WOMEN VIA REPORTS ON
4 FCC FORM 394.

5 MINORITIES WERE NOT FULLY UTILIZED AT ALL
6 LEVELS OF STATION MANAGEMENT OR AT ALL LEVELS OF LOCAL
7 STATION OPERATIONS.

8 WHITE MALES HELD THE OVERWHELMING MAJORITY
9 DECISION-MAKING POSITIONS. EXCUSE ME.

10 MINORITIES HELD SUBSIDIARY POSITIONS.

11 INCREASED MINORITY VISIBILITY AS AN ON-AIR
12 TALENT IMPLIED LACK OF MINORITY REPRESENTATION IN
13 MANAGERIAL AND OTHER JOBS OFF CAMERA: IN OTHER WORDS,
14 ETHNICS WERE MERELY WINDOW DRESSING.

15 EMPLOYMENT CONDITIONS HAVE CHANGED LITTLE IN
16 THE 1980S AND INTO THE 1990S. THE FCC'S STATISTICS
17 RELEASED IN 1982 SHOWED THAT MINORITIES HAVE ABOUT 17
18 PERCENT OF ALL JOBS IN BROADCAST TELEVISION.

19 CURRENTLY, IN THE 1990S, NOTHING HAS REALLY
20 CHANGED. THE TELEVISION INDUSTRY IS NOT INCLUSIVE, BUT IT
21 IS EXCLUSIVE, AND IT IS THE ELITIST. STATION MANAGERS
22 HAVE BECOME EXPERTS AT LYING AT STATISTIC AND
23 RECLASSIFYING MINORITY EMPLOYEES IN THE UPPER JOB
24 CATEGORIES, WHILE KEEPING THEM AT THE SAME OLD JOBS AT THE
25 SAME OLD SALARY.

1 MOST MINORITY MANAGERS, PARTICULARLY IN
2 TELEVISION, HOLD JOBS WITH SUCH TITLES AS COMMUNITY
3 RELATION DIRECTOR, OR MANAGER OF COMMUNITY AFFAIRS. SOME
4 EVEN MAKE IT TO VICE PRESIDENT OF COMMUNITY AFFAIRS.
5 ALMOST WITH NO EXCEPTION, EVEN THESE PERSONS REPORT TO A
6 WHITE MALE DEPARTMENT HEAD, NOT TO THE HEAD OR THE STATION
7 MANAGER OR THE PERSON IN CHARGE.

8 IT IS TIME THAT THE FEDERAL GOVERNMENT GET
9 INVOLVED AND THAT WE HOLD THESE TRUSTEES OF THE PUBLIC
10 AIRWAVES ACCOUNTABLE. IT AFFECTS EACH AND EVERY ONE OF
11 US. I SOLICIT YOUR HELP AND INPUT.

12 I THANK YOU FOR YOUR TIME, AND I WILL BE MORE
13 THAN GLAD TO RESPOND TO ANY QUESTIONS.

14 MR. CARNEY: DO MEMBERS OF THE COMMITTEE THAT ARE UP
15 HERE NOW HAVE ANY QUESTIONS FOR COUNCILMAN ALATORRE?

16 MR. APODACA: I HAVE ONE QUESTION.

17 MR. CARNEY: MR. APODACA.

18 MR. APODACA: YOU MADE THE STATEMENT THAT MANAGEMENT
19 IS IN THE OPINION OF THE ADDITION OR INCLUSION OF MINORITY
20 REPORTERS WOULD HAMPER THE TELEVISION RATINGS?

21 MR. ALATORRE: THAT WAS THE FINDING. THAT WAS THE
22 FINDINGS THAT THE CIVIL RIGHTS COMMISSION HAD AS A RESULT
23 OF HEARINGS THAT WERE CONDUCTED, AND I WAS QUOTING THE
24 COMMISSION OF CIVIL RIGHTS REGARDING MINORITIES IN THE
25 TELEVISION INDUSTRY, AND THAT WAS AN ATTITUDE THAT WAS ONE

1 OF THE CONCLUSIONS THAT WERE DERIVED.

2 AND LET ME JUST SAY THAT I DON'T THINK TODAY
3 YOU GET ANY MANAGER OR GENERAL MANAGER AND THEY WOULD EVER
4 SAY SOMETHING LIKE THAT. I THINK THEY ARE A LOT MORE
5 SOPHISTICATED THAN THAT, AND I'M NOT HERE TO INDICT ALL
6 GENERAL MANAGERS. I'M JUST HERE TO SAY THAT THERE IS A
7 PREVAILING ATTITUDE ON THE PART OF MOST GENERAL MANAGERS
8 AS TO HOW THEY FEEL ABOUT ETHNIC AND RACIAL MINORITIES IN
9 THEIR CAPACITY EITHER IN FRONT, ON TELEVISION OR IN THE
10 NEWSROOMS AND THE LIKE.

11 AND LET ME JUST SAY, YOU KNOW, ABOUT A MONTH
12 BEFORE I -- BEFORE THE STORY CAME OUT ON CHANNEL 4, IN THE
13 LOS ANGELES TIMES ABOUT CHANNEL 4 AND THE MEX EXODUS, I
14 BELIEVE YOU MAY BE HEARING SOME OF THE PEOPLE.

15 I HAD THE OPPORTUNITY WITH MEETING WITH A
16 GROUP OF LATINO MOVIE STARS, PEOPLE THAT ALL OF YOU
17 PROBABLY WOULD HAVE SEEN ON MOVIES, EITHER ON THE SCREEN
18 OR ON TELEVISION. AND IT WAS ABSOLUTELY AMAZING TO ME
19 THIS YEAR THE COMMENTS THAT WERE BEING MADE BY THEM. THE
20 FACT THAT EVERY ONE OF THEM WAS VERY HESITANT TO EVEN COME
21 BEFORE A GROUP -- AND A GROUP OF THREE PEOPLE, ONE BEING
22 MYSELF, MS. MOLINA, SUPERVISOR OF THE BOARD OF
23 SUPERVISORS, AND ONE OTHER ELECTED OFFICIAL ON AN INFORMAL
24 BASIS -- BECAUSE THEY WERE AFRAID THAT IF SOMEBODY FOUND
25 OUT THAT THEY WERE PRESENT AT A MEETING, THAT THEY WOULD

1 BE BLACKLISTED AND THEIR PROFESSIONAL CAREERS WOULD BE
2 JEOPARDIZED. THAT WAS OUTRAGEOUS TO ME.

3 IT WAS HARD FOR ME TO REALLY UNDERSTAND, BUT
4 I JUST SAY TO YOU THAT IT'S MUCH EASIER FOR ME TO
5 UNDERSTAND TODAY BECAUSE THE VERY SAME HESITANCY ON THE
6 PART OF PEOPLE EITHER BEHIND THE TELEVISION CAMERA OR IN
7 FRONT OF THE TELEVISION CAMERA HAVE FELT THE VERY SAME
8 WAY, AND IT'S REALLY SAD THAT PEOPLE HAVE TO BE TERMINATED
9 FOR LACK OF REAL CAUSE, THEIR CONTRACT NOT BE EXTENDED FOR
10 NO REAL LACK OF CAUSE, OTHER THAN THEIR NUMBERS HAVE
11 ALREADY BEEN UTILIZED FOR FCC AND FOR THEIR LICENSES. AND
12 NOW THAT THEIR NUMBERS ARE NOT NEEDED ANYMORE, THEY GO
13 BACK TO BUSINESS AS USUAL.

14 NOW, THAT TO ME IS AN INSULT, AND THAT TO ME
15 IS AN OUTRAGE. AND THAT IS WHAT IS GOING ON TODAY IN THE
16 TELEVISION INDUSTRY, AND I'M NOT JUST HERE TO INDICT AND
17 TO SAY THAT IT'S ONLY HAPPENING ON CHANNEL 2 AND CHANNEL
18 4, IT IS HAPPENING ON MOST OF THE TELEVISION STATIONS NOT
19 JUST HERE IN LOS ANGELES. I GOT A PHONE CALL FROM A
20 FRIEND OF MINE IN SAN ANTONIO, TEXAS, AND YOU KNOW WHAT,
21 THE SAME THING IS GOING ON THERE.

22 IT IS OUTRAGEOUS, AND NOW WE HEAR BEFORE THEY
23 WERE DOING IT WITH A LITTLE BIT MORE SUBTLETY. NOW THEY
24 JUST GO AHEAD WITHOUT ANY SUBTLETY, WITHOUT ANY DISREGARD,
25 BUT GO AHEAD AND FIRE, AND IF THEY DON'T FIRE, THEY MAKE

1 IT SO UNPLEASANT TO WORK UNDER SUCH AN UNPROFESSIONAL
2 BACKGROUND, THAT THEY ARE FORCED TO LEAVE.

3 I THINK THAT THAT IS WRONG, AND WE ARE NOT
4 TALKING ABOUT SOMEBODY THAT MAYBE SPENT SIX MONTHS, YOU
5 KNOW. YOU PROBABLY HEAR FROM PEOPLE THAT HAVE SPENT 15,
6 16 YEARS, AND ALL OF A SUDDEN -- THEIR WORK WAS GREAT, I
7 MEAN IT WAS MARVELOUS, AND ALL OF A SUDDEN AFTER 16 YEARS
8 THEN THEY ARE NOT NEEDED.

9 THERE IS SOMETHING FUNDAMENTALLY WRONG WITH
10 THAT, AND THAT'S WHAT I HOPE THAT THIS COMMISSION DURING
11 IT'S DELIBERATIONS AT LEAST TRIES TO GET A HANDLE ON IT,
12 BECAUSE IT IS HURTING, IT IS HURTING THE VERY PEOPLE THAT
13 I HAPPEN TO REPRESENT.

14 AND LET ME TELL YOU HOW IT IS HURTING THE
15 PEOPLE I REPRESENT. ABOUT EIGHT MONTHS AGO THERE WAS A
16 FIRE BOMBING AT A HOUSING PROJECT IN MY DISTRICT. AND IT
17 WAS A FIRE BOMBING OF A BLACK FAMILY IN A PREDOMINANTLY
18 LATINO HOUSING PROJECT. THE NEWS MEDIA WENT IN, AND I
19 MEAN THIS ONE REPORTER, BEFORE SHE CONCLUDED, IT WAS A
20 RACIAL FIRE BOMBING. WE HAD, YOU KNOW, THE NAACP. WE HAD
21 SOME OF THE BLACK AFRICAN LEADERS THAT WERE OUTRAGED, AND
22 I DIDN'T BLAME THEM FOR BEING OUTRAGED IF THAT WASN'T
23 TRUE. BUT I SAID, "BEFORE YOU BEGIN TO INDICT, LET ME GO
24 IN AND FIND OUT WHAT IT WAS ALL ABOUT."

25 AND THEN I MEAN THE NEWS COVERAGE TOOK OFF

1 AFTER IT AND THE LIKE. AND THIS ONE REPORTER VERY PROUD
2 OF THE MANNER IN WHICH SHE GOT THIS STORY, UNFORTUNATELY
3 SHE GOT THE STORY WRONG. THE ENTIRE THING WAS ALL
4 ABOUT -- HAD NOTHING TO DO WITH RACE. IT HAD TO DO WITH
5 THE SALE OF DRUGS, AND IT HAD TO DO WITH THE DISRESPECT ON
6 THE PART OF A FAMILY MOVING INTO THIS COMMUNITY.

7 BUT IN A PERIOD OF ABOUT THREE DAYS, THERE
8 WERE RETALIATORY COMMUNICATIONS THAT WERE TAKING PLACE.
9 THERE WAS A THREAT OF TWO OR THREE OF THE LARGEST
10 ORGANIZED GANGS IN SOUTH CENTRAL LOS ANGELES COMING DOWN
11 TO PROTECT THE TWO OR THREE AFRICAN-AMERICAN FAMILIES THAT
12 WERE THERE. THAT THEN PROMPTED THE HISPANIC CHICANO OR
13 LATINO GANGS FROM ALL COMING TOGETHER AND SAYING THAT IF
14 THEY DO COME, THAT ALL OF THEM WERE GOING TO COME TOGETHER
15 TO STOP THAT THING.

16 ALL OF THAT, NEEDLESSLY, BECAUSE OF THE
17 INSENSITIVE AND NOT GETTING TO THE STORY OF A REPORTER.
18 NOW, AFTER I HAD A PRESS CONFERENCE, ONE OF THE REPORTERS,
19 A VERY ABLE AND A VERY KNOWLEDGEABLE REPORTER BY THE NAME
20 OF TONY VALDEZ FROM CHANNEL 11 CAME, WAS THE ONLY ONE THAT
21 CAME TO THE PRESS CONFERENCE FOR ME TO EXPRESS OUTRAGE.
22 THEY WERE ALL THERE WHEN THEY HEARD ABOUT THE FIRE
23 BOMBING, AND HE CAME AND HE TOLD THE STORY.

24 AND WHAT BOTHERED ME WAS THAT GOING INTO THE
25 HOUSING PROJECT PEOPLE WERE INTIMIDATED. THEY WERE AFRAID

1 TO TALK. THEY WERE SLEEPING NOT ON THEIR BEDS, THEY WERE
2 SLEEPING ON THE FLOOR. THERE WAS RELATIVE PEACE
3 THROUGHOUT THAT TIME, AND THEN ALL OF A SUDDEN ALL OF
4 THESE THREATS AND EVERYTHING ELSE OVER AN INSENSITIVE NEWS
5 REPORT.

6 AND I'M SAYING TO YOU THAT I'M NOT SAYING
7 THAT IT TAKES A LATINO, AN AFRICAN-AMERICAN OR AN ASIAN
8 AMERICAN OR THE LIKE TO DO THESE STORIES. IT SURE AS HELL
9 HELPS. BUT IT DOES TAKE SOMEBODY THAT UNDERSTANDS WHAT
10 THIS CITY IS ALL ABOUT, THAT HAS AT LEAST A STAKE IN THIS
11 CITY AND DOESN'T COME FROM THE EAST, BECAUSE THEY GET A
12 BETTER JOB NOT KNOWING WHAT IS HAPPENING HERE IN SOUTHERN
13 CALIFORNIA WITH THE DIVERSITY AND WITH THE UNEASINESS THAT
14 THE DIVERSITY WHICH IS OUR STRENGTH HAS CAUSED US OVER A
15 PERIOD OF YEARS, ESPECIALLY AFTER THE REPORTING OF THE
16 CIVIL DISTURBANCE. WE DON'T WANT TO CALL THEM RIOTS
17 ANYMORE. THERE WAS CIVIL UNREST THAT WE HAD HERE IN LOS
18 ANGELES.

19 SO THE MEDIA IS IMPORTANT TO MY COMMUNITY,
20 BUT IT IS IMPORTANT TO EVERY COMMUNITY IN LOS ANGELES.
21 IT'S IMPORTANT TO EVERY COMMUNITY IN CALIFORNIA, AND IN
22 THIS COUNTRY, AND I SAY TO YOU, LADIES AND GENTLEMEN, WHAT
23 IS HAPPENING HERE, HERE IN LOS ANGELES WHERE YOU HAVE THE
24 LARGEST CONCENTRATION OF ETHNIC AND RACIAL MINORITIES THAT
25 MAKES THIS CITY GREAT, IS HAPPENING TO ALL OF THE

1 PROFESSIONALS THROUGHOUT THE UNITED STATES, AND THAT IS A
2 VERY UNEASY TIME IN THIS INDUSTRY. IT IS A TIME WHEN WE
3 ARE ABUSED, AND IT AIN'T EVEN SUBTLE, LIKE I SAID. YOU
4 KNOW ABOUT SUBTLETIES OF RACISM AND OVERT RACISM AND
5 EVERYTHING ELSE. THIS IS OVERT. THIS IS NOT SUBTLE OR
6 ANYTHING ELSE. THEY LAUGH AT THE PROFESSIONALS AND THEY
7 TALK ABOUT GOOD PROFESSIONALS THAT I KNOW YOU WILL HEAR.

8 MR. CARNEY: MR. ERLER.

9 MR. ERLER: YES. MR. ALATORRE, YOU REMARKED THAT
10 YOU BELIEVE THAT THE IMPLIED PENALTY AND FEDERAL
11 REGULATIONS FOR EMPLOYMENT DISCRIMINATION IS LOSS OF
12 LICENSES. YOU CALLED THAT AN IMPLIED PENALTY.

13 DO YOU BELIEVE IN LIGHT OF WHAT YOU SAID HERE
14 ABOUT CHANNEL 2, THAT IT DESERVES TO LOSE ITS LICENSE?

15 MR. ALATORRE: WHAT I AM SAYING IS THAT CHANNEL 2
16 AND CHANNEL 4, AND A LOT OF THE STATIONS, DESERVE WAS -- I
17 DON'T WANT TO TAKE PEOPLE'S LIVELIHOOD AWAY. I AM JUST
18 SAYING THEY SHOULD TO DO THEIR JOB, AND IF THEY ARE NOT
19 WILLING TO DO THEIR JOB, THEN, YES, THEY SHOULD LOSE THEIR
20 LICENSES, AND THAT DOES NOT GO TO JUST THOSE TWO STATIONS.
21 IT GOES TO ANY STATION, WHETHER IT'S ON THE AIRWAVES AND
22 I'M NOT TALKING ABOUT JUST TELEVISION. IT DOESN'T MATTER,
23 BECAUSE THEY HAVE A RESPONSIBILITY.

24 YOU KNOW, THEY MAKE A LOT OF MONEY, AND YOU
25 KNOW, I UNDERSTAND THAT TELEVISION IS A BUSINESS. THAT'S

1 WHAT IT IS. I UNDERSTAND THAT, AND I UNDERSTAND THAT IT'S
2 ABOUT ADVERTISING AND EVERYTHING ELSE, BUT YOU KNOW WHAT,
3 THEY WANT TO DO A BETTER JOB, LET ME TELL YOU SOMETHING, I
4 AM A FAIRLY SOPHISTICATED MAN, AND I GET EXCITED AND I
5 LOVE TO SEE PEOPLE OF COLOR, WOMEN AND PEOPLE OF COLOR
6 THAT NORMALLY THEY ARE NOT ON TELEVISION. I LIKE TO SEE
7 THEM ON THE AIRWAVES, AND I AM MORE APT TO WATCH THEIR
8 NEWS THAN I AM TO WATCH OTHER PEOPLE'S NEWS.

9 MS. BUITRAGO: MR. ALATORRE, HAVE YOU HAD A CHANCE
10 TO DISCUSS SOME OF YOUR COMPLAINTS WITH SOME OF THE
11 MANAGEMENT PEOPLE?

12 MR. ALATORRE: WELL, YOU KNOW, I HAVE TO CREDIT MR.
13 APPLEGATE. I MET MR. APPLEGATE ON SEVERAL OCCASIONS. YOU
14 KNOW, HE TOLD ME JUST TO, THAT IF I HEARD OF ANYBODY
15 SAYING RACIAL OR PREJUDICE, YOU KNOW, DECLARATIONS IN THE
16 NEWS ROOM OR ANYTHING, THAT HE WOULD FIRE THEM.
17 OBVIOUSLY, I WILL KEEP HIM TO THAT.

18 AND NO. 2, THAT I WAS GOING TO BE PLEASANTLY
19 SURPRISED AT SOME OF THE THINGS THAT HE WAS GOING TO BE
20 DOING, AND I TOLD HIM, THANK YOU. AND I TOLD HIM THANK
21 YOU, AND I THOUGHT THAT MAYBE THAT SHOULD HAVE BEEN
22 HAPPENING A LONG TIME BEFORE.

23 BUT I ALSO TOLD HIM THAT -- YOU SEE, I KNOW
24 HOW PEOPLE DO THEIR BUSINESS. YOU SEE, AFTER A HEARING
25 LIKE THIS, HOPEFULLY IT IS CARRIED BY SOME OF THE

1 NON-DISCRIMINATED STATIONS OR WHATEVER -- IS CHANNEL 2
2 HERE? I GUESS THEY ARE NOT. I DON'T THINK CHANNEL 4 IS
3 HERE EITHER.

4 BUT, ONCE THERE IS AN ACTION, WHAT HAPPENS IS
5 THAT THERE IS A REACTION, AND IT LASTS FOR A PERIOD OF
6 TIME. AND I TOLD HIM, I SAID "LOOK I'M A SMART MAN. I'VE
7 BEEN AROUND THIS BUSINESS FOR A LONG TIME." YOU SEE, I AM
8 NOT JUST INTO THIS ISSUE FOR THE SHORT TERM. I'M IN IT
9 FOR THE LONG TERM. SO I'M GOING TO BE WATCHING IN SIX
10 MONTHS AS TO WHAT HAPPENS, BECAUSE YOU KNOW, WHAT HAPPENS
11 IS ALL OF A SUDDEN, OH, MY GOD YOU ARE REALLY DOING A
12 GREAT JOB. SIX MONTHS FROM NOW THE HEAT'S OFF AND THEY GO
13 BACK TO BUSINESS AS USUAL.

14 YOU SEE WHATEVER STATION IS DOING A POSITIVE
15 JOB, I'M GOING TO BE THE FIRST ONE TO ACKNOWLEDGE THAT
16 THEY ARE DOING A GOOD JOB. BUT THE ONE WHO IS DOING
17 BUSINESS AS USUAL, I'M GOING TO GO BACK RIGHT TO THEM
18 BECAUSE THIS ISSUE IS TOO IMPORTANT.

19 THE AIRWAVES ARE TOO TOO IMPORTANT, BECAUSE
20 IT IS PROBABLY THE GREATEST VEHICLE TO COMMUNICATE, AND
21 THE GREATEST VEHICLE TO EDUCATE, AND YOU JUST WANT TO MAKE
22 SURE THAT THE EDUCATION IS WELL ROUNDED AND IT COVERS THE
23 FULL GAMUT OF PEOPLE.

24 MS. SPANOS-HAWKEY: COUNCILMAN ALATORRE, I JUST
25 WANTED A CLARIFICATION, AND PLEASE CORRECT ME IF I AM

1 WRONG. YOU ALLUDED OR STATED, I'M NOT SURE, THAT THEY
2 MANIPULATED THE STATISTICS --

3 MR. ALATORRE: OH, ABSOLUTELY, SURE.

4 MS. SPANOS-HAWKEY: -- TO THE FCC. DO YOU HAVE ANY
5 SPECIFIC EXAMPLES?

6 MR. ALATORRE: OH, I THINK YOU PEOPLE WILL BE
7 COMMUNICATING -- LET ME -- THIS IS THE INFORMATION I HAVE
8 GOTTEN. I HAVE TURNED OVER MOST OF THE INFORMATION TO THE
9 CIVIL RIGHTS COMMISSION. WITH THE EFFORTS OF MR. MONTEZ,
10 IT HAS BEEN VERY, VERY HELPFUL. WE HAS SPENT COUNTLESS
11 HOURS, AND I WANT TO COMMEND HIM AND HIS STAFF FOR THE
12 WORK THEY HAVE DONE IN PREPARATION FOR THIS HEARING, AND
13 THEY STILL HAVE A LOT OF WORK TO DO IN TRYING TO PROPOUND,
14 BECAUSE THERE IS A LOT OF PEOPLE THAT ARE WILLING TO STAND
15 UP AND SAY, YES, THEY PLAY WITH NUMBERS, THEY PLAY WITH
16 STATISTICS, YOU KNOW, WITH POSITIONS AND EVERYTHING. AND
17 I -- I MEAN, THEY ARE MASTERS. I HAVE TO ADMIT IT, THAT
18 THEY ARE MASTERS AT MANIPULATING STATISTICS. THEY DO IT,
19 AND I THINK THERE IS INFORMATION THAT HAS BEEN GIVEN TO ME
20 THAT HAS BEEN GIVEN TO THE COMMISSION THAT CAN BEST POINT
21 THAT OUT.

22 MS. SPANOS-HAWKEY: AND IF THEY DO THAT, THEY SHOULD
23 LOSE THEIR LICENSE?

24 MR. ALATORRE: OH, ABSOLUTELY, MORE SO, BECAUSE THEN
25 THEY ARE MAKING A MOCKERY OUT OF THE FEDERAL

1 COMMUNICATIONS COMMISSION, AND I DON'T THINK THAT ANY
2 MEMBER OF THAT COMMISSION, I DON'T CARE WHAT POLITICAL
3 ORIENTATION THEY ARE GOING TO HAVE, IS GOING TO APPRECIATE
4 THAT.

5 MS. SPANOS-HAWKEY: THANK YOU.

6 MR. ALATORRE: UNLESS THEY ARE PART OF THE PRESS
7 CLUB OR WHATEVER, THANK YOU, VERY MUCH.

8 MR. CARNEY: MR. ALATORRE BEFORE YOU LEAVE, YOU
9 INDICATED THAT IN SPEAKING TO MANAGEMENT THEY DENIED THE
10 PROBLEM EXISTS AND IN THEIR RECOLLECTION THAT THERE MAY
11 BE, THAT THEY SAY IT WITHOUT THEIR KNOWLEDGE. DO THEY
12 RECOGNIZE THE DIVERSITY OF THE CITIZENRY HERE IN THIS
13 MARKET?

14 MR. ALATORRE: OH, YEAH, OH, OF COURSE.

15 MR. CARNEY: BUT ARE THEY DOING ANYTHING, IN YOUR
16 OPINION, TO ATTRACT THAT DIVERSITY?

17 MR. ALATORRE: OH, WELL, YOU KNOW, LET ME TELL YOU
18 SOMETHING. THEY ARE ALWAYS LOOKING ALL OVER THE WORLD TO
19 ATTRACT IT. UNFORTUNATELY THEY CAN'T EVEN THINK ABOUT
20 LOOKING IN THEIR BACK YARD.

21 AND, YOU KNOW, ANOTHER THING THAT IS AMAZING
22 TO ME, IS THAT WHENEVER THERE IS AN OPENING OF ANCHOR
23 POSITIONS OR ANYTHING ELSE, THEY NEVER LOOK INTERNALLY.
24 THEY HAVE NO TRAINING PROGRAMS, NO METHOD OF UPWARD
25 MOBILITY WITHIN THEIR RANKS. NO WONDER NOBODY HAS ANY

1 LOYALTY TO ANY OF THE PEOPLE. HOW ARE YOU GOING TO HAVE
2 LOYALTY TO SOMEBODY WHO HAS NO LOYALTY TO YOU. THEY ARE
3 ALWAYS -- YOU CAN IMAGINE HOW IT'S LIKE TO WORK FOR AN
4 ENTITY THAT YOU HAVE MAYBE WORKED AT FOR A PERIOD OF TIME,
5 YOU HAVE HONED YOUR PROFESSIONAL SKILLS FOR. THEY BEGIN
6 TO LOOK FOR A POSITION AND THEY HIRE SOMEBODY FROM OUTSIDE
7 OF THE COUNTRY, OUTSIDE OF THE UNITED STATES, OUTSIDE OF
8 THE STATE OF CALIFORNIA. THEY HAVE TO GO TO DETROIT, WHEN
9 ALL THEY HAVE TO DO IS GO TO WEST LOS ANGELES, SOUTH
10 CENTRAL LOS ANGELES, SOUTH-EAST LOS ANGELES, GO INTO
11 SAN -- AND THEY COULD FIND SOMEBODY. THEY COULD FIND
12 PEOPLE.

13 THERE ARE PEOPLE WITHIN AND THAT DEMORALIZES
14 THE STAFF, AND I MEAN IT JUST HAPPENS TIME IN AND TIME
15 OUT, AND THEY WILL RECOGNIZE IT ON THE ONE HAND, BUT THEY
16 WILL DO NOTHING ABOUT IT. THEY WILL SAY, LOOK AT WHAT I
17 HAVE DONE, AND, YOU KNOW, THEY BRING ONE IN AND THEN, YOU
18 KNOW, THE HEAT'S OFF.

19 I MEAN LOOK WHAT THEY DID TO, WHAT I CONSIDER
20 TO BE A FINE PROFESSIONAL, AND THAT'S MR. SANDERS THAT WAS
21 ON CHANNEL 2. HE HAD TO LEAVE LOS ANGELES TO BECOME A
22 PRIME-TIME ANCHOR. HE HAD TO LEAVE LOS ANGELES. LET ME
23 TELL YOU ABOUT MR. SANDERS.

24 MR. SANDERS WAS NOT JUST A PROFESSIONAL
25 JOURNALIST, BUT ALSO THE MAN WAS INVOLVED AND BECAME PART

1 OF THE COMMUNITY IN A VERY SHORT PERIOD OF TIME. YOU
2 THINK THAT YOU WOULD REWARD SOMETHING LIKE THAT, A PERSON
3 THAT WAS AN ACTIVIST IN A CONSTRUCTIVE SENSE, WAS A ROLE
4 MODEL TO CHILDREN, WENT OUT AND SPOKE TO HIGH SCHOOLS,
5 WENT OUT AND SPOKE TO COLLEGES AND UNIVERSITIES, DID ALL
6 OF THAT, AND THIS IS HOW WE REPAY THEM.

7 I MEAN, AS FAR AS MANY OF THE
8 AFRICAN-AMERICAN COMMUNITY THAT I KNOW THAT LOOKED AND
9 LIKED CHANNEL 2, THEY LOOKED AT HIM AS BEING THE REASON
10 FOR IT, AND HOW DID THEY REWARD HIM IS THAT HE HAD TO
11 LEAVE BECAUSE HE KNEW THAT HIS CONTRACT WAS NOT GOING TO
12 BE EXTENDED. THAT'S A SAD COMMENTARY.

13 MR. CARNEY: ARE THERE ANY REASONS IN YOUR OPINION
14 THAT ARE LEGITIMATE THAT MANAGEMENT HAS GIVEN FOR THESE
15 EXODUS SITUATIONS?

16 MR. ALATORRE: WHENEVER YOU HAVE A MASS EXODUS,
17 THERE IS NO REASON IN MY MIND THAT WILL SUFFICE TO ME AS
18 THE REASON, NO, THEY HAVEN'T.

19 MR. CARNEY: NOW, THE ISSUE THAT YOU MENTIONED ABOUT
20 IN TALKING TO THESE MEMBERS OF THE MEDIA THAT CAME AND
21 SPOKE OF, YOU KNOW, THEIR FEARS, BLACKLISTING, DO YOU FEEL
22 THAT THAT IS A LEGITIMATE CONCERN?

23 MR. ALATORRE: THERE IS NO DOUBT ABOUT IT, NO DOUBT
24 ABOUT IT. AT FIRST I THOUGHT THEY WERE JUST CHICKEN, AND
25 YOU KNOW, I HAVE A REAL HARD TIME, YOU KNOW, STAND UP AND

1 BE COUNTED. BUT NO, WHEN IT COMES TO THE INDUSTRY, YEAH,
2 THEY KNOW ABOUT BLACKLISTING, YOU KNOW, WE HEAR ABOUT IT.
3 I HEARD ABOUT IT AT CERTAIN TIMES, BUT AT THAT TIME IT WAS
4 ABOUT BEING A COMMUNIST, BUT BEING QUESTIONED IN THE
5 UNITED STATES YOU WERE A COMMUNIST. BUT I THOUGHT THAT'S
6 WHAT THEY MEANT ABOUT BLACKLISTING, BUT NOW IT'S -- YOU
7 TALK AGAINST US AND WE HAVE A WAY OF GETTING RID OF YOU
8 AND THEY DO IT.

9 MR. CARNEY: DO YOU FEEL THAT THE MEDIA IS, LOCAL
10 MEDIA ANYWAY, IS RUN ON A GOOD-OLD-BOY TIGHT NETWORK?

11 MR. ALATORRE: WELL, IT'S CERTAINLY NOT RUN ON A
12 GOOD-OLD-GIRL NETWORK.

13 MR. CARNEY: ANY QUESTIONS FROM ANY MEMBERS OF THE
14 COMMITTEE?

15 MS. BUITRAGO: I HAVE ONE MORE QUESTION. AND THAT
16 IS IN TERMS OF THE ISSUE OF WHEN YOU MET WITH THE
17 MANAGEMENT COMPANIES AND THEY WERE TELLING YOU THAT THEY
18 HAD NO KNOWLEDGE, AND THE QUESTION THAT I HAVE, IT'S A
19 LITTLE DIFFICULT FOR ME TO UNDERSTAND WHO THEY MEAN BY "WE
20 HAVE NO KNOWLEDGE," AND MAYBE YOU EXPLAIN TO US --

21 MR. ALATORRE: IN OTHER WORDS, HEAD OF THE GENERAL
22 MANAGER, HEAD OF THE NEWS BUREAU, HEAD OF THE NEWSROOM AND
23 OTHER HEADS, THAT'S THE "WE," YOU KNOW. YOU KNOW, "WE HAD
24 NO KNOWLEDGE." I TELL YOU SOMETHING, THEY HAVE NO
25 KNOWLEDGE OF ANYTHING, BUT ALL OF A SUDDEN, YOU KNOW, FIVE

1 OR SIX OF THEM LEAVE, AND GEE, WE DIDN'T KNOW THINGS WERE
2 BAD. THEY DIDN'T KNOW THINGS WERE BAD BECAUSE THEY WERE
3 NOT GOING TO RENEW THEIR CONTRACT, AND THEY MADE THAT
4 DECISION, OR IT WAS -- THE SITUATION BECAME SO INTOLERABLE
5 THAT THEY LEFT ON THEIR OWN, ALL VERY CALCULATED TO
6 ACCOMPLISH THE SAME THING, OKAY. THANK YOU, VERY MUCH.

7 MR. CARNEY: THANK YOU, COUNCILMAN. I APPRECIATE
8 YOUR ATTENDANCE. WE ARE RUNNING A LITTLE BIT AHEAD OF
9 SCHEDULE WHICH IS A RARITY IN OUR FORUM, AND THAT'S
10 BECAUSE WE STARTED A LITTLE BIT AHEAD OF TIME.

11 IS MR. REYES, YES, PRESENT. MR. AL REYES.
12 MR. AVILA. WE'LL HAVE A BRIEF INTERMISSION, I GUESS,
13 BECAUSE WE DON'T HAVE OUR NEXT SPEAKER. HE IS SUPPOSED TO
14 BE HERE AT 2:00, AND WE ARE A LITTLE AHEAD OF SCHEDULE.
15 BEAR WITH US.

16 (RECESS TAKEN.)

17 MR. CARNEY: IF I MAY NOW HAVE YOUR ATTENTION, WE
18 WILL NOW RECONVENE THE PUBLIC FORUM, AND ASK MR. AL REYES,
19 EXECUTIVE DIRECTOR OF THE CALIFORNIA CHICANO NEWS MEDIA
20 ASSOCIATION TO STEP FORWARD. MR. REYES.

21 MR. REYES: GOOD AFTERNOON, ON BEHALF OF THE
22 CALIFORNIA CHICANO NEWS MEDIA ASSOCIATION, I WOULD LIKE TO
23 THANK THE CALIFORNIA ADVISORY COMMITTEE TO THIS U.S. CIVIL
24 RIGHTS COMMISSION, AND MR. PHIL MONTEZ FOR THIS INVITATION
25 TO ADDRESS YOU IN THIS HEARING CONCERNING THE EMPLOYMENT

1 PRACTICES AND NEWS COVERAGE OF THE TELEVISION STATIONS
2 WHICH SERVE OUR COMMUNITY IN LOS ANGELES AND SOUTHERN
3 CALIFORNIA.

4 THE CALIFORNIA CHICANO NEWS MEDIA
5 ASSOCIATION, FOR THOSE OF YOU WHO DON'T KNOW MUCH ABOUT
6 US, WAS FOUNDED IN 1972, AND IS THE OLDEST ORGANIZATION OF
7 MINORITY JOURNALIST IN THE COUNTRY. WE WERE FOUNDED HERE
8 IN LOS ANGELES.

9 CCMA AND IT'S STAFF AND MEMBERSHIP HAVE HAD A
10 UNIQUE VIEW OF THE CHANGES AND IMPROVEMENTS WHICH HAVE
11 TAKEN PLACE IN THE HIRING OF PEOPLE OF COLOR IN THE
12 NEWSROOMS, AND IN THE NEWS COVERAGE OF THE LATINO
13 COMMUNITY IN SOUTHERN CALIFORNIA AND OTHER PARTS OF THE
14 STATE AND THE COUNTRY.

15 THAT'S BECAUSE CCMA WAS FOUNDED WHEN PEOPLE OF
16 COLOR -- INCLUDING CHICANOS AND LATINOS -- WERE JUST
17 GETTING A Foothold AS PERMANENT AND LEGITIMATE MEMBERS OF
18 BROADCAST AND PRINT NEWS ORGANIZATIONS.

19 THROUGH THE YEARS, WE HAVE SEEN AND BEEN
20 INVOLVED IN MANY POSITIVE CHANGES INVOLVING THE HIRING OF
21 LATINOS AND LATINAS IN THE NEWSROOM.

22 THESE INCLUDE SEEING NEW GENERATIONS OF
23 LATINO AND LATINA JOURNALISTS WHO HAVE ENTERED THE
24 PROFESSION, MAKING IT NO LONGER A RARITY OF SEEING LATINOS
25 OR LATINAS ON TV NEWS OR AS STAFF MEMBERS OF NEWSPAPERS OF

1 ALL SIZES.

2 WE HAVE ALSO SEEN A SMALL MEMBER OF OUR
3 MEMBERS ACQUIRE THE YEARS OF EXPERIENCE NEEDED TO ADVANCE
4 AND TO ACTUALLY BECOME KEY NEWS MANAGERS.

5 ON THE OTHER HAND, WE ALSO HAVE SEEN MEMBERS
6 WHO BECAME DISENCHANTED WITH THE PROFESSION AND HAVE LEFT
7 TO PURSUE OTHER CAREERS IN PUBLIC RELATIONS AND OTHER
8 MEDIA-RELATED FIELDS.

9 ONE OF THE FOUNDING PREMISES OF CCMA WAS THAT
10 THE NEWS COVERAGE OF THE LATINO COMMUNITY NEEDED TO
11 IMPROVE TO GIVE A MORE ACCURATE AND BALANCED PORTRAYAL OF
12 THE CONTRIBUTIONS OF OUR COMMUNITY.

13 THE FOUNDERS OF CCMA BELIEVED THAT WORKING TO
14 INCREASE THE NUMBERS OF LATINOS WORKING IN JOURNALISM
15 WOULD BE AN IMPORTANT WAY TO ACCOMPLISH THIS OBJECTIVE.

16 FOR 20 YEARS CCMA HAS WORKED TO DEVELOP AND
17 EXECUTE EDUCATIONAL AND PROFESSIONAL PROGRAMS TO CREATE A
18 BETTER CLIMATE FOR THE HIRING OF PEOPLE OF COLOR IN THE
19 NEWSROOM.

20 SOME OF OUR LONGSTANDING AND MAJOR EFFORTS
21 INCLUDE THE JOURNALISM OPPORTUNITIES CONFERENCE, THE
22 LARGEST JOB FAIR FOR MINORITY JOURNALISTS ON THE WEST
23 COAST, A SCHOLARSHIP PROGRAM THAT HAS AWARDED OVER
24 \$300,000 TO DOZENS OF HIGH SCHOOL AND COLLEGE STUDENTS AND
25 JOB REFERRAL SERVICES FOR JOURNALISTS AND THEIR EMPLOYERS.

1 CCMA'S PROGRAMS HAVE BEEN MADE POSSIBLE OVER
2 THE YEARS THROUGH THE SUPPORT OF MANY MEDIA CORPORATIONS
3 BOTH IN PRINT AND BROADCASTING.

4 IN ALL FAIRNESS, THE NUMBER OF TELEVISION
5 STATIONS IN LOS ANGELES HAVE BEEN STRONG SUPPORTERS OF OUR
6 EDUCATIONAL ACTIVITIES, SUCH AS OUR ANNUAL SCHOLARSHIP
7 BANQUET.

8 BECAUSE OF OUR JOB REFERRAL SERVICES, WE
9 SHARE OPEN LINES OF COMMUNICATION WITH MANY NEWS MANAGERS
10 WHO NOTIFY US OF JOB OPENINGS AND WHO ARE LOOKING FOR
11 QUALIFIED LATINO OR LATINA CANDIDATES.

12 CCMA IS VERY APPRECIATIVE OF THE SUPPORT WE
13 HAVE RECEIVED OVER THE YEARS. BUT WE ARE ALSO OLDER AND
14 WISER ABOUT THE WAY THINGS CAN BE OUT THERE IN THE
15 PROFESSION.

16 WE TRY TO OBTAIN AN EAR TO OUR MEMBERSHIP TO
17 KEEP UP TO WHAT IS ACTUALLY TAKING PLACE OUT THERE. WE
18 BELIEVE A LOT OF PROGRESS COULD BE MADE IF THE SAME
19 COMMITMENT MADE BY OUR FOUNDERS WAS MATCHED BY THE OTHER
20 NEWS MANAGERS AND EDITORS MAKING DECISIONS IN THE
21 NEWSROOM.

22 IT IS TIME THAT LATINOS AND LATINAS BE GIVEN
23 EQUAL CONSIDERATION FOR DECISION-MAKING JOBS IN THE
24 NEWSROOM, ESPECIALLY IN BROADCAST NEWS IN LOS ANGELES.
25 THERE ARE TWO OBVIOUS REASONS FOR THIS.

1 FIRST, IT JUST MAKES BUSINESS SENSE.
2 LATINOS, MOSTLY MEXICANS NUMBER OVER 4,000,000 PEOPLE IN
3 SOUTHERN CALIFORNIA, AND AT 40 PERCENT ARE THE BIGGEST
4 SINGLE ETHNIC GROUP IN THE CITY OF LOS ANGELES.

5 SECONDLY, IT HAS BEEN OVER 20 YEARS SINCE
6 CHICANOS AND OTHER PEOPLE OF COLOR WERE ALLOWED INTO
7 NEWSROOMS, AND THERE'S NO QUESTION OF WHETHER THERE ARE
8 QUALIFIED PEOPLE TO DO THE JOB. THERE ARE PLENTY UP AND
9 DOWN THE LADDER. I WAS ONE OF THOSE PEOPLE BACK IN 1971,
10 AND THERE IS NO LONGER A QUESTION OF WHETHER THEY ARE
11 QUALIFIED PEOPLE TO DO THE JOB. THERE ARE PLENTY UP AND
12 DOWN THE LADDER.

13 HOWEVER, OUR PAST EXECUTIVE DIRECTOR TELLS A
14 STORY WHICH IS A REMINDER OF THE ATTITUDES THAT STILL
15 EXIST TO CREATE OBSTACLES FOR LATINOS AND LATINAS TO MOVE
16 UP WHERE THEY BELONG IN THE NEWS BUSINESS.

17 HE WAS CONTACTED BY AN EXECUTIVE OF A LARGE
18 NEWSPAPER CHAIN WHO WANTED A LIST FROM OUR ORGANIZATION OF
19 A LIST OF EXPERIENCED LATINOS WHO HAD THE QUALIFICATIONS
20 TO STEP INTO EXECUTIVE EDITOR POSITIONS, AND WE ARE
21 TALKING ABOUT POSITIONS THROUGHOUT THE CHAIN.

22 OUR EXECUTIVE DIRECTOR SUBMITTED A LIST OF
23 TEN HIGHLY QUALIFIED CANDIDATES WHO SUBSEQUENTLY WERE
24 REJECTED BY THIS NEWSPAPER EXECUTIVE BECAUSE THE
25 CANDIDATES, QUOTE, "WERE NOT READY FOR THIS OPPORTUNITY."

1 WITHIN A YEAR, THREE OF THESE CANDIDATES WHO,
2 QUOTE, "WEREN'T READY," WERE PROMOTED TO MANAGING EDITOR
3 POSITIONS TO OTHER NEWSPAPERS AND A FOURTH WAS PROMOTED TO
4 A HIGHLY INFLUENTIAL POSITION IN THE EDITORIAL SECTION OF
5 HIS NEWSPAPER.

6 TO COIN AN OLD PHRASE, IF THERE'S A WILL
7 THERE'S A WAY. THIS EXECUTIVE OBVIOUSLY DIDN'T HAVE THE
8 WILL AND DIDN'T WANT TO FIND THE WAY, EVEN THOUGH THE
9 FACTS WERE STARING HIM IN THE FACE.

10 I'M ALSO REMINDED OF ANOTHER EXAMPLE.
11 EARLIER THIS YEAR WORD WAS RELAYED TO CCMA THAT ONE OF THE
12 NETWORK NEWS BUREAUS IN LOS ANGELES WAS LOOKING FOR TWO
13 PRODUCERS.

14 WORD OF THE JOB OPENINGS WAS RELAYED TO THE
15 PRESS OFFICER OF A LOCAL LATINO ELECTED OFFICIAL, BUT NOT
16 THE OFFICES OF CCMA. AND AS I MENTIONED, WE HAVE A JOB
17 REFERRAL SERVICE AND A 900, 24-HOUR JOB HOTLINE WHERE WE
18 PUT THESE JOBS ON.

19 WHEN THIS NETWORK NEWS BUREAU OFFICIAL WAS
20 ASKED BY THE PRESS OFFICER IF THEY HAD CALLED CCMA, THE
21 ANSWER WAS, "WE DON'T WANT TO CALL THEM."

22 COULD IT BE THAT THE BUREAU CHIEF ALREADY HAD
23 HER MIND MADE UP TO LINE UP NON-LATINO CANDIDATES, AND
24 DIDN'T WANT TO DEAL WITH THE RAMIFICATIONS OF EXPLAINING
25 WHY LATINOS WITH SOLID QUALIFICATIONS -- THE TYPE OF

1 PEOPLE THAT WE CAN REFER -- WERE PASSED UP FOR THE JOB.

2 THIS BRINGS US TO A KEY PROBLEM PRESENTED TO
3 US BY A NUMBER OF OUR MEMBERS WHO WORK IN TELEVISION NEWS.
4 IT IS COMMON PRACTICE IN THIS BUSINESS FOR NEWS OPERATIONS
5 TO POST OPENINGS FOR KEY POSITIONS.

6 HOWEVER, AS ONE NEWS PRODUCER TOLD ME, THIS
7 IS JUST A FORMALITY LEADING TO NOT HIRING THE MOST
8 QUALIFIED, BUT TO CLEAR THE WAY OF THE POWERS TO BE THAT
9 MAKE THEIR OWN PERSONAL CHOICES.

10 THESE PRACTICES DO NOT MAKE FOR A LEVEL
11 PLAYING FIELD WHERE LATINOS AND PEOPLE OF COLOR ARE GIVEN
12 EQUAL ACCESS TO JOBS OF WHICH THEY ARE QUALIFIED.

13 IF MANY NEWS MANAGERS ARE HIRED THIS WAY --
14 AND THE NUMBER OF MINORITY NEWS MANAGERS IS ALREADY LOW --
15 THEN HOW ARE WE GOING TO FIND A WAY TO IMPROVE THE
16 NUMBERS.

17 AN OPEN PROCESS -- NOT JUST CRONYISM -- MUST
18 BE THE RULE.

19 CLOSED HIRING ALSO HINDERS EFFORTS BY
20 JOURNALISTS TO BRING MORE SENSITIVE NEWS COVERAGE TO THE
21 LATINO COMMUNITY.

22 EARLIER THIS YEAR, WHEN CONCERNS WERE RAISED
23 ABOUT THE EXODUS OF LATINOS FROM THE NEWSROOM AT KNBC, WE
24 DIDN'T DICTATE TO MANAGEMENT WHO TO HIRE OR FIRE. THAT'S
25 NOT OUR ROLE.

1 BUT WE DID EXPRESS CONCERN THAT WORD WAS
2 GETTING OUT IN THE COMMUNITY THAT MINORITY REPORTERS AT
3 CHANNEL 4 WERE FEELING THAT THEY WERE BEING LABELED AS NOT
4 AS QUALIFIED AS THEIR PEERS IN COVERING MAJOR STORIES.

5 THIS ISSUE SEEMED TO DREDGE UP OLD, WORN-OUT
6 TALK OF MINORITIES NOT BEING QUALIFIED TO DO THE JOB,
7 SOMETHING WE HEARD IN THE 1970S, AND CERTAINLY CARRIES NO
8 FOUNDATION TODAY CONSIDERING THE NUMBER OF EXPERIENCED
9 PEOPLE OF COLOR WHO WORK IN TELEVISION NEWS.

10 IN OUR DIALOGUE WITH KNBC, WE TOLD THEM IT
11 WOULD BE A LOSING PROPOSITION FOR EVERYONE IF THESE
12 PROBLEMS EXISTED.

13 FIRST THE LATINO COMMUNITY WOULD LOSE IF
14 LATINO OR LATINA REPORTERS HAD THEIR HANDS TIED AND
15 CULDN'T EXPLORE IMPORTANT ISSUES WHICH AFFECT OUR
16 COMMUNITY.

17 AND SECOND, THE STATION STOOD TO LOSE BECAUSE
18 THE LARGE LATINO COMMUNITY WOULD NOT SEE THE STATION AS AN
19 ENTITY WHICH FAIRLY REPRESENTED THEIR ISSUES AND CONCERNS,
20 AND WE HAD VERY CONSTRUCTIVE TALKS OF KNBC, THE NEW
21 GENERAL MANAGER AND THE PAST NEWS DIRECTOR THERE AT KNBC.

22 ONE OVERALL PROBLEM WE HAVE SEEN IN CCMA --
23 ESPECIALLY AS IT RELATES TO TELEVISION NEWS -- IS THE
24 CONSTANT BATTLE OF LATINO REPORTERS AND EDITORS TO EDUCATE
25 THEIR SUPERVISORS AND PEERS ON THE DYNAMICS AND THE

1 HISTORY OF THE LATINO COMMUNITY OF SOUTHERN CALIFORNIA.

2 UNFORTUNATELY, WE SEE THE SAME SCENARIO
3 PLAYED OUT OVER AND OVER AGAIN IN LOS ANGELES.

4 THE NEWS DIRECTOR ARRIVES FROM THE EAST OR
5 THE NORTHWEST TO MAKE HIS OR HER MARK OF NEWS RATINGS IN
6 LOS ANGELES.

7 UNFORTUNATELY THEY MANY TIMES DO NOT BRING
8 WITH THEM A HISTORICAL UNDERSTANDING OF THE MEXICAN,
9 CHICANO, AND LATINO COMMUNITIES IN SOUTHERN CALIFORNIA.

10 THE LACK OF UNDERSTANDING CAN LEAD TO
11 REDUNDANT STEREOTYPICAL REPORTING ABOUT OUR COMMUNITY OR
12 MINIMAL REPORTING ABOUT SERIOUS ISSUES THAT SHOULD BE
13 ADDRESSED.

14 THIS LEADS TO FRICTION BETWEEN NEWS MANAGERS
15 AND THEIR LATINO STAFFERS, AND THEIR LATINO COMMUNITY.
16 HOW MANY TIMES DO WE HAVE TO LIVE THROUGH THESE SAME
17 MISTAKES?

18 IT IS A NEVER-ENDING BATTLE FOR MANY LATINO
19 NEWS STAFFERS TO HAVE THEIR PEERS LOOK AT THE LATINO
20 COMMUNITY IN MORE THAN THE STEREOTYPICAL WAY.

21 ONE OF OUR MEMBERS -- AN EXPERIENCED
22 TELEVISION NEWS JOURNALIST AND NEWS MANAGER HIMSELF --
23 TOLD US THAT UNINFORMED TELEVISION NEWS MANAGERS COME TO
24 L.A. AND COVER THE LATINO COMMUNITY LIKE IT IS A FOREIGN
25 COUNTRY.

1 EVERYBODY HAS THEIR OWN STORIES. I CERTAINLY
2 HAVE MINE. I WORKED FOR 20 YEARS AS A REPORTER AND
3 PRODUCER IN TELEVISION NEWS. BUT LET ME GIVE YOU SOME
4 EXAMPLES OF THE ATTITUDES THAT WERE PASSED ON BY OUR
5 MEMBERS.

6 A FEMALE CCMA MEMBER WORKING IN TELEVISION
7 NEWS TOLD US THE STORY OF THE WELL-KNOWN, WHITE MALE
8 ANCHOR IN L.A. WHO TOOK ISSUE WITH HER PROPERLY
9 PRONOUNCING SPANISH-SURNAMED WORDS AND NAMES AS LATINOS
10 DO, IMPLYING THIS WAS WRONG.

11 CAN YOU IMAGINE MAKING AN ISSUE OF THIS IN A
12 CITY LIKE LOS ANGELES WITH ITS SPANISH-LANGUAGE, HISTORY
13 AND TRADITION?

14 MAYBE IT'S THE ANCHOR MAN WHO NEEDED TO
15 REVISE HIS VIEW OF THE REGION.

16 THERE WAS THE NEWS DIRECTOR WHO CAME FROM OUT
17 OF THE REGION WHO SAW NO REASON FOR COVERING THE FUNERAL
18 OF CESAR CHAVEZ, UNTIL HIS LATINO STAFFERS DUG IN THEIR
19 HEELS, YET WASN'T HESITANT TO ALLOW COVERAGE OF THE LOCAL
20 STREET CRIME INVOLVING PEOPLE OF COLOR, SOMETHING WE ALL
21 KNOW SKEWS THE IMAGE OF OUR COMMUNITIES.

22 OKAY, WE UNDERSTAND THAT NO JOB IS EASY, AND
23 NO MATTER WHAT JOB YOU HAVE, THERE WILL ALWAYS BE TIMES
24 WHEN PEOPLE DON'T AGREE WITH YOU, AND THEY WILL CHALLENGE
25 WHAT YOU DO.

1 ANYBODY WHO HAS WORKED IN TELEVISION NEWS
2 WILL TELL YOU THAT IT'S NOT AN EASY WAY TO MAKE A LIVING.
3 THE DEADLINE PRESSURES BEAR DOWN ON EVERYONE FROM
4 REPORTERS, WRITERS AND PRODUCERS. ANCHORS AND PRODUCERS
5 SOMETIMES SHARE A TENUOUS JOB SECURITY DICTATED BY A
6 RATING BOOK OR THE TEMPERAMENT OF THE REIGNING NEWS
7 DIRECTOR WHO MAY BE HERE TODAY AND GONE TOMORROW.

8 BUT THE ROUGH AND TUMBLE NATURE OF THIS
9 PROFESSION SHOULD NOT BLIND NEWS MANAGERS OF THE NEED TO
10 UNDERSTAND AND BE SENSITIVE TO THE COMMUNITIES AND THE
11 PEOPLE THEY ARE COVERING, ESPECIALLY IN AN AREA AS DIVERSE
12 AS SOUTHERN CALIFORNIA.

13 WE WOULD LIKE TO MAKE THE FOLLOWING
14 RECOMMENDATIONS:

15 IT IS NOW TIME THAT LATINOS AND OTHER PEOPLE
16 OF COLOR TO BE ABLE TO COMPETE FOR EDITORS AND NEWS
17 MANAGERS POSITIONS. THERE IS NO SHORTAGE OF PROFESSIONALS
18 WHO HAVE THE QUALIFICATIONS TO ASSUME THESE POSITIONS.

19 IN FACT, WE ALREADY HAVE SEEN IN THIS TOWN AT
20 CERTAIN STATIONS LATINOS AND LATINAS WHO HAVE ASSUMED
21 MANAGEMENT POSITIONS IN TELEVISION NEWS.

22 WE CERTAINLY HAVE THE RIGHT, AS ONE OF OUR
23 MEMBERS PUT IT, "TO HAVE THE OPPORTUNITY TO BE JUST AS
24 GOOD OR TO BE JUST AS BAD."

25 THE TIME HAS PASSED FOR SEEING LATINO NEWS

1 PROFESSIONALS AS PEOPLE NOT UP TO THE PROFESSIONAL
2 STANDARDS WE'D EXPECT IN JOURNALISM.

3 WE CERTAINLY CAN APPRECIATE THE HUMAN
4 INSTINCT TO SURROUND OURSELVES WITH PEOPLE WHO ARE LIKE US
5 WHICH IS ONE WAY TO EXPLAIN THE EXCLUSION OF LATINOS FROM
6 NEWS MANAGEMENT DECISIONS.

7 BUT IT'S NOT AN EXCUSE FOR NOT RESPECTING
8 JOURNALISTS WHO COME FROM COMMUNITIES OF COLOR OR
9 RECOGNIZING THAT WE HAVE THE CREDENTIALS AND CAN OFFER THE
10 SENSITIVITY WHICH WILL ENABLE NEWS ORGANIZATIONS TO TAKE A
11 MORE ACCURATE AND DIGNIFIED APPROACH TOWARDS THE
12 COMMUNITIES THAT SERVE.

13 MR. CARNEY: PANEL MEMBERS, DO YOU HAVE QUESTIONS?
14 MS. PATTERSON.

15 MS. PATTERSON: YES. MR. REYES HOW OFTEN DOES CCMA
16 MEET WITH MANAGEMENT OF THE VARIOUS NEWS MEDIA?

17 MR. REYES: IT'S NOT A REGULAR THING. IT REALLY
18 DEPENDS. I WOULD SAY ON THE AVERAGE MAYBE FOUR OR FIVE
19 TIMES A YEAR, AND SOMETIMES IT'S INFORMALLY.

20 MS. PATTERSON: IS THIS INITIATED BY CCMA OR IS IT
21 INITIATED BY THE MANAGEMENT?

22 MR. REYES: OH, IT'S BEEN DONE BY BOTH, BOTH OF US.

23 MS. PATTERSON: AND THE RECOMMENDATIONS THAT YOU
24 LISTED HERE, HAVE THOSE RECOMMENDATIONS BEEN SHARED WITH
25 MANAGEMENT?

1 MR. REYES: NOT YET.

2 MS. PATTERSON: NOT YET.

3 MR. REYES: NOT YET. WE JUST PREPARED IT TODAY.

4 MS. PATTERSON: DO YOU HAVE PLANS TO SHARE THOSE
5 WITH MANAGEMENT?

6 MR. REYES: DEFINITELY. WE DID A MANAGEMENT
7 WORKSHOP HERE IN THE SUMMER WHEN WE BROUGHT IN A LOT OF
8 LATINOS WHO ARE IN MANAGEMENT LEVELS. AND LIKE I
9 MENTIONED BEFORE, IT'S BEEN 20 YEARS SINCE THE DOORS WERE
10 OPENED UP, AND WE GOT A LOT OF PEOPLE WITH EXPERIENCE, AND
11 I THINK IT'S ABOUT TIME, AS SOMEBODY -- FELIX GUTIERREZ
12 WHO IS ONE OF THE FOUNDERS OF CCMA AND ONE OF ITS FIRST
13 EXECUTIVE DIRECTORS MENTIONED, IT'S NO LONGER A MATTER OF
14 BEING SATISFIED WITH HAVING A BLACK OR A BROWN OR AN ASIAN
15 FACE IN FRONT OF THE CAMERA. IT'S TIME FOR PEOPLE TO BE
16 IN DECISION MAKING, BECAUSE MAYBE 20 YEARS AGO THAT WAS
17 ACCEPTABLE, BUT I THINK WE ARE PAST THAT POINT NOW.

18 MS. PATTERSON: I DO HAVE ONE FINAL QUESTION. HAS
19 CCMA MET WITH OTHER MINORITY JOURNALIST TO WORK OUT SOME
20 OF THESE CONCERNS AND TO ALSO MEET WITH MANAGEMENT WITHIN
21 THE NEWS MEDIA? HAVE YOU JOINED FORCES?

22 MR. REYES: NOT COLLECTIVELY IN THAT SENSE. WE
23 JUST DID A JOB CONFERENCE THAT WAS CO-SPONSORED BY THE
24 ASIAN-AMERICAN JOURNALISTS AND THE BLACK JOURNALISTS OF
25 SOUTHERN CALIFORNIA, AND WE WORKED WITH THEM ON THIS

1 CONFERENCE EVERY YEAR. BUT IN TERMS OF ACTUALLY GETTING
2 TOGETHER AND WORKING OUT A STRATEGY, WE HAVEN'T DONE THAT
3 YET.

4 MS. PATTERSON: THANK YOU.

5 MR. CARNEY: MS. HESSE, YOU HAVE A QUESTION?

6 MS. HESSE: YES. MR. REYES, I HAVE SOME QUESTIONS
7 ABOUT THE TYPE OF INFORMATION YOUR ASSOCIATION MAY OR MAY
8 NOT HAVE GATHERED, AND I KNOW YOU TALKED IN THE BEGINNING
9 ABOUT THERE ARE PLENTY OF PEOPLE OUT THERE. DO YOU HAVE
10 ANY INFORMATION ABOUT WHAT THE AVAILABLE LABOR POOL IS OR
11 A SURVEY ON HOW MANY LATINAS OR LATINOS ARE CURRENTLY
12 SERVING ON OUR EDITORIAL BOARDS OF CALIFORNIA NEWSPAPERS?
13 I MEAN WHAT IS THE SCOPE OF THE PROBLEM THAT IS HAPPENING
14 OUT HERE?

15 MR. REYES: UNFORTUNATELY WE OURSELVES HAVE NOT SAT
16 DOWN AND GOTTEN ALL THESE FIGURES TOGETHER. WE HAVE
17 ACCESS TO CERTAIN FIGURES THAT ARE PRETTY COMMON KNOWLEDGE
18 IN THE INDUSTRY ABOUT THE FACT THAT PEOPLE OF COLOR MAKE
19 ONLY 10 PERCENT, FOR EXAMPLE, OF THE NEWSPAPER BUSINESS,
20 AND I KNOW THE MANAGEMENT LEVEL NUMBERS ARE MINUSCULE,
21 AROUND 1 PERCENT. AND I DON'T WANT TO BE QUOTED ON THOSE,
22 BECAUSE I DON'T HAVE THE FIGURES IN FRONT OF ME. BUT
23 THAT'S ONE OF THE THINGS I WANTED TO DO, IS KIND OF UPDATE
24 THESE FIGURES, BECAUSE THEY DO CHANGE.

25 AND THE ONE THING THAT I DON'T HAVE, AND I

1 THINK THAT WE SHOULD PUT TOGETHER IS SOMETHING ON
2 TELEVISION NEWS FIGURES, BUT THAT WOULD BE EVEN DIFFICULT,
3 TOO, BECAUSE THOSE THINGS CHANGE SO OFTEN BECAUSE OF THE
4 FLUX THAT GOES ON IN THE INDUSTRY.

5 MS. HESSE: . COULD YOU SHARE THAT INFORMATION AT SOME
6 POINT IN TIME.

7 MR. REYES: SURE, ANYTHING THAT I CAN SEND ALONG, I
8 DEFINITELY WOULD.

9 MS. HESSE: I'M NOT THAT FAMILIAR WITH THAT
10 PARTICULAR AREA. WHAT IS THE CAREER PATH, WHAT IS THE
11 GOAL, BEING ON THE EDITORIAL BOARD AND BEING A NEWS
12 MANAGER, IS THAT WHERE WE NEED TO BE?

13 AND DO I HEAR YOU SAYING -- I GUESS I'M
14 TRYING TO, YOU KNOW, WHEN WE TALK ABOUT WE HAVE GOT SOME
15 DISCUSSING, WE TALKED ABOUT WHAT IS MANAGEMENT IN THE
16 MEDIA FIELD. WHAT IS MANAGEMENT, IS IT THE NEWS DIRECTOR?
17 IS IT BEING ON THE EDITORIAL BOARD? WHAT IS IT? IS THAT
18 WHO DECIDES WHO IS GOING TO COVER THE NEWS, CARRY THE
19 DECISIONS AND HOW THE NEWS IS GOING TO BE COVERED?

20 MR. REYES: I THINK YOU ARE TALKING ABOUT ALL THE
21 WAY ACROSS THE BOARD IN TV NEWS, ASSISTANT NEWS DIRECTOR,
22 NEWS DIRECTOR, THE SHOW PRODUCERS, IN PRINT. WE HAVE ONE
23 OF OUR MEMBERS THAT WAS JUST SELECTED AS THE PUBLISHER OF
24 THE SALINAS CALIFORNIAN WHICH IS A NEWSPAPER THAT COVERS
25 THE SALINAS VALLEY AND MONTEREY.

1 GOING DOWN FROM THERE, THE CITY EDITOR, WE
2 HAVE MENTIONED, THAT ARE CITY EDITORS AND MANAGING
3 EDITORS. RICK RODRIGUEZ, WHO HAS BEEN A MEMBER, WAS
4 RECENTLY ADOPTED THE MANAGING EDITOR OF THE SACRAMENTO BEE
5 AND RUNS A NEWSPAPER AND HAS A 20 MILLION DOLLAR BUDGET.

6 FRANK DELOMO IS DEPUTY EDITOR OF THE
7 EDITORIAL PAGES OF THE L.A. TIMES WHO WORKS WITH ALL THE
8 EDITORIAL WRITINGS THERE, THOSE ARE THE TYPES OF POSITIONS
9 THAT WE NEED TO GET PEOPLE INTO.

10 MR. CARNEY: MR. REYES, OTHER THAN WHAT YOU HAVE
11 MENTIONED ABOUT THE PLAN THAT YOU HAVE FORMULATED, IS
12 THERE ANY OTHER PLAN OR SYSTEM IN PLACE THAT YOUR
13 ORGANIZATION HAS THAT DEALS WITH PROBLEMS OF EQUAL
14 EMPLOYMENT IN THE INDUSTRY?

15 MR. REYES: NOTHING SPECIFIC ASIDE FROM THE
16 EDUCATIONAL PROGRAMS THAT WE DO NOW. WE HAVE BEEN TRYING
17 TO REFOCUS THOSE EFFORTS BECAUSE TIMES CHANGE. WE STARTED
18 THE JOB FAIR THAT WE HAD 15 YEARS AGO.

19 LIKE I MENTIONED, THE BIG EMPHASIS WAS TO GET
20 PEOPLE IN THE DOOR, BUT NOW WE NEED TO GET PEOPLE MORE
21 TRAINING, SO THAT THEY CAN GET INTO MANAGEMENT. WE HAVE
22 BEEN TRYING TO CREATE SOME PROGRAMS THAT GIVE PEOPLE SOME
23 MANAGEMENT TRAINING BECAUSE WE THINK THAT IS WHERE WE NEED
24 TO FOCUS OUR EFFORTS.

25 MR. CARNEY: DO YOU THINK THAT THERE IS A PROBLEM

1 INVOLVING BLACKLISTING OF PEOPLE WHO COMPLAIN? COUNCILMAN
2 ALATORRE ADDRESSED THIS EARLIER AND MENTIONED THAT HE FELT
3 THAT THAT WAS A REAL PROBLEM. I WANT TO KNOW IF YOU HAVE
4 THAT SAME FEELING?

5 MR. REYES: I HAVE NO SPECIFIC KNOWLEDGE BECAUSE I
6 HAVEN'T REALLY DONE ANY INVESTIGATION IN THAT ABOUT
7 BLACKLISTING GOING ON HERE IN LOS ANGELES. I CAN SPEAK OF
8 PERSONAL EXPERIENCE WHEN I WAS A REPORTER, THAT WHEN YOU
9 RUB MANAGEMENT THE WRONG WAY, THERE ARE CERTAIN --
10 DEFINITELY YOU ARE NOT LOOKED UPON.

11 I WENT THROUGH THAT IN FRESNO WHEN I WAS A
12 TELEVISION REPORTER TAKING CERTAIN ISSUES SAYING CERTAIN
13 THINGS. THAT CERTAINLY CAN EXIST, BUT IN TERMS OF ME
14 HAVING ANY SPECIFIC KNOWLEDGE OF IT, AT THIS POINT I DON'T
15 BECAUSE I HAVEN'T SPENT TIME LOOKING INTO IT.

16 MR. CARNEY: BUT, IN YOUR OPINION, DO YOU FEEL THAT
17 THAT IS A POSSIBILITY, THAT IT IS A REALITY THAT PEOPLE
18 WHO COMPLAIN ABOUT NOT ADVANCING, BECAUSE OF WHATEVER
19 REASONS, THAT THAT COMPLAINT OR THAT PERSON'S NAME GETS
20 AROUND IN THE INDUSTRY AS A COMPLAINER, OR SOMEBODY WHO IS
21 KIND OF BUCKING THE SYSTEM, SO TO SPEAK?

22 MR. REYES: IT DEFINITELY CAN HAPPEN. I WORKED IN
23 TELEVISION NEWS IN FRESNO FOR ABOUT NINE YEARS, AND I
24 COVERED A LOT OF CONTROVERSIAL THINGS DEALING WITH THE
25 FARM WORKERS, AND LATER ON I TOOK A BREAK FROM IT.

1 AND I WENT, DECIDED TO MAYBE GO BACK AND DO A
2 LITTLE BIT OF IT, AND I APPLIED AT ONE OF THE STATIONS
3 THERE IN FRESNO. WORD WAS RELAYED BACK THE ME THAT THE
4 DOOR WASN'T OPEN THERE BECAUSE THE NEWS DIRECTOR SAW ME AS
5 A REPORTER WHO HAD AN AX TO GRIND, AN AX TO GRIND OF
6 SOMEBODY BEING MAYBE SOMEBODY WHO WANTED TO GIVE MORE
7 COVERAGE TO THE LATINO COVERAGE.

8 MR. CARNEY: NOW YOU MENTIONED THAT WHEN THE EXODUS
9 TOOK PLACE AT KNBC, THAT IT WASN'T YOUR BUSINESS TO GET
10 INVOLVED. WAS THERE ANY KIND OF INQUIRY BY YOUR
11 ORGANIZATION AS TO THE REASONS FOR THESE PEOPLE LEAVING
12 AND WHETHER OR NOT THEY WERE JUSTIFIED OR THERE WAS A
13 PROBLEM THAT COULD BE CORRECTED?

14 MR. REYES: ONLY FROM THE STANDPOINT OF TALKING TO
15 INDIVIDUAL MEMBERS WHO ARE CCMA MEMBERS JUST TO KIND OF
16 GET A FEEL OF WHAT WAS GOING ON THERE. GENERALLY
17 SPEAKING, CCMA HAS NEVER BEEN LIKE AN ADVOCACY
18 ORGANIZATION, AND THAT IS, I THINK, DETERMINED BY OUR
19 BYLAWS AND MEMBERS, BECAUSE THEY ARE WORKING JOURNALISTS.

20 THEY HAVE GENERALLY, THE BOARD IS GENERALLY
21 SENT A POLICY SAYING THAT WE CAN'T, BECAUSE WE ARE
22 JOURNALISTS, BE GETTING IN THE MIDDLE OF THINGS, BECAUSE
23 AS JOURNALISTS WE MAY WIND UP HAVING TO COVER THAT ISSUE
24 AND BECAUSE OF THE CONFLICT OF INTEREST, THEY GENERALLY
25 TRY TO STEER AWAY FROM GETTING IN THE WAY OF THE MIDDLE OF

1 THINGS AND PART OF THAT, TOO, IS THAT WE WORK WITH SOME OF
2 THESE STATIONS ON CERTAIN PROGRAMS. YOU KNOW, THE
3 ORGANIZATION JUST HASN'T TAKEN THAT APPROACH.

4 MR. CARNEY: YOU ARE MORE OF AN EDUCATIONAL OR
5 FRATERNAL TYPE OF ORGANIZATION?

6 MR. REYES: EDUCATIONAL AND PROFESSIONAL
7 ORGANIZATION.

8 MR. CARNEY: IN THE INDUSTRY, NOW, IN THE TELEVISION
9 AND RADIO, AND EVEN IN THE PRINT MEDIA, IS THERE SOME TYPE
10 OF UNION ORGANIZATION THAT YOU EITHER HAVE A CHOICE TO
11 BELONG TO OR YOU MUST BELONG TO IN ORDER TO BE IN THE
12 INDUSTRY, EMPLOYED IN THE INDUSTRY?

13 MR. REYES: I KNOW FOR TELEVISION REPORTERS -- THERE
14 IS A NUMBER OF UNIONS AND IT VARIES FROM DIFFERENT SHOPS.

15 MR. CARNEY: BUT IT'S PRETTY WELL REQUIRED THAT YOU
16 BELONG TO THE UNION; IS THAT CORRECT?

17 MR. REYES: IN THE SMALLER MARKETS, NO. BUT IN THE
18 BIGGER MARKETS, DEFINITELY.

19 MR. CARNEY: DO YOU KNOW WITH RESPECT TO THE
20 SITUATION THAT WE DISCUSSED OR THAT YOU HAVE MENTIONED,
21 WHETHER OR NOT ANYBODY FROM THE UNION STEPPED FORWARD TO
22 PARTICIPATE AS MORE OF AN ADVOCATE FOR THE INDIVIDUAL
23 EMPLOYEES OR NOT?

24 MR. REYES: NOT TO MY KNOWLEDGE.

25 MR. CARNEY: ISN'T THAT PART OF WHAT THEY ARE

1 SUPPOSED TO DO?

2 MR. REYES: MY UNDERSTANDING, YES, BUT I THINK IN
3 TERMS OF THE LATINO COMMUNITY, AND YOU CAN SEE THIS IN ALL
4 INDUSTRIES. THERE HAS BEEN A COMPLAINT FROM THE COMMUNITY
5 THAT A LOT OF TIMES UNIONS AREN'T -- DON'T ADVOCATE THE
6 RIGHTS OF WORKERS AS STRONGLY WHEN LATINO WORKERS ARE
7 INVOLVED.

8 I SAW THAT WHEN I WAS COVERING THE FARM
9 WORKERS' STRIKES AND THE CANNERY WHICH WAS REPRESENTED BY
10 THE TEAM STORE UNION. I DID STORIES ON THOSE ALLEGATIONS.
11 I HAVEN'T SPENT A LOT OF TIME AS IT RELATES TO THE UNIONS
12 THAT DEAL WITH TELEVISION AND RADIO.

13 MR. CARNEY: ANY OTHER QUESTIONS. MS. BUITRAGO.

14 MS. BUITRAGO: SURE. MR. REYES, I WONDER IF THERE
15 IS A SPECIFIC WAY OR RECOMMENDATION THAT YOU COULD MAKE
16 ABOUT HOW TO DEAL WITH THE ISSUE OF THE QUALIFICATIONS AND
17 HOW THE PEOPLE WHO MAKE THE DECISIONS RIGHT NOW QUANTIFY
18 AND THE KIND OF, MAYBE, APPROACHES THAT YOU WOULD
19 RECOMMEND IN TERMS OF GETTING PEOPLE TO STOP USING THAT,
20 IT SEEMS, AS AN EXCUSE FOR NOT HIRING MINORITIES?

21 MR. REYES: WELL, THAT'S A TOUGH ONE. I THINK
22 THAT'S A GOOD QUESTION TO POSE, AND I THINK THAT'S
23 SOMETHING THAT WOULD REQUIRE A LITTLE MORE THOUGHT. I
24 DIDN'T COME PREPARED TO ADDRESS THAT. AND I THINK THAT'S
25 SOMETHING THAT REALLY NEEDED TO BE ADDRESSED, AND I THINK

1 WE COULD BE CREATIVE ABOUT THAT.

2 I KNOW A LOT OF TIME JUST, A LOT OF TIMES
3 IT'S BOILS DOWN TO EITHER QUOTE, "PRESSURE OR COMMITMENT"
4 WHY PEOPLE ACT OR DECISIONS ARE MADE. BUT THERE MIGHT BE
5 OTHER WAYS THAT WE CAN GO ABOUT IT IN TERMS OF OPENING
6 THIS PROCESS.

7 MS. BUITRAGO: AND I GUESS JUST IN TERMS, THIS IS
8 GOING TO BE AN ONGOING PROCESS, AND WE ARE JUST GETTING
9 STARTED ON THE INVESTIGATION. IF YOU DO COME UP WITH ANY
10 IDEAS THAT MIGHT BE HELPFUL TO US THAT WE SHOULD KNOW OF,
11 WE WOULD APPRECIATE IT.

12 MR. CARNEY: ANY OTHER QUESTIONS? THERE IS NOT.
13 MR. REYES, WE WANT TO THANK YOU. AND ON BEHALF OF THE
14 COMMUNITY, I DO THANK YOU FOR YOUR ATTENDANCE AND INPUT
15 HERE, AND TO ADD TO MS. BUITRAGO'S REMARKS, IF YOU HAVE
16 ANY INFORMATION TO FORWARD TO US, WOULD YOU BE KIND ENOUGH
17 TO FORWARD THAT TO THE REGIONAL OFFICE. WE WOULD GREATLY
18 APPRECIATE IT.

19 MR. REYES: I WOULD JUST LIKE TO THROW IN SOMETHING
20 HERE, AND IT ALL TIES INTO THE THINGS WE HAVE BEEN TALKING
21 ABOUT. ONE ISSUE, AND SPECIFICALLY RELATED IN NEWS
22 COVERAGE WHERE I THINK IT WOULD BE WISE FOR THE MEDIA TO
23 RETHINK ITS APPROACH IS THIS WHOLE IMMIGRANT ISSUE,
24 BECAUSE I THINK THERE IS A GENERAL FEELING AMONG A LOT OF
25 OUR MEMBERS THAT THIS ISSUE ISN'T BEING AIRED OUT AS WELL

1 AS IT SHOULD.

2 TOMORROW MORNING WE ARE GOING TO BURY MY
3 GRANDMOTHER WHO IS LIKE 94 YEARS OLD WHO DIED THIS WEEK.
4 SHE CAME FROM MEXICO AND SETTLED IN ANAHEIM; WORKED IN THE
5 TAMALE FACTORIES AND ALL THE ORIGINAL HOUSES THAT EXISTED
6 THERE AT THE TIME; RAISED FOUR KIDS BY HERSELF, NEVER GOT
7 RELIEF. SHE SPLIT UP WITH MY GRANDFATHER WHEN HER ELDEST
8 CHILD, WHICH WAS MY MOTHER, WAS NINE AND BASICALLY LIVED A
9 GOOD HONEST LIFE AND WAS QUOTE, "AN IMMIGRANT."

10 WE ARE NOT SEEING THOSE TYPE OF STORIES OUT
11 THERE. WHAT WE ARE SEEING IS A REPEAT OF THE ALLEGATIONS
12 THAT POLITICIANS AND OTHER PEOPLE THAT TAKE A STAND
13 AGAINST IMMIGRANTS MAKE.

14 I THINK THAT ONE ISSUE IS A PERFECT EXAMPLE
15 OF HAVING LATINOS IN MANAGEMENT POSITIONS WE MIGHT BE ABLE
16 TO BRING A MORE BALANCED AND A MORE SENSE OF A VIEW. AND
17 I BRING THAT UP BECAUSE I THINK IT'S A REAL TIMELY ISSUE.
18 I THINK IT'S A REAL ISSUE THAT IS IMPORTANT TO OUR
19 COMMUNITIES IN TERMS OF FAIRNESS.

20 MS. SPANOS-HAWKEY: MAY I MAKE ONE COMMENT. I WOULD
21 ASK YOU WHY YOU WOULD NOT CHANGE YOUR BYLAWS WITH ALL
22 THESE CONCERNS TO BEGIN TO ADVOCATE, TO MAKE THOSE
23 CHANGES, TAKE SOME MAJORITY VOTE?

24 MR. REYES: WELL, THAT CERTAINLY CAN BE DONE. I
25 KNOW IF IT WAS BROUGHT UP, IT WOULD BRING UP A HELL OF A

1 DISCUSSION.

2 MS. SPANOS-HAWKEY: YOU'D GET MY VOTE.

3 MR. REYES: YEAH, I DEFINITELY -- I THINK PART OF IT
4 TOO, YOU KNOW, I STARTED -- WHEN I STARTED OUT IN FRESNO I
5 WAS THE FIRST BROWN REPORTER IN A CAPITAL CITY STATION IN
6 FRESNO. AND AT THE TIME, THE STATION SET UP WHAT THEY
7 CALL A MINORITY ADVISORY COMMITTEE WHICH IS KIND OF
8 SIMILAR TO THE HISPANIC MEDIA COALITION, AND THEY DID A
9 LOT OF GOOD.

10 I MEAN THEY WENT AT IT WITH MANAGEMENT, BUT
11 MANAGEMENT ALLOWED THEM TO COME INTO THE STATION. THERE
12 WAS A LOT OF CONSTRUCTIVE THINGS THAT WERE DISCUSSED. FOR
13 EXAMPLE, THERE WERE A NUMBER OF AFRICAN-AMERICAN MEMBERS
14 ON THE COMMITTEE. THE STATION HAD JUST BOUGHT A LOT OF
15 TARZAN MOVIES AND THE AFRICAN-AMERICANS MET WITH
16 MANAGEMENT AND SAID HEY, "THOSE MOVIES HAVE GOT TO GO.
17 THEY SHOW A WHITE MAN BASICALLY BEATING UP ON HUNDREDS OF
18 AFRICANS." JUST, YOU KNOW, IT WAS STEREOTYPICAL. IT WAS
19 DEGRADING TO AFRICAN-AMERICANS, AND THE STATION MANAGERS
20 RANTED AND RAVED, AND SAID, "WELL, WE GOT ALL THE SPOTS
21 SOLD," AND THE SALES MANAGER STOOD UP AND SAID, "HEY, NO
22 PROBLEM, I'LL TAKE CARE OF IT. WE'LL JUST GET NEW MOVIES
23 IN THERE."

24 AND I THINK IT'S AN EXAMPLE OF CONSTRUCTIVE
25 THINGS THAT CAN BE DONE, BUT THAT'S BECAUSE THOSE ARE

1 ADVOCACY GROUPS. AND I THINK YOU ARE RIGHT, MAYBE WE
2 COULD RETHINK, BUT I THINK IT'S REALLY UP TO THE
3 MEMBERSHIP. WE HAVE ALWAYS BEEN, LIKE I MENTIONED BEFORE,
4 AN EDUCATIONAL PROFESSIONAL ORGANIZATION. AND IT ALWAYS
5 SEEMS THAT IT'S THE ADVOCACY ORGANIZATIONS THAT ARE THE
6 ONES THAT ARE OUT THERE KICKING, FEEL THAT THEIR ROLE IS
7 TO BE -- COME ON HARD AND I THINK WITH MEMBERSHIP YOU
8 CERTAINLY HAVE A NUCLEUS TO FORM A NEW ADVOCACY GROUP FOR
9 THOSE WHO ARE SO INCLINED.

10 MR. CARNEY: WELL, AGAIN MR. REYES, I WANT TO THANK
11 YOU VERY MUCH FOR YOUR INPUT AND YOUR ATTENDANCE.

12 MR. REYES: THANK YOU, AND GOOD LUCK. AND I'M SURE
13 YOU ARE GOING TO COME UP WITH SOME POSITIVE THINGS. I
14 HAVE SEEN OVER THE YEARS, AS A REPORTER, I HAVE SEEN A LOT
15 OF THE MATERIALS AND THE RESEARCH THE CIVIL RIGHTS
16 COMMISSION HAS DONE, AND IT HAS ALWAYS BEEN REALLY
17 VALUABLE, SO THANK YOU FOR THE OPPORTUNITY.

18 MR. CARNEY: THANK YOU, AGAIN. THE NEXT PRESENTER
19 IS MR. GILBERT AVILA, THE PRESIDENT OF NOSOTROS. GOOD
20 AFTERNOON, MR. AVILA.

21 MR. AVILA: GOOD AFTERNOON. THANK YOU FOR THE
22 OPPORTUNITY TO ADDRESS THE CALIFORNIA ADVISORY COMMITTEE
23 TO THE UNITED STATES COMMISSION ON CIVIL RIGHTS. MY NAME
24 IS GILBERT AVILA, AND I AM THE PRESIDENT OF NOSOTROS, A
25 NON-PROFIT ORGANIZATION DEDICATED TO THE GOAL OF ASSISTING

1 LATINOS WHO WISH TO ENTER THE ENTERTAINMENT INDUSTRY
2 PRIMARILY AS ACTORS AND ACTRESSES. NOSOTROS WAS FOUNDED
3 BY THE NOTED ACTOR RICARDO MONTALBAN 24 YEARS AGO. AT
4 THAT TIME THE EMPLOYMENT OPPORTUNITIES FOR MINORITIES IN
5 THE MOTION PICTURE AND TELEVISION INDUSTRIES WERE ALMOST
6 NONEXISTENT.

7 TODAY I CAN REPEAT THE IMMORTAL WORDS OF YOGI
8 BERRA WHO SAID, "IT LOOKS LIKE DEJA VU ALL OVER AGAIN."
9 AFTER ALMOST A QUARTER OF A CENTURY OF TRYING TO GET INTO
10 THE STUDIOS, IT SEEMS THAT THE MODEST GAINS IN EMPLOYMENT
11 HAVE BEEN CONSIDERABLY DIMINISHED AND THAT LATINO IMAGES
12 ON T.V. ARE NOWHERE TO BE FOUND.

13 IN ORDER TO DETERMINE WHERE WE ARE NOW, OR
14 SHOULD I SAY WHERE WE AREN'T NOW, WE HAVE TO LOOK AT THE
15 HISTORY OF THIS SITUATION. BACK IN 1968 THE EQUAL
16 EMPLOYMENT OPPORTUNITY COMMISSION HELD HEARINGS IN
17 HOLLYWOOD IN ORDER TO DETERMINE THE LENGTH AND BREADTH OF
18 DISCRIMINATION WITHIN THE INDUSTRY. THE INFORMATION
19 GATHERED AS A RESULT OF THOSE HEARINGS PROVED
20 OVERWHELMINGLY THAT HOLLYWOOD WAS DEFINITELY A, QUOTE,
21 UNQUOTE "CLOSED SHOP."

22 THE FIGURES WERE SO DISMAL THAT THE EEOC
23 IMMEDIATELY SENT THE CASE TO THE DEPARTMENT OF JUSTICE
24 WITH A RECOMMENDATION FOR AN IMMEDIATE BLANKET LAWSUIT,
25 MAKING DEFENDANTS OF ALL THE MAJOR STUDIOS AND NETWORKS.

1 THE INDUSTRY, ALWAYS LOATHE TO AIR ITS DIRTY LINEN IN
2 PUBLIC, IMMEDIATELY ENTERED INTO A SETTLEMENT AGREEMENT
3 WITH JUSTICE WHEREIN THEY AGREED TO A SERIES OF GOALS AND
4 TIMETABLES WHICH HAS BASICALLY A FIVE-YEAR PLAN FOR THE
5 EMPLOYMENT OF MINORITIES. BETWEEN 1970 AND 1975 THE
6 NUMBER OF MINORITIES "BEHIND THE CAMERAS" JOBS INCREASED
7 MARKEDLY.

8 LET ME GIVE YOU AN EXAMPLE OF WHAT I MEAN BY
9 "MARKEDLY." THE ABC COMPANIES IN LOS ANGELES COMPOSED OF
10 ONE TV STATION, TWO RADIO STATIONS, A RECORD COMPANY AND
11 SEVERAL NETWORK DIVISIONS, INCLUDING BROADCAST OPERATIONS
12 AND ENGINEERING, NETWORK PROGRAMING AND PRODUCTION
13 SERVICES, TOTALING 1200 EMPLOYEES, HAD ABOUT 75 MINORITIES
14 ON THE PAYROLL. SUFFICE TO SAY THAT MOST OF THESE
15 MINORITIES WERE IN MENIAL JOBS. ABOUT 28 WERE LATINOS AND
16 35 WERE AFRICAN-AMERICANS. THE SETTLEMENT AGREEMENT
17 FORCED ABC TO HIRE A MINORITY RECRUITER IN THE CORPORATE
18 PERSONNEL DEPARTMENT, WHOSE SOLE PURPOSE WAS WHAT I CALL,
19 "THE GUESS WHO'S COMING TO DINNER MINORITIES."

20 THE FIRST WAVE OF SETTLEMENT AGREEMENT
21 EMPLOYEES HAD TO BE SUPER QUALIFIED BECAUSE THEY WERE THE
22 ASSAULT TROOPS IN THE BATTLE FOR JOBS IN THE INDUSTRY. I
23 KNOW BECAUSE I WAS THE MINORITY RECRUITER WITH A FANCY
24 TITLE OF EQUAL OPPORTUNITY MANAGER FOR ABC WEST COAST.

25 LATER ON I BECAME DIRECTOR OF PERSONNEL AND I

1 HELD THAT POSITION FOR FIVE AND-A-HALF YEARS IN THE ABC
2 HIERARCHY. I WAS THE HIGHEST PERSONNEL OFFICER ON THE
3 WEST COAST REPORTING DIRECTLY TO AN EXECUTIVE VICE
4 PRESIDENT IN NEW YORK. AND I CAN TELL YOU ALL ABOUT THE
5 INDUSTRY FROM THAT STANDPOINT.

6 I REMEMBER THE LOOK OF SOME OF THE DEPARTMENT
7 HEADS WHEN I BROUGHT THEM JOB APPLICANTS THEY COULDN'T
8 DISQUALIFY, BUT BELIEVE ME, THEY TRIED. I REMEMBER THE
9 LOCAL STATION NEWS DIRECTOR WHO FLAT OUT TOLD ME TO STAY
10 OUT OF HIS BUSINESS, AND THAT THERE WEREN'T ANY MEXICAN
11 AMERICANS WHO WERE QUALIFIED TO BE ON THE AIR REPORTERS.
12 MY NEXT APPLICANT FOR THAT JOB WAS HENRY ALFARO WHO'S
13 STILL THERE AND HE IS DOING A HELL OF A JOB.

14 BY 1975 ABC'S MINORITY HIRING INCREASED TO
15 THE POINT THAT AT THE END OF '75 THERE WERE 185 LATINOS
16 AND 190 AFRICAN-AMERICANS IN A TOTAL WORK FORCE OF ABOUT
17 1300, WHICH ONLY GOES TO SHOW THE POWER OF THE JUSTICE
18 DEPARTMENT IF IT'S COMMITTED TO SUPPORT CHANGE.

19 A FEW YEARS AFTER THE END OF THE SETTLEMENT
20 AGREEMENT, EVERYTHING POSITIVE THAT HAD OCCURRED REGARDING
21 MINORITY HIRING IN THE INDUSTRY STARTED HEADING DOWNHILL.
22 UNFORTUNATELY FOR MINORITIES, IT SEEMS THAT THE NETWORKS
23 HAD SOMETHING NEW TO WORRY ABOUT IN THE LATE 70'S. THAT
24 WAS THE NEWLY ORGANIZED POWER OF THE WOMEN'S MOVEMENT.
25 THE WORK FORCE ONCE AGAIN BEGAN REFLECTING THE REPLACEMENT

1 OF MINORITIES WITH ANGLO WOMEN AT ALL LEVELS.

2 THE BOTTOM LINE WAS THAT ONCE THE SETTLEMENT
3 AGREEMENT EXPIRED, IT WAS BUSINESS AS USUAL IN THE
4 INDUSTRY, AND BUSINESS AS USUAL MEANS THE EXCLUSION OF
5 MINORITIES. AND SO WE COME TO 1994.

6 ONE OF THE MAJOR PROBLEMS FROM AN ENFORCEMENT
7 STANDPOINT IS THAT ONLY LOCAL STATIONS SUBMIT MINORITY
8 WORK FORCE REPORTS TO THE FCC, UNLESS OF COURSE THEY ARE
9 UNDER COURT ORDER TO DO SO, WHICH THEY WERE FROM 1970 TO
10 '75. IN LOS ANGELES O AND O'S ONLY ACCOUNT FOR ABOUT
11 ONE-FOURTH TO ONE-THIRD OF THE TOTAL NETWORK EMPLOYEES.
12 WITHOUT A COURT ORDER, WHO KNOWS WHAT THE NETWORK ETHNIC
13 MAKEUP CONSISTS OF.

14 THIS SITUATION PROVIDES A PERFECT OPPORTUNITY
15 FOR WHAT I CALL THE NETWORK SHELL GAME. IT IS FOR THIS
16 REASON THAT MY ORGANIZATION URGES THAT THE SUBPOENA POWER
17 OF THIS COMMISSION BE UTILIZED TO OBTAIN OR ELICIT THE
18 INFORMATION NECESSARY FOR THE DEPARTMENT OF JUSTICE TO
19 ULTIMATELY REVIEW THIS MATTER AGAIN. NOW THAT I HAVE
20 ADDRESSED THE BEHIND-THE-CAMERAS EMPLOYMENT SITUATION,

21 I'D LIKE TO CALL YOUR ATTENTION TO THE PLIGHT
22 OF THE ON-CAMERA PERFORMERS. IT'S GETTING SO BAD IN
23 HOLLYWOOD THAT LATINOS CAN'T EVEN GET ROLES THAT WERE
24 ORIGINALLY WRITTEN FOR LATINOS. RECENTLY A FILM CALLED
25 "THE HOUSE OF THE SPIRITS" WRITTEN BY NOTED CHILEAN AUTHOR

1 ISABEL ALLENDE WAS PUT INTO RELEASE. ALTHOUGH THE
2 CHARACTERS WERE SUPPOSED TO BE LATINOS, THE STARRING ROLE
3 WENT TO MERYL STREEP. OBVIOUSLY, THE STAR FACTOR IS THE
4 ELEMENT THAT MAKES PRE-PRODUCTION FINANCING POSSIBLE FOR
5 MOST MOVIES, AND IT'S IMPORTANT TO HAVE STARS THERE THAT
6 ARE BANKABLE. WE ALL UNDERSTAND THAT. HOWEVER, THERE ARE
7 USUALLY SUPPORTING ROLES THAT COULD AND SHOULD GO TO
8 LATINOS.

9 SOME MOVIES OF THIS TYPE HAVE FEATURED
10 LATINOS IN SUPPORTING ROLES, SUCH AS THE AL PACINO MOVIES
11 "SCARFACE" AND "CARLITO'S WAY." AND YOU KNOW WHERE THE
12 MINORITIES ARE PORTRAYED IN "SCARFACE" AND "CARLITO'S
13 WAY," AND WHAT ROLES THEY PORTRAYED. EVEN THE ROLES ARE
14 NOT EXEMPT. FOR EXAMPLE, LUIS VALDEZ WHO IS IN THE
15 PROCESS OF PRODUCING A MOVIE ABOUT FRIEDA KAHLO INCURRED
16 THE WRATH OF MANY CHICANO GROUPS WHEN HE ANNOUNCED THAT
17 HE HAD SELECTED LAURA GIANCOMO TO PORTRAY FRIEDA. ONLY
18 WHEN THE COMMUNITY RAISED HELL WITH THE PRODUCTION COMPANY
19 DID LUIS MAKE THE CONCESSION TO HIRE THE MEXICAN ACTRESS
20 OFELIA MEDINA TO PLAY THE OLDER FRIEDA.

21 AMBLIN ENTERTAINMENT, THE PRODUCTION COMPANY
22 OWNED BY STEVEN SPIELBERG IS CURRENTLY IN THE PROCESS OF
23 STARTING PRE-PRODUCTION ON A MOVIE ABOUT THE FICTIONAL
24 LATINO CHARACTER ZORRO. IT HAS BEEN MENTIONED IN THE
25 TRADES THAT THE PART WAS OFFERED TO TOM CRUISE, BUT HE

1 TURNED IT DOWN. MAYBE MR. SPIELBERG COULD CONSIDER ACTORS
2 LIKE LORENZO LAMAS, STEVE BAUER, ROBERTO BELTRAN ETC.
3 ETC., HE HASN'T YET.

4 THIS YEAR THE SCREEN ACTORS GUILD WILL HOLD
5 ELECTIONS FOR BOARD POSITIONS. AND OF COURSE, I DON'T
6 HAVE TO TELL YOU THAT THE GUILD IN HOLLYWOOD ARE VERY,
7 VERY IMPORTANT PART OF THE FOUNDATION OF THIS INDUSTRY.

8 THE DIRECTORS GUILD AND THE SCREEN ACTORS
9 GUILD, BOTH OF THEM, HAVE A LOT TO SAY ABOUT WHAT HAPPENS
10 IN HOLLYWOOD. WELL, THIS YEAR, THE SCREEN ACTORS GUILD
11 WILL HOLD FOR BOARD POSITIONS. OVER 20 MINORITIES HAVE
12 FORMED A CANDIDATES SLATE TO RUN FOR SEATS ON THE BOARD.
13 I STRONGLY SUSPECT THAT PART OF THIS STRATEGY IS BASED ON
14 THE FACT THAT FOR THE LAST TEN YEARS THE SCREEN ACTORS
15 GUILD HAS HAD A MINORITY HIRING AGREEMENT WITH THE MAJOR
16 STUDIOS THAT HAS NEVER BEEN IMPLEMENTED. EVERY QUARTER
17 THE STUDIOS TURN IN DISMAL STATISTICS TO SAG, AND SAG SITS
18 ON THE INFORMATION AND DOESN'T DO ANYTHING ABOUT IT. AND
19 I SUBMIT TO YOU THAT A LITTLE SUBPOENA POWER IN THOSE
20 STATISTICS WOULD BE HELPFUL TO THIS COMMITTEE TO DETERMINE
21 JUST EXACTLY WHAT IS GOING ON AS FAR AS THE PERFORMING
22 ROLES OF EVERY SERIES IN HOLLYWOOD.

23 YEARS AGO AT THE HEIGHT OF MINORITY HIRING,
24 WHEN RECARDO MONTALBAN WAS ON FANTASY ISLAND, AND ERIC
25 ESTRADA STARRED IN CHIPS, THE LATINO HIRING FOR ACTORS IN

1 NETWORK SERIES WAS AT LEAST APPARENT. NOW, IT IS ONE
2 PERCENT OF ALL ROLES. IN A NATION WHERE OVER 20 MILLION
3 PEOPLE ARE LATINOS, WHO CAN OUR CHILDREN IDENTIFY WITH ON
4 T.V.? JUST ABOUT NOBODY. THAT IS WHY I FIRMLY BELIEVE
5 THAT WE HAVE TO GO BACK TO COURT AND OBTAIN ANOTHER
6 SETTLEMENT AGREEMENT. THERE IS NO OTHER WAY. THE STUDIOS
7 ARE NOT GOING TO OPEN THEIR DOORS AND LET MINORITIES WALK
8 IN UNLESS SOMEBODY HANDS THEM A SUBPOENA. THAT'S THE END
9 OF MY WRITTEN REMARKS.

10 MR. CARNEY: ANY QUESTIONS FROM MEMBERS OF THE
11 COMMITTEE?

12 MR. APODACA: MR. AVILA, DO YOU KNOW WHAT THE
13 COMPARABLE PERCENTAGES FOR ALL ROLES WOULD BE FOR
14 AFRICAN-AMERICANS? YOU SAID ONE PERCENT OF ALL ROLES FALL
15 TO LATINOS?

16 MR. AVILA: I THINK AFRICAN-AMERICANS WOULD BE TEN
17 PERCENT OF THE ROLES, BUT I'M NOT SURE ABOUT THAT.

18 MR. APODACA: DO YOU HAVE ANY REASONS FOR WHY THEY
19 ARE GETTING SEVERAL ROLES AND LATINOS ARE NOT?

20 MR. AVILA: I THINK I KNOW THEY HAVE BEEN VERY
21 MILITANT, WHICH IS SOMETHING AT ALL LEVELS HISPANICS HAVE
22 FAILED TO DO, AND IT IS A PROBLEM THAT WE HAVE ALWAYS HAD.

23 WE DON'T HAVE ENOUGH CLOUT AT THE TOP TO BE
24 ABLE TO MAKE THE DIFFERENCE, AND AT SOME POINT THEY DID
25 HAVE, AND THEY HAVE EXERCISED IT. AND I THINK THAT'S AN

1 IMPORTANT REASON WHY THEY ARE DOING MUCH BETTER. ANOTHER
2 REASON FOR A NETWORK STANDPOINT IS THAT NETWORK PEOPLE
3 THAT PUT THESE SHOWS ON AND DETERMINE THE FATE OF WHAT
4 GOES ON AND WHAT DOES NOT GO ON CONSIDER LATINOS TO BE
5 REGIONAL MINORITIES, RATHER THAN ACROSS THE BOARD OVERALL.

6 AND IN NEW YORK AND IN OTHER PLACES WHERE THE
7 DECISIONS ARE MADE, LATINOS DON'T REFLECT THAT MUCH OF THE
8 POPULATION.

9 MS. BUITRAGO: HOW ABOUT IN THE ASIAN COMMUNITY, DO
10 YOU HAVE ANY NUMBERS?

11 MR. AVILA: I DON'T HAVE ANY NUMBERS IN THE ASIAN
12 COMMUNITY, BUT, YOU KNOW, THEY HAVEN'T BEEN DOING WELL AT
13 ALL EITHER.

14 MR. CARNEY: MR. AVILA, YOU INDICATED THAT THERE WAS
15 AN AGREEMENT BETWEEN THE SCREEN ACTORS GUILD AND
16 APPARENTLY THE PRODUCTION COMPANIES, MINORITY HIRING
17 AGREEMENT, THAT APPARENTLY WAS, TO PARAPHRASE OR TO PUT IT
18 IN MY WORDS, IT WAS BASICALLY A LIP SERVICE SITUATION?

19 MR. AVILA: YES.

20 MR. CARNEY: IS THERE ANY WAY THAT YOU KNOW THE
21 MEMBERS CAN ENDORSE THAT AGREEMENT TO ENDORSE THE
22 IMPLEMENTATION OF THAT AGREEMENT?

23 MR. AVILA: WELL, FIRST OF ALL, I THINK IT'S A
24 POLICY DECISION. THE SIGNATURES OF THAT AGREEMENT WERE
25 REPRESENTATIVES FROM THE ASSOCIATES OF MOTION PICTURE AND

1 TELEVISION PRODUCERS, AMPTP WHICH IS BASICALLY JACK
2 VALENTE'S GROUPS AND WHO REPRESENTS THE PRODUCERS IN ALL
3 NEGOTIATIONS. THEY ARE ALWAYS THE FOCAL POINTS IN ANY
4 ENFORCEMENT SITUATION, AND THEY ARE THE ONES WHO REPORT
5 THE FIGURES, I THINK, TO SAG. AS FAR AS SAG IS CONCERNED,
6 I THINK THE SAG POSITION OF NOT DOING ANYTHING IS A HIGH
7 LEVEL POSITION THAT WHERE THE BOARD HAS AGREED NOT TO MAKE
8 WAVES TO THE PEOPLE WHO HIRE THEM.

9 MR. CARNEY: WOULD YOU SAY, THEN, THAT IT APPEARS
10 THAT SAG IS JUST THERE TO COLLECT THE REVENUES FROM THE
11 MEMBERSHIP AND THAT'S IT?

12 MR. AVILA: NO, I THINK THAT SAG IN OTHER AREAS HAS
13 DONE A GOOD JOB FOR THEIR MEMBERS, BUT IN THE AREA OF
14 MINORITY HIRING, SAG HAS CERTAINLY NOT TAKEN THE FRONT,
15 THE LEAD. THEY HAVE ESTABLISHED A MINORITY COMMUNITY -- I
16 MEAN A MINORITY COMMITTEE WITHIN THE SAG STRUCTURE, AND I
17 DON'T THINK YOU ARE GOING TO SEE ANY ANGLO ON THAT
18 COMMITTEE. EVERYONE ON THE MINORITY COMMITTEE IS
19 MINORITY, SO IT'S REALLY NOT EFFECTIVE FROM THE STANDPOINT
20 OF MAKING POLICY DECISIONS.

21 MR. CARNEY: ISN'T IT A FACT, ALSO, THAT IN THE
22 MOVIE INDUSTRY, AT LEAST, EVEN IN THE TV INDUSTRY THAT
23 NATIVE AMERICANS ARE VERY POORLY REPRESENTED?

24 MR. AVILA: YES, THEY CERTAINLY ARE, BUT LET ME TELL
25 YOU WHAT HAPPENED DURING THE DAYS OF THE SETTLEMENT

1 AGREEMENT. THERE WERE A LOT OF ANGLOS THAT SUDDENLY
2 DECIDED THAT THEY WERE ONE-EIGHTEENTH CHEROKEE INDIAN WHEN
3 THEY CAME TO THE STUDIOS TO BE HIRED, AND THERE ARE A LOT
4 OF THEM WORKING TODAY AS A RESULT OF SAYING THAT THEY WERE
5 NATIVE AMERICANS WHICH I REALLY THINK ARE ROTTEN, BUT I
6 SAW IT HAPPEN, AND IT'S VERY DIFFICULT TO QUESTION, AND
7 PEOPLE FOUND WAYS TO BECOME OVER-NIGHT MINORITIES IN THOSE
8 DAYS.

9 MR. CARNEY: WELL, ISN'T IT ALSO TRUE WITH RESPECT
10 TO THE NATIVE AMERICANS THAT THE SAME SITUATION HAS
11 EXISTED THAT YOU HAVE INDICATED WITH THAT ONE PRODUCTION
12 OF THAT MERYL STREEP WAS CAST IN?

13 MR. AVILA: OVER AND OVER IT DID.

14 MR. CARNEY: NO NATIVE AMERICANS ARE CAST IN ROLES
15 TO PORTRAY NATIVE AMERICANS?

16 MR. AVILA: ABSOLUTELY. I THINK THE ONLY PICTURE
17 THAT EVER REALLY DID THAT WAS THE KEVIN COSTNER PICTURE.

18 MR. CARNEY: DANCES WITH WOLVES?

19 MR. AVILA: DANCING WITH WOLVES, YES.

20 MR. CARNEY: WHEN YOU WERE IN THE PERSONNEL
21 DEPARTMENT AT ABC, DID YOU MAKE ANY EFFORTS TO HIRE
22 MINORITIES?

23 MR. AVILA: I MADE THE MOST INCLUSIVE EFFORT THAT
24 WAS EVER MADE BY A MAJOR COMPANY IN THE WORLD, I THINK. I
25 HIRED MORE MINORITIES THAN ANYBODY HAD EVER HIRED AT ANY

1 TIME.

2 MR. CARNEY: DID YOU EVER MEET ANY RESISTANCE IN
3 DOING SO?

4 MR. AVILA: I MET RESISTANCE FROM THE DAY I WALKED
5 IN THE DOOR TO THE DAY I LEFT. I HAD, IN MANY INSTANCES,
6 IT ALMOST CAME TO BLOWS IN SOME CASES.

7 MR. CARNEY: WAS THAT CORPORATE RESISTANCE IN YOUR
8 OPINION?

9 MR. AVILA: NO, NOT FROM THE STANDPOINT OF THE WORD
10 AT THE TOP. AND LET ME EMPHASIZE THAT IF A POLICY DOES
11 NOT COME DOWN FROM THE TOP, AND I MEAN REALLY FROM THE
12 TOP, THE DEPARTMENT HEADS ALL THE WAY DOWN THE LINE ARE
13 GOING TO FIND WAYS TO CUT HOLES IN IT.

14 AND WHAT HAPPENED WITH ME WHEN I WAS HIRED AS
15 A MINORITY RECRUITER, SINCE I WAS HIRED AS A RESULT OF THE
16 SETTLEMENT AGREEMENT, AND AS A RESULT OF THE LAWSUIT, THEY
17 KNEW THEY HAD TO DELIVER IF THEY EVER WANTED TO FINISH A
18 SETTLEMENT AGREEMENT. THEY REALLY HAD TO MAKE A HONEST
19 EFFORT.

20 SO THE PRESIDENT OF THE NETWORK OF THE
21 COMPANY AT THAT TIME, MELTON RULE, MADE THE DECISION THAT
22 THIS WAS GOING TO BE DONE. AND WHENEVER I GOT INTO A
23 PROBLEM WITH A DIRECTOR, I MEAN, I REALLY GOT INTO IT WITH
24 A LOT OF PEOPLE, SOONER OR LATER, WHICH WAS VERY SOON,
25 THEY WOULD GET THE WORD FROM UP HIGH THAT THEY BETTER

1 STRAIGHTEN OUT THEIR ACT.

2 AND I GOT INTO ONE, I REMEMBER ONE INCIDENT
3 WHERE I WANTED TO HIRE A -- IT WAS NOT WITH THE DIRECTOR,
4 IT WAS WITH THE EXECUTIVE DIRECTOR OF THE DIRECTORS GUILD
5 OF AMERICA, DGA. WE WANTED TO HIRE A STAGE MANAGER AND
6 PUT HIM IN A TRAINING PROGRAM, STARTED OUR OWN TRAINING
7 PROGRAM. I HAD THE MONEY. ABC HAD ALLOCATED THE MONEY,
8 SO THE HEAD OF PRODUCTION SERVICES, WHICH IS A BIG JOB AT
9 ABC, AND I WENT AND TALKED TO THE EXECUTIVE DIRECTOR OF
10 THE DGA AT THE TIME, AND SAID, "WE HAVE A CANDIDATE. WE
11 THINK HE IS VERY BRIGHT. WE HAVE A LOT OF MUSICAL
12 PROGRAMS RIGHT NOW, LAWRENCE WELK, JULIE ANDREWS," ET
13 CETERA, ET CETERA. WE NEED SOMEBODY TO BE A STAGE MANAGER
14 THAT KNOWS ABOUT MUSIC, SO WE WANTED TO START OUR OWN
15 TRAINING PROGRAM.

16 AND THIS FELLA SAID, "THERE IS NO TRAINING
17 PROGRAM IN T.V., UNLESS I APPROVE IT. AND IF THIS FELLA
18 WANTS TO BE A DIRECTOR IN THE DIRECTORS GUILD, HE HAS TO
19 COME THROUGH THE FILM TRAINING PROGRAM, AND IF HE WANTS TO
20 GO THROUGH THE FILM TRAINING PROGRAM, HE HAS TO COMPETE.
21 AND IF WE DON'T SELECT HIM, HE IS NOT GOING TO GET IN."

22 AND I TOOK THIS AS GOSPEL UNTIL HE REALLY
23 UPSET ME WHEN HE SAID, "WE CAN'T JUST LET ANYBODY IN OFF
24 THE STREET."

25 AND AT THAT TIME I REPORTED TO HIM, "LET'S

1 PUT YOUR EDUCATION AGAINST THIS GENTLEMAN AND SEE WHO
2 COMES OUT BETTER." THE GUY I SUBMITTED HAD A DOCTORATE, A
3 MASTERS, AND A BACHELORS DEGREE IN THEATRICAL ARTS. AND I
4 FINALLY TOLD HIM, "ACCORDING TO THE TAFT-HARVEY BILL, AND
5 OTHER LEGISLATION, THERE IS NOTHING YOU CAN DO ABOUT ME
6 HIRING THIS MAN. HE IS GOING TO SIT THERE LIKE A BUMP ON
7 A LOG AT THE END OF TEN WEEKS, AND AT THE END OF THOSE TEN
8 WEEKS, THREE OF YOUR MEMBERS ARE GOING TO SIGN HIS CARD
9 AND YOU HAVE NOTHING TO SAY ABOUT IT, AND THAT'S THE WAY
10 IT IS GOING TO BE."

11 HE GOT IN AND HE BECAME A STAGE MANAGER.
12 UNFORTUNATELY HE PASSED AWAY FOUR YEARS AGO, BUT BEFORE HE
13 PASSED AWAY, THERE WERE FOUR EMMIES SITTING ON HIS SHELF
14 FOR BEST DIRECTOR OF DAY-TIME SOAPS. BUT THAT'S THE KIND
15 OF RESISTENCE YOU MEET AT EVERY STEP.

16 MR. CARNEY: DO YOU FEEL, IN YOUR OPINION, THERE IS
17 ANYTHING TO DO TO OVERCOME THAT KIND OF RESISTANCE?

18 MR. AVILA: THE ONLY THING IS A LAWSUIT, A FEDERAL
19 LAWSUIT. THERE IS NO OTHER WAY. WE HAVE HAD IN THE LAST
20 20 YEARS, WE HAVE HAD EXTENSIVE CONVERSATIONS WITH THE
21 STUDIOS AND THE NETWORKS, AND THEY ARE VERY CONDESCENDING
22 TO THE STANDPOINT THEY WILL INVITE YOU TO NEW YORK AND PAY
23 YOUR EXPENSES AND TALK TO YOU AND TELL YOU ALL THE GOOD
24 THINGS THAT THEY HAVE ON THE SHELF, BUT WHEN YOU SEE IT ON
25 T.V., IT'S NOT THERE. IT'S BEEN CHANGED. THE PROCESS HAS

1 DERAILED SOMEWHERE, AND YOU STILL DON'T SEE WHAT THEY SAID
2 YOU WOULD SEE ON T.V.

3 AND I FOR ONE HAVE BEEN THROUGH THE ENTIRE
4 PROCESS BOTH ON THE INSIDE AND ON THE OUTSIDE REPRESENTING
5 NOSOTROS. I CO-FOUNDED NOSOTROS 24 YEARS AGO WITH MR.
6 MONTALBAN. I WAS THE THIRD PRESIDENT OF NOSOTROS, AND I
7 HAVE SEEN IT BOTH WAYS, AND I KNOW THERE IS NOT GOING TO
8 BE ANY OTHER WAY THEN ANOTHER LAWSUIT, AND HOPEFULLY
9 ANOTHER SETTLEMENT AGREEMENT WHICH WILL OPEN A FIVE-YEAR
10 WINDOW WHERE WE CAN GET MORE PEOPLE IN.

11 ALL THESE PEOPLE THAT YOU SEE ON T.V. TODAY,
12 I WOULD SAY AT LEAST HALF OF THEM, ARE A RESULT OF THE
13 SETTLEMENT AGREEMENT OF 1970.

14 MS. BUITRAGO: I HAVE A QUESTION RELATED TO THE
15 CONSENT DECREE. THAT IS IT SEEMED THAT THE IMPETUS FOR
16 THE CONSENT DECREE WAS FOR THE HEARINGS THAT THE EEOC
17 HELD, AND I'M JUST WONDERING WHETHER IF YOU OR ANYONE ELSE
18 HAS MADE ANY EFFORTS WITH THE EEOC AND IF YOU HAVE THE
19 RESULTS, AND ARE THEY POSITIVE OR NEGATIVE?

20 MR. AVILA: WELL, I CAN ONLY TELL YOU WHAT I HAVE
21 BEEN INVOLVED IN IN THE LAST FEW MONTHS, AND THE LAST FEW
22 MONTHS I HAVE BEEN VERY INVOLVED IN TRYING TO ESTABLISH AN
23 AGENDA THAT WILL MAKE 1995 AN ACTION YEAR THROUGHOUT THE
24 NATION FOR LATINO GROUPS.

25 IN THAT QUEST, YOU MIGHT SAY, I HAVE TALKED

1 TO A LOT OF PEOPLE THROUGHOUT THE NATION INCLUDING RAY
2 ECERRA, WHO IS THE EXECUTIVE DIRECTOR OF THE NATIONAL
3 COUNCIL OF LA RAZA, AND HE HAS TOLD ME THAT RIGHT NOW
4 THERE IS A GENTLEMAN WHO IS BEING CONFIRMED OF THE
5 CHAIRMAN OF THE EEOC WHO IS A HISPANIC, AND THAT HE
6 PERSONALLY TALKED TO HIM AND THAT THAT GENTLEMAN SAID THAT
7 HE IS VERY INTERESTED AND VERY CONCERNED OF THE SITUATION.

8 SO FROM THAT CONVERSATION, I SEE A LITTLE
9 GLIMMER OF HOPE THERE THAT WE CAN CONTINUE ON AN ACTION
10 YEAR TO BRING THIS AGENDA FORWARD, BECAUSE AFTER THESE TWO
11 REPORTS THAT WERE JUST PUBLISHED. ONE OF THEM FUNDED BY
12 THE NATIONAL COUNCIL OF LA RAZA, WHICH CLEARLY INDICATED
13 THE GIANT BACKWARD STEPS THAT WE HAVE BEEN TAKING. IN MY
14 VIEW WE CAN NO LONGER WAIT. WE HAVE TO MOVE FORWARD ON
15 THIS WITH A CONCERTED NATIONAL EFFORT.

16 MR. CARNEY: MS. HESSE?

17 MS. HESSE: MR. AVILA, THE SCREEN ACTORS GUILD, WHAT
18 TYPE OF ORGANIZATION IS THAT? IS THAT A LABOR
19 ORGANIZATION?

20 MR. AVILA: YES.

21 MS. HESSE: IS IT SUBJECT TO ANY FEDERAL FINANCIAL
22 DISCLOSURE REQUIREMENTS, FOR EXAMPLE? I HEARD YOU SAY IT
23 COLLECTED DUES. DOES IT HAVE ANY REQUIREMENTS UNDER THE
24 LAW HOW IT SPENDS THAT MONEY?

25 MR. AVILA: I'M NOT SURE, BECAUSE I DON'T KNOW IF IT

1 GETS ANY FEDERAL FUNDING AND IF THAT IS A CONTINGENCY IN
2 ORDER FOR THEM TO OPEN THEIR BOOKS. BUT THEY ARE THE
3 UNION THAT REPRESENTS WORKING ACTORS FROM, YOU KNOW, FROM
4 CHARLTON HESTON ALL THE WAY DOWN TO THE PERSON WHO JUST
5 GOT THEIR BIG PART YESTERDAY. THEY ARE IT IN HOLLYWOOD
6 FOR THE ACTORS.

7 MS. HESSE: IS IT SUBJECT TO THE NATIONAL LABOR
8 RELATIONS ACT?

9 MR. AVILA: I BELIEVE IT IS.

10 MS. HESSE: ARE YOU AWARE WHETHER ANY FAIR
11 REPRESENTATION CASES HAVE BEEN BROUGHT AGAINST THE GUILD?

12 MR. AVILA: NO, I AM NOT. I AM NOT FAMILIAR WITH
13 THE INTERNAL WORKS OF SAG, BUT I DO KNOW, IT IS LIKE A,
14 IT'S ALMOST LIKE THE TEN COMMANDMENTS OF HOLLYWOOD THAT,
15 IF THE FEDS COME AFTER YOU, COOPERATE WITH THEM FULLY AND
16 SHOW THEM YOU ARE GOING TO DO SOMETHING. THE NO. 2
17 COMMANDMENT IS IF THEY DON'T, DON'T MAKE WAVES, AND NO. 3
18 IS; DON'T TELL ANYBODY ELSE WHAT YOU ARE DOING.

19 MR. CARNEY: MS. PATTERSON?

20 MS. PATTERSON: MR. AVILA, HAS NOSOTROS ASKED ANY
21 OTHER GOVERNMENTAL AGENCY TO LOOK INTO THE PROBLEM FACED
22 BY MINORITY PERSONNEL SINCE THE 1970 INVESTIGATION?

23 MR. AVILA: OVER THE YEARS THEY HAVE. I THINK OVER
24 THE YEARS THEY BROUGHT IT UP TO THE EEOC AND OTHER
25 GOVERNMENTAL GROUPS AND EVEN DIRECTLY TO SOME POLITICIANS;

1 CONGRESSMEN, SENATORS. IT HAS ALWAYS BEEN AN UPHILL
2 BATTLE, BUT NOW WE ARE REALLY DOWNSLIDING, AND THAT IS A
3 GREAT CONCERN TO US.

4 MR. CARNEY: ANY OTHER QUESTIONS? MR. AVILA, WE
5 WANT TO THANK YOU ON BEHALF OF THE COMMITTEE FOR YOUR
6 ATTENDANCE AND YOUR PRESENTATION. IF YOU HAVE ANY OTHER
7 INFORMATION, WE CERTAINLY ENCOURAGE YOU TO PRESENT THAT TO
8 THE REGIONAL OFFICE.

9 MR. AVILA: THANK YOU VERY MUCH, MR. CARNEY. AND I
10 WANT TO THANK EVERYONE FOR TAKING THE TIME TO BE HERE
11 BECAUSE WE REALLY NEED SOME HELP, AND YOU HAVE A GIGANTIC
12 RESPONSIBILITY BECAUSE YOU CAN START THIS BALL ROLLING,
13 AND I'M SURE THERE WILL BE A LOT OF PEOPLE THAT WILL COME
14 OUT OF THE WOODWORK TO SUPPORT YOU. THANK YOU.

15 MR. CARNEY: THANK YOU AGAIN. MIGDIA CHINEA-VARELA.

16 GOOD AFTERNOON.

17 MS. CHINEA-VARELA: GOOD AFTERNOON. THANK YOU FOR
18 LETTING ME SPEAK REGARDING WHAT I CONSIDER TO BE
19 DISCRIMINATORY PRACTICE ON THE PART OF THE WRITERS GUILD
20 OF AMERICA WEST. AND IN FACT THE ENTERTAINMENT AT LARGE,
21 BUT I HAVE A BRIEF STATEMENT.

22 I AM A PROFESSIONAL WRITER WITH NUMEROUS
23 TELEVISION CREDITS. I'VE BEEN A MEMBER OF THE WRITERS
24 GUILD OF AMERICA WEST, FOR ABOUT 17 YEARS AND FOUNDED ITS
25 LATINOS WRITERS COMMITTEE, WHICH I CHAIRED FOR 30 YEARS.

1 HOWEVER, I HAVE COMPLETELY LOST FAITH IN THE WRITERS GUILD
2 OF AMERICA WEST, AND ITS PURPORTED COMMITMENT TO EQUAL
3 RIGHTS, AND I AM NO LONGER A MEMBER OF THE LATINO WRITERS
4 COMMITTEE.

5 IN JUNE OF LAST YEAR, I ATTENDED HEARINGS BY
6 THE COMMISSION ON LATINO'S RIGHTS EXAMINING THE ISSUE OF
7 ETHNIC MINORITIES IN THE ENTERTAINMENT INDUSTRY.
8 ACCORDING TO THE 1993 HOLLYWOOD WRITERS' REPORT
9 COMMISSIONED BY THE WRITERS GUILD OF AMERICA WEST, LATINOS
10 COMPRISE ONE PERCENT OF THE WRITERS GUILD OF AMERICA WEST
11 MEMBERSHIP, AND OUR EMPLOYMENT RATIO IS SO LOW THAT IT IS
12 STATISTICALLY INSIGNIFICANT.

13 ALL THREE MAJOR TELEVISION NETWORKS TESTIFIED
14 AT THOSE HEARINGS DEPLORING THE SITUATION. MEANWHILE, A
15 GUILD APPEAL MADE TO THE NETWORKS CULMINATED IN A STAFF
16 ACCESS PROGRAM FOR PROFESSIONAL LATINO WRITERS AT CBS. I
17 WAS STUNNED TO LEARN THAT UNDER THIS PROGRAM, LATINO
18 WRITERS -- OR THOSE WRITERS WHO CLAIMED TO BE LATINOS --
19 WOULD BE HIRED FOR HALF PAY, HALF THE MINIMUM BASIC
20 AGREEMENT, NBA, WHICH IS OUR CONTRACT WITH SIGNATORY
21 COMPANIES AND PRODUCERS; HALF.

22 THE NOTION OF THE GUILD SETTING A LOWER WAGE
23 FOR WRITERS ON THE BASIS OF ETHNICITY SEEMS A PERVERSION
24 OF THE WHOLE PURPOSE OF A TRADE UNION. SUCH PRACTICES
25 MAKE IT MORE DIFFICULT FOR WRITERS -- LATINOS OR

1 WHATEVER -- TO GET ANY WORK AT ALL.

2 BUT I WAS FURTHER DISMAYED TO LEARN THAT MY
3 UNION HAD AGREED TO THIS ARRANGEMENT AS A HALF-PAY
4 TRAINING PROGRAM FOR LATINOS. THE GUILD INVOKED AN
5 ARTICLE IN OUR CONTRACT WHICH ALLOWS FOR SIGNATURE
6 COMPANIES TO ENHANCE TRAINING OPPORTUNITIES FOR WRITING IN
7 THE FEDERALLY PROTECTED CLASSES. BUT THIS ARTICLE WAS
8 NEVER INTENDED TO PERMIT THE ARRANGEMENT OF A TWO-TIER
9 RATE SYSTEM, WITH LOWER RATES FOR PROFESSIONAL ETHNIC
10 MINORITY WRITERS.

11 SINCE THE WRITERS GUILD DOES NOT CLASSIFY
12 WRITERS BY VIRTUE OF ARBITRARY LEVEL OF EXPERTISE, WHEN
13 YOU ARE A WRITERS GUILD AMERICA WEST MEMBER, YOU ARE A
14 PROFESSIONAL. THE TRAINING IN QUESTION IS A PRESUMPTION
15 THAT LATINOS, NO MATTER HOW SUCCESSFUL OR EXPERIENCED,
16 REQUIRE TRAINING, WHICH WRITERS NOT CURSED WITH SUCH
17 ETHNICITY DO NOT.

18 FURTHERMORE, RECEIVING HALF PAY IS NOT
19 REFLECTED IN THE OBLIGATIONS OF LATINO WRITERS TO THE
20 GUILD: THEY ARE STILL REQUIRED TO PAY FULL DUES.

21 THE GUILD HAS SAID THAT THESE LATINO TRAINEES
22 WERE NOT REALLY WRITING, BUT OBSERVING. HOWEVER, THE
23 NOTION THAT WRITING CAN BE MONITORED IS ABSOLUTELY
24 RIDICULOUS. WRITING, PARTICULARLY STAFF WRITING, CAN
25 HARDLY BE DISTINGUISHED FROM SIMPLE TALKING. AND HOW IS

1 THE GUILD GOING TO PROHIBIT WRITERS FROM TALKING?

2 IN MY VIEW, THIS ATTEMPT OF WINDOW DRESSING
3 ON THE PART OF THE WRITERS GUILD IS BEING USED TO
4 ARTIFICIALLY RAISE THE EMBARRASSING EMPLOYMENT STATISTICS
5 OF WRITERS GUILD MEMBERS WHO ARE LATINOS.

6 AFFIRMATIVE ACTION MAY BE ONE APPROACH TO
7 HEALING THE DISEASE OF RACIAL PREJUDICE, BUT I SIMPLY
8 CAN'T BELIEVE THAT IT CAN BE CALLED UPON TO CREATE A
9 LOWER CAST SYSTEM BASED ON NATIONAL ORIGIN; COMMON SENSE
10 TELLS YOU THAT DOING SO WOULD CONSTITUTE A DENIAL OF THAT
11 VERY BASIC PRINCIPLE.

12 INSTEAD, SUCH PROGRAMS CAN ONLY ABSOLVE
13 POTENTIAL ENTERTAINMENT INDUSTRY EMPLOYERS FROM THE VERY
14 LEGITIMATE QUESTION OF EQUAL OPPORTUNITY. AS FOR US
15 LATINOS, THE OBVIOUS IRONY HERE IS THAT WE HAVE BECOME
16 INADVERTENTLY INVESTED IN THE CONDITIONS WE ARE TRYING TO
17 OVERCOME.

18 INCIDENTALLY, THE FINAL RESULT OF MY PERSONAL
19 CONTACT WITH CBS WAS AN OFFER TO JOIN THIS TRAINEE
20 PROGRAM, WHICH I DECLINED.

21 AND THE MANTLE OF POLITICAL CORRECTNESS
22 SUFFOCATES ANY DEBATE AT THE GUILD ON THE ISSUE OF
23 AFFIRMATIVE ACTION, I HAVE LEARNED THAT THEY ARE EXPECTED
24 TO MOVE FORWARD WITH SIMILAR PROGRAMS TO INCLUDE EVERY
25 NETWORK AND STUDIO. I HAVE LEARNED THAT THE POWERS THAT

1 BE HAVE GARNERED KUDOS FOR THEIR GENEROSITY.

2 THERE ARE THOSE WHO WILL ARGUE THAT
3 PROFESSIONAL LATINO WRITERS SHOULD WORK FOR HALF, BECAUSE
4 HALF OF SOMETHING IS BETTER THAN ONE HUNDRED PERCENT OF
5 NOTHING. BY THAT LINE OF REASONING, SITTING IN THE BACK
6 OF THE BUS CAN ALSO BE JUSTIFIED.

7 I ALSO HAVE A SHORT STATEMENT FROM A FELLOW
8 LATINO MEMBER OF THE WRITERS GUILD, AND HE REQUESTED THAT
9 I READ IT HERE, IF I MAY. IT SAYS, IT IS DATED YESTERDAY.

10 "I AM SORRY THAT I WILL NOT BE ABLE TO
11 ATTEND YOUR TESTIMONY BEFORE THE U.S.
12 COMMISSIONS CIVIL RIGHTS FACT FINDING
13 HERE TOMORROW. HOWEVER, I'D LIKE FOR
14 YOU TO HAVE A COPY OF MY LETTER TO
15 WRITERS GUILD OF AMERICA, PRESIDENT
16 FRANK PIERSON, DATED DECEMBER 6TH,
17 1993, IN WHICH I RAISED SERIOUS
18 CONCERNS ABOUT THE WRITERS GUILD OF
19 AMERICA WEST CBS LATINO PROGRAM WHICH
20 IS NOW IN QUESTION. THOUGH I
21 UNDERSTAND THAT HE HAS RESPONDED TO
22 OTHER KNOWN LATINO MEMBERS' QUESTIONS
23 ABOUT THE DETAILS OF SAID PROGRAM, YOU
24 SHOULD KNOW THAT I HAVE YET TO RECEIVE
25 A RESPONSE OF ANY KIND FROM

1 MR. PIERSON. THIS IS NOTWITHSTANDING
2 THE FACT THAT I HAVE BEEN A DUES
3 PAYING MEMBER OF THE WRITERS GUILD OF
4 AMERICA WEST SINCE 1983."

5 AND I WOULD LIKE TO READ THE STATEMENT THAT
6 MR. FRANK PIERSON MADE WITH REGARDS TO THIS PROGRAM TO TWO
7 KNOWN LATINOS ON THE BULLETIN BOARD SERVICE WHICH IS
8 ACCESSED, IS A COMPUTER ACCESSED -- WHAT DO THEY CALL IT?

9 MS. BUITRAGO: ON LINE?

10 MS. CHINEA-VARELA: AND SO HE FIRST RESPONDED TO THE
11 WRITER BY THE NAME OF CHRIS DUNN, WHO SAID THAT;

12 "THE PROGRAM IS BEING MONITORED CLOSELY
13 BY THE LATINO COMMUNITY AND BY STAFF TO
14 BE CERTAIN THAT IT IS NOT BEING ABUSED.
15 WE HAVE THE RIGHT TO TERMINATE THE
16 PROGRAM IMMEDIATELY IF ANYONE IS
17 WRITING WITHOUT FULL COMPENSATION."

18 AND THEN THE FELLOW MEMBER, ROBERT KING, WHO
19 IS NOT ALSO LATINO -- OH, LET ME BACKTRACK A LITTLE BIT.
20 LET ME READ YOU THE QUESTION.

21 "IN FACT I BELIEVE IT QUOTED AN
22 OFFICIAL OF OUR GUILD THAT THESE
23 TRAINEES OR WRITERS IN THE PROGRAM IS
24 A WRITING PROGRAM. IT HAS BEEN
25 REPORTED THAT BOTH MR. WALTON AND

1 MR. PIERSON DESCRIBED THESE TRAINEES
2 AS WRITERS."
3 BUT THEY HAVE GONE BACK AND FORTH ON THAT.

4 BUT MR. PIERSON SAYS:

5 "UNFORTUNATE SEMANTICS HERE. THE
6 PARTICIPANTS IN THE PROGRAM ARE
7 DESCRIBED AS WRITERS BECAUSE ALL
8 MEMBERS OF THE GUILD ARE LEGALLY
9 DEFINED IN THE LANGUAGE OF THE MBA,"
10 WHICH IS THE MINIMUM BASIC AGREEMENT TO WHICH
11 I REFERRED EARLIER.

12 "ASKS THE WRITERS, OR THE WRITER. IT
13 WOULD BE MORE ACCURATE AND PROBABLY
14 HELPFUL TO AVOID POSSIBLE MISUNDER-
15 STANDING IF THEY WERE SIMPLY REFERRED
16 TO AS MEMBERS OF THE GUILD, IN THIS
17 CASE HIRED AS OBSERVERS IN AN ACCESS
18 PROGRAM. ANY WRITING SERVICES THEY
19 MAY PERFORM REQUIRE IMMEDIATE UPGRADE
20 TO FULL GUILD MINIMUMS, AND ALL THAT
21 IMPLIES. THE PROGRAM AND STAFF AND THE
22 LATINO COMMITTEE NEGOTIATED IT, AND
23 THAT THE BOARD WAS INFORMED
24 SPECIFICALLY FOR THE BUSINESS OF
25 WRITING SERVICES AS FAR AS THE PROGRAM."

1 THAT'S VERBATIM.

2 SO I WILL READ NOW THE LETTER THAT JULIO VERA
3 SENT TO FRANK PIERSON ON DECEMBER 6TH, AND A LETTER TO
4 WHICH HE NEVER RECEIVED ANY RESPONSE WHATSOEVER FROM THE
5 GUILD.

6 I, BY THE WAY, ALSO SENT A LETTER ON THAT
7 DATE, AND TO DATE I HAVE NEVER RECEIVED ANY RESPONSE FROM
8 THE GUILD WITH REGARDS TO THIS LATINO PROGRAM.

9 "DECEMBER 6TH, 1993. DEAR MR. PIERSON:
10 CHARLES SEGARS OF CBS CALLED ME THIS
11 EVENING TO EXPRESS HIS ANGER ABOUT MY
12 NEGATIVE QUOTE IN TODAY'S HOLLYWOOD
13 REPORTER STORY ON HIS NETWORK'S PROGRAM
14 FOR HIRING LATINOS.

15 I EXPLAINED TO HIM THAT WGA
16 MEMBERS ARE PROFESSIONAL WRITERS BY
17 HIS DEFINITION, AND AS ONE, I THEREFORE
18 COULD NOT ABIDE BY THE WGA SPONSORING
19 ANY PROGRAM THAT WOULD CLASSIFY SOME
20 MEMBER WRITERS AS TRAINED AND OTHERS
21 AS NOT ON THE BASIS OF THEIR ETHNICITY.

22 FRANKLY, I DID NOT ASK TO BECOME A
23 SPOKESMAN FOR MEMBER WRITERS. I AM NOT
24 A MEMBER OF THE LATINO COMMITTEE, AND I
25 DO NOT SEE WHY I SHOULD BE SUBJECTED TO

1 MR. SEGARS' IRE.

2 MR. SEGARS TOLD ME THAT, "CBS
3 PRESENTED THE IDAS TO THE GUILD OF
4 HIRING LATINOS ON STAFFS, AND BRYAN
5 WALTON CAME BACK TO US WITH THE
6 CONTRACT." SEGARS' EXPLANATION DOES
7 RING TRUE, PARTICULARLY IN LIGHT OF THE
8 FOLLOWING LETTER RICHARD YNIQUEZ SENT
9 TO WALTON ON NOVEMBER 19TH, 1993:

10 THIS IS JULIO QUOTING RICHARD YNIQUEZ LETTER
11 ON HIS CORRESPONDENCE TO FRANK PIERSON.

12 "I AM VERY PLEASED WITH THE PROGRAM
13 THUS FAR IN THE CBS SITUATION, AND
14 THINK IT IS TIME THAT WE HAVE
15 MS. NEFELDT OUTLINE THE DETAILS OF
16 THE CONTRACT. ALTHOUGH THE CBS DEAL
17 IS AN EXCITING VENTURE, I AM VERY
18 CONCERNED THAT WE HAVE NOT BEEN
19 INCLUDED IN THE DISCUSSION OF MONIES
20 AND OTHER DETAILS.

21 SINCE THIS VENTURE IS TO AFFECT
22 US DIRECTLY, I THINK IT ONLY FAIR THAT
23 WE GET INTO THIS DISCUSSION AS SOON
24 AS POSSIBLE. WE MAY HAVE SOME IDEAS
25 THAT MAY HELP YOU AND THE NEGOTIATING

1 TEAM. WE MUST ALSO USE THIS
2 OPPORTUNITY TO HELP THE MEMBERS
3 UNDERSTAND THE POSSIBLE RAMIFICATIONS
4 OF THIS DEAL, THE PROS AND CONS, IF
5 YOU WILL.

6 MY JOB, AS I UNDERSTAND IT, IS TO
7 PROTECT THE COMMITTEE TO THE BEST OF
8 MY ABILITY AND OPEN DOORS FOR FUTURE
9 WORK OPPORTUNITIES. OUR NEXT MEETING
10 IS DECEMBER 10TH AT 7:00 P.M., A
11 PERFECT TIME TO ADDRESS THIS MOST
12 HISTORIC MOMENT IN OUR COMMITTEE'S
13 HISTORY."

14 THAT WAS RICHARD YNIQUEZ, AND HE SIGNED IT.

15 I ALSO HAVE A COPY OF THAT LETTER WHICH WAS FAXED, AND
16 JULIO CLOSES HIS LETTER BY SAYING:

17 "AT THE TIME RICHARD SENT THIS LETTER TO
18 WALTON, THE DEAL HAD ALREADY BEEN DONE
19 AND CBS HAD HIRED AT LEAST ONE AND
20 POSSIBLY MORE WRITERS. AS OF TODAY
21 FOUR PEOPLE ARE ON THEIR PROGRAM, AND
22 THE COMMITTEE HAS YET TO BE CONSULTED.
23 IT APPEARS THAT THE "HISTORIC MOMENT"
24 HAS BEEN ABORTED."

25 MS. BUITRAGO: THANK YOU FOR YOUR COMMENTS, AND I

1 WOULD LIKE TO OPEN IT UP FOR ANY QUESTIONS.

2 MR. APODACA: I GOT A QUESTION. HOW MANY LATINO
3 MEMBERS, HOW MANY LATINOS ARE MEMBERS OF THE WRITERS
4 GUILD?

5 MS. CHINEA-VARELA: WELL, THE MEMBERSHIP OF THE
6 GUILD IS ABOUT 7500, AND LATINOS COMPRISE ABOUT ONE
7 PERCENT OF THAT FIGURE.

8 MR. APODACA: 75?

9 MS. CHINEA-VARELA: YES, YOU HAVE TO TAKE INTO
10 CONSIDERATION THAT ANYONE CAN CALL HIMSELF OR HERSELF A
11 LATINO, AND THERE ARE, FOR EXAMPLE, A NUMBER OF ESKIMOS IN
12 THE GUILD, AND THERE ARE NO ESKIMOS IN THE GUILD.

13 ESSENTIALLY THERE IS NO WAY TO CORROBORATE,
14 YOU KNOW, IF YOU CALL YOURSELF LATINO. WHATEVER ETHNIC
15 BACKGROUND YOU ARE, THE GUILD ACCEPTS YOU AS.

16 MR. APODACA: HOW MANY MEMBERS ARE ON THE COMMITTEE,
17 THE LATINOS WRITERS?

18 MS. CHINEA-VARELA: I DON'T KNOW.

19 MS. BUITRAGO: THANK YOU, MR. APODACA. MS. KELLY.

20 MS. KELLY: SINCE DECLINING THE TRAINING POSITION,
21 HAVE YOU BEEN GETTING WORK?

22 MS. CHINEA-VARELA: NO, I HAVE NOT. I HAVE BEEN
23 BLACKLISTED FOR TAKING THIS POSITION.

24 MS. KELLY: AND WHAT WAS THE DATE OF THE OFFER THAT
25 YOU --

1 MS. CHINEA-VARELA: I RECEIVED A CALL FROM CHARLES
2 SEGARS AT THE SAME TIME THAT JULIO DID. THE ONLY
3 DIFFERENCE IS THAT JULIO HAD MADE SOME COMMENTS TO A
4 REPORTER WHICH PUBLISHED HIS COMMENTS IN THE HOLLYWOOD
5 REPORTER, AND I HAD NOT. I WAS SICK AT HOME WITH A VERY
6 HIGH FEVER, AND SO I WAS REALLY SURPRISED TO LEARN THAT
7 MR. SEGARS KNEW THAT I WAS NOT SUPPORTIVE OF THE PROGRAM.

8 SO THE ONLY, THE ONLY OTHER ENTITY THAT KNEW
9 ABOUT MY CONCERNS WAS THE WRITERS GUILD, BUT APPARENTLY
10 THE WRITERS GUILD MUST HAVE INFORMED MR. SEGARS OF MY
11 DISCONTENT.

12 MS. KELLY: THANK YOU.

13 MS. BUITRAGO: WHEN YOU SAY YOU HAVE BEEN
14 BLACKLISTED, CAN YOU GIVE US AN IDEA OF HOW MANY JOBS YOU
15 HAVE APPLIED FOR?

16 MS. CHINEA-VARELA: WELL, I HAVEN'T APPLIED FOR JOBS
17 BECAUSE YOU DON'T APPLY FOR JOBS IN THE ENTERTAINMENT
18 INDUSTRY.

19 MS. SPANOS-HAWKEY: HOW MANY PLACES HAVE BEEN
20 REJECTED?

21 MS. CHINEA-VARELA: LET'S JUST SAY SINCE THIS HAS
22 HAPPENED, MY AGENT, WHO IS A VERY NICE GUY AND WHOM I LIKE
23 VERY MUCH, HAS NOT SUBMITTED ME FOR ANYTHING AT ALL. SO I
24 DON'T KNOW WHAT HE IS HEARING OUT THERE.

25 IN AN INDUSTRY THAT I'M SURE YOU ARE ALL

1 AWARE IS NOT ADVERSE TO BLACKLISTING, GIVEN THE RATHER
2 LUDICROUS HISTORY WITH THE MCCARTHY ERA AND SO FORTH, YOU
3 KNOW THAT EVERYONE KNOWS EVERYONE ELSE. IT IS A VERY
4 SMALL INDUSTRY REALLY. THE MEMBERS OF THE BOARD OF THE
5 WRITERS GUILD ARE ALL MEMBERS OF THE INDUSTRY. THEY ARE
6 WRITERS AND PRODUCERS. THEY TALK TO PEOPLE. MY POSITION
7 WAS NOT POPULAR.

8 MS. BUITRAGO: JUST TO CLARIFY A LITTLE BIT. YOUR
9 AGENT WOULD BE A MEMBER OF THE GUILD?

10 MS. CHINEA-VARELA: NO, HE WOULD NOT. HE WOULD BE
11 FRANCHISED.

12 MS. BUITRAGO: AND THE REASON HE WOULD MAYBE DECIDE
13 NOT TO REFER YOU OUT FOR ASSIGNMENTS, OR WHATEVER YOU CALL
14 IT IN YOUR AREA, IS BECAUSE OF THE THINGS THAT HE MIGHT
15 HAVE HEARD OR SHE MIGHT HAVE HEARD?

16 MS. CHINEA-VARELA: PROBABLY, AND IT ALL BECOMES
17 VERY HUSH HUSH. IT'S LIKE A GENTLEMEN'S AGREEMENT, YOU
18 KNOW, YOU DON'T DISCUSS IT. ALL YOU KNOW IS YOU PLACE A
19 CALL TO PEOPLE THAT NORMALLY RETURN YOUR PHONE CALLS AND
20 THEY DON'T CALL YOU BACK. IT'S VERY SAD, IT'S VERY HARD.

21 MR. OLSEN: I'D LIKE TO ASK YOU A QUESTION. HAS
22 YOUR AGENT MADE ANY STATEMENT TO YOU, NO CORRESPONDENCE OR
23 ANYTHING?

24 MS. CHINEA-VARELA: NO, I REALLY WOULD LIKE TO, MY
25 AGENT, I LIKE HIM. I THINK MY AGENT IS MORE OR LESS, HE

1 IS TRAPPED, BECAUSE REPRESENTING A PERSON WHO HAS TAKEN A
2 POSITION SUCH AS MINE, A VERY CONTROVERSIAL POSITION --

3 MS. SPANOS-HAWKEY: HAVE YOU TRIED ANOTHER AGENT?

4 MS. CHINEA-VARELA: NO, BECAUSE AGENTS ONLY TAKE
5 YOUR WORK IF YOU HAVE BEEN REFERRED FROM SOMEBODY ELSE,
6 AND AT THIS POINT NOBODY IS WILLING TO REFER ME TO
7 ANYBODY.

8 MS. BUITRAGO: OKAY. WELL, THANK YOU VERY MUCH FOR
9 BEING HERE AND OBVIOUSLY CONTINUE ON YOUR COURAGEOUS STAND
10 ON SPEAKING UP ON BEHALF OF THE PROBLEM.

11 MS. CHINEA-VARELA: THERE IS SOMETHING I WOULD LIKE
12 TO SAY IN CLOSING. I WOULD LIKE TO REQUEST THAT THE U.S.
13 COMMISSION OF CIVIL RIGHTS CONDUCT A THOROUGH
14 INVESTIGATION OF WHAT IS GOING ON AT THE WRITERS GUILD.
15 THIS IS NOT A FAIR SITUATION. I SHOULD NOT HAVE BEEN
16 PLACED IN A POSITION OF HAVING TO POLITICALLY DENOUNCE THE
17 GUILD OF THEIR ACTIVITIES AND THE GUILD SHOULD NOT HAVE
18 FORCED ME OUT OF THE INDUSTRY ESSENTIALLY FOR HAVING TAKEN
19 THIS POSITION.

20 MS. BUITRAGO: ACTUALLY, I DO HAVE ONE MORE
21 QUESTION. IS THERE A SIMILAR TRAINING PROGRAM FOR OTHER
22 MINORITIES OR IS THERE LATINO MINORITIES WHO HAVE BEEN
23 GIVEN AN OPPORTUNITY TO PARTICIPATE IN THIS TRAINING
24 PROGRAM?

25 MS. CHINEA-VARELA: WELL, I DON'T CONSIDER THIS AN

1 OPPORTUNITY. I CONSIDER IT A SLAP IN THE FACE.

2 MS. BUITRAGO: QUOTE, UNQUOTE, "OPPORTUNITY."

3 MS. CHINEA-VARELA: I REALLY DON'T KNOW. ONE OF THE
4 PROBLEMS THAT LATINOS, AND I BELIEVE OTHER MINORITIES FACE
5 IN THE INDUSTRY, IS THE FACT THAT WE ALWAYS SEEM TO BE AT
6 THE STARTING BLOCK. WE ARE NEVER REALLY RUNNING WITH THE
7 PACK. WE GO BACK TO THE STARTING BLOCK AND RETURN.

8 TRAINING PROGRAMS FOR PROFESSIONAL WRITERS IS AN OXYMORON

9 MS. BUITRAGO: OKAY, THANK YOU VERY MUCH.

10 MS. CHINEA-VARELA: OKAY, THANK YOU.

11 MS. BUITRAGO: WHY DON'T WE TAKE A TEN-MINUTE
12 RECESS.

13 (RECESS TAKEN.)

14 MR. CARNEY: IF WE MAY RESUME, LADIES AND GENTLEMEN.
15 THE NEXT SPEAKER IS THE NATIONAL ORGANIZATION FOR WOMEN,
16 AM I CORRECT?

17 MS. MOLINA: YES. I AM THE CHAIR OF CALIFORNIA NOW
18 RECENTLY FORMED ENTERTAINMENT INDUSTRY ANTI-DISCRIMINATION
19 COMMITTEE. OUR SAN FERNANDO VALLEY CHAPTER NATIONAL
20 ORGANIZATION FOR WOMEN HAS RECEIVED A LOT OF COMPLAINTS
21 FROM WOMEN IN THE ENTERTAINMENT INDUSTRY ABOUT GENDER
22 BIAS, VIOLATIONS OF THE FAMILY LEAVE ACT, WOMEN THAT HAVE
23 CHILDREN GETTING HARASSED OUT OF THEIR JOBS BECAUSE THEY
24 HAD THE NERVE TO TAKE THEIR LEAVE, WHICH THEY ARE ALLOWED
25 BY LAW, SEXUAL HARASSMENT ON THE JOB, WHICH WE FIND IS A

1 TERRIBLE PROBLEM IN THE ENTERTAINMENT INDUSTRY.

2 OUR COMMITTEE COVERS ALL PARTS OF THE
3 ENTERTAINMENT INDUSTRY. WE ARE CONCERNED WITH THIS
4 PROBLEM IN THE BROADCAST INDUSTRY, MOTION PICTURES, THE
5 RECORD INDUSTRY OR THE MUSIC INDUSTRY. THEY DON'T MAKE
6 RECORDS ANYMORE.

7 MR. CARNEY: YOU ARE DATING YOURSELF.

8 MS. MOLINA: AND THESE RELATED INDUSTRIES LIKE THEME
9 PARKS. A LOT OF THE SAME PEOPLE WORK IN ALL THESE
10 INDUSTRIES. IT'S PERSONNEL, SO WE FEEL IT'S ALL RELATED.
11 SOMETIMES THEY MOVE FROM ONE OTHER AREA AND WORK IN TV FOR
12 A WHILE AND THNE MOVE TO ANOTHER FIELD, DEPENDING ON WHAT
13 KIND OF TECHNICIAN OR CRAFTSMEN THEY ARE.

14 WE ESTABLISHED A TOLL FREE STATE LINE HOT
15 LINE, AND WE ARE GATHERING INFORMATION TO SEE WHERE THE
16 PROBLEMS ARE. AND WE ARE GOING TO BE ANNOUNCING THAT TO
17 THE PUBLIC ON MONDAY THE 31ST, OR THE COMMITTEE IS HOLDING
18 A PRESS CONFERENCE.

19 I DON'T HAVE A PREPARED STATEMENT, SO I'M
20 GOING TO BE REFERRING TO A PRESS RELEASE HERE AND A LETTER
21 TO MY UNION. I SUGGESTED FORMING THIS COMMITTEE, THE
22 NATIONAL ORGANIZATION FOR WOMEN IN CALIFORNIA, AFTER MY
23 EXPERIENCE WITH DISCRIMINATION ON THE JOB AT THE WALT
24 DISNEY COMPANY.

25 I WAS A FORMER STAFF ARTIST WITH THE WALT

1 DISNEY COMPANY, AND I WAS TERMINATED FOR FILING AN EEOC
2 COMPLAINT. THE EEOC INVESTIGATION WAS A JOKE. IT WAS
3 VERY POORLY CONDUCTED, AND THE INVESTIGATOR SIGNED VERY
4 QUESTIONABLE THINGS. I EVEN HAD FIVE EMPLOYEES WRITE
5 LETTERS ON MY BEHALF THAT MY CASE NOT BE CLOSED NOW.

6 I'M IN THE POSITION BEING FORCED TO SUE MY
7 EMPLOYER BECAUSE OF THE LACK OF ACTION OF THE EEOC IN THE
8 FACE OF THE LONG-STANDING INSTITUTIONAL RACISM GOING ON
9 THERE, AND IT'S JUST BLATANT. I DON'T WANT TO GO INTO
10 SOME EXAMPLES, BECAUSE THAT WILL GO INTO MY LAWSUIT.

11 AND I ALSO BELONG TO THE INTERNATIONAL
12 ALLIANCE THEATRICAL STAGE EMPLOYEES LOCAL 816 WHICH IS A
13 SCENIC AND TITLE ARTIST. I AM HERE COMPLAINING AS A
14 MEMBER OF THAT UNION. I'M NOT HERE REPRESENTING THEM IN
15 ANY CAPACITY. IT'S JUST THAT I BELONGED TO THE
16 SCENIC/TITLE ARTIST UNION. AND THE UNIONS ARE THE ONES
17 WHO BASICALLY TAKE CARE OF THE TECHNICAL AND CRAFT AREAS
18 OF TV AND MOTION PICTURES. THEY ALSO DO THEME PARK WORK,
19 CONVENTION WORK AND SIMILAR STUFF.

20 I HAVE WORKED AT LOCAL STATION KTAL WHICH IS
21 ALSO OWNED BY THE DISNEY COMPANY, AND I WORKED AT NBC
22 PART-TIME, AND I HAVE BEEN A MEMBER OF THAT LOCAL FOR
23 THREE YEARS.

24 SINCE FILING MY LAWSUIT WITH THE DISNEY
25 COMPANY AND A SMALL AMOUNT OF PUBLICITY AND GOSSIP

1 SURROUNDING THE CASE, I FOUND IT IMPOSSIBLE TO GET WORK.

2 I HAVE BEEN LOOKING ALL SUMMER FOR A SMALL AMOUNT OF WORK,
3 AND AFTER A NEWS ARTICLE APPEARED IN THE GLENDALE PRESS
4 TIMES, BASICALLY JUST ALL WORK OFFERS JUST ABOUT STOPPED.

5 I WROTE MY UNION A LETTER ADDRESSING MY
6 CONCERNS. I READ AND REREAD THE BYLAWS AND CONSTITUTION
7 OF THE ALLIANCE AND THE LOCAL, AND I FOUND THAT EQUAL
8 EMPLOYMENT OPPORTUNITY IS COVERED NOWHERE IN OUR
9 CONSTITUTION. IT'S NEVER BEEN ADDRESSED BEFORE. IT'S NOT
10 PART OF OUR CONTRACT THE WAY IT IS WITH THE SCREEN ACTORS
11 GUILD. AT LEAST THE SCREEN ACTORS GUILD IS MAKING AT
12 LEAST A TOKEN GESTURE IN THAT DIRECTION, WHEREAS OUR LOCAL
13 AND THE OTHER ALLIANCE LOCALS DOES NOT. IT'S NEVER BEEN
14 ADDRESSED BEFORE, APPARENTLY.

15 IF I CAN, I'M GOING TO READ YOU PART OF A
16 LETTER THAT I WROTE TO THE BUSINESS REPRESENTATIVE OF THE
17 LOCAL 816, TED REUBEN. I WAS WRITING THIS LETTER
18 SPECIFICALLY TO ADDRESS -- I HAVE BEEN OFFICIALLY BANNED
19 FROM A UNION SHOP, AND THE REASON FOR THAT IS THAT THIS
20 CONTRACTOR DOES BUSINESS WITH THE WALT DISNEY COMPANY.
21 UNFORTUNATELY THE SHOP IS LOCATED ON DISNEY PROPERTY.

22 THE MANAGEMENT OF THE WALT DISNEY COMPANY
23 WENT TO THIS CONTRACTOR WHO OWNS HIS OWN BUSINESS TO TELL
24 HIM THAT THEY DID NOT WANT ME ON THE PROPERTY, THAT I
25 WOULD NOT BE ALLOWED TO WORK THERE, THAT THIS PERSON, THE

1 MANAGEMENT PERSON SAID, QUOTE, "THIS WOMAN DID US A LOT OF
2 HARM. I DON'T WANT TO SEE HER HERE."

3 I WROTE THIS LETTER TO THE UNION, AND I WAS
4 ADDRESSING THE CURRENT BLACKLISTING. I RECENTLY WAS
5 TURNED DOWN A JOB WITH WARNER BROTHERS STUDIOS. THEY WERE
6 HIRING SCENICS AND WAS TOLD I WAS NOT QUALIFIED. I HAVE
7 14 YEARS EXPERIENCE AS A PAINTER, AND THE PERSON WHO
8 DENIED ME THE JOB DID NOT GIVE ANY OTHER REASON, OTHER
9 THAN THAT I DID NOT SEEM TO BE QUALIFIED, NOT ONLY TO DO
10 THE JOBS THAT PAINTERS DO, BUT I DID NOT SEEM QUALIFIED AT
11 ALL, IN ANY WAY.

12 THIS IS WHAT I UNDERSTAND. I DIDN'T GET THIS
13 DIRECTLY FROM THE GENTLEMAN WHO DENIED ME THE JOB, BUT
14 THIS IS WHAT THE BUSINESS REPRESENTIVES AT THE LOCAL TOLD
15 ME, SO I WROTE HIM A LETTER. AND THIS IS ONE OF THE
16 PARAGRAPHS.

17 "I HAVE RE-READ THE CONSTITUTION
18 BYLAWS OF THIS LOCAL FOR GUIDANCE IN
19 DEALING WITH THIS MATTER. I AM
20 REQUESTING THAT THE LOCAL SERIOUSLY
21 INVESTIGATE THE POSSIBILITY THAT SOME
22 OF THE LEAD SCENIC AND SHOP OWNERS ARE
23 REFUSING ME WORK BECAUSE OF MY LAWSUIT
24 WITH DISNEY, OR THAT SEXIST AND RACIST
25 HIRING IS NOT ON A CONSCIOUS LEVEL,

1 THAT AN "OLD BOYS" NETWORK SYSTEM IS AT
2 WORK IN THE STUDIOS.

3 WHILE HAVING TO DEAL WITH THE
4 DOUBLE WHAMMY OF BEING FEMALE AND
5 HISPANIC IN EVERDAY LIFE, I ROAM THE
6 STUDIOS, TV STATIONS AND LOCATIONS
7 LOOKING FOR WORK, AND OFTEN SEE WHITE
8 MALES TEN YEARS YOUNGER THAN ME, WITH
9 FAR LESS EXPERIENCE, MANNING THESE
10 CREWS. OUT OF THE 20 SHOPS ON THE
11 CURRENT SCENIC ARTIST/EMPLOYER LIST,
12 ONLY FOUR ARE RUN BY HISPANIC MALES,
13 NONE, AS FAR AS I KNOW, ARE HEADED BY
14 WOMEN, AFRICAN-AMERICANS, ASIANS OR
15 NATIVE-AMERICANS.

16 I HAVE APPLIED AT ALL OF THE MAJOR
17 STUDIOS AS AN OFF-ROSTER SET
18 PAINTER/SIGNWRITER, WHICH IS SOMETHING
19 I AM MORE THAN QUALIFIED TO DO. THE
20 729 DOES NOT HAVE AN EMPLOYER LIST SUCH
21 AS OURS, AND EVERY SIGN SHOP
22 SUPERVISOR, INDEPENDENT SHOP OWNER AND
23 LEAD PAINTER ON ANY PRODUCTION I HAVE
24 EVER INTERVIEWED WITH HAS BEEN A WHITE
25 MALE.

1 DIVERSITY IN THE WORKPLACE IS
2 SOMETHING THAT WAS NEVER BEEN ADDRESSED
3 FROM WITHIN THE UNION, AND AS FAR AS I
4 KNOW, IT IS MENTIONED NOWHERE IN THE
5 CONSTITUTION AND BYLAWS OF EITHER THE
6 LOCAL OR THE INTERNATIONAL ALLIANCE.

7 I SPOKE WITH THREE EEO HUMAN
8 RESOURCE OFFICERS AT THE STUDIOS WHO
9 TOLD ME "THAT THE HIRING OF TECHNICAL
10 CRAFTSPERSONS WAS TOTALLY UP TO THE
11 UNION INVOLVED AND THE LEAD PERSONS
12 ASSIGNED." THE UNIONS, HOWEVER, DO NOT
13 FEEL OUT THE EEO STANDARDS REQUIRED
14 BY THE FEDERAL GOVERNMENT. THEY ALSO
15 DON'T EMPLOY YOU. THE STUDIO DOES.

16 THE STUDIOS JUST PASS THE BUCK ON
17 EQUAL EMPLOYMENT OPPORTUNITY BY CLAIMING
18 THAT, "HIRING UNION POSITIONS IS UP TO
19 THE UNION." THIS, IS IN FACT A GIANT
20 LOOPHOLE WHICH KEEPS MINORITIES, AND IN
21 SOME CASES, WOMEN, OFF THE UNION MOVIE
22 AND T.V. PRODUCTIONS, AND LIMITS THEIR
23 ACCESS TO LEAD POSITIONS.

24 IF IT WERE NOT FOR MY OBVIOUS
25 TALENTS, TENACITY AND ASSERTIVENESS FOR

1 DEMANDING THE OPPORTUNITIES DUE ME AS A
2 CITIZEN IN THIS COUNTRY, I WOULD NEVER
3 HAVE BEEN ABLE TO BECOME A MEMBER OF
4 THIS UNION. AND I HAVE NEVER SEEN OR
5 MET ANOTHER LATINA TECHNICIAN OR
6 CRAFTSPERSON AT ANY TV STATION OR UNION
7 I HAVE EVER WORKED ON."

8 THE UNION ANSWERED THIS LETTER BY SAYING THAT
9 MY ALLEGATIONS WERE GROUNDLESS, THAT THEY WERE REFUSING TO
10 INVESTIGATE THIS, AND THAT THAT WAS THE END OF THAT.

11 AND IN REPLY, I HAVE AN UNFINISHED LETTER
12 HERE, IN REPLY TO THAT, AND -- "THE CONSTITUTION BYLAWS
13 STATE THAT "THERE SHALL BE NO DISCRIMINATION AGAINST ANY
14 ANY PERSON WITH RESPECT TO MEMBERSHIP IN THIS ALLIANCE BY
15 REASON OF RACE, CREED, NATIONAL ORIGIN, SEX OR AGE."

16 WHAT ACTUALLY HAPPENS IS THAT THE TV, THE
17 STUDIOS AND THE TV STATIONS HIRE A LEAD ARTIST AND THAT
18 PERSON IS RESPONSIBLE FOR HIRING THE DEPARTMENT OR CREW.
19 THE PROBLEM IS THAT EMPLOYERS ARE NOT HOLDING THE LEADS OR
20 CONTRACTORS THEY DO BUSINESS WITH RESPONSIBLE ABOUT WHO
21 THEY HIRE, AND WHY. BECAUSE OUR UNION HAS NO EQUAL
22 EMPLOYMENT OPPORTUNITY WITH RESPECT TO MEMBERS GETTING
23 HIRED BY OTHER MEMBERS, NO ONE IS ACCOUNTABLE.

24 OUR UNION, OUR LOCAL NEEDS TO ADDRESS THIS
25 PROBLEM, AND IT IS A PROBLEM WITH OTHER ENTERTAINMENT

1 INDUSTRY UNIONS. BUT THE SCREEN ACTORS GUILD HAS AN EEO
2 OFFICER AND EQUAL EMPLOYMENT CLAUSES INCLUDED IN THEIR
3 CONTRACTS AND NETWORKS. WE DON'T HAVE THOSE.

4 THE UNION ONLY PROMISES THEY WON'T
5 DISCRIMINATE YOU IN MEMBERSHIP. THEY ARE VERY HAPPY TO
6 HAVE YOUR MONEY FOR INITIATION AND DUES, HOWEVER THEY
7 DON'T WANT TO STAND UP FOR YOU IN ANY SORT OF PROBLEM WITH
8 MANAGEMENT, WHICH IS DISCRIMINATION ON THE JOB.

9 IF IT'S A COLLECTIVE LABOR DISPUTE, THAT'S
10 FINE. THEY WILL ALWAYS TAKE NEW MEMBERS. THEY'LL
11 ORGANIZE ANY SHOPS. THEY CAN BECAUSE THEY GET MEMBERS
12 DUES, BUT THEY ARE TOTALLY UNWILLING TO STAND BEHIND ME
13 BECAUSE PEOPLE MIGHT BE DENYING ME WORK BECAUSE OF MY
14 LAWSUIT AGAINST THE WALT DISNEY COMPANY.

15 AT THE NETWORKS THAT I HAVE WORKED AT, I
16 DON'T SEE ANY RECRUITMENT IN THE WAY OF CRAFTSPERSONS OR
17 TECHNICIANS. I DON'T SEE A LOT OF MINORITIES, PERSONS OF
18 COLOR BASICALLY WORKING THERE. THERE ARE SOME WOMEN
19 WORKING THERE WHICH IS A GOOD THING. I HAVE EVEN MET
20 WOMEN IN NON-TRADITIONAL POSITIONS SUCH AS CARPENTERS AND
21 WELDERS.

22 THIS IS ALL VERY GOOD, BUT I DON'T FEEL THEY
23 ARE REALLY RECRUITING TECHNICIANS OR CRAFTSPERSONS ON ANY
24 LEVEL WHATSOEVER, AND I HAVE NEVER SEEN IT. AND I KNOW
25 THEY DON'T SEE IT GOING ON THROUGH THE UNION. SO I WONDER

1 WHERE THIS EFFORT GOES AS FAR AS BROADCASTING THE NEWS,
2 THE NEWSROOMS, AND THE POSITIONS WHICH ARE NORMALLY LISTED
3 WHEN YOU GO TO THE HUMAN RESOURCES AT ANY LOCAL AND
4 NETWORK TELEVISION STATION.

5 I FEEL THE LOCAL IS CONDONING MY
6 BLACKLISTING, AND IT FORCES ME TO GO TO WORK, IF I CAN, IN
7 NON-UNION SHOPS, WHERE I GET PAID FAR LESS, AND IT'S IN
8 THESE NON-UNION SHOPS ON LOW BUDGET TV SHOWS SUCH AS
9 CULTURE CLASH, WHERE I MEET OTHER LATINOS, BEING EXPLOITED
10 AT A VERY LOW WAGE CONSIDERING THEIR TALENTS. THEY ARE
11 GETTING UP TO HALF OF WHAT THE OTHER SCENICS GET BECAUSE
12 THEY ARE NOT ALLOWED INTO THAT UNION.

13 MR. CARNEY: ANY QUESTIONS FROM MS. MOLINA? MS.
14 HESSE.

15 MS. HESSE: YOU HAVE SAID THAT IN THE CURRENT
16 CONTRACT OF THE THEATRICAL STAGE EMPLOYEES UNION, THERE IS
17 NO PROVISION FOR RESOLUTION OF DISCRIMINATION GRIEVANCES?

18 MS. MOLINA: THE CONTRACT THAT OUR LOCALS HAVE, I
19 HAVE BEEN TOLD BY THE BUSINESS REPRESENTIVES THAT THERE IS
20 NOT.

21 MS. HESSE: BUT YOU HAVE NOT READ IT?

22 MS. MOLINA: NO.

23 MS. HESSE: NOW WHAT YOU WERE READING A MINUTE AGO
24 ABOUT THE EQUAL EMPLOYMENT OPPORTUNITY --

25 MS. MOLINA: IT'S IN THE CONSTITUTION BYLAWS IN THE

1 INTERNATIONAL ALLIANCE.

2 MS. HESSE: OKAY, WOULD YOU READ THAT AGAIN. WHAT
3 DID IT SAY ABOUT EQUAL OPPORTUNITY?

4 MS. MOLINA: I BELIEVE IT'S NO. 3 OF ARTICLE 1 OF
5 THE CONSTITUTION OF THE BYLAWS. IT'S QUOTE, "THERE SHALL
6 BE NO DISCRIMINATION AGAINST ANY PERSON WITH RESPECT TO
7 MEMBERSHIP IN THIS ALLIANCE BY REASON OF RACE, CREED,
8 NATIONAL ORIGIN, SEX OR AGE." THAT IS THE ONLY THING IN
9 THE CONSTITUTION BYLAWS WHERE IT MENTIONS DISCRIMINATION
10 OF ANY KIND ANYWHERE IN THE WHOLE BOOK.

11 MS. HESSE: OKAY. YOU HAVE WRITTEN THIS LETTER TO
12 THE UNION. BUT HAVE YOU PURSUED A MORE FORMAL ACTION
13 AGAINST THE UNION WITH CHARGES OF DAMNATION IN THE EXAMPLE
14 YOU HAVE GIVEN US WHERE THE EMPLOYER TOLD THE UNION NOT TO
15 HAVE YOU THERE?

16 MS. MOLINA: I'M ADDRESSING THE OVERT BLACKLISTING
17 IN A LAWSUIT.

18 MS. HESSE: I DON'T WANT TO BREACH YOUR --

19 MS. MOLINA: BUT AS FAR AS THE OTHER ONES, OTHER
20 POSSIBILITIES WHERE THERE MAY BE BLACKLISTING WHERE I AM
21 NOT BEING OFFERED WORK WHERE I AM NOT QUALIFIED, I HAVE
22 NOT FILED AN ACTION. I COULD FILE A COMPLAINT, OR I COULD
23 GO TO THE NATIONAL LABOR RELATIONS BOARD BECAUSE THE UNION
24 WON'T TAKE ACTION. BUT AGAIN, IT'S A LONG PROCESS. IT'S
25 REALLY NOT GOING TO GET ME WORK.

1 MS. HESSE: OKAY, I JUST HAVE A COUPLE OTHER
2 QUESTIONS TO ASK YOU. YOU KNOW YOU HAVE TALKED A LITTLE
3 BIT ABOUT THIS UNION. WHAT IS THE BREAKDOWN OF THE
4 STRUCTURE OF THE UNION? DO THEY HAVE ANY MINORITY ELECTED
5 OFFICIALS? DO THEY HAVE ANY MINORITY BUSINESS ACTS IN
6 THIS UNION?

7 MS. MOLINA: IN THIS UNION -- I'M NOT SURE ABOUT THE
8 MAKE-UP ON THE BOARDS. THERE ARE WOMEN I KNOW ON THE
9 EXECUTIVE BOARD. I KNOW THAT. THERE ARE NO MINORITY
10 BUSINESS REPRESENTATIVES. THERE IS ONLY ONE BUSINESS
11 REPRESENTATIVE ANYWAY, AND THAT PERSON IS A WHITE MALE.
12 HE WAS ELECTED TO THAT BY THE MEMBERSHIP. HE IS UP FOR
13 ELECTION AGAIN.

14 I'M RUNNING FOR THE EXECUTIVE BOARD MYSELF,
15 BUT I DON'T EXPECT TO WIN. THE ONLY WAY I CAN EXPLAIN THE
16 EEOC CONTRACTS AND ANYTHING WE DO IS TO GET ON THAT BOARD,
17 BUT I DON'T THINK I'LL BE SUCCESSFUL IN IT, BEING ELECTED
18 TO THAT BOARD, MUCH LESS WIN AN ELECTION.

19 MR. CARNEY: MS. BUITRAGO.

20 MS. BUITRAGO: YOU JUST WANTED TO KNOW HOW LONG YOU
21 HAVE BEEN A MEMBER OF THE UNION AND WHETHER THE PROBLEM
22 THAT YOU HAVE BEEN HAVING STARTED AFTER YOU FILED YOUR
23 COMPLAINT OR WHETHER YOU HAVE HAD PRIOR PROBLEM?

24 MS. MOLINA: I'VE BEEN A MEMBER SINCE JANUARY OF
25 '92. I WAS FIRST OFFERED MEMBERSHIP IN '90, AND THEY

1 CONTINUED TO EXTEND THAT OFFER TO ME, AND THEN IN '92 WHEN
2 I PAID MY INITIATION, HERE I AM. IT WAS BROUGHT IN. I
3 GOT MY CARD ON A SHOW THAT ORGANIZED. THERE WERE TWO OF
4 US WORKING ON LOCATION FOR THE WALT DISNEY COMPANY. THEY
5 ARE NOT AWARE OF THIS AT THIS TIME, BECAUSE THE UNION DOES
6 KEEP ORGANIZERS. IT DOES PROTECT ORGANIZERS VERY WELL.
7 THEY ARE VERY GOOD ABOUT THAT.

8 I BECAME INACTIVE IN THE UNION BECAUSE I WENT
9 TO WORK FOR DISNEY IN A NON-UNION AREA OF THE COMPANY,
10 WHICH HAS SINCE ORGANIZED BY THAT SAME LOCAL. THE LOCAL
11 ALSO DISMISSES ME -- BECAUSE WE WEREN'T ORGANIZED AT THE
12 TIME, THAT WAS ANOTHER REASON THEY COULDN'T BACK ME UP.
13 EVEN THOUGH THEY EVENTUALLY WENT IN AND ORGANIZED 25
14 PAINTERS. UNTIL I LEFT WALT DISNEY, I NEVER HAD THIS KIND
15 OF PROBLEM GETTING WORK. IT SEEMS TO BE MORE OPEN AND IN
16 EFFECT HAVING THE NERVE FOR HAVING TO STAND UP FOR MY
17 CIVIL RIGHTS ON THE JOB.

18 MR. CARNEY: MS. HESSE, AGAIN.

19 MS. HESSE: YOU KNOW, YOU WERE TALKING ABOUT YOU
20 FILED THIS EEOC COMPLAINTS AND THE COMPLAINT WAS
21 DISMISSED. BUT YOUR TERMINATION IN RETALIATION FOR FILING
22 A COMPLAINT, ISN'T THAT ALSO COVERED UNDER THE EEOC?
23 ISN'T THAT A PROTECTIVE ACTIVITY?

24 MS. MOLINA: YES, IT IS.

25 MS. HESSE: SO DID YOU FILE A SECOND COMPLAINT?

1 MS. MOLINA: YES, I DID.

2 MS. HESSE: WHAT IS THE STATUS OF THAT?

3 MS. MOLINA: THEY ALSO DISMISSED THAT. THEY DIDN'T
4 FEEL THAT THAT DERMINATION HAD ANYTHING TO DO WITH THE
5 ORIGINAL COMPLAINT. THEY BASICALLY BOUGHT THE COMPANY'S
6 EXPLANATION. I WAS FIRED WHILE ON AN EXTENDED SICK-LEAVE,
7 AND THREE WEEKS BEFORE MY SICK-LEAVE WAS DUE TO EXPIRE,
8 WHEN I WAS DUE TO BE RELEASED AND RETURN TO WORK, THEY
9 TERMINATED ME SAYING THAT THE DOCTOR'S NOTES WERE NOT IN
10 ORDER, AND THAT I WOULDN'T BE COMING BACK. AND I FELT
11 THAT THAT WAS A PRETENSE, BUT THE EEOC DID NOT.

12 MS. HESSE: THAT ACTIVITY WOULD ALSO BE A PROTECTED
13 ACTIVITY UNDER A CONTRACT, WOULDN'T IT --

14 MS. MOLINA: YES.

15 MS. HESSE: -- FILING AN EEOC COMPLAINT?

16 MS. MOLINA: NO, IT'S NOT IN OUR CONTRACT, NO.
17 THAT'S NOT CONSIDERED AN ACTIVITY UNDER OUR AGREEMENT WITH
18 THEM.

19 MS. HESSE: OKAY.

20 MS. MOLINA: IT JUST HASN'T BEEN ADDRESSED AT ALL.
21 NO ONE HAS BROUGHT UP EEO ISSUES IN THIS LOCAL BEFORE. I
22 READ THE CONSTITUTION BYLAWS OF OUR SISTER LOCAL, THE 729,
23 WHICH I TRIED VERY HARD TO GET INTO, BEING QUALIFIED FOR
24 THAT AS WELL. AND HIRING WHAT THEY CALL OFF ROSTER
25 PAINTERS, WHICH IS NON-UNION PEOPLE TO GO IN WHEN THERE

1 ARE OPENINGS, I HAVEN'T BEEN SUCCESSFUL IN THAT, EITHER.
2 THEIR MEMBERSHIP PLEDGE IS SO OLD, IT WAS WRITTEN IN 1953,
3 THAT WHEN YOU JOIN, THE PLEDGE SAYS, "ON MY WORD OF HONOR
4 AS A MAN."

5 THERE ARE WOMEN IN THE UNION, BUT THEY HAVE
6 BEEN IGNORING THIS FOR SO LONG, THAT NO ONE HAS UPDATED
7 ANY OF THIS. APPARENTLY THE NETWORKS WENT THROUGH, WE
8 WERE LISTENING EARLIER, WHEN THEY WENT IN BEFORE IN THE
9 '70'S AND CHANGED A LOT OF THINGS AND RECRUITING, AND THIS
10 STUFF, THEY TOTALLY BYPASSED THE INTERNATIONAL ALLIANCE,
11 THEATRICAL STAGE EMPLOYEES. AND THEY WEREN'T INCLUDED IN
12 THIS AND THEY CONTINUE TO DO IT TO THIS DAY.

13 MS. HESSE: THANK YOU.

14 MS. SPANOS-HAWKEY: MS. MOLINA, I WAS JUST CURIOUS
15 WITH YOUR ACTIVITY NOW ON THE ANTIDISCRIMINATION ACTIVITY,
16 WOULD YOU HAVE ANY STATISTICS OR CASE STUDIES THAT WE
17 COULD POSSIBLY USE AND HAVE PLACED ON THE RECORD?

18 MS. MOLINA: WE HAVE JUST OPENED UP THAT HOT LINE,
19 AND WE HAVE YET TO ANNOUNCE IT TO THE PUBLIC.

20 MS. SPANOS-HAWKEY: YOU DON'T HAVE ANY PAST?

21 MS. MOLINA: NO, WE HAVE SOME PEOPLE THAT COME INTO
22 THE MEMBERSHIP IN SAN FERNANDO VALLEY NOW, BUT WE INTEND
23 TO TAKE SPECIFIC CASES AND FILE IT THROUGH THE HOT LINE
24 JUST TO SEE WHERE THE PROBLEMS ARE, WHO THE PROBLEM
25 EMPLOYERS ARE SO THAT AS AN ACTIVE ORGANIZATION, WE CAN DO

1 ACTIONS AGAINST THOSE EMPLOYERS, WHICH IS OUR PURPOSE IN
2 HAVING THAT COMMITTEE, RATHER THAN BEING A REFERRAL
3 SYSTEM. WE, IN DEALING WITH IT IN COURTS, OUR JOB IS NOW
4 TO DO ACTIONS AGAINST THE PERPETRATORS AND LOBBY THE EEOC,
5 FOR EXAMPLE, TO PLEASE DO SOMETHING, WHICH IS WHAT THEY
6 ARE SUPPOSED TO BE DOING.

7 MS. SPANOS-HAWKEY: THANK YOU.

8 MR. CARNEY: MS. KELLY.

9 MS. KELLY: I HAVE BEEN IGNORED FOR SO LONG, I HAVE
10 FORGOTTEN MY QUESTION. I WAS JUST CURIOUS. WHEN THE UNION
11 DIDN'T HAVE, THERE WAS NOT A BASIS FOR THEM TO LOOK INTO
12 YOUR COMPLAINTS, DID THEY GIVE YOU STATISTICS? THEY SAID
13 THAT YOUR ALLEGATIONS WERE THERE WERE NOT MINORITY WOMEN
14 IN SPECIFIC AREAS. THEY SAID THERE WAS NO BASIS FOR IT.

15 DID THEY GIVE YOU STATISTICS SHOWING THAT
16 THERE WERE? DID THEY PROVE THAT THERE WERE?

17 MS. MOLINA: IN THE LETTER THAT -- I HAVE IT IN AN
18 ANSWER WHERE THEY CLAIM THAT THERE WERE HISPANICS WORKING
19 HERE, AND THERE IS A FEW OF THEM, YOU JUST HAVEN'T MET
20 THEM FOR SOME REASON. AND THE LOCAL IS HALF WOMEN, BUT
21 MOST OF THOSE WOMEN ARE GRAPHIC ARTISTS WHO SIT IN FRONT
22 OF A COMPUTER. MOST OF THEM ARE NOT SCENIC ARTISTS WHO DO
23 A MORE PHYSICAL TYPE OF LABOR.

24 THERE ARE WOMAN DOING IT, BUT I'VE HEARD FROM
25 SOME FEMALE SCENICS THAT SOME OF THE MALE LEADS DO NOT

1 LIKE TO HIRE WOMEN BECAUSE THEY FEEL THEY ARE PHYSICALLY
2 ARE NOT UP TO IT, LIKE THEY WOULDN'T BE ABLE TO CLIMB A
3 LADDER, DRIVE A LIFT, ALL OF WHICH I AM PERFECTLY CAPABLE
4 OF DOING, AND SO ARE OTHER FEMALE MEMBERS OF THIS UNION.
5 THEY GET THE JOBS.

6 BUT THERE IS NOT A LOT OF THEM WORKING IN
7 THAT AREA. THEY ARE MOSTLY DOING THE NICE CLEAN GRAPHIC
8 WORK WITH THE NETWORKS, WHICH IS FINE AND GOOD, IF THAT'S
9 WHAT THEY WANT TO DO. AND THE UNION IS 50 PERCENT WOMEN,
10 BUT THERE ARE NO PERSONS OF COLOR IN THAT UNION, NOT THAT
11 I HAVE MET, AND I NEVER SEE THEM ON THE SETS OR AT THE TV
12 STATIONS. IT'S LIKE WE DON'T EXIST THERE.

13 MR. CARNEY: MS. MOLINA, YOU INDICATED THAT LADIES
14 YOU OBSERVE WORKING IN NON-UNION SHOPS, AND MENTIONED IT
15 WAS UP TO LESS THAN HALF OF THE GOING RATE BECAUSE THEY
16 CAN'T GET INTO THE UNION. WHAT ARE THE REQUIREMENTS TO
17 GET INTO THE UNION?

18 MS. MOLINA: WELL, THAT'S A VERY DIFFICULT CATCH 22
19 TO GET AROUND. IN ORDER TO JOIN THE UNION, YOU HAVE TO
20 GET A JOB. IN ORDER TO GET THAT JOB, YOU HAVE TO JOIN THE
21 UNION. AND YOUR ONLY CHANCE, YOU HAVE ONLY TWO WAYS TO
22 GET IN, AND THAT IS, IF THEY RUN OUT OF UNION MEMBERS TO
23 FILL THE SPOTS, THEN THEY ARE ALLOWED TO GO OFF ROSTER OR
24 OFF THE AVAILABLE LIST, AND THEN THEY CAN LET PEOPLE IN
25 THAT WAY, OTHERWISE -- AND THEN THEY HAVE TO GET 30 DAYS

1 SO THEY CAN GET THAT CARD, OTHERWISE YOUR OTHER CHANCE OF
2 GETTING IT IS TO BE ON A SHOP OR PRODUCTION AND ORGANIZE
3 YOUR GROUP, YOUR SHOW, AND ORGANIZE YOUR CARD. AND YOU
4 HAVE TO STICK YOUR NECK OUT. AND IF YOU ARE NOT
5 SUCCESSFUL AND ORGANIZED IN THAT SHOW, THE CHANCES ARE YOU
6 ARE GOING TO HAVE A LOT OF PROBLEMS IN DOING THAT, BECAUSE
7 SOME PEOPLE ARE SO OPENLY ANTI-UNION, THEY DON'T WANT
8 PEOPLE THAT DID THAT ANYWHERE NEAR THEM. THEY DON'T WANT
9 THEM NEAR YOUR SHOP. SO YOU TAKE A REAL RISK WHEN YOU DO
10 THAT.

11 MR. CARNEY: WITH RESPECT TO THIS, YOUR COMMENT
12 ABOUT BEING OFFICIALLY BANNED FROM THE DISNEY PROPERTIES
13 WHICH PREVENTS YOU FROM WORKING FROM AN INDEPENDANT
14 CONTRACTOR, IS THAT DOCUMENTED IN SOME FASHION THAT YOU
15 CAN PUT HANDS ON IT?

16 MS. MOLINA: WE HAVE A WITNESS. WE HAVE WITNESSES
17 WHO THE OWNER OF THE COMPANY REPEATED MANAGEMENT
18 STATEMENTS TO THE WITNESS WHO TOLD ME.

19 MR. CARNEY: I ASSUME THAT'S PART OF YOUR LAWSUIT?

20 MS. MOLINA: YES, IT IS.

21 MR. CARNEY: NOW, THE UNION IS BASICALLY JUST KIND
22 OF SHOVING YOU ASIDE; IS THAT CORRECT?

23 MR. MOLINA: I FEEL THEY ARE, YES.

24 MR. CARNEY: HAS ANYBODY MADE ANY STATEMENT TO YOU
25 WHEN YOU HAVE GONE TO A JOB OPPORTUNITY AS TO THE REASON

1 FOR YOU NOT GETTING THAT JOB?

2 MS. MOLINA: USUALLY NOT.

3 MR. CARNEY: ARE YOU TOLD, NO THANKS, WE DON'T NEED
4 YOU?

5 MR. MOLINA: I ONLY RECENTLY ASKED ONE EMPLOYER WHY,
6 ONE LEADMAN WHY. HE DIDN'T HIRE ME THIS TIME. HE HAD
7 INTERVIEWED ME THREE TIMES IN THE LAST TWO YEARS, AND WAS
8 LOOKING OVER MY PORTFOLIO FOR THE THIRD TIME. EACH TIME
9 IT GETS BETTER AND EVERY TIME THERE ARE MORE THINGS IN IT
10 AND IT GETS BETTER, HE STILL REFUSES TO HIRE ME. AND
11 USUALLY HE GIVES NO REASON, BUT I DID ASK HIM THIS TIME,
12 THIS WAS LAST MONTH, AND THE ANSWER WAS THAT HE HIRED A
13 MAN WHO HE FELT WAS BETTER QUALIFIED IN SOME WAY. THAT
14 PERSON WAS A TRAINEE. I'M AN ASSOCIATE ARTIST. THAT'S
15 THE SECOND HIGHEST CLASSIFICATION IN THE UNION. I
16 WOULDN'T BE IN THAT CLASSIFICATION IF I DIDN'T HAVE THE
17 SKILLS IN THAT CLASSIFICATION NEEDED. THAT'S THE WAY IT'S
18 SUPPOSED TO GO.

19 THE LEADMAN DID TURN AROUND AND HIRE A WHITE
20 MALE AS A TRAINEE. FOR SOME REASON HE THOUGHT THAT HE HAD
21 BETTER SKILLS THAN I DID, AND RATHER THAN GO INTO DETAIL
22 WITH HIM ON THAT, I WENT TO THE UNION BUSINESS
23 REPRESENTATIVE WHO ASKED HIM WHY. HIS ANSWER TO THE
24 BUSINESS REP WAS I DIDN'T HAVE THE BUSINESS SKILLS OF AN
25 ASSISTANT RATHER AN ASSOCIATE. IN OTHER WORDS, I WAS

1 BASICALLY NOT QUALIFIED TO BE HERE, AND I THOUGHT
2 OTHERWISE. AND I THINK MY PORTFOLIO SHOWS OTHERWISE.

3 MR. CARNEY: HAVE YOU BEEN ABLE TO DETERMINE WHETHER
4 OR NOT IN OTHER JOB APPLICATIONS THAT THOSE JOBS WERE
5 TAKEN BY SOMEBODY ELSE?

6 MS. MOLINA: NO. I'M NOT CLOSE TO A LOT OF PEOPLE
7 INSIDE THOSE SHOPS, AND I HAVEN'T HAD THE ENERGY TO
8 ACTUALLY CHECK WHO GOT THE JOB, CALL THE EMPLOYER BACK, GO
9 BACK ON TO THE PRODUCTION AND THE TV STATION AND SAY WHY.
10 YOU HAVE A RIGHT TO SAY WHY THIS GUY, NOT ME.

11 MR. CARNEY: DO YOU FILE AN APPLICATION FOR
12 EMPLOYMENT?

13 MS. MOLINA: NO, YOU DON'T. YOU JUST GENERALLY CALL
14 THE LEAD SCENIC ON WHATEVER, AND HE KNOWS YOU OR HE
15 DOESN'T, OR HE LOOKS OVER YOUR PORTFOLIO AND THAT'S ABOUT
16 ALL THERE IS TO IT. YOU NORMALLY GET THE APPLICATION.
17 FOR EXAMPLE, NBC, THE APPLICATION WAS BROUGHT TO ME WHEN I
18 ACTUALLY SHOWED UP FOR WORK, THEN I FILED OUT THE
19 APPLICATION, THE INS DOCUMENTATION AND EVERYTHING ELSE
20 THEY REQUIRE, AND SOCIAL SECURITY.

21 MR. CARNEY: IS THERE ANY WAY OF DOCUMENTING YOUR
22 APPLICATIONS FOR THESE POSITIONS?

23 MS. MOLINA: BECAUSE OF THE WAY THAT THEY DO IT, NO.
24 I COULD GO TO THE HUMAN RESOURCES DEPARTMENT OF EACH TV
25 STATION AND STUDIO. I HAVE BEGUN TO DO IN ORDER TO LEAVE

1 A PAPER TRAIL SAYING I WAS HERE, I APPLIED FOR THIS JOB.
2 EVENTUALLY THERE IS GOING TO BE PRODUCTION OR
3 NON-PRODUCTIONS, I MEAN I'LL BE THE ONLY PERSON LEFT ON
4 THE AVAILABLE LIST AND YOU HAVE TO HIRE ME, AND I FEEL
5 THEY'LL GET AROUND THAT.

6 MR. CARNEY: THE REASON I AM SAYING THAT IS IN MY
7 MIND YOU CAN ESTABLISH THAT YOU HAVE BEEN TO THESE PLACES
8 AND MADE THESE APPLICATION AND THESE JOBS HAVE BEEN FILLED
9 BY MALES, WHITE MALES, YOU'D BE ABLE TO DOCUMENT THAT PART
10 OF IT BECAUSE OF THE EMPLOYMENT RECORDS. BUT IT APPEARS
11 YOU ARE GOING TO HAVE SOME DIFFICULTY ESTABLISHING THE
12 FACT THAT YOU MADE THE APPLICATION, THAT'S WHY I INQUIRED.

13 MS. MOLINA: RIGHT, BECAUSE THE VERY INFORMAL WAY
14 THEY DO HIRE THE CREW, AND THAT IS STANDARD PROCEDURE WITH
15 ALL OF THOSE CRAFT UNIONS, THE SAME PEOPLE WHO BUILD PROPS
16 AND BUILD SETS, IT'S VERY INFORMAL.

17 MR. CARNEY: DO ANY OF THOSE ARTISTS HAVE AGENTS
18 THAT DO THE INQUIRIES LIKE YOU DO?

19 MS. MOLINA: SOME OF THEM DO. I HAVE HEARD OF SOME
20 OF THE PEOPLE IN THE 755 HAVE AGENTS, BUT I DON'T KNOW
21 ANYONE OF THE 816 THAT HAS AGENTS THAT GETS HIM WORK
22 WITHIN THE UNION.

23 MR. CARNEY: HAS ANYONE MADE ANY STATEMENT TO YOU
24 THAT BASICALLY IS INDICATED TO YOU THAT YOU ARE
25 BLACKLISTED?

1 MS. MOLINA: ONLY THE COMMENTS OF DISNEY MANAGEMENT
2 REPEATED TO ME BY EMPLOYEE AT BID ANDERSONS SCENIC.

3 MR. CARNEY: HOW LONG WERE YOU EMPLOYED AT DISNEY
4 BEFORE YOU WERE TERMINATED?

5 MS. MOLINA: TWO YEARS.

6 MR. CARNEY: COMPLAINTS FILED AGAINST YOU FOR YOUR
7 LACK OF PERFORMANCE?

8 MS. MOLINA: I HAD NO PROBATIONS. I WAS NEVER
9 WRITTEN UP FOR ANYTHING. I WAS NOT LATE. AFTER I FILED
10 MY COMPLAINT WITH THE EEOC, BECAUSE I WAS DENIED A LEAD
11 POSITION AND A VERY IMPORTANT CREW GOING TO FRANCE, I
12 FINALLY GOT AN EVALUATION POSTPONED, PERFORMANCE
13 EVALUATION.

14 THE SUPERVISOR THAT DENIED ME THE OPPORTUNITY
15 WHO I FILED A COMPLAINT DIRECTLY AGAINST, PUT IN A VERY
16 DIRECTLY NEGATIVE PERFORMANCE AGAINST ME, WHICH I THOUGHT
17 WAS FULL OF FALSE HOPES AND WAS MERELY A RETALIATION FOR
18 ME HAVING TO FILE COMPLAINTS AGAINST HIM AND QUESTIONING
19 HIS MOTIVES WHY HE PICKED SOME PERSON OVER ME.

20 MR. CARNEY: WAS THAT IN THE POSE OF A COMPLAINT,
21 THAT EVALUATION?

22 MS. MOLINA: YES, IT WAS.

23 MR. CARNEY: ANY OTHER QUESTIONS OF THE PANEL?

24 WELL, THANK YOU, MS. MOLINA. I THINK YOU MIGHT BE
25 INTERESTED IN OUR NEXT SPEAKER. IT'S MS. DOROTHY PORTER

1 OF THE LOS ANGELES DISTRICT OFFICE, EQUAL OPPORTUNITY
2 COMMISSION AND IF YOU WOULD STEP FORWARD, MA'AM.

3 MR. CARNEY: GOOD AFTERNOON, MS. PORTER.

4 MS. PORTER: GOOD AFTERNOON. CHAIRMAN CARNEY AND
5 MEMBERS OF THE COMMITTEE, I AM PLEASED TO HAVE AN
6 OPPORTUNITY TO MAKE A BRIEF STATEMENT BEFORE YOU THIS
7 AFTERNOON. MY INTENT IS TO GIVE A BROAD OVERVIEW OF THE
8 MISSION OF THE EEOC, ITS ORGANIZATIONAL STRUCTURE, SUMMARY
9 STATISTICS AND A BRIEF STATEMENT REGARDING THE WORK OF THE
10 COMMISSION WITH REGARD TO THE ENTERTAINMENT INDUSTRY, AND
11 THEN I'LL BE HAPPY TO TRY TO ANSWER ANY QUESTIONS THAT YOU
12 MAY HAVE.

13 AS MOST OF YOU KNOW, THE UNITED STATES EQUAL
14 EMPLOYMENT COMMISSION IS TO ENDORSE FEDERAL LAWS WHICH
15 PROHIBIT DISCRIMINATION IN EMPLOYMENT, SPECIFICALLY BY
16 MEANS OF INVESTIGATION, CONCILIATION, LITIGATION,
17 COORDINATION, EDUCATION, AND TECHNICAL SENSE.

18 THE U.S. EQUAL EMPLOYMENT OPPORTUNITY
19 COMMISSION WAS CREATED BY TITLE 7 OF THE CIVIL RIGHTS ACT
20 OF 1964, AND IT ENFORCES LAWS WHICH PROHIBIT
21 DISCRIMINATION BASED ON RACE, COLOR, SEX, RELIGION OR
22 NATIONAL ORIGIN.

23 SINCE 1979 THE COMMISSION HAS ALSO ENFORCED
24 THE AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967 WHICH
25 PROTECTS APPLICANTS FOR EMPLOYMENT AND EMPLOYEES WHO ARE

1 40 YEARS OLD OR OLDER. THE EQUAL PAY ACT OF 1963 PROTECTS
2 MEN AND WOMEN WHO PERFORM SUBSTANTIALLY EQUIVALENT WORK IN
3 THE SAME ENVIRONMENT AND AGAINST DISCRIMINATION ON THE
4 BASIS OF GENDER.

5 SECTION 501 OF THE REHABILITATION ACT OF 1973
6 WHICH PROHIBITS DISCRIMINATION AGAINST INDIVIDUALS WITH
7 DISABILITIES IN FEDERAL GOVERNMENT.

8 ALSO, AS MANY OF YOU KNOW, ON JULY 26TH,
9 1992, THE COMMISSION BEGAN ENDORSING TITLE 1 OF THE
10 AMERICANS WITH DISABILITIES ACT OF 1990 WHICH PROHIBITS
11 DISCRIMINATION AGAINST INDIVIDUALS WITH DISABILITIES BY
12 PRIVATE EMPLOYERS, UNIONS, EMPLOYMENT AGENCIES, STATE AND
13 LOCAL GOVERNMENTS.

14 THE COMMISSION IS ALSO RESPONSIBLE FOR
15 ADMINISTERING AND ENFORCING ANY AMENDMENTS TO THE STATUTES
16 WHICH WERE MENTIONED EARLIER IN MY COMMENTS, AND THOSE ARE
17 REFLECTED IN THE CIVIL RIGHTS ACT. FOR EXAMPLE, OF 1991,
18 WHICH AMONG OTHER PROVISIONS, PROVIDES THE PAYMENT OF
19 COMPENSATORY AND PUNITIVE DAMAGES TO VICTIMS OF EMPLOYMENT
20 DISCRIMINATION.

21 THE COMPOSITION OF THE COMMISSION IS AS
22 FOLLOWS: THERE ARE FIVE COMMISSIONERS APPOINTED WHO ARE
23 NOMINATED, PARDON ME, BY THE PRESIDENT OF THE UNITED
24 STATES AND CONFIRMED BY THE U.S. SENATE. THE COMMISSIONER
25 WAS SERVED FIVE-YEAR TERMS. THE GENERAL COUNSEL IS ALSO

1 NOMINATED BY THE PRESIDENT OF THE UNITED STATES AND SERVES
2 A FOUR-YEAR TERM.

3 THE PRESIDENT NOMINATES A CHAIRMAN AND A VICE
4 CHAIRMAN. THE COMMISSION THROUGH ITS FIVE MEMBERS
5 DICTATES IT'S ENFORCEMENT POLICY AND APPROVES ALL
6 COMMISSION LITIGATION THROUGH THE OFFICE OF THE GENERAL
7 COUNSEL.

8 THE GENERAL COUNSEL HAS THE RESPONSIBILITY
9 FOR CARRYING FORWARD ALL LITIGATION ON BEHALF OF THE
10 COMMISSION. WE RECENTLY HAVE THREE NEW COMMISSIONERS,
11 THREE NEW MEMBERS THAT'S COMPLETING THE FIVE MEMBER
12 COMMISSION. COMMISSIONER, CHAIRMAN GILBERT F. CASILLAS;
13 VICE CHAIRMAN PAULI GASAKI, AND COMMISSIONER PAUL MILLER
14 ARE THE NEWLY APPOINTED COMMISSIONERS. AND MANY OF YOU
15 KNOW PAUL MILLER WHO IS FROM THE LOS ANGELES AREA, AND
16 MANY OF YOU ALSO KNOW VICE CHAIRMAN PAUL IGASAKI.

17 THE OTHER SITTING COMMISSIONERS ARE ARGAL
18 SILVERMAN, THE FORMER VICE CHAIRPERSON, AND JOYCE TUCKER.
19 OUR COMMISSION HEADQUARTER OFFICES ARE LOCATED IN
20 WASHINGTON, D.C.

21 THERE ARE 23 DISTRICT OFFICES, ONE FIELD
22 OFFICE THAT'S LOCATED IN THE DISTRICT OF COLUMBIA AND 17
23 AREA OFFICES, AND NINE LOCAL OFFICES. THE AREA OFFICE IN
24 YOUR JURISDICTION IS THE SAN DIEGO AREA OFFICE WHICH
25 REPORTS TO THE LOS ANGELES DISTRICT OFFICE.

1 THE FIELD OFFICES RECEIVE AND INVESTIGATE
2 INDIVIDUAL AND SYSTEMIC CHARGES OF DISCRIMINATION AND
3 CONDUCT THROUGH THE OFFICE OF THE REGIONAL ATTORNEY ANY
4 LITIGATION RESULTING FROM THESE CHARGES.

5 BECAUSE, IN THE INTEREST OF TIME, UNLESS YOU
6 HAVE SPECIFIC QUESTIONS ABOUT THE DETAIL OF THE
7 INVESTIGATIVE PROCESS, I WILL NOT GO INTO THAT IN DETAIL
8 AT THIS POINT, BUT WILL BE HAPPY TO ADDRESS IT AT YOUR
9 REQUEST.

10 LET ME JUST MENTION THAT IF A NO CAUSE
11 FINDING IS ISSUED, A RIGHT TO SUE IS ISSUED TO THE
12 CHARGING PARTY WHICH GIVES THAT INDIVIDUAL THE ABILITY TO
13 ENTER, TO FILE A SUIT IN THE FEDERAL DISTRICT COURT.

14 IF A CAUSE FINDING IS ISSUED AND CONCILIATION
15 ATTEMPTS FAIL, THE DISTRICT OFFICE SUBMITS A PRESENTATION
16 MEMORANDUM TO THE COMMISSIONERS THROUGH THE OFFICE OF THE
17 GENERAL COUNSEL RECOMMENDING FOR OR AGAINST LITIGATION,
18 AND IT IS THE FIVE MEMBER COMMISSION BASED ON THE
19 RECOMMENDATION OF THE GENERAL COUNSEL AND THE DISTRICT
20 OFFICE DIRECTOR AND REGIONAL ATTORNEY AS TO HOW THE CASE
21 WILL PROCEED.

22 AS I MENTIONED, CHARGING PARTIES MAY INITIATE
23 PRIVATE CIVIL ACTIONS ON THEIR OWN BEHALF IN LIEU OF EEOC
24 LITIGATION. A BRIEF WORD ABOUT THE WORK SHARED
25 RELATIONSHIP WITH STATE FAIR EMPLOYMENT PRACTICES AGENCY

1 IN OUR JURISDICTION WHICH COVERS ALL OF SOUTHERN
2 CALIFORNIA AND THE STATE OF NEVADA.

3 WE HAVE WORK SHARING AGREEMENTS WHICH PROVIDE
4 EXACTLY WHAT THE TITLE SUGGESTS, THAT IS, A WORK-SHARING
5 ARRANGEMENT REGARDING THE WORKLOAD WITH RESPECT TO
6 EMPLOYMENT DISCRIMINATION COMPLAINTS IN THIS JURISDICTION
7 THAT INCLUDE THE CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT
8 AND HOUSING AND THE NEVADA EQUAL RIGHTS COMMISSION.

9 THE WORKLOAD OF THE EEOC, AS YOU HAVE BEEN
10 HEARING IN NEWS REPORTS AND OTHER FORUMS, HAS INCREASED
11 SIGNIFICANTLY. WHAT I WOULD LIKE TO DO IS JUST TO SHARE
12 BRIEFLY SOME NATIONAL STATISTICS REGARDING EEOC RECEIPTS
13 THROUGH THE THIRD QUARTER OF FISCAL YEAR '94 WHICH ENDED
14 ON JUNE 30TH.

15 THE FISCAL YEAR AND THE FOURTH QUARTER ENDED
16 SEPTEMBER 30TH, SO WE ARE STILL AWAITING THE NATIONAL
17 STATISTICS FOR THE FULL FISCAL YEAR. BUT I BELIEVE THESE
18 FIGURES WILL GIVE YOU A FRAME OF REFERENCE WITH RESPECT TO
19 THE NUMBER OF CHARGES FILED AND THE RESOLUTIONS AT THE
20 COMMISSION THIS YEAR.

21 CHARGES FILED THROUGH THIRD QUARTER '94 TOTAL
22 66,000. FIVE CHARGES UP 1.2 PERCENT FROM LAST YEAR. AND
23 AS I SAID BEFORE, WE ARE AT 92,000 PENDING CHARGES AT THE
24 COMMISSION WHICH IS SOME 20 -- EXCUSE ME, SOME 30,000
25 CHARGES PENDING AT THE END OF THIS FISCAL YEAR OVER WHAT

1 WAS PENDING AT THE END OF FISCAL YEAR '93.

2 CERTAINLY YOU ARE AWARE OF RESOURCE AND
3 BUDGET MATTERS, AND THOSE INCREASES ARE UP WITH REGARD TO
4 WORKLOAD BUT NOT COMMENSURATE RESOURCES. CHARGES FILED
5 THROUGH 1994 FISCAL YEAR THROUGH THIRD QUARTER BY BASIS,
6 I'LL GIVE YOU THE ORDER OF THE CHARGES FILED MOST OFTEN
7 WITHOUT GETTING INTO THE STATISTICS, BUT CAN GO BACK TO
8 THOSE.

9 A TOTAL OF 66,000 CHARGES FILED WITH THE TOP
10 STARTING WITH 22,000 CHARGES, 731 FILED ALLEGING RACE
11 DISCRIMINATION. THE NEXT HIGHEST CATEGORY, SEX; NEXT,
12 NATIONAL ORIGIN; NEXT, RELIGION. THE NEXT CATEGORY, AGE
13 DISABILITY, EQUAL PAY AND OTHER. AND FINALLY RETALIATION
14 WITH 10,462 CHARGES FILED.

15 THE ISSUES MOST OFTEN ALLEGED IN THE CHARGES
16 FILED WITH THE COMMISSION ARE AGAIN STARTING WITH THE
17 HIGHEST PERCENTAGE OF CHARGES ALLEGING DISCHARGE; SECOND,
18 TERMS AND CONDITIONS OF EMPLOYMENT; THIRD, HARASSMENT;
19 FOURTH, SEXUAL HARASSMENT; FIVE, PROMOTION; SIX, HIGHER
20 WAGES, AND SEVEN, LAYOFF.

21 FIRST OFF, 49,083 CHARGES. A SIGNIFICANT
22 NUMBER OF THOSE CHARGES WERE RESOLVED THROUGH PRE-TERM
23 SETTLEMENT AGREEMENTS, ADMINISTRATIVE CLOSURES AS WELL AS
24 SETTLEMENTS FOLLOWING DECISIONS ISSUING CAUSE AND
25 CONCILIATION AGREEMENTS.

1 THE MONETARY RELIEF OF FORTITUDE CHARGING
2 PARTIES THROUGH THE COMMISSION INCLUDING INDIVIDUAL AND
3 SYSTEMIC CHARGES IS \$99,611,648, WITH THE AVERAGE MONETARY
4 REMEDY PER PERSON AT \$15,689. I MENTIONED THE PENDING
5 CHARGES AT THE END OF THE FISCAL YEAR APPROXIMATELY
6 \$30,000 CHARGES OVER THIS TIME FISCAL YEAR '93.

7 THE WORKLOAD STATISTICS IN THE LOS ANGELES
8 DISTRICT OFFICE PRETTY MUCH PARALLEL THE NATIONAL
9 STATISTICS IN TERMS OF THE NUMBERS OF CHARGES FILED OR THE
10 CATEGORIES OF MOST OFTEN FILED CHARGES ON BASIS, AND
11 ISSUES AND ALSO WITH RESPECT TO CLOSURES OF CHARGES. A
12 BRIEF STATEMENT REGARDING THE EEOC'S EXPERIENCE IN THE LOS
13 ANGELES DISTRICT OFFICE WITH RESPECT TO THE ENTERTAINMENT
14 INDUSTRY.

15 THE LADO THROUGH ITS ENFORCEMENT AND
16 LITIGATION AUTHORITY HAS RECEIVED, INVESTIGATED AND
17 INITIATED LITIGATION AGAINST THE ENTERTAINMENT INDUSTRY
18 RESPONDENT.

19 THE LADO HAS CONDUCTED THESE INVESTIGATIONS
20 BOTH ON INDIVIDUAL AND CLASS MATTERS ON A CASE-BY-CASE
21 BASIS. A FACTOR WHICH IS UNIQUE TO THE INDUSTRY IN
22 ADDRESSING EQUAL OPPORTUNITY EMPLOYMENT ISSUES IS THAT OUR
23 DISTRICT DISCRETION PURSUANT TO THE OFTEN PRESENTED
24 DEFENSE BY EMPLOYERS AS IT RELATES TO MAKING EMPLOYMENT
25 DECISIONS.

1 AN ADDITIONAL FACTOR WHICH IS A PART OF THE
2 DYNAMICS OF THE WORK SETTING WITH REGARD TO THE
3 ENTERTAINMENT INDUSTRY IS THE PROJECT DRIVEN EMPLOYMENT
4 WHICH HAS A SIGNIFICANT TURNOVER OF PERSONNEL.

5 ANOTHER FACTOR WHICH WE FOUND IN THE
6 INVESTIGATION, CASES FILED AGAINST THE ENTERTAINMENT
7 INDUSTRY HAVE TO DO WITH A LARGE NUMBER OF UNIONS,
8 REFERRAL ORGANIZATIONS, EMPLOYERS AND OTHER COMPANIES
9 WHICH MAY BE INVOLVED IN THE PROJECT, ALL OF WHICH
10 PROVIDING SOME UNIQUE FACETS AND ASPECTS TO ATTACKING
11 THESE CASES.

12 THE LOS ANGELES DISTRICT OFFICE THROUGH ITS
13 SYSTEMIC PROGRAM AND INVESTIGATIONS, HAS REVIEWED AND WILL
14 CONTINUE TO REVIEW PARTICULAR OCCUPATIONAL OPPORTUNITY AND
15 ISSUES AND CONCERNS WITHIN THE ENTERTAINMENT INDUSTRY FOR
16 A SYSTEM WIDE DISCRIMINATION.

17 I WOULD LIKE TO JUST BRIEFLY MENTION HOW A
18 COMMISSIONER'S CHARGE IS IDENTIFIED, BECAUSE IT IS THROUGH
19 COMMISSIONER'S COMPLAINTS IN ADDITION TO THE INDIVIDUAL
20 INVESTIGATIONS AND INDIVIDUAL CHARGES THAT WE ATTEMPT TO
21 LOOK AT CERTAIN INDUSTRIES AND CERTAIN EMPLOYERS WITHIN
22 THE JURISDICTION OF THE VARIOUS DISTRICT OFFICES.

23 THE LOS ANGELES DISTRICT OFFICE DOES HAVE AN
24 EFFECTIVE, WE BELIEVE, SYSTEMIC PROGRAM AND WE HAVE LOOKED
25 AT SOME ISSUES IN VARIOUS AREAS OF THE PRIVATE SECTOR.

1 WITH REGARD TO THE FILING OF A COMMISSIONER'S
2 CHARGE WHICH IS SIGNED BY ONE OF THE FIVE COMMISSIONERS,
3 THE DISTRICT OFFICE PROVIDES A PRELIMINARY STATISTICAL
4 ANALYSIS OF WORK FORCE DATA, AND COMPARES THAT INFORMATION
5 WITH THE RELEVANT LABOR MARKETS IN ORDER TO DETERMINE
6 WHETHER OR NOT THERE IS A STATISTICALLY UNDER UTILIZATION
7 OF ONE OR MORE PROTECTED CLASSES.

8 IF IN FACT THAT IS THE DETERMINATION IN
9 CONSULTATION WITH LEGAL COUNSEL, WITH THE REGIONAL
10 ATTORNEY STAFF, ADDITIONAL PRESENTATION, INCLUDING
11 ANECDOTAL AND TESTIMONIAL EVIDENCE ARE COMBINED AND
12 SUBMITTED TO THE COMMISSIONERS FOR REVIEW AND CONSIDERING
13 LITIGATION.

14 CHAIRMAN CARNEY AND MEMBERS OF THE COMMITTEE,
15 THOSE ARE MY PREPARED STATEMENTS. I WOULD BE HAPPY TO
16 ATTEMPT TO ANSWER ANY QUESTIONS THAT YOU MIGHT HAVE AT
17 THIS POINT.

18 MR. CARNEY: MS. BUITRAGO.

19 MS. BUITRAGO: SURE. MS. PORTER, COULD YOU TELL US
20 HOW MANY CLASS ACTIONS OF INDIVIDUAL CASES MAYBE THAT THE
21 EEOC HAS DEALT WITH WITHIN THE LAST, LET'S SAY FIVE YEARS?

22 MS. PORTER: I CAN'T GIVE YOU THE FIVE-YEAR
23 STATISTIC, BUT I CAN TELL YOU OF THE 49,000, APPROXIMATELY
24 49,000 RESOLUTIONS, 504 PRESENTATION MEMORANDA WERE
25 FORWARDED TO HEADQUARTERS. 89 PERCENT OF THOSE WERE

1 POSITIVE PM'S, MEANING THAT THERE WERE POSITIVE
2 RECOMMENDATIONS.

3 THE COMMISSIONERS, HOWEVER, MAKE THE FINAL
4 DETERMINATION AS TO THE CASES WHICH WOULD BE LITIGATED OR
5 FORWARDED THE CHARGES AGAINST THE PUBLIC SECTOR ENTITY,
6 WHETHER IT WOULD BE FORWARDED TO THE DEPARTMENT OF
7 JUSTICE, A PUBLIC SECTOR ENTITY AS IN GOVERNMENT ENTITY.

8 UNDER TEN PERCENT OF THE RESOLUTIONS ARE A
9 RESULT OF LITIGATION. I MIGHT SAY THAT THE EXPECTATION IS
10 THAT WITH THE ADVENT OF NEW LEADERSHIP AT THE COMMISSION,
11 INCLUDING NEW GENERAL COUNSEL, THAT IS ONE OF THE AREAS
12 THAT IS EXPECTED TO RECEIVE SOME ADDITIONAL CONSIDERATION
13 AND REVIEW.

14 IN ADDITION TO LOOKING AT WHETHER IN FACT
15 LIMITED RESOURCES OF THE COMMISSION MAY NEED TO BE
16 FUNNELED MORE IN THE DIRECTION OF SYSTEMIC AND CLASS
17 ACTION MATTERS AS OPPOSED TO INDIVIDUAL CASES OR IN
18 ADDITION TO THE FOCUS ON INDIVIDUAL CASES.

19 MS. BUITRAGO: I JUST WANT TO CLARIFY. WHEN YOU
20 TALK ABOUT THE 504, YOU ARE TALKING ABOUT THE MEDIA CASES?

21 MS. PORTER: NO, NO, THAT'S THE TOTAL NUMBER OF
22 CASES.

23 MS. BUITRAGO: DO YOU HAVE ANY STATISTICS ABOUT
24 MEDIA CASES?

25 MS. MOLINA: WE DO NOT HAVE IN THE LOS ANGELES

1 DISTRICT ATTORNEY'S OFFICE, AND I KNEW SOMEONE WOULD ASK
2 THE QUESTION, BUT I'M NOT SURE THAT HEADQUARTERS HAS
3 SEPARATE STATISTICAL DATA CHARGES REGARDING SPECIFICALLY
4 THE ENTERTAINMENT INDUSTRY PER SE. I WOULD BE GLAD TO
5 LOOK INTO THAT AND SEE IF THOSE FIGURES ARE AVAILABLE AND
6 IF SO, AND/OR WHETHER WE CAN COMPILE THAT INFORMATION, AND
7 WE WOULD BE GLAD TO SHARE IT WITH YOU.

8 WE DO HAVE, AS YOU ARE PROBABLY AWARE, A
9 COMPUTER DATA SYSTEM ON A NATIONAL DATA BASE WHERE THE
10 DATA REGARDING THE CHARGES AND RESOLUTIONS ARE KEPT.
11 HOWEVER, WE ARE NOT AT THIS POINT KEEPING STATISTICS AS TO
12 DIFFERENT INDUSTRIES, BUT THE RESEARCH DEPARTMENT MAY BE
13 ABLE TO PULL TOGETHER SOME OF THOSE STATISTICS.

14 MR. CARNEY: MS. PATTERSON.

15 MS. PATTERSON: MS. PORTER, WHAT PERCENTAGE OF
16 INVESTIGATIONS CONDUCTED BY THE EEOC WERE INITIATED BY THE
17 EEOC VERSUS THE COMPLAINTS?

18 MS. PORTER: A RELATIVELY SMALL PERCENTAGE OF THE
19 CASES, AND I CAN'T GIVE YOU THE EXACT PERCENTAGE AT THIS
20 POINT, BUT AS AN EXAMPLE, THERE WERE FIVE SYSTEMIC CASES
21 COMING OUT OF THE LOS ANGELES DISTRICT OFFICE THIS YEAR,
22 AND ONE IS CURRENTLY PENDING BEFORE THE COMMISSION. THAT
23 IS OUT OF 2400 RESOLUTIONS WHICH ARE INDIVIDUAL CHARGES OF
24 DISCRIMINATION. SO THE NUMBER WITH RESPECT TO
25 COMMISSIONER COMPLAINTS BY COMPARISON TO THE INDIVIDUAL

1 COMPLAINTS IS RELATIVELY SMALL.

2 MS. PATTERSON: OKAY. CONSIDERING THE TREMENDOUS
3 BACKLOG THAT YOU MENTIONED EARLIER, HOW REALISTIC IS IT TO
4 EXPECT THE EEOC TO INITIATE INVESTIGATIONS?

5 MS. PORTER: THE SYSTEMIC, THERE IS A SYSTEMIC
6 PROGRAM IN EACH OF THE 23 DISTRICT OFFICES AND THE
7 DISTRICT OF COLUMBIA. THAT IS A PROGRAM WHERE THE OFFICE
8 OF PROGRAM OPERATIONS IDENTIFIES GOALS FOR THE PHYSICAL
9 YEAR ADDRESSING TARGET, THAT IS IDENTIFYING A PARTICULAR
10 NUMBER OF AREAS THAT BASED ON THE RECOMMENDATION OF THE
11 DISTRICT OFFICES, WILL BE LOOKED AT DURING THAT FISCAL
12 YEAR. IT VARIES. IT DEPENDS ON THE SUBJECT.

13 IT DEPENDS ON WHAT IS HAPPENING IN THE
14 INDUSTRY OR THE INDUSTRIES THAT ARE BEING CONSIDERED, AND
15 SO WHILE THERE IS NO SET NUMBER, IT DEPENDS ON THE
16 GEOGRAPHY, THE DEMOGRAPHICS OF THE AREA AND THE KIND OF
17 ANECDOTAL DATA AND STATISTICAL DATA THAT MAY EITHER BE
18 BROUGHT TO OUR ATTENTION ANONYMOUSLY, OR BY ORGANIZATIONS
19 AND INDIVIDUALS AS WELL AS OUR REVIEW AND ASSESSMENT OF
20 THE CASES THAT ARE FILED WHERE THERE ARE RECURRING CHARGES
21 FILED AGAINST A PARTICULAR ENTITY OR INDUSTRY.

22 MS. PATTERSON: THANK YOU.

23 MR. CARNEY: MS. PORTER, WOULD YOU AGREE THAT LOS
24 ANGELES IS SOMEWHAT IN A UNIQUE POSITION GIVEN THE
25 ENTERTAINMENT INDUSTRY IS SOMEWHAT HEADQUARTERED HERE?

1 MS. PORTER: I THINK IT'S CONSIDERED THE
2 ENTERTAINMENT CAPITOL OF THE WORLD, AND I DO THINK THAT
3 BECAUSE IT IS A FOCAL POINT OF THE ENTERTAINMENT INDUSTRY,
4 THAT ANY POSITIVE IMPACT MADE ON INSURING EQUAL
5 OPPORTUNITY IN PREVENTING OR RECTIFYING ILLEGAL
6 DISCRIMINATION IN THE INDUSTRY HAS BROAD IMPLICATIONS AND
7 WOULD HAVE GREAT IMPACT.

8 MR. CARNEY: DIDN'T THE EEOC HAVE A SPECIAL UNIT
9 DESIGNED TO LOOK INTO THAT PARTICULAR ASPECT IN THE
10 ENTERTAINMENT INDUSTRY?

11 MS. PORTER: YES. IN ABOUT 1985 THERE WAS A TASK
12 FORCE WHICH WAS CREATED UNDER THEN CHAIRMAN, I BELIEVE,
13 THOMAS, AND THERE WAS CONSIDERABLE RESEARCH INTO THE
14 ACTIVITIES OF THE ENTERTAINMENT INDUSTRY.

15 SUBSEQUENT TO THAT, A NUMBER OF OTHER
16 ACTIVITIES HAVE TAKEN PLACE, AND I MIGHT JUST MENTION SOME
17 OF THOSE. IN ADDITION TO SAY THERE WAS AN INVESTIGATIVE
18 UNIT, INITIALLY IDENTIFIED TO ADDRESS THE ENTERTAINMENT
19 INDUSTRY CHARGES, A SEPARATE UNIT NO LONGER EXISTS IN THE
20 LOS ANGELES DISTRICT OFFICE, HOWEVER, MOST OF THOSE CASES
21 ARE BACKED TO USE AN INTERNAL TERM, MEANING THAT THEY GO
22 TO THE SAME UNIT WHERE THE INVESTIGATORS ARE FAMILIAR WITH
23 THE, MORE FAMILIAR PERHAPS, THAN OTHER INVESTIGATORS, WITH
24 THE INDUSTRY.

25 THERE WAS A TASK FORCE IN 1984, AS I

1 MENTIONED. IN 1985 AN EEOC ATTORNEY IN THE DISTRICT
2 OFFICE CONDUCTED A REVIEW OF THE INDUSTRY WITH
3 RECOMMENDATIONS. A PROPOSAL FROM A COMMISSIONER'S CHARGE
4 WAS SUBMITTED IN 1987, AND WE HAVE HAD SUBSEQUENT CHARGES
5 AGAINST THE INDUSTRY, COMMISSIONER'S CHARGES.

6 A SYSTEMIC REVIEW OF ONE OF THE MAJOR MOTION
7 PICTURE ENTITIES WAS CONDUCTED IN 1990'S, AND A NUMBER OF
8 MORE INFORMAL MEETINGS HAVE BEEN HELD WITH PARTICULAR
9 ASSOCIATIONS WITHIN THE ENTERTAINMENT INDUSTRY SUCH AS THE
10 STUNTMAN ASSOCIATION AND SOME OF THE OTHER GUILDS AND
11 WORKERS' ASSOCIATIONS.

12 MR. CARNEY: WITH RESPECT TO THESE COMPLAINTS, YOU
13 HAVE INDICATED COMMISSIONER'S COMPLAINTS; IS THAT CORRECT?

14 MS. PORTER: YES.

15 MR. CARNEY: YOU INDICATED THEY WERE RESOLVED?

16 MR. PORTER: RESOLVED SIMPLY MEANS, SOME OF THEM,
17 YES, THEY WERE ALL EVENTUALLY RESOLVED. SOME OF THEM MAY
18 HAVE BEEN RESOLVED THROUGH SETTLEMENT AGREEMENTS AND
19 OTHERS REQUIRED LITIGATION. I REFERENCED ONE
20 COMMISSIONER'S COMPLAINTS IN PARTICULAR WHICH INVOLVED
21 LITIGATION. WHILE IT WAS NOT A COMMISSIONER'S COMPLAINT
22 THIS YEAR, WE DID RECOMMEND LITIGATION OF A CASE AGAINST A
23 MAJOR TELEVISION NETWORK AND LOCAL STATION HERE WHICH
24 RESULTED IN A SETTLEMENT, A CONCILIATION AGREEMENT BECAUSE
25 IT FOLLOWED THE ISSUANCE OF A CASE DECISION. THE BASIS

1 WAS AGE. THE CASE SETTLED FOR \$150,000.

2 SO THERE ARE BOTH INDIVIDUAL CASES AS WELL AS
3 SOME SYSTEMIC CASES WHICH ARE ADDRESSING PROBLEMS IN THE
4 ENTERTAINMENT INDUSTRY.

5 MR. CARNEY: ARE THESE ITEMS PUBLIC RECORD?

6 MS. PORTER: ONCE A SUIT IS FILED IN FEDERAL
7 DISTRICT COURT, IT BECOMES A PUBLIC MATTER, AND THE
8 INFORMATION IS THEN AVAILABLE UNLESS THERE IS AN AGREEMENT
9 THAT THE TERMS OF THE AGREEMENT REMAIN CONFIDENTIAL.

10 MR. CARNEY: BACK IN THE 1970'S, THERE WAS A CONSENT
11 DECREE BETWEEN THE EEOC, THIS IS MY INFORMATION AND THE
12 ELEMENT OF THE ENTERTAINMENT INDUSTRY. SINCE THAT
13 EXPIRED, HAS THERE BEEN ANYTHING, OTHER THAN JUST
14 RECEIVING COMPLAINTS, TO MONITOR THE INDUSTRY AND ITS
15 PRACTICE?

16 MS. PORTER: THE SPECIFIC TERMS OF THE CONSENT
17 DECREE ARE NOT, DOES NOT CONSTITUTE INFORMATION THAT I AM
18 PERSONALLY PRIVY TO. I'M AWARE OF THE CONSENT DECREE AND
19 THE GENERAL PROVISIONS. THERE WAS SOME RECENT INQUIRY
20 INTO THOSE PROVISIONS. HOWEVER, THERE WAS NOTHING
21 REQUIRING REPORTING, WHICH STILL OCCURS, REPORTING AND/OR
22 OTHER ACTIVITY BY THE COMMISSION TO THE EXTENT THAT OUR
23 RESEARCH HAS BEEN ABLE TO UNCOVER, ALTHOUGH THERE IS A
24 PERCEPTION THAT THAT CONSENT DECREE IN FACT REQUIRED THAT
25 THE COMMISSION CONTINUE OVER A PERIOD OF TIME TO MONITOR

1 THE ENTERTAINMENT INDUSTRY.

2 I WILL TELL YOU THAT I HAVE BEEN IN
3 COMMUNICATION WITH FORMER CHAIRMAN TONY GIAGOS, AND JUST
4 TODAY WITH NEWLY CONFIRMED COMMISSIONER MILLER, AND EXPECT
5 THAT WE WILL CONTINUE TO DO SO, AND THAT IS TO HAVE
6 DIALOGUE REGARDING THE ROLE THAT THE LOS ANGELES DISTRICT
7 OFFICE WILL PLAY IN LOOKING INTO THE CONCERNS REGARDING
8 THE ENTERTAINMENT INDUSTRY WHICH HAVE BEEN SPOKEN ABOUT
9 AND ADDRESSED RECENTLY IN THE MEDIA, AND OF COURSE, THE
10 COMMISSIONERS ARE AWARE OF THE HEARINGS THAT THIS
11 COMMISSION, THE U.S. COMMISSION ON CIVIL RIGHTS HAS HELD
12 ON THOSE ISSUES AS WELL.

13 MR. CARNEY: BUT OTHER THAN RECEIVE COMPLAINTS,
14 THERE HAS BEEN NO ONGOING MONITOR; IS THAT CORRECT?

15 MR. PORTER: THAT'S CORRECT, NOTHING AT THE NATIONAL
16 LEVEL AND NOTHING COMING OUT OF THE LOS ANGELES DISTRICT
17 THAT WE COULD CITE AS ONGOING STRUCTURED LONG-TERM
18 MONITORING OF THE INDUSTRY AT LARGE.

19 MR. CARNEY: OKAY. ANY OTHER QUESTIONS?

20 MS. HESSE: YES. I THINK YOU MADE REFERENCE TO A
21 1990 STATUS REVIEW. I THOUGHT IT WAS IN THIS INDUSTRY.
22 WHAT WAS THAT?

23 MS. PORTER: LET ME JUST TELL YOU THAT THE FOCUS WAS
24 ON POSITIONS WITHIN THE MANAGEMENT OF THE INFORMATION
25 SYSTEMS DEPARTMENT, AND THE FINAL DECISION AFTER THE

1 ANALYSIS WAS NO COMMISSIONER'S CHARGE WAS FILED, HOWEVER
2 WE DID DO THE ANALYSIS.

3 AN ANALYSIS ESSENTIALLY IS AN INVESTIGATION,
4 A GATHERING OF DATA, ANALYSIS OF STATISTICS AND ANECDOTAL
5 DATA, WITNESS TESTIMONY AND A GREAT DEAL OF RESEARCH AND
6 INVESTIGATION WENT INTO THAT ISSUE, BUT THE DETERMINATION
7 WAS MADE THAT NO COMMISSIONER'S CHARGE WOULD BE FILED IN
8 THAT PARTICULAR INSTANCE AT THAT TIME.

9 MS. HESSE: IS THAT PUBLIC RECORD, PUBLIC
10 INFORMATION?

11 MS. PORTER: NO, BECAUSE IT WAS NOT ACTED UPON.
12 THERE WAS NO COMMISSIONER'S CHARGE. I SHOULDN'T SAY IT
13 WAS NOT ACTED UPON, BUT IT DID NOT BECOME A COMMISSIONER'S
14 CHARGE. HAD IT BECOME A COMMISSIONER'S CHARGE AND NOT
15 SETTLED, AND HAD THE COMMISSION FILED A SUIT IN THE
16 FEDERAL DISTRICT COURT, THAT INFORMATION WOULD BE
17 AVAILABLE.

18 MS. HESSE: CONSIDERING THE TURN AROUND TIME THAT
19 YOU PRESENTED US WITH ON THE EEOC COMPLAINTS PROCESSING,
20 HOW OFTEN DOES THE COMMISSION SEEK INJUNCTIVE RELIEF?

21 MS. PORTER: I DON'T HAVE STATISTICS, BUT I CAN TELL
22 YOU THAT THERE IS A FOCUS IN THE LOS ANGELES DISTRICT
23 OFFICE THAT WHERE THE EMPLOYER, THE RESPONDENT, DOES NOT
24 REPLY TO THE REQUEST FOR THE INFORMATION, THE RFI, WITHIN
25 THE TIME FRAME REQUESTED, WE ARE SEEKING, WE ARE ISSUING

1 SUBPOENAS AND WE ARE GOING INTO COURT TO SEEK ENFORCEMENT
2 OF SUBPOENAS.

3 I MUST TELL YOU CANDIDLY THAT IT IS NOT OFTEN
4 THAT WE GO IN FOR SUBPOENA ENFORCEMENT. USUALLY WHEN WE
5 ISSUE A SUBPOENA, THE RESPONDENT DOES COMPLY WITH THE
6 REQUEST FOR THE INFORMATION. THE GENERAL PERIOD OF TIME
7 FOR A RESPONSE TO AN RFI, A REQUEST FOR INFORMATION CAN
8 VARY FROM 20 DAYS TO 60 DAYS, TO EXTENSIONS OF THAT OF 60
9 DAYS. THAT'S NOT POLICY. THAT IS NOT NATIONAL POLICY,
10 BUT POLICY SET BY THE VARIOUS DISTRICT OFFICES.

11 OBVIOUSLY ONCE A SUBPOENA IS ISSUED, IF IT IS
12 NOT COMPLIED WITH AND THE REGIONAL ATTORNEYS SEEK
13 ENFORCEMENT THROUGH THE COURTS, THE RESPONSE TIME IS
14 DICTATED BY THE COURT.

15 MS. HESSE: I'M JUST TRYING TO DECIDE WHAT INCENTIVE
16 IS THERE FOR AN EMPLOYER OR RESPONDENT TO COME TO
17 SETTLEMENT ON ANY OF THIS IF THERE IS SUCH A LONG TURN
18 AROUND TIME? IF, FOR EXAMPLE, THE RESPONDENT HAS
19 TERMINATED SOMEONE AND YOU ARE BACKLOGGED BY 30,000 CASES,
20 IT SEEMS TO ME THAT A RESPONDENT WOULD SAY WELL, THAT
21 PERSON WOULD BE DEAD BY THE TIME THAT CASE COMES UP, SO
22 WHY SHOULD I DO ANYTHING.

23 MS. PORTER: THERE IS A CONCERN, OBVIOUSLY, AMONG
24 COMMISSIONERS AND STAFF, AS WELL AS CHARGING PARTIES AND
25 RESPONDENT AND CIVIL RIGHTS ADVOCACY GROUPS AND THE

1 GENERAL PUBLIC REGARDING THE LENGTH OF TIME IT TAKES TO
2 INVESTIGATE A CASE. AND AT THIS POINT IN THE LOS ANGELES
3 DISTRICT OFFICE, IT'S TAKING APPROXIMATELY 450 DAYS TO
4 INVESTIGATE A CASE.

5 WE TAKE CASES IN CHRONOLOGICAL ORDER. THE
6 STANDARD, THE GOAL IS TO INVESTIGATE CASES WITHIN 270
7 DAYS. THAT IS NOT OCCURRING, AND YOU CAN EXPECT THAT IT
8 WILL NOT OCCUR IN THE NEAR FUTURE, SO LONG AS OUR
9 RESOURCES, OR AT THE LEVEL THAT THEY ARE ANSWERING THE
10 CHARGES, THE NEW CHARGES, CONTINUE TO COME IN AT THE RATE
11 THEY ARE COMING IN.

12 THE ALTERNATE DISPUTE RESOLUTION IS BEING
13 LOOKED AT AS A WAY TO DEAL WITH THE QUOTE, "BACKLOG,"
14 WHICH WE DO NOT USE ANY LONGER, THE TERM. BUT IN FACT THE
15 RISING NUMBER OF CHARGES AS OPPOSED TO ALL CHARGES GOING
16 THROUGH THE FULL INVESTIGATION PROCESS, THAT DECISION HAS
17 NOT YET BEEN RENDERED.

18 I SUSPECT THAT CHAIRMAN CASILLAS WILL LOOK AT
19 THIS AS ONE OF THE FIRST ITEMS TO MAKE A DETERMINATION
20 BEFORE AS IT RELATES TO POLICY IN THAT REGARD. THERE ARE
21 A NUMBER OF OTHER APPROACHES THAT ARE BEING USED TO TRY TO
22 EXPEDITE INVESTIGATION OF CHARGES BASED ON THE COMMISSION
23 DIRECTIVE THAT WE MAKE DECISIONS ABOUT THE PROCESSING OR
24 THE RESOLUTION OF A CHARGE ON A CASE-BY-CASE BASIS, SO WE
25 WILL HAVE TO CONTINUE TO DO THAT.

1 TO TRY TO RESPOND TO YOUR QUESTION MORE
2 DIRECTLY WITH REGARD TO WHAT MOTIVATES OR WOULDN'T BE THE
3 MOTIVATION FOR AN EMPLOYER TO BE COOPERATIVE OR RESPOND TO
4 THE COMMISSION, WE HOPE THAT THERE ARE NUMEROUS
5 MOTIVATION, INCLUDING THE DESIRE TO COMPLY WITH THE LAW
6 AND TO QUICKLY DISSOLVE MATTERS WHICH MAY HAVE AN ADVERSE
7 EFFECT ON THE IMAGE OF THE ENTITY, PARTICULARLY IN THE
8 ENTERTAINMENT INDUSTRY WHERE PUBLIC IMAGE IS SIGNIFICANT
9 AND ALSO IN TERMS OF COST.

10 BECAUSE EVEN THOUGH THE CASE MAY NOT BE IN AN
11 ACTIVE STAGE OF PROCESSING, IT IS PENDING REQUIRING LEGAL
12 SERVICES, LEGAL COUNSEL AS SUCH AND/OR OTHER ACTIVITIES BY
13 EMPLOYER'S REPRESENTATIVES TO RESPOND TO REQUEST FOR
14 INFORMATION AND WHATEVER OTHER ACTIVITIES MAY TAKE PLACE
15 DURING THE COURSE OF THAT INVESTIGATION.

16 MR. CARNEY: MS. PORTER, I WANT TO THANK YOU VERY
17 MUCH FOR YOUR INPUT AND YOUR ATTENDANCE. IT IS GREATLY
18 APPRECIATED BY MEMBERS OF THE COMMITTEE.

19 MS. PORTER: THANK YOU.

20 MR. CARNEY: I ALSO, FOR THE RECORD, LIKE TO, ON
21 BEHALF OF THE COMMITTEE, RECOGNIZE THE ATTENDANCE OF THE
22 COMMISSIONER, MEMBER OF THE COMMISSION, HONORABLE CRUZ
23 REYNOSO, VICE CHAIRMAN, OUR NEXT SPEAKER, MS. JULIE PAIK,
24 ASIAN PACIFIC LEGAL CENTER. DID I PRONOUNCE THAT NAME
25 CORRECT?

1 MS. PAIK: IT'S PAIK.

2 MR. CARNEY: PAIK, I'M SORRY.

3 MS. PAIK: GOOD AFTERNOON. MY NAME IS JULIE PAIK,
4 AND I'M A STAFF ATTORNEY AT THE ASIAN PACIFIC AMERICAN
5 LEGAL CENTER IN SOUTHERN CALIFORNIA. THE LEGAL CENTER IS
6 THE LEADING ORGANIZATION IN SOUTHERN CALIFORNIA DEDICATED
7 TO PROVIDING THE GROWING ASIAN PACIFIC AMERICAN COMMUNITY
8 WITH MULTILINGUAL, CULTURALLY SENSITIVE LEGAL SERVICES,
9 EDUCATION AND CIVIL RIGHTS SUPPORT. THE LEGAL CENTER WAS
10 FOUNDED IN 1983 WITH BROAD COMMUNITY-BASED SUPPORT.

11 THE LEGAL CENTER IS INVOLVED IN A WIDE RANGE
12 OF CIVIL RIGHTS ISSUES, INCLUDING HATE CRIMES, MONITORING,
13 LANGUAGE RIGHTS, POLICE-COMMUNITY RELATIONS AND
14 REAPPORTIONMENT. OUR CIVIL RIGHTS WORK ALSO INCLUDES
15 DISCRIMINATION, ESPECIALLY IN THE WORK PLACE, AND BATTLING
16 THE GLASS CEILING.

17 THANK YOU FOR THIS OPPORTUNITY TO DISCUSS THE
18 HIRING AND PROMOTION OPPORTUNITIES FOR MINORITIES AND
19 WOMEN IN ON-CAMERA IN THE BROADCAST INDUSTRY. ON AN
20 OPTIMISTIC NOTE, THE NUMBER OF ASIANS INVOLVED IN THE
21 BROADCAST INDUSTRY HAS INCREASED WITHIN THE LAST FEW
22 YEARS.

23 IN SOUTHERN CALIFORNIA THERE ARE MANY WELL
24 RESPECTED ASIAN ANCHORPERSONS ON THE LOCAL NEWS AND ON A
25 NATIONAL LEVEL. ABC IS AIRING THE FIRST TELEVISION SHOW,

1 "ALL AMERICAN GIRL," WHICH HAS AN ALMOST EXCLUSIVE ASIAN
2 CAST AND DEALS WITH ASIAN ISSUES. WHILE THERE HAS BEEN
3 SOME PROGRESS, THERE IS STILL A DEARTH OF ASIANS IN THE
4 BROADCAST INDUSTRY.

5 AS MENTIONED BEFORE, MANY ANCHORPEOPLE ON THE
6 LOCAL NEWS BROADCASTS ARE ASIANS. ASIDE FROM DELIVERING
7 THE NEWS ON THE SHOW, THESE BROADCASTERS OCCASIONALLY
8 COVER STORIES AS WELL. HOWEVER, DUE TO THE LACK OF ASIANS
9 IN NEWS MANAGEMENT, ESPECIALLY THE EDITORIAL STAFF AND/OR
10 THE ASSIGNMENT EDITORS, THESE BROADCASTERS CANNOT COVER
11 STORIES WITH ASIAN ISSUES, RATHER THE BRASS WANTS THE
12 REPORTERS TO COVER ONLY MAINSTREAM ISSUES. BECAUSE THE
13 MANAGEMENT LACKS DIVERSITY, THE NEWS, SUBSEQUENTLY, LACKS
14 DIVERSITY AND AN ACCURATE AND BALANCED PORTRAYAL OF NEWS
15 EVENTS.

16 ON NUMEROUS OCCASIONS THE LEGAL CENTER HAS
17 SENT PRESS RELEASES TO ALL THE LOCAL MEDIA, INCLUDING
18 TELEVISION AND THE PRESS, WHEN PUBLICIZING IMPORTANT,
19 NEWSWORTHY EVENTS. BUT ON MANY OCCASIONS, VERY FEW
20 REPORTERS HAVE ATTENDED. WHEN WE ASKED THESE JOURNALISTS
21 ABOUT THEIR ABSENCES, MANY OF THEM STATED THAT THOUGH THEY
22 WANTED TO COVER THE STORY AND BELIEVED THE EVENTS WERE
23 SIGNIFICANT, THEY COULD NOT GET APPROVAL FROM MANAGEMENT.
24 NONE OF THE MANAGERS COULD UNDERSTAND THE IMPORTANCE OF
25 COVERING ASIAN ISSUES. WE HAVE HEARD THIS COMPLAINT MANY

1 TIMES.

2 A PRIME EXAMPLE OF MISLEADING REPORTING DUE
3 TO THE LACK OF ASIANS IN THE MEDIA IS THE COVERAGE OF THE
4 LOS ANGELES RIOTS IN 1992. THROUGHOUT ALL THE MEDIA
5 COVERAGE, ASIANS, PARTICULARLY KOREAN-AMERICANS, WERE
6 CHARACTERIZED AS GUN-TOTING, VIOLENT MERCHANTS PERCHED ON
7 TOP OF THEIR BUSINESSES, WHO WOULD KILL TO DEFEND THEIR
8 STORES. ASIANS, EVEN THOSE WHO WERE VICTIMIZED WERE
9 GROUPED AS A LAW-BREAKING POSSE.

10 WHEN THE LEGAL CENTER AND OTHER PUBLIC
11 INTEREST ORGANIZATIONS CONFRONTED THE MEDIA ABOUT THEIR
12 SKEWED COVERAGE AND INACCURATE PORTRAYAL, THE MEDIA PLED
13 THAT BECAUSE THEY WERE NOT NETWORKED INTO THE ASIAN
14 COMMUNITIES, THEY COULD NOT FIND OBJECTIVE SOURCES TO
15 DESCRIBE THE ASIAN EXPERIENCE.

16 THE MEDIA ALSO EXPLAINED THEY COULD NOT FIND
17 KOREAN AMERICANS WHO COULD SPEAK ENGLISH, AND BECAUSE THE
18 MEDIA HAD NO BILINGUAL SPEAKERS, THEY COULD NOT PROVIDE
19 UNBIASED COVERAGE. THE EGREGIOUS EXAMPLE STRESSES THAT
20 THE LACK OF ASIANS IN ALL RANKS OF BROADCASTING AND THE
21 FAILURE TO COVER ASIAN STORIES CONSISTENTLY LEADS TO
22 UNFAIR COVERAGE.

23 BASED ON STATISTICS PROVIDED BY THE UNITED
24 STATES COMMISSION ON CIVIL RIGHTS, THE NUMBERS PROVE THAT
25 THERE IS A LACK OF DIVERSITY IN ALL THE LOCAL SOUTHERN

1 CALIFORNIA TELEVISION STATIONS. FOR EXAMPLE, KABC, A
2 LOCAL AFFILIATE OF ABC, ASIANS COMPRISE ONLY TWO PERCENT
3 OF MANAGEMENT; THERE IS ONLY ONE ASIAN OUT OF 37
4 MANAGEMENT OFFICIALS.

5 ON KCBS, A LOCAL AFFILIATE OF CBS-TV, ASIANS
6 COMPRISE ONLY FIVE PERCENT OF MANAGEMENT. OF THREE LOCAL
7 INDEPENDENT TELEVISION STATIONS, KTLA, KCOP AND KTTV,
8 ASIANS COMPRISE ONLY ONE PERCENT OF THE MANAGEMENT, AND ON
9 KCAL, THERE ARE NO ASIANS IN MANAGEMENT.

10 AS AS THESE NUMBERS SHOW, THERE IS A CLEAR
11 LACK OF ASIANS IN MANAGEMENT POSITIONS WHICH MAY REFLECT A
12 LACK OF ASIANS IN BOTH THE HIRING AND PROMOTION PRACTICES.
13 IN ORDER TO SHATTER STEREOTYPES AND DISCRIMINATION, THERE
14 MUST BE AN INCREASED SENSITIVTY IN ALL THE RANKS OF
15 BROADCASTING TO THE IMPORTANCE OF DIVERSITY.

16 INSTEAD OF MERELY HIRING ASIANS TO DELIVER
17 THE NEWS, MANAGEMENT SHOULD CONSIDER THEIR VIEWPOINTS WHEN
18 THEIR REPORTERS LOBBY TO COVER A STORY ABOUT ASIANS.
19 MANAGEMENT MUST UNDERSTAND THAT DIVERSITY CREATES
20 FAIRNESS, AND A MORE ACCURATE PORTRAYAL OF SOCEITY.

21 ALSO, ONCE ASIANS ARE HIRED, MANAGEMENT
22 SHOULD INSURE THAT PROMOTIONAL OPPORTUNITIES ARE
23 AVAILABLE. GLASS CEILINGS IN THIS INDUSTRY MUST BE
24 SHATTERED. AS THE LEGAL CENTER HAS WITNESSED, MERELY
25 HIRING ASIAN BROADCASTERS AND REPORTERS DOES NOT GUARANTEE

1 THAT THE NEWS WILL REPRESENT A BROADER SEGMENT OF SOCIETY.

2 I THANK THE COMMISSION FOR THE OPPORTUNITY TO
3 PRESENT TESTIMONY. I HOPE THE HEARINGS YOU CONDUCT WILL
4 SHED SOME LIGHT ON THIS ISSUE AND STRIVE FOR DIVERSITY IN
5 THE BROADCAST ARENA. THANK YOU.

6 MR. CARNEY: OKAY, MS. PAIK, THE INDIVIDUALS THAT DO
7 APPEAR ON THE NEWS MEDIA THAT APPEAR TO BE OF ASIAN
8 DESCENT, DO YOU FEEL THAT THAT IS A STEP IN THE RIGHT
9 DIRECTION, OR ARE THESE PEOPLE JUST TOKENS THAT THEY MAY
10 NOT EVEN BE ABLE TO SPEAK THE NATIVE LANGUAGE FROM THE
11 COUNTRY OF THE ULTIMATE ORIGIN?

12 MR. PAIK: SOME OF THE BROADCASTERS I KNOW
13 PERSONALLY AND SOME OF THEM ARE BI-LINGUAL, SO IT IS MORE
14 THAN JUST A TOKEN ASIAN, HOWEVER, WHEN I SEE THEM AT
15 EVENTS OR CONFERENCES OR FESTIVALS, ASIAN EVENTS, AND THEY
16 ARE THERE EIGHT HOURS A DAY TO COVER A STORY FOR THE 11:00
17 O'CLOCK NEWS, AND I WATCH THE 11:00 O'CLOCK NEWS AND IT'S
18 NOT SHOWN, IT REALLY CAUSES ME SOME DISTRESS. I'M
19 INTERVIEWED CONSTANTLY. I'M RARELY ON T.V., MAYBE THAT'S
20 WHY I'M UPSET. BUT I REGULARLY SEE ASIANS AS WELL. AND
21 ALSO, WE SEND OUT SO MUCH PRESS RELEASES TALKING ABOUT SO
22 MANY ISSUES WHICH AFFECT IMMIGRANTS.

23 CURRENTLY IN CALIFORNIA THERE IS PROPOSITION
24 187 TO SAVE OUR STATE INITIATIVE, AND WE CONSTANTLY SEND
25 OUT PRESS RELEASES FOR THE ASIAN COMMUNITIES, BUT

1 REPORTERS CAN'T COME BECAUSE MANAGEMENT FEELS THAT THIS IS
2 A LATINO ISSUE OR THIS IS AN ISSUE WHICH DOES NOT AFFECT
3 ASIANS, WHICH IS NOT TRUE.

4 MR. CARNEY: HAVE YOU ATTEMPTED TO, YOU KNOW, GET
5 INTO MANAGEMENT ABOUT THESE ISSUES?

6 MS. PAIK: WE HAVE TRIED. IT'S THE SAME OLD STORY,
7 THEY SAY WE JUST DON'T HAVE ENOUGH PEOPLE WITHIN OUR RANKS
8 TO BRING ONE UP. BUT I BELIEVE THAT'S JUST THE GLASS
9 CEILING. I BELIEVE THAT REPORTERS ARE WELL QUALIFIED.
10 THEY ARE BI-LINGUAL WHICH IS AN ADDITIONAL BENEFIT, AND
11 YET THEY JUST CAN'T SEEM TO BREAK THROUGH.

12 MR. CARNEY: DOES IT SEEM TO YOU THAT THE ITEMS THEY
13 COVER, LIKE THE CHINESE NEW YEAR -- DOES IT APPEAR TO YOU
14 THAT IT'S JUST THE THINGS LIKE THE CHINESE NEW YEAR AND
15 ANY NOTORIOUS EVENT THAT TAKES PLACE WITHIN THE ASIAN
16 COMMUNITLES ARE WHAT THEY ARE COVERING?

17 MS. PAIK: I THINK THE LACK OF COVERAGE IS ACROSS
18 THE BOARD, WHETHER IT'S A POLITICAL EVENT, A HOLIDAY, A
19 CULTURAL EVENT, I THINK THAT THERE IS JUST A LACK OF
20 COVERAGE ON ALL ASPECTS.

21 MR. CARNEY: OKAY. ANY OTHER QUESTIONS?

22 MS. SPANOS-HAWKEY: I JUST WAS WONDERING, DO YOU
23 FEEL THAT THEY ARE ONLY COVERING THE NEGATIVES AND
24 CHOOSING TO IGNORE THE POSITIVES? I DON'T RECALL ANY
25 POSITIVE STORIES WITHIN THE PAST YEAR.

1 MS. PAIK: I AGREE. I MEAN THAT'S A CONCERN THAT
2 WE DEFINITELY HAVE. I THINK, BECAUSE WE HAVE, ESPECIALLY
3 IN CALIFORNIA WHERE CRIME HAS GONE UP SO QUICKLY, IT SEEMS
4 THE ONLY WAY TO GET ON THE NEWS IS IF IT'S A CRIME STORY.
5 SO WHENEVER YOU HAVE A KOREAN MAN IN SOUTH CENTRAL WHO HAD
6 A BAD DAY, IT --

7 MS. SPANOS-HAWKEY: THAT SEEMS TO BE THE ONLY
8 COVERAGE I SEE.

9 MS. PAIK: THERE ARE MANY RIOT VICTIMS WHO ARE
10 COMING BACK WHO ARE REBUILDING AND WANT TO REBUILD L.A.,
11 BUT THAT NEVER GETS SHOWN.

12 MS. BUITRAGO: I'M FROM NORTHERN CALIFORNIA, AND I'M
13 NOT SURE WHAT THE PERCENTAGE OF SOUTHERN CALIFORNIA IS.
14 CAN YOU GIVE US AN IDEA, AT LEAST IN THE LOS ANGELES AREA?

15 MS. PAIK: IN SOUTHERN CALIFORNIA, IT'S 11 PERCENT.

16 MS. HESSE: MS. PAIK, DOES YOUR ORGANIZATION
17 REPRESENT MEMBERS OF THE ASIAN COMMUNITIES WHO ARE
18 EMPLOYED IN THE MEDIA INDUSTRY, TELEVISION OR NEWSPAPERS?

19 MS. PAIK: BECAUSE OF OUR FUNDING RESOURCES, WE ARE
20 ABLE TO MEET WITH THEM AND GIVE THEM GENERAL LEGAL ADVICE,
21 BUT WE ARE NOT ABLE TO REPRESENT THEM. BECAUSE OUR
22 FINANCING RESOURCES DEMANDS THAT WE REPRESENT MOSTLY
23 INDIGENTS, IT'S REALLY HARD FOR US TO GO BEYOND THAT, BUT
24 WE DO GENERALLY PROVIDE ADVICE FOR THEM.

25 MS. HESSE: WHAT IS THE PROCESS FOR THOSE PEOPLE

1 SEEKING FILING WHEN THEY FEEL THEY HAVE BEEN DISCRIMINATED
2 AGAINST BY THAT INDUSTRY?

3 MS. PAIK: USUALLY WE TELL THEM TO GO THROUGH THE
4 INTERNAL COMPANY PROCEDURE FIRST, AND TRY TO RESOLVE IT
5 THAT WAY.

6 MS. HESSE: AND AFTER THEY HAVE BEEN FIRED, THEN
7 WHAT?

8 MS. PAIK: THEN WE ASK THEM TO GO TO THE EEOC OR FDH
9 AND FILE A COMPLAINT, BUT FORTUNATELY OUR HANDS ARE TIED
10 BECAUSE OF OUR RESOURCES.

11 MS. HESSE: ARE YOU AWARE OF ANY ASIAN ORGANIZATIONS
12 THAT HAVE MET ON A PERIODIC OR CONSISTENT BASIS WITH ALL
13 THESE DIFFERENT GUILDS?

14 MS. PAIK: WELL, THERE IS A GROUP CALLED MONO WHICH
15 IS A MEDIA ACTION NETWORK OF ASIAN AMERICANS, AND THEY ARE
16 KIND OF THE WATCHDOG FOR ASIANS. MOST RECENTLY THE
17 COMPLAINTS THEY HAVE RECEIVED, LOTS ABOUT "FALLING DOWN"
18 WITH MICHAEL DOUGLAS, AND "RISING SUN" WITH SEAN CONNERY,
19 SO WHENEVER A MOVIE DOES COME OUT THE ASIAN COMMUNITIES
20 COME BACK TOGETHER TO FIGHT THAT STEREOTYPE?

21 MR. CARNEY: YES.

22 MS. MARTINEZ: DO YOU KNOW HOW MANY ASIANS ARE IN
23 THE SCREEN ACTORS GUILD OR THE WRITING GUILD?

24 MS. PAIK: NO, I DON'T, SORRY.

25 MR. CARNEY: IT APPEARS THERE ARE NO MORE QUESTIONS,

1 MS. PAIK. THANK YOU VERY MUCH FOR YOUR ATTENDANCE AND
2 IMPUT, AND IF YOU HAVE ANY ADDITIONAL INFORMATION, WE
3 CERTAINLY ASK YOU TO PRESENT IT TO THE OFFICE.

4 NEXT MR. LEO TERREL, ATTORNEY AT LAW, AND THE
5 NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED
6 PEOPLE.

7 MR. TERREL: I CAME EARLY BECAUSE I WANTED TO HAVE A
8 OPPORTUNITY TO LISTEN TO THE OTHER SPEAKERS, AND I AM A
9 CIVIL RIGHTS ATTORNEY BY PRACTICE. THAT'S ALL I DO FOR A
10 LIVING. I'M A LEGAL REDRESS. I'M A MEMBER OF THE L.A.
11 BRANCH OF THE NAACP IN LOS ANGELES. I ALSO WORK WITH THE
12 WESTERN REGIONAL OFFICE IN LOS ANGELES, AND I HAVE WORKED
13 WITH MR. MONTEZ IN THE LAST COUPLE OF MONTHS, AND I THINK
14 WHAT I AM GOING TO BE ABLE TO DO FOR THIS COMMISSION OR
15 ADVISORY COMMITTEE IS TO GIVE YOU SOME INFORMATION THAT
16 WILL PROVIDE YOU WITH SOME OF THE PRACTICAL AND SORT OF
17 THE REALITY OF WHAT IS REALLY GOING ON, BESIDES THE LACK
18 OF MEDIA FAIRNESS AS FAR AS MINORITY PARTICIPATION.

19 FIRST OF ALL, A COUPLE OF QUESTIONS ADDRESSED
20 RELATING TO THE EEOC. I'M GOING TO DIGRESS A LITTLE BIT.
21 TO NOT EXPECT THE EEOC TO ADDRESS THESE ISSUES RELATING TO
22 DISCRIMINATORY PRACTICE TO THIS MEDIA FOR THE SIMPLE
23 REASON, THEY CAN'T DO IT. THEY DON'T HAVE THE RESOURCES,
24 ECONOMIC RESOURCES. MS. PATTERSON ASKED THE QUESTION HOW
25 MANY OF THESE ARE INITIATED BY THE EEOC ITSELF, NONE.

1 I THINK ONE OF THE COMMISSION'S MEMBERS SAID
2 HOW LONG ARE THESE COMPLAINTS. THEY GO ON FOR A YEAR,
3 YEAR AND-A-HALF, TWO YEARS INVESTIGATING COMPLAINTS.
4 YEAH, THAT'S ALL I DO FOR A LIVING IS EEOC COMPLAINTS,
5 FILING FEDERAL LAWSUITS.

6 THERE IS ONE INDIVIDUAL HERE SAYING SHE IS
7 GOING TO FILE A FEDERAL LAWSUIT. IT'S GOING TO BE AN
8 ECONOMIC MATCH. IT IS GOING TO BE A WOMAN WHO IS GOING TO
9 TRY TO FIND AN ATTORNEY WHO IS GOING TO BE WORKING ON A
10 SMALLER BUDGET AND IS GOING TO GO UP AGAINST DISNEY WHO IS
11 GOING TO HIRE THE BIG GIANTS AND PAPERWORK HER DOWN. WHY
12 DO I KNOW THAT, IS BECAUSE ALL I DO IS CIVIL RIGHTS LAW.
13 AND IF YOU DO CIVIL RIGHTS CASES, YOU SHOULD EXPECT A WAR
14 BETWEEN THE EMPLOYER WHO IS GOING TO HAVE ALL THOSE
15 RESOURCES, AND A CIVIL RIGHTS ATTORNEY WHO IS GOING TO
16 RELY ON A SHOE STRING BUDGET.

17 SO IF YOU EXPECT ANY GOVERNMENTAL AGENCY SUCH
18 AS THE FAIR EMPLOYMENT HOUSING OR THE EEOC TO COME DOWN
19 AND INITIATE THESE MAJOR LAWSUITS, IT DOES NOT HAPPEN. IN
20 THE LAST TEN YEARS THE EEOC COMMISSION HAS THE
21 RESPONSIBILITY, AND WHAT THEY WANT TO FOCUS ON HAS BEEN
22 RELUCTANT TO TAKE ON THE MEDIA INDUSTRY, AND THAT'S JUST
23 THE FACTS.

24 AND WITH ALL DUE RESPECT TO MS. PORTER WHO IS
25 AN EXCELLENT DIRECTOR AND WE HAVE WORKED TOGETHER ON MAJOR

1 CASES, IT TOOK US TEN YEARS TO GET A MAJOR EMPLOYMENT
2 DISCRIMINATION CASE. WHY, BECAUSE THE COUNSEL BACK IN
3 WASHINGTON SAT ON IT FOR TEN YEARS. I MEAN WE HAVE TO BE
4 HONEST AND REALISTIC THAT THESE DECISIONS ARE MADE BACK IN
5 WASHINGTON, AND ITS POLICY DECISION IS WHAT IS THE FOCUS.

6 SO ITS POLICY DECISIONS, AND IF YOU LOOK AT
7 ALL THE SPEAKERS WHO SPOKE TO YOU TODAY, MOST OF THESE
8 PEOPLE TODAY ARE COMING WITH VERY LIMITED RESOURCES.
9 THESE ORGANIZATIONS ARE IN NAME ONLY. THEY DON'T HAVE THE
10 DOLLARS TO MATCH THE INDUSTRY. YOU ARE TAKING ON A
11 MULTI-MILLION DOLLAR INDUSTRY, SO EVEN WHEN THEY DO SETTLE
12 A CASE, IT'S USUALLY A CONFIDENTIAL SETTLEMENT AGREEMENT.
13 NO ONE KNOWS WHAT THE TERMS ARE, SO IT'S JUST BETWEEN THAT
14 PERSON AND THAT COMPANY AND IT HAS NO -- NO EFFECT ON
15 CHANGING INDUSTRY PRACTICE. THAT'S A FACT.

16 NOW, THANK GOODNESS I'M A SELF-EMPLOYED
17 ATTORNEY. I DO CIVIL RIGHTS CASES, SO I DON'T WORK FOR
18 ANYBODY. SO I HAVE NO CONCERNS OF BEING RETALIATED
19 AGAINST, BUT I HAVE RECEIVED PHONE CALLS OVER THE LAST
20 YEAR AND A HALF BECAUSE OF MY INVOLVEMENT WITH THE NAACP,
21 BECAUSE I HAVE SPOKEN OUT WITH THE VARIOUS ISSUES, THE
22 O.J. SIMPSON CASE, AND CASES THAT DREW ATTENTION.

23 I HAVE HAD A GREAT DEALING WITH
24 AFRICAN-AMERICAN REPORTERS WHO ARE BASICALLY UNABLE TO
25 COVER STORIES. IF YOU LOOK AT THE NEWS, COLOR-BLIND

1 STORIES, SUCH AS HEALTH CARE, NATIONAL DEFENSE ARE NOT
2 COVERED BY MINORITY REPORTERS. I ASK YOU TO LOOK AT THE
3 NEWS TONIGHT, THEY ARE NOT COVERED BY MINORITY REPORTERS.
4 LOOK AT YOUR SUNDAY PROGRAMS WHEN WE TALK ABOUT MEET THE
5 PRESS, FACE THE NATION AND ALL THESE COMMUNITIES, THEY ARE
6 NOT COVERED.

7 THERE IS A MIND SET THAT PEOPLE OF COLOR ARE
8 NOT INTERESTED OR NOT KNOWLEDGEABLE ON ISSUES THAT AFFECT
9 ALL AMERICANS. NOW, OCCASIONALLY, EVEN THE O.J. SIMPSON
10 CASE HAS DONE A GREAT JOB OF EMPLOYING LAWYERS, BUT LOOK
11 AT HOW MANY MINORITY LAWYERS. I'M A NEWS JUNKY. THERE IS
12 A LACK OF MINORITY LAWYERS PROVIDING THAT EXPERT ANALYSIS.
13 I HAVE BEEN ON THE AIR BECAUSE A LOT OF TIMES I HAVE
14 WRITTEN LETTERS SAYING WHY DON'T YOU GET MINORITY LAWYERS
15 TO TALK ABOUT THESE ISSUES THAT AFFECT PEOPLE OF COLOR,
16 AND BELIEVE IT OR NOT, IN 1994, YOU WILL STILL HAVE NEWS
17 DIRECTORS TELL YOU, TELL ME, "I CAN'T FIND ANY QUALIFIED
18 MINORITY LAWYERS." IT'S FRIGHTENING.

19 I HAVE WRITTEN LETTERS TO VARIOUS STATIONS
20 WHEN THEY HAVE THEIR LOCAL NEWS OR CABLE PROGRAMS HERE IN
21 LOS ANGELES. I HAVE VARIOUS PUBLIC SERVICE PROGRAMS, AND
22 THEY WILL STILL TELL YOU THEY CANNOT FIND QUALIFIED
23 MINORITY REPORTERS, QUALIFIED MINORITY LAWYERS. THAT'S
24 JUST AN EXCUSE.

25 THERE WAS ANOTHER QUESTION THAT WAS JUST

1 RAISED REGARDING, I THINK MR. CARNEY ASKED ABOUT
2 EMPLOYMENT APPLICATION FORMS. THEY DON'T HAVE A TRACKING
3 OR A STANDARD APPLICATION SYSTEM WHERE YOU CAN COMPARE
4 YOUR APPLICATION AGAINST A WHITE APPLICATION. THEY DON'T
5 HAVE THAT IN THE NORMAL EMPLOYMENT SETTING THAT WE ARE
6 ACCUSTOMED TO FILLING OUT.

7 JOBS IN THE MEDIA ARE NOT GIVEN-OUT THAT WAY,
8 NOR IS THERE A PAPER TRAIL. THERE IS NO PAPER TRAIL, BUT
9 I WANT TO GET TO JUST OF WHY I CAME HERE TO TELL YOU SOME
10 OF THE CONCERNS OF THE FEW AFRICAN-AMERICAN REPORTERS WHO
11 WORK IN THE L.A. MARKET. THEY DON'T GET THE OPPORTUNITY
12 TO COVER THE MAJOR STORIES, PERIOD. EVEN WHEN THEY GET
13 THE JOBS AND THEY ARE BASICALLY RELEGATED TO VERY TOKEN
14 ASSIGNMENTS.

15 ONE AFRICAN-AMERICAN REPORTER --I OBVIOUSLY
16 CANNOT SHARE HER NAME BECAUSE SHE IS AFRAID OF LOSING HER
17 JOB -- WAS ABSOLUTELY BEING ISOLATED AT THIS MAJOR
18 AFFILIATE IN THIS AREA. SHE KNEW SHE WASN'T GOING TO GET
19 ANY JOB WORK THERE, SO SHE WAS SHOPPING HERSELF AROUND.
20 SHE HAD HER AGENT SHOP HERSELF TO ANOTHER AGENT. WELL,
21 THIS AFRICAN-AMERICAN REPORTER IS VERY DARK SKINNED, AND
22 HER AGENT TOLD HER SIMPLY WHEN HE CONTACTED THE OTHER
23 STATION, THEY WANT A LIGHT SKIN BARBIE DOLL. I MEAN
24 THAT'S FRIGHTENING, BUT YET IF WE ARE GOING TO HAVE
25 AFRICAN-AMERICANS ON THE AIR, THEY HAVE TO BE OF A LIGHTER

1 COMPLEXION THAN DARK-SKINNED AFRICAN-AMERICANS.

2 IT'S RIDICULOUS. A FEMALE MINORITY PRODUCER
3 WHO HAD ASKED ME, "SHOULD I FILE A LAWSUIT? SHOULD I FILE
4 A LAWSUIT?" I ADVISED HER NOT TO BECAUSE SHE WOULD BE
5 ELIMINATED FROM THE MARKET. YOU CANNOT FILE A LAWSUIT
6 AGAINST THESE MEDIA FORCES AND EXPECT TO CHANGE THE
7 INDUSTRY. YOU WILL HAVE NO CAREER.

8 AND WHEN I HAVE DONE COMMENTARY ON THE
9 VARIOUS STATIONS, I HAVE DONE FOX NEWS, KTLA, CNN, I HAVE
10 BLACK REPORTERS WHISPER TO ME AND TELL ME, "I'M GLAD THEY
11 PICKED YOU. I'M GLAD THEY GOT SOMEONE OF COLOR." AND
12 THEY CAN'T SPEAK OUT LOUD BECAUSE THEY ARE IN A VERY
13 AWKWARD SITUATION. THEIR JOB IS AT ISSUE. WHAT ARE THEY
14 TO DO BECAUSE THEY DO NOT HAVE THE CLOUT.

15 THERE IS NOT A BLACK NEWS DIRECTOR IN THE LOS
16 ANGELES MARKET. WHY? LOOK, I SAID, I'M A NEWS JUNKY,
17 LISTEN TO TALK RADIO IN LOS ANGELES, COLOR-BLINDNESS,
18 HEALTH CARE, THINGS OF THIS SORT, THERE IS NO MINORITY
19 TALK-SHOW HOST. WHY? BLACK PEOPLE, HISPANIC PEOPLE HAVE
20 VIEWPOINTS THAT WOULD ADD DIVERSITY TO ISSUES THAT AFFECT
21 EVERYONE IN THIS COUNTRY, BUT IT'S NOT THERE.

22 I DON'T HONESTLY BELIEVE I AM TELLING YOU
23 ANYTHING NEW, EXCEPT BEING VERY FRANK AND UPFRONT WITH
24 YOU. I THINK YOU KNOW THIS. I THINK EVEN YOUR JOB IS
25 DIFFICULT BECAUSE WHATEVER REPORT YOU SUBMIT TO YOUR

1 IMMEDIATE BOSS IS GOING TO BE WEIGHED BASED ON THE FORCES
2 ABOVE THEM.

3 BUT I WANT YOU TO, I THINK IT'S VERY, VERY
4 OBVIOUS BY JUST TURNING YOUR TV SETS, TO NOTICE AND
5 WATCHING TO SEE, OTHER THAN PAT HARVEY ON CHANNEL 9, IF
6 THERE IS ANY OTHER ANCHOR PERSON DURING THE WEEKDAY. I
7 CAN FIND THEM ON THE WEEKEND, BECAUSE NO ONE WANTS THE
8 NEWS ON THE WEEKENDS. BUT YOU WON'T FIND THEM ON THE
9 WEEKDAYS. YOU WON'T FIND BLACK WEEKDAY ANCHORS, AND YOU
10 DON'T HAVE BLACK OR HISPANICS OR ASIANS TALKING ABOUT
11 ISSUES THAT AFFECT EVERYONE SUCH AS HEALTH CARE, THE
12 NATIONAL DEFENSE, STATE WIDE POLITICAL OFFICE. YOU DON'T.

13 SO, I CAN HONESTLY TELL YOU THAT BASED ON
14 DIRECT CONVERSATIONS TO ME FROM SOME OF THE, WELL, FROM
15 THE FEW MINORITY REPORTERS IN THE LOS ANGELES AREA, THEY
16 ARE AFRAID THAT IF THEY SPEAK OUT THEY WILL LOSE THEIR
17 JOBS. THEY ARE DENIED THE OPPORTUNITY TO COVER THE MAJOR
18 STORIES, AND THEY HAVE NO LEGAL RECOURSE TO TAKE, BECAUSE
19 IF THEY DO, THEY RUN THE RISK OF LOSING THEIR JOBS AND
20 THAT'S A FACT.

21 THERE IS NO SYSTEM IN PLACE OF A CIVIL RIGHTS
22 ATTORNEY THAT I KNOW OF THAT CAN INSURE THAT IF THEY DID
23 SPEAK OUT, THERE WOULD BE RETALIATION. THEY CANNOT RELY
24 ON THE EEOC OR THE FAIR EMPLOYMENT HOUSING COMMISSION, AND
25 THEY DON'T HAVE THE FINANCIAL RESOURCES TO PAY THE LAWYER,

1 TOO, \$300 AN HOUR TO LITIGATE THEIR RIGHTS. WELL, THERE
2 IS VERY FEW OF THEM, SO THAT'S REALLY THE GIST OF MY
3 PRESENTATION.

4 OUR COMMITTEE, AGAIN, THE NAACP, A VOLUNTEER
5 STAFF, I DONATE THE TIME AND DAY OF MY LAW PRACTICE TO
6 COME HERE AND LISTEN AND TO JUST BASICALLY TELL YOU THAT
7 IT IS AN UPHILL BATTLE, AND THIS COMMISSION OR ADVISORY
8 COMMITTEE SHOULD REALLY BRING THOSE NEWS DIRECTORS IN AND
9 ASK THEM SPECIFIC REASONS WHY THEY CANNOT GO OUT AND FIND
10 QUALIFIED PEOPLE OF COLOR, BECAUSE THERE IS PLENTY OF
11 THEM, AND PUT THEM ON THE AIR AND LET THEM PARTICIPATE AND
12 ADD GREAT DIVERSTIY TO THE CITY OF LOS ANGELES. THAT IS A
13 MULTI ETHNIC DIVERSITY COMMUNITY. THANK YOU.

14 MR. CARNEY: QUESTIONS?

15 MS. SPANOS-HAWKEY: I'M JUST CURIOUS, WHEN SOMEONE
16 MAKES THAT COMMENT A LIGHT-SKINNED BARBIE DOLL, WHAT
17 HAPPENS?

18 MR. TERREL: WHAT HAPPENS IS OBVIOUSLY IN THIS
19 PARTICULAR CASE, THAT WOMAN DID NOT QUALIFY BECAUSE SHE IS
20 NOT LIGHT-SKINNED.

21 MS. SPANOS-HAWKEY: BUT WHY WOULD SOMEONE BE SO
22 STUPID AS TO MAKE THAT COMMENT AND WHY WASN'T HE FIRED?

23 MR. TERREL: THAT COMMENT WAS MADE FROM AGENT TO
24 AGENT AND BACK TO THE PERSON.

25 MS. SPANOS-HAWKEY: SO IT WASN'T MANAGEMENT?

1 MR. TERREL: DISCRIMINATION IS NOT AS OVERT AS WE
2 ONCE KNEW IT. IT'S VERY SUBTLE, AND WHEN YOU TRY TO FIND
3 A PAPER TRAIL, THERE IS NO PAPER TRAIL AND NO NEWS MANAGER
4 IN 1994 WHO IS GOING TO MAKE AN OVERT STATEMENT SUCH AS
5 THAT, BUT IT'S SAID WITHOUT ANY SENSE OF BEING DISCOVERED,
6 EXCEPT, YOU KNOW, OBVIOUSLY TO THE INDIVIDUAL WHO WAS TOLD
7 TO FIRE HER AGENT.

8 YOU ARE NOT GOING TO FIND THAT SMOKING GUN
9 TYPE OF DISCRIMINATION. YOU DON'T GET THE ASSIGNMENT, YOU
10 DO, AND YOU ARE NOT GOING TO HANDLE ANYTHING. AND IT'S
11 VERY OBVIOUS. SO WHAT YOU DON'T KNOW IS YOU DON'T MAKE
12 WAVES, BECAUSE IF YOU DO MAKE WAVES WHEN YOU LEAVE THAT
13 STATION, YOU WANT A GOOD RECOMMENDATION TO GET OUT OF HERE
14 AND GO SOMEWHERE ELSE. AND ONE OTHER POINT THAT
15 COUNCILMAN ALATORRE MADE, WHICH IS ABSOLUTELY TRUE, THEY
16 DO NOT HIRE PEOPLE OF COLOR FROM THE LOS ANGELES AREA.
17 ANYONE, EVERYONE IS BROUGHT IN, EVERYONE. FOR WHAT
18 REASON, I DON'T KNOW.

19 MR. CARNEY: WOULDN'T THAT BE THE SAME, YOU KNOW, IN
20 OTHER AREAS? I DON'T KNOW, AND I DON'T KNOW IF YOU WOULD
21 KNOW, SAY, FOR EXAMPLE, IN CHICAGO OR NEW YORK OR ST.
22 LOUIS, WHERE DO THEY GET THOSE PEOPLE THAT ARE WORKING
23 THOSE STATIONS?

24 MR. TERREL: I WOULD, I WOULD PROBABLY GIVE AN
25 EDUCATED GUESS TO SAY THEY BRING THEM IN. THE MOTIVATION

1 IS -- I DON'T UNDERSTAND, WHEN YOU HAVE A TALENT POOL SUCH
2 AS YOU HAVE IN LOS ANGELES, WHAT IS THE MOTIVATION. I
3 DON'T KNOW WHAT THE MIND SET IS.

4 IT MAY BE THE QUESTION THAT NEWS DIRECTORS
5 NEED TO BE ASKED AND THEN ASK THEM THE ALTERNATIVE AS TO
6 WHY NOT PULL FROM THE POOL THAT IS IN YOUR IMMEDIATE AREA
7 IF YOU WANT THAT TYPE OF RELATIONSHIP BETWEEN THE
8 COMMUNITY AND YOUR STATION. IT WOULD SEEM VERY OBVIOUS
9 THAT YOU WOULD WANT TO AT LEAST TAP INTO YOUR IMMEDIATE
10 TALENT POOL IN A COMMUNITY THAT HAS OVER SEVEN MILION
11 PEOPLE.

12 MR. CARNEY: DO YOU HAVE ANY QUESTIONS?

13 MS. BUITRAGO: I HAVE SOME MORE QUESTIONS. WHEN I
14 HEAR YOU TALKING AND YOU THINK ABOUT WHAT I SEE ON
15 TELEVISION AND WHAT I HEAR ON THE RADIO, IN MY MIND THERE
16 IS NO QUESTION THAT THERE IS A LACK OF REPRESENTATION OF
17 MINORITIES. BUT ONE OF THE CONCERNS THAT I HAVE IN HAVING
18 THESE HEARINGS, BECAUSE WE ARE GOING TO HAVE TO TRY TO
19 HAVE SOME SORT OF BALANCE AND HEAR THE OTHER SIDE'S STORY,
20 ONE OF THE CONCERNS THAT I HAVE, AND I DON'T KNOW IF YOU
21 HAVE INFORMATION, STATISTICAL INFORMATION THAT WOULD BE
22 HELPFUL TO US IN MAKING WHATEVER DETERMINATIONS WE MAKE,
23 AND I'M JUST WONDERING IN TERMS OF THE AFRICAN-AMERICAN
24 COMMUNITIES IF YOU HAVE THINGS THAT YOU CAN PROVIDE TO US
25 THAT WOULD BE HELPFUL?

1 MR. TERREL: WELL, THE SPECIFIC THINGS I HAVE AND
2 I'M SURE MR. MONTEZ HAS, IS THE TRUST OF THE REPORTERS ON
3 THE STATIONS NOW. THERE IS A QUESTION THEY HAVE TO FACE.
4 DO THEY COME HERE AND TELL YOU EXACTLY WHAT THEY KNOW IN
5 ORDER TO PROVIDE YOU WITH THE INFORMATION THAT YOU NEED TO
6 PROVIDE YOU WITH THE QUESTIONS TO ASK THE NEWS DIRECTORS.
7 IF THEY DO THAT, THEY RUN THE LOSS OR RUN THE RISK OF
8 LOSING THEIR JOB. THEY ARE GOING TO PROTECT THEIR
9 LIVELIHOOD.

10 WHY AM I HERE? I CAN SPEAK WITHOUT ANY
11 RETALIATIONS AGAINST ME. YOU SEE, THIS IS WHERE THE
12 BURDEN IS. YOU HAVE TO HAVE FACTS TO SUPPORT YOUR
13 ARGUMENT. NOW WHERE DO YOU GET THOSE FACTS. THERE IS NO
14 PAPER TRAIL, SO YOU CAN'T COMPARE WHY THIS QUALIFIED
15 MINORITY PERSON VERSUS THIS WHITE PERSON AS TO WHY THERE
16 IS NO PAPER TRAIL. SO YOU DON'T HAVE THAT. YOU MUST RELY
17 ON TESTIMONY FROM PEOPLE WITH PERSONAL KNOWLEDGE. WELL,
18 THERE ARE PEOPLE WHO ARE WORKING THERE WHO HAVE A LOT OF
19 INFORMATION, BUT ARE THEY GOING TO RUN THE RISK OF LOSING
20 THEIR JOB, WHAT DO YOU DO.

21 MR. CARNEY: DO YOU FEEL AS COUNCILMAN ALATORRE DOES
22 THAT BLACKLISTING IS A REALITY?

23 MR. TERREL: OH, YES, YES. THERE IS NO QUESTION
24 ABOUT IT. THE WOMAN WITH THE BARBIE DOLL COMMENT, SHE IS
25 AFRAID. SHE KNOWS THAT IF SHE SPOKE OUT SHE WOULDN'T HAVE

1 A CHANCE FOR, SHE WOULDN'T HAVE A CAREER, IT'S OVER YOU
2 KNOW. I MEAN, I DON'T KNOW IF YOUR NEXT ROUNDS OF
3 HEARINGS WILL INVOLVE NEWS DIRECTORS, BUT, YOU KNOW I
4 PROBABLY WILL ATTEND AND LISTEN TO WHATEVER QUESTIONS YOU
5 POSE TO THEM AND SAY HOW DO YOU -- WHAT STANDARD DO YOU
6 SET UP TO PICK ONE PERSON OVER ANOTHER PERSON, AND HOW DO
7 YOU DOCUMENT THAT IF YOU DO AND HOW DO YOU ASSIGN STORIES
8 BASED ON WHAT?

9 BECAUSE I WOULD BE INTERESTED TO SEE HOW THEY
10 WOULD PICK A WHITE REPORTER OF MAYBE ONE OR TWO YEARS
11 EXPERIENCE OVER AN AFRICAN-AMERICAN REPORTER OF 10 OR 12
12 YEARS, OR HISPANIC REPORTER OF 10 OR 12 YEARS. HOW ARE
13 THOSE ASSIGNMENTS HANDED OUT, WHAT IS THE OBJECTIVE
14 STANDARD. THOSE ARE THE QUESTIONS YOU NEED TO ARTICULATE
15 TO NEWS DIRECTORS, AND I GUARANTEE YOU, IF YOU LET THEM
16 SPEAK WITHOUT THE ASSISTANCE OF LEGAL COUNSEL, I DON'T
17 BELIEVE THEY WOULD BE ABLE TO ANSWER THOSE QUESTIONS.

18 WHY AREN'T THERE MINORITY REPORTERS COVERING
19 WHAT I CALL COLOR-BLIND ISSUES. THE ONLY REASON WHY THEY
20 HAD AFRICAN-AMERICANS COVERING THE RIOTS IN LOS ANGELES IS
21 BECAUSE OF PROBABLY THE DANGER OF WHITE REPORTERS GOING IN
22 TO SOUTH CENTRAL. THAT'S A SAD STATE OF AFFAIRS. LOOK AT
23 THE SIMPSON CASE. THERE IS NO THREAT OF DANGER AND LOOK
24 AT THE PERCENTAGE OF BLACK REPORTERS VERSUS WHITE
25 REPORTERS. LIKE AT ALL THE ANALYST, ALL THE LAWYERS

1 ANALIZING THIS CASE. I DON'T SEE THE MINORITY LAWYERS.

2 MR. CARNEY: HAVE YOU NOTICED IN THE ANALYSIS
3 SITUATION WITH THE SIMPSON CASE THAT THE MINORITY
4 REPORTERS -- I'M SORRY, LET ME START THAT OVER AGAIN. THE
5 ANALYSIS PRESENTED BY ATTORNEYS ON THE STATIONS THAT THOSE
6 ATTORNEYS ARE GENERALLY WESTSIDE LAWYERS?

7 MR. TERREL: I DO KNOW THAT THERE ARE A LOT OF
8 WESTSIDE LAWYERS GIVING AN ANALYSES -- YOU MEAN ON THE
9 LOCAL LEVEL?

10 MR. CARNEY: YES.

11 MR. TERREL: WHAT THAT INFERS, I DON'T KNOW.

12 MR. CARNEY: DO YOU THINK IT MIGHT BE BECAUSE THEY
13 HAVE THE CONNECTIONS IN THE INDUSTRY?

14 MR. TERREL: OH, OH, WELL, YES, YES. I DO A LOT OF
15 COMMENTARY PERSONALLY, AND THE ONLY REASON WHY IT WAS WAS
16 BECAUSE MY NAME CAME UP WHEN I WAS OBSERVING THE EARLIER
17 TRIALS IN LOS ANGELES. SO MY NAME WAS DISCOVERED FROM
18 THAT PROCESS. BUT I DIDN'T HAVE THE CONNECTIONS OR
19 AFRICANS-AMERICANS DON'T HAVE THE CONNECTIONS IN ORDER TO,
20 AS THE WESTSIDE ATTORNEYS, AS A RESULT. THAT MIGHT BE A
21 JUSTIFICATION OR AN EXPLANATION OF THE GOOD OLD BOYS
22 SYSTEM COULD THEY HAVE THE CONNECTION.

23 MR. CARNEY: THE ONLY CONNECTION I HAD WAS JOHNNY
24 COCHRAN.

25 MR. TERREL: HE WAS ON KNBC, AND OBVIOUSLY BECAUSE

1 OF HIS NOTORIETY, HE IS A CUT ABOVE EVERYONE ELSE, AND
2 ONCE HE BECAME A PART OF THE TEAM, NO --

3 MR. CARNEY: WAS IT MR. MADRANO?

4 MR. TERREL: MANI MADRANO WAS DOING IT.

5 MR. CARNEY: AND THAT'S THE ONLY ONE?

6 MR. TERREL: THAT'S THE ONLY ONE ON A REGULAR BASIS.

7 MS. SPANOS-HAWKEY: IT SEEMS TO ME THE NUMBERS WILL
8 GO DOWN AS FAR AS THE HIRING OF MINORITY STAFF PERSONNEL
9 IN THE NEWROOMS. WHEN THEY COME UP FOR LICENSING, THAT
10 COULD BE A STATISTIC THAT WE COULD USE WITHOUT TESTIMONY?

11 MR. TERREL: I'M GLAD YOU MENTIONED THAT.

12 MS. SPANOS-HAWKEY: AS FAR AS THEIR LICENSE, THAT IF
13 EVER THOSE REPORTS THEY SUBMIT AS FAR AS MINORITIES THOSE
14 NEWSPAPERS ARE MANIPULATED BECAUSE MANAGEMENT POSITIONS
15 ARE DEFINED IN SUCH A VAGUE CATAGORY, THAT YOU CAN POINT
16 OUT, OR THE STATIONS CAN HAVE MINORITY PARTICIPATION, BUT
17 NOT IN THE DECISION-MAKING RESPONSIBILITY. THERE ARE
18 CERTAIN JOBS THAT ARE BEING MANAGEMENT THAT LACK DECISION
19 MAKING POWERS. THEY CAN SEE WE HAVE TWO HERE AND ONE
20 HERE, AND THAT REPRESENTS THE GENERAL EMPLOYMENT POOL.
21 BUT WHEN YOU ARE TALKING ABOUT NEWS DIRECTORS, THE WRITERS
22 WHO ARE WRITING THE ASSIGNMENTS, NONE.

23 MS. SPANOS-HAWKEY: WHAT ABOUT THE MOST VISUAL
24 PEOPLE THAT WE ARE SEEING THE CHANGE WITH THE FOLKS ON
25 CAMERA, WOULDN'T THOSE NEWSPAPERS SHOW AN INDICATION THAT

1 THESE PEOPLE ARE NOT BEING GIVEN ASSIGNMENTS AND THEY ARE
2 BEING LET GO AND BEING REPLACED BY WHITE ANCHORS?

3 MR. TERREL: WELL, IF YOU ARE SAYING THE CURRENT
4 STATE OF AFFAIRS IN LOS ANGELES?

5 MS. SPANOS-HAWKEY: IN COMPARISON TO WHEN AFFIRMING
6 ACTION WAS BEING ENFORCED, I THINK THEY ARE GETTING LAZY.

7 MR. TERREL: WELL, I'VE BEEN BORN AND RAISED IN LOS
8 ANGELES. I'M TRYING TO VISUALIZE WHEN THERE WAS A TIME
9 AFFIRMING ACTION MADE A DIRECT IMPACT IN THE MEDIA WHERE
10 THERE WERE AS MORE PEOPLE OF COLOR ANCHORING THE NEWS
11 BETWEEN THE 5:00 AND THE 7:00 HOUR. I JUST CAN'T RECALL
12 THAT PERIOD OF TIME.

13 MS. SPANOS-HAWKEY: I WASN'T HERE THEN, SO I DON'T
14 KNOW.

15 MR. TERREL: I JUST DON'T SEE IT. WHAT HAS
16 HAPPENED, IF ANYTHING, AND I WOULD SAY BACK IN THE EARLY
17 '70'S THE WHOLE CONCEPT OF AFFIRMING ACTION OPENED THE
18 DOOR FOR MINORITY PARTICIPATION AND WAS EXCLUSIVELY WHITE
19 DOMINATED, SO YOU HAVE YOUR TOKEN ONE BLACK AND YOUR TOKEN
20 ONE FEMALE, AND MAYBE IT'S NOW TWO, BUT THE COMPANY IS
21 WHERE THEY ARE ASSIGNED AND HOW THEY ARE UTILIZED BY THE
22 COMPANY INSTEAD OF JUST SAYING YES, WE HAVE ONE.

23 MS. SPANOS-HAWKEY: AND THAT WON'T SHOW UP IN ANY
24 STATISTICS.

25 MR. TERREL: I WANT YOU TO UNDERSTAND ONE OTHER

1 POINT. I DON'T THINK A COMPANY OR STATION CAN GET AWAY BY
2 SAYING WE HAVE A BLACK. MAYBE MY ATTITUDE ABOUT AFFIRMING
3 ACTION IS THAT IT'S NOT EVEN AN ISSUE OF PICKING A PERSON
4 OF COLOR BECAUSE YOU NEED THAT. I AM SAYING TO YOU THERE
5 ARE A LOT OF QUALIFIED PEOPLE OF COLOR THAT YOU WOULDN'T
6 NEED AFFIRMING ACTION. PEOPLE ARE EXTREMELY QUALIFIED AND
7 THEY ARE NOT CONSIDERED. AND THAT'S THE PROBLEM.

8 AND THERE IS A MIND SET ON NEWS DIRECTORS,
9 FOR WHATEVER REASON, THAT JUST EXCLUDE PEOPLE OF COLOR IN
10 POSITION OF RESPONSIBILITY WHEN IT COMES TO MEDIA
11 DECISION. NOT ONLY TELEVISION, BUT RADIO. IF YOU LISTEN
12 TO TALK RADIO IN LOS ANGELES, JUST TURN IT ON AND YOU'LL
13 KNOW.

14 MR. CARNEY: HOW DO YOU TELL, OTHER THAN XAVIER
15 HERMINSILLO, HOW DO YOU KNOW?

16 MR. TERREL: YOU LOOK AT BILL HANDLE WHO NOW HAS A
17 TALK SHOW, LOOK AT DENNIS PRADER, YOU LOOK AT MICHAEL
18 JACKSON.

19 MR. CARNEY: MICHAEL JACKSON BECAUSE I HAVE SEEN
20 THEM ON TV. HOW DO YOU KNOW THEY ARE PEOPLE OF COLOR?
21 SOMETIMES A NAME DOES NOT IDENTIFY IT.

22 MR. TERREL: THAT'S TRUE, THAT'S TRUE. BASICALLY,
23 IF YOU REALLY WANT TO KNOW, YOU LISTEN AND YOU WILL
24 PROBABLY CALL IF YOU ARE CURIOUS. I KNOW, I MONITOR THOSE
25 STATIONS. BUT THEY HAVE ONE, MAYBE HAVE ONE, ON THE LATE

1 NIGHT HOURS, AND REMEMBER YOU ARE LOOKING AT THE
2 PRIME-TIME HOURS LIKE 6:00 TO 10:00 IN THE MORNING. THOSE
3 ARE THE PRIME-TIME RADIO HOURS, SEE IF YOU HAVE ANY BLACK
4 RADIO PERSONALITIES.

5 MR. CARNEY: YES, MA'AM.

6 MS. MARTINEZ: HAS NAACP EVER MET WITH MANAGEMENT
7 AND PROVIDED A LIST AND SAY HERE, I HAVE A LIST, HERE IS A
8 LIST OF THE RESUME OF 15 PEOPLE OR WHATEVER YOU USE. THEY
9 ARE QUALIFIED CANDIDATES. CAN YOU USE THESE PEOPLE?

10 MR. TERREL: NO, WHAT NAACP HAS EVER DONE WAS
11 COMPLAIN. MAYBE THAT'S THE PROBLEM FOR US. I DON'T THINK
12 STATIONS WILL ACCEPT OUR LIST OF CANDIDATES. WHAT WE HAVE
13 DONE IS BEEN MORE OF A COMPLAINER, SAY WHY HAVEN'T YOU AND
14 THEN THEY WOULD GIVE US AN EXCUSE.

15 WE HAVE NEVER PROVIDED THEM A LIST WITH
16 QUALIFIED INDIVIDUALS. I DON'T THINK IT WOULD BE OUR
17 POSITION TO DO SO. I THINK IT'S OUR POSITION AS A CIVIL
18 RIGHTS ORGANIZATION TO SAY HEY, TELL US WHY YOU CAN'T GO
19 OUT, WHEN YOU RECRUIT, WHEN YOU PUT THOSE JOBS UP, WHEN
20 YOU POST THEM UP, REALLY FOLLOW THROUGH AND RECRUIT OR
21 SEEK OUT PEOPLE OF COLOR.

22 AND AGAIN, IT'S NOT LIKE PICK A BLACK, PICK A
23 HISPANIC BECAUSE YOU NEED ONE OR YOU DON'T HAVE ONE. I AM
24 SAYING TO YOU THERE ARE QUALIFIED AFRICAN-AMERICANS,
25 HISPANIC, ASIAN AMERICANS WHO CAN DO A BETTER JOB BECAUSE

1 WHAT THEY BRING IN IS A DIFFERENT PERSPECTIVE.

2 THAT IS NOT GIVEN IN THE NEWS, AND LIKE I
3 SAID, WHEN YOU HAVE THESE COLOR-BLIND ISSUES WHICH AFFECTS
4 EVERYONE, I THINK WHAT YOU ADD WHEN YOU HAVE A HISPANIC
5 AMERICAN TALKING ABOUT HEALTH CARE OR AFRICAN-AMERICANS,
6 YOU HAVE A GENERAL PERSPECTIVE THAN YOU WOULD ASSUME THAT
7 IS COMING FROM THE COUPLE FROM THE SAME PEOPLE ALL THE
8 TIME, AND YOU HAVE DIVERSITY BECAUSE ALL THOSE ISSUES
9 AFFECT EVERY ONE.

10 MS. SPANOS-HAWKEY: SO, NOW THAT I AM TOTALLY
11 DEPRESSED, WHAT SUGGESTION DO YOU HAVE FOR GETTING THESE
12 INDIVIDUALS TO COME IN AND TESTIFY OF THEIR OWN FREE WILL?
13 I'M NOT SO SURE THAT ISSUING A SUBPOENA AND FORCING
14 SOMEONE TO COME THAT THEY ARE NECESSARILY GOING TO TELL
15 THE WHOLE TRUTH. WHAT ARE YOUR SUGGESTIONS?

16 MR. TERREL: YOU KNOW WHAT, WHATEVER ASSISTANCE I
17 CAN BE FOR MR. MONTEZ -- I THINK THE PRESSURE IS, I DON'T
18 THINK SUBPOENAING THE VICTIM IS THE APPROACH. I THINK THE
19 KEY HERE IS FORMULATING QUESTIONS -- SERIOUSLY, IF YOU
20 HAVE ANOTHER SESSION WITH THE NEWS DIRECTOR, TO SET UP
21 QUESTIONS. I WOULD BE MORE THAN HAPPY TO PARTICIPATE IN
22 DOING THAT FOR THEM TO ARTICULATE THE WAY IN WHICH THEY
23 HAVE CONDUCTED BUSINESS IN THE PAST, BECAUSE I GUARANTEE
24 YOU IF SHE SITS THERE AND TELLS YOU THIS IS HOW WE RECRUIT
25 AND MAKE THEM PROVE THIS IS THE MATTER, WE ARE GOING TO

1 FIND OUT THEY ARE NOT BEING UPFRONT AND HONEST WITH YOU.

2 MR. CARNEY: THERE IS A SITUATION THAT EXISTED
3 DURING THE LAST UPRISING HERE OF THE CIVIL UNREST, IF YOU
4 WILL. ONE OF THE LOCAL ANCHORS WAS VIEWING A SITUATION
5 WHERE THERE WAS LOOTING, ET CETERA, AND HE MADE THE
6 COMMENT LOOK AT ALL THOSE ILLEGALS. DID YOU HEAR THAT?

7 MR. TERREL: I DID NOT HEAR THAT.

8 MR. CARNEY: THE QUESTION I HAVE IS, HOW DOES
9 SOMEBODY COUNTER THAT OTHER THAN JUST REGISTERING A
10 COMPLAINT WITH THE STATION THAT JUST GETS FUNNELED OFF
11 INTO THE ROUND FILE?

12 MR. TERREL: WELL, YOU KNOW THEY GET SO MANY
13 COMPLAINTS, I MEAN STATIONS GET SO MANY COMPLAINTS OUTSIDE
14 OF THE ACTIVE PEOPLE OF COLOR. IN OTHER WORDS, THE PEOPLE
15 WHO ARE WRITING THOSE SCRIPTS, THE PEOPLE WHO ARE WRITING
16 THE NEWS HAVE TO BE MORE SENSITIVE.

17 HOW DO YOU DO THAT? YOU GET MORE PEOPLE OF
18 COLOR, YOU GET A DIVERSIFIED MANAGEMENT STAFF TO
19 PARTICIPATE IN THE WAY THAT THE NEWS IS WRITTEN AND THE
20 WAY THE NEWS IS WRITTEN. AGAIN, TURN ON THE NEWS TONIGHT,
21 FIRST OR SIX STORIES ARE CRIME STORIES USUALLY INVOLVING
22 MINORITY CRIMES.

23 NOW, I GUARANTEE YOU THAT IS NOT THE MIND SET
24 OR THE ATTITUDES OF THE MINORITIES WHO ARE ALWAYS JUST
25 INVOLVED IN CRIME, BUT, YOU KNOW, THIS COUNTRY RIGHT NOW

1 IS REALLY IN A SITUATION RIGHT NOW BECAUSE OF PROP 187,
2 AND I'M DIGRESSING FOR A MINUTE.

3 ECONOMIC PROBLEMS, PEOPLE ARE ATTACKING EACH
4 OTHER FOR ALL THE WRONG REASONS, AND WHEN YOU HAVE THESE
5 TYPE OF NEWS STORIES AND THOSE STORIES ARE BEAMED INTO A
6 HOME WHERE PEOPLE ARE NOT ABLE TO REACT WITH PEOPLE OF
7 COLOR, COULD YOU IMAGINE THE MIND SET THAT IS DEVELOPING
8 BECAUSE OF THAT NEWS COVERAGE.

9 AND WHAT THAT DOES IS WHEN SOMEONE OF COLOR
10 TRIES TO BE A NICE ANCHOR BECAUSE THAT HOME CANNOT HAVE
11 THAT TRUST, LET'S FACE IT, PEOPLE JUDGE OTHERS ON SOME OF
12 THE SILLIEST THINGS AND SOME PEOPLE JUDGE THE CREDIBILITY
13 OF OTHERS BASED ON RACE. SAD STATE OF AFFAIRS, BUT IT'S
14 TRUE.

15 HOW CAN AN AFRICAN-AMERICAN TALK ABOUT HEALTH
16 CARE, WHAT DOES HE KNOW, OR THE NATIONAL BUDGET. I MEAN
17 THAT'S A MIND SET. THAT'S WHY I FIND IT FUNNY THAT WHEN I
18 HEAR MYSELF SPEAK ON CERTAIN ISSUES, I SIT THERE AND I'M
19 SAYING THE SAME THING THIS GUY IS SAYING, OR HE IS SAYING
20 THE SAME THING THAT I AM SAYING. BUT IT'S JUST THE LACK
21 OF OPPORTUNITY. AND IF WE COULD JUST CHANGE THAT MIND SET
22 OF HAVING PEOPLE OF COLOR PARTICIPATE IN MAJOR DECISION,
23 MANAGEMENT DECISION IN WRITING THE NEWS, IF WE COULD JUST
24 CHANGE THAT, JUST CHANGE IT, I GUARANTEE YOU, SOCIETY
25 WOULD GET ACCUSTOMED TO IT AND GROW TO LIKE IT AND LEARN

1 FROM IT. WE JUST HAVEN'T HAD, IT HASN'T BEEN CHANGED.

2 MS. SPANOS-HAWKEY: WELL, THE STATISTICS PROVE THAT
3 EVEN THOUGH THERE IS A CHANGE IN THE COLOR OF PEOPLE
4 OPERATING THE NEWS, THERE IS NOT A CHANGE IN THE NUMBER OF
5 VIEWERS. PEOPLE DON'T CHANGE THE CHANNEL BECAUSE THERE IS
6 AN AFRICAN-AMERICAN OR LATINA OPERATING THE NEWS.

7 MS. BUITRAGO: SO THAT TELLS YOU THEN, WHY NOT DO
8 IT.

9 MS. SPANOS-HAWKEY: THEY ARE WRONG.

10 MR. TERREL: THEN WHY NOT DO IT, THEN THERE IS THIS,
11 WELL YEAH, SHARE. YOU KNOW, THE MEDIA IS A POWERFUL
12 INDUSTRY. IT INFLUENCES PEOPLE. AND WHAT YOU HAVE HERE
13 IS YOU ARE GOING TO SHARE THAT INFLUENCE, THAT ABILITY TO
14 SHARE YOUR VIEWS OR INFORMATION WITH OTHER PEOPLE WHETHER
15 YOU NEVER HAD TO IN THE FIRST PLACE. AND THERE IS NO
16 ENFORCEMENT MECHANISM TO MAKE YOU DO IT. THERE IS
17 ABSOLUTELY NO ENFORCEMENT MECHANISM TO MAKE THESE STATIONS
18 CHANGE, PERIOD.

19 AGAIN, EXCUSE ME FOR BEING REPETITIVE. DO
20 NOT RELY ON ANY GOVERNMENTAL, DO NOT EXPECT THAT ANY
21 GOVERNMENTAL AGENCY THAT ARE IN PLACE CAN CHANGE IT.
22 CONSIDER THEY CANNOT. THEY DON'T HAVE THE MAN POWER.

23 MR. CARNEY: MR. TERREL, WE WANT TO THANK YOU VERY
24 MUCH. WE ARE REALLY APPRECIATIVE OF YOUR REMARKS. I
25 THINK YOU HAVE GIVEN US SOME INSIGHT ON THE SITUATION THAT

1 EXISTS. BOTH GOVERNMENTALLY AS WELL AS IN THE PRIVATE
2 SECTOR.

3 MR. TERREL: AND ALL I CAN SAY IS, FEEL FREE TO CALL
4 ON ME AT ANY TIME. MR. MONTEZ HAS MY NUMBER, AND I WILL
5 DO ANYTHING POSSIBLE. I WILL DONATE THE TIME TO ASSIST
6 THIS COMMITTEE IN ITS FACT FINDING.

7 MR. CARNEY: WELL, THANK YOU VERY MUCH, SIR.

8 MR. TERREL: THANK YOU. WE WILL NOW BE IN RECESS
9 UNTIL TOMORROW MORNING.

10 (PROCEEDINGS CONCLUDED AT 4:45.)

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REPORTER'S CERTIFICATE

I, GLORIA COLON, CSR NO. 8297, CERTIFIED
SHORTHAND REPORTER IN AND FOR THE STATE OF CALIFORNIA DO
HEREBY CERTIFY;

THAT I TOOK IN SHORTHAND THE PROCEEDINGS IN
THIS MATTER, AND THE FOREGOING TRANSCRIPT IS A TRUE AND
CORRECT TRANSCRIPTION OF MY SHORTHAND NOTES.

I FURTHER CERTIFY THAT I HAVE NO INTEREST IN
THE OUTCOME OF THIS ACTION.

WITNESS MY HAND THIS 15TH DAY OF
DECEMBER, 19 94.

Gloria Colon

GLORIA COLON, CSR NO. 8297
CERTIFIED SHORTHAND REPORTER IN
AND FOR THE STATE OF CALIFORNIA